

RESEARCH COMMITTEE**May 10, 1996****Minutes of the Meeting**

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.

PRESENT: Allen Goldman (chair), Mark Brenner, N.L. Gault, Joel Eisinger, Marilyn DeLong, Dorothy Hatsukami, Henry Buchwald, Susan Hupp

REGRETS: Elizabeth Jansen, Mark Snyder, Christopher Wiley, Kathryn Rettig, Tony Potami, Kathy James, Jeylan Mortimer

OTHERS: WinAnn Schumi, Francis Lawrenz, Peggy Sundermeyers

[In these minutes: Roles and Responsibilities for Sponsored Research Program Management; Graduate Student Fringe Benefits; and, Potential Subcontract from John Hopkins University]

The minutes of the last meeting were approved.

ROLES AND RESPONSIBILITIES FOR SPONSORED RESEARCH PROGRAM MANAGEMENT

Dr. Mark Brenner began his presentation by referring to the Roles and Responsibilities Document, pointing out that it is evolving and brought it before the committee for comments, suggestions, etc. He said that the document is an attempt to clarify what they believe what has been the practice at the institution. The document will serve as the basis for many other policies and the new electronic systems will be designed to implement the ideas. Dr. Brenner walked the group through the framework of the definitions of actions on Roles and Responsibilities Document. The other point he emphasized is that the PI will be expected to play a primary role in financial matters. He said that they are very committed at both the departmental level and centrally to continue to enhance the reporting system so that information necessary to bare these responsibilities is available.

Dr. Brenner mentioned the article in the Daily and said that many things were not understood by the reporter. The project referred to as GAMS has been terminated, he said. It was determined that after they had a chance to work with it that it wasn't stable and current in its design. One member inquired if there was something to take its place. Dr. Brenner responded that in their assessment there is nothing commercially available. He said the front end and back end system to CUFS is expected to be rolled out by July 1. A new implementation plan is being worked on that will have functional elements of the budget sheets and is expected to be available for data testing in the fall. This system is being put together by a team of University employees. Dr. Brenner explained that this relative to the Roles and Responsibility Project because it has to be coupled to the fact that information will be provided in a timely manner and that it is understandable, to those individuals who are responsible for the actions, including the PI. A team of about 150 people are working on this project.

The front end/back end systems were discussed. Dr. Brenner explained that departments will have direct access to CUFS through the front end system. Will the back end systems be available for non sponsored accounts as well, it was asked. Dr. Brenner responded in the affirmative. WinAnn Schumi interjected that it was her understanding that reports will be available on the Web. This system will permit encumbrances of personnel, Dr. Brenner said,

something that we haven't had in the past. There are still some implementation issues that need to be ironed out, he said. While it won't be perfect when it rolls out, it will be a huge enhancement from the past system, he added. The University is making a major commitment and investment to fill that commitment to make sure systems are in place to provide information so that faculty are not going to become accountants but can be in charge and administrators can implement their direction, Dr. Brenner said.

One member expressed concern regarding accountability and responsibility relative to this new system. What if you make a mistake in this process? How will the University deal with accountability? Dr. Brenner responded that there is a commitment to having a vigorous, comprehensive education program that will be focused on the various participants responsible for the various actions, i.e., programs for PI's, department administrators, and for deans, department heads and provosts. The programs have already started, he noted and introduced Peggy Sundermeyers, new Director for Educational Programs.

Referring to the Roles and Responsibilities Document "tree," one member asked about the definition of an "A/X" - the X=no role and the A=approve. Dr. Brenner said that it means is that it depends on the nature of the action - if the department head can do it that is fine, if it goes beyond the department heads' domain then the dean also becomes involved. Dr. Brenner emphasized that the rules are not being changed - rather, they are being clarified.

Members then spent some time discussing and offering suggestions about the responsibilities of the various individuals involved in grants management projects. Dr. Brenner took note of the suggestions.

Following up to an earlier question, one member asked what happens if something goes wrong? Dr. Brenner responded that it would depend on whether it is a one time mistake and not intentional - it is a matter of reckless mistakes opposed to honest mistakes. Who determines what is or is not an honest mistake, it was asked? Dr. Brenner responded that it would be those entities who are responsible for personnel lines - it starts at the department and rolls up to the dean.

What happens with this document, it was asked? Will there be a preamble to the document and how will it be distributed? Dr. Brenner explained that while the document is not a policy it is an outline for many policies and reflects many policies that are already in place. It is intended to be the road map of how sponsored research is managed and the interrelationships of how people are responsible for various actions.

The discussion turned back to the issue of honest and reckless mistakes and what exactly that means. Within the institution, the Senate will be looking at the Code of Conduct which is very general and has no disciplinary action. The institution does not have a specific policy about what is done about fraudulent activities and the question is, should we? What about indemnification, it was asked? Dr. Brenner said that if one is acting on behalf of the institution then all of the individuals are indemnified unless the president determines you were not acting on behalf of the institution - there is a specific policy on indemnification.

It seems that if the decision to indemnify is made at the president's level, a situation could arise where the interests of the University as perceived by the president and the interests of the individual as perceived by the administrator and/or faculty member, who is in the hot seat, don't coincide and the stakes may become very high - the judgement made by the University is made for the purposes of the University and may not be fair or just. It seems that there is no mechanism for third party decision as to whether institutional resources should be used to indemnify an individual who is in some legal situation as a consequence of his/her action. Is this an issue for the Senate Committee on Faculty Affairs, it was asked?

Motion was made that the issue of indemnification and how it is decided in the context of the

changing environment of grants management be brought to the attention of the Senate Committee on Faculty Affairs. Motion was passed unanimously. Professor Goldman will write a letter to Dan Feeney, Chair of SCFA, regarding this issue.

GRADUATE STUDENT BENEFITS

The fringe benefits costs have jumped this past year and are scheduled to jump further starting fiscal year, 1997, Dr. Brenner said. The preliminary estimates of fringe benefits costs have underestimated the actual cost. We are underrecovering at such a rate that unless an immediate corrective action is taken we will be in huge hole the following year. It appears, he said, that the institution will have to raise the fringe rate higher yet - to 57%. Will this be for everyone or will there be a two tier arrangement, it was asked? Dr. Brenner said that he didn't have the numbers but it was his understanding that the two tier system will be in place. No indirect costs will be levied against the fringe charge. Dr. Brenner said he was deeply concerned with what has been going on in terms of tuition costs. Compared to last year, the actual tuition costs have risen faster than projected - it went from \$15 million to \$17 million for tuition costs for the nine months (July 1, 1995 through March, 1996). Whereas the salary base for that same time period dropped by \$1.6 million. The costs went up by 11% and the salary base went down by 4%. They are going the wrong direction, he said. Since the cost is recovered by the salary base and the salary base is going the wrong way, it is exaggerating the problem.

What else can be done? Dr. Brenner said that he was hoping that he could find from excess revenue that is uncommitted in ICR dollars to be used toward part of this problem. The rate is being adjusted for two reasons: 1) the true cost is higher per student - it needs to be built in; 2) the specific fringe pool has to pay back any previously incurred debt within two years - and so, the rate has to be jumped extra high to pay for the debt that has already occurred - this causes the death spiral. The debt is adding about 5 or 6 points.

After considerable discussion, motion was made and approved the following resolution to be sent to the University administration:

Whereas, graduate education is at the core of the activities of a research institution and the recent catastrophic escalation of the graduate student benefit rate will destroy the ability of the University to have means to financially support graduate students;

Be it Resolved, that the University administration pursue short and long term solutions to the problems of support of graduate students so as to avoid the almost certain destruction of graduate education and associated research at the University of Minnesota if the current plans are implemented.

Professor Goldman will send the resolution to the VP for Academic Affairs, the Provosts, and distribute it to the Senate.

POTENTIAL SUBCONTRACT FROM JOHN HOPKINS UNIVERSITY

Dr. Brenner brought before the committee materials regarding contract negotiations between the University of Minnesota and the Johns Hopkins University Applied Physics Laboratory. The subcontract agreement contains a clause which would be in violation of the University's Secrecy in Research Policy. JHU and their prime sponsor, the Office of Naval Research, are unable to delete this clause because the technology will be tested on missiles and if anyone were to find out the type of missile it was tested on, it could be detrimental to U.S. defense. The proposal can be published but the title cannot. Dr. Brenner said that they will continue to negotiate with the individuals. There are several issues involved, it was said, one is a publication issue - the freedom to publish; secondly, they don't want their trade secrets to be

revealed and that is reasonable; lastly, they are not going to tell us what kind of missiles they are and we may not know for years - they could be terrible and the University's name will be associate with it. After some discussion, members agreed that the University should adhere to its policy on Secrecy in Research and to not change or make an exception to the policy.

The meeting was adjourned at 3:20 p.m.

- Vickie Courtney