

Agenda of the Faculty Senate
January 13, 2022
Zoom Meeting
3:30-5:00pm

- I. Recognize proxies
- II. Approval of agenda
- III. Approval of minutes from December 2, 2021
- IV. Remarks from Dr. Ken Kitts, President
- V. Remarks from Dr. Ross Alexander, Provost/EVPAA
- VI. Remarks from Dr. Jason Watson, Faculty Senate President
- VII. Reports
 - a. Standing Committees
 - i. Faculty Affairs
 - 1. UNA Conflict of Interest and Financial Disclosure Policy (SGEC: FS)
 - ii. Academic Affairs
 - iii. Faculty Attitude Survey
 - iv. Faculty Handbook Oversight
- VIII. Unfinished Business
 - a. Proposal for handbook change in Tenure and Promotion (Faculty Exec)
- IX. New Business
 - a. None.
- X. Information items
- XI. Adjourn

Faculty Senate Minutes

2 December 2021

Call to order:

A regular meeting of the University of North Alabama's Faculty Senate convened via Zoom Video Conferencing at 3.30pm with President Watson presiding.

I. Recognized Proxies and New Senators

Lori Johnson for Felicia Harris

Darlene Townsend for Jennifer Maddox

George Makowski for Ansley Quiros

Members in attendance

Lori Alford, Alejandra Alvarado-Brizuela, Rae Atencio, Lisa Ann Blankinship, Tabitha Blasingame, Greg Buckley, Dan Burton, Cory Cagle, Justin Carter, Chris Cottingham, Frank Diaz, Litzy Galarza, Felicia Harris, Betsy Heckert, Achini Herath, John Hodges, Andrea Hunt, Ann-Marie Irons, Lauren Killen, Lisa Kirch, Christopher Klein, Ian Loeppky, Thomas Lukowicz, Jennifer Maddox, Janna Malone, Jessica Mitchell, Prema Monteiro, Katie Owens-Murphy, Cheryl Price, Jason Price, Chris Purser, Vincent Salpietro, Patrick Shremshock, Lindsey Sherrill, Kevin Stoltz, Jessica Stovall, Jillian Stupiansky, Jason Watson, Laura Williams, Pete Williams, Gretchen Windt

Members not in attendance (without proxy)

Justin Carter, Lisa Clayton, John McGee, Craig Robertson, Sunhui Sim

II. Approval of the Agenda

Senator Stovall made a motion to approve the agenda, seconded by Senator P. Williams. Motion passed.

III. Approval of minutes from the 11 November 2021 Meeting

Senator Monteiro made a motion to approve the minutes from November meeting, seconded by Senator Sherrill. Motion passed.

IV Remarks from Dr. Ken Kitts, UNA President

- A President's communique was recently released with updates on Project 208 and Covid-19 response.
- President Kitts and Provost Alexander are making rounds to meet with departments/ units throughout AY 2021/2022.
- UNA's use of Braly stadium is being considered for September 2022.
- Senator J. Price asked about Covid vaccine requirements; UNA is not subject to these requirements.

V. Remarks from Dr. Ross Alexander, Provost and Executive Vice President for Academic Affairs

- Dr. Alexander provided updates on several new programs to launch in the next academic year (AY 2022/ 2023) including partnerships with Guizhou University (graduate and undergraduate programs), Huizhou University (undergraduate), DNP (UNA, Spring 2022), BS in Respiratory Care (UNA, Fall 2023)), and AS degrees (UNA, Fall 2023)
- Enrollment for Spring 2022 should continue to increase.

VI. Remarks from Dr. Jason Watson, Faculty Senate President

VII. Reports

Standing Committees

- Faculty Affairs – UNA Conflict of Interest and Financial Disclosure Policy (SGEC:FS) – Senator Owens-Murphy provided an update; the committee is still meeting.
- Academic Affairs – No report.
- Faculty Attitude Survey – No report.
- Faculty Handbook Oversight – No report.

IX. Unfinished Business

- None

X. New Business

- Proposal for handbook changes to Tenure and Promotion (Faculty Exec) – This proposal is specifically designed to limit page numbers for the narrative as this limitation was inadvertently removed during last year’s update. Other changes will be reviewed at a later date.

XI. Information Items

- None

XII. Adjourn

Motion to adjourn proposed by Senator Stovall and seconded by Senator Makowski. Meeting adjourned at 3.59pm.

DRAFT 05032021 University of North Alabama Conflict of Interest and Financial Disclosure Policy

Prepared for
The University of North Alabama

By
The Office of Grants and Sponsored Programs
<http://www.una.edu/sponsored-programs>

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Dates of Approval

General Counsel: 02/12/2021
University Grants Council (review and comment): 02/03/2021
Council of Academic Deans:
Shared Governance Executive Committee:
Faculty Senate:
Staff Senate:
Student Government Association Senate:

**THE UNIVERSITY OF NORTH
ALABAMA
CONFLICT OF INTEREST AND FINANCIAL DISCLOSURE POLICY IN
RESEARCH AND OTHER SPONSORED PROGRAMS**

I. BACKGROUND

The University of North Alabama (UNA) realizes that actual or potential conflicts of interest may occur in the normal course of research and other sponsored activities. The University has developed this policy relating to conflicts of interest applicable to all UNA investigators. The policy applies to all Sponsored Programs, including federal, state and local government; industry; or not-for-profit sponsors. The policy also covers UNA intellectual property licensed to an entity in which a UNA investigator owns an interest or serves as an employee, officer, or member of the Board of Directors regardless of the source of funding. The policy is to be administered in conjunction with laws and policies setting forth standards of conduct including Title 42 Code of Federal Regulations (CFR) Part 50, Subpart F; Title 45 CFR Part 94; and the Ethics Act of the State of Alabama.

The Public Health Service (PHS) (which includes the National Institutes of Health) and the National Science Foundation (NSF) have regulations promoting objectivity in research by requiring that a university applying for grants or cooperative agreements for research insure that there is no reasonable expectation that the design, conduct, and reporting of the research to be funded pursuant to the application will be biased by any significant financial interest of the investigator or other personnel with decision making capacity working on the research and that the research environment is one that promotes faithful attention to high ethical standards. In further support of this expectation the federal government has issued an agency-wide requirement that policies and procedures regarding financial conflicts of interest be issued on research and other sponsored programs federally funded. The University has adopted this Policy on Conflict of Interest to prevent or resolve, through management and/or mitigation, real or apparent conflicts that may exist in relation to research, instruction, and service activities undertaken by University investigators.

II. POLICY STATEMENT RELATING TO CONFLICTS OF INTEREST

It is the purpose of this policy to insure that no proposed, awarded or ongoing UNA research or sponsored programs (hereinafter referred to collectively as “research”) shall be biased by Significant Financial Interest, as defined below, or by a conflicting commitment of UNA investigators responsible for the design, conduct, or reporting of that research.

All UNA faculty or staff who serve as Principal Investigators, Co-Principal Investigators, Project Directors, Co-Project Directors or in a decision making capacity on a grant, contract, cooperative agreement or other sponsored agreement, who have a five percent (5%) or more ownership in a

company or receive \$10,000 or more income from the company will disclose that ownership to allow a review of potential conflicts of interest, conflicts of commitment, conflicts regarding employment and/or use of graduate students in the company.

This policy also applies to any faculty, staff, student, fellow, trainee, or other individual who, under the aegis of UNA or pursuant to the review and approval of UNA's Institutional Review Board for the Protection of Human Subjects (IRB), conducts research involving human subjects.

Prior to seeking UNA approvals for submission of any research or sponsored project proposal or application, each investigator, as defined under definitions below, must have submitted to UNA's Office of Sponsored Programs a financial disclosure statement certifying they have no conflict of interest or if they believe they have a conflict of interest listing all Significant Financial Interests of the investigator and the investigator's immediate family, as defined under definitions below. Each such financial disclosure statement must be updated during the course of the award either on an annual basis, or as new reportable Significant Financial Interests are obtained.

The Office of Grants and Sponsored Programs will maintain confidential records, identifiable by investigator, award and/or company, of all financial disclosures and all actions taken with respect to each Significant Financial Interest for at least three years beyond the termination or completion of the award, or until resolution of any action by a granting agency involving the records, whichever is longer. In the case of faculty or staff ownership of a company, all financial disclosures and all actions taken with respect to each Significant Financial Interest will be held for the life of the company.

This policy establishes guidelines for the appropriate structuring of relationships with industry and other outside ventures to prevent conflict with previously established responsibilities to UNA. Investigators are expected to make reasonable inquiry as to whether their relationships and activities fall within the provisions of this policy. It is not the intent of this policy to eliminate or prohibit all situations involving potential conflicts of interest. Rather, the policy is intended to enable investigators to recognize situations that may pose a conflict of interest, to provide processes for reporting these situations to UNA's Office of Grants and Sponsored Programs and for working with the Office of Grants and Sponsored Programs to manage these situations. This policy is intended to maintain the professional autonomy of researchers inherent in the self-regulation of research and scholarship.

In the event that an investigator participates in research subject to this policy and the research is being simultaneously supported by an organization that has a commercial interest in the outcome of the research project, the research support by such organization must be provided through UNA. Any direct compensation or payment to the Investigator under that support must be disclosed, regardless of the amount. This policy will provide assurance to the investigators, UNA, and, most importantly, the public, that relationships with industry and for-profit entities have been examined and will be conducted in a manner consistent with UNA and public values.

III. DEFINITIONS

A. Deciding Official. The University official who makes final determinations on managing conflicts of interest. At UNA, the Executive Vice President for Academic Affairs and Provost will be the Deciding Official.

B. Financial Conflict of Interest. A Significant Financial Interest that could directly and significantly affect the design, conduct, or reporting of Sponsored Research.

C. Immediate Family. Immediate family includes the investigator, his/her spouse, and dependent children.

D. Investigator. Investigator means UNA faculty or staff members who are principal investigators or project directors, co-principal investigators, or other persons at the university responsible for the design, conduct, or reporting of research, educational, or service activities funded, or proposed for funding, by an external sponsor.

E. Research Compliance Officer (RCO) aka Director, Office of Sponsored Programs. The RCO will be the first point of contact for investigators on issues relating to conflict of interest and will perform the initial review of the Statement of Potential Conflict of Interest. The RCO will also coordinate the review of this statement with the University's Institutional Review Board for the Protection of Human Subject. The RCO will process all paperwork related to conflict of interest disclosures and, if appropriate, conflict of interest management plans.

The Research Compliance Officer is responsible for keeping the appropriate external funding agency informed if UNA finds it is unable to satisfactorily manage an actual or potential conflict of interest for any activity in which that agency requires that it be notified in such an instance.

FE. Sponsored Research. Sponsored Research means research, training and instructional projects involving funds, materials, or other compensation from external sources.

G. Research. Research means a systematic investigation designed to develop or contribute to knowledge.

H. Research Integrity Officer (RIO). The University Official responsible for determining if a significant financial interest or other condition creates a conflict of interest for an investigator and responsible for managing conflicts of interest. The Research Integrity Officer will be the Senior Vice Provost for Academic Affairs.

I. Significant Financial Interest. Significant Financial Interest means anything of monetary value or potential monetary value including, but not limited to, salary or other payments for services (e.g. consulting fees or honoraria), travel expenses (whether paid directly on behalf of the investigator or reimbursed to the investigator), equity interests (e.g. stocks, stock options, or other ownership interests), and intellectual property rights (e.g. patents, copyrights, licensing agreements, and royalties from such rights) of an investigator or investigator's immediate family that meets any of the following, when related to the investigator's institutional responsibilities:

- 1) An equity interest or compensation that, when aggregated for an investigator and the investigator's immediate family, exceeds \$5,000 from any publicly traded or privately held entity in the 12 months immediately preceding disclosure;
- 2) Intellectual property rights and interests (e.g. patents, copyrights), upon receipt of income related to such rights and interests.
- 3) Any amount when the proposed project requires the use of human subjects and approval of the Institutional Review Board.

Except for the following:

- 1) Interest(s) held directly through funds such as mutual funds, pension funds, or other institutional investment funds in which the investigator or the investigator's family does not control the selection of investments.
- 2) Salary or other remuneration received from UNA, including salary received from external sources through sponsored research agreements administered by UNA;
- 3) Standard royalties received for published scholarly work or other professional writings;
- 4) Income from seminars, lectures, or teaching engagements sponsored by a federal, state, or local government agencies; an institution of higher education, an academic teaching hospital, medical center, or research institute;
- 5) Income from services on advisory committees or review panels for a federal, state, or local government agencies; an institution of higher education, an academic teaching hospital, medical center, or research institute.

CONFLICTS OF INTEREST

A potential or actual conflict of interest exists when an investigator or an investigator's immediate family has a significant financial interest, as defined above, in an outside funding source which interest could directly and significantly affect decision making in the design, conduct, or reporting of externally funded instruction, research, or service activities performed on behalf of the University.

V. PROCEDURES

A. All Investigators must certify to the University's Research Compliance Officer (RCO) knowledge of and compliance with UNA's policy for promoting objectivity in research by managing, reducing, or eliminating conflicts of interest as outlined herein (the Statement of Potential Conflict of Interest). This certification and disclosure form also requires similar information about members of the investigator's immediate family. Statements must include detailed supplemental information if an investigator marks any "yes" box.

B. Investigators must disclose to the RCO on an ad hoc basis new situations in which Significant Financial Interests are obtained and which may raise questions of conflicts of interest as soon as such situations develop.

C. The Research Compliance Officer (RCO) will review the certification and disclosure statement to determine whether a potential for a conflict of interest exists. A potential conflict of interest exists when the RCO reasonably determines that a Significant Financial Interest could affect the design, conduct, or reporting of the research or educational activities in question. If it is determined that no conflict exists, the RCO will sign the statement and maintain a record of the certification in accordance with this policy. If the RCO determines that there may be a potential for conflict of interest covered by this policy, the RCO will forward this determination along with the submitted materials to the Research Integrity Officer (RIO).

D. Should the RIO agree that the situation represents potential for a conflict of interest, and recommend development of a conflict of interest management plan; the RCO shall work with the Investigator to develop the plan to manage, reduce, or eliminate the actual or potential conflict of interest. The plan will then be submitted to the RIO who then may recommend approval of the plan as developed or may recommend modification of the plan.

E. Examples of conditions or restrictions that might be part of the plan to manage, reduce, or eliminate actual or potential conflicts of interest include:

- 1.** Public disclosure of Significant Financial Interests;
- 2.** Monitoring of the research by independent reviewers;
- 3.** Modification of the research plan;
- 4.** Disqualification from participation in all or a portion of the research project in question;
- 5.** Divestiture of Significant Financial Interests; and,

6. Severance of relationships that create actual or potential conflicts.

F. Once a plan approved by the RIO is developed, the RCO will work with the investigator on the implementation and management of the plan.

G. If the management recommendation involves divestiture of financial interests or severance of relationships that create actual or potential conflicts, the RIO will confer with the Deciding Official. The Deciding Official has the authority to require the divestiture of significant financial interests and/or the severance of relationships that create actual or potential conflicts.

VI. Appeals

Appeals of Recommendations made by RIO. Should an Investigator wish to appeal a decision made by the RIO, he/she may present the appeal to the Deciding Official. The RIO will confer with the Deciding Official. In such cases, the Deciding Official shall review all of the materials relating to the action in question, shall discuss the findings/decisions with the investigator, RCO, and RIO. After review, the Deciding Official shall make a final decision as to the action.

All decisions of the Deciding Official of an appeal under this policy are final.

VII. INVESTIGATOR RESPONSIBILITIES

A. **Responsibilities of Investigators.** UNA Investigators involved in research shall be responsible for:

1. Reading, understanding and following this policy;
2. Disclosing financial interests to the Research Compliance Officer by completing, signing, and submitting the Statement of Potential Conflict of Interest on or before a specified date or before submission of the grant/contract application;
3. Updating the statement with the Research Compliance Officer as changes occur, so that the statement on file is current and accurate at all times when an award is pending or in force;
4. To the extent possible, ensuring that funded research carried out through subgrantees, contractors, or collaborators complies with UNA's Policy on Conflict of Interest or that these entities provide assurance of compliance with all federal regulations and state law;

VIII. REPORTING

A. For externally funded or sponsored activities, the University must report any financial conflict of interest to the funding source prior to expending any funds, and any financial conflict of interest identified subsequent to the initial report must be reported within 60 days of that identification. Further, the University agrees to make conflict of interest information available, upon request, to any external funding source potentially or actually affected by this information. If it is determined that an investigator has biased externally funded or sponsored activities, the University will promptly notify the funding source of the corrective action taken or to be taken. In the case where a project to evaluate a drug, medical device or treatment, and or equipment was conducted by an investigator with a conflict that was not disclosed or managed, the University will require the investigator to disclose the conflict in each public presentation of the results of the research. The RCO shall be responsible for reporting as required in this section.

B. The institution may be required to conduct a retrospective review of cases of noncompliance and to notify and report cases where bias is found. In cases of noncompliance, the Research Integrity Officer will review and report in accordance with the policies of the external funder.

IX. PUBLIC ACCESSIBILITY

A. Upon receipt of a written request for access to financial conflict of interest information by the Research Integrity Officer, the RIO will evaluate the request and any requirements for public disclosure, including timeliness and content of disclosures, and disclose financial conflict of interests in accordance with the policies of the external sponsor.

X. SUBRECIPIENT INSTITUTIONS

A. UNA will incorporate as part of a written agreement terms that establish whether the UNA Policy on Conflict of Interest or that of the subrecipient will apply to subrecipient investigators and include time periods to meet disclosure and/or financial conflict of interest reporting requirements. Subrecipient institutions which rely on their financial conflict of interest policies must report identified financial conflict of interests to UNA within 30 days of identification of the conflict of interest to provide sufficient time for UNA to report the financial conflict of interest to the funding agency to meet reporting obligations.

XI. TRAINING REQUIREMENTS

A. Each investigator must complete training prior to engaging in sponsored activity related to any funded grant or contract at least every four years and immediately under the designated circumstances:

- Institutional FCOI policies change in a manner that affects investigator requirements;
- An investigator is new to an institution;
- An institution finds an investigator non-compliant with the institution's FCOI policy or management plan.

XI. ENFORCEMENT

A. UNA anticipates that its investigators will comply fully and in a timely manner with this policy. Instances of deliberate breach, including: (i) failure to submit required statements or updates thereof; (ii) failure to provide additional information requested by the Research Compliance Officer (RCO), or the RIO; (iii) knowingly filing an incomplete, erroneous, or misleading statement; (iv) knowingly violating applicable laws, UNA policies or procedures; (v) or failure to comply with prescribed conditions or restrictions that have been imposed pursuant to this policy, may subject the investigator to disciplinary action under UNA policies or procedures. Such action could result in a formal reprimand, non-renewal of appointment, termination of appointment for good cause, or any other enforcement action mandated by a granting agency.

XII. Use of Human Subjects

A. **Use of Human Subjects.** Any faculty, or staff, student, fellow, trainee, administrator, volunteer, or other individual who, under the aegis of UNA or pursuant to the review and approval of UNA's Institutional Review Board for the Protection of Human Subjects (IRB), conducts research involving human subjects must complete and submit a statement for review by the Research Compliance Officer (RCO). The statement must be updated as circumstances of the Investigator or his/her spouse or dependent children change.

MEMORANDUM

TO: Dr. Jason Watson
President, Faculty Senate

FROM: Faculty Senate Executive Committee

RE: Proposed Revision to Faculty Handbook

DATE: December 2, 2021

During the 2021 tenure and promotion process, some faculty reviewers noticed a wide range of “cover letter” formats and lengths. Based on the feedback received, the Faculty Senate Executive Committee reviews these comments and proposed the following recommendations to help improve format consistency of tenure and promotion packets.

Attached to this memorandum are the proposed revisions to Section 2.6.3 of the UNA Faculty Handbook as an excerpt of the section pertaining only to the structure of the electronic tenure and promotion portfolio.

1. Application for Promotion and/or Tenure (Refer to [Appendix 2.F](#))
2. A narrative in which the faculty member indicates degree of merit or level of prestige or quality of work specific to his/her area in order to demonstrate quality of scholarship for university-wide committee members who may be unfamiliar with the field, as well as indicates which of the areas in item 5 should be weighed more heavily or less heavily than others (maximum 15 pages)
3. Current Resume or Vita submitted by the faculty member via the online database that UNA has established for this purpose
4. Faculty Qualifications Report pulled into application via the online database that UNA has established for this purpose
 - a. Education (Institution, major, minor, degrees awarded, and dates degrees were awarded)
 - b. College/university teaching or library/educational technology services experience as appropriate to field (include position and dates)
 - c. Other teaching or library/educational technology services experience (describe and include dates)
 - d. Other related experience (describe and include dates)
5. Supporting information for the following items, as outlined in section 2.6.1, submitted via the online database that UNA has established for this purpose
 - a. Effectiveness in Teaching/Effectiveness in Role as Library or Educational Technology Services Faculty
 - b. Effectiveness in Research, Scholarship, and Other Creative Activities
 - c. Effectiveness in Rendering Service
 - d. Any other relevant information pertaining to the college or department

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Responsibility of the Peer Promotion and/or Tenure Committee

When a faculty member applies for promotion and/or tenure, it is the responsibility of the department chair to form a peer promotion and/or tenure committee and to supply the names of the committee members to the Provost and Executive Vice President for Academic Affairs via promotions@una.edu by September 1. The University Librarian serves the function of chair and dean in Collier Library and Information Services. The Executive Director serves the function of chair and dean in Educational Technology Services. The department chair shall convene a peer promotion and/or tenure committee, consisting of all tenured faculty not applying for promotion in the department. No committee shall consist of less than five tenured faculty. When that number is not possible at the departmental level, the chair will complete the committee membership from among all tenured faculty not applying for promotion from other departments in the college or in a related discipline. The department chair or designee will supervise the election of a committee chairperson. After all members have reviewed each portfolio, the committee will meet *en masse* (convened in