

Efforts to Have the University of California Decline Tobacco Industry Funding of Research

Based on academic research and legal evidence, faculty and administrations at leading universities in the United States and around the world have made the decision to no longer accept funding from the tobacco industry. As part of this global trend, since 2001 faculty members at the University of California have been addressing the issue of tobacco industry funding of research. When the discussions began, as elsewhere, policy efforts were focused at individual academic units of health science schools. By mid-2004, seven academic units on four UC campuses adopted policies to decline funding from the tobacco industry in order to protect the integrity of their academic units. In May 2004, these seven policies were voided by President Robert Dynes, citing a resolution of the Assembly of the Academic Senate.¹ Faculty from around the UC system protested that this position was not properly circulated before the Senate adopted it, resulting in the Senate position being modified in May 2005 to “a unit of the University may not refuse to process, accept, or administer a research award based on the source of the funds; nor may such a unit encumber a faculty member’s ability to solicit or accept awards based on the source of the funds, *except as directed by the UC Board of Regents.*” The 2005 resolution took no position on what decision the Regents should make.

As a result of the May 2005 Academic Assembly resolution, efforts to convince UC to decline tobacco industry funding shifted to the UC Board of Regents. In September 2006, the issue was introduced to the Regents as a discussion item. Following the discussion, the Regents asked the Academic Senate to take a position on the tobacco industry funding. The Academic Senate reported back to the Regents in November 2006 with three resolutions the Assembly adopted that did not make a recommendation to the Regents on what to do. In January 2007, the issue was again brought before the Regents as an action item. After a lively discussion, the Regents adopted a motion to get further clarification from the faculty on the issue at its May, 2007 meeting.

The following timeline is a comprehensive history of the efforts to address the issue of tobacco industry funding at UC since 2001. The timeline includes links to materials available online. All materials that are not available online can be obtained from Kim Homer Vagadori at kim@cyanonline.org or (916) 339-3424 x22. For additional information on this issue, please visit www.academic-integrity.com and <http://www.ucsf.edu/senate/townhallmeeting/index.html>.

Please note that this document is a work in progress. Please send all changes, additions, and comments to kim@cyanonline.org.

This document was created by the Campaign to Defend Academic Integrity.
www.academic-integrity.com

¹ The Academic Senate represents the faculty in the shared governance of the University of California. The Assembly is authorized to consider any and all matters of concern to the Senate as a whole and has the power to take final action on all legislation substantially affecting more than one Division.

Timeline

2001

January UC Regents adopt policy to exclude securities of companies manufacturing tobacco products from index funds and to continue existing exclusions from actively managed funds.
<http://www.universityofcalifornia.edu/regents/minutes/2001/invest101.pdf>

March 14 The Tobacco-Related Disease Research Program² (TRDRP) Scientific Advisory Committee passed a motion recommending that principal investigators who have current tobacco industry funding should be ineligible for TRDRP funding. This recommendation was overruled by the President of the University.

2002

June 6 UC San Francisco (UCSF) faculty send letter and petition to Chancellor Michael Bishop requesting he work to enact a policy at UCSF to deny tobacco industry funding.
(cc: Senate Chair Bikle, Chair of Committee on Academic Freedom, Vice Chancellors, Deans)
<http://www.ucsf.edu/senate/townhallmeeting/TobaccoPetition.PDF>

September 25 UCSF Town Hall meeting on tobacco industry funding of research.
<http://www.ucsf.edu/senate/townhallmeeting/TownHallMeeting.pdf>

2003

January 17 UC San Diego (UCSD) Department of Family and Preventive Medicine adopts “no tobacco funding” policy.

July 23 UCSF faculty Dr. Neil Benowitz and Dr. Stanton Glantz send letter to Vice Provost for Research Lawrence Coleman regarding tobacco industry funding of research.
(cc: Chancellor Bishop, UCSF Senate Chair Bikle, UCSF Senate Vice Chair Zegans, Academic Council Chair Binion, Academic Council Vice Chair Pitts, Executive Vice Chancellor Kelley, Vice Chancellor Spaulding, Dean Debas, Dean Koda-Kimble, Dean Dracup, Dean Bertolami, Vice President Mullinix, Vice President Drake)
<http://www.ucsf.edu/senate/townhallmeeting/TobIndFundingColeman7-25-03.pdf>

December UCSF Comprehensive Cancer Center adopts “no tobacco funding” policy.

² The Tobacco-Related Disease Research Program (TRDRP) is funded through Proposition 99 (the tobacco tax). The Legislature asked the University of California to establish and administer a research program to facilitate the elimination of smoking in California.

2004

- March UCSD Cancer Center adopts “no tobacco funding” policy.
- May 14 UC Berkeley School of Public Health adopts “no tobacco funding” policy after almost an entire year of deliberation.
- May 19 UC Los Angeles (UCLA) School of Nursing adopts “no tobacco funding” policy.
- July 9 The University Committee on Research Policy³ (UCORP) releases a report entitled “Problematic Restrictive Clauses, Contracts, Grants and Gifts for research” which criticizes “no tobacco funding” policies.
<http://www.universityofcalifornia.edu/senate/reports/researchfunding.0505.pdf>
- July 21 Academic Council⁴ adopts the *Academic Council Resolution on Restrictions on Research Funding Sources* without following the usual policy of soliciting comments from the campus Senate divisions and other Systemwide Senate committees.
<http://www.universityofcalifornia.edu/senate/reports/acresolutionrsrchstrings0704.pdf>
- July 23 Letter sent to President Robert Dynes from Academic Council Chair Lawrence Pitts regarding the *Academic Council Resolution on Restrictions on Research Funding Sources*.
(cc: Academic Council, Provost and Senior Vice President of Academic Affairs M.R.C. Greenwood, Vice Provost Lawrence Coleman)
<http://www.universityofcalifornia.edu/senate/reports/researchstrings072304.pdf>
- August 23** The Tobacco Education and Research Oversight Committee⁵ (TEROC) sends a letter to the UC Regents endorsing the UC Berkeley School of Public Health for adopting a policy denying tobacco industry funding for research.
(cc: Chancellor Birgeneau, Dean Shortell, Academic Senate)
<http://mywebsite.register.com/db5/00424/academic-integrity.com/download/TEROCLetter-August2004.pdf>
- October 4 Letter to Academic Council Chair George Blumenthal from several UC faculty protesting adoption of the *Academic Council Resolution on Restrictions on Research Funding Sources* without proper Senate review.
<http://www.ucsf.edu/senate/townhallmeeting/UCORP-protest-01.pdf>

³ The University Committee on Research Policy (UCORP) is a committee of the Academic Senate. UCORP is responsible for fostering, formulating, coordinating, revising general research policies and procedures, and advising the President on research matters affecting the University.

⁴ The Academic Council is the administrative arm of the Assembly of the Academic Senate.

⁵ The Tobacco Education and Research Oversight Committee (TEROC) is a legislatively mandated advisory committee with the responsibility of overseeing the use of Proposition 99 tax revenues for tobacco control and prevention education and for tobacco-related research.

- October 8 ** President Dynes sends letter to the Regents endorsing the *Academic Council Resolution on Restrictions on Research Funding Sources*.
<http://www.ucsf.edu/senate/2006-2007/asa-10-08-04-Dynes-Regents.pdf>
- October 20 Academic Council meeting. Council unanimously agreed that the *Academic Council Resolutions on Restrictions on Research Funding Sources* should be sent out for general review by the systemwide Senate Standing Committees and the Divisions.
<http://www.universityofcalifornia.edu/senate/committees/council/ac.minutes.102004.pdf>
- November 15 Letter sent to Chair Blumenthal from the University Committee on Planning and Budget⁶ (UCPB) regarding the Council's Resolution on Research Funding Sources.
(cc: UCPB, Executive Director Bertero-Barcelo)
<http://www.ucsf.edu/senate/townhallmeeting/UCPB-ResFundSource-11-15-04.pdf>
- November 17 Academic Council resolution sent to Divisional Chairs and Senate-Wide Committee Chairs.
<http://www.universityofcalifornia.edu/senate/underreview/restriction.funds.11.17.04.pdf>
- 2005**
- January 10 UCSF Institute for Health Policy Studies adopts "no tobacco funding" policy.
- March 14 Letter sent to UC Regents from the American Cancer Society urging them to prevent the Academic Council from adopting their original *Resolution on Restrictions on Research Funding Sources*.
<http://mywebsite.register.com/db5/00424/academic-integrity.com/download/ACSCALetter-March2005.pdf>
- March 31 Academic Council adopts revised *Resolution on Restrictions on Research Funding Sources* that says only the Regents can adopt policies to decline funding based on source.
<http://www.universityofcalifornia.edu/senate/committees/council/ac%203.30%2031.05.minutes.pdf>
- May 11 Academic Assembly adopts the revised *Resolution on Restrictions on Research Funding Sources*.
<http://www.universityofcalifornia.edu/senate/assembly/may2005/may05viiia.pdf>
- June 14 ** Letter sent to UC Regents (via Office of the Secretary of the Regents⁷) from the American Heart Association, American Cancer Society,

⁶ The University Committee on Planning and Budget (UCPB) is a committee of the Academic Senate. UCPB is responsible for discussing and acting on systemwide budgetary, planning, and resource allocation issues.

⁷ The Office of the Secretary of the Regents is housed in the UC Office of the President in Oakland, CA.

American Lung Association, and the Campaign for Tobacco-Free Kids urging them to decline tobacco industry funding.

<http://mywebsite.register.com/db5/00424/academic-integrity.com/download/VoluntaryLettertoUCRegents06-14-05.pdf>

July 20 ** Letter sent to UC Regents (via Office of the Secretary of the Regents) from Americans for Nonsmokers' Rights.
<http://mywebsite.register.com/db5/00424/academic-integrity.com/download/ANRLettertoUCRegents-2005.pdf>

2006

April ** Letters sent by the Campaign to Defend Academic Integrity⁸ to individual Regents⁹ with information about the 2005 Assembly Resolution. (cc: Chair Oakley)

Letter: <http://mywebsite.register.com/db5/00424/academic-integrity.com/download/LettertoRegents-April2006.pdf>

Attachment: <http://mywebsite.register.com/db5/00424/academic-integrity.com/download/Proposal-April2006.pdf>

May Meeting between the Campaign to Defend Academic Integrity and Lieutenant Governor Cruz Bustamante's office on the issue of tobacco industry funding of research.

July 31 Lt. Governor / Regent Bustamante commits to introducing the issue to the Regents at the September meeting.

August Online petition supporting a policy to deny tobacco industry funding of research is launched.

<http://www.thepetitionsite.com/takeaction/981409285?tl=1170114332>

August 10 Regent Bustamante sends a letter to Acting Secretary of the Regents Anne Shaw requesting an agenda item for the September meeting. (cc: President Dynes, Executive Vice President Darling)

<http://mywebsite.register.com/db5/00424/academic-integrity.com/download/RegentBustamantetoSecretary-August2006.pdf>

August 17 US District Court Judge Gladys Kessler finds several tobacco companies guilty of violating the Racketeer Influenced and Corrupt Organizations Act (RICO).

Excerpts: <http://www.ucsf.edu/senate/townhallmeeting/dckessler-rico-uc.pdf>

Complete Findings: <http://www.ucsf.edu/senate/townhallmeeting/dckessler-99-2496-082006a.pdf>

⁸ The Campaign to Defend Academic Integrity is a collaborative movement by University of California community members and public health advocates campaigning for the adoption of research policies which protect the reputation and integrity of UC.

⁹ Letters sent to addresses listed on the Office of the President website. Letters sent to Regents without unique office addresses were sent to the Office of the Secretary of the Regents.

- August 24 Campaign to Defend Academic Integrity website launched.
www.academic-integrity.com
- August 25 ** Letter sent to UC Regents (via Office of the Secretary of the Regents) from the American Heart Association, the American Lung Association, and the Campaign for Tobacco-Free Kids.
[http://mywebsite.register.com/db5/00424/academic-integrity.com/ download/TFKAHAALALetter.pdf](http://mywebsite.register.com/db5/00424/academic-integrity.com/download/TFKAHAALALetter.pdf)
- September Letter sent to UC Regents from the American Cancer Society of California.
- September 7 ** Letter sent to UC Regents (via Office of the Secretary of the Regents) by Americans for Nonsmokers' Rights.
[http://mywebsite.register.com/db5/00424/academic-integrity.com/ download/ANRLettertoUCRegents2.pdf](http://mywebsite.register.com/db5/00424/academic-integrity.com/download/ANRLettertoUCRegents2.pdf)
- September 12 Letter sent to Regent Bustamante from UCSF Professor Glantz regarding tobacco industry funding of research.
(cc: President Dynes, Provost Hume, Chair Oakley, Vice Chair Brown, UCSF Chancellor Bishop, UCSF School of Medicine Dean Kessler, UCSF Vice Chancellor Spaulding)
<http://www.ucsf.edu/senate/townhallmeeting/Bustamante-Complete.pdf>
- September 13 ** Email sent by Regent Bustamante's Office to Acting Secretary Shaw and Mary Jane Alpaugh to distribute to the full Board of Regents.
[http://mywebsite.register.com/db5/00424/academic-integrity.com/ download/RegentBustamanteE-mai19-13-06.pdf](http://mywebsite.register.com/db5/00424/academic-integrity.com/download/RegentBustamanteE-mai19-13-06.pdf)
- September 13 ** Letter sent to UC Regents by TEROC.
[http://mywebsite.register.com/db5/00424/academic-integrity.com/ download/TEROCLetter.pdf](http://mywebsite.register.com/db5/00424/academic-integrity.com/download/TEROCLetter.pdf)
- September 13 ** Letter sent to individual Regents by Campaign to Defend Academic Integrity with information about the 9/20/06 agenda item proposed by Regent Bustamante.
(cc: Regent Bustamante, President Dynes, Provost Hume, Chair Oakley, Vice Chair Brown, Acting General Counsel Blair, Acting Secretary Shaw, Acting Treasurer Berggren)
[http://mywebsite.register.com/db5/00424/academic-integrity.com/ download/LettertoRegents9-13-06.pdf](http://mywebsite.register.com/db5/00424/academic-integrity.com/download/LettertoRegents9-13-06.pdf)
- September 15 ** Letter sent to UC Regents (via Office of the Secretary of the Regents) by the American Heart Association Western States Affiliate.
[http://mywebsite.register.com/db5/00424/academic-integrity.com/ download/AHACALetter9-15-06.pdf](http://mywebsite.register.com/db5/00424/academic-integrity.com/download/AHACALetter9-15-06.pdf)

- September 19 ** 673 Californians send letters to Lt. Governor Bustamante thanking him for taking the issue of tobacco industry funding of research to the Board of Regents.
(cc: Regents via email at regentsoffice@ucop.edu)
http://mywebsite.register.com/db5/00424/academic-integrity.com/_download/UCRegentsLetter-WithSupportSignatures.pdf
- September 20 Issue heard by the Committee on Educational Policy (proposed by Regent Bustamante). After discussion, the item was sent back to the Academic Senate for discussion and recommendation to the Regents.
<http://www.universityofcalifornia.edu/regents/regmeet/sept06/re78.pdf>
- September 27 Academic Council meeting. Revised resolution on external research funding sources is adopted by a 12-5-1 vote.
<http://www.universityofcalifornia.edu/senate/committees/council/ac.minutes.9.27.06.pdf>
- September 29 ** Letter sent to UC Regents from California Attorney General Bill Lockyer (via Office of the Secretary of the Regents).
(cc: Lieutenant Governor Bustamante, President Dynes, Chair Oakley)
http://mywebsite.register.com/db5/00424/academic-integrity.com/_download/AGtoUCRegents.pdf
- October 3 Letter sent by Professor Glantz to fellow members of the Academic Assembly regarding tobacco industry funding of research.
- October 11 Academic Assembly meeting. After an 85 minute debate, the Academic Assembly voted in favor of the Academic Council resolution by a 27 in favor and 16 against vote. At the end of the meeting, there was a 40 minute discussion on the issue that resulted in two additional statements. Both statements passed by a large majority.
<http://www.universityofcalifornia.edu/senate/committees/assembly.10.11.06agenda.pdf>
- October 12 ** Letter sent to UC Regents by the American Cancer Society National Office (via Office of the Secretary of the Regents).
(cc: Lieutenant Governor Bustamante, President Dynes, Chair Oakley)
http://mywebsite.register.com/db5/00424/academic-integrity.com/_download/ACSNationalLetter10-12-06.pdf
- October 17 ** Letter sent to Attorney General Bill Lockyer from Regent Parsky.
(cc: Regents, President Dynes, Provost Hume, Executive Vice President Darling, Chair Oakley, Acting Secretary Shaw)
- November 1 ** Chair John Oakley sends a letter with the Senate's 3 statements to President Dynes asking him to transmit the letter to the Regents in time for distribution in connection with the oral report at the November meeting.
(cc: Assembly of the Academic Senate, Executive Director Bertero-Barceló)
<http://www.universityofcalifornia.edu/senate/assembly/oct2006/research%20funding.11.06.pdf>

- November 1 Letter sent to Regent Parsky by the Campaign to Defend Academic Integrity requesting his support on a policy to deny tobacco industry funding of research.
<http://mywebsite.register.com/db5/00424/academic-integrity.com/download/FaxtoRegentParsky.pdf>
- November 2 Letter sent to the Campaign to Defend Academic Integrity from Provost Hume on behalf of President Dynes in response to the September letter sent to President Dynes.
(cc: President Dynes, Executive Vice President Darling, Vice Provost Coleman, Chair Oakley, Acting Secretary Shaw)
<http://mywebsite.register.com/db5/00424/academic-integrity.com/download/LetterfromProvostHume11-2-06.pdf>
- November 6 ** Letter sent to UC Regents by the American Medical Association (via Office of the Secretary of the Regents).
(cc: Lieutenant Governor Bustamante, President Dynes, Chair Oakley).
<http://mywebsite.register.com/db5/00424/academic-integrity.com/download/AMALetter.pdf>
- November 16 Academic Senate Chair Oakley reports back to Board of Regents the three resolutions adopted by the Academic Assembly in October, 2006.
<http://www.universityofcalifornia.edu/regents/minutes/2006/board1106.pdf>
- November 27 Letter sent directly to Regent Richard Blum from Professor Glantz at Regent Blum's request regarding tobacco industry funding of research at UC.
(cc: President Dynes, Provost Hume, Chair Oakley, Vice Chair Brown, Chancellor Bishop, Dean Kessler, UCSF Senate Chair Greenspan, Michael Honack, Kim Homer)
<http://mywebsite.register.com/db5/00424/academic-integrity.com/download/BlumLetterAttachments11-27-06.pdf>
- December Regent John Moores requests an action agenda item for the January 2007 Regents meeting.
- December 18 ** Letter sent to the Campaign to Defend Academic Freedom by Regent Parsky in response to a fax sent to him on November 1, 2006.
(cc: Regents, President Dynes, Chair Oakley, Acting Secretary Shaw, Vice Provost Coleman)
<http://mywebsite.register.com/db5/00424/academic-integrity.com/download/LetterfromRegentParsky12-18-06.pdf>
- December 21 ** Letter sent from the Campaign to Defend Academic Integrity to Provost Hume in response to his November 2, 2006 letter.
(cc: Regents, President Dynes, Chair Oakley, Acting Secretary Shaw, Vice Provost Coleman)
<http://mywebsite.register.com/db5/00424/academic-integrity.com/download/LettertoProvostHume.pdf>

2007

January 18

Action item RE-89 is heard by the Committee on Finance. Regent Hopkinson made a motion to send the item back to the Academic Senate for further consideration and revisit the proposed policy in May 2007. The motion passes with a 7 yes, 1 no vote.
<http://www.universityofcalifornia.edu/regents/regmeet/jan07/re89.pdf>

** Correspondence sent to the full Board of Regents or to the Secretary of the Regents or the President to forward to the Regents.

**Public Comment Presentations at Regents Meetings
Supporting a “No Tobacco Money” Policy**

<u>Date</u>	<u>Speakers</u>	<u>Materials to Acting Secretary Shaw</u>
November 4, 2004	3 speakers (2 alum, 1 student)	Speakers comments
November 18, 2004	3 speakers (2 alum, 1 student)	Speakers comments
January 20, 2005	1 speaker (student)	Speakers comments
March 17, 2005	2 speakers (students)	Speakers comments
April 28, 2005	1 speaker (alum)	Speakers comments
July 21, 2005	1 speaker (student)	Speakers comments
November 16, 2005	1 speaker (student)	Speakers comments
March 15, 2006	1 speaker (student)	Speakers comments
May 17, 2006	2 speakers (1 alum, 1 student)	Speakers comments
September 20, 2006	8 speakers (2 faculty, 2 alum, 1 student, 3 community members)	Petition signatures, DOJ ruling, letters of support, speakers comments
November 14, 2006	4 speakers (1 faculty, 2 alum, 1 student)	Speakers comments
January 18, 2006	7 speakers (3 faculty, 1 alum, 2 students, 1 community member)	Speakers comments