

SENATE RESEARCH COMMITTEE*
FRIDAY, March 14, 1997
MINUTES OF THE MEETING

PRESENT: David Hamilton, Chair, Len Kuhi, Kathryn Rettig, Phil Norcross, Burle Gengenbach, Joel Eisinger, Barbara Van Drasek, Jesse Grenz, Mark Brenner

REGRETS: Ed Wink, Marilyn DeLong, Jennifer Long, Dorothy Hatsukami

ABSENT: Mark Snyder, Susan Hupp, Robin Dittmann

OTHER: Frances Lawrenz, Fay Thompson, Scott McConnell, WinAnn Schumi, Michele Gross, Terry O'Connor, Jeannie Gibbs

These minutes contain discussion on the following agenda items: Academic Misconduct, Information Access, Guidelines on Minors in Laboratories.

WELCOME AND INTRODUCTIONS

Prof. David Hamilton noted that there were several issues that needed attention, and indicated that there was the need for the scheduling of an additional meeting before the next University Senate meeting in April. The issues that need attention are: ICR, Academic Misconduct, and the Policy on Intellectual Property.

ACADEMIC MISCONDUCT

Professor Hamilton introduced Vice President Mark Brenner, who facilitated a discussion on academic misconduct. Prof. Brenner gave a brief history of the situation, and the reasons the Committee has been unable to discuss the issue at earlier meetings. He noted that the policy had originally been passed in 1992, had been revised several times since. There were some concerns stated by the Office of Research Integrity in 1996 which necessitated a total rework of the policy. However, before any work was done, the cease and desist order was issued. The current policy was passed by the Regents on March 13, 1997. Prof. Brenner noted that the reason it was important to discuss the policy after it had been passed was because it was important to gain the support of the Senate, which meant it had to go through the respective Senate committees back to the FCC, and then to the floor of the Senate. He noted there was the distinct possibility that revisions would be made, and that the policy could be sent back to the Regents. He stated that the only changes being made did not affect the mechanisms. The Office of Research Integrity was concerned mainly with the absence of their notification.

Prof. Brenner discussed the changes made to the policy. He noted that there was a lack of consistent nomenclature. He added that Section six of the policy was new. Prof. Brenner said the policy had been approved by the Faculty Affairs Committee shortly after the Regents approved it, and had had no problems with the policy, with the exception of Section 6, Paragraph 4, which was the same paragraph the FCC had had some concerns about. Professor McConnell asked for clarification on this paragraph.

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Essentially, it was indicated, if it appears there are serious fiscal problems such that the federal funds are at risk, the University needs to be in the position to take administrative action to protect those funds, because the institution is the fiscal agent for the movement. This could mean sequestering funds or the alternative of assigning an interim primary investigator. The FCC's concern dealt with the individual being afforded due process. Prof. Hamilton asked if the language could be changed to add the specific administrative actions that could be taken. Prof. Brenner noted that the language shouldn't be made too specific, but that the intent was to sequester the funds, or assign another PI before the funds were gone, on an emergency basis. There was some question as to what could precipitate a legitimate administrative action. Prof. Brenner indicated that the policy had to be sent to the Senate in a timely matter. Fran Lawrenz stated that the intent was that the current policy would be in place only until the changes could be made. She added that the current policy is unacceptable, and the intent is to change it. Prof. Hamilton noted that it would be a good idea to know what the FCC and SCFA had said about the policy.

The Committee agreed to schedule an additional meeting during the first or second week of April for the purposes of discussing the policy. Prof. Hamilton asked for volunteers to examine the document and bring suggestions to the meeting for discussion.

INFORMATION ACCESS

Prof. Hamilton introduced Terry O'Connor, University Controller; Michele Gross, Project Manager of Grants Management Projects; and Jeannie Gibbs, Project Manager for Information Access. The issue of concern was of confidentiality of grant applications, and the amount of information available on the Web. Prof. Hamilton indicated that he could access certain information about other grants that was of a sensitive nature. Ms. Gross stated that it was not easy to access the information without a piece of the accounting information.

Mr. O'Connor gave a brief history of the issue. He passed out and facilitated a discussion of a draft of the project being undertaken and asked for feedback. He said most of the information was public, but the issue was how accessible the information should be. Even after access was gained, he said there was still some frustration over the amount of time the process took. He said the overall objective of the grants management project was to provide additional timely information for managing the processes. Project teams have encountered inconsistent and complicated access rules. The projects are either delayed while clarification is obtained or interim decisions are made. Mr. O'Connor indicated that there was a need for a consistent set of access control guidelines. The challenge is to streamline the procedures and give employees the broadest possible access to data, consistent with their job needs, not just carte blanche. The team's recommendation is to identify the standard University processes and give employees access to all public data associated with the processes with which they deal. It was suggested that the issue be discussed further at future meetings, and that the minutes from this meeting be sent to the FCC so that the concerns of the Committee could be made known.

GUIDELINES ON MINORS IN LABORATORIES

Fay Thompson gave a brief overview of the guidelines. She noted that a concern of the Committee on Occupational Health and Safety was having minors (under age 18) in laboratories. She further noted that the State Department of Labor and Industry had regulations on child labor laws that require that children not work in places where there are hazardous materials present. There is, however, an exemption process. Since most of the time the minors are either taking a class, and not actually

employees, or if they are employees, they are gaining some particular experiences towards making a career choice or some other goal. The reasons are educational and not just employment. The University wants to continue offering these experiences, but it does appear that the University should be getting the child labor exemption permits where minors are being paid. The Nuclear Regulatory Commission has its own regulations, and minors are not allowed to work with radioactive materials. They could be in the rooms where these materials are being used, however. Ms. Thompson noted that it had been suggested that the guidelines be distributed to the DDD list with a cover letter from Mark Brenner, indicating the need to formalize the handling of persons under age 18. She said the exemption process was fairly straightforward, and that she had no doubts that the exemptions would be granted; it was just to state there was an educational reason for the employment. It was asked how many cases there might be of the need for an exemption. Ms. Thompson indicated 50 - 100 minors would be involved on average. There might be more in the case of some school activity where large numbers of students would be coming in from a school, but she noted that there would probably be some form of parental permission slip involved with the school. Prof. Hamilton stated that there should be a statement made by the Committee as to whether or not the Committee agreed with the guidelines. The motion to agree was made by Len Kuhi, seconded by Burle Gengenbach, and with no debate, the motion was passed.

With no further discussion, the meeting was adjourned.

Respectfully submitted,

Dana Swanson
University Senate

University of Minnesota