

University Faculty Senate Meeting

October 14, 2009

AGENDA

- Call to Order by Speaker Steven Beer
- Nominations & Elections Committee Report (3 minutes)
- United Way Campaign – 2009-10 (12 minutes)
- Approval of Minutes (2 minutes)
- UFC Report (3 minutes)
- Resolution on Cornell Climate Action Plan (15 minutes)
- Report from Committee on Academic Programs and Policies (2 minutes)
- Resolution on Task Force Reports (20 minutes)
- Report from the Dean of Faculty (5 minutes)
- Financial Conflicts of Interest Policy (23 minutes)
- Good and Welfare (5 minutes)

REPORT FROM THE NOMINATIONS & ELECTIONS COMMITTEE

**Fred Gouldin
October 14, 2009**

Report from Nominations & Elections Committee

- **Chairs Appointed**

- Jerry Haas, Academic Freedom and Professional Status of the Faculty (AFPS)
- Dave Delchamps, Educational Policy Committee (EPC)
- Will White, University Benefits Committee (UBC)
- William Crepet, Academic Programs & Policies (CAPP)
- Steve Pope, Financial Policy Committee (FPC)
- Susan Ashdown, Faculty Advisory Committee on Athletics & Physical Education (FACAPE)
- Muna Ndulo, Lectures Committee
- Mary Beth Norton, Library Board Committee
- Cliff Pollock, Faculty Committee on Program Review (FCPR)
- Mark Psiaki, ROTC Relationships Committee (URRC)

UNITED WAY CAMPAIGN – 2009-2010

Vice Provost David Harris
October 14, 2009

UNIVERSITY FACULTY COMMITTEE REPORT (UFC)

**Eric Cheyfitz
October 14, 2009**

RESOLUTION ON CORNELL CLIMATE ACTION PLAN

**Tim Fahey
October 14, 2009**

Resolution to Support the Cornell CAP

- **Be it therefore resolved** that the Faculty Senate finds that the CAP for the Ithaca Campus is needed to:
 - Achieve the goal of climate neutrality by 2050;
 - Establish interim targets for goals and actions that will lead to climate neutrality, and mechanisms for tracking progress on goals and actions; and
 - Establish a portfolio of proposed actions that will enable progress toward the goal of climate neutrality, will demonstrate fiscal stewardship and will enhance the University's research, academic, and outreach missions and programs.

Resolution to Support the Cornell CAP

- **Be it further resolved** that the Faculty Senate commends and supports Cornell University for adopting the Climate Action Plan;
- **Be it finally resolved** that this resolution be sent to Cornell University President David Skorton as well as the co-chairs of the President's Climate Commitment Implementation Committee, Professor Tim Fahey and Vice President for Facilities Services Kyu Whang.

YOU SAID AMERICANS
PREFER TO WAIT FOR
A CRISIS TO GALVANIZE
THEM INTO ACTION.
WHAT'S OUR PLAN?



WELL, WE'VE ALREADY STARTED
CUTTING BACK ON AUTO USE...

TOLES

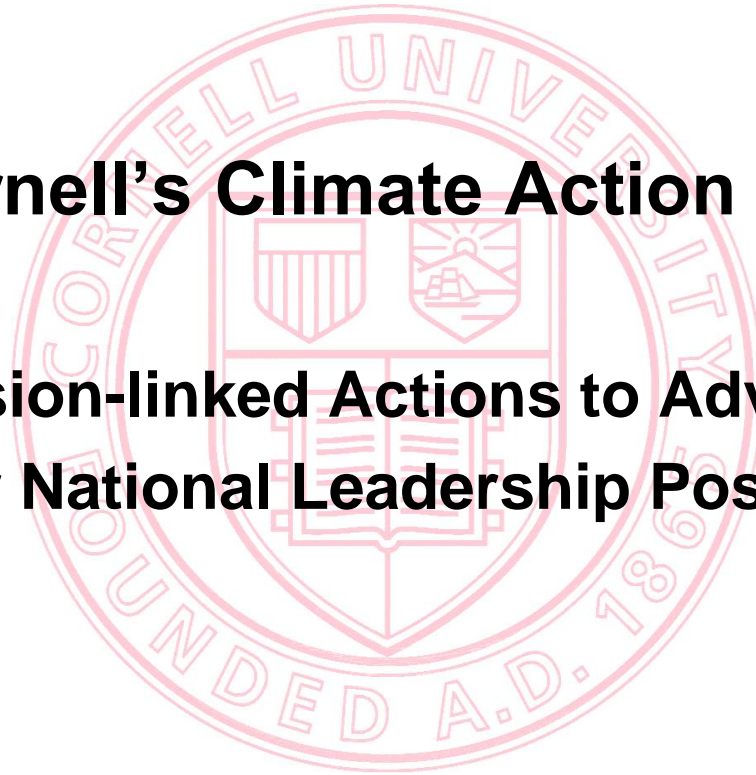
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The Presidents Climate Commitment

Cornell's Climate Action Plan

**Mission-linked Actions to Advance
Our National Leadership Position**



Climate Action Plan

We are seeking

Endorsement of the Climate Action Plan

Presidents Climate Commitment

“develop and implement a plan with specific targets and timelines to achieve climate neutrality at a pace and in a manner that maximizes the opportunities for the university”

- From American College and University Presidents Climate Commitment 2007 Annual Report

Deadline: September 15th, 2009

Climate Action Plan Principles

Actions will reduce greenhouse gas emissions and:

- Improve Finances
- Support Research
- Broaden Education
- Enhance Outreach

Climate Action Plan Principles

Actions will reduce greenhouse gas emissions and:

- Improve Finances
 - **Reduce Energy & Compliance Costs**
 - **Facilities Projects = + Net Present Value**
 - **Overall Portfolio: Real IRR of about 15%**
- Support Research
- Broaden Education
- Enhance Outreach

Climate Action Plan Principles

Actions will reduce greenhouse gas emissions and:

- Improve Finances
- Support Research
 - **Cross-Disciplinary Research Actions**
 - **Areas of Significant Funding Interest**
 - **Demonstration Scale (CURBI, EGS, Smart Grid)**
- Broaden Education
- Enhance Outreach

Climate Action Plan Principles

Actions will reduce greenhouse gas emissions and:

- Improve Finances
- Support Research
- Broaden Education
 - **Conservation Outreach and Student Leadership**
 - **Academic-Operations collaboration**
 - **Campus as Living Laboratory**
- Enhance Outreach

Climate Action Plan Principles

Actions will reduce greenhouse gas emissions and:

- Improve Finances
- Support Research
- Broaden Education
- Enhance Outreach
 - **Support Master Plan and TIMS**
 - **Support Community Carbon Offset Program**
 - **Collaborate with Coop. Extension across state**
 - **Support economic development/job growth**

Climate Action Plan Principles

- **Maintain a dynamic plan that will respond to changes in science, technology and society:**
 - measure our progress against our targets
 - update the plan to reflect best use of human and fiscal resources

ACADEMIC PROGRAMS AND POLICIES COMMITTEE REPORT

**William Crepet, Chair Committee
October 14, 2009**

RESOLUTION ON TASK FORCE REPORTS

**Eric Cheyfitz
October 14, 2009**

Resolution On Task Force Reports

- **Whereas** the creating of a number of Task Forces has been the principle mechanism whereby some members of the faculty have had a role in responding to the present financial crisis, and;
- **Whereas** these Task Forces have now completed their reports and submitted them to the Provost, and;
- **Whereas** the decisions made based upon these reports will affect all members of the faculty;
- **Now** therefore be it resolved that the faculty recommends that the task force reports be submitted at the earliest possible moment for discussion and response by the faculty at large.

Endorsed by: Eric Cheyfitz, English, Shawkat Toorawa, NES, Kent Goetz, Theatre, Film and Dance and Shelly Feldman, Developmental Sociology

Amendment to Resolution Regarding Availability of the Task Force Reports

- **Whereas** the creation of a number of Task Forces has been the principle mechanism whereby some members of the faculty have had a role in responding to the present financial crisis, and;
- **Whereas** these Task Forces have now completed their reports and submitted them to the Provost, and;
- **Whereas** the decisions made based upon these reports will affect all members of the faculty;
- **Now** therefore be it resolved that the faculty recommends that the task force reports *or those parts of those reports which the provost deems to contain viable responses to the present crisis* be submitted at the earliest possible moment for discussion and response by the faculty at large.

REPORT FROM DEAN OF FACULTY

William Fry
October 14, 2009

COMMENTS FROM BILL FRY



Financial Conflicts of Interest Related to Research Policy

Bob Buhrman
Senior Vice Provost for Research
Cornell Faculty Senate Meeting
Oct. 14, 2009

Principles Regarding Financial Conflicts of Interest

- Reporting, management, and appropriate disclosure of FCOIs is essential for:
 - ensuring research objectivity is not compromised by possibility of individual financial gain
 - assuring the public trust in research institutions
 - continued access to federal funding
- Must consider both real conflicts and apparent conflicts, i.e., situations where a neutral observer might reasonably conclude a conflict exists
- *Federal regulations and Cornell policy require that all real and apparent conflicts of interest are properly **reported and managed***

Financial Conflicts of Interest

Research-related FCOI is the subject of significant federal scrutiny and public attention

- AAMC/AAU report (2008) on FCOI and research (clinical, pre-clinical and non-clinical)
- OIG finds NIH in non-compliance; NIH reviewed university FCOI policies, including Cornell's (2008)
- NIH solicited comments regarding a planned revision of its FCOI regulations (5/8/2009); AAMC/AAU supports most proposed steps

Proposed NIH Regulations *(generally AAMC/AAU recommended best practices)*

- Disclose all directly and indirectly related financial interests related to institutional activities, regardless of amount; report all interests greater than \$5K to funding agency
- Require management or elimination of certain types of financial interests
- Require an independent committee review of financial disclosures and mandatory development of FCOI management plans for cases where FCOI elimination is not required
- Prohibit investigators leading clinical trials from having a significant financial interest in a related or potentially impacted commercial entity
- Enhance FCOI sanctions
- Require an **institutional** conflict of interest policy for all major NIH funding recipients

Financial Conflicts of Interest - Cornell

- Cornell Conflicts Policy covers Conflicts of Commitment and Conflicts of Interest
www.policy.cornell.edu/Conflicts_Policy.cfm
Adopted May 31, 1986; amended January 29, 1987
October 29, 1992 (established University Conflicts Committee)
October 28, 2000 (annual disclosure process established, partially electronic)
- Recent NSF and NIH audit findings stated that Cornell is not in full compliance with federal FCOI regulations. Deficiencies in:
 - procedure and policy regarding reporting, managing, and disclosing all research related FCOIs
 - identification of sanctions
 - timely agency notification
- Internal Cornell Audit (2008-2009) found “major audit concerns”

Internal 2209 Audit Report - Conflicts

“Disclosure, review and conflict management procedures for conflicts of interest and commitment are not adequate:

- Reviewers are not consistently engaging in conversations with filers to obtain critical information necessary to assess the adequacy of disclosure;
- Disclosure forms do not provide adequate information for reviewers;
- Upon identification of a conflict, management plans are not consistently completed;
- Reviewers do not have sufficient training or guidance in the development and execution of management plans;
- Lack of timely follow-up with non-compliant filers;
- Insufficient follow-up for disclosures under review.”

Steps In-Process to Address FCOI Issues

- Review and update Cornell policy and procedures for **research-related FCOI**.
 - Internal process
 - OVPR; **University Conflicts Committee**, Dean Bill Fry and Bob Buhrman (co-Chairs); coordination with Weill counterparts, Counsel's Office, Audit Office
 - Benched-marked policy against regulations, peers, and AAMC/AAU recommendations**
 - President's Task Force on FCOI: Charge: "Recommend working principles and best practices"
 - Bill Fry, Trustees, Ithaca and Weill administrators, David Hajjar (Weill co-chair) and Bob Buhrman (co-chair)
 - Final report in draft form: "fully comply with all applicable regulations, and with AAMC/AAU recommendations wherever feasible."**
- Cornell Policy on Financial Conflicts of Interest Related to Research
 - Complements Conflicts Policy

FCOI Related to Research Policy

- Covers all research, even if not federally sponsored
- Improves annual reporting (disclosure) process - electronic and updateable on line
 - Report all research-related financial interests - *regardless of amount*
- Implements **event-based reporting of external interests**
 - at time of proposal submission (*required by NSF and NIH regulations*)
 - at time of submittal of IRB protocols (*required by federal regulation*)
- Units handle conflicts of commitment and non-research-related FCOI

Implementation of FCOI Related to Research Policy

- FCOI Committee, faculty members appointed by SVPR, meets monthly; ex-officio, non-voting membership by Counsel's office, OSP, IRB, CCTEC
- ORIA FCOI staff supports FCOI Committee in review and management plan process, similar to support provided IRB
- FCOI Committee actions:
 - reviews the financial reports of faculty and all others who have the responsibility for the design, conduct, and reporting of research
 - determines when real or potential FCOI exists
 - develops and approves management plans, or requires elimination of conflict
 - management plans developed in discussion with researchers, and, as appropriate, with the involvement of the college leadership
- Annual reports and proposal-specific reports of external interests maintained in secure database in ORIA

Impact on Cornell Faculty

- If have no research-related financial interests or external relationships
 - ***no impact, apart from completing, online, annual report and event driven reports***
- If have research-related financial interests and external commitments
 - Improved, and more effective, fact-based reporting process: Objective is to assist and better guide researchers in proper FCOI reporting
 - Central, confidential development and implementation of FCOI management plans: Goal is not to eliminate most intersecting relationships but to manage them appropriately
- Outcome
 - Meet requirements of current and pending federal regulations
 - Ensure that Cornell's research integrity is not compromised and that the reputation of our researchers cannot be impugned
 - Assure public trust in Cornell research