

Minutes*

**Senate Research Committee
November 8, 1999
2:00 - 3:30
Room 300 Morrill Hall**

Present: Leonard Kuhi (chair), Victor Bloomfield, Daniel Brewer, Eric Klinger, Scott McConnell, Richard Poppele

Regrets: Bianca Conti-Fine, John Finnegan, Lorraine Francis, Mark Paller

Absent: Phillip Larsen, Amy Levine

Others: none

[In these minutes: procedures for new policies; removal of PI status from a faculty member; administrative policy on (primarily interdisciplinary) centers; assistance from central administration to faculty in preparing grants]

1. Report of the Chair

Professor Kuhi convened the meeting at 1:10 and began by reporting that the Intellectual Property policy had been passed by the Regents, so it is necessary to establish a working group to develop the procedures that must accompany it. He said he had spoken with Vice President Maziar, and they would like to have those who served on the policy development group “volunteer” for the procedures working group. Dr. Maziar will appoint additional representatives from UMD and Extension, and while Professor Chomsky cannot serve, she has agreed to act as a consultant to the working group.

Professor Hamilton agreed to serve on the working group, and said it is important to move quickly because the policy is not effective until the President has accepted the procedures. Professor Kuhi said he would make sure the appointments are made officially and soon so that it could get started.

2. Removal of Principal Investigator Status

Professor Kuhi next reported that a specific case has raised the more general question of when Principal Investigator (PI) status can be removed. In the case at hand, an individual has been a PI on a major grant for a number of years, but with a change in the administration of the unit, the new person in charge believes the grant should be administered by the unit. There have been changes in personnel, and in salary charges to the grant, and the original PI has lost PI responsibilities but retained the accountability: his name is still on the grant, but the unit controls the grant activity.

When this Committee provided comments on the PI policy, one statement was that PI status could be removed, but only for just cause (along the lines set out in the tenure code). The policy essentially

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provides that PI status comes with faculty status: the faculty feel that they have the right to be a PI to carry out research and that is the expectation of every tenure-track faculty member.

The question before the Committee is removal of PI status; the present case could serve as a precedent, and the Committee should voice an opinion about actions taken that corrupt PI status.

One Committee member said that the case seems alarming; it also seems unethical and illegal to have a PI signed on a grant but who has no responsibility or accountability. There is some element of academic freedom involved, and a question of signing as a PI when others are doing the work.

What is the role of the granting agency, asked one Committee member? The grant is a contract between the University and the agency, promising that the research will be carried out as promised. In this case, Professor Kuhl said, the agency is not concerned.

The general issues that this brings up are (1) what is “just cause” and how is it defined? and (2) what recourse does a faculty member have if he or she feels aggrieved? What are University procedures? One Committee member said “just cause” implies some kind of malfeasance. And that, said another, implies due process, which has not been provided in the present case.

One Committee member suggested stepping back a moment. What if the University has a grant that has had the same PI for a long time, but the grant is not to the individual but for an institutional function—a program or center, for example. The individual served as director, but now there is a change in director. What rules say a PERSON cannot submit a broad grant? The department head could refuse to sign it, but on what basis? The grant could have an institutional purpose, and should go to someone else. Is the inalienable right of faculty to be a PI too broad? There are two kinds of grants, one to the individual and a lab, the other a bigger one to or for a unit. An example, said another Committee member, would be a grant to the Provost’s office; if the Provost changes, the grant stays in the office (the Provost is an ex officio PI).

The Committee discussed what is submitted when there is a joint management plan for a grant, which happens with project or training grants, and when there is disagreement at the point of application for a renewal. If there is a change that one person does not like, he or she could claim that change was unfair. These, like the present case, are not unique and they do occur.

What should the Committee do, inquired Professor Kuhl? Just cause implies malfeasance, which there must be a way to establish; that requires due process. With the changes made in this case, the individual should be able to appeal to have the case examined so he feels he has been treated fairly.

One member of the Committee said that if there has been an accusation of malfeasance, the individual deserves his day in court. If the grant resides in an office, not the person, there would ideally be something written about how to handle this situation. Without anything in writing, it may be necessary to go through the grievance process. The Committee agreed that this issue should be incorporated in the procedures that are drafted for the PI policy.

What is a reasonable process to avoid a grievance when a faculty member and department head are wrestling for control of a grant? One can appeal to the dean (or some higher body; the dean may be

perceived as likely to side with the department head), but the initial appeal should not be to the Judicial Committee. Another option would be, in this case, to a committee appointed by Dr. Maziar.

One Committee member suggested that a defining element of the case would be whether the grant provides administrative support to the unit; it becomes a unit rather than individual grant. Another difference is between an individual serving as PI or as project manager. ALL grants are to the University, but on behalf of the individual, but if an individual were to leave the University, the result could vary. If it were a training grant, it would stay with the University; if a research grant, it would likely move with the individual. The circumstances of the training grant would not change, but those that contain an element of intellectual property (research and scholarship by the individual) that was important in winning the grant would likely remain with the individual. This is a factor to be taken into account, concluded one Committee member, but the balance is not always easy to identify.

Is there any policy about removing a PI, asked one Committee member? Only the short statement in the PI policy, and it does not deal with this situation. The policy does provide that a PI has a right to all-University appeal procedures; there should be a statement about the rights of the individual AND about the rights of the University (in, for example, the instance of grants for a unit). The procedures can deal with removal; for the present case, the Committee agreed to ask Dr. Maziar to appoint an ad hoc committee to review it (which will have to make its way as it goes along, but it may be a way to conciliate the matter). Professor Kuhl said he would speak with Dr. Maziar.

3. Grants Management Report

Professor Hamilton reported that there was no report from Grants Management. The University is waiting for the report from NIH, which is expected in early or mid-December. In the meantime, there is silence.

4. Policy on Centers

Professor Kuhl turned now to Dr. Bloomfield, who had earlier distributed to the Committee copies of a draft policy on centers. Dr. Bloomfield said the policy was not intended to be a Committee or Senate policy, but rather an administrative document that would be helpful. He asked for reactions from Committee members.

Dr. Bloomfield reviewed the contents of the policy, which can be found at <http://www.grad.umn.edu/new/CentersPolicy.pdf>. [Note: comments on the draft policy are welcomed, and should be sent to Dr. Bloomfield at victorb@mailbox.mail.umn.edu.]

The policy (modeled on a similar policy in the Academic Health Center) groups centers into five types (in terse summary, amplified in the draft policy):

1. provides identity to a single investigator or group of investigators, with no University resources beyond the current salary of the individual(s);
2. provides coordination to efforts of a group, and may include institutional support, typically less than \$50,000 annually;
3. provides infrastructure support functions to a group of faculty, including space, would have a director; institutional resources would typically be \$100,000 or more;

4. provides a programmatic base for some of the faculty participants, including possible joint appointments, with additional administrative functions and participation in the tenure-granting process (examples are the Cancer Center and Center for Transportation Studies); and
5. serves as a department-like unit, except faculty may have appointments in different departments/colleges, could grant tenure and provide all infrastructure support (an example is the Biomedical Engineering Institute).

The draft policy focuses on categories 3, 4, and 5, where there is an institutional commitment that usually exceeds \$100,000 and requires space. Normally, individuals go to the dean, provost, or senior vice president for the health sciences and ask for funding; this is an informal process that is not adequate. There is no open competition for available funds and a lot of details are not well worked out, even if everyone agrees the idea is great. The policy sets out a pre-proposal state, which requires a concept statement, what would be done and who would do it, some estimate of cost, all to be only a few pages. The proposal would go to an ad hoc committee to be appointed by the Vice President for Research, which would look at proposals and reach a conclusion within two months. If the proposal makes sense, a full-blown proposal would be requested, with much more detail about center operation, administration, and so on. The policy also calls for periodic review and possible disestablishment.

One Committee member asked how a center with tenured faculty could be disestablished, and said it was "playing with the system" to put tenured faculty in one. Tenured faculty should be in departments, it was said, not centers. Dr. Bloomfield agreed, and said that only one center has tenured faculty.

Some departments have emerged from interdisciplinary efforts, said one Committee member; is there any mechanism by which an activity can become a department? An application is made, Dr. Bloomfield said; the Regents must approve. The draft policy says that granting of department status could be considered under certain circumstances. Sunsetting, however, is always hard. One Committee member mused that sunsetting is "almost a figment of our imagination." It should be possible, Dr. Bloomfield pointed out, as long as tenured faculty have departmental homes elsewhere.

Committee members were positive about the draft policy. It will need to be connected, in some fashion, with the Graduate Schools new initiatives policy, Dr. Bloomfield agreed. He said that in his view, the Graduate School Interdisciplinary Center should fund more centers with planning money at \$10,000, to encourage people to meet and talk, than \$50,000 operations budgets for centers. After the small grants have been made and ideas generated, the University could then put in \$150,000 - \$200,000 or more to get the idea off the ground.

Is the policy too bureaucratic, Dr. Bloomfield inquired? That is always a danger, said one Committee member, and this may be, but some bureaucracy is necessary. This provides for at least some review, to determine if a proposal fits into the priorities of the University; things have been "helter-skelter" up to now.

What mechanisms would prompt groups to come forward with proposals, asked one Committee member? Are they sufficient? When proposals are intercollegiate, they face greater barriers, because of IMG. Is there a way to prompt deans and department heads to think about where opportunities lie and provide them funds to use for the purpose? Dr. Bloomfield said the model is based on President Yudof's view that power should be in the hands of the deans. New centers or interdisciplinary proposals should be

in the college compacts, and both the deans and the central administration will put in funding. The implication of the policy is that deans must put in some money from the college, along with space and faculty time; they must say it is important enough and high on the compact list. In the case of intercollegiate centers, two deans must agree on its importance and the advantage to leveraging their funds.

The Committee discussed further intercollegiate versus interdisciplinary (but within a college) projects and the difficulties with each, especially those posed by IMG. Funding can be obtained centrally for a within-college center, but a special case has to be made and there must be strong college support. This policy speaks to pre-proposals that go to the Vice President for Research; within a college, a proposal would be reviewed by the college, with notice to the Vice President in order to avoid duplication of effort with other programs.

Do the colleges see any obligation to create interdisciplinary groups? There could be advantage to breaking apart groups of faculty in order to do something new, but under IMG the department head could resist. Intercollegiate activities are less of a worry than within-college centers. In principle, Dr. Bloomfield pointed out, it is colleges that receive money under IMG, and the administration says IMG is no bar to interdisciplinary work. Deans and faculty members, however, see differently. It will, however, probably be easier to set up interdisciplinary work with the new Electronic Grants Management System.

5. Mechanisms to Assist Faculty in Grants

Dr. Bloomfield posed to the Committee the question of what mechanisms the University administration could adopt that would make it easier for faculty to do complex or collaborative or interdisciplinary research grants (e.g., for a center or program) that require a lot of data gathering and time but perhaps not a great deal of intellectual effort.

Asked if anyone had looked to see what had worked in the past when seeking these kinds of grants, it was pointed out that there is no institutional memory on which to draw. Having a grant writer helps. Dr. Bloomfield said that such a person could be supported; trying to put together the work of 5-6 different faculty for a grant proposal is a significant editing job.

One Committee member said that providing consulting service, and helping with the tasks to be completed, could pay off well. Dr. Bloomfield agreed, noting that \$1 million grants include overhead dollars that could help pay for this support, and it would be a good investment.

Another element that would help would be to have someone savvy about what is going on in Washington.

It is also hard to know what is going on around the University. That, however, may be addressed with the on-line, searchable faculty expertise data base that is being developed. It needs information fed to it, but the advantage to it is that it can be updated yearly with grants and research interests, and can serve as the basis for the faculty member's and department's annual report.

ANYTHING the administration could do to help with grants would be welcome, concluded one Committee member. The Committee seemed to agree.

Professor Kuhi thanked everyone for coming, and adjourned the meeting at 3:20.

-- Gary Engstrand

University of Minnesota