

**Minutes of Meeting  
December 12, 2011**

**I. Chair's Announcements**

*John Crawford, UCORP Chair*

**UPDATE:** Chair Crawford updated the committee on several items of interest:

- Academic Council meeting of November 30: Implementation of the Health Sciences Compensation Plan (HSCP, see APM 670) for the UCR School of Medicine is moving forward, on a conditional 3-year basis. The Western Association of Schools and Colleges (WASC), UC's accrediting agency, has proposed significant changes to the accreditation processes; the Council is in continuing discussion with both UC administration and WASC to ensure all stakeholders' needs are met. Members are encouraged to discuss rebenching and the online education effort with their constituencies and to bring back questions to facilitate robust discussions.
- Committee on Academic Graduate Student Support (CAGSS): White Papers are being drafted for submission and discussion, and this committee's work will be considered by the joint task force, the particulars of which are still forthcoming.
- Working Smarter Initiatives: Members who have not yet volunteered for one or more projects are encouraged to do so at their earliest convenience.
- Meeting time: To better accommodate the flight schedules from the Southern campuses, UCORP will adjust its meeting time to 9:30-3:30, beginning in February 2012.

**II. Patent Assignment Form**

*John Crawford, UCORP Chair*

**ISSUE:** The revised patent acknowledgement form is ready for circulation, and UCORP is asked to help craft the messaging and to suggest enforcement mechanisms.

**DISCUSSION:** Members noted that the sample communication linked to an incomplete document with formatting errors. Members also reported that use of third party vendor to administer the assignments has caused confusion: Many faculty believed the message to be spam. Members agreed that the message subject line should not be in all capital letters.

Three types of risk to UC that require indemnification were identified: 1) UC contractual obligations with third parties; 2) long-term intellectual property revenue loss; and 3) failure to meet federal requirements relating to demonstrable public benefit of publicly funded research.

One suggested frame for consequences was that the risk/reward should be proportionate to the faculty member's research. Members then wondered when an idea was patentable and whether UCORP should prioritize defense the University or the researcher. Members also wondered how collaborative research might be impacted.

Members observed that UC does not seem to have the authority to compel employees to sign a new form, but it was posited that compliance here could be construed as a

condition of employment. Members also observed that some faculty might refuse to sign an amended form on principle/as protest, and suggested that UCORP should not be advocating for either position.

Members agreed that UCORP should support facilitating research, and that for most employees, signing the amended form will affirm what they thought they already signed. Difficult cases can be handled on an ad hoc basis.

Chair Crawford noted that other Senate committees are also considering this question and the Academic Council will collate responses.

### **III. Campus Updates**

#### *Members*

**DISCUSSION:** Members are encouraged to discuss policy issues with their divisional CORs and bring that perspective to UCORP. To facilitate those discussions, upcoming UCORP topics will be circulated in advance of the formal agenda.

### **IV. Consultation with the UCO Director**

#### *Mike Bolte, Director, UCO*

**ISSUE:** Director Bolte provided an overview of the history of the UC Observatories and its scientific and academic legacies. He noted that maintaining that level of excellence requires both long-term and large-scale investments, and that being on the cutting edge of research requires even more. Director Bolte also reported that the Astronomy Task Force, comprised of UC astronomy and astrophysics faculty, supports the continuation of telescope-based research and facilities. The external review committee has agreed with this plan, suggesting only minor tweaks in UCO operations.

**DISCUSSION:** Members asked which of the 2001 review recommendations had been implemented, and Director Bolte indicated that lack of time and opportunity precluded pursuing them. Members also asked about hiring and turnover rates, and Director Bolte replied that UCO, like other units, has been engaged in “vacancy control”; the total number of faculty has shrunk by one, but the FTE has been retained. Staff, on the other hand, have not been replaced and their funds have been “funged”; recently, 3-5 staff FTE have been lost.

Members then inquired why astronomy and astrophysics (A&A) should be prioritized above other scientific endeavors. Director Bolte indicated that observational astronomy is a unique field of research and operates differently from others – it must be centralized to be effective. UCO should be thought of as a shared lab, rather than as a discrete MRU with a finite charge. It is impractical to have world class A&A facilities at each UC location, in contrast to chemistry labs, for example, where each location can have multiple facilities.

Vice President Beckwith observed that UCO’s return on investment lags that of other physical sciences, but Director Bolte rejoined that such statistics are not subtle enough to capture the scientific and academic value of UCO work, rather than the gross economic value as calculated by start-ups.

Members inquired as to the UCO faculty member’s typical teaching load, and Director Bolte answered that it is one course per year. Members also inquired as to the 80-20 funding split for UCO faculty, noting that it was not needed in high energy physics which also utilizes shared central research facilities. Director Bolte replied that the

funding structure was necessary to accommodate budget allocation practices, given the shared nature of UCO as a laboratory.

**V. Consultation with the Office of the President – Office of Research and Graduate Studies (ORGS)**

*Steve Beckwith, Vice President*

1. UCO:

**DISCUSSION:** VP Beckwith noted that the Observatories do not exist in a vacuum, but are subject to the same zero-sum funding realities as every other arm of the University. Accordingly, UCO funding cannot increase without commensurate cuts elsewhere, and thus, systemwide research funding priorities need to be clear. He added that budget forecast procedures were in place to be followed.

Members asked whether VP Beckwith was surprised by the findings of the external review committee, and he answered yes, some of the recommendations were unexpected: the call for increased budget transparency, facility upgrades, and severing the Lick facility, for example. Members noted that the recommendations call for a significant change in operations, wondering if such change were really possible. VP Beckwith indicated that creative budgeting could help: access to the telescopes can be sold, and internal trade-offs are possible. Members wondered how much time could be sold, noting that access had been used as a recruitment tool and could be contractual. Members also wondered which campus captured indirect cost reimbursements, and VP Beckwith answered that UCLA keeps some since it houses the instrumentation facility. For Keck, some ICR is disallowed due its being a partly owned by the government. VP Beckwith stressed, though, that Keck is separate from UCO, but members were not certain that the distinction is widely made. Members asked who might buy access time, and VP Beckwith noted that the NSF, for one, would be interested. Cal Tech, co-operator of the Keck facility, currently sells time to Yale and an overseas consortium. Finally, members asked where cuts to UCO would be reallocated, and VP Beckwith stated that ideally, it would go to other research endeavors, even though that has not been the trend of late.

2. Patent Assignments:

**DISCUSSION:** Members asked if UCOP was developing a policy to address the question of employees who refuse to sign the amended patent assignment form, and VP Beckwith answered that no plans were in place at present, but that more information will be available in March and the issue is expected to be revisited then. Members noted that there was much speculation and rumor, and many were struggling to distinguish fact from fiction. Research Policy Director Streitz noted that direction on enforcement has not yet come from the Office of General Counsel, in part because three groups of signatories have been identified, and each may require a distinct process. One group, those hired after 1997, only signed an acknowledgment and their compliance can be compelled. A second group, hired between 1990-1997, signed a contract that can be amended without violation, if both parties agree. The third group,

those hired before 1990, signed a contract that did not envision change and amendment may be difficult. It is hoped that language specifying “during the course and scope of employment” can be a workable solution. Members asked whether exemptions could be made, and Director Streitz indicated no.

3. Cal ISI Reviews:

**UPDATE:** VP Beckwith reported that the CalIT2 report is nearly ready to be sent to the Senate for comment; the CNSI review committee has met and should submit their report in the next few weeks; the CITRIS review has been submitted to the chancellors for their response and will come to the Senate shortly.

4. Task Force on UC Research Investments:

**UPDATE:** VP Beckwith exhorted members to think creatively as this task force begins its work. Many competing and often incomparable priorities must be weighed and ranked: emergent research areas, internal favorites, and big science must all be evaluated. The goal of the task force will be to develop a framework whereby these difficult decisions can be made. (See also Item VII below.)

**VI. UCO Review Response**

*\*\*Note: Item occurred in Executive Session; other than action items, no notes were taken.\*\**

**ACTION:** Analyst Feer will draft the committee’s response and circulate it electronically for comment.

**VII. Task Force on Principles, Process and Assessment of UC Systemwide Research Investments (PPA)**

*Jenny Gautier, Deputy to ORGS VP*

**UPDATE:** Deputy Gautier reported that there will be three phases of work: 1) development of principles for prioritizing systemwide research (target completion date is the end of March); 2) development of processes for applying the principles from phase 1; and 3) development of assessment metrics to determine whether the principles articulated in phase 1 have been achieved. In each phase, the deliverables must be repeatable and comparable. A separate question is how to allow for exceptions, such as legislative or presidential directives. The other members of the task force will be the Council of Vice Chancellors of Research and ORGS personnel with functional expertise.

**ACTION:** UCORP unanimously endorsed the draft charge.

**VIII. New Business and Planning**

*\*\*None.\*\**

Adjournment: 4 o’clock.

Minutes prepared by Kenneth Feer, Senior Policy Analyst

Attest: John Crawford, UCORP Chair