



Council of Principal
Investigators

Texas A&M University
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College Station, Texas 77843-1112
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CPI Meeting Agenda
Wednesday, 12 July 2006

(This is a "virtual" meeting, materials distributed via e-mail)

(N/A) Call to Order/Opening Remarks:

Tom Blasingame (Chair), David Russell (Chair-Elect), Jim Sacchettini (Past-Chair)

(by e-mail) Update on TAMUS IP/Commercialization Proposal —David Russell/Alan Love

(by e-mail) Update on TAMU Human Resources (HR) Initiatives — Jill Pollock

(N/A) Standing Committee Reports: (Moderated by Blasingame/Russell/Sacchettini)

VPR/TAMRF Reports:

- (VPR) Compliance — Angelia Raines
- (VPR) Undergraduate Research — Bob Webb
- (VPR) Executive Overview — Jim Calvin
- (TAMRF) Research Foundation — Mark Smock
- (Fac. Senate) Faculty Senate — Doug Slack
- (Dist. Prof.) Distinguished Prof. — Howard Kaplan

TAMU Reports:

- (TAMU) Legislative — Michael O'Quinn
- (TAMU) Human Resources — Jill Pollock
- (TAMU) Intl. Programs — Suzanne Droleskey
- (TAMU) Intl. Services — Mario Rojo del Busto
- (TAMU) Grad. Student Coun. — Jamie Rae Walker
- (TAMU) Int. V.P. Diversity — Karan Watson

Reports From CPI Working Groups: (Moderated by Blasingame/Russell/Sacchettini)

Internal Working Groups: (CPI)

- National Academies — B. Don Russell
- Graduate Studies — Michael Weimer
- Faculty Technology Pamphlet — Jim Sacchettini
- Undergraduate Research — Bob Webb

University Advisory Councils:

- Built Environment — Max Summers (informal)
- Research Environment — Blasingame/Russell
- Finance — (?)
- Education — Rick Giardino (informal)

(N/A) Other Business: (Moderated by Blasingame/Russell/Sacchettini)

- COALS — Paul Fitzpatrick (Biochemistry-Biophysics), Herman Scholthof (Plant Pathology)
- Vice Chair — Nominations will remain open throughout summer 2006 (contact: Blasingame/Russell)

(N/A) Adjournment:

Attachments: (distributed electronically)

- DRAFT Minutes from 10 May 2006 CPI Meeting
- Memo (Ewing) Current Status and Recommendations for Intellectual Property Mgmt and Com. Policy (23 May 2006)
- Memo (Gates) Intellectual Property Policy and Tenure (26 May 2006)
- Draft Report (Maggert/Bloomfield) Bridge Funding Proposal (05 July 2006)

cc: (distributed electronically, with attachments)

- Dr. Robert M. Gates, President (Texas A&M University)
- Dr. David M. Prior, Executive Vice-President and Provost (Texas A&M University)
- College Deans, Administrative Heads, and Department Heads (Texas A&M University)
- Dr. Doug Slack, Speaker of the Faculty Senate (Texas A&M University)
- Dr. Howard Kaplan, Chair of the Distinguished Professors (Texas A&M University)
- CPI Membership

Chair — Tom Blasingame, *Engineering* (845-2292, t-blasingame@tamu.edu) • Vice-Chair — David Russell, *Science* • Past-Chair — Jim Sacchettini, *COALS* • *Architecture* — Donald House • *Business* — Joobin Choobineh • *COALS* — Alan Love, Rosana Moreira, Suresh Pillai, Dorothy Shippen, David Stelly • *Education* — Susan Bloomfield • *Engineering* — Dave Burnett, Don Russell • *Geosciences* — Sarah Bednarz, Lisa Campbell, Mahlon Kennicutt • *Health Science Center* — Geoffrey Kapler, Marty Scholtz • *Liberal Arts* — Howard Kaplan, James Grau • *Science* — Deb Bell-Pedersen, Keith Maggert, Michael Weimer • *TEES* — David Boyle • *TTI* — William Eisele, Katherine Turnbull • *Veterinary Medicine* — Bhanu Chowdhary, James Derr

Current Status and Recommendations for Intellectual Property Management and Commercialization Policy

May 23, 2006

The IPC Policy Working Group met today, to discuss the current draft policy. Although the faculty would have preferred more time to clarify some of the remaining ambiguities in the policy, there appear to be no issues that the group feels cannot be addressed through the committee structure outlined within the current policy.

The group wishes to bring the following key resolvable issues to your attention as you prepare for the Board of Regents meeting.

1. There is some remaining ambiguity regarding the issue of consulting (sections 2.1.1., 2.2.1, and 2.5). During the meeting with the OTC on May 11, it was agreed that this issue would be dealt with separately, and that other existing policies would be reviewed for compatibility with the current policy. The group strongly recommends that this activity proceed with faculty input.
2. The group would like to see further discussion as the standing oversight committees are structured and the roles and responsibilities are defined (section 7.3). For example, it would be beneficial for the Intellectual Property Constituent Committee, comprised mostly of faculty, to be involved in the dispute resolution process (section 7.5). As worded, this section does not prevent this committee from participating, but it does not make provision for it either.
3. There needs to be supplemental clarification of details associated with the disclosure process. As defined in the policy (section 3.2), it is easy to envision cases where the OTC will be deluged with requests for decisions on potential intellectual property with little or no economic value.
4. Many of the OTC activities, such as the review of disclosed intellectual property, need to be responded to in a timely fashion to ensure minimal impact of a faculty member's academic career. The establishment of expected timelines for OTC actions would be quite valuable in establishing faculty confidence in the commercialization process.
5. The confusion caused by the ambiguities in the policy, including others not referenced above, will require that the OTC engage in an aggressive educational process to inform the faculty of the details and benefits of this policy. A *Primer on Commercialization* would be a good start.
6. The delegation of authority within the document does not make it clear if the System CEOs are able to further delegate approval responsibilities discussed throughout the document (e.g., section 3.2).

Per your request, the working group will immediately engage the OTC (David Riddle) in writing the summary document that will serve to clarify some of the current ambiguities in the current policy. We hope to have this process finalized within 6-8 weeks.

From: President Robert M. Gates [mailto:president@tamu.edu]
Sent: Friday, May 26, 2006 5:06 PM
To: undisclosed-recipients
Subject: Intellectual Property Policy and Tenure

May 26, 2006

MEMORANDUM

TO: Faculty -- Texas A&M University, Texas A&M University at Galveston

SUBJECT: Intellectual Property Policy and Tenure

At the Board of Regents meeting on Friday, the Regents approved the Intellectual Property Management and Commercialization Policy for the A&M System. As you know from my previous communications on this subject, I have felt strongly that this policy needed to be developed in a way that is responsive to our faculty members' needs and protective of academic freedom and the rights and interests of faculty.

On campus, the Intellectual Property Management and Commercialization Policy Working Group literally spent months working with faculty input to provide the A&M System with major revisions to the proposed policy.

The new policy reflects the many changes proposed by our faculty and both supports academic freedom and provides the capacity for economic development. We know there will continue to be questions and concerns about the implementation of this policy. The policy provides for the establishment of an Intellectual Property Constituent Committee chaired by a faculty member and made up of faculty, researchers and administrators to address concerns and provide a useful implementation process for the campus. I have been advised by the working group, senior faculty and the leadership of the Council of Principal Investigators that the revised policy is responsive to the needs and concerns of our faculty.

The Regents also approved two changes in system tenure policy. The first facilitates more flexibility in the tenure clock. The second change adds patenting and commercialization, where appropriate, as a further criterion for evaluating faculty for tenure. This additional criterion will broaden tenure opportunities for some and will disadvantage no one. Internal University procedures for the tenure process remain unchanged.

Robert M. Gates
President, Texas A&M University



Texas A&M University
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5 July 2006

MEMORANDUM

To: Executive Committee
Council of Principal Investigators

From: Dr. Keith A. Maggert (kmaggert@tamu.edu)
CPI Member, College of Science Representative
Assistant Professor, Department of Biology

Dr. Susan A. Bloomfield (sbloom@tamu.edu)
CPI Member, College of Education Representative
Associate Professor, Department of Health & Kinesiology

Subject: Bridge Funding Initiative

Definition and Rationale

Bridge Funding is defined as a short-term source of internal funding whose purpose is to support research and research personnel during periods when external sources of funding have been *temporarily* suspended, or funding is *likely* and *imminent* yet has not been granted. Award amounts are not meant to supplant external competitive grants, and are thus to be modest, limited in type of allowable expenditures, and short-term.

The recent negotiation of the Indirect Cost Return contract with the Texas A&M Research Foundation is projected to enhance Indirect Cost Return to Texas A&M University. These funds have not been earmarked for specific purposes and, since they are ultimately of “research” origin, it is beneficial that they remain directed towards support of research within the University. Bridge Funding would fill a gap by providing support for research when more conventional granting mechanisms will not.

Bridge Funding would:

- Provide a buffer against fluctuations in federal, state, and private funding of research
- Decrease the probability of faculty being forced to abandon incipient or fruitful research
- Protect research programs from losing key personnel due to temporary suspension of funding
- Provide a mechanism for research faculty to concentrate on research when it is most required: when a large grant requires a modest amount of work in order to receive funding

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Other programs exist for assist faculty with seed funding, equipment funds, Program or Training Grants, and other programs. However, Bridge Funding serves a different need and should stay entirely separate from these other funding mechanisms.

The spirit of Bridge Funding is to insulate faculty who have a track-record of fundability, to allow them to remain active in research, and acquire new grants on their merits, despite inevitable fluctuations in federal or private granting agency largess or research productivity. One may object that Bridge Funding appears as “research welfare,” and it will be important to administer the funds in such a way as to avoid both the appearance and possibility that Bridge Funding will be used for purposes other than those outlined above. Specifically, it is critically important that Bridge Funding be limited to individuals who have the need for such funding, and moreover to limit Funding to those who have previously received competitive funding from an extramural source.

Consistency with Goals of the Vice President for Research, Texas A&M University, and Vision 2020

Bridge Funding is consistent with the mission of the Office of the Vice President for Research, and with Texas A&M University’s dedication to elevate Texas A&M to a premier public research University, as outlined in Vision 2020.

Goals included in the Mission Statement of the Vice President for Research are: “... to provide leadership and coordination in the development, implementation, operation, and assessment of programs that support... sponsored research throughout Texas A&M University.” Bridge Funding will help the Vice President for Research attain these goals by highlighting the importance of funded research, and demonstrating dedication to assuring support for research faculty.

According to Vice President for Research Richard Ewing, the increase in Indirect Cost Return to Texas A&M would be divided between research administration, dispersal to Colleges (for administration by Deans), or held by the Vice President for Research. The Vice President for Research allocation would be used, with input by Deans, Principal Investigators (including the Council of Principal Investigators), and Department Heads, for improving the research environment at Texas A&M. Potential uses include new faculty startup, large research equipment (*e.g.*, magnets, microscopes), and other uses. Bridge Funding would be a beneficial use of Vice President for Research funds that would enhance the research environment for two reasons. First, Bridge Funding would be available to all existing programs on campus, and not just to Colleges or Departments actively engaged in hiring new faculty. Second, Bridge Funding would be a use of funds for all research faculty, and not limited to only those research programs that utilize large equipment.

One goal of Vision 2020 is to improve University competitiveness and stature, which will not be possible without increasing the competitiveness and stature of the research environment. Bridge Funding will be a powerful tool to bolster extant research programs and faculty, and to help recruit exceptional faculty from other institutions.

In a 2001 report of the Task Force for Strengthening the Arts and Sciences at Texas A&M to Dr. Ronald Douglas, then-Executive Vice President and Provost of Texas A&M, the members reported that Bridge Funding should be instituted for the College of Geosciences, whose funding is “soft” and sees a very high level of uncertainty. This goal is laudable, and should be extended to all research funding, since many grants are currently as difficult to attain as the College of Geoscience’s funds once were. As with seed grants, Bridge Funding should be a moderate cost to administer and fund, but should see large return in the form of extended substantial research granting, retention of active research faculty, and recruitment of new research faculty.

Examples of Bridge Funding at other Universities

Bridge Funding is established and formalized at other state and private Universities in the United States, including some with enrollment and research programs of size similar to Texas A&M University, including the University of California System which is specifically identified as a “Peer” institute to Texas A&M University. Although the processes for application and administration differ, the goal of Bridge Funding remains similar at these Universities.

University	Typical Applications (per year)	Success Rate	Awarded Funds (per application)
University of California, San Diego (includes School of Medicine and Scripps Institution of Oceanography)	6 – 8	~ 100%	\$25,000
University of Texas*, MD Anderson Cancer Center	6 – 10	~ 95%	\$100,000 – \$150,000
University of Connecticut	0 – 3	100%	\$20,000 – \$30,000
University of California, Irvine	~ 20	80%	\$35,000 – \$50,000
Emory University School of Medicine	0 – 3	100%	\$50,000

other Universities with Bridge Funding:

- University of Kentucky
- Drexel University College of Medicine
- Louisiana State University
- San Diego State University
- University of California (all campuses, but administered separately; includes satellite and associated Institutions)

At Texas A&M, *ad hoc* funds have been granted to faculty, for a use similar to the Bridge Funds that we envision here. However, these grants have been intermittent and informal. Currently, the burden to support research during gaps in funding falls onto Colleges and Departments, who typically lack adequate resources. The establishment of a formalized program for Bridge Funding using new financial resources from indirect cost recovery would demonstrate the commitment of Texas A&M to research. These Bridge Funds should be administered through the Office of the Vice President for Research, thereby elevating its stature both intra- and extramurally.

Proposed Administration of Bridge Funding

Eligibility

- Bridge Funding shall be limited to research grant proposals submitted by Principal Investigators through the Office of the Vice President for Research

- Bridge Funding shall be limited to individuals who have demonstrated the ability to acquire external funds, and shall therefore be limited to Principal Investigators who have had active externally-funded research grants within the last three years
- Bridge Funding shall be limited to individuals who will be entirely without research support due to loss of, or failure to receive, external funds
- Individuals whose grant proposals have been denied may be eligible for Bridge Funding if:
 - The likelihood of funding is demonstrable
 - Specific metrics for “likelihood” will understandably vary between different funding agencies or mechanisms. It is the responsibility of the applicant to demonstrate reasonable likelihood. Examples may include:
 - *e.g.*, (for National Institutes of Health) a priority score within 5% of the payline, or within 10% of the payline for Assistant Professor applicants
 - *e.g.*, (for National Science Foundation) a rating in the highest categories (*i.e.*, “excellent”)
 - *e.g.*, a letter from a Grants Officer of the funding agency expressing optimism and encouraging retooling and resubmission
 - The proposal may be resubmitted according to the written rules of the original funding agency

Application

- Bridge Funding must be requested within two months of official notification of denial of a renewal proposal
- Bridge Funding amounts shall be limited to 50% of the direct cost requested for a 6-month period of the grant that has not been awarded, or of that amount for a grant that has lapsed without renewal, to a maximum of \$50,000
- Application shall include:
 - Cover letter explaining request
 - Biographical sketch of Principal Investigator, including past funding history and other grants which are active, under review, or in preparation
 - Original proposal of research
 - List of potential funding sources for the research described
 - Six month budget
 - Review of denied grant from funding agency, including reasons for denial and recommended improvements
 - Documentation of how shortcomings or concerns of the denied grant application will be addressed
 - Memo of support from Department Head, including input and analysis of likelihood of funding
 - Memo of support from Dean of College

Review and Granting

- Office of the Vice President for Research will form a 3 – 5 member Review Committee comprised of tenured research faculty with knowledge in the area of the proposal, at least one of whom should have received a competitive grant from the funding agency to which the faculty member will be applying

- Committee will review the proposal and memos of support from Department Head and Dean, and make a recommendation to the Vice President for Research regarding quality, likelihood of success upon resubmission, and Bridge Funding budget request
- Vice President for Research will evaluate recommendation and make final decision regarding success and funding amount, and notify the Dean, Department Head, and Principal Investigator
- Since Bridge Funding is meant to provide “emergency” funds, funds should be made available immediately after the Vice President for Research makes a decision
- Suggested timeline for the entire process is thirty days (one week to identify and recruit committee, two weeks for review and report, one week for Vice President for Research office to evaluate and make final decision)

Administration

- Bridge Funding shall only be used for salaries that could not be paid in another way (*e.g.*, postdoctoral fellows who do not have fellowship awards of their own), and are limited to the level during previous periods of active granting, or the Departmental average for comparable positions
- Bridge Funding may pay for minor research equipment, consumable supplies, contracted services, animal care, and travel to research sites (*e.g.*, meetings with collaborators, museums, field sites)
- Bridge Funding will not pay for faculty or graduate student salary, travel to symposia, consultation services, large equipment (\geq \$5000.00), office equipment or supplies, computers or computer equipment
- Exceptions to these restrictions (*e.g.*, faculty summer salaries, “buy-out time” to alleviate teaching load, graduate student salaries) may be requested by inclusion of specific items in proposed budget and accompanying justification
- Should external funding be acquired, or the investigator leaves Texas A&M University, the unused portion of the Bridge Funds shall be returned to the Vice President for Research
- Bridge Funding shall be granted for a period of six months, renewable once, and shall not exceed twelve months total
- Unused portion of Bridge Funding will be forwarded to the second Bridge Funding period, provided the application for extension is successful

Renewal

- Recipients of Bridge Funding may request a single six-month renewal
- Renewals shall be requested by submitting a letter describing justification for a renewal and a description of what progress towards external funding has been accomplished
- Renewal requires only the approval of the Vice President for Research

Recommendations

The Council of Principal Investigators recommends that the Vice President for Research accept this proposal, formalize the administration of Bridge Funding application and review processes, earmark funds to be used as Bridge Funds, and announce the procedures and details of the program to research-active faculty. Moreover, we recommend that the office of the Vice President of Research track important statistics concerning number of inquiries, applications, and granted Bridge funds to use as metrics to gauge the effectiveness, burden, and utility of the program. Finally, the Vice President for Research should evaluate these metrics after six years and determine if continuation of the program is warranted.



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12 July 2006

MEMORANDUM

To: CPI Members
From: Dr. David Russell (drussell@tamu.edu)
CPI Vice-Chair — 2005-2006
Subject: Update on the Intellectual Property and Commercialization (IPC) Policy

I have prepared this memorandum to orient you as to the activities pertaining to and the current status of the Intellectual Property and Commercialization (IPC) policy. Alan Love and I serve on the IPC Working Group as representatives of the CPI, and we provide the following comments regarding IP Management and Commercialization policy issues which are of interest to the CPI:

- The IPC policy is based on three fundamental principles:
 - Ensure commercial development of research that enhances the education, research and public service missions of the Texas A&M University System.
 - Protect academic freedom.
 - Foster an entrepreneurial environment to encourage creation, development, and rapid transfer of new knowledge for the public benefit.
- The IPC policy establishes the principles for determining and protecting the interests of System, the creator, and the sponsor with respect to discoveries and inventions created by faculty, staff, and others in an equitable manner.
- The IPC policy establishes the Intellectual Property Constituent Committee and the Intellectual Property Oversight Committee to provide recommendations on policies and matters relating to intellectual property (IP) and to provide oversight and dispute resolution

Alan and I are committed to representing the interests of the CPI and its members — we will keep you informed as to progress with regard to the IPC.

cc: (distributed electronically, with attachments)

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