

Minutes*

**Senate Research Committee
January 24, 2000
1:30 - 3:00
Room 238 Morrill Hall**

Present: Leonard Kuhi (chair), Victor Bloomfield, Lorraine Francis, Patricia Gladchild, Eric Klinger, Mark Paller, Richard Poppele, Barbara VanDrasek

Regrets: Daniel Brewer, John Finnegan, Scott McConnell

Absent: Bianca Conti-Fine, Phillip Larsen, Amy Levine

Guests: David Hamilton, Virginia Seybold (Grants Management), William Liljemark, Ed Wink (Sponsored Projects Administration), Nancy Hoyt (Office of the General Counsel), Gary Gillet (Sponsored Projects Administration)

[In these minutes: Request for exception to policy barring secrecy in research; report from grants management; resolution the responsible and ethical conduct of research and scholarship; contract defaults]

1. Exception to Research Secrecy Policy

Professor Kuhi convened the meeting at 1:40 and accepted a motion to close the meeting for discussion of a legal matter. The motion was passed unanimously.

The Committee discussed, for the second time, a request for an exception to the University policy prohibiting secrecy in research. It agreed that it would again bring the matter to the Faculty Consultative Committee (having done so on January 20, and receiving a request for clarification from FCC) with the requested clarification and additional materials. The Committee also voted unanimously that the request for the exception should be supported subject to certain revisions in the proposed contract and with the understanding that this exception does NOT create a precedent.

It was also agreed that the Committee should review the secrecy policy (last reviewed in 1971) as well as the publications policy (last reviewed before World War II).

2. Grants Management Report

Professor Kuhi next turned to Professor Hamilton for a report from Grants Management.

Professor Hamilton had two items. First, Professor Virginia Seybold will oversee efforts related to education in the proper conduct of research. Courses will begin shortly and will be offered once a

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week for the remainder of the academic year. A portion of the course is mandatory for all Principal Investigators or co-investigators, on the financial and business management of grants.

Second, NIH has in theory sent a letter to the University. Professor Hamilton said he has been told that the University will not be unhappy but it will also not be overjoyed. It sounds like the letter will contain conditional lifting of the exceptional status.

Apropos the courses, they will be held in specific rooms around the University, not in specific departments. Professor Seybold pointed out that the PI eligibility policy provides that grant funds, even non-competitive renewals, will not be awarded unless the PI has completed the course on financial management and conflict of interest (Part 2 of the course)--and they want the courses to be widely available so no funds are held up. Some of the courses will be offered by ITV for the coordinate campuses, and they will also be offered on site at the campuses. Part 1 includes history, social responsibility, data management practices, use of human subjects, and so on, and is only required for new PIs. These are intended to be practical curricula for faculty, and will draw on faculty from across the University.

Dr. Bloomfield reported that there is a web site on ethics that is very impressive in both content and function. The web site is <http://www.research.umn.edu/ethics/>.

3. Resolution on the Responsible and Ethical Conduct of Research and Scholarship

Dr. Bloomfield now asked the Committee to review a draft resolution that he asked be forwarded for action by the Senate. There has been considerable activity with respect to training in the responsible conduct of research; staff, students, and PIs are required to go through training. What has not been made as clear is the responsibility of programs to support such training; this resolution puts the faculty and students on record as supporting education and training in the responsible and ethical conduct of research and scholarship.

The resolution approved unanimously by the Committee read as follows:

RESOLUTION ON THE RESPONSIBLE AND ETHICAL CONDUCT OF RESEARCH AND SCHOLARSHIP

WHEREAS the responsible and ethical conduct of research and scholarship is of prime importance in a research university such as the University of Minnesota, and to society at large; and

WHEREAS issues of ethics and responsible conduct are often complex and subtle, so as to require the sorts of explicit consideration and discussion that constitute formal training; and

WHEREAS some issues of ethics and responsible conduct are discipline-specific, while others have broad implications across all scholarly areas and can serve as a focus for all-University discussion and communication between disciplines;

THEREFORE be it resolved that:

The faculty, students, and staff of the University of Minnesota support a University-wide program of education and training in the responsible and ethical conduct of research and scholarship, with the following roles for members of the University community:

The Graduate School and Office of the Vice President for Research should continue with its efforts to establish a program to address current and continuing needs for education in the responsible conduct of research and scholarship.

Each graduate program should provide an ongoing educational program which should include - as appropriate to the discipline - such topics as research using human subjects, research using animals, authorship, plagiarism, confidentiality of privileged communications in peer review, data management, funding and fiscal responsibility, social responsibility and whistle-blowing, environmental health and safety, intellectual property, and conflict of interest; and should certify student participation in the educational program.

Department chairs/heads and deans should encourage, support, and attest to appropriate education in proper conduct of research by departmental personnel.

Individual faculty - as principal investigators, research directors, and mentors - should encourage their students and other research personnel to participate in such educational programs.

Students and other researchers should carry out their research in a responsible manner, and should participate in educational programs on responsible conduct of research provided by their program and/or department.

[END OF RESOLUTION]

This resolution tells department heads and deans that they should support these education and training efforts, it was said, but it is inappropriate to require departments to put on such programs; that is being done by the Vice President for Research. There is also an effort underway, Professor Seybold reported, to deliver this training to research staff, undergraduates, and graduate students.

Is this resolution also needed, in addition to the policies that have been adopted, asked one Committee member? Dr. Bloomfield said there is no official policy that has whereases and formulates a philosophical statement about why these efforts are important and nothing says that deans and department heads should be supportive. Without faculty-student buy-in, these efforts are more difficult to obtain support for. This is also a good time to talk about this, added another Committee, in light of general institutional concerns about integrity. This resolution also addresses changing cultural expectations in the institution, said another, and will be very helpful to have when colleges want to promote such training. This also clarifies, Professor Seybold commented, that such training is needed for ALL research, not just sponsored research.

4. Contract Default

Professor Kuhi next introduced an item that arose from a recent issue of RESEARCH REVIEW. There is a new Controller's policy about the collection of money on contracts for which University faculty

have done work and the agency has not paid, and it was brought to his attention by a faculty member who has been caught by the provisions of the policy. The policy provides (effective 7/1/99, but retroactive) that if the University has not succeeded in collecting money that is owed, the responsibility for doing so then falls to the department. (In the case that brought this to his attention, Professor Kuhl said, the faculty member claims the University was lax in trying to collect the money, about \$100,000.)

Why, Professor Kuhl asked, should the department be responsible? There could be a lot of money involved, and it is not the department that signs the contract, it is the central administration. This sets an undesirable precedent for faculty research. The worst example, moreover, is state agencies, which commission research and then do not pay. Why are departments to be penalized for unpaid bills outside their control?

The issues are whether it is appropriate to require departments and colleges to come up with the money, how actively the University pursues unpaid bills, and how the policy was adopted in the first place--this Committee has never heard of it but it has the potential for a significant impact on the academic enterprise.

There is also a huge impact without the policy, said one Committee member; the University absorbs millions of dollars in losses each year. Another Committee member observed that the Controller's office is the one that does the billing, and contracts specify when payment is to be made. In some cases, there may be legitimate reasons why payment is delayed or not made. When there are issues of non-payment, they go to the PI. There is a technical report issued about the work done; sometimes agencies do not know they have received the report. This policy has been adopted because there are no central funds to cover losses, and the contracts are only in place because the departments have requested them. There are no funds in the departments, either, responded one Committee member.

It was agreed that a representative from the Controller's office should be invited to discuss the policy.

Professor Kuhl then adjourned the meeting at 3:00.

-- Gary Engstrand