

## MINUTES\*

### SENATE RESEARCH COMMITTEE September 20, 1991

PRESENT: Irwin Rubenstein (chair), Sara Evans, Danita Carlson, Ken Reid, Essie Kariv-Miller, Albert Yonas, Robert Jones, John Basgen, Neal Gault, Mark Brenner

Professor Rubenstein, Chair, opened the meeting by asking each member present to introduce themselves.

Professor Rubenstein outlined the process of faculty governance through senate and assembly committees who individually examine different aspects of academia, faculty affairs and relevant to this committee, the research enterprise. This committee is charged with formulating policy and forwarding its recommendations to the Faculty Consultative Committee for review and then on to the Senate for action. After the Senate approves a policy it is forwarded to the President and the Regents for final adoption as University policy.

Professor Rubenstein apprised the committee of some issues brought before it in the past few years. Indirect cost recovery, faculty consulting and misconduct in research and scholarly activities are types of issues the committee has discussed, debated and developed policies on. Indirect cost recovery is an item that the committee may return to because of recent suggested changes in that area.

Professor Rubenstein asked that the committee spend the major part of the meeting discussing the working draft of the University of Minnesota Policies and Procedures for dealing with Misconduct in Research and Scholarly Activities that was sent to them prior to the meeting.

The Research Committee reviewed the draft dated September 14 which outlined additions and deletions from the previous draft. Professor Mark Brenner presented the working draft to the committee for further discussion. The committee will be asked to act on the report at its October 4th meeting.

Professor Brenner stated that misconduct in research is an issue that the public will continue to be concerned about and one that scientists and scholars should equally be concerned about. The best way to deal with misconduct is to have good operating principles in place. The University of Minnesota plans to produce guidelines describing good practices; copies will be distributed to all faculty. This is in addition to the misconduct policy currently under review.

Professor Brenner pointed out that institutions must meet several requirements in order to receive NIH funding. One of those requirements is to have a misconduct policy as well as institutional guidelines. NSF has similar requirements.

Institutions needed to have a policy in place by December, 1989. The University of Minnesota had a policy at that time, but it did not receive the full support of the Senate. The draft proposal has been

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used during the interim in order to receive NIH funding. The Research Committee reviewed and supported the revised version (draft form) of the misconduct policy last year.

Since that time, the Faculty Consultative Committee as well as some central administrators have raised some questions regarding the policy. The current working draft attempts to address those concerns. Professor Brenner would like to see the policy in place by the first of the year. To become official policy, it will have to go through the Senate process again and receive endorsement from the Regents.

Professor Brenner proceeded to walk the committee through the current draft. Underscores of the text signify additions and lines through the text indicate deletion from the previous draft. Professor Brenner cited additional changes in the text and will incorporate those changes along with any suggestions from the Research Committee. The changes will appear in the draft that will be forwarded to committee members prior to the next meeting.

The Research Committee made the following recommendations:

- Page 3, under Definitions, item 3: "Other practices that seriously deviate from those that are commonly accepted in the scientific community for proposing, conducting, or reporting research." This was a major concern of the Faculty Consultative Committee as well. Committee members expressed concern that this statement is in the document and asked that it be removed. Professor Brenner informed the committee that it has to be in the document because it is required by NSF. His footnote on the bottom of page three is meant to explain the statement. As a compromise, a positive statement will be included. This statement is not a license for witch hunting.
- One other concern is the rights of the respondent during this process - the Faculty Consultative Committee had also raised this issue.
- On page 14, under section Appeal/Final Review, members of the committee requested that a third item be added in the first paragraph to state that - the inquiry/investigation did not follow the appropriate procedures.

Professor Brenner agreed to do so.

One important aspect of the document is the establishment of a recognized board of knowledgeable fellow faculty available to those individuals who seek council in matters of misconduct. This group does not include the grievance officer. It would be the responsibility of this panel of scientists to advise and direct the appropriate action in reporting cases of misconduct. This panel is called the Science and Scholarly Advisory Committee (SSAC).

- The committee recommended the change from committee to board. Professor Brenner agreed to change the name to the Science and Scholarly Advisory Board (SSAB).

Professor Brenner estimated that the board may hear 3-5 cases a year of these, on average. Half may go through the investigative process and one case of misconduct might be found.

On page 7, under Structure, Professor Brenner pointed out that the report should go to the Senior Vice President for Academic Affairs/Academic Vice President. The document will reflect the change.

- Committee recommended eliminating the word frivolous on the top of page 7, under Structure. Professor Brenner agreed.

Professor Brenner stated that a flow chart and a one page summary to help individuals walk through the process will be included in the final document.

Professor Brenner explained the importance of having a reasonable, well defined process in place in the event a case was brought to court. The courts will look carefully at the process more so than of the content of the case.

Professor Brenner stated that suggested word changes, etc., will be included in the next document.

Members of the Research Committee who were available in early September met with the candidates for the position of Vice President for Research and Dean of the Graduate School. Vice Provost Infante invited input from individuals who met with the candidates.

Other agenda items for the coming year will include discussions relative to Indirect Cost Recovery; protection of faculty academic freedom against outside interests; funding for GRAC; service contract - cost cutting, as well as other issues as they come up. Walter Weyhmann, Acting Dean of the Graduate School, has requested time with the committee to discuss funding for the Graduate School's Research Advisory Committee (GRAC). This will be discussed at the October 4 meeting.

Members agreed that the next meeting of the Research Committee would be October 4. The committee will meet again on Friday, November 15th. Winter quarter meetings will be scheduled at November meeting.

--Vickie Courtney

University of Minnesota