

**Graduate Council Minutes
November 17, 2020
Webex**

Present: Wissam AbbouAlaiwi, Defne Apul, Brian Ashburner, Jonathan Bossenbroek, Timothy Brakel, Frank Calzonetti, Ritu Chakravarti (for Saurabh Chattopadhyay), Madeline Clark, Wendy Cochrane, Heather Conti, Christina Fitzgerald, Daniel Georgiev, David Giovannucci, Daniel Hammel, Marthe Howard, Gary Insch, Brittany Jones, Andrea Kalinoski, Kenneth Kilbert, Abraham Lee, Linda Lewin, Sara Lundquist, Michael Mallin, Nagalakshmi Nadiminty, Penny Poplin Gosetti, Patricia Relue, Barry Scheuermann, Beth Schlemper, Martha Sexton, Zahoor Shah, Ekaterina Shemyakova, Ruslan Slutsky, Steve Sucheck, Varun Vaidya, Jerry Van Hoy, Kandace Williams.

Absent: Rebecca Schneider.

Excused: Mohamed Samir Hefzy.

Guests: Philip "Flapp" Cockrell, Llew Gibbons, Cyndee Gruden, Timothy Mueser, Amy Thompson.

Call to Order, Roll Call, and Approval of Minutes

The meeting was called to order and the roll called.

The agenda was re-ordered to permit Dr. Tim Mueser's schedule in giving the Curriculum Committee report and for guests, Professor Llew Gibbons and Dr. Flapp Cockrell to give their presentations as listed under Information and Discussion Items.

Standing Committee Reports

Report of the Curriculum Committee

On behalf of the GC Curriculum Committee, Dr. Tim Mueser, chair, reviewed the committee's report. All proposals were approved by the committee. Graduate Council approved unanimously.

Regarding new course proposal PPHR 6010 Leadership and the Military Pharmacist, Chair Mueser will ask them to put in a program modification to indicate that it is part of a program. He will also check whether PharmD curriculum goes through Graduate Council. He recommended that those entering proposals, use the correct, full program and course titles since they will be entered into Banner.

No.	Proposal Type	College	Department/Program	Title	Course Number	Summary	Received
63	PCR	AR	World Languages and Cultures	MA, major in Spanish	AR-SPAN-MA	Eliminate Span 5010 as a required course for the MA in Spanish though it remains an elective.	10.07.2020
64	PCR	PH	Pharmacy Practice	Clinical Clerkship	PHPR 8940	course modification	10.08.2020
65	PCR	CE	Teacher Education	Interprofessional Teaming in Early Childhood - Certificate	CE-ITEC-CRG	Change from in person to online offering for certificate program.	10.27.2020
66	NCP	PH	Pharmacy Practice	Leadership and the Military Pharmacist	PHPR 6010	New course proposal.	10.30.2020

Information and Discussion Items

Research Misconduct Policy - Llewellyn “Llew” Gibbons, JD, Distinguished University Professor, College of Law & Research Integrity Office and RSP Advisory Member, Office of Research and Sponsored Programs

Chair Wendy Cochrane introduced Llew Gibbons and thanked him for attending to provide an update on what is happening with regard to this policy.

Llew Gibbons gave an overview of possible revisions to the policy and sought feedback as many members of Graduate Council members have served as committee members on research misconduct cases in the past. We are on a short calendar as with goal to have revised by October 2021. Drafts will need to be reviewed by Research Council. He reviewed major focus areas and proposed changes as indicated in ‘red’ text.

The major focus of review is to bring our policy in alignment with public health services policy as closely as possible. NIH drafted first and others mostly follow.

Three Major Areas

1. Clarification of applicability to alleged student misconduct research. When an issue should be addressed by a research integrity officer, the College of Graduate School or the department.
2. Clarifying forms of alleged research misconduct.
3. Definitions and terms of research misconduct.

Scope-Clarifying Student Misconduct

Under federal regulations, if the research is sponsored by federal government, the research integrity officer has jurisdiction. If student being paid by UToledo, through scope of their employment, RIO also has jurisdiction. If student/professor engage in research activity outside of UToledo, or if student engages in research activity on their own (e.g. poster session at conference), historic interpretation is that it falls outside of the scope of the RIO’s mandate. I propose if within the scope of the educational process with a class, the clearly belongs with the department/college/graduate school. However, if student is collaborating with a faculty member or research or publishing, even if not being paid by UToledo, that should fall under jurisdiction of the RIO, dean or chair.

Second issue is responsibility of student cooperation in cases of alleged research misconduct. Some don't want to be involved or take a position or worried they may face research misconduct. Proposal is to add the word 'students'. All institutional members must cooperate with RIO in a research misconduct proceeding.

The following is brainstorming draft likely to be removed. There was strong pushback from faculty due to concerns of infringement on academic freedom and false or mis-viewed reports of research misconduct. Currently, this activity would be violation of HR, not research.

University has adopted a very strong policy for collection of retention of records that complies with federal law. For those receiving federal or private grants are probably aware there is a requirement to maintain records, research data and possibility to make this public. This is not clearly addressed in the Research and Integrity policy or Responsible Conduct in Research policy. Suggestion is in list of violations add the sentence in red "policies for creation, preservation, and security of research data". The addition of the clause is to make it explicitly clear, they have an obligation under federal law, grant and university policies.

Suggestion to move the "destruction of records/failure to maintain records" section to the evidence section, where it exists in NIH policy 42 CFR 93.106(b)(1) it is an evidentiary standard and not a form of research misconduct.

Major Proposed Review Areas

4. Currently, lecturers may not serve on inquiry/investigative committees. The requirement is to be a senior faculty member who is research active. Suggestion would be to allow lecturers who are research active with specialized knowledge in the field to serve on inquiry/investigation committees.
5. Institutional members have an obligation to cooperate.
6. Investigations into allegations of research misconduct review is expensive. We have to have court reporters transcribe interviews. Depending on type of research materials, we have to find appropriate storage formats and locations. Occasionally we have to hire outside experts. The process is becoming increasingly expensive. We have also recently had to obtain interpreters due to language difficulties communicating with witnesses and participants in the proceedings. There is no money in the Office of Research and Sponsored Programs for this. We look at other universities and see that research misconduct investigations are paid for, other than the salary of the RIO and the staff part, are paid for by the college/department/program. The suggestion is direct expenses would be paid for by the college/department/program.
7. UToledo is increasing engaged in collaborative efforts, like with ProMedica, national labs and institutions. Each institution has its own policy. Sponsoring and federal agencies have their own policies that must be employed to investigate allegations of research misconduct. The policy would make it clear that normally, it is presumed the funding agency's policy, that is part of the grant and university contract with them, that their policy would govern the investigation allegation.

If there is no funding policy, and University has agreement with other entity, that would control which policy would be used to investigate an allegation of research misconduct.

8. Finally, when I receive an allegation of research misconduct, I have to convene an assessment committee of 3 faculty members who decide if sufficiently substantial or falls within the definition of research misconduct. It then goes into an inquiry committee of 3 other faculty members to determine if there is substantial evidence and is likely to lead to more evidence. And finally goes to an investigation committee which makes a decision on the merits. Potentially, in any allegation, between 9-11 faculty will consider it before a final decision. An investigative committee can have up to 5 members. I would like to suggest a process where the RIO, if an allegation does not meet the research misconduct definition, the RIO can consult with the Research Council, VP for Research or the University Counsel's office, and if concurrence that it does not meet definition of research misconduct, it does not go forward. If it does meet the definition of research misconduct, I would suggest it immediately goes to an inquiry committee rather than having multiple steps.

We do not have enough qualified faculty members, especially in narrow specialized areas of research areas to have 9-11 faculty members. An abbreviated process would represent and be fair to faculty members and time involved, to be considered by 6 faculty members including the RIO.

If we receive a direct referral from a federal agency or sponsor, rather than go to the allegation, assessment and inquiry phases, it goes directly to the Investigation Committee. The first two committees primarily determine if there is something there. When we get a direct referral the office of research integrity office or NIH, there is obviously something that applies to that agency.

We do not have an explicit procedure for acceptance responsibility. We have had occasions where the faculty member was made aware of what took place, they acknowledged they made an error, the right to take responsibility for it and proceed differently. I would like to have a formal process for acceptance responsibility, a more formal process for non-UT faculty members on committees. We do have the possibility of having already non-UT faculty members on committees. We have done so in the past. I would like to formalize the process.

The process for awarding sanctions, there isn't one. It simply says the Investigation Committee is going to make a recommendation. There is very little guidance. My recommendation is that the Investigation Committee be permitted to look at federal cases in which the federal government, agency or state agencies have made have imposed sanctions and use as guidance to determine where they should be. The deciding officer was the Provost. If the Provost wishes to modify the sanctions by the committee, as a matter of professional courtesy, should consult with the committee. It will be the Provost's ultimate decision, but if there is disagreement with the committee, the Provost should clearly communicate that with the committee and give the committee an opportunity to respond.

Discussion:

Marthe Howard indicated that this language may be in the current policy that if the Provost is going to overturn the recommendation, this needs to be discussed with the committee. There was a case last year, where this did not occur. An issue was raised.

Llew Gibbons replied that the language he suggests putting in is more clear, mandatory, not permissive.

There is not statute of limitations in the current policy. I would like to propose a six-year statute of limitations, which is consistent with other federal agencies. At some point, data, witnesses and memories are stale. So after six years, if somebody discovers something, absence of extraordinary reason, I see no reason to reopen.

There have been disputes under which policy, old or new, an ongoing allegation of research misconduct should use. In the proposed draft there would be a new grandfather clause that would resolve how it should be resolved.

Other Clauses as identified by RC, VP for Research and Graduate Council, etc.

If there are other things that should be addressed or improved, send me an email.

New policy under development is Guidelines on Authorship policy 3364-71-xx, to be dealt with in a process in the Provost's Office.

Research data and responsible conduct of scholarship and research policy 3364-70-02.

Questions and Answer

Q: Wendy Cochrane inquired about the change from 9-11 faculty to vet to down to 6 and if the reason why there were so many people involved and whether transitioning to lower number would be a problem.

A: Llew Gibbons replied he is not sure. Having attended training for research integrity officers, I learned that the RIO makes initial determination whether something is there. The way it has been interpreted at UToledo, if there is a disagreement of first or second author issue, that is clearly not within scope of research misconduct, it is disputable authorship. Depending on how you phrase it, if you send it as an allegation of plagiarism, it then becomes within my scope, and I send to assessment committee of three faculty who would say, no, this is a dispute of authorship. Years ago, this was an administrative position and the faculty wanted greater control. About three to four years ago, there was a shift in policy to make it more faculty driven. Now that it is more faculty driven, I do not want the absolute right to say this is not research misconduct. I would like the right to consult with my colleagues and consult with the Research Council rather than engaging with 3 faculty members. It is difficult to get faculty members who want to serve as it is not a pleasant job to inquire of the integrity of your colleagues that you will see at Graduate Council and other meetings. Frequently, we have a shortage of faculty members. I will do initial review and there would be minimally 6-8 faculty members in the new system before there is a final decision on research misconduct.

He asked Council for comments on attempted research misconduct. Your comments help determine whether we do it or not.

- Q: Marthe Howard commented on faculty participation adding that it seems possible it we should consider making it mandatory. If on RC, you are asked to volunteer and possibility it should be part of resp. is that they will participate. Even if you decrease to 6-8, if the process still depends on volunteerism, there would still be an issue of not having adequate faculty willing to want to do this job.
- A: Llew Gibbons replied that he would bring that point up with Research Council. Having served on the committee, you understand that it is remarkably time-consuming requiring dozens if not hundreds of hours, depending on the case. There is no formal recognition other than possibly a polite thank you note. Prefer to have more carrots than sticks. Unfortunately, all we have is the conscience of the faculty member realizing how important this type of service is.

Discussion:

Marthe Howard stated that faculty have a responsibility to our colleagues and the university.

Llew Gibbons noted that at the time he was asked to serve 22 years ago by Dr. Frank Calzonetti, is was a matter of your conscience as a self-governing academic community that is dedicated to ensuring truth. Research integrity does not decide good research from bad research. We decide if the materials are honestly presented in a manner where the peer review process will work. Other people in the research community can review the publication or research and make their own determinations. It is the fundamental core of this integrity of this office and finally, it is the reputation of the University of Toledo.

Last year, Duke University had to pay \$120+ million to settle a research misconduct case with the federal government. If research misconduct cases are not pursued properly, it is very expensive, with the cost of the grant-issuing agency wanting their money back with 3x triple damages.

Frank Calzonetti expressed his appreciation to faculty members willing to step up because they hold deep the high research standards at the university. We encounter difficulty where we need specific expertise, where we may not have a lot of depth or enough people available, this is an area where we run into trouble.

Llew Gibbons agreed that faculty have busy teaching, research and service agendas and there can issues when depth of count is needed. He expressed appreciation to Marthe Howard, who has been a yeoperson in her service on these types of committees over the years.

Dan Hammel commented on issues of attempted research misconduct and pushback. Researchers saying what if we did this or that, is different than saying we will eliminate an entire phase and only keep and publish the parts that we want it to say. There should not be difficulty in making a clear differentiation of open discussion of actual attempted misconduct when someone says this is the public face of what we're going with.

Llew Gibbons said that problem is the idea of false positives, when someone proposes something then says let's run the data differently, let's try something differently, a colleague could decide this is research misconduct. A false positive turns out not to be responsible misconduct issue, but was a theoretical discussion and not one that arose to the level of research misconduct.

Since any allegations of students involved in research misconduct would likely be a graduate student, Llew Gibbons sought comments about increasing the scope of the process to scoop in more graduate students and pose their obligation to cooperate in the process.

Marthe Howard suggested considering having an independent policy for graduate students that looks much the policy for faculty to cover all colleges. It may be easier to separate issues that belong in HR or Provost or as actual research misconduct. A clear statement would ensure that participation is not a choice. We need university-wide required courses in the responsible conduct of research. If that problem were solved, some of these other issues would be decreased or wholly disappear.

Llew Gibbons agreed stating that Graduate Council would create/approve such a course and that it would be useful and consistent with federal policy requiring us to create a culture of responsible conduct in research.

He thanked Council and asked that they email him ideas or suggestions for the policy that is a work in progress and may become more final within the next few weeks to months.

Wendy Cochrane noted that the PowerPoint presentation will be posted on Graduate Council website.

Information on Resources for Graduate Students, Phillip "Flapp" Cockrell, PhD, Vice President for Student Affairs

Chair Cochrane stated that she had invited Dr. Cockrell to attend GC to share resources for all students including those available over break. International students may need to stay in Toledo and on campus, and may not be able to travel to their homes over break.

Dr. Flapp Cockrell thanked Council for the opportunity to share the student support resources at the University. He presented and followed his PowerPoint presentation *Where Every Student Matters*. Presentation highlights:

- Connection - If students connect within first 6 weeks, they are more likely to stay.
- Vision – Our goal is to create lifelong learners.
- Mission - A lot of learning is happening outside of the classroom. Prof program they do a lot experiential learning. We want them to go in the world and be lifelong learners.
- Organizations - We have over 250+ organizations, some of which are for graduate and professional organizations. Brittany Jones, GSA President, also serves on my student leadership team and provides a sounding board to me and things to take back to administration to serve our students.

- Career Services
 - Shelly Drouillard works with deans and colleges.
 - They help with creating resumes and cover letters.
 - Handshake system is used to list jobs and internships. Encourage your students if looking for coops or internships to utilize Handshake.
 - Rocket Stylist Closet, opened November 9th, located on the 3rd floor of the Student Union, in the old Phoenicia space. Both Kate's Closet (formerly in the Eberly Center for Women) and the Men's Career center, were combined to form Rocket Stylist Closet. Every semester we do rocket suit up and we partner with JC Penny for discounts. Please encourage graduate students to take advantage of these resources.

- Food Pantry

A resource for undergraduate and graduate students. We receive a number of donations from community and faculty and staff. Some do payroll deduction. A lot of faith-based organizations contribute as well. We opened a food pantry on HSC last fall.

As you can see our numbers are increasing during pandemic. Compared to last year, we have seen almost 3000 more students take advantage of this, including repeaters. Encourage those experiencing food insecurity to use this service. Open during Thanksgiving and winter break as some students cannot go home.

- Counseling Center

Available on both campuses as we just received approval to hire a counselor on the Health Science Campus. It went away during budget cuts, but thanks to our government to support mental wellness on campus.

 - Individual and group tele-counseling.
 - Protocol software was purchased to connect students with therapists. Next day, Counseling Center receives report and assigns counselor on campus.
 - Mindful Moments – Dr. Amy Thompson and Dean Linda Lewandowski are working with the President to increase wellness services and more to come on that. Info forthcoming. We want to streamline our services.

- CARES Act

Graduate and professional students may receive CARES as long as they have a valid 20-21 FAFSA and have completed a Rocket Aid application citing COVID as the reason for their financial hardship. There is ~\$500k remaining. If your graduate/professional students are experiencing issues, encourage them to apply at 419.530.8700 or rocketsolutioncentral@utoledo.edu

- Laptop Loaner Program
419.530.2400 or 419.383.2400.

- Office of Student Advocacy and Support
419.530.2471 or rocketresponse@utoledo.edu

- **Additional Reminders**
If COVID exposed or positive, students go through this office to be connected with faculty members to let them know student will be out of class for a period of amount of time. Works with them if they experience death of loved one, etc. Serves as an ombudsman.
- **How Can You Help**
 - Donate cleaned, gently worn clothes.
 - Sponsor/host a food drive. Monetary donations acceptable too. Gift cards to grocery stores are welcome as we make routine runs to stores.
 - Progress Funds
Rocket to Rocket fund or Rocket Aid. And through programmatic efforts we seek volunteers. We have a lot of mentor programs under Multicultural office.

We are here to support students. Students will begin arriving in January for spring semester and we are working with OISS for those who may need to quarantine. We are starting to have conversations about this with Interim President Postel and Matt Schroeder.

And recruitment of graduate students, a lot come with families, they look for childcare. We used to have childcare center. Want to provide a holistic approach.

Chair Cochrane thanked Dr. Cockrell for the wealth of information and will post his presentation on the GC website. We can let our students know you are open over break.

Executive Committee Reports

Report of the Executive Committee of the Graduate Council

On behalf of Graduate Council, Chair Dr. Wendy Cochrane, reported that GCEC did not meet last week as there not a sufficient amount of business to warrant a meeting.

- *Curriculum Submission Deadline for inclusion in Catalog 2021-22*
Deadline for curriculum is March 16, 2021.
- *Graduate Council Meeting Schedule*
Last GC Meeting Fall 2020 is December 1st. Spring schedule is expected to be determined soon to occur on alternate Tuesdays of Faculty Senate.
- *COVID-19 Team Update*
President Postel has indicated that there are no plans to change current mode of learning and we will continue to finish out semester. We will stay tuned for any possible changes/updates for spring semester 2021. Please communicate with faculty to make sure we are following. Governor DeWine will be speaking today at 2 pm, so we will continue to follow state guidelines. Campus and community testing on campus is scheduled today tomorrow at Rocket Hall.

Amy Thompson added the campus community is encouraged to get tested before heading home for the Thanksgiving Holiday. A previous community testing event was shut down early due to high turnout. Current testing is over two days and there are two lines available.

Be sure to bring your UToledo ID. It is free, but please register. If care lines become too long, we will do a walk-up line. Volunteers are needed.

Mike Mallin asked if testing is available for family members too. Amy Thompson did not think it would be an issue.

Research and Sponsored Programs Update

Dr. Frank Calzonetti, Vice President of Research reported:

Depending on reports of COVID-19 and necessary mitigation efforts, we will be prepared if needed like last spring. And depending on government reports following election results, we will send updates out as needed in terms of what this means for the university. International education will probably benefit, but China side will probably not change regarding threats of issues (bipartisan). We expect to see good support for research, and cancer research in particular. NIH budget is healthy but we do not expect jumps. Environmental research with climate change are sweet spots for our programs. Research funding should be looking positive and agency personnel. Looks like Congress will finish work on appropriation bills and provide funds in the new year.

Report of the Graduate Student Association

Ms. Brittany Jones, President of the Graduate Student Association (GSA) reported:

- *Special Elections*
Are moving forward! The voting period will be open beginning tomorrow, November 18th at 9am, and ending November 22 at 11:59pm. The nominees are comprised of: two (2) for Vice President, eight (8) for Main Campus Secretary, and three (3) for Health Science Campus Secretary. COGS will soon post the voting link on their website, and GSA will follow.
- *College Representatives*
there are three additional spots (one each) to be filled, from the College of Nursing, Natural Sciences and Mathematics, and Pharmacy.
- *General Assembly Meeting – November 18, 2020*
Tomorrow, November 18th will be our final meeting of the Fall semester and we are happy about the progress made despite the circumstances. At this meeting, we seek to get approval for the Bylaw amendments regarding the revised E-Board commitment requirements, and to accept the new Constitution for this year.
- *Spring Semester 2021*
A priority of GSA next semester is to begin funding student events and host additional panel discussions concerning graduate education at UToledo. We also want to increase our social media interaction to keep our members engaged in GSA activities and opportunities.

We look forward to finishing out the fall semester strong with the continued collaboration that makes GSA helpful to the students!

Report of the Vice Provost for Graduate Affairs and Dean of the College of Graduate Studies

Dr. Barry Scheuermann, Interim Vice Provost for Graduate Affairs and Interim Dean of the College of Graduate Studies provided the following updates:

○ *Search for the Permanent Dean*

No updates available at this time.

○ *Update on COVID-19*

- Our number of reported cases increased since the last update which might be expected given the surge in the cases both locally and around the country
- University is partnering with Toledo-Lucas County Health Department to extended free testing to students, faculty and staff on November 19th and 20th from 10:00 to 6:00 in the Rocket Hall Parking area 25. Printable pre-registration forms are available on the UToledo Coronavirus website to reduce wait time
- No change in the plans for spring semester although Governor DeWine has called a press conference for 2:00 pm today
 - Students returning to Toledo following the Thanksgiving and Holiday Break will required to self-quarantine for 14 days if they are arriving from a foreign country that is either a Level 3 or Level 4 risk as designated by the CDC or domestic students returning from any hotspot, defined as any region with a positivity rate of 15% or higher
 - May impact the availability of teaching assistants and research assistants so please discuss this with them prior to leaving for the break
 - OISSS has been working with the administration to assist international students who are unable to travel home over the break

○ *Stackable Certificates*

Previously had presentations and discussions on emerging trends in education including the use of microcredentials and stackable certificates. Graduate certificate program provides an opportunity for either a degree-seeking or a non-degree-seeking graduate student to earn non-degree credential for completing a structured sequence of courses in a specified area of study.

Benefits:

- Intended to be combined or “stacked” together with other certificates and/or program requirements that will lead to a graduate degree upon successful completion of the certificates and any additional requirements such as a capstone experience
- May provide an academic course of study that may be within a single discipline or program, or it may be multidisciplinary, depending on the certificates that are available for “stacking”
- Allows working learners a way to balance their educational goals and training with their jobs, family obligations and financial resources
- Allows individuals to periodically stop out for work or family responsibilities without losing any progress or having to repeat what they have already learned as they work towards their degree

Logistics that need to be considered:

- Application and admission
- Course requirements (credit hours requirements)

- Grade requirements (minimum grade for progression)
- Limits on transfer of coursework
- Restrictions on shared coursework between certificates
- Transcript notation
- *Curriculum (CIM System)*

Curricular submission deadline for Fall 2021 catalog is March 16, 2021; we will be sending out reminders encouraging the colleges to set an internal deadline
- *Spring Registration*
 - Opened on October 22, 2020
 - Tuition is due by Friday, January 8, 2021
 - Late payment fee will be assessed on January 11, 2021
 - Graduate students who are planning on graduating during the Spring semester will be required to register for a minimum of one credit hour
 - There is no "0" credit hour option due to State requirements
- *Graduate Student Association – Graduate Student Research Awards*
 - Proposals are due by November 30, 2020
 - Detailed information about the award is available at <https://www.utoledo.edu/graduate/currentstudents/gsa/webforms/gsa-research-award.html>

Standing Committee Reports

Report of the Membership Committee

None.

Old Business

None.

New Business

None.

Adjournment

There being no further business, the Council adjourned at 2:02 pm.