

**Minutes of Meeting
December 10, 2012**

I. Chair's Announcements

Mike Kleeman, UCORP Chair

Update: Chair Kleeman updated the committee on several items of interest:

- Academic Planning Committee (APC): The APC is joint Senate-administrative body that advises the provost on the University's academic mission. Provost Dorr is repopulating the committee, and expected agenda items include: professional degree supplemental tuition (PDST), transitions of state-supported professional schools to self-supporting status, how to amend the Compendium to end undergraduate programs that are the last of their kind, how resolve conflicting regulations, especially regarding MRU director appointments, and how to reinvest in UC quality.
- Regents November meeting: Governor Brown was in attendance, and how to use the momentum built in passing Proposition 30 was discussed. There are political considerations to using any new funds for payroll or pension purposes.
- Program Review Group (PRG): Vice President Beckwith is populating this advisory group. There are 10 campus representatives, and roles of the UCORP and UCPB chairs and vice chairs is still to be determined.
- Composite Benefit Rate: The Academic Council has sent a memo to Controller Arrivas outlining the Senate's concerns with the process and rates as proposed. Council Chair Powell will be included in future meetings with the federal rate setting agency, the Department of Costing Analysis (DCA). The separate rates for defined benefit and defined contribution pension plans can serve as a precedent for a separate rate for summer salaries. Programmer workload and cost continue to be obstacles. The philosophical difference between the administration and the Senate as to whether it is better to smooth the cost to the system or to avoid a catastrophic cost increase to an individual PI remains. Many specific questions remain, as well, such as guidelines for medical center personnel, other academics, post docs, and emeriti.
- Negotiated Salary Pilot: The Academic Council will monitor the implementation and outcomes of the pilot. Irvine opted out of the pilot, San Diego has opted in, and Los Angeles is still deliberating.
- National Ignition Facility: The program has received high level national attention, and now there is political fall-out from missing a scheduled deadline. Next steps are unclear at this point, but the Academic Council Special Committee on Lab Issues (ACSCOLI) will continue to monitor the situation.

II. Consent Calendar

Correction: Members noted that UC's lab safety "accident rate" is already low.

Action: The November minutes were approved as amended.

III. The Compendium

Issue: The Compendium language needs to be consistent and reflect current practices.

Discussion: Regarding the appointment of research unit directors, it was noted that several policies are implicated: Regents policies, Regents Standing Orders, the Academic Personnel Manual, and the Compendium. Members also discussed whether “universitywide” and “multi-campus” should be considered synonymous (in this context, yes). Some members voiced concern about over-centralizing the process, such as changes to search committee composition.

Members also discussed whether MRPIs should be covered in the Compendium, given that they are results of a funding competition, not formal academic research units. Whether to include advisory boards, such as the PRG, is also under on-going discussion.

Action: The language in APM 241-24 should be updated with today’s nomenclature, and then that language should be imported to the Compendium.

Action: Davis Representative McKee, Riverside Representative Nunney, and Santa Cruz Representative Scott will work as lead reviewers and revise the MRU section of the Compendium for brevity and clarity. Revised drafts will be circulated by email for approval prior to transmittal to the Academic Council.

IV. Agenda Items for Meeting in Sacramento

Discussion: Chair Kleeman suggested that UCORP’s message should be framed within the University’s mission and the Research Mission Statement UCORP developed last year. He also suggested that highlights be targeted to areas of interest to legislators, such as economic impact through technology transfer and social impact through socially relevant research. Members wondered if professional schools might be persuasive, too. Members asserted that the role of basic research should also be highlighted, not just applications and outcomes; the importance of workforce training should be stressed. It was also noted that critical thinking skills and less quantifiable aspects of humanities research be included.

Threats to the research enterprise were also noted. Budget cuts have disproportionately impacted research, and nascent efforts regarding effort reporting and learning outcomes threaten to further obviate research for many faculty. Salary lags have also led to increased instances of researcher poaching by rival institutions, but evidence is only anecdotal so far.

Action: Analyst Feer will circulate extant research and University public relations materials.

V. Consultation with the Office of the President – Office of Research and Graduate Studies

Steve Beckwith, Vice President

1. Program Review Group

Update: VP Beckwith reported that the PRG will consist of 21 members, plus Chair Paul Gray (UCB, emeritus). He has received 10 Senate nominations, but one recused himself and another is still being negotiated. Each campus will be represented by a faculty member and an administrator. The Group will be advisory only to the ORGS VP. It is hoped that the Group will self-identify, rather than act as representatives of constituencies. There are nine program

buckets upon which the Group will be asked to opine: the California Institutes for Science and Innovation, the lab fee-funded research program, the multi-campus research programs and initiatives, the University of California Observatories, the Natural Reserve System, UC Mexxus, the California HIV/AIDS Research Program, proof of concept competitions, and miscellaneous.

2. Indirect Cost Waivers

Wendy Streitz, Executive Director, Research Policy, Analysis, and Coordination

Issue: Director Streitz reported that her unit is working to implement recommendations from last spring by moving waiver authority to the campuses, out of the Office of the President. There are 2 types of waivers: by case and by class. In the past, class waivers have been granted to some non-profit entities and the State of California. A new MOU with the state is being developed, following demonstration of the cost impacts to the University. Additional recommendations yet to be implemented include: eliminate all class waivers; enhance reporting and record keeping; develop a dedicated ICR policy; develop a menu of standard exceptions, such as for clinical trials; pursue a higher rate for industry, to help offset the low government reimbursement rates; and to charge facilities and administration costs as direct costs to non-federal sponsors.

Discussion: Chair Kleeman asked if the committee could see some of the documents prepared in advance of rate negotiations with the federal government. Director Streitz indicated that each campus will have those documents, but Chair Kleeman indicated that they have not been shared. Absent data, it is impossible to educate colleagues. Director Streitz agreed, adding that technological changes have out-paced regulatory changes, further adding to the confusion surrounding the process. Members asked how endowments and gifts would be impacted by changes to indirect cost recovery practices, and Director Streitz indicated that impacts are unclear at present. Local regulations governing endowments and gifts continue to vary by location.

3. MRU/MRPI Successes

Kathleen Erwin, Director, Research Grant Programs Office

Issue: Director Erwin summarized the successes of the MRPI-funded efforts and the lab fee-funded efforts in terms of extramural funds leveraged. The intent is to frame research expenditures as investments. Additional metrics can be provided, including graduate students supported and publications and citations. New state awards will include a 25% indirect cost recovery rate.

Discussion: Members encouraged to include “human interest” reports, not just financials.

4. UCO Advisory Board

Issue: VP Beckwith reported that the Board has 13 members and is chaired by Karl Pister (UCB, emeritus). It includes 6 astronomers among its 8 faculty, one of whom is external to the system. The Board will opine on the relative size of the University expenditure on the Observatories, as well as on the goals they have set. For example, the proposed thirty-meter telescope could cost as much as \$1.2B to start, and operating costs are still to be determined.

Discussion: Members inquired if Board minutes would be made available, and VP Beckwith indicated that no decision on that question had been reached yet.

VI. Systemwide Review Items

1. Open Access

With Chris Kelty, Chair, University Committee on Library and Scholarly Communication (UCOLASC)

Issue: Chair Kelty began by addressing several of the concerns raised in previous communications. Academic Freedom is protected by giving authors the choice of where to publish, the freedom to co-author, and generous opt-out clauses. Changes will come to scholarly societies, regardless of what action UC takes in this area. Implementation questions have been left unspecified, pending programming and workload analyses at CDL; a separate guide will be developed and promulgated. Long-term program administration and oversight funding, though, have yet to be identified.

Discussion: Members inquired how internal deposition might impact grant applicant competitiveness, as well as how page fees would be covered under the new paradigm. Chair Kelty reiterated that deposition is different from publication, and so should have minimal impact on applicant competitiveness. Page fees and article processing fees have yet to be addressed fully. Members sought clarity regarding the authority to create derivative work or edited volumes from deposited materials. Chair Kelty answered that 1) the Office of General Counsel is investigating using tighter language that would still allow CDL access to materials, and 2) programming limitations only allow for increasingly tight restrictions, but restrictions cannot be eased once coded, to enable increasingly loose restrictions. That is, it is better to start with broadly accessible deposition language, and offer concerned faculty additional grades of protections, rather than start with a hard line, since it cannot be eased after the fact.

Members pursued the question of out-year administration and oversight funding, emphasizing that costs would now accrue to the PI, not to the library or the system. Some raised the concern that library budgets would subsequently be cut, but that the funds would not be migrated to PIs, thus harming both the library system and the PI. Chair Kelty suggested that such changes to the library budget could occur independently of any open access policy. Nonetheless, members suggested that future iterations of the Open Access policy include new MOUs designed to protect library solvency.

Members then asked about next steps, and whether a trial program would be workable. Chair Kelty suggested that at least two years would be needed for a trial program, but he encouraged members not to vote “up or down”, but to suggest adoption or specific revisions. He added that Open Access dovetails well with the University’s public mission and could be a political asset in Sacramento. Members inquired how soon CDL would be able to handle receiving an additional 50K articles/year. Chair Kelty indicated that an up-front investment of \$200-300K would be needed.

Members queried how traditional publishing houses might react, wondering how faculty and students would respond to losing some journal subscriptions. Chair Kelty encouraged members to think instead of the new opportunities Open Access could provide, rather than confining members to

operate within the incumbent, and imperfect, publishing paradigm. Open Access could also change the starting point of future negotiations.

Members again noted that UCSF has just implemented a very similar program, but that it is too soon to know how successful it is, or what unintended consequences may result. Additional information from external precedents is also not yet available.

Action: Analyst Feer will draft the committee response and circulate for electronic approval prior to transmittal to the Academic Council.

2. APM 015

Note: Item not addressed.

VII. Executive Session

Note: Other than action items, no notes were taken.

VIII. Campus Updates

Berkeley: (absent)

Davis: The local COR is collecting best practices on the use of local grant funds: can it be used to cover tuition and benefits for grant associated personnel?

Consensus indicated that graduate students can be covered in this fashion, depending on the specific language in effect locally. Other options include exceptions or the use of summer funds.

Irvine: Open Access and lab safety have discussed.

Los Angeles: The local COR has discussed Open Access at length. Local deans are conducting ORU reviews.

Merced: The composite benefit rate discussion needs better communication.

Action: Analyst Feer will circulate Council Vice Chair Jacob's summary PowerPoint for internal use.

Riverside: The local computer refresh program has been defunded, but is still needed. Faculty Fellowships are also in funding jeopardy, even though they are viewed as critical to humanities departments. As a result, sabbaticals are being cannibalized.

San Diego: The local faculty association has communicated its disapproval of the new copyright standards, but this issue should not be pursued through Senate mechanisms.

San Francisco: Lab safety documentation changes have been promulgated, but not any new practices or standards. Space usage is being scrutinized.

Santa Barbara: No update.

Santa Cruz: Open Access has been the main topic of conversation.

IX. New Business

None.

Meeting adjourned at 3:35 p.m.

Minutes prepared by Kenneth Feer, Principal Analyst

Attest: Mike Kleeman, UCORP Chair