Report on “fee for services” motion
February 12, 2014

On May 9, 2012, in connection with US11/12-13 (Classified Research Policy) and US11/12-14 (Proprietary Research Policy), it was moved from the floor that the Senate create an ad hoc committee to create clarity about “fee for services” work and to recommend a draft policy for the Senate’s consideration. The motion carried. The expressed underlying concern animating the motion was the possibility that, in a “fee for services” context, faculty might engage in research whose results would belong to an external entity that could prohibit publication.

In December 2013, the ad hoc committee was formed, comprised of Professors Yong Zhao (College of Education) and Dave Johnson (CAS-Natural Sciences), Dr. Patrick Jones (Associate Vice President for Research Finance and Business Administration), and Dr. Chuck Williams (Assistant Vice President for Innovation). The committee met twice with Senate President Margie Paris. The committee consulted with Professor Emeritus Frank Stahl during one of the meetings.

The committee determined that there was sufficient clarity in university policies and practices to obviate the need for further legislation. The work known as “fee for services” cannot, under university policy, include research, which involves original inquiry. Instead, in “fee for services” work, university employees provide services for external entities (for example, running data through formulae) in a way that does not further a research inquiry. University policies and practices require each faculty member who submits a proposal for funded work to identify whether the work constitutes research. If the funded work does involve research, then the proposal must be processed according to the research policies referenced above (US11/12-13 and US 11/12-14), which require protection of the faculty member’s ability to publish the work.

Funded work not involving research, or “fee for services” work, does not become part of a faculty member’s research dossier and cannot count as research in evaluating the faculty member for promotion, tenure, or other purposes. It may, however, count toward the service component of a faculty member’s responsibilities.

Having satisfied itself that all research at the University of Oregon is protected by policies requiring freedom of publication, the committee declined to draft legislation.