

## COMMISSION ON RESEARCH

October 8, 2008  
325 Burruss Hall  
3:30 – 5:00 p.m.

**Members Present:** M. Cavell (for C. Dawkins), N. Clemency, L. Coble, D. Cook, T. Herdman, B. Huckle, D. Jones, T. Inzana, D. Leo (for R. Benson), S. Martin, K. Miller, T. Schroeder (for D. Dean), B. Siegle, R. Veilleux, P. Young

**Members Absent:** S. K. De Datta, T. Fox, R. Grange, R. Hall, R. Kapania, B. Vogelaar, P. Zellner

**Invited Guests:** C. Montgomery, S. Muse

1. **Approval of Agenda:** A motion to approve the agenda was offered by D. Cook and seconded by D. Leo and carried.
2. **Approval of the minutes for CoR meeting September 10, 2008:** T. Herdman noted the wording on page 2: ‘the final decision is the Provosts.....the Presidents decision is final.’ T. Inzana suggested that it be changed to ‘the determining decision is the Provosts’ and leave the Presidents decision is final.’ A motion to approve the minutes as amended was offered by L. Coble and seconded by D. Jones.
3. **Proposed Policy on Removal of Lead Investigator from Sponsored Projects:** There was further discussion on the proposed policy that was presented to the CoR by Hardus Odendaal at the last meeting. B. Huckle also spoke with Gary Long who is the Chair of the Commission on Faculty Affairs to try to get a little more background on the policy. The Commission on Faculty Affairs has asked for the CoR’s endorsement on this proposed policy. There were a number of concerns which were raised at the last CoR meeting and were captured in a document that was circulated. B. Huckle asked for any further observations or concerns regarding this policy. D. Leo noted the lack of specification in the process and that it is vaguely written. The lack of process could lead to significant deviations on how this policy is carried out. B. Huckle stated that his principle concern was the lack of definition for the investigators. A much more precise definition of who is covered by this would be beneficial. Another area of concern is what role the Office of Sponsored Programs plays in this in either raising concerns or in acting as a go-between with sponsors.

A motion to adopt the removal of the lead investigator was invited by the chair, but a motion was not forthcoming. A motion to discuss was offered by T. Herdman and seconded by L. Coble. T. Herdman suggested that we should leave it as written and give the CFA our feedback.

T. Schroeder commented about the issue of one’s professional reputation and how it could be subject to being damaged in the event that it turns out that the accusations are unfounded. K. Miller noted that the policy as written did not indicate the

involvement of Legal Counsel or Human Resources. D. Jones agreed that the University Legal Counsel would have to be involved in this process.

T. Inzana raised the question if the PI is terminated, does the contract automatically go to the Co-PI. S. Muse explained that all contracts are made with the university, not the PI, and that university contracts are accepted with the understanding by the sponsor that a particular 'expert' from the university will be the PI working on it. In the event that the PI were to become incapacitated and have to step away by their own choice for example, then the sponsor does negotiate with the university on whether the university can supply some one to take their place. In the case of such an event, it would be determined if the Co-PI has the ability to complete that project; it's still a negotiation between the university and the sponsor which happens through sponsored programs.

B. Huckle suggested that we do not approve the policy as written and give them a list of concerns that we could agree to adopt with the request that they be addressed. S. Muse suggested that we ask Gary Long or someone from CFA to respond to us in writing before the next meeting, and then offer that we consider the responses and take another vote. L. Coble offered the motion to have the CoR chair forward our concerns to the Chair of the Commission on Faculty Affairs; the motion was seconded by D. Leo and carried. B. Huckle will circulate a draft of the proposed comments to the CoR to adopt to send to CFA.

4. **Virginia Center for Coal and Energy Research (VCCER):** T. Inzana reported that the report has been turned in for VCCER and that the review committee is going to meet next week and will be charged with the review. T. Inzana explained that this review may stretch in to next semester.
5. **Policy 13005 Interdisciplinary Research Centers:** T. Inzana requested the CoR's assistance in reviewing this policy for updates and suggestions. Specifically he requested input on two issues: 1. the nomenclature of what constitutes an institute; and 2. the review process of centers. When this policy was originally established, the terms 'center' and 'institute' were used as synonyms. Now established institutes are in a different category than university centers, yet some centers do have the word 'institute' in them such as MII. Do we want to continue with these terms being synonymous in the policy, or do we clearly want to distinguish a university center from an institute. T. Inzana went on to explain that the other issue with this policy is the review of centers, specifically the reauthorization/termination of the centers as listed on page 3. The policy as currently written does not include guidelines for a committee as to what should constitute whether a center is reinstated or should be considered terminated. The termination criteria should be defined. Likewise, a directory should be identified as to what they have to do to remain a center.

K. Miller made note that this similar issue was discussed while developing Policy 3020 Centers Financial and Administrative Policy and Procedures which was developed in response to updating Policy 13005. S. Muse explained that it outlines the definition of a "center" and states that "the term center may include synonyms such as institute, laboratory, group, etc. Centers are further categorized as university centers, college centers, or departmental centers". K. Miller explained that these two

policies were designed with the same language with what a university “center” is and that these two policies should be in tandem to be looked at together. K. Miller explained that often times when policies are written, they are written to be flexible without any metrics. These policies were crafted to allow commission members in the review process to use their professional judgment of their collective expertise in recommending continuation or termination.

The CoR decided to develop a subcommittee to take a closer look at these issues. The following members will be on the subcommittee: C. Dawkins, D. Leo, T. Herdman, and B. Huckle. The subcommittee will develop their suggestions for the policy by the end of the month. T. Inzana agreed to meet with the Provost to clarify the terminology of the word ‘center’ and then to report back to the subcommittee.

- 6. Policy 13000 Policy on Intellectual Properties:** T. Inzana explained that this policy was reviewed and minor changes were suggested regarding terminology such as role titles. Carol Roberson has gone over it and discussed it with Pat Hyer and Kay Heidebreder and it’s clear that they didn’t make any major revisions, but minor revisions only. The revisions that were made did not require an amendment. Those changes were included in the copy presented to the CoR. T. Inzana requested the approval from the CoR before moving forward to put the policy up on the web. A motion was offered by T. Herdman and seconded by R. Siegle and carried.
- 7. Adjournment:** A motion to adjourn the meeting was offered by D. Jones and seconded by T. Herdman and carried at 4:42pm.