

Provost's Advisory Council
September 9, 2021
8:30-10:00 a.m., Lynch Center, Fulton 515

In attendance:

Sharon Beckman (Chair)

Angela Ards

Kelby Bibler

Joseph Carroll

Thomas Chiles

Andrew Davis

Kirsten Davison

Joseph Du Pont

Kristin Flower

Yonder Gillihan

Stacy Grooters

Welkin Johnson

Gregory Kalscheur, S.J.

Thomas Kohler

Adam Krueckeberg

Karen Lyons

John Mahoney

Monica O'Reilly-Jacob

David Quigley

Tracy Regan

Diane Ring

Ronnie Sadka

Akua Sarr

David Scanlon

Billy Soo

Julia Spagnola

Samantha Teixeira

Jean-Baptiste Tristan

1. The summary of the April 29, 2021 meeting was approved. It will be sent to the President's Office. All summaries are posted on the Provost's Office website; members are encouraged to share them with colleagues.

2. Meet Shawna Cooper-Gibson – *Vice President for Student Affairs*

Sharon welcomed Shawna Cooper-Gibson who joined the University a month ago as the new Vice President for Student Affairs. Shawna joins BC from Seton Hall University where she served as Vice President for Student Services. She brings extensive experience in student affairs, having held student-focused roles at Northwestern University, the University of Chicago, MIT, and Loyola University of Chicago. Shawna holds a bachelor's degree from the University of Illinois, a master's degree from National Louis University, and a doctorate in education from Boston University.

Sharon introduced Shawna to discuss her background and talk about her hopes for the relationship between student and academic affairs at BC.

Shawna began by providing some additional background on herself. A native of Champaign-Urbana, Illinois, she found her way into higher education after many years of teaching elementary school and navigating a career in education.

Shawna talked about her goal of building partnerships and relationships across campus, noting that the totality of the student experience is not confined to the classroom. It is crucial for student affairs and academic affairs to partner to build a rich student experience. The goal is to build a collaborative process with academic affairs and mission and ministry to help students understand what they are experiencing.

She continued, discussing systematizing and building processes and policies that support the totality of an equitable and consistent experience for all students. She talked about building pathways, aligning programmatic efforts, and a focus on vulnerable students.

She concluded, discussing her eleven years of experience with the Jesuit educational tradition, noting the importance for students to understand the spiritual, academic, and societal impact they have from their experience here. She urged members of the faculty to reach out with question or concerns.

A council member asked about the thinking around communications with faculty, noting that in the past, there have been perceived challenges with communications to faculty members.

Shawna responded that her hope is to enhance regular communications, host webinars for the community, and create a more robust website to communicate to various constituents.

3. Proposed Intellectual Property Policy revisions – Siri Nilsson, *Associate Director, Office of Technology Transfer and Licensing*, and Tom Chiles, *Vice Provost for Research and Academic Planning*

Tom Chiles provided background and an update on revisions to the University Policy on Intellectual Property. The policy was last substantively reviewed in 2016. With the new building opening in January 2022, there will be a variety of spaces, including maker and prototyping spaces, that the campus has not traditionally had at this scale. In light of this, as well as the new Engineering Department and the Schiller Institute, the policy was reviewed with an eye specifically toward student intellectual property. As students are allowed to be more creative, prototype, and ideate, the University will increasingly encounter student intellectual property questions.

Tom introduced Siri to discuss the proposed revisions.

Siri began with an overview of the purpose of the Intellectual Property (IP) Policy, which is to protect patentable inventions and software that come from predominantly hard sciences research. The policy also allows BC to adhere to the terms of sponsored research agreements, particularly federal grants. By law, federal grants require the University to take ownership of the patents and software that are developed from these grants at the University. Private companies may also expect the University to control the IP so that licensing rights may be granted. A goal of the policy is to allow the University to license patents and software developed at BC for further development and commercialization.

One of the primary goals for the review was to acknowledge student work in the policy. The current policy mentions that students are covered in certain situations, but does not make clear what the conditions are. The revision will clarify the applicable circumstances.

Under the proposed revisions, students would be entitled to own the product(s) of their coursework or work developed independently while at BC unless (a) the invention is an improvement on IP that the University already owns; (b) a University faculty member or employee is a co-owner of the invention; (c) substantial University resources are used to develop or reduce the invention to practice; or (d) a sponsored project agreement applies. The revisions propose that design courses could be sponsored or supported by third-party resources

which could be considered “substantial,” and trigger the University’s ownership threshold. This would be at the discretion of the Provost and Vice Provost for Research and would allow the University to own products of student coursework where course sponsors may ask for license rights in the intellectual property that they support. In these cases, students would be made aware of this condition prior to the course, and the recommendation is that students be given the option to work on a project that is not sponsored.

Additionally, the revisions allow the Vice Provost for Research to designate certain University facilities, such as maker spaces, exempt from the “substantial resources” definition, allowing students to own inventions created there.

Siri continued, explaining that students working in labs on sponsored projects, using substantial resources, or in design courses, will be required to sign an Intellectual Property Agreement. This is not a policy that all students at BC will be required to sign. A simplified version of the policy has been developed specially for students, with training and supportive materials that explain “substantial resources” and the rationale for why the University may take ownership of intellectual property rights.

Siri discussed a proposed restructuring to the Policy on Equity. The proposal would allow the Office of Technology Transfer and Licensing to exercise greater discretion to take equity under a start-up license by moderating the required Executive Committee Review. Under the current policy, every equity interest has to be reviewed by the Executive Committee, which is made up of the Vice Provost for Research, the General Counsel, Provost, Executive Vice President, and Financial Vice President & Treasurer. This review step may limit the office’s agility to complete agreements on a timeline that meets an investor’s needs. The proposed revision provides for Executive Committee review of equity licenses only as recommended by the Office of the General Counsel. The OTTL would work closely with the Office of Research Integrity to resolve any potential Conflict of Interest issues. This was a central recommendation from the 2020 policy review and would put BC practices in line with peer institutions which grant discretion to technology licensing offices to take equity in startup license agreements. In acknowledgment of the removal of a level of review, the OTTL would prepare annual reports for the Executive Committee outlining patent costs spent, revenue brought in, agreements executed, technology disseminated, etc., to ensure the committee remains aware of the activity of the office.

The final proposed change would allow investors to share in the University’s equity stake. The current policy prohibits inventors from receiving a share of institutional equity if they have also taken a personal equity stake in the company. This approach is not in line with peer institution policies and puts inventors at a disadvantage. A personal equity stake is given in exchange for work being performed for the company, while the University’s equity stake is being given in exchange for a license to the inventor’s technology; both of these roles should be recognized. Additionally, if the University had received fees or royalties, the inventor would share in those and equity should be considered similarly. The current policy incentivizes inventors to discourage equity deals.

Siri concluded by urging faculty to be in touch with questions or concerns.

4. Provost's Report: University approach to reopening and the fall semester

David provided some background on the approach that the University has taken to the start of the academic year. The University continues to rely on the extraordinary vaccination rates within the community as the central measure to the current response to COVID-19. There is currently 100% compliance with the University's vaccination requirement, and over 99% of the community is vaccinated. The entire community was tested prior to the start of the semester, and testing results remain encouraging into the semester. Testing results will continue to inform how the University approaches masking and other measures as the semester progresses.

In terms of masking in the classrooms, there are a number of approaches being utilized around the country. BC's approach is to invite members of the community to mask if they would like to, but currently there is no requirement to mask in the classroom. Masks must be worn in public spaces on campus, and the University's position is that the classroom is not a public space. Signage will be put up for spaces on campus which are open to the public, making clear the masking requirements in those areas.

The guiding principles for the University's response are to have as normal a semester as possible, while protecting the health and safety of the community, and to have a response that evolves as data shifts over time.

David opened the conversation to the group.

A council member discussed new anxieties faculty are feeling surrounding the return to campus this fall and challenges to negotiating those anxieties. He suggested a mask mandate would put everyone across campus on the same page and would embody the principle of protecting the most vulnerable.

A council member discussed the increased anxieties that are being felt by students who are feeling tension surrounding masking pressures on campus. Another council member addressed student anxieties and tensions, discussing policies that differ from class to class, and suggesting that these inconsistencies add unnecessary additional tension for both faculty and students.

A council member talked about questions of masking in large lecture classes, noting that a classroom with 250 students is very different than a classroom with 15 students. She added that adherence to faculty member's requests for masking in the classroom may be dependent on the faculty member's gender or status.

A council member asked how masking in public spaces was going to be enforced on campus, noting that in a number of public spaces including dining halls and on buses, students were not wearing masks. There may be a lack of awareness among the population as to what spaces are considered public and subject to the mandate. Another council member added that there is

confusion about why BC is not following CDC guidance for masking in areas with substantial transmission.

A council member asked about progress monitoring and if there is a metric which would signal a change in approach, noting that the University should anticipate reaching a tipping point and avoid actually getting there. A council member posed the question of if there was a mask mandate on campus, what metric would be used to lift that mandate.

David responded that there is a significant distinction on campus between most academic and the small number of public spaces, and that signage will go up in those latter spaces. The expectation is that students will comply as they become more familiar with the guidelines. There will be a large focus on dining halls in the immediate future, and educating students on when they have entered an area where masks are required. He added that the University's response will continue to be flexible and evolve with the data and public health guidelines.

A number of council members talked about vulnerable members of their families and concerns over the ability for vaccinated people to catch and spread the disease, as well as declining vaccine effectiveness. A council member added that BC is not an isolated community, with a number of students in field placements in the community, working with children and non-vaccinated individuals.

Council members expressed concern that BC's response is reactive and urged preventative measures, such as masking, to avoid outbreaks of breakthrough cases.

A council member discussed the disruption caused by a positive diagnosis to a family member, including the sickness itself as well as disruptions to teaching, research, and time lost on campus due to quarantine periods.

A council member addressed the lack of ability to participate in some campus events remotely, adding that many people are trying to minimize exposure, and it would be helpful to still have the ability to participate in large gatherings via zoom or webinar to avoid exclusion of those faculty members.

A council member asked if faculty had the option to conduct classes remotely if they needed to quarantine or be home with a sick family member.

A council member asked if a discrete unit of the University wished to have a mask mandate, whether that would be a violation of the University policy.

David responded that consistency across the University is important and that mask usage can be encouraged, but not required.

Welkin Johnson provided some updates and information on the current data. He discussed encouraging testing results for the start of the semester. He noted that having data from the past year is helpful and allows the University to increase testing during certain times of the

year or around certain events. He discussed increased student cooperation with contact tracing due to a lesser implication for vaccinated people who are exposed.

He continued, stressing that while the Delta variant is more transmissible, it is not deadlier and does not cause more severe disease. He discussed boosters, noting that the vast majority of students were vaccinated between May and August, so a booster wouldn't be necessary for them until the spring semester.

Welkin concluded, stressing the very low risk of transmission in the classroom.

John Mahoney provided an update on how undergraduate admissions has handled visitors. There was a robust summer visit program with four tours and information sessions held daily. Visitors had to register in advance, were limited to one student and one parent or family member, and were required to wear masks while inside buildings. This fall, there will be no tours conducted inside of academic buildings. Visitors will be allowed in public spaces, and will be required to wear masks in those spaces.