

**Minutes of Meeting****July 8, 2011****I. Announcements**

UCLA Representative White, who co-chairs the Senate-Administrative Advisory Workgroup on Required Training (SAAWRT) with Lynda Hilliard, Deputy Compliance Officer in the office of Ethics, Compliance, and Audit Services (ECAS), reported that the workgroup has had a fitful start due ~~to~~ largely to a difference in institutional cultures. Nevertheless, all parties agree on the importance of the workgroup goals: to clarify lines of responsibility, to simplify implementation, and to minimize University resources spent on mandatory trainings for all levels of employees. The workgroup will conduct a full audit of mandatory trainings to target redundancies for elimination and to determine best practices for maximum completion.

**II. Health Care Task Force (HCTF) Update**

*Robert May, HCTF Chair*

**UPDATE:** Chair May updated the committee on several items of interest: i) Another teleconference was held to discuss the possibility of the University self-insuring, but a data dearth precludes significant analysis; ii) The Human Resources investigation into gap coverage for travel abroad continues; iii) Some retirees who enrolled in the Lumenos program have reported bad messaging regarding the transition, even the confiscation of roll-over dollars from health reimbursement accounts. HCTF is exploring options to remediate the situation and minimize impacts to retirees; and iv) Premium increases for 2012 are expected to follow the recent pattern.

**III. Impact of *Stanford v Roche***

*Marty Simpson, Office of General Counsel*

*Wendy Streitz, Executive Director, Research Policy Analysis and Coordination (RPAC),  
Office of Research and Graduate Studies (ORGS)*

*Janna Tom, Policy Manager, RPAC, ORGS*

**ISSUE:** Counselor Simpson provided an overview of the *Stanford v Roche* case in which the US Supreme Court held that the future verb tense of Stanford's transfer of ownership declarations allowed Roche to claim the invention in question. As a result, UC, which uses similar language, will soon require all researchers to sign a new ~~transfer~~ assignment of ownership agreement including verbiage akin to "and hereby do".

**DISCUSSION:** Members asked how much patent revenue the University stood to lose should new agreements not be signed soon. Director Streitz noted that a specific dollar amount is nearly impossible to offer, and she added that the amended agreements are not anticipated to apply retroactively. Director Streitz has also consulted with the University Committee on Research Policy (UCORP) on this matter, and despite their concerns about top-down directives being likely to encounter resistance, roll-out is expected to be by executive directive, accompanied by clear messaging. Manager Tom added that the

amended language under discussion only changes the verb tense in question; no other changes to the policy will be made.

Members encouraged a more nuanced roll-out, perhaps requesting amendment at the time of the next performance review or the next grant submission, etc. Director Streitz indicated that the assignment is part of the appointment agreement and it could be unfair to single out certain subgroups of researchers for enhanced regulation. It was suggested that follow-up enforcement could be more risk-based, should initial calls for amendment go unheeded. Members also asked how visiting scholars' agreements would be changed, and what the possible impact could be to reciprocal agreements. Director Streitz noted that a present tense assignment would take precedence in all situations. Manager Tom added that electronic signatures may be a viable option, as they were successful when the Lawrence Berkeley National Lab amended their agreements.

#### **IV. Emeriti and Retiree Association Recognition**

*Ernest Newbrun, CUCEA Chair*

**NOTE:** Item occurred in executive session; other than action items, no notes were taken.

**ACTION:** Analyst Feer will draft correspondence outlining the committee's concerns with the proposal.

#### **V. Consultation with the Office of the President – Budget**

*Patrick Lenz, Vice President (via phone)*

**UPDATE:** Vice President Lenz reported that another \$150M had been cut from the state's allocation to UC, on top of the \$500M cut in January. In anticipation, a dollar-for-dollar tuition increase was overtly discussed in both Sacramento and the media, and such a proposal will go before the Regents next week. Funding for two capital projects was included, as was an agreement to honor previously approved project funding that has not yet been released. If fall revenues fail to be realized, UC could face another \$100M before the new year. Because Governor Brown's tax extensions are unlikely to make the fall ballot, the odds that fall revenue will meet projections is slim. The University is running out of stop-gap budget measures, and structural change needs to occur to keep the University on solid footing.

**DISCUSSION:** Members asked whether student lawsuits protesting late fee hikes were possible, and VP Lenz indicated that this year's communications allowed for such increases. Members inquired as to the status of changes to the return to aid policy, and VP Lenz replied that any changes had been deferred. Members also asked if the total tuition increase for the 2011/12 academic year was projected to be in the range 17-18%, and VP Lenz confirmed the speculation. Council Chair Simmons noted that the Council had voted to affirm the proposed tuition increases.

#### **VI. Systemwide Review Item:**

##### **Report and Recommendations of the Task Force on Library Planning**

**DISCUSSION:** Members were concerned that the report did not take a long-term strategic approach to the libraries. Members were further concerned that the recommendations regarding new publishing models were not workable with established peer review processes, and many questioned including boycotts as a policy. Members also felt that

the task force focused only on the brick-and-mortar aspect of the libraries to the neglect of information stewardship more broadly defined.

**ACTION:** Analyst Feer will draft a response and circulate it to the committee for electronic approval.

## **VII. Consultation with the Office of the President – Academic Personnel**

*Susan Carlson, Vice Provost*

### **1. Climate Surveys**

*With Randy Scott, Executive Director, Talent Management and Staff Development, Human Resources*

*With Jesse Bernal, Diversity Coordinator, Academic Affairs*

*With Jan Corlett, Chief of Staff, Academic Affairs*

*With Manuela Martins-Green, UCAAD Vice Chair (via phone)*

**ISSUE:** Mr. Bernal outlined the history of the effort from its genesis in the 2007 staff diversity council through a 2008 Regents item. Funding has now been secured to conduct a comprehensive systemwide study of faculty, staff, and employees. Focus groups will be targeted in the fall, and the full census survey will be conducted in the spring.

**DISCUSSION:** Members asked how “climate” was being defined, suggesting that current conceptions were too narrow. Mr. Bernal indicated that the definition would be as inclusive as possible, and indeed, since the project is still in the planning phases, faculty feedback can help shape the scope. Vice Chair Anderson noted that student learning outcomes would be incorporated, and Ms. Corlett added that mental health issues would be included, too. Further, UC will own the data for use in longitudinal studies later.

Members cautioned, though, that the transient nature of the student population could skew data and might benefit from a year-of-study level of analysis. Ms. Corlett noted that sub-climates would be revealed since a census survey will be used. Members also queried how the survey instrument would be vetted, and whether previous studies would be available for critique prior to adaption for UC use. Mr. Bernal indicated that such level of detail was not available yet. Members then asked what a successful project outcome would look like. Vice Provost Carlson replied that the goals were also still being defined, and that she hoped the faculty would help define them. Director Scott added that non-respondent follow-up will be part of the study and that union participation will be sought through official channels.

### **2. APM 530 (Non-citizens)**

**ISSUE:** VP Carlson noted that this regulation had not been updated in decades and that it no longer matches current laws and other federal regulations.

**DISCUSSION:** Members ~~suggested~~ commented that the suggested language carried the wrong connotations and could be interpreted to mean that non-residents must meet a higher standard than residents. Members also noted that requiring chancellor’s approval for all requests of this nature could prove unworkable in practice. Council Vice Chair Anderson observed, though, that the requirement may be delegable and that often, a high profile approver may be useful.

### **3. APM 700 series (Leaves of Absence)**

**ISSUE:** HCTF Chair May reported that the language in this series is imprecise, leading to differential implementation by campus, and often by department. The precise intent of the policy is also unclear.

**DISCUSSION:** Anecdotal reports suggest that while permission to be absent from campus is never denied, the vagaries surrounding the policy cause it to be ignored frequently. Some units, however, regularly use the policy to guarantee clinical coverage, for example. Members wondered if a utilization survey of the divisional academic personnel directors would illuminate the subject and help better define best practices and expected behaviors.

**ACTION:** Vice Provost Carlson will investigate the matter and report back in the fall.

4. Faculty Salary Task Force

**ISSUE:** VP Carlson reported that the first recommendations were before the president and the intent is to move forward with implementation, although it is not known which recommendation the president will recommend.

**DISCUSSION:** Members wondered whether reports that the 3% salary increase would be retroactive to July were true. VP Carlson indicated that she was unaware of such reports and added that the logistics involved may preclude retroactivity and/or delay implementation past September. Members wondered how merit would be determined, and how UC would frame the raises in the media.

Members noted that uncertainties surrounding fixing the salary scales are more harmful in the health sciences, where an accurate remuneration study is still unavailable. Members further noted that a long-term strategy is still needed; current efforts are spent almost entirely on addressing short-term crises.

## **VIII. Campus Updates**

### *Members*

Berkeley: Self-supporting programs are proliferating, and there is concern that they may divert resources from core mission efforts.

Los Angeles: The proposed on-campus convention center has been postponed, and a patient privacy breach has led to unfavorable press reports.

Merced: Concern has arisen over use of the return to service clause in the sabbatical guidelines.

## **IX. Further Discussion**

1. Working Smarter Initiative

**ISSUE:** The project leaders are amenable to Senate participation on many issues. UCFW is encouraged to be proactive in identifying the initiatives with which the Senate can be most useful.

**DISCUSSION:** Some members wondered how effective Senate participants were likely to be in affecting meaningful change.

**Action:** Analyst Feer will circulate the Working Smarter webpage and begin a Senate participation matrix for the various initiatives.

Meeting adjourned at 3:10 pm.

Minutes prepared by Kenneth Feer, Senior Policy Analyst

Attest: William Parker, UCFW Vice Chair