

FACULTY COUNCIL MINUTES  
250 Student Union  
January 12, 2010

Russell called the meeting to order with the following members present: Ahrberg, Avakian, Bartels, Brown, Calhoun, Caniglia, Casey, Cronk, DeSilva, Hickman, Jordan, Kennison, Klatt, Krehbiel, Lacy, Lawlor, Liang, McCann, Miller, R., O'Brien, Osteen, Perkins, Schestokat, Smay, Suter, Taylor, Van Delinder, Veenstra and Yellin. Also present: Bird, L., Bosserman, D., Brunker, J., Dicks, M., Elliott, K., Gates, G., Gregory, D., Hargis, B., Kochenower, M., Marlow, D., McKeever, S., Meinke, D., Melcher, U., Morris, S., O'Geary, S., Ownby, C., Scott, M., Seshadri, A., Shutt, G., Strathe, M., and Weaver, J. Absent: Ramakumar

**HIGHLIGHTS**

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Remarks and Comments from the President.....	2
Enrollment Management Advisory Task Force.....	4
Report of Status of Faculty Council Recommendations.....	6
Reports of Standing Committees	
Research.....	6
Faculty.....	22
Recommendation: Support for a Comprehensive Research Mission .....	22
Academic Standards and Policies .....	23
Budget.....	24
Campus Facilities, Safety, and Security .....	24
Long-Range Planning and Information Technology .....	24
Rules and Procedures.....	24
Student Affairs and Learning Resources .....	25
Reports of Liaison Representatives	
Emeriti Association.....	25
Staff Advisory Council .....	25
Graduate and Professional Student Government Association .....	26
New Business.....	27

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Russell announced the upcoming need for faculty participation in replying to the annual Committee Preference Surveys that will be mailed to eligible faculty in February. Some committees are standing committees of Faculty Council and others are Councils in their own rights and have by-laws and constitutions that govern their activities. Russell stated his stance as a strong proponent for faculty governance; there are issues before this Council today that demonstrate the importance of faculty governance. He'll leave the question about the effectiveness of faculty governance to others' judgment. Without faculty participation and involvement then, in his opinion, we collectively are not fulfilling our responsibilities. His underlying premise in that belief system is that faculty truly embody the University more than any other group, more than the set of buildings, more than the sometime transient administrators, sometimes more than even students. Faculty are here for decades whereas other groups are in residence a shorter time.

Russell said President Hargis had another engagement at 4:00 p.m. to welcome scholars that are benefiting from funding through the College of Education and the National Aeronautics Space Administration and therefore would need to leave the meeting early.

Russell asked for approval of the December 8, 2009 Minutes with the following corrections. Page 3 – Word “rational” changed to “rationale”. Page 7 – first sentence, top of page – removed repetitive wording. Content was not changed. Sentence now reads: “Insofar as the spirit of the resolution is concerned there should be faculty consultation on these matters. With regard to the resolution the President noted that he adopts it, he will follow it, and he will support it.” Page 7 – bottom of page – inserted end quotes after the word “University”. Page 8 – Eighth paragraph – Sentence was restructured. Content was not changed. “Smay noted that the Vice President for Research and the President were very forthcoming in the committee meeting but were not able to divulge confidential information. Smay added he thought a number of factors led to the President’s decision and not just one.” Van Delinder moved acceptance of the Minutes as corrected. Jordan seconded. The Minutes were approved as corrected.

Russell asked for approval of the January 12, 2009 Agenda. Brown moved acceptance of the Agenda. DeSilva seconded. The Agenda was approved.

### **Remarks and Comments from the President – Burns Hargis**

The President described the budget conditions for the State of Oklahoma. He noted that the budget picture is worsening. Up until now it has been our goal, led by Dr. Bosserman and his team, to look for administrative cuts and not impair our academic mission; that is still our goal. The problems are not just with FY10 and FY11 but beyond to FY12 and maybe even FY13, particularly if one doesn’t believe the economy is roaring back in any material way. We are planning for the long haul but that the numbers are unknown as yet. There may be a \$65M shortfall for Higher Ed. That shortfall is anticipated and federal stimulus money can mitigate the effect in FY11. But concerns about FY12 will require us to be more conservative in FY11. Some tuition adjustments are being discussed in Higher Ed circles despite my strong desire to avoid tuition increases. Price increases tend to be counterproductive. No one knows exactly how the budget and the economy will play out, but President Hargis asked for patience. Once there is a strategy, the Administration will seek your ideas and thoughts.

Steps cannot be taken that will impair the long term. That happened in the 90s when we fell way behind making it difficult to play catch up. President Hargis acknowledged the need for raises. He added the budget has been tough but we are still functioning and meeting payroll. He feels confident we will continue that.

President Hargis mentioned how helpful our energy savings plan has been. The more that we can all do in that respect the better because we are bringing on many new facilities. The anticipation now is that we will not have any new net energy costs. Dr. Bosserman’s team gets a lot of credit for that as well as Energy Education owned by Bill Spears, one of our graduates.

Ron Miller said he received an email asking whether faculty will be involved in the planning process on the budget, given that faculty are impacted and given that we profess to believe in shared governance. The President said updates are posted on the website. Until July 1<sup>st</sup> nothing is “in stone.” Even then adjustments can be made. The President emphasized that the budget process is an extremely complex problem. He stated that faculty have full-time jobs and the students and I need you to do those jobs. We can distill it down in a way where we are allocating resources and “you say you don’t think we ought to be allocating it here” because of whatever reason, that is certainly something we will consider.

Russell said he thought the senior officers of the University have been up front with Faculty Council officers and with the Budget Committee on what has happened in the last 18 months. Russell stated that the Administration has not operated in a vacuum and he did not want there to be an impression we had not been informed.

Miller said he believed the email was addressing FY11 and FY12 and whether faculty would be involved in that process. Hargis said he thought what our job, what we have to do is to marshal the resources that are available, do our best job at the legislature too as well as we can and then we will put up budget scenarios. Other than the fixed amount and the contracts that we have, everything is always on the table. If it is not already appropriated, either for payroll, programs, research projects, etc., how we allocate those resources is certainly discretionary. The longer you get into the year the less discretionary it gets. So, FY11 is very discretionary.

Bosserman added there are monthly campus-wide budget meetings in 250 Student Union and the next one is next Thursday, January 21<sup>st</sup> at 8:30 a.m. These are open meetings. He said he thought the Faculty Council leadership does attend.

Caniglia said she joined the OSU faculty in 2000 and was not here in the 90s. For her edification she asked the President to explain what some of the mistakes made in the 90s were due to the fact he stated earlier that we could not afford to fall behind in ways we did in the 90s.

Hargis replied he thought we did not give raises and we did not advance any programs. It was like things were just at a standstill. OSU fell behind in terms of faculty compensation and as a consequence we lost faculty. Other (Universities) did not do that and so they kept moving forward. This just exacerbated the disparity in faculty compensation.

Bosserman added OSU’s peer groups kept moving forward by continuing to give raises and OSU did not. It was toward the end of the 90s we started looking at Reward, Restore and Grow to get those faculty salaries back to at least the Big XII average. It takes a long time to do that because if we are moving then other schools are still moving too. Hargis said the way to deal with that is controversial. If you decide there are simply some areas you cannot put the resources in and get the enrollment or the like then you have to take a hard look at those programs. Otherwise, we will have to do exactly what we did in the 90s and then everybody falls way behind. You then begin to lose people, especially faculty that have young children, mortgages and all those things and they are looking at making a substantial gain by moving elsewhere. He does not think the across-the-board approach taken in the 90s was the prudent way to proceed but the prudent way may not be very popular. Bartels said he was here in the 90s and he appreciated the fact that the

question was asked and also appreciated the response and the transparency. Some of it had to do with the benefits. There was a tremendous problem with our benefits. Some of it was our doing and some of it was not. It had a lot to do with the restructuring of OTRS. In essence, I think the transparency I keep hearing is positive.

Avakian said he believed one of the committees put together a list of suggestions from the faculty on how to address this (the budget) and he wondering where that list is. Russell replied that was about one year ago and it was in the Budget Committee. He said the list was forwarded to administration and there was considerable dialogue. Hargis said they would solicit that again. Russell said a lot of good ideas came out of that from the faculty. Hargis said all of the deans and administrators had been asked for ideas.

Suter asked what would be the status and role of a potential capital campaign as we look to fiscal year 2012 budgets. Hargis said it would be very likely but he could not discuss it at the present time. Hargis added, that is the tremendous asset that we have to secure here to be able to restore, reward, grow, attract and retain the best faculty, good students, etc. Our endowment has to be much, much bigger. If you compare our endowment to a lot of our peers you will see that we have a long, long way to go. We made an enormous jump in the Endowed Chair Program and then the economy knocked the benefit of that down substantially and almost worse is it put the State in the position where they could not match all of those dollar for dollar right now. Just where we are today we would need a \$600M endowment to handle the tuition and scholarship awards that we have and so that alone is more than our existing endowment. There are still further faculty funds that we need and you will be hearing about it later. That is something we can control. We can't control what happens down at the Capital. They will do the best they can for us but we control this (fundraising) and we have to get in control of our own destiny.

#### **SPECIAL REPORT: Enrollment Management Advisory Task Force – Michael Dicks**

Russell introduced Michael Dicks and said he is in the Agricultural Economics areas. He added he has been an active member of the faculty for a number of years. Russell said last June and into the Fall a group was formed called the Enrollment Management Advisory Task Force (EMAT). This group was asked to work with administration on recruitment initiatives and enrollment management plans. Russell said he thought it was apparent from recent budget discussions that the enrollment at OSU was an important piece of the budget puzzle.

Dicks reported membership of the committee consisted of: Mike Dicks, Chair; Jami Fullerton (OSU-Tulsa); Bud Lacy, Business; Sarah Lancaster, AG; Carol Moder, English; Jane Swinney, HES; and John Veenstra, Engineering. Others included Kyle Wray, VP for Enrollment Management (Dicks added he could not say enough about Wray as he has been very forthcoming, given the committee everything they ask for, come to every meeting he was ask to come to, and done a great job for them); and Ann Caine, Stillwater Public Schools Superintendent. The reason Caine was invited to come was because she has been in Oklahoma for 20 plus years and in several districts and she knows all the 6A superintendents and principals. In trying to recruit students that is the big pool of students OSU is after – Jenks, Union, Stillwater, etc. That gives them a real insight into what is happening on those campuses and

what those principals are seeing. It is a very good committee and Dicks added a pretty outspoken one.

Dicks said the principle issue is to increase enrollment of Oklahoma State. In addition to recruitment, the retention of students that OSU enrolls is also important and should be considered. Students are the lifeblood of this University, providing creativity, diversity of thought, and a supply of labor. Dicks added a good point President Hargis made, with respect to the budget, is the difference between today when a much lower percent of the budget comes from the State than in the last significant economic downturn in 1990. So when the State budget takes a ten percent cut, it is not as big a cut to us today as it was in 1990, or even 2000. Joe Weaver's budget presentation last Spring indicated that over the last decade the students' share of the total OSU budget has risen from 28.7% (2000) to 47.9% (2009) and is estimated to rise to 58.7% by 2015. Thus, the students have become not only the lifeblood but the major source of funding for university operations. It is OSU's responsibility to go out and find those students and keep them here. As enrollment grows and OSU does a better job with our students, then the students become alumni; many of them will then return dollars in the form of scholarships. Right now that is very important. One strategic move talked about in the committee is the possibility of pooling some of the scholarship funds (from years with robust economics) to spend in years where family budgets are constrained by the macro economic conditions. It does not make sense to give up all the scholarship money in the good times when investments are good. The suggestion is to hold moneys back for the bad times so we will have scholarships to keep students here. Dicks said Gail Gates' group had told them one of the top reasons that students are leaving is financial. Scholarships can offset students' financial burdens.

Objectives and possible strategies are still being worked out so they remain an act in progress. One of the current objectives is to understand the current strategies and plans for recruitment and retention. There was a strategic plan for enrollment in place and it was on the website at one time but was taken down approximately two months ago. Wray has given them a new plan and Dicks said the EMAT likes what he is doing. Wray has met with all the deans. One of the things needed in the new enrollment program is increased faculty involvement. There is nothing better to help with students coming to this campus than having a faculty member talk to the parents and student. It is important for faculty to know this. One of the first things the committee will find out from the deans is how to increase faculty involvement. They want to review the policies, procedures, circumstances, etc. surrounding enrollment and the same thing with retention.

In the past, all these things are done, but the effectiveness of the strategies and plans has not been adequately evaluated. We have been short on assessment. We need to find out if the plans and strategies in place for enrollment and retention are working and if not why not. This will be done through surveys (relative importance of reasons for OSU selection, campus tours, faculty encounter, etc.) and statistical analysis (effect of increased enrollment on retention and increased enrollment/per dollar effort). After those items have been looked at we will look at adjusting the current strategies/plan based on evaluation and consider new strategies.

Hargis thanked Dicks and the committee for the work they have done. Hargis added if you were trying to pick out the indices of success there are three that are very obvious that you cannot be successful without. Those are (1) enrollment; (2) retention, and; (3) graduation. He added that

these three indices embody our purpose at OSU. And yet, except in a very indirect ways, there is no accountability whatsoever, at any level, to those three indices, or any other metric for that matter. Obviously if enrollment goes down significantly, our budget takes a hit. In terms of any benefit that can be gained by achieving progress in these critical indices or whether any deterioration in overall quality of service can be measured has not been performed in the past. We know student enrollment is critical. This will all be worked on over the next few months.

Hargis continued, by stating that our retention has gone down but not dramatically. Considering retention of freshman to sophomore years, the retention rate has gone from about 82% to about 78%. In terms of dollars that is a big deal. In terms of benefitting the youth of Oklahoma it is a terrible deal for them to come here and spend that year and then leave. For all those that do not graduate, which is roughly 40 percent in six years, it is a tragedy. It is expensive for the State and it is terribly expensive for the students. They are, basically, many of them at least, denied the benefit of a college degree. Hargis thanked the Council for addressing this issue because if everyone is not engaged in recruitment and retention, then it simply will not happen. He added he thinks Kyle Wray is doing a great job but his team cannot do it by themselves, and we need the help of the faculty and all administration.

Russell said as a commentary, from the leadership of the Council perspective, this task force was put together believing that it would be a multi-year effort. John Veenstra, Council Vice-Chair, serves as a member of EMAT. His membership was intentional as part of an effort to ensure continuity year by year. Russell further expects EMAT to continue beyond this year after Russell steps down as Chair and Veenstra becomes the Chair as the decision to form EMAT in the first place was a collective decision made with the support of the whole Faculty Council. The effort is very critical to the health and welfare of the University in everything having to do with faculty and recruitment of good students who eventually become research assistants in the laboratory and some stay for graduate degrees. When Russell became Chair he believed that this was one of the most critical issues for the year. He remains firm in his belief that enrollment is a very critical issue even though there have been some other critical and urgent activities recently.

### **Report of Status of Faculty Council Recommendations – Marlene Strathe**

The Provost reported there were no pending recommendations requiring action.

### **REPORTS OF STANDING COMMITTEES:**

#### **RESEARCH — Jim Smay**

Russell commended the Research Committee for their diligent effort in putting together a very good report to cover this controversial issue. The report addresses the President's action to not allow a specific research program to go forward dealing with baboons and research in the Vet Med College. Russell wanted to specifically acknowledge Jim Smay's individual effort as Chair and the diligence that he exhibited in putting together the details that can be found in the report.

Smay thanked the Research Committee for attending to their work, oftentimes at the last minute, and for working with him on the report and providing feedback. He said he spent much of his

time during the Christmas break working on this project and added Russell had been helpful as a sounding board and collaborator.

Smay reported on or about October 6, 2009, OSU President Burns Hargis decided to decline participation as a fee-for-service vendor to the Oklahoma Medical Research Foundation (OMRF) and Boston University (BU) in a project that would involve the euthanizing of baboons. During the December 8, 2009 Faculty Council meeting, the Research Committee was asked to review a draft resolution submitted by the Institutional Animal Care and Use Committee (IACUC) that recommends a procedure whereby OSU administration should improve communication with affected stakeholders prior to a decision to decline participation in a research project. The committee was also asked to review the circumstances surrounding the decision of President Hargis to decline participation in this project. The committee engaged in a fact finding inquiry and revision of the IACUC recommendation. Specifically, the fact finding inquiry sought to: (i) verify the President's authority to make the decision, (ii) determine the extent of scientific merit review of the proposed research, (iii) detail administrative and logistical issues affecting the research, and (iv) determine if OSU policy exists to limit the use of non-human primates in research. The results of the inquiry are summarized as follows:

*Facts regarding funding of the proposed research:*

- OMRF is the primary contractor for the research program in question funded by the National Institutes of Health (NIH) through the National Institute of Allergy and Infectious Diseases (NIAID). Dr. Kenneth Coggeshall of OMRF is the principle investigator (PI).
- BU is acting as a subcontractor to OMRF and Dr. Shinichiro Kurosawa is the PI of this award. Dr. Kurosawa is a former employee of OMRF.
- The scientific merit was properly vetted by NIH peer review process for the primary and subcontracts for the OMRF and BU proposals; however, no contract or proposal existed identifying OSU as an awardee or as a subcontractor. OSU was not a participant in the proposal that was reviewed by NIH, nor was any of our faculty named in the proposal that was reviewed by NIH.
- The OSU Center for Veterinary Health Sciences (CVHS) and the Animal Bio-safety Level 3 (ABSL3) facility was to be the site for housing the baboons during the experiment with CVHS faculty member, Dr. Richard Eberle, as the PI. Because NIH funding rules do not allow subcontractors to form further sub-contracts, OSU was to be paid as a vendor for prescribed services and activities. Compensation to OSU would accrue through rents for facilities, and return on charged time and materials. For this reason the research in question did not require a proposal. Because there was not a proposal, no budget existed within the OSU system, nor were there ever any systematic approvals of research officers at the departmental, college and university levels.
- Despite the lack of a formalized agreement, a significant amount of preparatory work that included consultation with OMRF and BU, production of research protocols, and IACUC

and IBC review was performed with the knowledge of CVHS and OSU research administration.

- *Facts regarding administration and logistical issues:*
- There exists broad consensus that the President acted within his authority in taking action that would not allow the research to proceed. This authority is confirmed in NIH funding guidelines.
- Both OMRF and BU are accredited by the Association for the Assessment and Accreditation of Laboratory Animal Care International (AAALAC). There was strong feeling within OSU and within CVHS that OSU should obtain AAALAC accreditation before conducting this research. An April 2008 letter from CVHS administration to the PI (Kurosawa) and OMRF corroborates the importance of AAALAC accreditation; furthermore the correspondence from CVHS states that the research could not move forward because of the lack of AAALAC accreditation. As of this date, OSU CVHS has not yet obtained AAALAC accreditation.
- It is also equally important to note that AAALAC accreditation was NOT a requirement for the proposed research. At some point in time, the CVHS decided to move forward with the research despite the fact that AAALAC accreditation had not yet been obtained.
- Both OSU CVHS and BU are registered entities with the Centers for Disease Control (CDC) for the possession, use and transfer of select agents and toxins (SAT). The registered entity can apply to the CDC to add their employees to their SAT registration with the CDC. However, BU declined to add Dr. Kurosawa to their registration for SAT, and instead asked OSU-CVHS to add the PI to their registration as a “non-entity personnel.” Correspondence from OSU-CVHS in July of 2009 informed BU that OSU-CVHS had decided not to add the PI to OSU’s registration. The correspondence concluded that because BU declined to add the PI to their registration, the research could not go forward at OSU.
- Sometime after July of 2009, CVHS both reduced the scope of work to Bio-safety level 2 and assigned our faculty member to be the responsible officer, thus allowing the research to move forward. Revised protocols were written and submitted for IACUC approval. These protocols were approved by IACUC pending approval by the OSU Institutional Bio-safety Committee (IBC). The IBC approval was to be granted on October 6, 2009.
- The move of Dr. Kurosawa from OMRF to BU highlighted some potential personnel issues. These issues were originally raised by CVHS and were known by OSU administration; however CVHS was able to resolve their questions to their satisfaction. It is noted that PI continues to have research funded by NIH without sanction.

In making his decision, President Hargis noted the above mentioned problems in the research administration specifically related to the proposed research. We believe these facts support this assertion by the President, and provide reasonable basis for the decision that he made. We

acknowledge that reasonable persons may observe the same evidence and reach a different conclusion. We further assert that the President's decision was made without sufficient consultation with the faculty or the responsible administration. Subsequent internal and external explanations of the decisions have sent ambiguous signals to OSU faculty regarding OSU policy. Therefore, we support the spirit of the recommendation from IACUC.

We find no need for broad policy initiatives, "blue ribbon panels" or additional committee structures to evaluate the scientific merit of research proposals at OSU. The current system of external review utilizes nationally recognized experts in the field and is the best mechanism to determine scientific merit. The current committee structures at OSU are adequate to handle questions and give advice to the President. These include the Faculty Council and its committee structure including the Chair, its executive officers and the standing Research Committee, the IACUC and the Institutional Bio-safety Committee (IBC). The IACUC is specifically responsible and eminently qualified to deal with both the scientific and ethical issues regarding the Care and Use of Animals. We believe the IACUC should be the principle and primary committee structure to assist the President and the Administration in the difficult issues concerning the Care and Use of Animals.

There is no written OSU policy that either supersedes NIH policy for approved research or precludes OSU researchers from participating in activities sanctioned by NIH and approved by IACUC and IBC. The mission statements of OSU and of CVHS do not exclude non-human primate animal models. Nevertheless, this controversy does raise questions specific to research involving non-human primates, and we believe that the President should engage with the Faculty and appropriate administrators in a discussion regarding future policies. We re-affirm the ideals of Oklahoma State as a Land Grant Institution where animals are treated humanely at all times, and where animal research exists to aid in our mission of instruction, research and extension.

Smay said he had been told the AAALAC application had been made in the past few days and so this should no longer be a problem in the future. They are assuming this accreditation will go through. In future work we are originating scientists on the proposal. The select toxins and registration problem will perhaps not be the same issue as when OSU was a "vendor for hire".

Smay said the IACUC introduced a resolution to Faculty Council to be considered by the Research Committee to advise the President on a procedure for any similar decisions in the future. The amended resolution suggested by the Research Committee reads:

**Resolution:** *The OSU President should not unilaterally prohibit lawful research at OSU without first consulting with the affected stakeholders. These include appropriate faculty committees, the OSU Faculty Council, Dean and Associate Dean of Research, Department Head, and Principle Investigator.*

This resolution acknowledges and preserves the Presidential power to make executive decisions in the best interests of OSU. Adherence to this resolution will prevent this "rookie mistake" from recurring.

The entire report is posted on the Faculty Council website at:  
<http://facultycouncil.okstate.edu/Misc/Research Report 01-12-10.pdf>.

Russell said he wanted to amplify a couple of points Smay made. He added this report was certainly a collaborative effort with the Research Committee and to some extent the leadership of the Faculty Council. On page 3 one of the conclusions of the report stated, "In making his decision, President Hargis noted the above mentioned problems in the research administration specifically related to the proposed research. We believe these facts support this assertion by the President, and provide reasonable basis for the decision that he made. We acknowledge that reasonable persons may observe the same evidence and reach a different conclusion." Another conclusion stated, "We find no need for broad policy initiatives, 'blue ribbon panels' or additional committee structures to evaluate the scientific merit of research proposals at OSU. The current system of external review utilizes nationally recognized experts in the field and is the best mechanism to determine scientific merit. The current committee structures at OSU are adequate to handle questions and give advice to the President. These include the Faculty Council and its committee structure including the Chair, its executive officers and the standing Research Committee, the IACUC and the Institutional Bio-safety Committee (IBC). The IACUC is specifically responsible and eminently qualified to deal with both the scientific and ethical issues regarding the Care and Use of Animals. We believe the IACUC should be the principle and primary committee structure to assist the President and the Administration in the difficult issues concerning the Care and Use of Animals." In one other point, on page 9 the Research Committee's report provides some detail to the confidential information and the nature of the confidential information regarding the President's decision. Russell will leave that for faculty review. He did say that he, Smay and others have engaged the leadership at CVHS. They have talked to the individual faculty members affected. They have talked to the President and the senior administration about these issues. They reviewed correspondence, some of which is confidential. Many of the facts in the report are corroborated by multiple sources. Russell expressed disappointment in the articles that have appeared in *The Daily Oklahoman*, the *Tulsa World* and also national publications. Their journalists did not do the homework that Professor Smay did and this led, perhaps, to some incorrect conclusions. He added he believed that our faculty governance system is able to handle these kinds of controversies and encouraged faculty to pursue grievances through our internal processes.

Russell then asked for questions and discussion.

Ownby said when they (IACUC) presented the resolution to Council it was referred to the Research Committee for review and then it was her understanding that the Research Committee would bring it back to Faculty Council if they thought that was appropriate for adoption. She thought that part was not finished.

Russell said the mechanics as far as adoption of that resolution as he sees it are as follows: the Council is receiving the report today; the report will be distributed to the General Faculty via the Minutes and via letter from Russell with the report attached that will be distributed on the Faculty Listserv. Russell asked the Faculty Council to review the report over the next 30 days leading up to the February 9<sup>th</sup> meeting and at that time he will ask the Council to endorse the report and this resolution as part of that report.

Yellin asked what happened to the faculty and staff involved in the original research project. VP McKeever replied that this one project is not going forward. The individuals involved are working on other research projects.

Due to the fact that the President had to leave for another meeting Russell asked for any comments he wanted to make.

President Hargis thanked the Research Committee for the enormous amount of work they did. He said he did not feel it was in our best interests usually to lay out all the details of everything we do here. To the proposed resolution from the IACUC committee, he has conceded that he did not engage enough in faculty consultation but that he will in the future. There were a lot of preambles in that (IACUC) resolution with which he vehemently disagrees but in terms of the substance in what they think he should do, he agrees.

Hargis said, “The whole procedure here is a little unusual because as I understand it IACUC gets involved after the grant request has been made (and after award). So, the President is placed in a position where there exists potential to renege on a grant request and award, if (The President) acts after IACUC approvals. Whether or not something has scientific merit is critical. It doesn’t go any further. Just the same as IACUC’s approval – if they don’t approve the research, it goes no further, even though we’ve already made a grant request to the granting agency.”

President Hargis continued, “There are other things to consider other than just the scientific merit. He knows of one project right now that OSU is discussing with Washington that we believe is sorely underfunded. We cannot deliver what they want for the amount of money they are putting in it. It has scientific merit but it’s a bad deal economically, we think, and so we may not want to pursue it. Where we devote our resources, what we focus on, where we want to really make a material contribution; these are important inquiries which extend beyond the scientific merit of the particular project. That’s why the President ends up having the responsibility to make the final decision. Otherwise, if the scientific merit was vetted and proved you go forward with it. End of story. Why would you allow the President to have a decision? I’m very committed to understanding the process so that the decision-makers are not put in the position of potentially renegeing on something that the institution has requested and promised to do if an award is made. Frankly, the one thing that I regret most is that the media publications suggested that we renegeed on an agreement. There never was an agreement and it does this University an incredible disservice to suggest that we have renegeed on a commitment. But that was the allegation and it was absolutely false.”

Hargis said, “As far as this blue ribbon panel idea – most research institutions have a board of visitors that come in and review the science that’s being pursued. I’ve been on the board of OMRF for many, many years, so I know this is the case. They look at whether we’re making progress, they look at whether or not it’s prudent, they review where resources ought to be applied and then we have an overall meeting. The process involves distinguished scientists from around the country. We’re always looking at how we’re doing things and whether we should continue or expand or put more resources or the like. As best I can tell, there is no such process here. So when I’m talking about this I’m not talking about some blue ribbon panel because that

'blue ribbon' gives it kind of a frivolous connotation. I'm not talking about them developing our policies. We develop our own policies. I'm talking about it never hurts to have an outside eye to look at what you're doing and whether it's a good idea. I don't want us to get on this list Jim talked about (NIH's 'no fund' list) and I don't want to be in situations where I'm worried about that happening. In summation, I appreciate very much the work of the Faculty Council and especially the Research Committee and I know Jim personally put an enormous amount of time in this. I will enthusiastically engage in faculty consultation in the future and I will work with Charlotte and others in an effort to try to create a process here that is logical so we don't get in the position where we're having to appear to back off on efforts that are being made by scientists. Obviously a scientist gets involved in this kind of thing, does a ton of work to get it up on the table and then if for whatever reason, IACUC or whether the President decides we don't do it, they've wasted a ton of time and effort they could have spent somewhere else, and that's not proper either. We need to figure out how we avoid that and have some logical process. Forgive my frankness about some of this but when I see OSU unfairly criticized in national press it just eats me up. I hope we never, ever do that again."

Russell asked for discussion.

DeSilva noted that OMRF is a private medical institution, does research in only one area and like all private medical institutions they have a board of directors that have an agenda they work on. OSU is a comprehensive, public research university and it has diverse researchers and diverse research projects.

De Silva expressed his opinion that OSU cannot have a committee that is overseeing every research project that goes through this University.

Hargis replied he never suggested that.

DeSilva noted that the formation of an idea into a research proposal is a complex process, "By the time it goes into a research proposal we have done hundreds of hours of work. If you walk around this University at midnight on a Sunday night you see how many faculty lights are on because that is the only time we can get something done because we do lots of other things. Every time we have an idea do you want to run it by a panel?"

Hargis said he never said that and further did not intend for that to be the case, "I said there might be a proposed area of research that I want to get some outside views on whether that should be a focus for OSU."

DeSilva suggested that was the role of a peer review panel much like occurs for any grant proposal that is funded. Like an NIH or NSF peer review panel.

Hargis said that he wanted to work with the faculty to come up with a reasonable process here, "...that's what I'm committed to doing. I don't believe that we need to have a blue ribbon panel to review every single research project."

Russell suggested, “That if we read the Report from the Research Committee it mentions that the President should engage the faculty to determine whether other areas of research need review. The Report specifically mentions non-human primate research. If there are some research areas of concern, then we would encourage a discussion with the faculty. Russell asked, “Is that fair Udaya? If we’re going to establish any policy into the future we need to have a discussion with the faculty. I believe the President has been forthcoming in saying that he’s going to engage faculty in any policy discussion in the future. Is that accurate?”

Hargis replied, “Precisely.”

Russell said he thought the nuts and bolts of that might look a little different in the discussion but we can hammer them out over time, hopefully, if there is such a need.

Meinke asked for clarification about what President Hargis meant when he spoke about a research focus area.

President Hargis stated that he did not intend for every single research opportunity to require review; that was not the purpose of all of this, and asked Meinke for clarification.

Meinke gave a personal example of when he came to OSU 27 years ago. He said his research was not a focus area for the University nor for the world, but that now it is, “...if I had wondered whether somebody or some faculty group was going to tell me ‘this isn’t a focus area for the University so therefore we should turn down NSF grants that involve that (area of research),’ or if that means we are going to put our institutional resources into certain focus areas, then fine; but if that means we’re going to discourage people from submitting proposals in research areas because they’re outside of our focus area that is completely different.”

President Hargis asked Meinke, “Would you agree that we have a focus area in agriculture and research?” Meinke agreed but said, “We are a land grant institution but I work on a non-agricultural project.” President Hargis and Meinke further discussed clarification regarding the President’s comments regarding “research focus areas.” Meinke concluded his discussion by speaking specifically to concerns from faculty that work in the biological sciences and related fields. Meinke said, “For those of you who are not biologists, biologists are especially sensitive to this. We have lots of people telling us what we’re doing is against their moral values. Rightly or wrongly we’re extremely sensitive to this.”

President Hargis then stated that he had another meeting to go to and apologized that he had to leave. He added that questions regarding specific research programs, like the ones being discussed, should go through Dr. McKeever. The President ended by saying, “It (this type of question) does not routinely get to me. If Dr. McKeever has any question about some specific project he will bring it to me. It will rarely ever come to me so please don’t be concerned.”

Russell thanked the President for coming and for his candid remarks. Russell added, “I point out to you that our Research Committee report addresses the one specific issue and the one research project that was affected. We’ve been very careful to address the specific issues.”

Smay commented on the strategic targeting of areas of research. He said, "Page 7 in the report, paragraph 3 talks about the ABSL3 Facility at CVHS and the intent to which it was built. The facility was something that was started as a strategic area of research in infectious diseases by the CVHS back in the '90s. Some money was put in by external entities to help with funding. The research area has been gaining momentum as time goes along." Smay described the research project as "a toe in the door" for the ABSL3 facility. He added, "It is pretty obvious when you read Dr. Kurosawa's project description that he needs a large animal-ready ABSL3 facility with people who are capable and competent to work in this area. There is a good reason he chose CVHS as the site to do this work." Smay reiterated that, "There were some technical 'bumps in the road' that just didn't quite get over the hurdle. I don't think this is a mandate that says we're going to change directions in this ABSL3 facility."

Bartels said that the Research Committee said, "There's no check that's been torn up, there's no agreement that's been torn up; but, in the Research Committee's study where was the project in the pipeline to initiate the funding that caused some of the disappointment from some of the other entities involved and not just OSU?"

Smay replied, "To answer the question there were a couple of aspects I would like to address. One is the communications that had been done by upper administration. I think in Dr. McKeever's mind, and he can correct me if I'm wrong, the last communiqués he had about the research project were the concerns about AAALAC and the select agents and toxins. The PI and IACUC, as I understand it, then developed some work-arounds to those roadblocks; and further, the protocols had been revised to reflect those work-arounds. As I understand these were the revised protocols that were approved by IACUC and were awaiting IBC approval. I talked to the IBC person, Carrie Smith, who said they had also voted unanimously 'yes' to proceed. There was one thing left and that was the installation of the biosafety cabinet in the ABSL3 lab. So it was at the last moment. This was on October 6, 2009, the day the notice went out that the project had been declined. It was at that last stage, to my knowledge, there had been no formal contract that had been written from Kurosawa to us and as I understand the procedure, if you were to hire us as a fee-for-service vendor, you would need to notify NIH where he's going to do this work at which point we would become visible to NIH."

Bartels asked "Was that any different than any other sub-contract that's been done with NIH other than the hiccups in July?"

McKeever replied, "There is no contractual obligation for OSU to conduct any research on this project with OMRF. There is no contractual obligation for OSU to conduct any research on this project with Boston University. There is no contractual obligation for OSU to conduct any of this research with NIH." McKeever further stated, "I have in my folder here three letters. One from OMRF, one from Boston University and one from NIH confirming exactly what I just told you. We have no contractual obligation. There was no budget either written by anybody or submitted to anybody under any circumstances for this project. I don't know whether there's any more information I need to give you. I don't know how else I can say that."

McKeever continued, "There are a couple of other specific pieces of information which are in the report that I would like to address. The subcontract from OMRF to Boston did not allow a

further subcontract to OSU or anyone else. The work would have been done as a 'fee-for-service' only and it would have been in the charge of the Boston University professor. That made a big difference because of compliance issues. The original proposal, as Jim has pointed out, was for an ABSL3 level project. The CDC, not OSU, requires the visiting professors or researchers to be registered through their home institution in the Select Agent Program (SAT). Boston University refused to do that with the individual concerned. Then we have AAALAC accreditation (issues). AAALAC accreditation as Jim indicated is voluntary. The OMRF is accredited. Boston is accredited. OSU is not. That in and of itself is not the issue. The issue was that Boston University has an internal policy that will not allow their animals to be placed in a research environment at another institution if that other institution is not AAALAC accredited. They suggested to us back in Spring 2008 that we take ownership of the animals. The Dean of Vet Med, the Associate Dean of Vet Med and me, VP for Research, agreed that we would not take ownership of the animals. Therefore, the last communication that we have with Boston on that topic is a letter from Jerry Malayer to Boston saying we therefore cannot do this project. Now given the select agent issue that I just mentioned, given that there is no contract, no routings have ever come through my office on this project, nor have they gone through the Vet Med budget office, and given the fact that we had already agreed that we couldn't do it because of the AAALAC issues, I was under the impression that this project was dead. I was then informed in October, 2009 that IACUC had just approved it. I was blindsided by it. That agreement with Boston is still in place. We will not take their animals because I made that agreement and I'm not going to change it. We will not take ownership of the animals and therefore the AAALAC accreditation issue is still on the table. The Select Agent issue is still on the table. Now, the fact, as Jim described it, a workaround was put in place to change it from a Select Agent Program to a non-Select Agent Program meant that they no longer needed the ABSL3 facilities that we possessed. So, it could be done in many different places, including OU and OMRF. The PI on the project admitted to me that they are already doing the work at OU and OMRF and he could continue to do the work in that vein. All of that is documented in emails which were presented to the Research Committee."

Russell said on that point, "...in fairness to the CVHS and the faculty member, oftentimes we know (that) to obtain funding we need to demonstrate competence in a certain area. Often times we'll engage in a pilot program to show that we can do a specific type of research. I'm told by the Associate Dean, Jerry Malayer that they had hoped to demonstrate their capability by using their ABSL3 facility, even though it (ABSL3) wasn't required. Still they wanted to use the same protocols to demonstrate their competence in doing the research."

McKeever said, "That is, of course, an entirely different issue and there were many other projects in which they could do that."

Bartels asked, "When you said the animals would be obtained from BU; but, my understanding was that they would be obtained from a colony at OU and so there would be ownership differential. Is that not true?"

McKeever replied, "The animals were coming from OU but they would have been owned by BU."

Bartels asked, "Then if they're coming from OU to OSU that's where the AAALAC accreditation issue then became a little more nebulous?"

McKeever replied, "Well, it became difficult because we are not an AAALAC accredited institution and BU required that."

Denver Marlow said, "I want to expand on AAALAC a little bit. AAALAC as an accrediting organization. When you accredit your program they follow the money and they follow ownership. So, if you own the animals or if you're funding the programs then those two things guide AAALAC in terms of how big of an umbrella or organization that they are in fact accrediting. They don't want to accredit an organization and then have that organization turn around and farm out a significant part of their work to a non-accredited facility to do an end run, if you will, on the accreditation. And so the administrative issues are as Dr. McKeever was saying. Because OMRF and OU Health Sciences were AAALAC accredited when the animals first transferred up here, and because OSU was not AAALAC accredited, those institutions overlooked the fact that they might jeopardize their accreditation by sending their animals and money to Oklahoma State. However, if the relationship is a fee-for-service contract where Oklahoma State owned the animals, then the issue of their AAALAC accreditation becomes moot. It's not an issue. As Jim said in his introduction to the report, the AAALAC accreditation application for the Center for Veterinary Health Sciences has been submitted and we hope to have a site visit within three to six months."

McKeever added, "It (the AAALAC accreditation application) was submitted on Friday."

McKeever said, "The President raised the issue of timing for faculty consultation. That is an important one. We don't want to leave it to the point where funding has already been obtained before the President is asked to make a comment. So somehow we've got to figure out, if the President is required to make a comment, at what point do we bring him into the conversation? I don't have a suggestion for you. I'll just leave that as a question."

McKeever said, "It's interesting paradoxically that the Blue Ribbon Panel idea was suggested by Dean Lorenz. Dr. Strathe has left (the Faculty Council meeting) now but she was in the meeting. It (the Blue Ribbon Panel) is something to perhaps consider. The President only raised it at the last Faculty Council meeting. If we don't want to go there OK. It's not a problem. But, it was never stated or intended by anyone that OSU should have some external body checking all of our proposed research. That is frankly an unjustified extrapolation and was never mentioned or intended. This decision pertained only to the one research project, as it has been stated now multiple times. The research was denied because of the details of this project."

Bartels said, "I truly believe there was no outside influence by animal rights groups to nullify this project or other projects of this type, but there have been some quotes attributed to Dr. McKeever in this regard, whether we're afraid of the possibilities posed by the more violent animal rights activists. And I attribute that again to the communication problems sometimes we've had with the media but I just want to confirm that with Dr. McKeever."

McKeever said, "There is nobody that is more furious about seeing my name attributed to those comments (than me). Let me tell you, as you probably know Ken, journalists can be difficult to deal with in the sense that they will ask you a question related to one topic, take your answer, and then place that answer against another context. That is what was happening and I got into a furious debate with one of the journalists who absolutely refused to change what she had written on the basis that was 'what she heard' rather than 'what was said'. I would like to think that journalists write on what is 'said' rather than what is 'heard'."

"Another aspect that I find particularly troubling is the main aspects of the story that have been reported in the media are that (1) we have a funded project; (2) that we've returned funding and therefore broken a commitment; (3) that all of this was primarily influenced by external donors and animal rights activists and (4) that the decisions taken were arbitrary. As such, the committee's report demonstrates and as the letters I have here demonstrate, we did not have a commitment, we did not return money, we were not influenced by external donors or animal rights activists, and it was not arbitrary. It is those things that have caused this University tremendous damage. The really frustrating part of it all is that, as the committee's report verifies, we already have the processes in place by which these issues could be addressed and by which grievances could be addressed internally."

Russell said, "Thank you Dr. McKeever. You've been very cooperative during this whole mission of fact finding and reporting. I very much would like for the University community to have the report of the Research Committee to review over the next period of days or weeks. I would ask the Councilors to review the report and perhaps provide your counsel to me as the Chair on what we should do with it. My sense currently is that we should move forward toward its endorsement. There are a lot of important facts, I believe, in the report that are pertinent to the specific case at hand. Contained within the report is also a general comment about asking the President to engage the faculty not just in these kinds of decisions but specifically in any further policy initiatives. I think that we may have some more work to do as a Council on helping the President formulate some of the policy concerns he's expressed today."

Russell asked for other comments.

Bartels said, "Just one thing to emphasize what you've said. I've been here since 1982 and the relevancy of this Faculty Council has always been brought to task when an issue like this comes up. I think that it behooves us to read this report, go to our colleges and our constituencies, and make certain they understand the issues. This has to do with biomedical research. But the whole idea of research alone at this University is the issue and it's important to realize. I think we do have a process in place that reviews these issues and we don't need a Blue Ribbon Panel because I think we have people here that can do that already but I also think the relevancy of this Council is important and that we need to make certain that we emphasize."

Russell said, "We probably will certainly have a discussion at the next meeting and we'll talk about the report. I again want to say it was an intentional part of the Research Committee to affirm the role and mission of the IACUC and to also identify the IACUC when we suggest that we have individuals on this campus that possess both the education and experience to make informed decisions regarding the use of animals in teaching and in research. They also, I'm

convinced, possess an appropriate balance when considering both the scientific and ethical issues that surround the whole controversy of animal research. I'm very committed to that proposition as Chair of the Faculty."

Klatt said, "Dr. McKeever, you've given us a lot of positives of what we've done. Why can't we get that into the press? Right now we're being blasted in the press and everything we read in the press, including one of our own legislators, is letting us have it. If all of these are classic figures why can't you get a reporter to sit down and try to get some of these positive aspects out there instead of only the negatives?"

McKeever replied, "We decided that it is most important for OSU to go through this process first."

Klatt said, "I don't see this going away if we don't reopen it. That's what the President said...it isn't going away."

McKeever replied, "If the administrators had simply gone out to the press I don't think that would have been accepted as much as it would if we, first of all, go through the internal process. I don't want to preach, as I did a few minutes ago, that we should go through our internal processes before we go to the press and then do exactly the opposite. I think this mechanism that Jim and his committee went through is an absolute essential first. Then, I think, if something should go out publically it shouldn't come from us (in the Administration). I think it should come from the faculty."

Avakian stated, "It was suggested at the last meeting we go ahead and issue a statement supporting the President. I think that would go a long way in shutting down the problem with the press. I admit we need to go through this but this is our laundry and I think we needed to have presented it as a united front to the press. Number two – If you're going to call in someone from the press try *New Scientist* because of all the reading I've done that magazine was the only one that treated us fairly and across the board honestly."

Russell replied, "To your point about affirming the President I think the report has a statement that affirms his decision in the sense that there's reasonable basis for the decision that was made."

Avakian replied, "But, it's a matter of timing. In the intervening thirty days this thing has been out of our control and allowed to grow like some kind of fungus. I believe had we taken positive action at that time we would have retained a little more control of what was going on in the press. It would not have been allowed to run. We have been mute for these 30 days which has allowed people to go do whatever the heck they want to say instead of us coming out and saying, 'you're lying, you're wrong', boom, that's it."

Russell replied, "In all honesty, Robert, I would not have felt comfortable making the statement 30 days ago."

Smay said, "I don't think two wrongs make a right. The press was running with this and publishing misinformation and we don't go off and spout off in the press before we know all the facts."

Avakian added, "Simply affirming the right of the President to make the decision would have done quite a bit and I don't think there was any disagreement at that point that he had the right to make the decision."

Shutt said, "In the President's Op Ed that went out within a week of all of this breaking he made these points that he had the authority to do this and there was confidential information. We provided that to the media. The other thing to remember is that the media that's been running this is the scientific community which hurts us, although *Newsweek* did do a story. These were all in *Nature* and *Science* and as you said *New Scientist*. We had off the record conversations with those reporters, Dr. McKeever and I did, and we told them a little more than we've been able to say and it didn't change their view of what they wanted to write even though we tried to explain in a little more detail some of the information some of you all heard in here now. I hear what you're saying. It's been very frustrating that you tell them and you go over it but you can't change the view and the position that they have and where they're writing from."

Avakian said, "I'd just like to submit that Dr. McKeever's point was well taken. They're not going to believe you guys. They might believe us."

Shutt added, "In a lot of cases journalists go into a story and are coming with their view of things. We were working with the reporters who were coming from the scientific community who obviously disagreed with what was done."

Bartels said, "Yes, they kind of write what they want to write and they take things and paraphrase what you have said. I think the problem with this whole situation is, I think on both sides, whether it be the Op Ed, and I think there were things in the Op Ed that probably shouldn't have come out, and there were some other things that probably shouldn't have come out on the other side. There needs to be communication that's been proved and there needs to be the process of internalizing what we've done here rather than sit and start saying, 'well let's start doing this voluminous public relations deal'. There needs to be some transparency, communication, improvement and I really commend the report that came out. Maybe there are some instances in it that I'm not totally certain of yet but that's why this group needs to take the time to read it."

Russell said, "I think the role of the Council, Jim and the Research Committee have fulfilled that role. A month ago I was uncertain of the fact-finding mission in the sense that – in the construction industry which I came out of we used to have the expression, 'don't ask the question if you can't stand the answer'. We asked the questions and took that risk because it was important to know the answers. The facts are, and I believe these to be the facts, that there were difficulties in the research administration for this particular project that provide a justifiable basis for the President's decision. There was no proposal written. As we know, there were no systemic approvals up the chain as we do in a normal proposal. There were other mitigating factors that accrued to the positive side of the President's decision. In the report we don't

whitewash the issue about consulting with the faculty. I believe that to be a very important component of how the President and the administration need to act. I'm not here as Chair giving lip service to faculty governance. We've got to engage and I guess it's times like this that everybody understands that engagement is important. If you have a sense of what action we need to take please let me or Jim know by email. Right now I think the course is that we review the report with the potential to endorse the report in a month. That doesn't necessarily mean that we need to stop our communications or shut that down until we actually finalize our decision about the report."

Lacy asked the following question to Charlotte Ownby. "Did the President come to your committee and at least communicate with you in some fashion about this decision? Wasn't there an approximate time to go forward?"

Ownby replied, "The President came to our meeting after the decision was made and we requested that he come to visit with us."

Lacy said, "I've heard all kinds of new information. My observation is it (the new information) came out after the fact. For example, did any of the things in this report indicated by the President to your committee provide reasons for his refusal to grant the project?"

Ownby replied, "As I recall, some of them (facts) were known. Of course, the details of the protocols were not."

Lacy asked, "Were you or your committee aware of all this stuff we're talking about now?"

Ownby replied, "I would not say that we were aware of all of it. We were aware of some of it. When we got the protocol there was a place (on the form) where they can tell us what the funding is but there's not a lot of detail about the funding (included in the IACUC review). There was no reason for us to investigate the research agreements that might have been made, the interaction between BU, OU, etc. We don't consider that part."

Denver Marlow said, "In the funding of biomedical research historically years ago the general scheme was that the Institutionalized Animal Care Committee reviewed all those proposals and the approval went in with the grant submittal saying the institutional IACUC has looked at this and has endorsed it. That proved to be a very unwieldy and burdensome thing on the part of the committee because that meant they were reviewing hundreds of proposals of which maybe only five percent got funded. The process ended up with a lot of wasted effort. So, the pendulum has swung the other way. As grant proposals are submitted there are administrative approvals and routing of the grants as they go forward with the sign-offs by the department heads, appropriate deans and others. The norm today is that review is done at the funding agency. If a grant application gets a favorable score, and is in the fundable category, at that point the investigator is notified, 'now you need to secure your IACUC approval'. You then forward that IACUC approval within a window of time. Then we'll seal the deal with an award. So, the IACUC sees the projects now, today, basically after grants have been favorably reviewed and are on the verge of being funded."

Ownby added, "This is a very good point for you guys to consider in your future decisions because like Denver said the previous mechanism whereby all of the animal and care use protocols were reviewed before the grants were submitted were not only unwieldy for IACUC but think of what it meant for principal investigators. Faculty members would spend so much time writing animal care and use protocols for a research project that would not get funded. So be really careful because President Hargis mentioned something about some mechanism by which the animal care and use protocols would be approved before he had a chance to look at them before the NIH grant or whatever grant went in. I don't think we want to go that route."

Russell asked, "Is there a window of opportunity between the time that an award notification is made to when we will sign off on the agreement? Do you have a review during that period of time?"

Ownby replied, "Yes, in fact, and that amount of time varies quite a bit. We have one now where the person has been notified that the grant is going to be funded and so we're getting the use protocol taken care of just as soon as possible."

Russell added, "How long does that take? It seems to me that could take a while. Is the funding agency happy or ok with a delay in the agreement process?"

Ownby replied, "Usually it's not too long and sometimes if they want it very quickly we can do what we call an expedited review and get it done within a matter of weeks. Usually if it goes through the routine process it's a matter of two to three months."

Russell said, "I'm just thinking aloud but I'm wondering if that would speak to the President's concern about an agreement in place before, I think in his mind, of course I don't want to speak for him, but in his mind that maybe there's an agreement in place before you review the protocols."

McKeever added, "I think it's too late at that point. I would think that what we need to do is when the PI has an experiment in mind that involves the euthanizing of non-human primates s/he makes that known to his associate dean or other administrators. We just have a discussion about the idea that s/he has in mind."

Russell asked, "And so I'm going to ask you this very dangerous question. Do you think there is something unique about non-human primate research that we should look specifically at those research programs?"

McKeever replied, "Yes, that's a very dangerous question. The point is I personally don't want to expand this to anything else."

Russell said, "I think to the degree that we are concerned about other research I think that is a policy discussion that we need to engage in. I think it's a concern of the faculty and we need to continue to engage the administration in that."

DeSilva said, "It seems we've come full circle back into the non-human primate issue."

McKeever replied, “Again, don’t put words in my mouth. It was just a suggestion. If this University thinks that we should not have these reviews at any point then that’s what we should say and that’s what we should do.”

Russell said, “I want to go ahead and close off the discussion. Again, I want to focus on the report. The report focused on the one particular research project that was not approved. The report also contains a comment about a more generalized research area and I think that’s going to be a topic going forth.”

Steve O’Geary, Assistant VP for Research Compliance said, “I don’t want anyone to leave the room thinking that the processes we follow here at OSU regarding review of research, and the time to review IACUC proposals or any other research proposals, is somehow different from any other academic institution in this nation. What we do here is what is done at almost every academic institution in America. I just didn’t want anyone to have a misconception.”

DeSilva said, “What the Research Committee did about this one project is actually good. You’ve done a great job. However, we need to keep in the back of our mind, as a broader issue, that we need to have this at some point because what happens to future grants whether they’re non-human primates or something else that is controversial. That’s something we need to address sooner or later.”

Russell added, “I agree. I think that’s clear from the discussion there is a certain amount of healing that needs to take place. I think the facts support the President’s basis for decision. I think the facts support faculty going forward with confidence in President Hargis. At the same time, I think that, as another topic, we will have a discussion about policies in research.”

Avakian said, “I think the report is a fantastic piece of work and represents a lot of effort over a short period of time. I would like to have us commend the Research Committee for their excellent effort.”

Caniglia seconded the motion.

The chair recognized the motion and requested that the motion be tabled without objection. No objections were made and the motion was tabled until the February meeting of the Faculty Council.

#### **FACULTY — Udaya DeSilva**

DeSilva presented the following recommendation entitled, “Title: Support for a Comprehensive Research Mission” to Council as follows:

**The Faculty Council Recommends that President Hargis** communicate with the Oklahoma congressional delegation on the importance of recognizing the legitimacy of all areas of research and instruction in a University, and on the need for preserving and supporting the diversity of research in areas such as Political Science and the other Social Sciences.

In addition, the Faculty Council urges President Hargis and the Regents to reaffirm the University's commitment to preserving, supporting, and fostering academic freedom, research and instruction in all the recognized academic fields, along with the right of all researchers to seek and receive funding to support their research.

**Rationale:**

A major research and land-grant university, like Oklahoma State, must foster an atmosphere of academic freedom and open intellectual inquiry. In this regard it is vital and necessary that all programs, in all areas of research and instruction, be recognized as providing legitimate contributions to knowledge. Legitimacy of research projects is properly determined by peer reviews in the appropriate field, conducted by researchers who hold the proper training and have achieved recognition for their expertise. When public officials understand the way diverse roles of research benefit the public, they then have the opportunity to generate support for intellectual development free from restrictions stemming from political pressures of the moment. The best work takes place in an environment of academic and intellectual freedom that has always served as the bedrock of the mission of higher education in comprehensive universities like Oklahoma State.

Russell reminded everyone the impetus for the Resolution was an amendment U.S. Senator Tom Coburn from Oklahoma placed on the floor of the U.S. Senate that was to proscribe the National Science Foundation from funding Political Science endeavors. Russell said he thought we wanted to affirm the rights of faculty to pursue that funding and certainly affirm its legitimacy in the world of social sciences in general.

The recommendation passed unanimously and will be forwarded to administration.

In other business for the Faculty Committee, Russell said, for the record, he thought the Faculty Committee should look at the *OSU Faculty Handbook* with regard to the grievance procedures available to faculty in order to clarify to faculty that those procedures apply not just to employment, tenure and promotion issues but to any number of issues that faculty feels aggrieved about. There have been three grievances this year and all were resolved amicably in the sense that there was an agreement between administration and faculty. Only one involved a case of tenure or promotion.

**ACADEMIC STANDARDS & POLICIES — Mindy McCann**

McCann reported the committee is still working on a recommendation involving increasing the membership on the General Education Advisory Council (GEAC) to include more Faculty Council representation. She added that will probably involve having three representatives instead of one which is currently the case. Email McCann if you have any input regarding this recommendation. They anticipate presenting the recommendation to Council at the February 9<sup>th</sup> meeting.

**BUDGET — Ron Miller**

Miller reported the committee is waiting for a response from President Hargis to set up a meeting regarding the letter submitted to him on November 23, 2009 about Athletic Department funding.

The committee will meet January 13<sup>th</sup> to continue discussion regarding various topics.

**CAMPUS FACILITIES, SAFETY, AND SECURITY — Tom Jordan**

The committee met last month and discussed the Student Union renovation. Vertical transportation and the proposed development of the campus between the Student Union and the Classroom Building were the primary topics. To improve vertical flow an elevator has been added to the design, bringing the total to four. The committee believes that this does not adequately address the problem. As for the area between the Student Union and the Classroom Building the committee has several concerns about the proposed design. Of the greatest concern is the proposed design's apparent lack of "design" connection to the immediate context and its fit into the composition of the larger campus plan. The design appears to ignore design concepts used in the composition of the overall campus plan. This area is part of an important east/west axis in the campus plan, which will be disrupted.

The committee's next meeting will be Jan 20, at 1:30 p.m. in the conference room in AG Hall and will continue discussions about the Student Union renovation. We will also be addressing some OSU Tulsa Bus issues.

**LONG-RANGE PLANNING AND INFORMATION TECHNOLOGY — Bud Lacy**

Lacy reported the committee has completed their evaluation of the Strategic Plan. A sustainability objective was added. There was some debate as to whether that should have been integrated throughout the other objectives or a stand-alone objective. That was the biggest concern. The Provost will present the plan to the Board of Regents at their January 22<sup>nd</sup> meeting.

**RULES AND PROCEDURES — Stephen Perkins**

Perkins announced to Council they should come to the February 9 meeting prepared to nominate two faculty members as candidates in the upcoming election for Vice Chair. Nominations can come from within Faculty Council members or from faculty outside of Council. Notice of the 2010 election will be emailed to eligible members of the OSU General Faculty after the February 9<sup>th</sup> Faculty Council meeting. Petitions for write-in nominations will be included in that mailing.

Russell encouraged everyone to talk to their colleagues or consider running themselves. He feels it is a very important position in representing the faculty to the administration and Board of Regents. He asked everyone in the room to thoughtfully consider their own suitability for running for Vice Chair.

**STUDENT AFFAIRS AND LEARNING RESOURCES — Karen Hickman**

Hickman said her committee had communicated through email considering two issues. The first was dealing with the recommendations that the Task Force on International Education and Outreach proposed and submitted to the Provost last month. They are in the process of finalizing the comments that the committee members have made concerning that issue and should be reported on at the February meeting. Second issue was dealing with revisions that have been proposed concerning the Student Publication Board of Directors. They have reviewed the proposed membership concerning the proposed advisory board of Student Publications and they need to discuss this further but could be taking their recommendations to the Student Publications Board by January 15<sup>th</sup>. Their primary concern is dealing with the membership of the Board as it has been proposed to remove two of the three faculty members from the Board. The committee is also concerned about the inclusion of administration and editors, etc., in the Board. The committee will report to Council at the February meeting.

**Report of Liaison Representatives****Emeriti Association – Margaret Scott**

Scott reported at the end of December the Emeriti Association had 561 members.

Work continues by the White Woods Retirement Center Committee on securing funding and support by a developer.

The Emeriti Association is a sponsor of the Osher Lifelong Learning Institute (OLLI). The programs are offered in Oklahoma City, Tulsa and Stillwater. The Spring catalog with course offerings in Tulsa and Stillwater was mailed this morning. Scott brought some catalogs for those who may have parents or friends who would enjoy a continued learning experience. Classes begin in February at the Stillwater Public Library for six weeks.

OLLI has arranged for a free public showing of a documentary on Tar Creek which will be held in the Student Union Little Theater on Sunday, February 21.

**Staff Advisory Council – Marta Kochenower**

SAC will be voting on and hopes to send a recommendation regarding disaster housing assistance for OSU Stillwater employees to administration after their January 13<sup>th</sup> meeting.

They are in the final stages of preparing a recommendation to send to OSU administration regarding OSU partnership with an established child care facility to offer child care to the Stillwater employees. This recommendation might be ready as early as the January 13<sup>th</sup> meeting. Understanding an on-site facility probably will not happen the movement is now under way to partner with a facility in the community and looking at various ways of reducing costs.

SAC will be conducting fund-raising efforts for Valentines Day for staff scholarships. They would appreciate any participation from faculty.

The Staff Appreciation Day picnic is being moved to May 20. There has been a contractor/caterer that provided service the last two years. In an effort to save money SAC will again be asking Faculty Council to help serve at the picnic as had been done in the past.

SAC has been asked to review a recommendation from the Women's Faculty Council about their recommendation for benefits, specifically leave benefits, to be extended to domestic partners. They are reviewing the current wording of OSU Policies and Procedures.

There are three vacancies on Staff Advisory Council and she asked Faculty Council members if they knew of anyone in their staff area that would be a good staff representative to please contact Tara Gladden, SAC Chair.

### **Graduate and Professional Student Government Association – Aravind Seshadri**

GPSGA will have a busy Spring semester since most of the major events are during this semester. In February, GPSGA, along with the Graduate College and the Office of the Vice President for Research and Technology Transfer, will be organizing the 21st Annual OSU Research Symposium. Graduate and undergraduate students will be presenting their research during the symposium scheduled February 17-19, 2010. GPSGA will be sending an email to the faculty through the Faculty Council Listserv to solicit judges for the symposium.

With the help of two OSU faculty members GPSGA will be organizing professional development workshops for graduate students. One of the workshops will be held during Research Week on February 15, 2010 at 12 noon in Student Union Case Study 2 (412 SU). Dr. Gary Thompson, Professor and Head of the Department of Biochemistry and Molecular Biology, will be talking to our graduate students about "Pursuing a Successful Research Career: Things to Know About Building a Good Research Plan, Acquiring Grants and Collaboration." Another workshop dealing with teaching will be organized in March by ITLE for graduate students.

In March GPSGA will be bidding to host the regional NAGPS (National Association of Graduate and Professional Students) conference. The south central region consists of mostly BIG XII schools and other schools in the region including schools in Arkansas, Mississippi, etc. This would be a great opportunity for OSU to host our peer schools in this region and showcase our school.

March 01, 2010 is the deadline for Phoenix Award nominations; the highest honor for graduate students recognizing their scholarship, leadership, community involvement and dedication to graduate students. For more information about the Phoenix Awards please visit the GPSGA website at <http://gpsga.okstate.edu/phoenix-nomination>.

In April, GPSGA will be organizing Graduate Student Appreciation Week between April 12-16, 2010 which will include the Phoenix Awards, Research Symposium Awards and Teaching Awards winners reception, a picnic, etc. GPSGA will be organizing more social events this year

to build a strong graduate student community. They would appreciate it if OSU faculty would join them during the events.

GPSGA will also be working with SGA to ratify the Student Activities Fee Allocation to GPSGA.

**New Business:**

Russell noted the pending retirement of Ms. Diane LaFollette, effective March 1, 2010. Russell recognized her more than 16 years of service as Staff Assistant to the Faculty Council and also to the Emeriti Presidents, plus even longer service to OSU through various other appointments. While noting the loss to the Council, Russell exhorted the faculty to consider staff in their own areas that might make a suitable candidate for the position. A search is currently being conducted by Ms. Denise Weaver in the Provost's Office.

The meeting adjourned at 5:20 p.m. The next regular meeting of the Faculty Council is February 9, 2010.

Respectfully submitted,

Beth Caniglia, Secretary