

College Research Council Meeting

June 15, 2009 — 9:30 a.m.

TRP Building II, Suite 150

Members Present: Dr. Russ Lea, Committee Chair and Vice President for Research; Dr. Roy Daigle, Professor, Computer and Information Sciences; Dr. Catherine Dearman, Chair, Maternal Child Nursing; Mr. Ker Ferguson, Director, Technology and Research Park; Ms. Gina Hedberg, Director, Grants Administration; Ms. Dusty Layton, Director, Research Compliance and Assurance; Dr. Jim Laier, Associate Dean, Engineering; Dr. Laurie Owen, Associate Director, Center for Basic and Translational Sciences; Dr. Maggie Pyle, Director, Sponsored Programs; Dr. John Gamble, Associate Dean, College of Business, representing Dr. Deborah Spake, Associate Dean, College of Business; Mr. Reggie Taylor, Associate Director, Technology Transfer; Dr. Mary Townsley, Assistant Dean/Director, Faculty Affairs, College of Medicine; and Dr. Julio Turrens, Associate Dean, Allied Health.

Members Absent: Dr. Phil Feldman, Associate Dean, College of Education; Mr. Ben Tipton, Associate Controller, Grants and Contracts Accounting; and Dr. S. L Varghese, Associate Dean, Arts and Sciences.

The meeting was called to order by Dr. Lea at 9:30 a.m. Introductions were made and Dr. Lea introduced the new Associate Dean of Engineering, Dr. James Laier.

New Invention Disclosure IP Assessment Process

Mr. Reggie Taylor

This agenda item was held over from March 9, 2009 meeting. Mr. Taylor provided the group with a revised version of the Technology Transfer Process Flow Chart to replace the version that was provided to the Council at the last meeting [Exhibit 1]. The Council was reminded that this process relates to technology transfer, not necessarily patent protection.

The new flowchart graphically portrays the new IP management process in the Office of Technology Transfer. One of the important changes in the process is that commercialization assessment now will occur **prior** to the filing any patent application—including provisional patent applications. The plan uses outside consultants to determine if the invention has a viable market, the size of that market, who the key players are in that market (and their respective market share), and any barriers to market entry. The rules are complicated. The provisional application must include enough information.

The Council was reminded of the importance of completing provisional patent applications prior to publishing (even on-line) to protect overseas intellectual property rights. It was also noted that the funding of proposals submitted to federal agencies may constitute publishing. And, at that point, proposals may become public documents which could put our ability to protect an

invention overseas in jeopardy if the proper provisional had not been completed and filed in the U.S. Patent Office.

Mr. Taylor advised that his research shows that there are several consulting firms available now that can offer fast-track commercial assessments (3 weeks) for less than one third of the price of a provisional patent application. If the commercial assessment is positive, the same consultants will be used to produce a patent profile of the identified market(s) with the hope that we may catch a potential licensee operating across our anticipated IP. To the extent that they do, we file to protect the IP and approach those potential licensees with a specific plan to partner and commercialize the invention.

Mr. Taylor added that our inventions are lacking for the size of our University and he would like to meet with each of the Colleges/Units and their Department Chairs/Directors regarding the process, review assessment processes, cost sharing and revenue sharing possibilities, material transfer agreements, etc. He then informed that a new template is in development for the OTT Website. It was also noted that the new invention disclosure form is more user friendly.

Regarding release, commercialization, and transfer: 1) we need to make certain that if the University is not interested in pursuing a particular intellectual property, that we release the invention back to the inventor, or 2) we seek to commercialize the inventions by transferring them to corporations, or 3) we seek to transfer the inventions to commercial markets through cross-licensing agreements with other institutions.

ARRA Instructions for Investigators and Grants Administrators

Ms. Gina Hedberg

Copies of a new set of ARRA Instructions for Investigators and Grants Administrators were provided to the Council [Exhibit 2]. Ms. Hedberg reviewed the contents of the document with the Council. This document is intended to clarify conditions and reporting requirements. Currently quarterly reporting will be required. These requirements may change. The Office of Grants Administration will keep everyone advised of changes as they occur.

Departments, Investigators, and Grants Administrators will be provided with this information initially and it will go out again in August.

There are extra layers of conditions attached to the ARRA awards. And the Governor has added another layer in his Executive Order No. 47, requiring additional reporting at the state level. Investigators must perform, spend, and report as required, satisfying all state and federal requirements. There will be no extensions. This is an arduous and burdensome process. If there are any questions about spending, Investigators should call the Office of Grants Administration, in advance, for guidance. If any reporting deadlines or requirements are not met, funds will be withdrawn. Funds will be cut off by the Office of the Vice President for Research if all requirements are not met to avoid federal and/or state exposure to the University.

This information has now been posted to the Grants Administration website.

American Recovery and Reinvestment Act of 2009 – Proposals Submitted and Funded Dr. Maggie Pyle

Copies of the Report of ARRA Proposals Submitted and Funded as of June 4, 2009 were provided to the Council [Exhibit 3]. It was noted that a total of 51 proposals had been submitted for \$79,724,412; and that, of those 51 proposals, 2 had already been funded (\$1,611,262), one NIH and one NSF proposal. Dr. Pyle noted that another proposal had been funded since this report was prepared. She also stated that she felt that the bulk of the proposals had now been received. Dr. Pyle stated that these grants are highly competitive, but that we have some really outstanding faculty submitting ARRA proposals especially in the College of Medicine.

Dr. Lea said that it should be noted that other institutions have reported that they are hoping for a 2% funding rate. USA has already reached or exceeded the 2% capture rate. Dr. Lea stated that he will prepare a list of peer institutions indicating the number of proposals submitted and funded if possible. He will try to obtain current information for the review of the Council. And, he added that we have had a remarkable response from our faculty.

New Faculty Report

Dr. Russ Lea

Copies of the *Sponsored Activity, Tenured/Tenure-track New Faculty Report* were provided to the Council [Exhibit 4]. This report includes data for fiscal years 2007, 2008, and 2009 on all new tenured/tenure-track faculty hired within the last three years and was provided to the President's Administrative Council at the last meeting. The Council was advised that this data was developed from statistics provided to the Office of Sponsored Programs by the Office of Institutional Research, and includes detailed information on 91 proposals submitted, of which 21 were funded for \$6,082,077, and 28 were still pending. This report provides a record of performance as related to sponsored programs. It was stated that the results of this report were less than impressive. For the size of our institution, the number of proposals submitted was dismal, and the number of new faculty on proposals as Co-PIs indicates a lack of mentoring by senior faculty members.

The ways in which proposal submission and funding should be factored into the promotion and tenure process by the various colleges and units was discussed. It was noted that policies and procedures relating to this issue vary from college to college. It was agreed that there should be an expectation of proposal submission, as well as funding, by junior faculty but that each College would have differing levels of expectation just as there are different expectation and requirement levels for other components that are factored into the promotion and tenure process (i.e. teaching, publishing, presentations, service, and other areas within each College or Unit). It was suggested that the expectations and/or requirements for proposal submission and funding should be addressed during the mid-tenure and pre-tenure review process so that new faculty are fully informed of what is expected of them. It was further stated that inspired leadership makes for productive units; and new faculty need guidance and mentoring.

Dr. Lea said that the *Sponsored Activity, Tenured/Tenure-track New Faculty Report* would continue to be produced bi-annually by the Office of Sponsored Programs.

Limited Competition Grants

The procedures to be followed on limited competition grants were discussed. When the number of proposals exceeds the agency limitation, it was decided that the College Research Council would judge the proposals. Each proposal PI will be asked to submit a two-page summary along with a thumbnail budget for the Council's review. The Council will then rank the proposals and decide which proposal will go forward. The consensus was that this would be the most equitable process.

Responsible Conduct of Research Training

Dr. Mary Townsley

Dr. Townsley briefed the Council on the new RCR training that has been initiated for postdoctoral fellows, and provided copies of the program brochure [Exhibit 5] and a schedule of programs offered during 2009 [Exhibit 6], the last of which will occur on June 25th. Dr. Townsley informed that these training sessions consist of small group discussions with case studies offered for College of Medicine Post Docs which have also included Mitchell Cancer Institute. She stated that she would like to keep the group discussions small, but that they may be able to accommodate faculty from other units as well. Dr. Townsley added that these programs were Certificate Programs, and that participants attending 5 or more of these programs would receive certificates of completion.

Ms. Layton added that these post doctoral training sessions do not quite meet NSF policy requirements. Ms. Layton said that she had sent out an outline of the requirements to PIs, and that she would resend the outline to this Group for their perusal. This information can also be found on the RCR Website.

Dr. Townsley stated that she would keep the Council up to date as requirements change. Dr. Turrens added that he would provide Dr. Townsley with some information that he had on how to review proposals. Dr. Townsley informed that the RCR training would resume again next spring.

Ms. Layton said that RCR, in general, now had a web portal for registering individuals for workshops and training—facilitating better monitoring of and follow-up with registrants. She added that the next RCR training arranged by the Office of Research Compliance entitled *Collaborations and Team Science*, would occur on Wednesday, June 17th, in the College of Education Conference Room, UCOM 3901. This session will consist of a PowerPoint Presentation with case studies, and will last about 90 minutes.

Dr. Lea said that he felt that the ORI requirements listed on line were not enough. We will put forth our own training and set our own culture over the next few years. Dr. Lea added that he was willing to meet with individual faculty, units, as well as campus-wide to discuss these issues.

Imaging Institute Initiative

Dr. Russ Lea

On May 27th, NIST announced competition for Research Construction Grants totaling \$120 million in Recovery Act Grants to provide long-term economic benefits. Dr. Lea briefed the Council on the activities of USA faculty toward this initiative and informed that the USA group was working on a \$15 million proposal in support of an Imaging Institute on campus. Copies of the June 3d meeting minutes [Exhibit 7] were distributed to the Council to bring them up-to-date on the progress of this initiative. It was noted that the Letter of Intent is due by June 25 with full proposal due by August 10th. Dr. Lea added that he will be meeting with President Moulton on Tuesday to discuss the possibility of obtaining the necessary architectural monies to go forward with this proposal.

The NIST announcement can be viewed at http://www.nist.gov/recovery/construction_program.html.

With there being no further business before the Committee, the meeting was adjourned at 11:05 a.m. Dr. Lea reminded the Council that he remains available to them, and thank everyone for coming.

Respectfully submitted,

Sandra S. Corry
Recorder