

# Faculty Senate Policy Committee

Meeting Minutes

September 3, 2014

3:30 p.m. to 5:00 p.m.

- Members Present:** Martha Muller (Chair), Kimberly Gauderman, Lee Brown
- Ex-Officio:** Carol Parker, Associate Provost, Office of the Provost & EVP for Academic Affairs  
Vivian Valencia, University Secretary, Office of the Secretary
- Members Absent:** Melinda Tinkle, Charles Cunningham, Joseph Barbour, Leslie Morrison, and Melanie Baise
- Staff Present:** Candyce Torres, Office of the Secretary, Administrative Coordinator  
Carol Stephens, Office of the Secretary, Professional Consultant
- Guest Present:** Richard Holder, Faculty Senate Past President

## Meeting began at 3:30pm

1. The regular meeting of the Faculty Senate Policy Committee was called to order at 3:30PM on Wednesday September 3, 2014 in Scholes Hall, Room 101 with Chair, Martha Muller.
2. University Secretary, Vivian Valencia provided an update to the FS Policy Committee regarding FS Policy Committee appointments. There is currently one vacancy on the FS Policy Committee. Request for nominations have been sent out via email but there is not a big pool of senior faculty to select from. Recruiting will be the next step. Vivian Valencia requested that the members of the FS Policy Committee recommend faculty for this vacancy.

**Action-** Kimberly Gauderman will ask Pamela Cheek if she would like to serve on the FS Policy Committee as well as ask around.

**Action-** Revote Melinda Tinkle as Vice-Chair for FY14-15 at next meeting.

3. **C09: Respectful Campus.**

**Action-** Circulate email to vote on approval of changes to **C09** Reference Section by adding UAP 2720 "Equal Opportunity, Non Discrimination, and Affirmative Action".

**Action-** OUS request that UAP policies 2720 and 2730 reference Faculty Handbook Policy **C09**.

4. **E60: Sponsored Research.** Carol Stephens informed the FS Policy Committee that since the last meeting on June 4, 2014 recommended changes from John Trotter. In addition, recommendations pointed out by Carol Parker from Barbara West from the Office of the Vice President for Research have been applied to the latest policy version of **E60**. The policy was also circulated to Mike Schwantes, Chief Financial Officer for Finance and Administration from the Health Sciences Center. Schwantes made some proposed changes primarily position title changes, relatively minor. John Trotter's recommendations are referenced in red change, Mike Schwantes—blue and Barbara West, purple. Vice President for Research from the Health Sciences Center, Richard. Larson has reviewed this document and endorses it. Lee Brown inquired how this policy interacts with a memo circulating from Dr. Larson's office that has to do with research that is contracted by outside for profit organizations. The initiative is brought forth by Dr. Larson's office. Essentially this effort is for profit companies that want to sponsor and pay for research here and by doing so they have a claim on the intellectual property. Carol Parker indicated that the Vice President for Research, Science Technology Corporation and Michelle Huff, Senior Associate of University Counsel are also working on this big initiative because it required reformulating the rules, specifically UNM's share of intellectual property. Dr. Brown wants to make sure that there are not any conflicts between **E60** and Dr. Laron's memo. Carol Parker recommended distinguishing in the rationale section to say that this does not apply to industry funded research. Kimberly Gauderman requested to see the memo that Lee Brown discussed before altering this policy with respect to that memo. There are possible implications for Faculty Handbook policy **E70: Intellectual Property**.

**Action-** Circulate Richard Larson's memo to the FS Policy Committee.

**Action-** Lee Brown will send Richard Larson's executive summary and memo to Martha Muller for her review. The committee will have time to review this memo to determine whether it applies to **E60**, **E70** or both. **E60** will potentially be added as a consent agenda item for the next FS Policy Committee meeting in October.



## **E60: Sponsored Research**

Approved By: Faculty Senate

Last Updated: **Draft 8/27/14**

Responsible Faculty Committee: Research Policy Committee

Office Responsible for Administration: Vice President for Research and HSC Vice Chancellor for Research

**This revision is a major rewrite of the existing policy proposed by the Faculty Senate Research Policy Committee (FSRPC ). The April 10, 2014 FSRPC draft was sent to HSC Council, UNM center and institute directors, and the VPR for review and comment. This draft contains highlighted changes from the following reviewers. **John Trotter--red changes, Mike Schwantes—blue changes, Barbara West—purple changes.****

Revisions to the Policy Rationale, Policy Statement, and Applicability sections of this document must be approved by the full Faculty Senate.

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## POLICY RATIONALE

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It is the policy of the University of New Mexico (UNM) to encourage faculty members to participate in research sponsored by outside agencies when such research is consistent with the basic aims of UNM in regard to the education of students, the extension of knowledge, and the broadening of man's horizon in the sciences, engineering, arts, and humanities. To ensure the most effective administration of UNM's sponsored research, this policy document provides policies and procedures for the submission of proposals, approval of research contracts and grants, budgeting of facilities and administrative (F&A) expenditures, and reporting of actual F&A expenditures.

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## POLICY STATEMENT

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1. The Vice President for Research (VPR) has been designated by the President as UNM's reviewing, certifying, and negotiation coordinating officer for all main-campus and branch-campus research proposals submitted to outside agencies. The [Vice Chancellor for Research, \(VCR\)](#), [Senior Executive Officer for Finance & Administration \(SEOFA\)](#), Health Sciences Center (HSC) has been designated by the President as UNM's reviewing, certifying, and negotiation coordinating officer for all HSC research proposals submitted to outside agencies. The VPR and VCR-HSC have also been designated the approval authority for any modifications to awards, in response to research proposals.

Final authority for accepting and signing research contracts and grants is vested in the President of UNM, and has been delegated as indicated in [UAP Policy 2010](#), "Contracts Signature Authority and Review," University Administrative Policies and Procedures Manual.

2. On an annual basis the Vice President for Research shall consult with the Research Council of the UNM Faculty Senate, and other interested parties to discuss research priorities of, and adjustments to the F&A distribution algorithm for main-campus and branch-campus sponsored research. These discussions shall reflect input articulated to the Faculty Senate by its various committees and individual faculty members involved in sponsored research.

Similarly, on an annual basis, ~~the Vice Chancellor for Research ( VCR)~~ ~~HSC Chancellor~~ shall consult with the ~~HSC Council of the Faculty Senate~~ ~~Research Council of the UNM Faculty Senate~~, ~~the VCR~~, and other ~~HSC research committees concerning interested parties to discuss~~ research priorities of, and adjustments to, the F&A distribution for HSC-sponsored research.

~~3. A person whose salary is paid in full by UNM may not engage in sponsored research for extra remuneration during the regular academic year. In rare instances and when deemed by the administration to be in the best interests of UNM and the individual involved, exceptions to this rule may be made. Such exceptions require written approval of the chairperson, the dean, and the Executive Vice President for Academic Affairs/Provost for main-campus and branch-campus sponsored research, and the HSC Chancellor for HSC sponsored research.~~

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## APPLICABILITY

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All academic and research UNM units, including the Health Sciences Center and Branch Campuses.

Revisions to the remaining sections of this document may be amended with the approval of the Faculty Senate Research Policy Committee, Policy Committee, and Operations Committee.

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## DEFINITIONS

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**Facilities and Administrative (F&A) Expenditures.** F&A expenditures reflect costs associated with providing and maintaining the infrastructure that supports the research enterprise (buildings and their maintenance, libraries, etc.) and which cannot easily be identified with a specific project. F&A expenditures are calculated using rates determined in conjunction with auditors from the applicable federal agency. The rate is calculated and charged as a percentage of modified total direct costs (MTDC).

**Sponsored Research:** Sponsored research shall be construed to include sponsored research, service, and training projects, and other categories of awards for all except basic capital construction and maintenance projects.

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## WHO SHOULD READ THIS POLICY

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- Faculty and staff conducting sponsored research
- Members of the Faculty Senate and the Research Policy Committee
- Academic deans or other executives, department chairs, directors, and managers

- Administrative staff responsible for sponsored research management.

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## RELATED DOCUMENTS

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*UNM Regents' Policy Manual, [Policy 5.9](#) "Sponsored Research"*

*University Administrative Policies and Procedures Manual*

[Policy 2010](#) "Contracts Signature Authority and Review,"

[Policy 2425](#) "Recovery of Facilities and Administrative Costs"

**Office of the Vice President for Research, "Proposal Development and Award Guide"**

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## CONTACTS

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Direct any questions about this policy to Office of the Vice President for Research or the HSC Office of the Vice Chancellor for Research.

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## PROCEDURES

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1. Faculty shall follow procedures for proposal preparation and submission as outlined, from time to time, in the procedures promulgated by the Office of the VPR, for main-campus and branch-campus sponsored research, and the VCR-HSC for HSC sponsored research.

1a. Faculty Research Support Services (FRSS), under the direction of the VPR, provides assistance to non-HSC faculty and staff by:

- Finding funding sources matching research interests and project development.
- Developing and preparing proposals (including budget).
- Navigating UNM's proposal process.
- Planning, coordinating, and supporting large and complex proposal efforts requiring numerous partnerships and multidisciplinary collaborations.

FRSS also acts as liaison between the sponsor agency and the faculty when requested to do so.

1b. The Office of the VCR- HSC provides services similar to those described in 1a above to HSC faculty and staff.

2. The office of the VPR will coordinate closely with the main-campus and branch-campus principal investigators and appropriate members of the Contract and Grant Accounting Office to ensure that the prior approval function, of modifying grant and contract budgets in force, is in accordance with the regulations of the sponsoring agencies or foundations. Similarly the office of the VCR-HSC will coordinate closely with the principal investigators and appropriate members of the HSC sponsored research management teams to ensure that the prior approval function, of modifying grant and contracts budgets in force, is in accordance with the regulations of the sponsoring agencies or foundations.

3. In consultation with the Provost, the OVPR, and the Faculty Senate [Research Council](#), a formula (or algorithm) for the distribution of the main campus and branch campus F&A funds to units [and](#) centers, ~~institutes, and individual faculty members~~ shall be developed by the OVPR and posted on the OVPR's website on an annual basis for main-campus ~~and branch-campus~~ sponsored research. The annual budget shall also be posted on the OVPR's website. ~~The budget format, from year to year, shall remain as constant as possible, and include the following information for each budget item: amount, recipient, and reason for expenditure or distribution. The history of these allocation formulas and budgets shall also remain on the website.~~

Similarly, in consultation with the OVCR-HSC and the Faculty Senate [HSC Council](#), a formula (or algorithm) for the distribution of the HSC F&A funds to units, centers, [and](#) institutes, ~~and individual faculty members~~ shall be developed by the OVCR, [approved by the Chancellor](#), and posted on the OVCR's website on an annual basis for HSC sponsored research. The annual budget shall also be posted on the OVCR's website. ~~The budget format, from year to year, shall remain as constant as possible, and include the following information for each budget item: amount, recipient, and reason for expenditure or distribution. The history of these allocation formulas and budgets shall also remain on the website.~~ (NOTE: changes made to HSC sections to match recommended changes for main campus from Barbara West.)

4. Actual F&A distributions ~~and expenditures~~ for main campus ~~and branch-campus~~ sponsored research, for each fiscal year shall be documented and posted on OVPR's website no later than three months after the end of the fiscal year. ~~Each distribution or expenditure shall include: date, amount, recipient, recipient's account index, and reason for expenditure or distribution.~~

Similarly, actual F&A distributions ~~and expenditures~~ for HSC sponsored research, for each fiscal year shall be documented and posted on OVCR's website no later than three months after the end of the fiscal year. ~~Each distribution or expenditure shall include: date, amount, recipient, recipient's account index, and reason for expenditure or distribution.~~ (NOTE: changes made to HSC sections to match recommended changes for main campus from Barbara West.)

5. During the regular academic year when the contract or grant calls for released time from regular UNM duties, the basic nine-month salary from the instructional budget will be reduced proportionally. The released time will be compensated from contract or grant funds at the basic salary rate.

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## HISTORY

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**Effective:**

Need to identify effective date of original policy.

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## DRAFT HISTORY

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*August 18, 2014—Draft revised to incorporate HSC changes from Mike Schwantes.*

*August 6, 2014 – Draft revised to incorporate HSC changes J. Trotter presented at 6/4/14 FSFC meeting and changes proposed by Barbara West, Office of the VPR.*

April 10, 2014—Draft revised with FSRPC Chair's approval

March 13, 2014—Draft reformatted to new format for review by HSC Council and Center and Institute Directors.

March 5, 2014—Chair of FSRPC presented draft to Faculty Senate Policy Committee (FSPC) for review.

September 25, 2013--Draft developed by the Faculty Senate Research Policy Committee (FSRPC).

COMMENTS TO:  
[handbook@unm.edu](mailto:handbook@unm.edu)

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5. **Memorandum.** This memo pertains to proposed policy **A91** “Centers and Institutes ...” and proposed revision to **A88** “New Units. This memo identifies a number of questions and concerns relating to these policies.

**Action-** Include in the memo a request to research how other institutions handle these issues. Consider pilot institute.

**Action-** Include in the memo to respond with feedback regarding the concerns listed.

**Action- Action-** Consult with Charlie Cunningham about this memo and request feedback from him. There needs to be a clear determination of what problem(s) are being addressed by this policy. Once Cunningham has reviewed the memo then send to FS Research Policy Committee Chair, David Hanson.

6. **C200: Sabbatical Leave.** Dr. Richard Holder presented on the history, current practice and facts of **C200**. Dr. Holder indicated the following:
- Sabbaticals can be denied to a faculty member if the attendance is required to make the program function adequately.
  - Regarding faculty obligations when they are on sabbatical, faculty can determine continued service (during sabbatical) in areas concerning: committee appointments, advisement, and exc. There has never been a requirement that the faculty have to step down from any of their duties. There is an expectation that the faculty member should make arrangements for their graduate student(s) particularly in areas of laboratory sciences as it’s important that they have someone to consult with regularly. It has always been left up to Deans, Chairs and faculty members to work out.
  - Sabbaticals are taken for 1 semester
  - Split sabbaticals are approved occasionally if the faculty member can make a good case as to why. Sometimes there is a scientific purpose.
  - Sabbaticals for prior service has never been done unless it’s in a letter of offer. Occasionally when a senior faculty is wanted and if they have for example 5 years on credit, UNM would make a provision to allow that faculty member to take sabbatical prior to the 6 years of service requirement.

**Action-** Carol Parker recommended some word revisions. Particularly in the section that references **Approval**. Parker indicated that in reality the content of that paragraph has nothing to

do with approvals. It has to do with when the faculty member fails to hold up their end of the deal. Parker recommended changing the title to Faculty Obligation and append to the second sentence within the **Approval** paragraph which states: *If the employee does not return, the case will be reviewed by the Provost* and include language such as: for a determination of appropriate action or something to that extent so there is a clear statement that the Provost is empowered to make that decision.

**Action-** Parker recommended replacing where the **Approval** paragraph is placed.

**Action-** Parker suggested adding statement like the University of Oklahoma's Sabbatical policy: *"May not penalize faculty member on matters of salary consideration."* Carol Stephens will look into where to insert this statement

**Action-** Incorporate suggested changes into a new policy document and bring back to the next FS Policy Committee meeting as an agenda topic.

Meeting adjourned at 5:00 PM  
Administrative Coordinator  
Candyce Torres