

**University of Massachusetts Amherst
Research Council of the Faculty Senate
David Evans, Chair
2008-2009
Minutes
September 12, 2008**

PRESENT: L. Button, D. Evans, A. Foulkes, M. Lowance, J. Miller, D. Ostendorf, W. Patterson, S. Rich, P. Cormier, N. Khan, P. Kostecki, M. Malone, A. Mangels, B. McCandless, J. Schafer, L. Shea, C. Sprague

The meeting was called to order at 8:35 a.m.

The Minutes of the May 2, 2008 meeting were unanimously approved.

- I.** With no opposition, David Evans was formally elected Chair of the Research Council. Chair Evans thanked past-Chair Bill Patterson. Evans also thanked retiring employee Bev Strakose (Research Affairs) for her work for the Council.
- II.** The Chair welcomed the Council, acknowledged new members, and thanked those who had re-enlisted. The chair indicated his desire to experiment with a new format for the meetings to provide more time for faculty participation in discussion of issues. The chair thanks the ex-officio members for their cooperation in submitting written announcements prior to the meeting. A document containing all the announcements was distributed at the meeting and is appended to these minutes as well.
- III.** Chair Evans asked each Council member to introduce themselves including their association with the University and any policy issues they wish to see addressed by the Research Council. Below is an unprioritized list of suggested policy issues:
 - Decline in RAs
 - Expansion of graduate certificate programs
 - Curriculum fee
 - Continuing increase in cost of subscriptions
 - Scholarly communication and open access to materials
 - Control environment over research rules/regulations
 - Issues raised by the new Effort Reporting System
 - Review of “Guidelines for Principal and Co-Principal Investigators....”
 - Friendlier attitudes toward industry sponsored research
 - Adequate representation for HFA for application of small grants for RTF funds
 - Establish a list of fellowships and how handled in relation to salaries
 - Funding of graduate students, differences between TAs and RAs in funding implications
 - Impact of digital publishing
 - Library relationships with faculty and research community
 - Changes in University system’s intellectual property policy
 - Critical problems in providing competitive stipends for graduate students
 - Support for doctoral students travel, especially internationally

- Inadequacy of access to data bases
- Curriculum fee and diminishing number of RAs
- Increase in grant aid vs. loan aid
- Infrastructure and lack of quality space on campus
- Sharing equipment/resources
- Decline in RAs/11% increase in post docs
- Diversity recruitment and retention
- Graduate School's place on our flagship campus
- Graduate School's role in international education
- Increase number of interdisciplinary programs
- More efficient use of RTF funds by schools/departments/Pis
- Curriculum fee—where are dollars going—how is research being supported
- Rules for Additional compensation and impact on faculty motivation
- Negotiation with administration about sharing of risks in the same proportion as the benefits for the RTFs.
- Issues surrounding RTFs with large cash balances

Given other matters on the agenda, the task of prioritizing these issues for Research Council consideration was tabled. The chair will take them to the Research Policy Committee for discussion and drafting a prioritized list.

- IV. A memorandum (attached) drafted by David Ostendorf, Chair of the Research Policy Committee, entitled "Curriculum Fee Retrospective" was presented for the Council's review. Dr. Ostendorf summarized how the memo was put together. He noted that all contributors to the memo were very cooperative about releasing needed information.

Discussion ensued on how the distribution of the memo might educate and inform the UMass research community about the impact of the Curriculum Fee. A **MOTION** was made to distribute the memo as is with a preamble to include an historical summary of the genesis of this memo, a comment on the need to look at the fee in relation to numbers of tenure track faculty, and a note that the memo is written from the perspective of furthering the research enterprise at UMass. The motion passed unanimously.

- V. The meeting adjourned at 10:03 a.m.

Announcements for September 12th Meeting of Graduate Council

Michael Malone - On behalf of the Provost:

1. An ad hoc Research Commons Committee, chaired by Dean Priscilla Clarkson, has met several times. A draft report with a vision for the Research Commons, including input from the Research Council, will be ready soon. That report will also address several immediate steps including benchmarking with other institutions and a research mentoring component.
2. The Provost has instructed the deans to plan for a possible mid-year reduction of 3% in the state budget. This possibility is state-wide and currently under consideration in Boston. Please note that this is preparation and not implementation. No reduction has been decided and while we all hope that this does not come to pass, lower than anticipated state tax revenues may make it necessary. Such a reduction is most likely to impact personnel but the Amherst 250 plans and budget remain intact. If and when the reduction comes about, the definite word will come from Chancellor Holub.

Concerning policies:

My suggestion would be to review the "Guidelines for Principal and Co-Principal Investigators: Defining Roles, Rights, Responsibilities and Obligations,"

(<http://www.umass.edu/research/ogca/policies/pico2.htm>) dated 4/24/1992.

This document begins with the statement, "The majority of applications for research grants and contracts are submitted by individual members of the University community and do not designate any other persons as Co-PIs." Today that is often not the case, and in large grants there are often many co-PIs as well as other faculty involved as "Senior Personnel" or a similar term.

Paul Kostecki, Vice-Provost for Research

1. The President's Office is conducting an audit of intellectual property activities system-wide. Although no details of the audit have been released the PO assures us that it is a routine exercise to see what is working and how things can be improved.
2. The Life Sciences Task Force (LSTF), chaired by Chancellor Collins, was formally presented to and accepted (by vote) by the Science, Technology & Research subcommittee of the Board of Trustees. A panel (comprised of members of the LSTF) was included in the presentation. VPR Kostecki presented a perspective of the issues, barriers and solutions to intercampus research within the system.

DISCUSSION POINT: How to vet the report by the campus?

3. There is a space audit being done by an outside consulting company for all research space on campus. The final report will be completed by the end of the year and provide recommendations for total needs and how to best utilize the monies being directed to campus for renovations and construction. The consulting company will be conducting a series of four workshops over the next couple of months with all academic units for their input and completeness of information.

4. NSF is revisiting their position on not requiring cost sharing on grants. The agency is soliciting outside input by October 6th.

DISCUSSION POINT: Should the campus provide input and what position should it take?

Andrew Mangels, Controller – Admin and Finance

1. The Amherst campus and the other four campuses are in the early stages of implementing a new effort reporting certification system. This system will replace the old paper based system and will allow for more accurate compliance surrounding effort certification of direct cost and cost shared commitments on grants and contracts. This system, called ECRT is web-based and developed by Huron Consulting, a leader in effort reporting systems. Other ECRT implementations include Columbia, University of Wisconsin system, University of Texas system and other smaller research institutions. The system is expected to be functional in Spring of 2009.
2. OGCA and the Controller's Office have scheduled pre and post-award training sessions for administrators again for the Fall 2009 period. We will send out a memo to all PI's encouraging them to send their administrative staff to training.

Nigar Khan – Representing John Mullin, Dean of Graduate School

- We are Exploring initiatives going on at UMass Amherst, ideas for ethics training, and possible approaches to develop programs for graduate student in Ethics. One motivation is that the National Science Foundation (NSF) requires education in research ethics ((America Creating Opportunities to Meaningfully Promote Excellence in Technology, Education, and Science (COMPETES) Act passed March 7, 2007) At the meetings we will

- We are proposing revision to regulation concerning full-time status for graduate students that graduate students must complete all degree requirements and file for graduation by the end of the semester in which they pass their dissertation defense, master's thesis defense or master's general examination; and, further, that a graduate student cannot be considered full-time after the defense is successfully completed

- We are in the process of reviewing the Final Report of the Faculty Senate Ad Hoc Committee on Certificates. The purpose of the Ad Hoc Committee was to deliberate the purpose and desirability of current and proposed undergraduate and graduate certificate programs and to determine whether to recommend changes in the University's current policies and procedures with respect to certificates at both the graduate level and the undergraduate level.

Linda Shea – Chair of Graduate Council

1. The Fellowship Program has been funded with an ADDITIONAL \$250,000 from the University.
2. The Academic Standards and Curriculum subcommittee is developing guidelines for proposing new graduate certificate programs.

3. A proposal to discontinue full-time status of graduate students after completion of program requirements was denied.

Carol Sprague, OGCA

Funding Update

The formal Annual Report is expected to be on line by the beginning of October. Last year, we finished with only a 3% increase in awarded dollars even though all indications from the earlier months were that we could expect a very hefty increase. This year we were looking good in July however, August found us 24% behind where we were at this point for FY08. Proposal submissions remain strong which is good news.

Unfortunate Event with Grants.gov

This month we had a very unfortunate event that hopefully, we can all learn from and use as an opportunity to remind faculty that grants.gov submissions are very volatile and extremely risky if not submitted timely. We had two faculty members from a particular college applying to a very large and complicated program that had a grants.gov submission requirement. These proposals had many subcontracts and were for a substantial amount of money. The two PI's sought out and received approval from their Dean for a waiver of the 4 day submission requirement. Both faculty members took this risk and submitted to OGCA on the day the proposals were due. After OGCA had the opportunity to review these proposals and make required corrections to known problems the next step was to check the proposal for errors using the function in grants.gov. Both proposals seemed to be clear for submission, as the system did not generate errors. The proposals were submitted sometime between 3:30 and 4:00 for the 5:00 deadline.

We received a system generated email some 30 minutes (messages can take up to 24 hours to receive if there is a lot of traffic on the grants.gov system) later stating the proposals were rejected with errors. Staff worked with Grants.gov representatives as they were having difficulty pin pointing what the particular error was that was kicking the proposals out of grants.gov. It turns out that the problem was contained in their Subcontractor submitted R&R budgets. The Check Error's button only checks for errors when the package is being developed. Because the subcontractor budgets are complete when uploaded into our proposal, the check error function does not check that part of the package. The proposals were re-submitted after 5 because of our difficulty in identifying the problem and getting resolution from grants.gov staff and making the required changes to the proposal package. OGCA staff contacted the sponsor and explained the issue and the problem with the grants.gov system. The sponsor said they would take this into consideration and get back to us with their decision. Final decision was that these proposals would not be accepted or reviewed for this competition.

Export Control Violation Conviction

This news release was provided to us last week via a list serve. I thought the details would be worth sharing. Unfortunately, now that DOJ has one conviction, I am afraid this may lead to more scrutiny in this area. See at: www.usdoj.gov

Retired University of Tennessee Professor Convicted of Arms Export Violations

KNOXVILLE - On Wednesday, September 3, 2008, a federal jury convicted retired University of Tennessee professor Dr. J. Reece Roth, after a seven day trial, of illegally exporting military

technical information relating to plasma technology designed to be deployed on the wings of drones operating as a weapons or surveillance systems.

The Arms Export Control Act prohibits the export of defense-related materials, including the technical data, to a foreign national or a foreign nation, without the required U.S. government license. The illegal arms exports by Dr. Roth related to technical data and information that was developed through a U.S. Air Force research and development contract to develop this advanced form of a drone.

Dr. Roth was specifically convicted of one count of conspiring with Atmospheric Glow Technology, Inc., a Knoxville, Tennessee, technology company, to unlawfully export in 2005 and 2006 fifteen different "defense articles" to a citizen of the People's Republic of China in violation of the Arms Export Control Act. He was also convicted of 15 counts of violating the Arms Export Control Act and one count of wire fraud relating to defrauding the University of Tennessee of the honest services by illegally exporting sensitive military information relating to this U.S. Air Force contract.

The maximum punishment for the conspiracy conviction is five (5) years imprisonment and a fine of \$250,000. The maximum penalty for each of the Arms Export Control Act offenses is ten (10) years imprisonment, a criminal fine of \$1,000,000, and a mandatory special assessment of \$100 for each offense. Dr. Roth's sentencing has been set for January 7, 2009, at 1:30 p.m., in United States District Court in Knoxville.

"Today's guilty verdict should serve as a warning to anyone who knowingly discloses restricted U.S. military data to foreign nationals. The illegal export of such sensitive data represents a very real threat to our national security, particularly when we know that foreign governments are actively seeking this information for their military development," said Patrick Rowan, Acting Assistant Attorney General for National Security.

United States Attorney Russ Dedrick said, "The strict enforcement of the export technology laws protects our country and its citizens. This verdict, by a jury of Dr. Roth's peers, demonstrates that our citizens and the United States will not tolerate such intentional conduct to undermine the security and the economy of our country. Our scientific and educational communities must take precautions to insure that technology and research are protected, when required, from disclosure to foreign governments."

Dedrick praised the efforts of the investigative agencies, as well as Assistant United States Attorneys Will Mackie and Jeff Theodore, for their fine work on this investigation and prosecution of the case.

The indictment and conviction was the result of an ongoing investigation by the Federal Bureau of Investigation (FBI), United States Air Force, Office of Special Investigations, U.S. Immigration and Customs Enforcement (ICE), and Department of Commerce Export Enforcement. Assistant United States Attorneys A. William Mackie and Jeffrey E. Theodore represented the United States.

Paul W. Cormier report Graduate Student Senate

Graduate Students are equally concerned about the continuing increases in the Curriculum Fee and the contemporaneous downward trend in the number of Research Assistants, for the reasons shared by the Research Policy Committee. However, Graduate Students would offer additional reasons, as described below, and thus would encourage a broader view of the issues, and thus a broader solution.

Graduate Students agree with the Research Policy Committee that the growth of the Curriculum Fee charged as a Direct Cost for a grant funded, full time equivalent Research Assistant is clear, and it is equally clear that there are no external controls on the Curriculum Fee. It is also clear that the Administration returns no identifiable fraction of this Direct Cost to the Research Community.

However, the additional reasons of concern for Graduate Students are that there are no (collective/cumulative) increases in the following that are commensurate with the contemporaneous Curriculum Fee increases and diminishing numbers of Research Assistantships:

graduate student fellowships;

Teaching Assistantships;

increases in the percentage of need met through grants (thereby reducing the percentage to be met by loans, work-study, etc.) for students in the greatest need categories.

The new GSS staff for this academic year, as follows:

Nahir I Otaño Gracia – President

Scott Salus – Vice President

Augusta Mfuko – Secretary/Treasurer

Vira Douangmany – Campaign Coordinator

Judy Van De Geer – Graduate Women’s Network Coordinator

Yinda Liu – Graduate Voice Editor