MINUTES OF A MEETING OF THE UNIVERSITY FACULTY SENATE
OCTOBER 14, 2009

Speaker Steven Beer: “Good afternoon, ladies and gentlemen. I would like to call to order the October meeting of the University Faculty Senate.” “First I would like to remind all people here present that there will be no photos taken, no tape recordings made other than those by the staff. I would like to ask everyone to either turn off or silence your cell phones.

“When people speak, prior to speaking, please rise and identify yourself by name and department or other affiliation. We have no Good and Welfare speakers at this point. I would first like to call on the Associate Dean of the Faculty Fred Gouldin for a report from the Nominations & Elections Committee.”

1. NOMINATIONS & ELECTIONS REPORT

Associate Dean Fred Gouldin: “I basically have two things. The Nominations & Elections Committee met and appointed chairs to various faculty committees. And these are the committees up here with their new chairs. Jerome Haas, David Delchamps, Will White, William Crepet, Steve Pope, Susan Ashdown, Muno Ndulo, Mary Beth Norton, Cliff Pollock and Mark Psiaki. I can do that very quickly. I would also like to note that the Dean of the Faculty has been asked by the Provost with the help of the Nominations & Elections Committee to nominate faculty to serve on several task forces that are being formed. These task forces include one on education, one on research and scholarship, one on public engagement and the fourth one is on infrastructure. Any questions for me? Thank you very much. This was short and sweet.”

Speaker Beer: “Now, I will call on Vice Provost David Harris for some comments relative to the United Way.”

2. UNITED WAY CAMPAIGN

Deputy Provost Harris: “Thank you. I want to first thank Bill Fry for giving me time to talk about the United Way here today. So I am Deputy Provost but here today as chair of Cornell’s United Way campaign for this year. And I have brought some other folks along who will be introduced as we go along in our 12-minute period. I am here in this short period of time to address three questions, plus any questions that you have. Those questions are: Why, why, now, and why through Cornell University?”
“So first: Why? Why give to United Way? The reason to give to the United Way I want to argue is in part that 100% of your gift goes to member agencies, thanks to the corporate cornerstone program. So 100% of it goes to the agency to do good in the community.

“The second is the general fund. We all know that there are agencies out there that we would like to support, but we don’t actually know which agencies are hurting the most. For example, in these times there may be many that assume that Loaves and Fishes, for example, is an agency that needs a lot of assistance. It might be that, because everybody thinks that, there is actually some other agencies that need assistance that are just as worthy that aren’t getting the aid they need and our community is not being served. By giving to the Cornell United Way and letting them allocate to the agencies most in need, we can do the most good.

“And last to say, there are a large number of agencies, a broad group, for example, the Red Cross, Challenge Industries, Life Long, the Mental Health Association, Suicide Prevention and Crisis in this community helped by United Way, That is the what to give.

“Why give now? Well, I find out in talking with people at the Tompkins County United Way what you might expect. The demand is high. The demand is higher than it was last year. The next point is what I usually end up talking to you about. Because of the things going on in the budget, because of the actions that Cornell will have to take over the coming years and because of the actions that other employers in this county will have to take over the coming years, we will see that demand increase. We will see an increase in the number of people in this community who needs services. We are going to see a decline in the number of people in this community who can help, who can provide assistance. And so it is incumbent, I would argue, on all of us, tenured faculty, untenured faculty, but especially the tenured faculty who have a little job security that those in this community don’t have, to dig a little deeper hopefully and help our friends and neighbors in this community.

“And why give to Cornell Tompkins – why give to the United Way through Cornell? Three reasons. One is payroll deduction. It is easy. All you have to do is fill out a form. I am going to put some of them over here. Fill it out. Say you want to deduct it from your payroll check, it is easy. Second, if you don’t live in Tompkins County, you can designate to another county.

“And last, I think it is actually a really important part of making a statement that Cornell is a major institution and this community is committed to being a part of the solution to the problems that are being created. And we have a role in those problems and increasing problems for folks.
“So I hope that all of you will consider making a gift to the United Way and doing so through the Cornell campaign, I am going to come back at the end, but I will introduce at this point Tom LaVigne, who is the co-chair of the county campaign.”

Tom LaVigne, Co-Chair, United Way: “Good afternoon, everybody. Thank you very much for having us here this afternoon. We really appreciate it. On behalf of Andy Scirabba, my co-chair, I really thank you for this opportunity. Our theme this year is “In these times more than ever live united.”

“I think the meaning of that is fairly obvious. We have very, very tough times here. We have people around our county who are hurting. And in these times more than ever, I believe in the United Way. I have been involved with one United Way campaign after another, since 1996.

“And the reason I am doing this is because I believe that the United Way touch more people than any other agency in town. We have 36 agencies that we help fund. We have seven affiliated agencies that we help fund. We have the major RX program that helps people that don’t have health insurance get prescriptions through this program.

“We have hunger and food security programs that we fund throughout all the panties around the county. So I think it is a worthwhile entity to fund because it just helps so many people. And I think there is not – there is probably not one person in this room that if you haven’t been personally touch by a United Way agency, you know somebody who has been touched by a United Way agency. So this is the reason why I am so excited about doing this.

“Now, we have corporate cutbacks. We have layoffs. We have governmental cutbacks. And really the only way to make up for these cutbacks that we are seeing around us in our county that a reality is to increase the base. And by increasing the base, I mean increasing the individual giving. And that is us in this room throughout the University. And the University employees have been very, very generous over the years. Last year, the campaign raised a little over $2,065,000. The University contributed, our employees contributed almost $900,000 of that. But that was only 17% of our employees. If we could get out – if we could get our percentage up by a few percent, we could dramatically increase the amount of money that the employees from Cornell can give. And as David said, 1, 2, 10, 20, $50 a paycheck, that makes a lot of difference over time when you can increase the base.

“And I know that some of you are in a position to help influence, if you can. That would be great. But really what I’m here to do is to ask. And that is, for those of you who give, if you can think about giving a little more. And for those of you who haven't given, please consider giving this year because it’s a very, very difficult year.
“And John Spence who will come up in a moment will talk to you about how the 
United Way serves his agency and how that in turn relates to help for people who need 
housing within our county.

“No, what I’d like to do is bring up Richie Moran, Cornell’s Hall of Fame Lacrosse 
coach. He’s got three national championships under his belt. And since he’s retired, he 
has put the same effort that he put into his Lacrosse career into now helping our 
community. So I would just like to ask Richie to say a few things.”

Coach Richie Moran: “Good afternoon and thank you for this opportunity of being 
here. You probably are amazed that I’m carrying a football, but I actually came to 
Cornell in 1968 to help out with the freshman football program. And needless to say, it 
didn’t work out. I’m still here. So consequently, I got here in ’68. Was going to be here 
for a brief time. Was given a Lacrosse job in February of ’69 and stayed here to ’95 as an 
active coach. I did spend some extra years here working in the athletic development 
and helping out raise funds for the athletic department.”

“Of the agencies that Tom mentioned, 36 of them. When I retired, my wife thought that 
I needed some hobbies. And her first statement was, it would be nice if you did the 
patio. And then the next one was, can you redo the kitchen? Well, I’ll be honest with 
you. I’m not a carpenter. Definitely cannot put washers into the sink properly. So I 
got involved in seven local charities.

“And one non-profit that I really enjoyed the most, the first one I ever got involved in 
was the Racker Center. And the Racker Center means an awful lot to Tioga County, 
Cortland and Ithaca, New York and Tompkins County. What they do for young 
people, there are about 600 employees. There are many, many clients that we have 
from young babies all the way up to adults.

“Watching that in action, I was president of the board for two years. And watching that 
in action and seeing the results were tremendous. My giving and caring started when I 
was in the fifth grade in grammar school. I remember Boys Town had solicited schools 
for funds from students. Not a lot of funds because we sure didn’t have a lot. I used to 
save up my pennies and nickels and at the end of the month turn them in.

“Remember the poster for Boys Town. There was a boy carrying someone on his back. 
And the priest mentioned to the boy, he said, Robert, isn’t he heavy? He said, No, 
Father, he’s my brother. We’re going to reach out for carrying this year. We need help. 
Every agency in Ithaca does do a remarkable job of supporting people in need, caring,
giving. I love giving back to this community. It's been very special to me. I intend to live here the rest of my life, and I love Cornell. Spent 30-plus years here. Spent a lot of time on this campus. Probably sat in on a few of your elections in disguise.

“I love to go to some of the elections in the wintertime and sit in the back of the room and enjoy the beauties of Cornell and the great opportunities that exist here. I thank you greatly for this opportunity for us to be here today.

“I spoke with the Red Cross this morning. And they actually almost had like a pep rally. We talked about how important teamwork was. And, of course, with the Red Cross, there's a tremendous amount of teamwork. As we speak about teamwork, David, if you could get up.

“Now, if David fumbles this ball, our campaign will not be successful. He told me when he played high school football, he did not have good hands. OK. He developed his hands when he became Provost. Now, what we have to do is pass the ball here. Don't fumble.

“It's like Rugby.”

[APPLAUSE]

Speaker Beer: “I think we have time for a couple of questions. Or do you have another point?”

John Spence: “Is this actually on?”

Speaker Beer: “Yes.”

John Spence, Executive Director of Better Housing for Tompkins County: “And it clips on by doing something like this.”

“My name is John Spence. I'm the executive director of Better Housing for Tompkins County. I guess I'm here representing the agencies that benefit from all the efforts, all the dollars that go to the United Way. It's a humbling experience to try to represent all of the agencies. There are many, many that are doing great work. Better Housing, the first thing I'll tell you about Better Housing is we're not Ithaca Neighborhood Housing. INHS, you'll see their posters around. They also work with housing, affordable housing issues. They are in the City of Ithaca. Better Housing for Tompkins County operates everywhere else in the county. So we're in Dryden, Groton, Newfield and Enfield. We
have programs that help people buy their first homes. Everybody we deal with is low-income. A lot of the folks we deal with are Cornell staff and Cornell grad students. Help them buy their first home so they are not paying rent, they are actually building some equity in their lives.

“We have a housing repair program, major housing rehab program. A lot of the housing stock in Tompkins County is over 60, 80 years old. And it needs a lot of help. A new roof costs $9,000. Some people can't swing that. Through Better Housing, we're able to help them out. My favorite program is called Small Home Repair. Basically, this is the program that is supported by the United Way. Small Home Repair does, as it says, small home repairs for seniors and the disabled. Free of charge, labor free of charge. We ask the homeowner if they can afford the materials, if they can, great. If they can't, we make some sort of effort to find them the money to cover the materials. The average client for the small home repair is a single woman living alone, 76 years old on an income of about $14,000 a year. And so we do everything from put up storm windows. A lot of it is preventive maintenance, e.g., stop the drippy faucet from becoming a rotted floor. United Way supports us, helps us, allows us to do this in this community. United Way helps us meet the need. The other important thing that the United Way does, as David mentioned, they know the need. I've been in non-profit management now for about 12 years. And some agencies, fund-raising is always hard. But some agencies struggle more than others.

“It was easier when I was the director of the SPCA, and I could bring out a puppy or a kitten. A lot of people like animals a lot more than they like people. And it was an easy point for helping us raise money.

“There are agencies that don't have the puppies and the kittens. There are some agencies for whom confidentiality won't let them talk about their clients, talk about the needs, talk about the work they do. It's very difficult for them to raise a dollar. And that's what the United Way looks at, makes decisions and helps. That's why I give to the United Way because I know they are out there making those kinds of decisions.

“Just quickly, I'll echo what David said. Huge. The corporate cornerstone program means that the administrative cost for the United Way, those dollars are covered through the corporate cornerstone. Every dollar that you come up with goes to the agency that you select or to the general fund. So every dollar is going to the agency to do the good work.
“And if I can just put in a plug for payroll deduction, I can tell you John and Carol Spence were $50 donors to the United Way forever and ever and ever. Last year I decided, OK, payroll deduction, 5 bucks a payroll, I'm now a $130 donor and it's painless. I would ask you to consider making that little adjustment for a big, big, big impact.

‘I'll leave it there. Any questions? I'm easy to find. The United Way folks are easy to find. Any questions? We'll be glad to help, glad to come back and answer any other questions. Thank you.”

Deputy Provost Harris: “Number two, it would be great if you would send me an email if you have thoughts about why you or your colleagues either give or don't give. Hopefully, it will be reasons to give, not just give because Cornell says you should. Lastly, if you are interested, we'd love it if you'd go around and tell people in your department.”

3. **APPROVAL OF MINUTES**

Speaker Beer: “Thank you very much. There are several speakers. I'd like to now call for approval of the minutes of the September 2009 meetings. Any additions or corrections?”

“All those in favor of approving the minutes of the September 2009 meeting of the University Faculty Senate say aye.”

[AYES]

Opposed?

“Minutes stand approved. I'd like to now call on Eric Cheyfitz for a report on the UFC.”

4. **UFC REPORT**
Professor Eric Cheyfitz, Professor, English Department and American Indian Program:
“I’m Eric Cheyfitz. I’m a member of the UFC, the English Department and the American Indian Department. This will be brief. We have been meeting with the Provost rather regularly. And we have basically focused our discussions on two entities. First of all, the strategic planning advisory council chaired by Ed Lawler. And I can give you the names of the people that are going to serve on that, which I will do right now. I’m sorry I don’t have a slide for this, but I’ll read them slowly and you can take them down, if you want.”

“The membership of that committee is Lance Collins, Mechanical and Aerospace Engineering; Jonathan Cullen, English; Sandra Green, History; Katherine A. Hajjar. I hope I got that name right. She’s from Weill Cornell in the Cell and Developmental Biology. Martha Haynes in Astronomy; Susan McCouch, Plant Breeding and Genetics; Ed Lawler, of course, from ILR, and last Michael Waldman, JGSM Economics. Those are the people that will be working with Ed and the Provost to work on the issues surrounding budget deficits.

“And the Provost consulted with nominations and elections and also with UFC about members on this committee. Now, after that -- actually it’s already been reported on by Nominations & Elections. We met with Nominations & Elections to nominate faculty for these working groups that are going to be formed in Education, Research, Scholarship and Public Engagement. And that was already mentioned, so that’s in process. And again, that is a consultation process between the faculty, its representatives, and the Provost as well. Everybody here knows the other things we’ve been discussing, which everybody knows is the state of the budget, which now is $135 million in deficit. And, of course, the Bain projections are up on the Cornell website. We’ve been discussing those. Bain projects it can cover $90 million of that deficit.

“So finally, we have just been setting the agenda for this particular meeting and discussing the resolution, particularly discussing the resolution and the amendment on getting these task force reports out to the faculty. And that will come up later in this meeting. So that’s it. Thank you.”

Speaker Steven Beer: “Thank you. Thank you very much. As we move ahead, I’d like to call on Dennis Miller and Tim Fahey for presentation of a resolution on behalf of the committee.”
“It’s important to sign in so we’re short of having a quorum in the event a member of the Senate leaves or two. We do have a quorum, at least we did a few moments ago.”

5. RESOLUTION ON CORNELL CLIMATE ACTION PLAN – SEE LINK

Professor Dennis Miller, Food Science: “Good afternoon, everyone. As I’m sure most of you will remember, President Skorton signed the American College and University President’s Climate Commitment back in February of 2007. This basically pledges Cornell to achieving a goal of climate neutrality. A lot has been going on in this area since that time, including the formation of a Climate Commitment Implementation Committee which is chaired by Tim Fahey, Professor of the Natural Resources and Kyu Whang, Vice President for Facilities and Services. And two items that are particularly noteworthy along these lines are a greenhouse gas emissions inventory that was completed last spring, which basically determines where our greenhouse gas emissions are coming from. And then just recently, on September 15th, a Climate Action Plan was published on the Cornell website. And this Climate Action Plan, or CAP as it’s abbreviated, has been adopted by the Buildings and Properties Committee of the Board of Trustees. In addition, it was unanimously endorsed by the student assembly, the employee assembly, and the graduate and profession student assembly.”

“A couple of weeks ago Michael Walsh, who is a doctoral student in BEE and student trustee came to Bill Fry with a resolution and urging the Faculty Senate to consider this resolution. And you have been sent a copy of this resolution and also you were given a link to the Climate Action Plan, which is on the Cornell website.

“And so this afternoon, we want to discuss this resolution and decide whether or not we want to endorse it or support it. So I’d like to just read the resolution, which is also present in a handout that you got today. And it basically says, “Be it therefore resolved that the Faculty Senate finds that the CAP for the Ithaca campus is needed to: One, achieve the goal of climate neutrality by 2050; two, establish interim targets for goals and actions that will lead to climate neutrality and mechanisms for tracking progress on goals and actions; and three, establish a portfolio of proposed action that is will enable progress toward the goal of climate neutral, will demonstrate fiscal stewardship and will enhance the university's research, academic and outreach missions and programs.

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

“Now, Tim is going to give us sort of an update. He spoke with us last spring, but he's going to give us an update on where the Climate Action Plan is right now. And then we'll open it up for discussion and a vote.”

Professor Tim Fahey, Department of Natural Resources: “So as many of you were probably here for the presentation last spring, I won't go into any great detail revisiting what that was all about. We now have a plan. We're galvanized into action. If you can keep it going forward there to the next one.”

“And we're seeking the endorsement of the Climate Action Plan. Now, just a couple of points and then we can open it up to question-and-answer. And there were some folks that were in the facilities department that helped develop the plan. So a lot of people put a lot of time into developing this plan. Hundreds of hours, perhaps thousands of hours of staff time from the facilities department and the consultant who worked on the plan. The president's Climate Commitment is a national program. There are several hundred universities who have signed the commitment. We are one of the first ones to complete a plan. Our plan is really comprehensive. They put a very positive spin on language in hopes of getting the support of trustees and presidents for signing on to the plan.

“So how does it provide opportunities? Next one. The principles that underlie the plan promote the fact that what we are -- what we have in the plan will, number one, improve -- now, how can you become climate neutral and improve the finances of the university you might wonder. If you can go to the next one, the assumptions that are in the plan that mean that the costs of the plan are not negative, assume that there's going to be an increase in energy prices, which I think we can all anticipate, and that there will be compliance requirements for CO$_2$ emissions. It's now free to emit CO$_2$ into the atmosphere and probably not too far in the future when we come to the point of decision and start charging for emissions.

“So we took a median scenario for future energy costs and future CO$_2$ compliance costs and then calculated the net rate of return of various investments. And all the investments are money saving under those assumptions. If we never put in CO$_2$ caps, if the price of energy goes down, these things would be really expensive.
“How it will support research is already evident. Jeff Tester in the Engineering College has a proposal into the DOE. It’s going to be mostly in the energy sector of research. He has a proposal into the DOE that Cornell is proactive in implementing or in designing to go with our facilities system. So a demonstration project of what’s called EGS, enhanced geothermal, that’s going to be much more competitive because it’s easy to show how it will fit into Cornell’s energy system and be able to demonstrate this technology. So that’s just an example. Smart grid is another type of research proposal that takes advantage of Cornell’s campus to do research on demonstration projects.

“In the area of education, this has also already derived benefits in terms of students participating in internships with the facilities department, using Cornell as sort of a laboratory for student learning. Seminars, courses that use the facilities department as their learning environment.

“Finally, in the local community, there’s plenty of opportunities for outreach in terms of, for example, carbon offset programs in the local community. So most of you are probably familiar with carbon offsets if you pay some extra money for your travel, then some of these are deriving carbon benefit somewhere else in the economy.

“The idea in the carbon offset program in the community would be low-hanging fruit in the community that Cornell could invest in to improve the energy efficiency of, for example, local housing, low-income housing.

“Yeah, next one. The plans, you might like to visit the website. It’s a very long plan, but it’s an easy to navigate website. And it’s going to be a living website, so it will be updated continuously over the next decades.

“Next one. OK. Yeah, maybe if you could back it up. I had a couple more slides in there, but I wanted to see if people were -- or we want today see if people had questions or comments that we could clarify what’s in the plan, how we can actually come to climate neutrality in 50 years and hopefully get your endorsement of this plan.

“Are there any clarifying questions? Very clear presentation. Last chance. One question? Two questions?”
Speaker Beer: “Excuse me. Can you please stand and identify yourself? The young lady will give you a microphone.”

Professor Elizabeth Sanders, Government: “Elizabeth Sanders in the Government Department.”

Speaker Beer: “Please hold it close to your mouth.”

“Elizabeth Sanders in the Government Department. I was very disappointed when I read the plan, but I’m very glad that it’s being done. I wish we had done it five years ago. We’re very late. And we I think have not acknowledged some really terrible past mistakes.”

“But what is missing here is any real commitment to preserve the natural setting that we’re in, which I think is a major advantage for attracting people to Cornell. But we have squandered it. We have concreted it over. We have built buildings we didn’t really need. We have wiped out woods that could have been very important for campus as a living laboratory. In fact, those of us who are involved in the protest to save Redbud Woods proposed exactly that, using that woods for education for overcoming nature deficit disorder.

“But there’s almost nothing here about preserving our space, being good stewards of nature, the nature that is all around us. Not concreting it over, not building buildings we don’t need, emphasizing other kinds of education. I looked at the transportation links. And there’s nothing there that would encourage people to get out of their cars and walk and bike. No bike lanes, no walking paths. There’s even a remarkable picture of a person hauling his bike up the stairs, very unself-conscious admission it’s very hard to get around here on a bike. It’s very dangerous. And I have seen in only a year two very serious bike accidents right in front of me, involving students getting wiped out on their bikes.

“There’s really nothing here about trees. We have an entrenched rule David Lee tells me that no parking space can ever be lost. I propose we give ourselves a different rule, that no tree can ever be lost without replacing it. Look at the trees we’ve wiped out not just in Redbud but to cut down to build these buildings, big mature trees. So if I could, I would offer an amendment that the thing be recast to emphasize the preservation of beautiful nature here and not just this technological list of applications for federal funds to do techy things.”
Speaker Beer: “I might suggest that you talk with members of the committee because amendments from the floor are not in order at this time.”

“Tim, any comments on the comment?”

Professor Fahey: “I support Elizabeth’s point of view entirely. It has to be a happy meeting between what trustees are going to endorse and presidents are going to endorse and those who like to be more proactive would like to get passed. Because it is a living document, it is up to us to make things change faster than what’s in the CAP. And I think we’re anticipating that is a possibility.”

Speaker Beer: “OK. Thank you very much. I’d now like to call on Bill Crepet.”

Associate Dean Gouldin: “We do not have a quorum.”

Speaker Beer: “Oh, horrors. Has everyone who is a senator signed in?”

Speaker Beer: “So at this point, we can’t take any formal actions. But I believe that Bill Crepet may make his report on the behalf of the committee of academic programs and policies.”

5. REPORT FROM COMMITTEE ON ACADEMIC PROGRAMS AND POLICIES

Professor William Crepet, Plant Biology: “Thanks, Steve. Thank you, Steve. The CAP committee received a set of proposals from the general committee of the graduate school within the last few weeks. We have acted upon those and I want to report on them quickly. There were a set of proposals that included degree programs, name changes, minor field creations and dual degree programs. The first one was graduate concentration name change from collective bargaining, labor law and labor history to labor relations law and history pursuant to a parallel departmental name change. This was passed by the CAP committee without a negative vote.”

“The second proposal that came before us -- by the way, all these proposals were well done, well documented. The second one was a plant breeding proposal for a dual degree with Tamilnadu Agricultural University in India. It was a master of professional studies on the Cornell plant breeding side and a master’s in technology and biotechnology and business management on the Tamilnadu Agricultural University side. We approved -- we lent our support to that proposal as well.”
“The next one was a new minor field that would be campus wide serving a variety of graduate fields. The new minor field would be demography. This was forwarded by the Cornell population program. We also found that to be well supported and we endorse that program.

“Fourth, there is a dual Ph.D., J.D. proposal forwarded by human development and the law school. This was particularly well supported we thought. I thought from some personal knowledge that it was an extremely important and well reasoned program. And this would involve a Ph.D. in human development, psychology and a law degree in similar area. And it's something that's very important in areas such as capital defense law, post-conviction law, etc. We supported that without exception.

“Finally, there was a proposal from Industrial Engineering and Operations Research. They wanted to change -- let me get their wording. They wanted to change the specialization data analytics to a concentration data analytics. We also felt that was quite sensible and endorsed that completely. Representatives of those units may be here to answer questions. Otherwise, that concludes my report.”

Speaker Beer: “Thank you very much, Bill. I’d like to now call on Eric Cheyfitz again for discussion of a resolution. Since we are lacking a quorum, we will not be able to vote on the resolution unless a quorum appears during the time of the discussion.”

Speaker Beer: “I suggest we take a straw vote. I would ask that we take a straw vote.”

“Do we have a quorum?

Speaker Beer: “All right. I think that's a point well-taken. I'll ask Fred Gouldin, what is our status with respect to a quorum at this point?”

Associate Dean Fred Gouldin: “We have 48.”

Speaker Beer: “OK. So the gentlemen ... would you accept the microphone, please?”

Professor David DelChamps, Electrical & Computer Engineering: “I'm sorry. I didn't know it was coming. I believe we have a policy whereby we could take a straw vote here and cede to the U.F.C. some kind of official stamping ability. We have done this before in the past because we were having so many quorum issues.”

Speaker Beer: “That is correct in my recollection.”
Professor Delchamps: “OK. I think even though we are now participating in an unofficial meeting and we actually took votes earlier on accepting the Nominations & Elections report and accepting somebody else’s report, too. So anyway, I just wanted to contribute that.”

Speaker Beer: “All right. So it's the pleasure of the body to return to the consideration of the Cornell Climate Action Plan or Cornell CAP. Is there any further discussion on that before we will take a straw vote? Seeing none, a straw vote now.”

“All those in favor, please raise your -- in favor of passing the Cornell Climate Action Plan, raise your right hand, please.

“These are senators only voting.

“Senators in favor of the Cornell Climate Action Plan, please raise your hand again.

“Senators opposed to adopting the Cornell Climate Action Plan, please raise your right hand.

Senators who wish to officially abstain, please raise your right hand.

OK. Dean Fry, what’s the result of the straw vote?”

Dean William Fry: “40, 1, 4”

Speaker Beer: 40 in favor, one opposed, four abstentions.”

“OK. So now, we'll move to the next item on the agenda. And Eric Cheyfitz would kindly introduce it on behalf of the UFC. Eric. And again, we will treat this as a discussion to be followed by a straw vote.”

6. **RESOLUTION ON TASK FORCE REPORTS**

Professor Cheyfitz: “There’s the resolution. And it clearly is a resolution for publishing in one way, shape or form the task force reports that have been done by the various colleges.”

“This was a discussion instituted by Abby Cohen who will speak as well. But it seems to me, I'm one of the endorsers of it, straightforward. And we discussed it in the UFC. That is in order for the faculty to give input on these task force reports and to advise the
Provost and to register their pros and their cons, we have to read the reports. And hence, the purpose of the resolution.

“The manner in which those reports are to be distributed is left open to decision making by the Provost in conjunction with the UFC, hopefully. But the need to get them out, it seems to me, is clear. It is simple. Without an informed public, you can't have informed discussion. So that's all I have to say on this. It seems to me to be a very transparent kind of resolution. But I'll yield the floor to others who want to talk.”

Speaker Beer: “Thank you very much. As members of the Senate and faculty are aware, there is an amendment to the proposed resolution that Senator Howland will offer.”

Emeritus Professor Howard Howland, NB&B: “I am Howard Howland, a member of UFC. Do we have a slide with the amendment on it? Yes. Down here in the italics, in the last point, now, therefore, be it resolved that the faculty recommends that the task force reports -- the amendment is for those parts of those reports which the Provost deems to contain viable responses to the present crisis be submitted at the earliest possible moment, etc. So it's a modification. And this comes from the UFC. It doesn't necessarily have the endorsement of the UFC, but the endorsement is that we think it should be discussed. And I indeed support it. And I have two reasons for supporting it. The first one is that these task forces were commissioned by the Provost to go to the Provost. And the members of the task force were asked to think very broadly on these issues. And they, quite rightly, I think, thought they were talking to the Provost. I think it would be grossly unfair to our colleagues on these committees to simply take this and say, OK, you thought you were talking to the Provost, but here it is, everybody. This is what they have said.”

“So that’s the first point. I just think it's inappropriate to ask the Provost to give these reports unredacted to the entire faculty.

“And the second thing is I think it's -- I think it's a futile waste of time for the faculty to discuss those parts of the reports that the Provost simply doesn't think are viable. I mean we're not a debating society. We're trying to do serious work. And to get into an argument about things .... recommendations to the Provost, which have no possibility or extremely small possibility of his taking, I think, is just a futile exercise. So the amendment tries to take this initial motion which has a bit of an air of a protest to it and make it, I think, a more viable and constructive statement. And that's my defense of the amendment.”
Speaker Beer: “Under the informal arrangement we have now, I think we can discuss the amendment and the main motion all together.”

Emeritus Professor Howland: “Yes.”

Speaker Beer: “One question occurs to me. And that is, has the Provost in fact decided at this point what the viable responses to the present crisis are? Or is the Provost and his staff still trying to decide those points? Maybe it can be considered a rhetorical question.”

[LAUGHTER]

Speaker Beer: “Could you await the microphone, please?”

Professor Shawkat Toorawa, Middle Eastern Studies. “I was one of the endorsers of the original resolution. And although I see the wisdom behind this as defended, there are some problems with it. First of all, part of the reason I endorsed the original proposal was that it seemed -- it made sense that the reports be made available. To now suggest that the Provost will deem what is viable or what is necessary for the rest of us to see is to undermine the original intention of the original resolution. The idea is these reports are out there. We aren’t a debating society; it’s true. But we are a university. There’s no reason why these can’t just be made available. It’s not necessary that we all sit down, read everything and go up to the Provost and protest about them.”

“What I would suggest is that we further amend this as the recommendation to the UFC and have it say something like make the full reports available and have the Provost identify those parts that he deems viable. That way we know which parts he’s responding to or which parts he wants us to debate, if he in fact wants to debate at all, as opposed to going through with the black pen and saying, well, we’re going to release this part and not this part and this part and this part. Because that’s just going to create more questions, produce less answers and -- I don’t know about the rest of you. But this smacks of a kind of -- I don’t know. Those projects the Provost deems viable. It’s just not in the spirit of conversation and transparency. It’s in the spirit of corporate or legalistic control. And I’m very unhappy with the proposal. Which I will support if it’s -- well, it’s no quorum. Which I will support for demure, but I’m not happy at all with the amendment by the UFC. I’m sorry to say.”

Speaker Beer: “Is there a member of the faculty that wishes to speak in support of the amendment?”
“If not, then other comments. Ms. Cohen.”

Professor Abby Cohen, Linguistics: “I want to speak for the general motivation for the resolution and then talk on a couple of reasons why I feel that the original resolution is to be preferred. So many of us were at a forum.”

“The academic decisions lie in the hands of the faculty. And any academic decision or matter that cuts across colleges is the purview of the university faculty as represented by this body, by the Senate. And so when the Provost on our behalf commissions task forces, these necessarily are task forces not for the Provost, but for the faculty. These critically cover academic matters which are collective responsibility. And it is only if these task force reports -- and that includes both the individual ones that were intra college as well as those ones that cut across colleges because we can't draw lines between these.

“We can't, for example, read the task force report about the life sciences without also understanding what both the task force reports of Arts and Sciences and CALS are putting forward. So I don't see how we can possibly carry out our responsibility as faculty to engage in the substantive discussion about academic matters without access to all of those reports.”

Speaker Beer: “Thank you. Further comments on either the amendment or -- the gentlemen in the blue sweater, please. In the front.”

Professor Dave Lipsky: “I'm Dave Lipsky from ILR. I'm a member of the UFC. And we debated this issue at some length at our last meeting, probably for more than an hour. And I think we need to first recognize that it's the Provost who commissioned these reports. In a sense, they belong to the Provost. It wouldn't have happened if he hadn't requested that these task force reports be done. So all this recommendation or all this resolution does is it recommends what's silent in that language. I find it's too bad it's silent ... If we pass the resolution, we're recommending to the Provost who has these reports that he either make them entirely available to everybody on the faculty or those parts that are relevant to the discussion in the future.”

“So either resolution is only a recommendation to the Provost, whichever way we go, the Provost, we have to recognize, has the authority. He's the one that commissioned these reports. They belong to him, not to the faculty. And he has to decide what action he'll take in the future in regard to these reports.
“So passage of either resolution is only a recommendation to the Provost.”

Speaker Beer: “Thank you. Further comments?”

Professor David DelChamps, Electrical & Computer Engineering: “David Delchamps, Electrical and Computer Engineering. I hear what you are saying and I kind of agree. And I have a feeling we might be spinning our wheels with these motions because it's up to him. OK? And as far as the other comments about getting faculty advice, I think this was his way of consulting the faculty. He didn't want to have a big, broad discussion. Now, whether I agree with that is another story. I would love to see these reports. And I would love to comment on them, and I would love for all of us to be able to comment on them. But I'm sure that they contain a lot of sensitive information. And I know it's up to you to decide what to do with them.”

“The one question I have for people in the room, was anyone on one of these task forces who has misgivings along the lines of how he referred to about having his or her contribution to the task force made public?”

Speaker Beer: “Thank you. Any further comments? The lady in the aisle.”

Professor Elizabeth Sanders, Government: “I just don't see how we can vote to censor information from ourselves. I think it was the lack of transparency and very hierarchical decision making by a few people that got us into this trouble. If we are now so timid that we don't want to get information and make our voices heard, we're just going to perpetuate the same problems. And I think it's a terrible idea to limit our voices.”

Speaker Beer: “OK. I think we have to move ahead. And I think the first thing we'll do is have a straw vote on the amendment. Should we proceed to consider the amended version as appears before you, or the original version that is now before you? Better this way or better that way.”

[LAUGHTER]

Speaker Beer: “So let's vote on the amendment first, the straw vote on the amendment. All those who would adopt the amendment if we had a quorum, raise your right hand, please.”

“All those who would oppose the amendment, raise your right hand.
“It seems quite clear that we’re back to the original motion by the committee. So now, any further comments before we have another straw vote on the original motion, which is before you?

“Seeing none, all those who favor the resolution before you, please raise your right hand.

“All those who are opposed, in a straw voting sense, to the resolution before you, raise your right hand, please.

All those who would abstain if this was an official vote, please raise your right hand. Thank you very much.”

“So the main motion would be in favor by 35 with three opposed and two abstention. And so now that we’ve taken the straw vote and, as had been recognized by our professor of electrical engineering a little while ago, the university faculty committee will consider these straw votes at a subsequent meeting and perhaps can act on behalf of the full Senate with respect to this resolution. Now, I call on Dean Fry for comments.”

7. REMARKS BY DEAN FRY

Dean Fry:: “My comments are very short today. Can you hear me? Great.”

“First of all, I wanted to say just a few comments about the $40 million that you have heard that Bain thinks that we might actually obtain through procurement efficiencies. And I’d like to just indicate that those -- if we move to that realm, that it will make some change in our culture. But what I did want to say, remind you, that this is not e-Shop.

“It is an improved e-Shop. E-Shop was developed before Bain made its recommendations, and there would be improvements to e-Shop so it would not be so clunky. I think we would not be prohibited from getting the items that we want. Abby, I think we’d have access to items at fairly efficient prices.

“The alternatives to not getting onboard with going -- trying to get efficiencies through procurement --- are not really at all pleasant. We’re still facing $135 million budget shortfall. If we can get and the procurement efficiency should enable us to make up at least $40 million of that without personnel actions which I think would be absolutely wonderful. So I just wanted to put my endorsement in for the developments in getting efficiencies through procurement.
“Next I wanted to actually turn down here in terms of notices to the faculty. When I first talked with Charlie Walcott about responsibilities of the Dean of the Faculty, he indicated that all faculty-wide notices had to be approved by the dean of the faculty. So it turns out that I get several requests. Today I had three requests to send out notices to the faculty. I have said no to some of those.

“But, you know, it’s hard for one person to estimate what all the rest of you want. And I’d like a little advice. Are you OK with just getting email messages from others? Not exactly whoever wants to send out a message, but almost. Would that be OK? Or should I and people I consult with try to censor the messages that go out to the entire faculty? So that’s a question. Is it a pain to delete messages on your inbox? Should I abandon that activity? Yes, no? Please, somebody. Elizabeth.”

[INDISCERNIBLE - OFF MIC]

Dean Fry: “These typically don’t come from faculty. They often come from administrators. They come from groups. So the request to send a notice to every one of us comes from, typically, not a faculty member. What I have routinely said no to are requests to do surveys of the faculty.

“So I can still leave that as a threshold. Comments, Abby?”

Professor Cohen: “This raises the related issue of who is on the faculty list. At the beginning of every semester, for example, we get this very important set of notices, things that all teaching staff are responsible for following. As I understand it, it only goes out to the people defined as university faculty. That excludes in fact a lot of the teaching faculty at the university.”

“And so as we’re thinking about who gets what emails, I would like to raise the issue of having a more comprehensive list particularly for matters such as that, that pertain to all of us and are actual responsibilities that we have a mechanism for having the broader definition of the faculty. But please don’t send those surveys.”

Dean Fry: “OK. That will be below the bar, I guess. OK, if you have other comments, I would really appreciate hearing from those. In the interest of time, I will conclude my comments.”

Emeritus Professor Howland: “On this business of savings, what was it? $45 million.”
Dean Fry: “As I understand it, $40 million in terms of procurement.”

Emeritus Professor Howland: “$40 million. I want to ask, does this include everybody, like research? Because if research is a large portion of the procurement, the University is not going to save any money this way.”

Dean Fry: “Yeah. My understanding, these are only on unrestricted funds. And restricted funds, sponsored research, are not included in the 40 million. And somebody can correct me if that’s incorrect. Correct? OK. Dave, sure.”

Dean Fry: “So the comment is that 40 million is procurement savings on unrestricted dollars but the expectation is the procurement policy will apply to all dollars.”

[INDISCERNIBLE - OFF MIC]

“That’s not part of the 40 million and that large spend helps us get over that crisis.”

Speaker Beer: “Now we have before us the Vice Provost for research, Bob Buhrman. And he’s going to address the issue of financial conflicts of interest related to research policies.”

8. FINANCIAL CONFLICTS OF INTERESTS POLICY REPORT

Vice Provost Robert Buhrman: “Thank you. And thank, Bill Fry and the Senate, for letting me come here. This is actually the third time, and I hope the last time I need to speak to you. But that’s up to the community.”

“This has to do with financial conflict of interest. And basically just to give you a very quick background, this is very important for Cornell’s reputation and our research. Basically, there are principles regarding financial conflicts of interest that we need to report them, we need to manage them and we need to properly disclose.

“Reporting is the new term for meaning reporting them internal to the Cornell organization, so that everyone -- the appropriate people here know what the conflicts are. And in order to do that, the reason we need to do that is we have to ensure that our research objectivity is not compromised by the possibility of individual financial gain.

“We don’t rule out the individual financial gain. We want to make sure it doesn’t compromise our research. We need to assure the public trust in that, that Cornell is doing what’s true and correct. And I put this last, but in some ways this is first. In
order to have continued access to federal funding, we have to have an updated financial conflict of interest policy.

“And one of the things that must be taken into account and both by federal regulation and by maintaining the integrity and the perception of Cornell’s integrity is that both real conflicts and apparent conflicts, situations where a neutral observer might reasonably conclude the conflict exists has to be identified and managed. It's just not appropriate to say, well, I don't think that's a conflict and it's OK.

“And federal regulations and Cornell policy, existing policy for many years, has said that all or both real and apparent conflicts of interest should be properly reported and managed.

“Next slide please. I'll give you a little bit of background. Research-related financial conflicts of interest receive a lot of scrutiny. I mentioned that and I think all of you have known Senator Grassley and public attention brought to research around the country, including the Med School at Cornell. There was a report out by the American Association of Medical Colleges and AAU, universities in 2008 that was a very detailed report on financial conflict of interest related to research. It covered both clinical which is not being done at Cornell, Ithaca.

“It is done at the Med School, of course. And preclinical, which is growing at Ithaca, and nonclinical things that would impact in other areas. The Office of Inspector General of NIH last year said NIH was not in compliance on managing conflict of interest as required by federal regulations. In response, NIH then went out and reviewed all the universities. And guess what? The universities are not in compliance, so basically we're transducing down to the faculty member at the end.

“We had a mail review of Cornell's policy and we had a letter saying we were not in compliance and we needed to update. Our response was by the end of this calendar year, we would be would have something in place. The other thing that happened in May of this year, NIH solicited comments regarding a planned revision of this regulation; they are tightening them up in response to federal, basically the congressional scrutiny. And the AAMC, AAU and other representatives of universities and research institutions have weighed in and they have basically supported most of the NIH proposed rulemaking.

“Next slide, please. Just to give you what's in those, one change would be that researchers would need to disclose internally all directly and indirectly related financial
interests relating to institutional activities. The new thing is regardless of amount: no $10,000 threshold; no minimum threshold, $50 or $100. That, of course, is going to bite.

“And we also would be required to post -- to report all interest related to an interest project to the federal agency above $5,000. We will require management or elimination of certain types of financial interests. We would require -- be required to have an independent committee review of financial disclosures and mandatory development of FCOI management plans for cases where elimination is not required.

“There would be -- if NIH adopts this -- in some cases, investigators would be prohibited from having clinical trial work where they had a significant financial interest in the outcome, as you might imagine, some people think that’s very dubious. Again, that’s not currently happening in Ithaca.

“We also are required, will be required if these regulations go in, which are anticipated to happen within the next 12 months, we have to have clear and better stated sanctions for non-compliance with either the reporting or with the management plans.

“And something which is not on the table at the moment, but NIH may require, we may have an institutional conflict of interest policy for all major recipients such as Cornell. Institutional policy means if the institution owns stock in the company and some researcher who has no personal interest is doing research that can impact that company in medical drug delivery or something, that’s an institutional conflict because I might suggest to the researcher to make the data look better. I don’t think I would. I wouldn’t even know it was happening. But that is a concern. And some universities have been bitten by this in the public media. So this is something we’ll be looking at down the road.

“Next slide, please. Remind you where we are as an institution. We have what’s called a conflicts policy. It was adopted in ’86. It was amended in ’87. In ’92, the University Conflicts Committee was established to help advise the university administration on the implementation of that. In 2000, we started an annual disclosure process which is currently working rather well. There was considerable opposition to it initially about prying into private business. But the world has changed.

“The other thing that happened I already mentioned. The NSF and NIH did findings and stated Cornell by letter review, mail review we’re not in full compliance. The NSF also weighed in on the same issues. They pointed out the deficiencies in our procedure and our policy regarding reporting, management, and disclosure of FCOI’s. Also there
were deficiencies in stating what the sanctions were if an individual did not do the required policies.

“And we also were not telling the agencies at the right time when there was a managed conflict. We were reporting retrospectively as much as 18 months late. We’re supposed to report on time when the proposal was submitted.

“And there was also a second of two Cornell internal audits from the audit office that mentioned all the concerns.

“Next slide please. Those concerns are summarized here. This is just a direct quote from the summary of the last audit report. That should be 2009. I don’t think I’ll read it here. Excuse me.

“But basically, they said we are not adequate. They said reviewers, those who look at this annual -- what we have called in the past disclosures will be called annual reports. Reviewers are not consistently engaging in conversations with the filers to obtain critical information so they can properly understand what’s being reported. Disclosure forms have not asked for the right information. When a conflict or a potential or apparent conflict is identified, the management plans are not consistently completed across campus. Reviewers do not have sufficient training or guidance to develop a proper management plan and consistent management plan. There’s lack of time. They follow up with people who did not properly file. And there is insufficient follow-up to make sure the management plan is in fact being followed.

“Next slide. We agree with all those, by the way, from our own internal examination in my office.

“So what’s been going on over the last 12 months is there’s been an internal process in the office of the Vice Provost of research, engaging the university Conflicts Committee and Dean Bill Fry and myself as co-chair of this committee. We coordinate this with our counterparts at the med school. We’re expected to have consistent policies at both Ithaca and the med school and we intend to have that. Counsel’s office has been involved and all offices have been involved. First thing we did is benchmark our current policy against regulation, peers and the AAMC, AAMU recommendations and found where we were deficient both in the regulations, both in the recommendations and with the peers. And we’re taking best practices from our peers.
“There was also finishing up a task by the president’s task force which is a committee of administrators, trustees, Bill Fry, myself and my counter part at the med school as co-chair, which is making recommendations on best principles and best practices - working principles and best practices for conflict of interest. And that report is consistent with what I am presenting right today. And basically it says we should comply, pretty obviously, with federal regulations and with the recommendations of the AAMC, AAU whenever we can. The consequence of this is we now have a draft policy on financial conflict of interest related to research. This would complement, not replace the overall conflicts policy.

“Next slide. Almost done. It would cover all research, even if not federally sponsored. We don’t think it makes sense to say that you can have financial conflicts that you don’t tell anybody about if it’s funded by Cornell money; but if it’s funded by the Science Foundation, you can’t. It seems the task force and I think that we should be consistent about that and make sure that the Cornell integrity is not impeached at any level.

“The policy will improve annual reporting. Formerly called disclosure, it will be electronic and updatable online, eventually, hopefully as soon as possible. You only have to report an interest that you have. Next year the same interest you don’t have to fill it in again. You just click and you’re good to go. But it’s going to take a year or two to get that in place.

“We are also -- one of our major deficiencies is we don’t have event-driven disclosure for reporting. Event-driven means when you file a proposal, federal regulations for quite some years say you have to file a report about what your interests are related to that particular research project.

“If you file a human research protocol, IRB protocol, the same requirement. We’re not following that requirement.

“We have to fix that to be in compliance. This would handle conflict of interest related to research centrally. This would not address conflicts of commitment in non-research related financial conflicts of interest, such as purchasing, such as things having to do with the teaching that are not research. That would be handled by the unit, particularly on the area of conflicts of commitment. The units have different cultures, what’s appropriate for the faculty to be engaged with and not engaged with. And my research office really does not want to get into that. That’s up to the deans to decide. I should mention that this -- what’s being proposed here has been presented to the deans and they have accepted it.”
“Next slide. We will implement this with a financial conflict of interest committee, faculty members appointed by my office. They would meet once a month. They would also include (and I think we said a minimum of eight) ex officio non-voting membership from the counsel’s office, from sponsored programs, IRB and C-Tech. Why these folks? We need information so that when the conflict is being discussed, we can pull up the information on sponsored research, on human research protocols, tech transfer agreements, so that we can properly identify a conflict or say there is not a conflict.

“If you don’t have that information, you have a major problem. Emory, as I mentioned to some of you who were here earlier in the year, Emory University was under six months notice from NIH banned from doing all NIH funded research because they had an investigator who took, I don’t know, $600,000 or $800,000 a year of speaking fees, pretty good lecturer I would think, in support of a drug that he had IP on and no one at Emory knew about it until the Tech Transfer Office accidentally mentioned this to the Compliance Office. We want to avoid that sort of thing. Emory has changed their procedures greatly.

“So the committee would review the reports. Would talk to others who have -- and review those of others such as staff who had the responsibility for design, conduct, reporting of research. The committee will determine when there’s a real or potential financial conflict of interest, will develop and approve management plans or require elimination of the conflict. The management plans will be developed in discussion with the researchers, as appropriate with the involvement of the college leadership.

“But it will be done consistently across the campus and consistently with the same practices at the med school.

“This central committee may be required, certainly strongly recommended. Comparable universities, Yale, Stanford, Columbia just adopted a policy very similar to this. And we will maintain electronic database in ARIA.

“This is the final slide. If you have no research-related financial interest or financial relationships, there is no impact except for the standard impact that you have to complete in a brief online form basically the statements will ask you a series of questions. If you have no research-related interest or external relationships, you do it pretty quickly. You will also have to do it at a time there’s an event-driven report. For example, you’re submitting a proposal. We will ask you more than one question. Do you have tech transfer? Do you have some interest? It will be a series of questions. No, no, no -- you’re done. It will be done online once we get this implemented.
“If you do have research-related financial interests and external commitments, there will be a more effective fact-based reporting process. The objective is assist and better guide to researchers to properly report so they are not called out by not forgetting to put something down, that someone else will say “that’s a conflict” and should have been managed and you were hiding it.

‘We want to protect the faculty. We're not trying to catch the faculty. We want to make sure that Cornell reputation and Cornell research is properly viewed.

“So the outcome of implementing this policy is we'll meet the requirements of current and pending fed regulations. We will ensure that the integrity of our research is not compromised and we'll ensure with confidence to the public that what we do here can be believed. Which I think is a good assurance. The draft of the proposal policy is on the web page. Hopefully a few of you looked at it. It's in the standard somewhat tedious Cornell policy format. We're open to suggestions. We really have to get it adopted this year. I'll be happy to take questions for the little bit of time we have left.”

Speaker Beer: “Before the questions, make sure you have a microphone and identify yourself and stand.”

Professor Cohn: “Abby Cohn, Linguistics. I am wondering with respect to this new committee that you are talking about, you said that the faculty membership would be appointed by your office. Could I assume that would be in consultation with the Nominations & Elections Committee?”

Vice Provost Buhrman: “Well, I'm not sure. The IRB -- I understand that. And that's something we'll have to debate.”

Professor Cohn: “I'm not saying it should be appointed but I think it really minimally should be in consultation with the Nominations & Elections.”

Vice Provost Buhrman: “I will commit to that at least.”

Professor Cohn:: “Thank you.”

Vice Provost Buhrman: “There is an issue of getting the expertise. We have the IRB and the IBC are appointed by the President. And what it really means is my office and then the president signs the letter I write for him. I don't see the need for that last step but the consultation I think is fine. My view, the first committee would be put together by going out to the colleges that have panels already doing this at the college level and
getting people from that panel the expertise so we hit the ground running and start integrating our best practices across the campus. So I certainly -- consultation I certainly accept.”

Professor Lisa Earle, Plant Breeding & Genetics:: “Lisa Earl, Plant Breeding and Genetics. What does managing conflict mean in this context?”

Vice Provost Buhrman:: “Yes, excellent question. And I have slowly learned. When I came to this office, I had no idea. Management would mean, for example, it depends on the area and the nature of the conflict. It can be as simple -- and there's a list of this in the principles section of the policy, draft policy. But an example would be disclosure. A very common thing is simply when you publish papers in certain areas, certainly in medical areas, you are required by the editorial policy to say I have interest in a company whose stock could be affected by the results of this research. Now, you might think they shouldn't do research on that. But it is acceptable in many areas as long as you disclose it to do so.”

“One of our colleagues at the med school and the university has IP in General Electric -- that we have licensed to General Electric in CAT scanning. That colleague published results that CAT scanning is effective for early screening of cancer. That colleague did not report in the paper the IP ownership. It was viewed by the colleague as being irrelevant. And I think it probably was from her perspective. However, it caused Cornell a lot of reputational loss. And that's an example.

“Another case would be you are doing research that could benefit your company. We might want to have a committee of neutral faculty examine the research results to make sure that they are OK. Just basically give a stamp that a second set of eyes have looked at it. It could be an example where you have a case where you enroll human participants in a research program and you have someone else do the enrollment or someone else do the analysis of the data so that the stream is broken, so that you cannot be accused of manipulating the data as you go through the process. Those are examples. Or it could be you can't do it. That is, in clinical trials, that would be an example. You cannot benefit because the closer it gets to touching humans, the more stringent it becomes because the risk to humans becomes obviously greater. Sorry.”

Speaker Beer: “Gentleman in the center.”

Professor Steve Pope, Mechanical Aerospace Engineering: “Steve Pope, Mechanical Aerospace Engineering. It is the case that different research communities have very different cultures. And also different federal funding agencies have different policies.
Different journals have different policies. I understood from your presentation that the university intends to have a uniform policy so that all research will have to adhere to the most onerous requirements regardless of the funding or the discipline.”

Vice Provost Buhrman: “That’s a statement.”

Professor Pope: “Well, could you comment on that? Did I hear you correctly? And is that the optimal thing for the university to do?”

Vice Provost Buhrman: “Well, I mean I can frame that question many ways. One is, should we allow any of our research to be impeachable? To be accused -- reasonably accused of being done in a way to benefit my financial interests or yours or anyone else's? So whether or not it touches a human, it touches our reputation. And if I am in the same college as you or some other faculty member in another college and they say a Cornell researcher benefited from this, and people don't like it. They start thinking badly of Cornell research. They don't discriminate, well, that's in a different area. Everybody knows they are loopy -goosy there. I think it's problematic. However, I think the management plans as I tried to indicate in Professor Earl's response or Professor Earl's question, the management plan should be consistent to the field. The principle should not be. The principles should be Cornell principles, I think.”

“That is, we are going to want to make sure that we don't let our interests taint our research, personal interests or the things that we actually encourage, starting companies and doing great things.

“That's a big part of what many people at Cornell should do. Depends on the area. We don't want that financial interest to be viewed as a way of tainting what we do. But how much you have to report, it is true if you report in JAMA or the New England Journal -- Journal of American Society or New England Journal of Medicine, you better put down your interest. If they find out, they will withdraw your papers and accuse you of bad things. Probably correctly so. Applied Physics Letter where I publish in doesn't ask that. I don't think Cornell should be way out there ahead of people in management. On the other hand, I don't think we should be the last university to have a consistent and clear policy. So I think the devil is in the detail. But I think it's better that we are clean and can argue that. I understand the concern, but I don't think we can have -- and the federal government will not allow. I will say NSF which NSF is almost certainly going to adopt every regulation NIH does and it will do it quicker because they don't have to go through the NIH process. I've been assured as soon as NIH looks like they are going to do it, NSF is going to match them and not exceed them.
“And they followed us. NSF followed us. And I think you and I get money from them or we have in the past in that area. So it's not just -- the management plans can be adjustable to some degree, but the principles better be the same, I think.”

Speaker Beer: “I think we have time for one last question.”

“So the answer is yes?”

Vice Provost Buhrman: “The answer is yes. Well, but with the management plan allowing some adjustment. I would -- I'll stay. I don't know. People can leave. It's important.”

Professor Ikhide Imumorin: “Ikhide Imumorin, Animal Science. So I disclosed an invention to C-Tech and we had a big discussion about this. I am wondering if some of this is how the university rules are written. So 1/3 goes to the inventor, 1/3 goes to Cornell and 1/3 goes to someplace I haven't figured out yet. The question that I'm asking –.”

Vice Provost Buhrman: “To pay our bills.”

Professor Imumorin: “I'm not interested in the IP income. I'd rather have it go back into my research program. They said I can't do that.”

Vice Provost Buhrman: “That's not true.”

Professor Imumorin: “Is that part of the issue here?”

Vice Provost Buhrman: “No, that's not part of the issue here.”

Professor Imumorin: “But that is part of the disclosure problem, right? Because you can benefit from any IP that you release to CCTEC which puts us at conflict, if you –”

Vice Provost Buhrman: “No. If that was reported and we have the CCTEC there and they say that's not a conflict, it might be an institutional conflict because the institution would benefit. There is a way of you returning your IP income, your personal income, tax-free -- I can tell you off-line how to do that. We have worked that out.”

Speaker Beer: “This is the time for adjournment.”
[MEETING ADJOURNED at 6:00PM]

Respectfully submitted,

Fred Gouldin
Associate Dean and Secretary of the University Faculty