

Vanderbilt University
Faculty Senate Meeting
March 17, 2005
4:10 p.m.
140 Frist Hall

Call to Order

Approval of Minutes of February 10, 2005

(Note: minutes can be found online here:

<http://www.vanderbilt.edu/facultysenate/files/21005facsen.pdf>)

Remarks from Chancellor Gee

Report of the Executive Committee

Robert Thompson, Chair of the Faculty Senate

New business

APS Committee (Senator Jason Morrow, chair)

Recommendation from Classified Research task force (Senator Dan Fleetwood, chair)

Good of the Senate

Adjournment

Voting Members present: Anderson, Barnett, Barz, Campbell, Casagrande, Conway-Welch, Cummings, Flake, Fleetwood, Foster, Fuchs, Gabbe, Galloway, Goldfarb, Greene, Griffin, Hawiger, Heflinger, Hodges, Kay, Lachs, LeBoeuf, Levine, Link, Masulis, McCarthy, McCarty, McGill, Morrow, Neff, Peebles, Perkins, Pettepher, Porter, Sevin, Shyr, Summar, Tellinghuisen, Thompson, Washington.

Voting Members absent: Adams (regrets), Benbow, Booth (regrets), Bradford, Conklin (regrets), Eigen, Ellingham (regrets), Haglund (regrets), Heyneman, Hoffman, Hudnut-Beumler (regrets), Schmidt, Smrekar, Syverud, Tarpley (regrets), Tolk, Wait.

Ex Officio Members present: Brisky, Gherman, Kovalcheck, Ramsey, Zeppos.

Ex Officio Members absent: Balsler, Barge, Chalkley, Farran, Gee (regrets), Gotterer, Hall, Jacobson, McNamara, Outlaw, Perfetto, Schoenfeld, Spitz, Williams.

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The meeting was called to order at 4:10 p.m. by Chair Robert Thompson. Minutes from 2/10/05 meeting were reviewed and a motion was made to approve them. Motion passed unanimously.

Next, Chair Thompson turned the floor over to Chancellor Gee for his remarks.

Next Item on the Agenda – Remarks from Chancellor Gee

Chancellor Gee first apologized for missing last month's Senate meeting. He said that he heard reports that there was a lively debate on the living wage issue, and that he is looking forward to the town hall forum on this issue to be held April 20. He reiterated that he wants to be involved in this discussion. He added the news that the university now has a contract with the union and the vote was overwhelmingly in favor of it. He congratulated Lauren Brisky and Kevin Myatt for their hard work.

Chancellor Gee mentioned the issues of student recruitment and faculty retention—both which he reported are going extremely well this year. He also brought up the issue of child care on campus and said that this is an increasingly important issue for faculty. He said that the current child care facility has been expanded several times, but more needs to be done.

He then reported on the university-wide retreat, and said that this was the first in a series of conversations that the university will be conducting. He also mentioned that he was glad to see that the issue of classified research would be taken up by the Senate today.

He concluded by asking for any questions.

Senator Dieter Sevin: Do you have any specific ideas to address child care? My committee (Faculty Life) is looking at this issue, and we are interested to know what is being planned.

Vice Chancellor Lauren Brisky: The Child Care Committee is working on this. I've received a proposal on this issue. Any good proposal has a high price tag, but we have some solid ideas to look at.

Provost Nick Zeppos: This is a major priority for us. The next step is for Harry and I to sit down with Lauren and the deans and look at how we will do this. This will be at the top of our list of priorities.

Chancellor Gee: One of the issues that we have dealt with is that in terms of child care, we are committed to all members of the community. We will have to talk about the possibility of decoupling the faculty and staff issues.

Senator Jacek Hawiger: As a comment, we recently had a visit from a prospective faculty member and we almost lost him because of child care issues. It's a very acute problem.

Chancellor Gee asked for other questions. Hearing none, he thanked the Senate and turned the floor back over to Chair Thompson.

Next Item on the Agenda - Report of the Executive Committee

Chair Bob Thompson gave the report of the Senate Executive Committee. He reminded the Senate of upcoming important dates:

April 7—spring meeting of the Faculty Assembly in the new Student Life Center

April 14—next full Senate meeting. The two main agenda items will be the task force report on the Faculty Manual (Bob Covington, chair) and the report from the Senate Affairs committee on reapportionment.

April 20—Living Wage town hall forum from 12:30 p.m.-2:00 p.m. in 140 Frist Hall. Chair Thompson said that there will be four speakers at the forum: Kevin Myatt, Ronnie Steinberg, Kathryn Anderson, and Bruce Barry.

Chair Thompson said that work on the faculty survey continues, but it will probably not be conducted this spring. It is more likely that it will be conducted in the fall instead.

Looking toward next, Chair Thompson said that he would like to get a head start on the August retreat where the next year's Senate agenda is shaped. To that end, he will email current senators to be a part of a small group discussion to talk through the issues (one issue per group). He asked for those who would be willing to moderate such a group to please get in touch with him. He mentioned that some of the issues that he is interested in are: interdisciplinary research, residential colleges, healthcare, and international impact. He asked senators to think about other issues that might be addressed next year.

He then asked for questions. Hearing none, he turned the floor over to Senator Jason Morrow, chair of the APS committee.

Next Item on the Agenda – Recommendation from Classified Research Task Force

Senator Jason Morrow gave a presentation on the proposed changes to the Faculty Manual regarding classified research (see presentation here: <http://www.vanderbilt.edu/facultysenate/files/ClassifiedResearch31705.ppt>). After the presentation, Senator Morrow reminded everyone that the goal is to vote on the recommendation regarding classified research.

After he concluded his presentation, he asked for questions or comments.

Senator Michael Goldfarb: What exactly does the line about tenure and promotion mean?

Senator Dan Fleetwood: This is a fairly common disclaimer that is used in many universities. I interpret that to mean that a grant used for classified research cannot be used in tenure and promotion decisions.

Senator Goldfarb: I think this is somewhat ambiguous in the language.

Senator Morrow: I will say that our goal today is to discuss the major issues since this is a change in ideology that the institution views as very important. In some cases we may not be able to answer some of the particular issues and how they will be instituted.

Senator A-J Levine: What was the rationale for requesting the review to be undertaken by a standing committee appointed by the Chancellor as opposed to a beefed-up PEA? Why isn't PEA involved in this?

Senator Morrow: The decision on this related to the fact that the committee members will need security clearances in order to review this type of research. Some of the members of PEA may be involved if they already have clearances.

Senator Fleetwood: The thinking here was to be consistent with Animal Care and Human Subjects committees.

Senator Hawiger: There is a statement in point 2: "Any requirement of confidentiality shall be limited, however, especially as they apply to graduate student and professional students." What is the meaning of this "however?"

Senator Fleetwood: I think that this is a pre-existing "however" from the original document.

Senator Morrow checked the original document, and it is indeed pre-existing wording.

Senator Hawiger: My second point is about graduate students. You mentioned that graduate students will be allowed to participate in classified research, yet the last sentence in point 3 states clearly "No part of a thesis or dissertation may be classified." So, how will the students participate if the work does not contribute to their thesis or dissertation work?

Senator Morrow: The contributions of a graduate student to any classified research project could not be used for the thesis work until the project was declassified. There are some students who come to Vanderbilt who already have security clearances or who want to obtain them. This is meant to apply to these individuals who choose a career path where classified research is seen as plus.

Senator Fleetwood: This issue has been discussed extensively in the task force and the APS committee. No one on the task force would be comfortable with a typical graduate student doing classified research. But it was felt that entirely banning graduate students from doing classified research would not be advisable.

Dennis Hall: I wanted to point out that there are things that graduate students do on campus right now in return for compensation that do not apply toward their thesis work

(such as being a teaching assistant). So, under the current wording it would not be ruled out that a student could not derive revenue from working on a classified project.

Provost Zeppos: I had a question about paragraph number 3 “Classified research will be permitted only in designated special purpose facilities or in institutes that are physically separate from the main campus.” Could you elaborate on what other universities have done with regards to this issue? What does the term “main campus” mean?

Senator Morrow: The main campus can be defined as where instruction, research, patient care, etc. go on. So, classified research would not be permitted in those locations.

Provost Zeppos: So, you could have an institute that is designated for classified research that might be funded by NASA, for example. Or we might have a separate facility which is a general facility that is used for this purpose.

Senator Fleetwood: I’d like to follow up on that. It was very much the sense of the task force that classified research not be undertaken on campus. What complicates this at Vanderbilt is that we have a highly visible Medical Center on campus. Most universities that prohibit classified research on campus do not have a medical center which has a potential interest in designating special purpose facilities that would be outside the regular area for patient care, etc.

Provost Zeppos: Did you take up the question of should university resources be invested in the facilities or was that a prioritization question that the administration would deal with in terms of allocation of capital in the ordinary course of business?

Senator Fleetwood: We discussed this and the general consensus was that tuition dollars should not be used for this purpose, but it was left to the discretion of the administration.

Charlie Brau: I’m concerned about this same sentence. As it is written, there is a comma after “special purpose facilities” that changes the meaning. You could interpret this to mean that you could have a special purpose facility anywhere on campus. I’m concerned about that.

Senator Goldfarb: What about the sentence before it?

Charlie Brau: The sentence before it says “not in the areas where people are frequently found” but as was pointed out before, there are ways around that provision (a room with a lock on it, etc.). You could still have classified research facilities all over this campus, and I think its unnecessary and inappropriate. I’ve done classified research during my entire career, yet 90% of the classified programs involve unclassified work. 99% of the interesting parts of the programs are unclassified. I think that the classified portions could be done more cheaply by simply going to Washington, DC to a classified facility. I’m concerned that by allowing that comma to stand will allow us to have secured areas where people can’t go on campus.

Senator Flake: I have a broader question about wording in the first paragraph—what would constitute an exception to the general principles? How does the broader university have any say in what is justified as classified research and what limits are being placed on the contracts? Some of the wording seems to give extraordinary latitude to the agencies writing the contracts and is not governed by the university.

Senator Morrow: Both the task force and the APS committee in terms of the oversight of classified research wanted to strongly define the university's role and also put it under significant regulation by both the administration and faculty committee. In addition, I think that the undertaking of classified research has to be first an agreement on the part of the parties, but also has to be approved by a number of administrators and faculty.

Senator Fleetwood: At a research university, you don't want to accept contracts just because they include money. So, the review is to ensure that the contracts that are being bid on that include classified elements fall under the purview of the types of activities that we conduct at the university.

Senator Flake: I'm concerned that the arts and humanities will have a voice in what constitutes an appropriate project. We need to include a diversity of university voices in these deliberations.

Senator Fleetwood: I assume that would be taken into account when the committee is appointed as it is currently taken into account for IRBs.

Senator Flake: It might be a good idea to formalize that assumption.

Dennis Hall: I'd like to remind everyone that we are looking at the principles of classified research and I think that we are getting into specifics.

Senator Morrow: We have to keep the issue of changing the policy separate from the implementation of it.

Senator Stan Link: I think it's hard to separate the two issues. There's no language to ensure this institutional barrier to inhumane research.

Senator Morrow: I don't think currently any inhumane research would be done at this institution. That is not an issue that directly relates to the general principles of this change.

Jeff Balser: I can speak from the standpoint from the Human Subjects protections. My office administers these for the university. No human-related research is conducted at Vanderbilt without passing through an IRB review. This policy doesn't even allow human-related classified research because in order to do that, you'd have to form a classified IRB, and I don't think anyone will do that. If you wanted to do that, you'd have to figure out how to form a classified IRB. This is a non-issue.

Senator John Lachs: Is the removal of classified research from campus a symbolic issue? Is there a more substantive reason for doing this?

Senator Fleetwood: It's not so much symbolic as it is required. It is very difficult to write an acceptable security plan to safeguard the individuals who would be working on the research without having some sort of physical and intellectual separation from regular activity on campus. This is required by law.

Senator Lachs: Why can't classified research be counted toward tenure and promotion?

Senator Morrow: Because the tenure committee would not be able to review that research. They would need security clearances.

Senator Joey Barnett: Anyone in this room can go offsite and do classified research if they want. We already have a place at the table, intellectually and academically, in these endeavors. This proposal is about this fundamental issue: do we think this institution should be in the business of classified research? This is the question before us.

Senator Fleetwood: You are exactly right. And if we had a classified research facility close by, we probably wouldn't be having this discussion.

Senator Barnett: This would be a fundamental change in how we want to do business at this university. We can decide later how we want to implement it, if we decide to move forward.

Senator John McCarthy: What impact will this have on younger faculty members in terms of tenure and promotion?

Senator Fleetwood: We envision that tenured faculty would engage in classified research, not non-tenured faculty.

Dean Richard McCarty: I started out opposed to this proposal. I haven't changed my mind. Did the APS committee consider going a bit further than it did in this proposal? That is, to suggest that classified research could be done by Vanderbilt University, but it would be in a separate corporate entity that would be off-campus and that there would be a financial and intellectual firewall between the university as we know it and this corporation. The reason I ask that is because in the original discussions that occurred in the Senate, I recall that Vice Chancellor Jacobson made the comment that this would not have a negative impact on the Vanderbilt budget. How do we do this and be cost-effective?

Senator Morrow: The APS committee took up the task force report only. The vote was specifically taken on this issue only, and the report didn't address funding issues.

Dennis Hall: My memory of the discussion within the task force was that we had the feeling that there shouldn't be any university funds used for classified research.

Dean McCarty: Does that imply a different indirect cost rate? How can you pay for this with current indirect costs? I don't see how classified research can be fully funded at the current rate.

Senator Fleetwood: You can write in actual costs.

Senator Goldfarb: I don't see this as a philosophical shift—I see it as allowing for the possibility of classified research. It is clear that the wording discourages classified research, but it enables the possibility.

Senator Morrow: I think that it opens a dialogue that is currently unavailable.

Dean Steven Gabbe: In the School of Medicine, every young faculty member appointed to a tenure-track position must have in her or his letter of appointment a mentor or mentor committee identified. I would imagine these mentors would counsel young faculty members about classified research.

Provost Zeppos: This whole question of funding may raise the line drawn—is it a defense institute that has Vanderbilt in it or is it a Vanderbilt building? So, there are pragmatics involved like indirect costs, but it is also an issue for me when I sit with my provost colleagues from other universities and they say “We don't do classified research at our university.” They have separate institutes (for example, MIT or Johns Hopkins). So, we're not talking about how do we get it done—what we are really talking about is the demarcation of the university in some way. This is the distinction upon which this proposal rests.

Senator Joel Tellinghuisen: It would seem that most of the restrictions that are placed on classified research go against what we usually do at Vanderbilt. This is probably why we've never done classified research in the past. Are we anticipating ever-increasing government restrictions and impositions of secrecy by moving in this direction now?

Senator Morrow: I don't think that either the task force or the committee had this concern.

Senator Fleetwood: I think what is driving this proposal were that we have several research groups on campus that do work of high academic quality which has some implication to national defense. They occasionally receive requests to apply the research that they do in the national interest. At present because there is no suitable facility nearby campus where this can be done effectively, there is a concern from these research groups that they are not able to fully participate in this community, and there is concern among the administration, in some cases, that they may lose some of the strongest research groups to other institutions that can provide this opportunity. In terms of comments by the Provost, I would endorse that the easiest way to do this is to have a separate governance between a university and an applied research institute. The way that applied research institutes were built at other universities came into existence was that

first exceptions were made to allow classified research. Then, there were enough of these groups together then the institutes formed to make the governance simpler.

Senator Tellinghuisen: Could you comment on the incentives for these research groups—is it patriotism, money, or the desire to stay on the right side of the government?

Senator Morrow: In order to participate fully in the research effort, a research group needs to be able to do classified research, if that is a component of the project.

At this point, Chair Bob Thompson called for a vote taken by secret paper ballot on the motion. The motion passed with 23 for, 10 against, and 2 abstentions. Chair Thompson thanked Senator Morrow, Senator Fleetwood, and the Classified Research Task Force members for all of their hard work.

Next Item on the Agenda – Good of the Senate

Chair Thompson then called for business under Good of the Senate. Senator Jacek Hawiger presented a proposal for a motion regarding honorary degrees. Chair Thompson thanked him, and said that this matter would be taken up at the next Senate meeting.

Meeting adjourned at 5:34 p.m.

Respectfully submitted,

Marshall Summar,
Secretary