

Minutes\*

**Senate Research Committee  
Thursday, December 17, 1998  
3:00 PM  
6-101 Basic Sciences Building**

Present: Len Kuhi, Lorraine Francis, Bianca Conti-Fine, John Finnegan, Burle Gengenbach, Scott McConnell, Eric Klinger, Richard Poppele, Marilyn DeLong, WinAnn Schumi, Mark Paller, Peter Reichert, Barb Van Drasek, Ed Wink

Regrets: Jesse Grenz

Absent: Norma Allewell, Vic Bloomfield, Frank Cerra

Guests: David Hamilton, Dick Bianco

[In these minutes: Animal Use & Care Policy, SIRG Grant, ORTTA Policy Changes, Freedom of Information Act]

The minutes from the November 19, 1998 meeting of the Research Committee were distributed to committee members prior to the meeting for their review and were approved as written at the meeting.

**ANIMAL CARE & USE POLICY.**

The following materials were distributed to committee members prior to the meeting for their review: 1) Proposed Amendments to the Senate Draft Policy on the Animal Care & Use Policy; 2) Revised Draft Regents Policy dated December 9, 1998; 3) Senate Draft Policy dated March 17, 1998; and 4) Resolutions Related to Approval of the Board of Regents Policy on Animal Care & Use. Assistant Vice President Dick Bianco, Academic Health Center, provided committee members with a summary of changes made to the Animal Care & Use policy in the past. He noted that the Research Committee proposed changes to the policy last March and that the policy was then presented to and approved by the Faculty Consultative Committee (FCC). Changes proposed by the Research Committee and FCC were incorporated into the draft before being sent to the Regents Office which reformatted the approved policy. In addition, Assistant VP Bianco noted that some of the statements in the original policy were shifted to the resolution. The policy has now been brought back to the Research Committee at this meeting for re-review.

The previous concern of the Research Committee in the spring was the reporting line, and Assistant VP Bianco reported that the primary change in this new draft is that the President delegates the institutional official, which at this point is Assistant VP Bianco. Additional concerns brought up by members of the Research Committee at this meeting included the following:

· In Section 3, subsection 2, strike the word “faculty” before Senate Research Committee and replace it with the word “university.”

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\* 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 represent the views of, nor are they binding on, the Senate or Assembly, the Administration, or the Board of Regents.

· In Section 4, subsection 3, replace the word “government” with “governmental.”

The Research Committee approved the final draft of the Animal Care & Use Policy as presented by Assistant VP Bianco with the above modifications.

#### SIRG GRANT.

A copy of a letter to Professor Len Kuhl from Ed Wink, Interim Associate Vice President for the Office of Research and Technology Transfer, regarding a proposal entitled, “Radon Measurement and Mitigation Training -- SIRG Grant” was distributed to committee members prior to the meeting for their review; attached to the cover letter is a copy of the contract and its conditions.

In the letter, Interim Associate VP Wink notes that the State of Iowa General Conditions are in conflict with the University’s Secrecy in Research Policy because of the requirement of prior written approval by the sponsor to publish results of contract activity. During negotiation with the sponsor, it became clear that the award would be rescinded unless the University accepted the language as written. The Iowa Department of Public Health feels that there is nothing publishable with the exception of a list of “pass” or “fail” grades from those individuals attending the training. It was noted that the PI was consulted and he confirmed that he expects to derive no data usable for any purpose in the future, and that this is strictly an “outreach/training” subcontract. Interim Associate VP Wink noted that the letter served to report to the committee as required in Subdivision 1 of the Research Secrecy Policy and requested that the Research Committee review the proposal and subcontract provisions.

Interim Associate VP Wink noted that the contract has language that prohibits the University from publishing in a contract that the University wants to enter with the Iowa Department of Health without their written approval. In other words, the University would rather have their review than their approval, but recommended that they accept the contract as written. He added that this is the only incident known where an agreement or negotiation on language could not be reached. Members of the Research Committee approved the proposal and subcontract provisions presented by Interim Associate VP Wink, but agreed that it should also take time to review the Research Secrecy Policy in the near future.

#### ORTTA POLICY CHANGES.

The following policies were distributed to committee members at the meeting for their review, including a cover sheet that listed the specific revisions proposed: 1) Processing Internal Accounting Transactions (Cost Transfer Guidelines); 2) Preaward/Advance Accounts and Accelerated Work/Minimal Breaks (Preaward Guidelines); 3) Managing Program Income Earned on Sponsored Projects (Program Income Policy and Procedures); and 4) Providing “Other Current and Pending Support” Information on Sponsored Project Proposals. Interim Associate VP Wink noted that members of the Research Committee have until mid-January, 1999 at the latest to review and make comments regarding the policy and procedures proposed changes below (exception: approval of changes to Cost Transfer Guidelines not required until June). He added that committee members are invited to review the proposed changes further after the meeting and provide him with comments by mid-January via e-mail. If no comments are made by that time, the proposed changes shall be considered approved by this committee.

#### Cost Transfer Guidelines.

It was noted that the revised policy and procedures for Cost Transfer Guidelines will be implemented only after the Certified Approver Program has been established, sometime late spring or early summer. The following change to the policy was proposed: Integrated guidelines into existing Controller’s policy;

created separate procedures for sponsored and nonsponsored accounts. In addition, the following changes to the procedures were proposed:

- Removed the option to charge preaward expenses to a nonsponsored account and transfer them later.
- The 60 day limit and 30 day limit have been changed to “within 45 days from the accounting period on which the original charge was posted.”
- Clarified that PIs must sign nonsalary cost transfer documents only if they listed an incorrect account number on the original request.

#### Preaward Guidelines.

Proposed changes to the policy include the following:

- Reformatted into standard U administrative policy and procedures.
- Differentiated between advance accounts and preaward accounts.
- Outlined conditions and procedures for charging preaward costs to continuing awards when work is accelerated or there is a minimal break in support.
- Removed option to charge preaward costs to a nonsponsored departmental account and transfer the costs to the sponsored account when the award is received.
- Clarified responsibilities for monitoring expenditures on preaward/advance accounts and age of these accounts.
- Included responsibilities of new Office of Institutional Oversight and Reporting.

Changes proposed re: establishing and charging preaward or advance accounts procedures include:

- Developed preaward/advance account request form.
- Mandates use of the form and removes current option to write letter.
- Outlined responsibilities for monitoring expenditures on preaward/advance accounts and age of these accounts.

Changes proposed re: charging preaward costs for accelerated work or minimal breaks include:

- Clarified situations when preaward spending approval must be obtained from sponsor.
- Developed accelerated work request form.

Committee members recognized that faculty frequently start spending money on grants that have not yet arrived. Although there needs to be agency approval to set up advance accounts, faculty members are not allowed to spend the money until the grant has arrived. Interim Associate VP Wink informed committee members that it is illegal to have an overdraft on a project, even though the University of Minnesota has allowed this to occur in the past. For example, the University now has a sizable deficit of approximately \$10.5 million to cover overdrafts from sponsored accounts. As a result, the new policies were created to avoid this type of deficit in the future.

#### Program Income Policy and Procedures.

The proposed change to the policy includes the following: Specified that grant administrators must monitor the level of program income in sponsored accounts. The major change in this policy is that if a grant is generating revenue, the University needs to know about it and inform the sponsor up front.

Changes proposed to the procedures include the following:

- Clarified different between reportable and non-reportable program income.
- Specified that a plan must be developed to handle program income earned on awards with nonfederal sponsors.

- Specified that a separate account for reportable program income may be established under certain circumstances.
- Specified that non-reportable program income will be deposited in a separate account with new Revenue Source Code 4950.
- Specified that non-reportable program income earned during the project period must be used to further the objectives of project.
- Specified that grant administrators must monitor the level of program income in sponsored accounts.
- Specified that a significant level of program income is considered the agency limit or 25% of the total award, whichever comes first.
- Developed a Notice of Program Income Form.
- Developed Program Income Reports.

#### Other Support Policy.

Interim Associate VP Wink reported that this is a new policy and will not be implemented until the new database is functional. He clarified that "other support" includes any sources that support faculty research (gifts, training grants, and prizes/awards are not included). Proposed changes to the policy include:

- New University administrative policy and procedures.
- Principal investigators must inform sponsor (if required) of changes to information.
- Unit staff required to collect other support data and update database and departmental files.
- SPA to maintain other support database.
- SPA to verify that other support section has been completed and that sponsors have been informed of changes, if appropriate.

Proposed changes re: reporting other current and pending support information procedures include:

- New other support database is part of EGMS.
- Requires updates to database and departmental files.
- Includes step to notify sponsors when other support information changes (if required).
- Outlines oversight mechanisms for disclosures.

#### FREEDOM OF INFORMATION ACT.

Professor Len Kuhi, Chair, informed committee members about an omnibus bill that contained obscure language concerning the Freedom of Information Act. He added that the issue in question is one of public access to individual principal investigator data. Professor Kuhi decided to raise this issue before the members of the Research Committee because it could have serious consequences as to how faculty conduct research. Committee members provided the following input to the Chair on how to address the issue:

- Professors Len Kuhi and John Finnegan agreed to begin drafting strongly worded text against this bill for a resolution to go to the Senate.
- Members or representatives of the Research Committee should speak with individuals such as Martin Sabo, Tom Etten, Jim Ramstad, and lobbying groups about this issue.
- The committee should attempt to distinguish the difference between what the Freedom of Information Act was meant to be and what it is turning into.
- Professor Kuhi could ask Chris Maziar, VP for Research and the Graduate School, to also bring this issue to her colleagues in the Research Office.

The meeting adjourned at 4:30PM.