

Minutes*

**Senate Research Committee
Thursday, November 19, 1998
433 Johnston Hall
3:00 PM**

Present: Scott McConnell, Vic Bloomfield, Lorraine Francis, Bianca Conti-Fine, Burle Gengenbach, Eric Klinger, Richard Poppele, WinAnn Schumi, Ed Wink, Mark Paller, Jesse Grenz, Peter Reichert

Guests: Christine Maziar, Nancy Hoyt, David Hamilton

Regrets: Len Kuhi, Marilyn DeLong

Absent: Norma Allewell, John Finnegan, Frank Cerra

[In these minutes: Working Draft on Technology Commercialization, Intellectual Property Policy, Education in the Responsible Conduct of Research and Grants Management, Grants Management Update]

The University Senate Research Committee met at 3:00 PM on Thursday, November 19, 1998 in 433 Johnston Hall on the East Bank of the U of MN.

APPROVAL OF MINUTES.

The minutes from the Research Committee meeting held on Thursday, October 29, 1998, distributed to committee members via e-mail prior to the meeting, were approved as written.

WORKING DRAFT ON TECHNOLOGY COMMERCIALIZATION.

A draft proposal titled, "Making Connections: Enhancing the Creation, Transfer and Commercialization of Technology Processes at the University of Minnesota" was distributed to members of the Research Committee by mail prior to the meeting for their review. Vice President Christine Maziar informed committee members that the word "draft" is a permanent notation on the proposal since it was planned to be a working draft. In essence, the document is an expression of her ideas in guiding the commercialization of University activities related to technology.

She noted that although transfer technology has always been done at the University, the institution doesn't always get its due credit. Vice President Maziar added that she feels strongly that the main reason why this is done at the University is not to make a lot of money, but instead a way to express its commitment to follow through on ideas that are especially important. Indeed, Vice President Maziar noted that the University's current income from commercialization compares favorably with peer institutions, and that annual fluctuations in the amount of funds makes reliance on commercialization income unadvisable. It was also noted that the partnership that the University has with private industry has come a long way in order to compare with the investment at the federal level.

One committee member stated that some colleges develop curricula, procedures, and systems rather than bits and drives. He asked Vice President Maziar to expand the definition of innovations and

*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 reflect the views of, nor are they binding on, the Senate or Assembly, the Administration, or the Board of Regents.

the participation of faculty to include these and other forms of the academic environment to the industry. Another committee member asked that it also be remembered that the revenue from royalties is not only about money, but is needed for the application of faculty research. In other words, there must be a transfer of research into reality. It was also noted that software development is a difficult issue; if it is to be used in the private sector, it needs to be commercialized.

Vice President Maziar thanked members for their suggestions and asked them to review the draft further and provide her with any comments or questions as they arise.

INTELLECTUAL PROPERTY POLICY.

Vice President Maziar reported that it was never her intent to expand the University's claim to the intellectual property of work production or activity that the University faculty have traditionally understood to be owned by them, such as instruction, books, and monographs. Instead, the intent was to reduce the claims the University took on distance learning and classroom technology and to provide support to faculty members that do it. However, she added that the University would like to expand intellectual property rights only in cases of explicit agreement between the University and faculty in the development of those materials. Without such an explicit contract, the assumption should be ownership by the faculty member.

Committee members provided several recommendations for a future draft, including:

- ◆ Clarification of works for hire
- ◆ Clarification of the University's responsibilities, particularly on commercialization issues
- ◆ How to comply with federal regulations while ensuring that the University faculty are knowledgeable about their rights and responsibilities
- ◆ Address employment conditions related to unionization
- ◆ Address procedural questions in order to maximize clarity and understanding while at the same time not encumbering policies with procedural points

In a recent meeting with the Faculty Consultative Committee (FCC), faculty members suggested that Vice President Maziar establish a working group to include 2-3 members from the Research Committee, 2-3 members from the Faculty Affairs Committee, representatives from the Research Office, and Nancy Hoyt from the General Counsel's Office, to provide more faculty input on the proposal before further review. Professor Scott McConnell asked members to consider volunteering to serve on this working group and to contact Professor Len Kuhl, Chair, if they are interested.

EDUCATION IN THE RESPONSIBLE CONDUCT OF RESEARCH & GRANTS MANAGEMENT.

A draft policy dated October 29 was distributed to committee members at the last meeting for their review. The policy was drafted by Professor Kuhl and Peggy Sundermeyer, Graduate School, to offer guidance and support from the Research Committee as a result of the request the University received from NIH that faculty be able to demonstrate competence on an ongoing basis regarding research and grants management.

Professor David Hamilton added that the University established ongoing training on various elements of research through the following three groups: 1) academic administration and faculty; 2) department administration and others in research; and 3) students, post-docs, and technicians. He believes that the Research Committee should become a forum for these groups to provide updates on a regular basis. It was agreed that involvement of faculty participation in the development of this training is crucial. The

proper role of this committee would be to reinforce and support this effort, including an eventual policy spearheaded by the faculty stating that education in research is important to the University.

Professor Hamilton added that the companion policy, the PI Eligibility Policy, is currently being reviewed by SCFA and will eventually come before the Research Committee. Both policies should be supported and approved by the appropriate faculty governance committees and the Senate. It was agreed that if properly done, mandatory training can be helpful, but there is still a great deal of concern about the institutional cost and time, particularly in terms of the work that will not be done while faculty attend mandatory training.

Professor McConnell asked that comments and suggestions about the draft policy be sent to the Chair as soon as possible.

GRANTS MANAGEMENT COMMITTEE.

- ◆ Professor David Hamilton reported that the ALG settlement will have no effect on the University's designation as an exceptional institution. However, he noted that there are no longer any legal restrictions on the communication between the Grants Management Committee and NIH. Although the University expects to be taken off exceptional status by December of 1999, it hopes to get expanded authorities back within the next few months.
- ◆ Vice President Maziar met with ORTTA last week and announced the demise of the acronym ORTTA. Instead, three new entities within the organization have been established, each with a director (Sponsored Projects Administration - Ed Wink; Office of Institutional Oversight - WinAnn Schumi; and Patents and Technology Marketing - Tony Strauss) who will report to VP Maziar. The title changes will be made on December 15, but it will take longer to make the final changes to the office.

The meeting adjourned at 4:35PM.