The University Senate

FACULTY · STUDENT · P&A · CIVIL SERVICE

UNIVERSITY OF MINNESOTA

Senate Research Committee (SRC)
December 1, 2025
Minutes of the Meeting

These minutes 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 minutes reflect the views of, nor are they binding on, the senate, the administration or the Board of Regents. The University Senate Office utilized notes taken during the meeting, video recording and transcript of the meeting, and AI to assist in summarizing substantive parts of the meeting transcript to compose these minutes. Minutes are reviewed by the committee before posting.

[**In these minutes:** Policy Review: Reporting Inventions or Software Arising from Research; Policy Review: Radiation Safety Policy; Policy Review: Research Involving Human Participants; NIH Open Access Policy for Publishing]

PRESENT: Jayanthi Sasisekaran (chair), Kathleen Boris-Lawrie, Pat Briscoe, Stephen Contag, Hatley Christensen, Darin Erickson, Jody Gray, Jon Guden, Joleen Hadrich, Daniel Harki, Boyen Huang, Fang (Alice) Lei, Beth Lewis, Emma Molls, Nicole Pilman, Jimmy Schryver, Jaideep Srivastava, Shaker Zahra

REGRETS: Savio Ferreira, Courtney Roberts

ABSENT: Courtney Aldrich, Jovany Betancourt, Liam Chen, Peter Crawford, Dave Hagen, Vinal Menon, Shashank Priya, Gavin Wilson

OTHERS ATTENDING: Joanne Billings, associate vice president for research for research integrity and compliance, RIO, Debbie Dykhuis, executive director, Human

Research Protection Program, Rebecca Gerber, associate director, Technology Commercialization, Allison Langham-Putrow, scholarly communications librarian, Libraries, Elizabeth Lim, director, Transactions Group, OGC, Nancy Sims, director of copyright & scholarly communication, Libraries, Laurie Cooper Stoll, director, University Senate Office, Brian Vetter, director, Radiation Safety

1. **Call to Order**

Laurie Cooper Stoll, director, University Senate Office, called the meeting to order.

2. **Policy Review: Reporting Inventions or Software Arising from Research**

Rebecca Gerber, associate director, Technology Commercialization, then presented policy changes for Reporting Inventions or Software Arising from Research for the committee's review and feedback. Gerber worked closely with Liz Lim from the Office of General Counsel (OGC) on the revisions. A summary of the relatively minor proposed changes were sent to the committee beforehand.

The proposed changes aim for closer alignment with the Board of Regents Commercialization of Intellectual Policy Rights. The policy now clarifies the submitters' obligation to report so that potential sponsor or federal reporting requirements can be met. The requirements for what constitutes a complete report of invention were also clarified. The U.S. Patent and Trademark Office's (USPTO) definition of "invention" was added to the policy because the term was previously undefined. One substantive change noted was the removal of the phrase "arising from research" to align with the above BOR policy, acknowledging that inventions can come from areas broader than just research. Gerber confirmed that no changes were made to the sub-policies.

3. **Policy Review: Radiation Safety Policy**

Brian Vetter, director, Radiation Safety, then discussed policy changes to the Radiation Safety Policy with the committee. Vetter began by providing background on the policy, noting that the university holds a license with the Minnesota Department of Health (MDH), which is the state's regulatory authority for the use of radioactive materials. The university also registers its X-ray devices with the MDH. The policy covers the entire

university system, including the University of Minnesota Medical Center. This is because these facilities sit on university property, and the MDH license held by the university covers these locations.

There are only a few minor proposed revisions which include a couple of word changes, updates to contact information for some campus locations, a slight edit regarding the use of ionizing radiation in human subjects concerning the online application process, and a change in terminology regarding training, switching from “attending a training course” to “completing a training course.” No immediate questions or comments were noted on the changes after the documents were received.

4. Policy Review: Research Involving Human Participants

Debbie Dykhuis, executive director, Human Research Protection Program, then reviewed proposed changes to the Board of Regents policy on Research Involving Human Participants policy. The primary and most significant change proposed is the addition of the authority for the IRB to rely on an external Institutional Review Board (IRB). The NIH released requirements in 2018 followed immediately by changes to the Common Rule (the main set of rules governing IRBs). These rules essentially mandate review by a single IRB for federally funded multi-site studies at domestic sites. Although the authority to rely on an external IRB has existed in regulations for some time, the University of Minnesota IRB did not practice reliance until around 2018 to maintain compliance with these new federal requirements.

The purpose of the policy change is to formally add the ability to rely on external IRBs as an explicit authority granted to the University IRB under the Board of Regents policy. Dykhuis emphasized that this reliance is not a simple, automatic process; it involves a detailed process to determine appropriateness and ensure compliance. Even when an external IRB is the reviewer, the research is still university research, and the institution retains obligations to ensure the research is conducted appropriately and to remain informed about the study’s progress. The detailed procedures and requirements for reliance are provided in other linked documents, but the current policy update focuses on establishing this authority at the high level of the Board policy.

5. NIH Open Access Policy for Publishing

Nancy Sims, director of copyright & scholarly communication, Libraries, then gave a presentation to the Committee entitled, "Publishing and the NIH Public Access Policy." Sims provided an overview of the shifting landscape in scholarly publishing, particularly concerning open access (OA) policies and the response from federal agencies and commercial publishers.

Open access was originally intended to provide online access to research publications without copyright and licensing restrictions, meaning content is free to read and free to copy and share. Sims focused primarily on the free-to-read aspect. The academic publishing model involves unique economics where authors' incentives are not tied to publication fees or subscription costs. This environment has led to large commercial actors and institutions heavily influencing the space. The widespread belief that OA requires authors to pay fees is a relatively recent development and was never the original intent.

Author Fees (APCs) originated in the mid-2000s as a way for fully open journals with non-profit business models and no subscription revenue to cover publication costs. The fee was intended to be equal to the cost of publishing. For-profit publishers adopted these fees as an add-on to their existing subscription models. Consequently, many researchers now incorrectly equate open access with paying an author fee. For over 20 years, federal funders have been moving toward public access policies (anyone can read). In 2022, the Biden White House issued guidance requiring all major federal granting agencies to encourage immediate public access to their published works. The NIH policy, which affects a large amount of research, was initially set to take effect in December 2024 but was unexpectedly moved up to July 1, 2024. The major change is the requirement that the author's accepted manuscript (AAM) must be uploaded to PubMed Central (PMC) immediately upon publication, with absolutely no delay. Previously, publishers could enforce an embargo period of up to one year before authors could make their work publicly available. The new policy eliminates this delay.

The acceleration of the NIH policy has resulted in a chaotic and varied set of publisher responses. Some publishers support the policy but require the author to perform the

required deposit to PMC. Some, like the American Chemical Society (ACS), have introduced special fees for this type of access and have reportedly issued after-the-fact invoices to authors who never agreed to pay a fee. Major publishers like Springer Nature, Elsevier, and Oxford University Press are effectively creating a roadblock to one previously-available no-fee option. They argue that because the NIH claims a pre-existing license to the work, authors cannot sign their standard subscription agreement (which requires authors to guarantee no pre-existing licenses exist). This forces authors to use the publisher's fee-based open access agreement.

Researchers whose articles were under review when the policy changed are in a difficult position, often having to pay unexpected fees because they chose a journal without considering the new immediate OA requirement. Moving forward, researchers must think about open access options and compliance before submission, not just focusing on impact factor or career advancement. Options available to authors to avoid fees include selecting a journal with an existing policy that allows immediate upload or is fully free to read and publish, relying on the NIH Public Access Policy License, or relying on the U of M Open Access Policy License.

It is unknown how aggressively publishers will pursue authors who rely on these licenses to upload their work. While publishers have never taken action against individual authors for self-archiving, they have sued the hosting sites. The recent tactic of sending after-the-fact invoices to authors who uploaded their own work suggests publishers may take a hostile stance. Professional societies, many of which rely on their publishing arm for revenue, must weigh whether their relationship with commercial publishers is worth continuing. Societies are also key venues for researchers to advocate for policy change. Promotion and Tenure (P&T): P&T requirements that heavily emphasize journal impact factors are part of the problem, as they pressure young researchers to publish in high-fee journals they cannot afford. Adjusting P&T requirements could alleviate this pressure.

6. Adjournment

Hearing no further business, Jayanthi Sasisekaran, chair, adjourned the meeting.

Laurie Cooper Stoll
University Senate Office