

Minutes*

**Senate Research Committee
Armistice Day 2002
1:15 - 3:00
238A Morrill Hall**

- Present: Gary Balas (chair), Melissa Anderson, Victor Bloomfield, James Cotter, Sharon Danes, Robin Dittman, Sabine Fritz, David Hamilton, Phillip Larsen, James Luby, Sharon Neet, Mark Paller, Virginia Seybold, Thomas Schumacher, Barbara VanDrasek
- Absent: Gerry Baldrige, Kathleen Conklin, Kris Davidson, Yev Garif, Lawrence Jacobs, Paul Johnson, Katherine Klink, Wendy Pradt Lougee, Scott McConnell, James Orf, Mehul Vora
- Guests: Mark Bohnhorst (Office of the General Counsel); Edward Wink, Sheryl Goldberg (Sponsored Projects Administration); Assistant Vice President Richard Bianco (Regulatory Affairs); Winifred Schumi (Oversight Analysis and Reporting)
- Other: none

[In these minutes: (1) research secrecy (exceptions) subcommittee; (2) update on federal research restrictions; (3) security of research facilities; (4) structure of the office(s) of the Vice President for Research/Dean of the Graduate School; (5) University participation in the Federal Demonstration Partnership (to streamline the research process)]

1. Research Secrecy Subcommittee

Professor Balas convened the meeting at 1:20 and reported that the Faculty Consultative Committee, in response to this Committee's concerns about the subcommittee on research secrecy, still wished the Committee on Committee to be involved in the selection of subcommittee members. It agreed, however, that the majority of appointees could come from this Committee. The proposed membership is 5 faculty, 1 P&A staff, and 1 student, along with 2 ex officio members, from the Office of the General Counsel and the Vice President for Research. The Committee on Committees would appoint 2 of the 5 faculty; the Senate Research Committee would appoint the other members. Pending final acceptance of this proposal from the Faculty Consultative Committee, the proposal will proceed in this way unless the members of this Committee object.

They did not. Professor Balas asked for volunteers, received none, so said he would call people about serving.

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

2. Update on Research Restrictions

Professor Balas turned next to Messrs. Bohnhorst and Wink to provide a brief update on federal restrictions on research.

Mr. Bohnhorst distributed three items, copies of Vice President Hamilton's presentation to the Board of Regents on the "Impact of Post-September 11 Federal Guidelines on Research at the University of Minnesota," "Statement on Science and Security in an Age of Terrorism" from the three presidents of the national academies, and "Background Paper on Science and Security in an Age of Terrorism." The first report notes that Sponsored Projects Administration and the Office of the General Counsel continue to negotiate vigorously on behalf of the University to keep restraints on research out of grants and contracts.

Since the report of the ad hoc (Kruttschnitt) committee last summer the University has encountered three more problems with potential restrictions on research. In one case, the problem was resolved, in another case the contract was pulled, and the third case just arose recently and is still being negotiated.

In April the Department of Defense announced guidelines that would have created serious problems for a lot of universities; the government backed down on the proposal. In mid-October, university officials testified before Congress about the problems of a "sensitive but unclassified" category of research; the presidents of the three national academies said that while institutions must be responsible about research in an age of terrorism, the "sensitive but unclassified" category would not work. The government appears to accept the argument--but the University is still seeing similar language in contracts so must deal with it.

Is the Defense Advanced Research Project Agency (DARPA) sending that language to companies, Professor Balas asked? It is, and the problems arise when the companies then try to pass that language down to universities in subcontracts, Mr. Bohnhorst explained. (DARPA is the part of the Department of Defense that has the largest amount of research funding--and is the agency that initially developed the Internet.)

Mr. Wink next distributed two handouts, copies of letters (1) from the Department of the Army (Army Materiel Command, Office of Command Procurement) to the President of the Council on Governmental Relations ("an organization of research universities" to which Minnesota belongs), responding to an earlier letter, and (2) a response from the President of the COGR raising additional questions. The first letter asked the Army to eliminate the word "approve" from references to grants/contracts that would result in publications, so the Army would "review" but not have to "approve" publications. The Army agreed to do so and "review" is acceptable to the University of Minnesota. The general tone of the letter is that the Army DOES want to encourage publication and get information into the public domain.

The second letter, however, asks about new language in the Army Regulation governing release of information that refers to "non-releasable unclassified information"; members of COGR are not certain what kind of information that refers to, the letter said, and asks for clarification. The letter also asks after

the meaning of language that "requires review and approval prior to any foreign national's performance of work under unclassified contracts." There has been no response, as yet, to the second letter.

These are the kinds of things the University is up against, Mr. Wink concluded--not too often, but once in awhile.

Was the clause with the "approve" language what caused the trouble at the University last year, Professor Balas asked? In one case it was not; in one of the other two cases it was exactly that language, Mr. Bohnhorst reported.

Professor Balas thanked Messrs. Bohnhorst and Wink for their report and asked them to keep the Committee posted on any changes.

3. Security of Research Facilities

Professor Balas turned now to Richard Bianco, Assistant Vice President for Regulatory Affairs, to lead a discussion of research facility security.

This is a big subject, Mr. Bianco began, and can be divided into pre- and post-9/11. Because of environmental and animal activists they have been attuned to security issues since the mid-1990s; animal research facilities have all been locked in keycard-access facilities. Activity has moved more slowly since 9/11/01 because funds for security have been moved into a pool for the entire University. The Academic Health Center prepared a plan in 2000 to secure all animal holding areas and ALL external doors as well as all the doors between Fairview and the University. The latter has not been completed yet; that is a priority for next year. The internal security doors are largely completed.

Agriculture is more difficult, Mr. Bianco said; it has a committee preparing a report. Dr. Larsen said there is a large committee on the St. Paul campus that includes Assistant Vice President George Aylward; they are coming up with the least expensive part of security for the campus: training employees to recognize trouble.

But across the University a lot of planning has been done. The University also needs to move to the next step, which is training personnel and providing visual identification badges.

Where are the funds for the initiatives coming from, Professor Balas asked? Mr. Bianco said he did not know. Before 9/11, the Senior Vice President for the Academic Health Center and the Vice President for Research identified funds on an ad hoc basis. After 9/11, President Yudof consolidated all security and funding under Mr. Aylward as Interim Assistant Vice President for Public Safety. Part of the problem has been that there has been no way to get access to the funds. Are the funds there, Dr. Larsen asked? Mr. Bianco said he believed there are recurring funds available but he did not know their status or how much would be available. A lot of money went into making the Molecular and Cellular Biology building secure, he commented.

Mr. Bianco said the University has done quite a good job. It was felt the animal research areas were the greatest risk; the holding areas have been secured. They are lagging, however, on the security of the laboratories.

There have been areas where an internal person was allied with People for the Ethical Treatment of Animals (PETA) and other organizations, Dr. Bloomfield commented; is there anything in place to deal with that situation? The best way to deal with it is for people to do their jobs well and be sure they comply with policies, Mr. Bianco answered. Can they stop people who want to stage an event? Probably not and he doubted the University would want his office to try. If an employee wants to take pictures and have a press conference the University cannot stop him or her--but there is nothing in any University facility comparable to what one sees in the pictures of those who campaign on animal rights issues (and some of the pictures, he added, are from the 1950s).

Is he concerned that funds are not available, Professor Balas asked? Mr. Bianco allowed that he was somewhat frustrated; they made great progress on security issues--up until the last year. Has he spoken with Mr. Aylward, Professor Balas inquired? He has, Mr. Bianco said, and Vice President O'Brien understands the issues. There needs to be a systematic way to apply for funds so that the University can reach its long-term goal. He is the "point person" but doesn't have the funds, Professor Balas asked? Mr. Bianco said he would prefer to see research programs have a budget for security--but there are other security issues on the campus as well.

What is the scale of funding required, Dr. VanDrasek asked? The Academic Health Center requires about \$1.5 to \$2 million, Mr. Bianco said. To secure the doors between the University and Fairview to stop 24-hour access from the hospital will cost about \$1 million; these costs are amazing, he said.

Similar to the St. Paul effort, Mr. Bianco said, meetings are being held in the Academic Health Center for employees so that everyone will take responsibility for their own security (thefts of convenience--such as computers--are still the most common security problem). The University is one of the few institutions that does not require a picture ID (the U Card tells almost nothing from a distance). They are trying to design a visual ID for faculty, staff, and students and intend to put the keycard access on that ID. The U Card is not really a security card; only the picture is useful and it should--Mr. Bianco agreed with Professor Neet--have an expiration date.

Are they waiting for some seminal event so Mr. Aylward will release funds--or are there no funds, Dr. Larsen asked? They are NOT waiting for any seminal event, Mr. Bianco assured the Committee. But Mr. Aylward had to provide a lot of money for a central monitoring system (cameras on campus) and the Molecular and Cellular Biology building cost a lot of money to make secure, so he has to work with the priorities he has.

In terms of cards, Professor Seybold noted that ACCESS authority is reviewed several times and year and access is terminated if someone is no longer working at the University.

What should this Committee do, Professor Balas asked? They want researchers to be secure; how can it help? Mr. Bianco said that first there needs to be a budget identified, and perhaps a specific budget for research programs. Second, as they begin the safety campaign, they may ask for help in promoting ID cards and a "neighborhood watch" kind of program.

Every day that goes by is like driving without insurance, Dr. VanDrasek commented. The amounts of money required are not large in the context of the overall University budget. Professor Balas

suggested the Committee follow up with a letter to Vice President O'Brien communicating its views about the importance of secure facilities for the research community.

Is security for select agents separate, Professor Balas asked Mr. Bianco. It is not, he said; it is part of the same program. The University does not have many select agents but the ones it does have are very secure. There is not a lack of security because the funds have been withheld.

How does he decide which research facilities receive priority, beyond that required by federal regulations, Professor Luby asked? Research Animal Resources facilities have been secured because they have been attacked, Mr. Bianco said, but there has also been a committee operating since 9/11 to identify priorities. There is a list in place but it is only partially funded. What kinds of considerations go into deciding whose research will be protected? Is it just past events? It is both past events and whether the research is controversial, Mr. Bianco said.

And some are easier (and so cheaper) to protect than others, Dr. Paller commented. The Molecular and Cellular Biology building was designed to be protected (access to laboratories and other areas that need to be secure are on one side of the building while classrooms and so on are on the other, and there are only a few access points between them on each floor). In the Medical School, however, it appears to have been the idea that patients, faculty, and researchers should all be in the same space, so it is necessary to make every door secure--they cannot simply make corridors and elevators secure.

There is a veterinarian and security specialist involved in all new construction, Mr. Bianco commented. It is the retrofitting older buildings that is the problem. The plant genetics building is secure, Dr. Larsen said; providing security on farms across the state is also a problem, Mr. Bianco added.

Professor Balas thanked Mr. Bianco for joining the Committee.

4. Vice President for Research and Dean of the Graduate School Structure

Professor Balas next asked Dean Bloomfield to comment on whether the Dean of the Graduate School and the Vice President for Research should remain separate positions or should be re-combined. First, however, he reported that the Faculty Consultative Committee has requested a report from this Committee on the structural issue.

Dean Bloomfield said he had read the minutes of the last meeting, when the discussion began, and thought the comments were sensible. The divided structure thus far works well; he and Dr. Hamilton communicate enough and attend each other's staff meetings. Dr. Maziar did an amazing job when she held both positions--it was all-consuming. But the University should not structure ANY job so that it is all-consuming; people should have a scope they can handle and still have time for a life outside the job. He said he did not believe a combined position would meet that criterion. (Nor does the Provost's job, he added, but that is not the subject of the discussion.)

It is helpful to have time to devote to Graduate School issues, and graduate student issues, in a non-bureaucratic way, Dr. Bloomfield said. One can be thoughtful about such issues--and there is time for the dean to be at meetings and talk with students and faculty. Sometimes the actual presence of the dean is important in making things happen. If one multiplies the number of meetings by two or three, there is simply not time to devote to certain things.

It is important that the individual be both Dean of the Graduate School and Vice Provost for Research; that way he or she reports to the Provost in two ways and keeps in the loop about things going on--and keeps the Provost in the loop as well. All of this depends on people getting along--which is the case here, Dr. Bloomfield said.

He likes the arrangement and thinks it works well and it serves graduate student interests. The budget division provided funds to develop programs for both the Dean and the Vice President. There have been few conflicts in areas that could be seen as overlapping.

The potential negative to the structure is that the Dean of the Graduate School is of lower rank than the Vice President for Research and so is not at the Executive Committee table. One can view the Dean of the Graduate School like a college dean but there is a central perspective as well, not just the Graduate School and academic research. The position, or at least its responsibilities, should be represented at the central table (and it should not be taken for granted that research and graduate education will be represented in central administration discussions, although he has no worry about the current incumbents).

How is his office funded, Professor Balas asked? It is not like other deans that receive funding from tuition revenues. His office receives institutional funding, Dean Bloomfield said; it is not proportional to ICR or tuition revenues but is dependent on what the central administration chooses to provide. Up to now, the funding has been adequate for the job. Matching funds in the office of the Vice President for Research need to be replenished, he said. There will be difficult budget times and there will be cuts; the budget of the Graduate School is about \$20 million, most of which is pass-through funding for fellowships, grants in aid, interdisciplinary programs, faculty summer salaries, and so on. The Graduate School can move funds between programs, Professor Balas asked? On a limited basis, Dean Bloomfield said, but he would not want to make any major shifts.

If there were to be a 10% cut in the University budget, that would translate into a 50% cut in Graduate School staff, if he were to protect all pass-through funds, Dr. Bloomfield told the Committee--and that would not be feasible. Faculty often say the central administration should be cut in tough budget times, but doing so in the Graduate School would have consequences for departments (either they would receive fewer central services and pass-through funds or they would face unfunded mandates).

Aside from funding, what are the largest issues facing the Dean of the Graduate School, Dr. Larsen asked? Dr. Bloomfield said that when he took the job he identified five initiatives. They are: affordable housing for graduate students (he has been talking to the community and finding intriguing possibilities); career services and professional development for graduate students (colleges largely serve undergraduates and are not structured to do as well by graduate students, although they are not opposed to helping them); a post-doc office (which is being established); outreach in order to achieve a more diverse graduate student population; and rethinking interdisciplinary programs. On the last, there are funds available and he has sent out a notice that the Graduate School would like to provide more money for initial or exploratory interactions in order that groups can get together to learn about different areas and try to identify new endeavors. There was a program of larger grants that has not led to much because the projects ended when the funds ran out. He said he was thinking about increasing the size of the grants, but only making one or two per year, in concert with funding from the college or the Provost's office, in order to fund projects that are more likely to be successful.

How concerned should the University be about the proliferation of on-line master's and doctoral degrees when education at that level means research, Professor Neet asked? The question is where the student obtains the research experience with such degrees. Is this a concern as more education is delivered by technology? Dr. Bloomfield said there has been considerable discussion about this subject. He said the master's degree is not necessarily research-oriented; there is an increasing trend to professional master's degrees that are not administered through the Graduate School. It is a fact of life that as the idea of what the University should do changes from educating 18-22-year-olds and having people get a Ph.D. in five year to life-long learning, it can offer courses, certificates, and degrees that are not all properly in the Graduate School. There are a number of discussions with departments if they should offer such programs. The Graduate School will adhere to the position, however, that credits in such programs will not necessarily transfer for graduate credit. New programs do test the boundaries of graduate education; the University must be careful about whether there is student demand, if employers want graduates from such programs, if there are faculty ready to teach in the programs, and if deans and departments support them. They try to be certain that if a new program is developed it will have a chance to be successful.

Is there a way for the University to distinguish its degrees from Phoenix, which is doing quite well, Professor Neet asked? The University does not want to try to stop Phoenix, Dean Bloomfield said; it is being careful about entering that arena. The University has a "brand name" that it does not want to dilute; if it is ready, it can compete with Phoenix. There are not a lot of organizations in the business; many have fallen by the wayside. And there are large faculty workload issues; on-line courses are more work. He said he believes the University has been reasonably successful in what it is doing, its efforts are evolving, and it need not worry about the competition.

Who ultimately decides on the structural question, Dr. VanDrasek asked? The President, Dean Bloomfield said. She said she does not disagree with the proposition that the Vice President for Research does not have time to be Dean of the Graduate School but remains concerned that the Dean of the Graduate School would not be connected to the central administration. The Graduate School is not just a service office. Keeping the position separate would also open it up to faculty from the social sciences and humanities. It is important not to orphan the dean.

Dean Bloomfield agreed. The Vice Provost for Research tie is important, he said, and he expects it will continue. Does the time commitment work, Dr. VanDrasek asked? It does, Dr. Bloomfield said. And the vice provost position gives the individual connections to colleges and departments that the individual would not otherwise have just as dean. The possibility of opening up the job to other fields is important. Understanding external funding and the research environment is different from knowing all the regulatory hurdles that the Vice President for Research must work with. Assuming someone rose through the ranks to the position of dean, the people interested in the position would likely have developed a wider view of the University and its graduate research functions.

Professor Danes asked about the initiative to increase the diversity of graduate students. What will be done once the students are at the University? That is an important point, Dean Bloomfield said. He will work with departments and colleges; there will be attention from the Graduate School in developing effective programs that should start at the K-12 level and extend to undergraduate programs. An important part of the vision is that recruiting students into the Graduate School is a long pipeline

process; they must be talking up and down the line. Professor Danes agreed; in their experience, if they do not think beyond getting the student to the University the students will not stay.

Professor Balas thanked Dean Bloomfield for his comments.

5. Federal Demonstration Partnership

Professor Balas next invited Ms. Schumi to report to the Committee on the University's participation in the Federal Demonstration Partnership (FDP).

The FDP "is a cooperative initiative among federal agencies and institutional recipients of federal funds. It was established to increase research productivity by streamlining the administrative process and minimizing the administration burden on principal investigators while maintaining effective stewardship of federal funds." Ms. Schumi said she believed it important to inform the Committee about the FDP, which has existed since 1986.

Ms. Schumi reviewed the history of the FDP, of which Minnesota was not a part initially because of its exceptional status with NIH following the ALG problems. What the FDP has accomplished, however, includes standard terms and conditions in contracts from participating federal agencies (which includes almost all of the largest agencies from which the University has research grants), expanded authorities language is the same across the agencies, sharing of information and testing of initiatives, and changing the language of the circulars that drive the research regulations. The first three phases of the FDP ended in 2002; Minnesota has joined the fourth phase, which includes 94 institutions (including MIT, Yale, Harvard, the University of California system, and most Big Ten universities) and 10 federal agencies (including NIH, NSA, Office of Naval Research, NASA, USDA, etc.).

The membership in FDP includes both an administrative and a faculty representative. Dr. Hamilton was the faculty representative; he has been replaced by Professor Joe Konstan. How was he chosen, Dr. Larsen asked? There was a committee to look at University policies while it had exceptional status; Professor Konstan was a member, Dr. Hamilton said; moreover, usability of technology is his field of research, Ms. Schumi added. He is not a wallflower, Dr. Hamilton observed; he will speak out at meetings.

How is the work done, Dr. Larsen asked? They have three meetings per year of two days each, Ms. Schumi said, as well as a lot of communication between meetings and task forces that work and then bring issues to the meetings. It is not inexpensive, Dr. Hamilton said; it costs \$1500 to join the FDP but one of the obligations is to attend the meetings. How much staff time does this take, Professor Balas asked; does it take away time from SPA staff to administer grants? Ms. Schumi said they need to keep an eye on that--but the time will be well-spent if it leads to a streamlined process. They will monitor the time. With respect to faculty, she added, they are working on changing the effort certification process and they may want a comment or a letter from the Committee on the issue.

Professor Balas thanked Ms. Schumi for her report and adjourned the meeting at 2:50.

-- Gary Engstrand