



UNIVERSITY OF GUAM  
UNIBETSEDAT GUAHAN  
BOARD OF REGENTS

RESOLUTION NO. 15-21

**RELATIVE TO APPROVING THE RESEARCH COUNCIL BYLAWS**

**WHEREAS**, the University of Guam (UOG) is the primary U.S. Land Grant institution accredited by the Western Association of Schools and Colleges (WASC) serving the post-secondary needs of the people of Guam and the region; and

**WHEREAS**, the governance and well-being of UOG is vested in the Board of Regents (BOR); and

**WHEREAS**, the Graduate Studies, Research, and Sponsored Programs (GSRSP), the Research Council and the Administrative Council has developed and wishes to have the BOR approve the Research Council Bylaws; and

**WHEREAS**, the Research Council shall be responsible for providing advisory services to the Assistant Vice President (AVP) for GSRSP and administrators of research units, assist faculty members on research related projects, and make recommendations to the President via the AVP on all requests for the establishment of research institutions on campus and to ensure research-related matters are in compliance with federal regulations; and

**WHEREAS**, the President and Academic, Personnel and Tenure Committee have reviewed the proposed Research Council Bylaws and recommend them to the BOR for approval.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Regents hereby approves the Research Council Bylaws, attached hereto.

Adopted this 18<sup>th</sup> day of June, 2015.

William D. Leon Guerrero, Chairperson

**ATTESTED:**

Dr. Robert A. Underwood, Executive Secretary



## RESEARCH COUNCIL BYLAWS

### Article I – Name

The name of this organization is the University of Guam Research Council, referred to hereafter in these Bylaws as *the Council*.

### Article II – purpose

The Research Council shall be responsible for providing advisory services (see Article X. Definitions) to the Assistant Vice President for Graduate Studies, Research and Sponsored Programs (referred to hereinafter in these Bylaws as the AVP, GSRSP), administrators of the various research units on campus, and faculty on the matters of funding and other research-related concerns; shall stimulate and help faculty members conduct basic and applied research in their area of specialization; and shall review and make recommendations to the President via the AVP, GSRSP on all requests for the establishment of research institutions on campus. Research-related matters of compliance with federal regulations shall be administered by the Research Council or its designated subcommittees, i.e., Committee on Human Research Subjects and Institutional Animal Care and Use Committee. The Research Council shall administer the Research Council Funds, when available, to support and encourage faculty research.

The Research Council thus deals with principles, procedures, and general research issues. It does not presume to dictate policy, nor deal with concerns affecting individuals, whether they are administrators, teachers, students, citizens, or parents. As such it is an organ of university governance that recognizes and collaborates with the other established bodies, including the Faculty Senate and Faculty Union.

### Article III – Membership

#### Section 1 Criteria for Membership

Membership is composed of the following:

- AVP, GSRSP,
- Director, Guam Center for Excellence in Developmental Disabilities Education, Research and Service (CEDDERS);
- Director, Water and Environmental Research Institute (WERI);
- Director, Marine Laboratory;

- Director, Richard F. Tatitano Micronesian Area Research Center (MARC);
- Director, Learning Resources;
- Associate Director, Western Pacific Tropical Research Center (WPTRC);
- One elected faculty member (see Article X, Definitions) each from the:
  - College of Liberal Arts and Social Sciences (CLASS);
  - College of Natural and Applied Sciences (CNAS);
  - School of Business and Public Administration (SBPA);
  - School of Education (SOE);
  - School of Nursing and Health Sciences (SNHS);
- Ex-Officio Members:
  - Representative of the Office of Research and Sponsored Programs (ORSP);
  - Chairperson, Institutional Review Board (IRB);
  - Chairperson, Institutional Animal Care and Use Committee (IACUC)

Proxies or substitutes are not recognized. Membership of the Council is certified by the AVP, GSRSP based on consultation with the Dean and faculty responsible for the respective program.

## **Section 2            Duties of the Council Members**

Members are responsible for contributing to the ongoing development and maintenance of research and sponsored programs to include support of policy reviews and other tasks as requested by the AVP, GSRSP and other officers and committee chairs of the Council.

## **Section 3            Rights of the Council Members**

Council members have the rights to speak and vote in meetings of the Council, and all other rights as defined in the Parliamentary Authority (Article VIII).

# **Article IV – Officers, Elections, and appointments**

## **Section 1            Officers**

The AVP, GSRSP, who is advised by the Council, serves as chair of the Council. At its final meeting of each spring semester, the Council shall elect one of its other members as Recorder, to serve a one year term, beginning on the first day of the subsequent semester.

## **Section 2            Appointment of Committees**

The Chair shall appoint members and chairs of the standing committees, as listed Article VI below. Standing committees shall consist of no more than three members each. The Chair may

appoint a special committee at any time to carry out any necessary function not already reserved for one of the standing committees. The Chair may also disband such special committees at any time.

## **Article V – Duties of the Officers**

In addition to the general duties prescribed in the Parliamentary Authority, the officers shall perform the specific duties described below:

### **Section 1 Council Chair**

As chair of the Council, the AVP, and GSRSP:

- A. serves as presiding officer at Council meetings;
- B. prepares the agenda for Council meetings and ensures that the agenda is made available to Council one week prior to the meeting.

### **Section 2 Council Recorder**

The Council Recorder:

- A. records the minutes at each Council meeting and maintains a record of attendance;
- B. ensures that the minutes of Council meetings are made available to the University Community;
- C. serves as timekeeper for Council meetings; and
- D. serves as Acting Council Chair at the request of the Council Chair, for meetings held during temporary absences of the Council Chair, in which case the Recorder shall appoint a recorder *pro tem*.

## **Article VI – Standing Committees and Their Functions**

### **Section 1 Executive Committee**

The AVP, GSRSP, Council Recorder, and standing committee chairs shall constitute the Research Council Executive Committee. The Executive Committee shall:

- A. have general supervision of the affairs of the Council between its scheduled meetings;

- B. make recommendations to the Council;
- C. coordinate Council business and follow up as necessary with college and university administrators;
- D. coordinate and prepare proposals for Council contributions to University-wide documents and regulations pertinent to graduate programs;
- E. prepare budget recommendations for consideration by the Council and recommendation to the Senior Vice President for Academic and Student Affairs;
- F. maintain these *Bylaws*; and
- G. assume and perform other functions generally regarded as appropriate for executive committees.

## **Section 2 Committee on Human Research Subjects<sup>i</sup>**

The Committee on Human Research Subjects (CHRS) shall constitute the University's Institutional Review Board (IRB):

### **A. Membership:**

The CHRS shall be comprised of at least five (5) members, appointed by the President. The Chair is recommended by the AVP, GSRSP to be appointed for one (1) three (3) year term. Other CHRS members shall be appointed for two (2) years, renewable, and staggered terms. The CHRS shall not consist entirely of men, entirely of women, or entirely of nonscientific areas. At least one (1) member shall be a person who is not otherwise affiliated with the University or part of the immediate family of a person who is affiliated with the University. When research is reviewed involving a category of vulnerable subjects the CHRS shall include at least one (1) member who has as a primary concern the welfare of these subjects. The AVP, GSRSP shall serve ex-officio, as a non-voting member. An effort will be made to appoint members so that the CHRS will be sufficiently qualified through experience and expertise of its members, the diversity of their racial and cultural backgrounds, and their sensitivity to community attitudes, so as to be respected for its advice and counsel in safeguarding the rights and welfare of human subjects.

### **B. Purpose:**

To safeguard the rights and welfare of subjects at risk in any research, development, or related activity in accordance with the Code of Federal Regulations (45 CFR 46) which governs the protection of human subjects and which forms the basis of University policy.

All projects which involve human subjects and which are conducted at or sponsored at the University of Guam, regardless of the absence or presence of support, and

regardless of who else may have revised them, must receive prior approval from the CHRS.

An assurance by the principal investigator that approved procedures will be followed in the conduct of activities involving human subjects is a requirement of the application for CHRS approval process.

The CHRS shall have the authority to suspend or terminate approval of research that is not being conducted in accordance with its requirements or that has been associated with unexpected serious harm.

The University's CHRS shall assist other Institutional Review Boards on Guam or at other colleges and universities, as requested, and provide joint review for any cooperative research projects covered by the Federal policy and involving more than one institution including the University of Guam. In the conduct of such cooperative research projects, each institutional IRB is responsible for safeguarding the rights and welfare of human subjects and compliance to the Federal policy. The CHRS may enter into a joint review arrangement, rely upon the review of the other IRB, or make appropriate arrangements to avoid duplication of efforts and oversight.

### **Section 3 Institutional Animal Care and Use Committee<sup>ii</sup>**

The Institutional Animal Care and Use Committee (IACUC):

#### **A. Membership**

The Institutional Animal Care and Use Committee shall consist of five (5) persons. Individuals are recommended to the President who appoints the five (5) members. At least one of the members shall be a Doctor of Veterinary Medicine with training or experience in laboratory animal science and medicine. At least one of the members shall be a practicing scientist experienced in research involving animals. At least one member shall be a person whose primary concerns are in a non-scientific area and at least one person shall not be otherwise affiliated with the University nor be the member of the immediate family of a person who affiliated with the University and who shall provide representation for general community interests in the proper care and treatment of animals. A single member of the Committee may fulfill more than one of the above stated roles. No more than three (3) members of the Committee shall be from the same administrative unit of the University.

#### **B. Functions**

The Committee shall inspect at least semi-annually all vertebrae animal study areas

and vertebrate animal facilities of the University, shall review, as part of the inspection, practices involving pain to animals and the condition of animals to ensure compliance with the Animal Welfare Act, 7 U.S.C. §2143 et seq.; 9 C.F.R. 1, §2.31 and the standards of the United States Public Health Service as set forth in the Guide for the Care and Use of Laboratory Animals, and shall do all other things necessary to effectuate its role as the University's Institutional Animal Care and Use Committee as the term is defined by the aforementioned regulations.

## **Article VII – Meetings and administration**

### **Section 1 Meeting times**

The Council meets regularly during the academic year at a time and location set by the AVP, GSRSP, in consultation with the members. Special meetings may be called at the discretion of the AVP, GSRSP or petition by at least one-quarter of the membership.

### **Section 2 Quorum**

For all scheduled Council meetings, both regular and special, a majority of currently certified members shall constitute a quorum.

### **Section 3 Meeting Procedures**

Meetings shall follow an agenda prepared and distributed in advance, in accordance with the Parliamentary Authority (Section VIII, below) in which faculty decisions will be rendered on completed proposals developed and submitted in advance to the Council Chair by the officers, committees, or members of the Council Faculty. Time limits for discussion shall be ten (10) minutes for each agenda item and two (2) minutes for each speaker.

### **Section 4 Administrative Support**

The office of the AVP, GSRSP provides administrative support to the officers and committees of the Council.

## **Article VIII - Parliamentary Authority**

The rules contained in the current edition of *Robert's Rules of Order* shall govern the UOG Faculty Council meetings, Council standing committee meetings, and other committee meetings in all cases in which they are not inconsistent with these *Bylaws* and any special rules of order the Council may adopt.

## **Article IX – Amendment of the Bylaws**

Amendments of these *Bylaws* may be made at any regular meeting of the Council by a vote of two-thirds of the members present and voting, provided that the amendments have been submitted in writing at the Council's previous regular meeting. Unless otherwise noted in the amendment, an amendment shall become effective after the Chair announces the vote.

## **Article X – Definitions**

For purposes of these Bylaws, the following definitions apply:

*Advice:* Advice is specifically defined to include 1) inquiring, 2) informing, 3) suggesting, 4) recommending, and 5) evaluating, whether at the request of the AVP, GSRSP or on the initiative of the Council.

## **Adoption of the Bylaws**

These Bylaws were recommended by the current members of the Research Council, consisting of: John A. Peterson, AVP, GSRSP; Heidi San Nicolas, Director, CEDDERS, Laurie Raymundo, Director, Marine Laboratory; Gary Denton, Director, WERI; Monique Storie, Acting Director, MARC; Christine Scott-Smith, Director, Learning Resources; Greg Wiecko, Director, WPTRC; James Sellmann, Dean, CLASS; Ning Li, CBPA; Patrick Leddy, Interim Dean, S OE; Kathryn Wood, Acting Dean SNHS; Kristina Torres, ORSP; and Jason Biggs, Chair, IACUC and adopted as the charter of Graduate Council on March 16, 2012 by a majority of those present: John A. Peterson, AVP, GSRSP; Heidi San Nicolas, Director, CEDDERS, Laurie Raymundo, Director, Marine Laboratory; Gary Denton, Director, WERI; Monique Storie, Acting Director, MARC; Christine Scott-Smith, Director, Learning Resources; Greg Wiecko, Director, WPTRC; James Sellmann, Dean, CLASS; Kathryn Wood, Acting Dean SNHS; Kristina Torres, ORSP; and Jason Biggs, Chair, IACUC.

---

<sup>i</sup> Adapted from the Rules, Regulations and Procedures Manual (pp. 21-22), approved by the Board of Regents February 17, 2000

<sup>ii</sup> Adapted from the Rules, Regulations and Procedures Manual (pp. 22-23), approved by the Board of Regents, February 17, 2000