

UNIVERSITY COUNCIL MEETING
February 20, 2012
3:00 p.m.
1045 Pamplin Hall
AGENDA

1. **Adoption of Agenda** Dr. Charles Steger

2. **Announcement of approval and posting of minutes of December 5, 2011** Dr. Charles Steger

These minutes have been voted on electronically and will be posted on the University web.

3. **New Business** Dr. Charles Steger

Commission on Research Dr. Randolph Wynne
Resolution 2011-12A
Revision of Policy 13010 – Individual Conflicts of Interest and Commitment

Commission on Graduate Studies and Policies Dr. Victoria Soghomonian
Resolution 2011-12D
Revision of Graduate School Policy on Advisor Conflict of Interest

Commission on Student Affairs Mr. Sandy Bass
Resolution 2011-12A
Changes in Membership of the Commission on Student Affairs

4. **Old Business**

Commission on Administrative and Professional Faculty Affairs Ms. Amy Hogan
(First reading occurred November 12, 2011; resolution was deferred when brought forward for second reading on December 5, 2011.)
Resolution 2011-12A
Resolution to Approve Revisions to University Policy 4060: Conviction and Driving Record Investigation

Commission on Faculty Affairs Dr. Sarah Karpanty
Resolution 2011-12A
Initial Appointment for Extra Collegiate Library and Extension Faculty on the Continued Appointment Track

Commission on Undergraduate Studies and Policies Dr. Robin Panneton
Resolution 2011-12D
Resolution to Approve the Bachelor of Arts Degree in Religion and Culture

5. **Reports from Commission Chairs**
 - **Commission Chairs Briefings**
 - Commission on Administrative and Professional Faculty Affairs Ms. Amy Hogan
 - Commission on Equal Opportunity and Diversity Ms. Meghan Kuhn
 - Commission on Faculty Affairs Dr. Sarah Karpanty
 - Commission on Graduate Studies and Policies Dr. Victoria Soghomonian
 - Commission on Outreach and International Affairs Dr. Gary Long
 - Commission on Research Dr. Randolph Wynne
 - Commission on Staff Policies and Affairs Ms. Sue Teel
 - Commission on Student Affairs Mr. Sandy Bass
 - Commission on Undergraduate Studies and Policies Dr. Robin Panneton
 - Commission on University Support Dr. James Tokuhisa

6. Presentation

Long-Range Plan

Note: An updated version of the Long-Range Plan will be posted on the Office of Long Range Planning website (<http://www.longrangeplan.vt.edu/>) on Monday, February 20, 2012

Dr. Paul Knox
Ms. Frances Keene

7. Announcement of acceptance and posting of Commission Minutes

These minutes have been accepted for filing by electronic vote and will be posted on the University web. Note that the purpose of voting on Commission minutes is to accept them for filing. University Council By-laws require that policy items be brought forward in resolution form for University Council action.

Dr. Charles Steger

Commission on Administrative and Professional Faculty Affairs
January 25, 2012

Commission on Equal Opportunity and Diversity
November 14, 2011
November 28, 2011

Commission on Faculty Affairs
December 2, 2011

Commission on Graduate Studies and Policies
November 16, 2011
December 7, 2011
January 18, 2012

Commission on Outreach and International Affairs
November 17, 2011
December 15, 2011

Commission on Research
November 9, 2011
December 14, 2011

Commission on Staff Policies and Affairs
November 29, 2011
January 24, 2012

Commission on Student Affairs
November 10, 2011
December 1, 2011
January 26, 2012

Commission on Undergraduate Studies and Policies
October 24, 2011
November 14, 2011
November 28, 2011

8. For Information Only

Minutes of the University Advisory Council on Strategic Budgeting and Planning
December 1, 2011

Dr. Charles Steger

9. Adjournment

Dr. Charles Steger

University Council Minutes
February 20, 2012
3:00 PM
1045 Pamplin Hall

Present: Charles Steger (presiding), Richard Benson, Jeb Stewart for Earving Blythe, Jill Sible for Lay Nam Chang, Jack Davis, Elizabeth Flanagan, Alan Grant, Karen Jones, William Lewis, Mark McNamee, Kim O'Rourke, Dwight Shelton, Richard Sorensen, Ed Spencer, Beth Tranter for Robert Walters, Tyler Walters, Sherwood Wilson, Paul Winistorfer, Daniel Wubah, Sandy Bass, Amy Hogan, Sarah Karpanty, Meghan Kuhn, Gary Long, Robin Panneton, Victoria Soghomonian, Sue Teel, James Tokuhisa, Randolph Wynne, Bryan Cloyd, Jim Kuypers, Joe Merola, Helene Renard, Yannis Stivachtis, Eric Vance, Eugene Brown, Dave Dugas, Marion Ehrich, Sam Riley, Debra Salbador, Leigh Williams, Eric Wiseman, Jen Mirabella, Stacey Poertner, Lauren Heming, Patrick Tomlin, Swetha Kumar, Shaimaa Abdallah for Shree Narayanan, Caroline Gimenez, Maxine Lyons, Michelle McLeese, Deborah Smith for Bruce Pencek

Absent Karen DePauw, John Dooley (absent with notice), Jennifer Hodgson, Sue Ott Rowlands, Tom Tillar, Susanna Rinehart, Mike Denbow (with notice), Dan Cook (with notice), Teresa Lyons, Allison Rubio, Dave Shuster (with notice), Amy Tunison, Justin Graves, Karen Poff (with notice), Patricia Smith, Tonya Smith-Jackson (with notice), Thomas Carl Long, Tyler Campbell, Corbin Dimeglio, Emily Schaefer, Adam Smith, Emily Wilkinson, Matt Banfield

Guests: Jack Finney, Natalie Hart, Kay Heidbreder, Pat Hyer, Hal Irvin, Frances Keene, Paul Knox, Curtis Mabry, Tony Miller, April Myers, Ellen Plummer, Elizabeth Struthers Malbon, Judy Taylor, R. L. Taylor

Dr. Steger called the meeting to order at 3:02 p.m. A quorum was present.

1. Adoption of Agenda

A motion was made and seconded to adopt the agenda. The motion carried.

2. Announcement of approval and posting of minutes of December 5, 2011

Dr. Steger noted that these minutes have been voted on electronically and can be publicly accessed on the Governance Information System on the Web (<http://www.governance.vt.edu>). (Note that the meeting scheduled for February 6, 2012, was cancelled.)

3. New Business

Commission on Research

Resolution COR 2011-12A

Revision of Policy 13010 – Individual Conflicts of Interest and Commitment

Ms. Beth Tranter presented the resolution for first reading. Ms. Tranter gave a PowerPoint presentation in order to help explain the revisions to Policy 13010 (see attachment A), which were necessitated mainly due to new federal regulations.

Dr. Steger questioned if an assessment has been made on the financial impact of the new set of regulations. Ms. Tranter indicated that there has been an assessment made in the Office of Research, but not at the college and department levels. There will be a need for two new full-time employees, one of which will be a Conflict of Interest Officer, and expenses for training. Dr. Pat Hyer stated that there will also be a need to move to an online process that will have to be developed because a paper format will not be manageable. The online format will also have additional costs. Dr. Wynne stated that this is a well-crafted document that is

protective of the university, protective of the faculty, and brings the university into compliance with federal mandates.

Commission on Graduate Studies and Policies

Resolution CGSP2011-1D

Revision of Graduate School Policy on Advisor Conflict of Interest

Dr. Victoria Soghomonian presented the resolution for first reading. Dr. Soghomonian indicated that the revision to the policy keeps the wording consistent with the Commonwealth of Virginia's definition of a family member and with what Virginia Tech wants to define as a family member. A question was raised as to whether or not the State of Virginia recognizes the term "partner." Ms. Heidbreder indicated that the state does not really recognize the term, but the term "partner" can be used in this instance for Virginia Tech's purposes.

Commission on Student Affairs

Resolution CSA 2011-12A

Changes in Membership of the Commission on Student Affairs

Mr. Sandy Bass presented the resolution for first reading. Mr. Bass gave a brief description of the membership changes. These changes will bring down the total membership from thirty-eight members to twenty-six members. Fewer members will allow more efficiency during meetings.

4. Old Business

Commission on Administrative and Professional Faculty Affairs

Resolution CAPFA 2011-12A

Resolution to Approve Revisions to University Policy 4060

Ms. Amy Hogan presented the resolution for second reading and made a motion to approve. The motion was seconded. Ms. Hogan briefly described the revisions to the Policy 4060. Since the first reading, section 2.2 was changed to add "This policy is subject to the provisions of the Fair Credit Reporting Act (FCRA)."

A vote was taken, and the motion passed with one vote opposing the resolution.

Commission on Faculty Affairs

Resolution CFA 2011-12A

Initial Appointment for Extra-Collegiate Library and Extension Faculty on the Continued-Appointment Track

Dr. Sarah Karpanty presented the resolution for second reading and made a motion to approve. The motion was seconded. A vote was taken, and the motion passed.

Commission on Undergraduate Studies and Policies

Resolution CUSP 2011-12D

Resolution to Approve the Bachelor of Arts Degree in Religion and Culture

Dr. Robin Panneton presented the resolution for second reading and made a motion to approve. The motion was seconded. She noted that the proposal was vetted by SCHEV.

A vote was taken, and the motion passed.

5. Commission Chair Reports

Dr. Steger asked the Commission chairs to present briefly their goals for the academic year.

1. Commission on Administrative and Professional Faculty Affairs – Ms. Amy Hogan, Chair
 - a. A/P Faculty Consulting policy – undertaking in conjunction with the Conflict of Interest and Consulting Taskforce
2. Commission on Equal Opportunity and Diversity – Ms. Meghan Kuhn, Chair
 - a. Diversity Progress Summit on April 4, 2012, where there will be an update to the university
3. Commission on Faculty Affairs – Dr. Sarah Karpanty, Chair
 - a. Discussion on how to, or not to, incorporate collegiality into the Promotion and Tenure process
 - b. Discussions on composition of Faculty Senate
 - c. Review potential updates to administrative policy 6105 – periodic review of deans
 - d. Continued discussion and focus on communication between faculty and Building Committee (under CUSP)
4. Commission on Graduate Studies and Policies – Dr. Victoria Soghomonian, Chair
 - a. Review and approval of new and extended graduate degrees, in light of the Institutional Plan for Graduate Degrees
 - b. Review and update the University's Conflict of Interest policy if and when it applies to graduate students
 - c. Refine the role of graduate education in the University's Strategic Plan
 - d. Establish a process for evaluating distance delivery of graduate coursework and degrees
 - e. Review and follow-up of request from the GSA regarding tuition for OPT/CPT for graduate students
5. Commission on Outreach and International Affairs – Dr. Gary Long, Chair
 - a. Strategic Planning
 - Recruitment of international students
 - Study abroad programs
 - b. Engagement Academy
 - Review of past Engagement Academy proposals
 - Facilitate interactions between academy members
 - c. PK-12 STEM and STEM-H: promoting the understanding of the Scholarship of Engagement at Virginia Tech
 - d. Academy of Outreach Excellence
 - Call on members to have a more active part in advising COIA on issues relating to outreach
6. Commission on Research – Dr. Randolph Wynne, Chair
 - a. Work with Commission on Faculty Affairs to find ways Research Faculty can be brought into university governance
7. Commission on Staff Policies and Affairs – Ms. Sue Teel, Chair
 - a. Gathering nominations for the new Staff Career Achievement Award
8. Commission on Student Affairs – Mr. Sandy Bass, Chair
 - a. Resolution to resolve CSA membership issues
 - b. SGA Extreme Makeover
 - c. Religious holidays (outreach/exposure)

- d. Discussions on campus security/safety
 - e. Discussions on stadium woods issue
 - f. Discussions on presence of the Honor System
 - g. Discussions on CLE
 - h. Discussions on tuition and fees proposal
 - i. Involvement/collaboration with other organizations
 - j. Discussions on Budget Board process and guidelines
 - k. Discussions on gender identity in language
 - l. Discussions on utilization of student facilities
9. Commission on Undergraduate Studies and Policies– Dr. Robin Panneton, Chair
- a. Discussion of repeated course policy
 - b. Discussion of possible standardization/digitization of the major check sheet to promote degree transparency/accuracy
 - c. Discussion of final exam policy and whether this is being routinely violated in undergraduate courses
 - d. Discussion of final exam schedule conflicts and how/why these arise
 - e. Discussion of revision of the W-grade policy vs. freshman rule (after final grade is received)
 - f. Review of 5-year academic calendar (e.g. length of Thanksgiving break)
 - g. Discussion about ways to standardize the chain of notification to deans, associate deans, college curriculum committees, departments, and faculty regarding items on 15-day review
10. Commission on University Support – Dr. James Tokuhisa, Chair
- a. Monitor the progress of the committees address the multimodal transportation facility and the stadium woods indoor athletic facility
 - b. Explore governance mechanism that could be implemented to minimize collateral impact of new buildings on campus
 - c. Investigate the need for campus-wide organization of video conferencing for research, teaching and Extension

6. Presentation

Dr. Paul Knox and Ms. Frances Keene gave a brief progress report on the Long-Range Plan, titled “A Plan for a New Horizon.” Approximately a year ago Dr. Steger appointed a taskforce of 55 faculty, staff, and students and told them to think big. There were many ideas produced and developed and the draft proposal can be found on the Long-Range Plan website at <http://www.longrangeplan.vt.edu/>.

In addition to accessing the documents, there is a blog available for comments on the draft plans. The plan is currently structured around four structuring challenges with three sections to address those challenges. The document also includes principal strategies to be implemented. Dr. Knox encouraged the group to read the drafts and to encourage his/her constituents to do so as well. Comments can be directed to Dr. Knox with a courtesy copy to each person’s Dean or VP.

7. Announcements

Update from the General Assembly

- Dr. Steger announced that the proposed budget does not allow for much new money
- Virginia Tech has approval to use its own money to plan a new classroom building
- On the Federal level, there are discussions on limiting pay of principal investigators and limiting tax deductions for charitable gifts, such as those to the university

Hokie Day

Ms. Michelle McLeese announced that there were over 100 undergraduate and 12 graduate students who attended Hokie Day this year.

Update on Stadium Woods

Dr. Steger indicated that a committee has been formed to explore the matter, and a consulting firm has been hired to evaluate the woods near the stadium. Dr. Sherwood Wilson informed the Council that the committee has met two times and should have a recommendation by the first of June.

8. Announcement of Approval and Posting of Commission Minutes

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Minutes of the University Advisory council on Strategic Budgeting and Planning
December 1, 2011

10. Adjournment

There being no further business, a motion was made to adjourn the meeting at 4:18 p.m.

Task Force on Conflict of Interest and Consulting

Beth Tranter, Chief of Staff, Office of the VP for Research

Motivations for the Task Force

- Need for clarification of policies, approval procedures, processes, training/dissemination and additional oversight mechanisms.
- Increasingly complex regulatory environment and the need for additional guidance and examples in selected areas.
- New agency requirements, including disclosure, institutional oversight, training, and reporting.

Agency Compliance Framework



Investigator

Disclosure of SFI
Compliance with Institutional Policy

Institutional Policy
Implementation
Evaluation of SFI
Identification of FCOI
Management



Institution

Compliance with Regulations
Reporting to Agency

Agency



Oversight

Consultation for Policy Development

- Commission on Graduate Studies
- Commission on Research
- Commission on Faculty Affairs
- Provost's Academic Affairs Council
- CARS/CAGS Group (Associate Deans for Research and Graduate Studies)
- Department Heads Executive Council
- COS Department Heads Meeting
- CALS Department Heads Meeting
- CVM Department Heads Executive Council Meeting
- COE Department Heads Meeting
- Research Institute Directors' Meeting
- Research Institute Fiscal Officers meeting
- Faculty Senate
- Office of Sponsored Programs Pre-award and Contracts teams
- Office of Sponsored Programs Post-Award Team
- Office of Research Managers' Meeting
- Office of Sponsored Programs operational working group (standing bimonthly meeting)
- Virginia Tech Sponsored Programs Administrators (VTSPA) - planned for Spring 2012

Task Force on Conflict of Interest and Consulting

Summary of Major Policy Elements

Administration

- Transition COI Oversight from Office of the Provost to Office of Research (OVPR).
- Consulting approvals occur at College/unit level with copy to (OVPR).
- COI Officer in OVPR tasked with oversight, training programs, reporting, and records management.
- Compliance with state law and federal regulation to respond to Freedom of Information Act (FOIA) request for disclosure of a significant financial interest related to a project sponsored by the National Institutes of Health (NIH) or other Public Health Service (PHS) agencies within five working days.

Disclosure

- **For non research-related disclosures:**
 - De minimis threshold of 3% of ownership or \$10,000 in payments annually (state law)

- **For all investigators regardless of source of funding:**
 - De minimis threshold of \$5,000 for disclosure of
 - payments from publicly traded entities, or
 - **any** equity interest in non-publicly traded entities regardless of value
 - Dollar value ranges apply to consulting income as well as other payments from external entities and equity ownership

- **For Public Health Service (PHS) investigators only:**
 - NIH/PHS investigators must disclose travel paid for (or reimbursed by) outside entity.
 - NOT required to disclose travel that is paid for by:
The university, a federal, state, or local government agency; an Institution of higher education (IHE); an academic teaching hospital, a medical center, or a research institute affiliated with an IHE

Management

- Management plans are used to document strategies for eliminating, mitigating, or managing an identified conflict of interest.
- Management plans are project-specific.
- Management plans must also describe the process for monitoring the project.
- Retrospective reviews are conducted in cases of non-compliance.
- New agency reporting requirements for financial conflicts of interest.

Comprehensive web resources under development.

Employee-owned Businesses

- A faculty-owner must not serve as sole investigator on a project funded in whole or in part by his or her business.
- The project co-PI must be a faculty member who is not in a subordinate position to the faculty-owner.
- The faculty-owner may not have financial responsibility for the contract.
- Students working for faculty owned companies (whether paid directly or via a sponsored project) must acknowledge that they have been informed about the source of funding, potential concerns related to COI, and channels for redress, if needed.
- Management plans are reviewed and approved by OVPR for consistency and compliance with university policy and sponsor requirements.

Other Policy Elements

- **Potential conflicts involving spouses and immediate family members**
 - Employees may not be in a position of authority where spouse or family member earns more than \$10K per year. (*State law*)
 - Faculty must avoid potential COIs between professional duties and their personal interests when students are family members.
 - Graduate School policies prohibit family members from serving as advisor or committee member for family members or for individuals with whom they have a close personal relationship.

- The **purchase of goods or services** by the university from an entity owned by the an employee of the university or his/her immediate family member is a prohibited conflict under state law. Any proposed exceptions must be handled in accordance with Virginia Public Procurement Act.

- A faculty member may not receive a **royalty or fees** beyond the direct cost of publication and sales for faculty-authored materials. (Exceptions: material reviewed externally, copyrighted materials where both author and publisher have a stake.)

Training

- Mandatory for all investigators performing research on sponsored projects.
- Administrator/signatory training in development.
- Training will be offered in-person and online.
- Public Health Service requires completion of investigator training before award set-up.
- Investigator training will be required for research funded by other sponsors, and must be completed within 30 days of award set-up.
- Retraining will be required:
 - Every four years.
 - When an investigator is new to the institution.
 - In cases of non-compliance.

Thank you!