

**Senate Research Committee
Minutes of the Meeting
September 22, 2014**

[These notes reflect discussion and debate at a meeting of a committee of the University of Minnesota Senate; none of the comments, conclusions or actions reported in these notes represent the views of, nor are they binding on, the Senate, the Administration or the Board of Regents.]

In these minutes: [Research Data Management Policy; Federal Uniform Guidance; ESUP research portal tab; agenda planning]

PRESENT: Maria Gini, Tommy Vaughn, Daniel Habchi, Hinh Ly, James Orf, Ladora Thomson, Seung Ho Joo, Brian Herman, Teresa Rose Hellekant, Brian Johnston, Jeanette Gundel, Jayne Fulkerson, Suzanne Paulson, Michael Kyba, Carol Carrier (Al Levine)

REGRETS: Beth Stadler

ABSENT: Joel Waldfogel, Scott McIvor, Tucker LeBien, Lynn Zentner, Frances Lawrenz, Philip Herold, Michael Schmitt, Philip Zelazo

GUESTS: Claudia Neuhauser, director, Informatics Institute; Nicole Pilman, Uniform Guidance Implementation Coordinator; William Dana, project director, Academic Support Resources

Professor Gini welcomed the committee and members introduced themselves.

Professor Gini reviewed the committee charge, saying it was useful to be familiar with it as the group determines what it wants to accomplish in the coming year. She urged the committee to think creatively about stimulating more and better research.

1. Research Data Management Policy

Gini introduced Claudia Neuhauser, director, Informatics Institute, who provided background on the policy. The research environment is changing due to an explosion of data, legislative mandates on data management, and new solutions for data storage, and the policy is based on:

- a) the University's commitment to research excellence and fostering discovery
- b) applicable laws and regulations
- c) (the University's need to enable appropriate responses to questions about accuracy, authenticity, and primacy of research conducted under the auspices of the University
- d) the University's interest in supporting and commercializing intellectual property
- e) the continuing value of the research data to the principal investigator (PI) and the research community

The policy would:

- Clarify responsibilities and accountability of research data management, which is shared among multiple units;
- Aid in decision making with respect to acceptable practices for management of research data;
- Promote coordination between support providers to ensure that services meet the functionality needs of the University research community and avoid overlap or competing service offerings; and
- Help the University assure compliance with all applicable laws, regulations, and internal requirements for research data management practices, data storage, data security, and sharing and dissemination of research data.

The University owns all research data generated or acquired by University employees (faculty and staff) through research projects conducted at or under the auspices of the University of Minnesota, regardless of funding source, unless superseded by specific terms of sponsorship, other agreements, or University policy.

The policy also states that the PI is the steward of the research data that are under their control and are responsible for managing access to research data under their stewardship. PIs will select the vehicle(s) for publication or presentation of the data. They may share research data, including placing research data in public repositories, unless specific terms of sponsorship, other agreements, or University policy supersede these rights. The PI is responsible for determining what needs to be retained in sufficient detail and for an adequate period of time to enable appropriate responses to questions about accuracy, authenticity, primacy, and compliance with laws and regulations governing the conduct of research. The PI is responsible for working with University administrative and academic units to ensure compliance with this policy.

When the responsibilities assigned to the PI described in this policy exceed the capacity of the PI's college, school, or system campus, the respective college, school, or system campus is responsible for informing the Provost and Senior Vice President. They must then work with OVPR, OVPCIO, and AHC to assist the PI in meeting research data management needs. If the University cannot meet the research data management needs, the PI must be informed in a timely and transparent manner.

The committee discussed the policy with regard to student research. Neuhauser clarified students own their research data that they generate in their academic work, unless the research data are:

- generated within the scope of their employment at the University;
- obtained through use of substantial University resources; or
- subject to other agreements that supersede this right.

Gini thanked Neuhauser for the information.

2. Federal Uniform Guidance update

Gini introduced Nicole Pilman, Uniform Guidance Implementation Coordinator. Pilman began by saying the University was working with federal agencies and other institutions to see how the new regulations or revised regulations impact policies and procedures.

Pilman provided an overview, including:

Recent developments:

- NSF releases draft implementation plan for comment (5/9/14)
- COGR (including UMN) proposes FAQs to OMB (6/24/14)
- UMN responds to NSF's draft (7/2/14)
- OMB raises potential new definition of MTDC (8/27/14)
- OMB puts out 30 pages of FAQs (8/29/14)
- UMN releases *PI Quick Guide* (9/4/14)
- COGR (including UMN) puts out updated implementation tracking guidance (9/17/14)

Resolution of Certain Issues

- Procurement rules to be delayed one year. The largest impact for the University is a new requirement to get 3 price quotes on purchases between \$3K and \$10K
- F&A rate proposals with FY14 base years (like UMN) should use new rules to calculate the rate
- COI rules determined to be conflicts in procurement only
- Program income rule including royalties in the definition of what has to be tracked is invalid under federal law
- Profit definition clarified to exclude legitimate unexpended balances under fixed price awards/sub awards
- DS-2 statements submitted after 12/26/14 to true-up charging practices to new rules provide a safe harbor to universities during review by feds (UMN won't be dinged for inconsistent costing treatment by the feds)

Uniform Guidance applies to:

- All new and renewal awards issued on or after 12/26/14 (even if cost/budgeted and submitted under the old rules)
- UMN's upcoming F&A rate proposal (to be submitted Spring 2015 against a FY14 base year)
- Single (A-133) Audit for UMN's FY16 (July 2015 – June 2016)
- Old Rules (A-21, A-110, A-133) will apply to all active awards that do not get incremental funding or another award action (until they expire)
- Uniform Guidance may apply to all non-competing awards (agencies may decide on a case-by-case basis)

Expected next developments:

- Work with COGR/OMB to solve MTDC definition issue

- UMN UG Steering and Work Groups continue to discuss emerging developments and local impact of new regulations
- Federal agency implementation plans not likely to be released until November or December 2014 for 12/26/14 implementation
- Federal “Research Terms and Conditions” replacement may or may not be ready for 12/26/14, which would include an updated Prior Approvals matrix

Gini thanked Pilman for the information.

3. ESUP Research Portal Tab

Professor Gini introduced William Dana, project director, Academic Support Resources, who discussed Enterprise Systems Upgrade Project (ESUP). He said that ESUP is a tool that will allow services to be aggregated in a more useful and efficient way. Dana emphasized the University of Minnesota homepage is not being replaced.

Dana demonstrated the new portal layout and how it would work for researchers, which included:

- Header area that provides links to items used often, such as email and calendar
- Notifications and content area on home page
- Sponsored research activities the researcher is associated with, and related links
- Links such as electronic grants management system (EGEMS), “wrap up”, e-protocol, effort certification and research topics
- OVPR funding and CTSI research tool kit
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Dana noted that while the portal had been structured based on far-reaching conversations with the University research community, it was intended as a starting point and that other items may present themselves later as being useful or necessary.

Gini thanked Dana for the information.

4. Further business/discussion

The committee discussed possible agenda items for future meetings, including:

- Parental leave as part of fringe benefits: brought up previously - the committee is awaiting financial information.
- Revisit student research travel
- RCR training
- Grants as they affect students doing graduate work on fellowships: tuition is already paid, yet student gets paid again by the grant
- Job reclassification system as it relates to research: an invitation has been extended to OHR to visit the committee to discuss
- Employee engagement survey
- Building expansion and capital planning as relates to research buildings

- Contractual faculty taking the place of faculty for research

Hearing no further business, meeting adjourned.

Mary Jo Pehl
University Senate Office