**Faculty Senate Resolution 20/21-10:**

**Faculty Handbook Chapter 5 Revision**

History: From Senate Research Policy Negotiating Team (T. Newman, C. Scholz)

 following negotiated agreement of Jan. 7, 2020 with Provost Curtis and V.P.-R.E.D. Lindquist

 At FSEC Feb. 13, 2020 for First Reading as Senate Bill 443; Passed First Reading that day

 At Faculty Senate Nov. 19, 2020, for Second Reading, ran out of time

 Passed Second Reading, Dec. 10, 2020, unanimously, becoming Senate Resolution 20/21-10

WHEREAS, the Faculty Senate has received a rejection of its proposed Faculty Handbook Chapter 5 language from the Administration, and

WHEREAS, at a negotiation session on Jan. 7, 2020, attended by Senate President Laird Burns, Provost Christine Curtis, Vice President for Research and Economic Development Robert Lindquist, and the proposers of this Senate Action, the two items causing Administration rejection were bridged by the attendees, and

WHEREAS, a new revision to Chapter 5 that includes the Jan. 7 session-agreed items has been prepared,

NOW THEREFORE BE IT RESOLVED:

That the Chapter 5 text that follows be considered approved by the UAH Faculty Senate as the new Chapter 5 of the UAH Faculty Handbook, and

BE IT FURTHER RESOLVED:

That upon final Senate approval and notice from the Administration of its concurring approval of this resolution, that the Chapter 5 text that follows be adopted as the new Chapter 5 of the UAH Faculty Handbook, and

BE IT ALSO RESOLVED:

That the Senate officers shall update the Faculty Senate web page with the revised Chapter 5 that follows, provided both final Senate approval and Administration notice of concurring approval of this resolution have been received.

[N.B.: The text of Chapter 5 which follows was supplied by the Office of the Provost. The change bars in it are changes from the prior Senate action on Chapter 5, *not changes from the currently in-force version of Chapter 5*.]

**CHAPTER 5**

Feb. 13, 2020 FSEC Item; Nov. 19, 2020 Faculty Senate Item

**5. Research Organization**

**5.1. Introduction**

Scholarly endeavors, research, intellectual property development within a discipline, and creative activities (henceforth, called “research”) are basic missions of the University. The University expects faculty members to conduct research and produce scholarly work, as broadly deﬁned within the faculty member’s discipline. Peer-reviewed research and scholarship play an important role for faculty in questions of promotion, tenure, and compensation review. It is the responsibility of the Office of the Vice-President of Research and Economic Development working with the Provost and Executive Vice-President of Academic Affairs to assist faculty in identifying and seeking external and internal funding, when such funding is available.

The content and conduct of research and scholarship are primarily the responsibility of the faculty and research staff. The guidance of students, at both the graduate and undergraduate levels, in research and scholarly endeavors, is considered an important part of faculty responsibilities.

The senior administration of the University will facilitate the success of faculty-led efforts by encouraging, assisting, recognizing, and rewarding research-related endeavors. The Vice President for Research and Economic Development (VPRED) is charged with providing leadership and support of research and economic development throughout the University. The Vice President for Research and Economic Development also fosters the development of working relationships with local, state, and federal governments, as well as with business and industry.

**5.2. Research Council**

The Research Council provides a forum for the interchange of information on research activities of broad interest, advises on long-term collaborative research venture developments, and reviews recommendations by the Vice President for Research and Economic Development for the creation, continuation and discontinuance of research units. The Research Council annually reviews the Research Centers for sound management and performance, in addition to advising on the performance of research administration units and research-support operations. The Research Council is comprised of representatives of the research units appointed by the Vice President for Research and Economic Development, the deans of schools and colleges, and two faculty representatives elected by the Faculty Senate. The Research Council is chaired by the Vice President for Research and Economic Development (or an Associate Vice President in the Vice President’s absence), who provides, at a minimum, a written Annual Report on the University’s research performance to the University community. The Research Council will meet at least twice a semester during the academic year and at least once during the summer semester.

**5.3. Organized Research Administration**

The administration of research contracts and grants is carried out under the direction of the Vice President for Research and Economic Development, the Associate Vice President for Research and Economic Development, and the Associate Vice President for Contracts and Grants. Several offices, institutes, centers, consortia, and laboratories report to the Vice Presi­dent for Research and Economic Development. An organizational chart is available from the Office of the Vice President for Research and Economic Development.

**5.3.1. Sponsored Programs Support Offices**

The Office of the Vice President for Research and Economic Development provides pre-award and contractual post-award services in support of sponsored research programs primarily through three offices; The Office of Proposal Development (OPD), The Office of Sponsored Programs (OSP), and Contracts and Grants Accounting (C&G). The Office of Proposal Development is responsible for aiding UAH faculty in academic departments and staff in research centers to identify research opportunities, assist with large-scale proposals involving significant effort and multiple collaborators, manage the limited submission proposals process, and conduct proposal development training for faculty and staff. The Office of Proposal Development will assist every faculty member and research center staff member who request assistance to the extent possible within the constraints of available resources.

The Office of Sponsored Programs assists faculty and research staff in the submission of proposals and the management of awards. The Office of Sponsored Programs will have contracts and grants specialists to assist the UAH colleges and research centers. Pre-award assistance may include the identiﬁcation of potential sponsors and the preparation of the non-technical portions of proposals (e.g., budget preparation and the business/management aspects). The Office of Sponsored Programs staff assists principal investigators in complying with the policies and procedures of the University and the external sponsor. It is the responsibility of this ofﬁce to review all proposals, as well as to negotiate changes in the terms and conditions of existing research programs. The technical content of proposals for contracts and grants is the prerogative and responsibility of the faculty and appropriate research staff.

After a contract or grant is awarded, the Offices of Sponsored Programs and Contracts and Grants Accounting staff provide post-award contract administration services, in accordance with sponsor policies and procedures, and assist the principal investigator in resolving administrative problems related to the project. The Offices of Sponsored Programs and Contracts and Grants Accounting work closely with the Associate Vice President for Contracts and Grants to ensure that contract and grant work is accomplished in accordance with the rules and regulations of the sponsor.

For post award contract and grant administration, the Office of Contracts and Grants Accounting, in a collaborate effort with the Office of Sponsored Programs and Contracts, will support principal investigators. The Office of the Vice President for Research and Economic Development assists faculty and staff by providing training, templates and tools on preparing proposal budgets, developing working budgets from proposal budgets, analyzing and updating budgets, and monitoring and closing out budgets.

**5.3.2. Technology Commercialization and Intellectual Property - Office of Technology Commercialization**

UAH encourages the commercial development of intellectual property, including patents, copyrights, and trademarks, that will beneﬁt the public as well as the faculty and staff of the University. The Vice President for Research and Economic Development, acting through the Office of Technology Commercialization, has general responsibility for the evaluation of inventions in which the University has an interest. Rule 509, Patent Policy, of The Board of Trustees of The University of Alabama and established UAH policies set forth the procedures to be followed when an employee or student develops inventions or copyrightable material, as well as the guidelines for distributing the revenue from such intellectual property to the employee and the University. (Appendices G and H contain details on the Patent Policy and the Copyright Policy)

In accordance with Board Rule 509 (or similar Board Rule passed by the Board of Trustees of the University of Alabama), “any invention or discovery (1) which is the result of research carried out by or under the direction of an employee of a campus of the University and/or having the costs thereof paid from funds provided by, under the control of or administered by a campus of the University, or (2) which is made by an employee of a campus of the University and which relates to the employee's field of work, or (3) which has been developed in whole or in part by the utilization of resources or facilities belonging to a campus of the University, shall be the property of the applicable campus of the University. The applicability of the above stated criteria to any invention or discovery will be determined at the sole discretion of the President of the respective campus of the University or his/her designee.”

Board Rule 509 further states that “as a condition of their employment or continued employment by or enrollment at a campus of the University, each faculty member, employee and student agrees that he/she is contractually bound by this patent policy as implemented by the respective campuses of the University and shall report to” the officer designated for that purpose by the President of the campus “any invention or discovery which such faculty member, employee or student has conceived, discovered, developed and/or reduced to practice by them or under their direction at any time following their initial appointment by, employment by, or enrollment with that campus of the University.”

**5.3.3. Security - Office of Research Security**

The Office of Research Security reports to the Vice President for Research and Economic Development and is responsible for overseeing the protection of research-related classified projects and artifacts, export control enforcement, training for UAH faculty and staff related to research security and export control laws enforced by the Department of State through its International Traffic in Arms Regulations (ITAR) and by the Department of Commerce through its Export Administration Regulations (EAR), advising faculty and staff on matters of research security, and maintenance of security clearances of UAH employees and students. The Office of Research Security serves as the liaison between UAH and external government organizations with respect to security and export control related concerns.

**5.3.5** **Environmental Health and Safety -** **Office of Environmental Health and Safety**

The Office of Environmental Health and Safety is a professional advisory and service- oriented office that promotes occupational and facilities safety and environmental stewardship in support of the University mission. This office reports to the Vice President for Research and Economic Development and is responsible for safety training, hazardous/regulated waste pickup, laboratory inspections, and chemical disposal.

**5.4. Internal Support**

The Vice President for Research and Economic Development provides a variety of internal grant programs for advancement of faculty research capa­bilities in all academic disciplines including a program that focuses on junior faculty research and creative activities. The Vice President for Research and Economic Development announces, University-wide, such opportunities to all faculty and staff and is responsible for evaluating responses and making awards

Awards in internal grant programs offered by the Vice President for Research and Economic Development are made by the Ofﬁce of the Vice President for Research and Economic Development (OVPRED) based on a review process established by the Vice President for Research and Economic Development. One of the programs focuses on junior faculty research and creative activity. The Vice President for Research and Economic Development makes award decisions based on recommendations from a review committee that in general includes one senior faculty member from each of the colleges or schools that has tenured faculty members as well as representatives from the research centers and faculty senate. The faculty committee member for a college or school is appointed by the college or school’s dean. Guidelines on eligibility, content and format of the proposal submissions will be published by the Ofﬁce of the Vice President for Research and Economic Development.

**5.5. Research Units (Institutes, Laboratories, Centers and Consortia)**

Research units may be formed within colleges or as separate entities with University resources beyond and above those available to chairs and deans. A consortium will typically have strong industrial participation in its operation as well as in allocation of resources. Research units report either through a dean or directly to a Vice President. The reporting route will be established at the initiation of a research unit.

At the end of each ﬁscal year, research units will provide to the responsible administrator information on research achievements, publications, interaction with faculty and students, teaching provided by center personnel, sponsored research funding, cooperation and interaction between colleges and research units, and short-term as well as long-term goals. These reports will be available University wide.

**5.6. Establishment, Review, and Discontinuance of Research Units**

Proposals for new research units are submitted through the appropriate chairs and deans, or directors, to the Vice President for Research and Economic Development or to the appropriate vice president prior to submission to any approving authority and/or potential sponsors. Pro­posals must include the following: a mission statement for the proposed research unit; a dis­cussion of the advantages and disadvantages of establishing the unit, including the potential impact on the University's academic and research programs; and a detailed ﬁve-year plan out­lining the space, equipment, and budgetary resources required together with existing and potential funding sources. All proposals for establishment or discontinuance must conform to the Board of Trustees Board Rule 503 Academic, Research, Service, and Administrative Units.

Proposals for new research units are reviewed by an ad hoc committee appointed by the Vice President for Research and Economic Development or the vice president to which the research center will report and consisting of faculty of the relevant college(s) involved as well as members representing the existing research units. The recommendations of this review committee are presented to the Research Council for its consideration and recommendations. The recommendations of the ad hoc review committee along with the recommendations of the Research Council are submitted to the Vice President for Research and Economic Development, who will approve or disapprove the proposal after consultation and agreement with the Provost and the President.

A new research unit may require approval by The Board of Trustees of The University of Alabama according to Board Rule 503 (or similar Board Rule passed by The Board of Trustees of The University of Alabama), Academic, Research, Service, and Administrative Units:

1. *The establishment of new academic, research, service, and administrative units, including but not limited to, departments, divisions, schools, colleges, centers, and institutes, must be submitted for review and approval to the Chancellor and the Board of Trustees.*
2. *The institutions of The University of Alabama System are required to submit requests for new academic, research, service, and administrative units to the Chancellor for review and approval. Upon the recommendation of the Chancellor, the new academic, research, service, and administrative units request will be submitted to The Board of Trustees for final approval.*
3. *The institution must notify the Board, as an approval item, of any internal changes that are reasonable extensions or alterations of existing academic, research, service, and administrative units including organizational changes.*

Existing centers and institutes are reviewed annually for ﬁscally sound management and performance. The performance and relevance of each research unit are also comprehensively reviewed at least every ﬁve years, following a procedure developed by the Office of the Vice President for Research and Economic Development and approved by the President. Find­ings and recommendations are submitted to the Vice President for Research and Economic Development, who decides on continuation or discontinuance after consultation and agreement with the Provost and the Presi­dent. In accordance with Board Rule 503 (IV), when a decision to discontinue a center or institute is made, the President notifies the Chancellor who recommends the center’s or institute’s closure to The Board of Trustees for its approval. A report of the ﬁndings is made accessible campus-wide.

**5.7. Research Unit Personnel**

Directors of research units are appointed by the Vice President for Research and Economic Development with the concurrence of the Provost and the President. Directors must have demonstrated national research leadership, as appropriate to the research unit mission, and have the appropriate terminal degree or equivalent experience. In the interest of an optimal interaction with faculty, it is desirable that research unit directors have academic experience. Except in the most unusual of circumstances, center directors will have experience commensurate with someone meriting appointment as an associate (or full) professor. Research Center Directors may, but do not need to have, an academic appointment. The academic appointment process is outlined in Chapter 7. Research Center Directors will be reviewed annually.

In the interest of promoting cooperation and interaction between colleges and research units, a large percentage of the senior research staff employed by research units should be eligible for faculty appointments. Research staff may also be appointed as research faculty within a department. Details on the research faculty appointment process are in Chapter 7.