

**SENATE RESEARCH COMMITTEE\***  
**FRIDAY, May 23, 1997**  
**MINUTES OF THE MEETING**

**PRESENT:** David Hamilton, Chair, Phil Norcross, Marilyn DeLong, Len Kuhi, Burle Gengenbach, Barbara Van Drasek, Jesse Grenz, Mark Brenner, Ed Wink

**REGRETS:** Mark Snyder, Jennifer Long

**ABSENT:** Joel Eisinger, Kathryn Rettig, Susan Hupp, Robin Dittmann, Dorothy Hatsukami

**OTHER:** Frances Lawrenz, WinAnn Schumi

These minutes contain discussion on the following agenda items: ICR, Review of BA23, Intellectual Property Policy, and Academic Misconduct Policy.

### **WELCOME AND INTRODUCTIONS**

Prof. David Hamilton welcomed the Committee and noted that it was the last meeting of the 1996-97 academic year for the Senate Research Committee. He welcomed Len Kuhi as the 1997-98 Chair of the Committee and thanked him for accepting the leadership role. Prof. Hamilton briefly discussed the agenda, noting that two items that would need more attention from the Committee in 1997-98 were the Academic Misconduct and Intellectual Property policies. He also noted that among other items needing attention in 1997-98 were the cease and desist order, which stopped the Committee from being effective until February 1997, and the coordinating of Committee meetings to Senate meetings. He then introduced Len Kuhi, who facilitated discussion on the topic of ICR.

### **ICR --Len Kuhi**

Prof. Kuhi provided an outline of issues and concerns to the Committee. The issues centered on the question of what the role is of the Committee in the key issues. These issues are:

- Determination of overhead rates: how are the various subcategory assignments actually made? Who makes them, and with what input. What role does the Committee play?
- Variety of rates: all grants do not pay the same overhead rates. Some differences seem justified (e.g., off-campus research sites) but others do not. Can the rates be increased for those lower-paying grants to more closely reflect actual indirect costs?
- Reallocation formula: how is this determined? Who makes the decision?
- Expenditure of ICR funds: general faculty feeling that they are not receiving the services paid for by indirect costs, e.g. maintenance of buildings, lab space, etc. the grants are taxed but little benefit is seen.

---

\* These minutes reflect discussion and debate at a meeting of a committee of the University of Minnesota Senate or Twin Cities Campus Assembly; none of the comments, conclusions, or actions reported in these minutes represent the views of, nor are they binding on, the Senate or Assembly, the Administration, or the Board of Regents.

- IMG: proposed intermingling of ICR and state funds to allow ICR to be used for teaching would set a very dangerous precedent. How can teaching possibly be justified as part of the overhead rate? Such a scheme would automatically provide funding agencies with a strong reason for reducing the overhead rate, thus further reducing the funds available to provide the services used to justify the rate in the first place. Such intermingling of hard and soft funds totally distorts the concept or "revenue neutral" as the starting point for IMG. The idea that departments will increase efforts to get new grants because they will see an increased ICR return seems unrealistic. Grant proposals are made to generate funds for specific research projects not to enhance ICR return. The concept of incentives does not seem clear to the IMG implementers.

Prof. Hamilton noted that at the April 11 Committee meeting, a resolution was passed (unanimously) asking the University to cease all efforts to repeal the statute addressing ICR. He then attempted to pursue the issue, without success. He noted that he did not know if the University had pursued the repeal any further than it had previously, but he did know the statute was repealed, thus allowing ICR money to be used for any purpose the administration wishes. He said the faculty as a whole was as yet unaware of this occurrence.

Prof. Brenner stated that he was supportive of the use of ICR dollars for their original purposes. He indicated that ICR was based on previous expenditures, not on each individual case. He said it would be very appropriate to examine the rates of ICR in 1997-98, and why they are uneven. He noted that consistency was an important issue.

### **BA23 --WinAnn Schumi**

Ms. Schumi gave an update on electronic grants management, of which BA 23 is an element. She gave an overhead presentation, walking the Committee through the BA23 website and explaining the procedures for filling out the on-line forms. She noted that several changes had been made since her last demonstration at a Research Committee meeting. Prof. Hamilton added that the NSF and NIH forms have been connected to BA23 so that any information that should be on the BA23 form that can be automatically obtained from one of these grant forms will be, eliminating the need to document more than once.

There are still some logic-flow issues that need to be addressed, and the on-line forms will be changed as these issues are resolved.

### **INTELLECTUAL PROPERTY--Fran Lawrenz**

Prof. Hamilton noted that the Intellectual Property Policy was of great interest to a large number of faculty, and said that it was important to let the faculty know that the Committee was reviewing the policy. Fran Lawrenz gave an update on the status of the policy, noting that very little had been done earlier in the year due to the cease and desist order. She said she had just taken the policy to SCFA for review.

Prof. Hamilton noted that there was a tremendous amount of money that faculty could make, and that the policy impacted the income derived from their writing. Mark Brenner said a big question was that of electronic publishing and other new means of publishing materials. He said he would like to see a

rationale posted explaining why there were distinctions made between the various types of publishing. It was noted that there were a lot of gray areas that needed to be addressed.

Some Committee members asked for a distinction between students and faculty with regards to ownership. One Committee member asked for clarification as to why students maintained ownership of their intellectual property if they used University resources. It was explained that students pay tuition and most of their intellectual property is developed as part of their course work, thus entitling them to ownership. Some Committee members felt that there needed to be more clarification in the policy relating to students, as some students are also University employees, and others receive funds from the University.

### **ACADEMIC MISCONDUCT**

Due to time constraints, the Academic Misconduct discussion was postponed until Fall 1997, when it shall be discussed at length.

### **OTHER BUSINESS**

Prof. Hamilton asked for a motion to accept the minutes of April 11, 1997, noting that they contained the resolution asking the University to cease efforts to repeal MN statute 137.41. A motion was made, seconded, and the minutes were approved unanimously.

The Committee recognized Prof. David Hamilton and thanked him for chairing the 1996-97 Senate Research Committee.

With no further business, the meeting was adjourned.

Respectfully submitted,  
Dana Swanson  
University Senate

University of Minnesota