UNIVERSITY COMMITTEE ON RESEARCH POLICY

Minutes of Meeting

October 14, 2013

I.   Welcome and Introductions

Chair Clare welcomed new and returning members, who then introduced themselves and their fields of study.

II.   Chair's Announcements

Bob Clare, UCORP Chair

Update: Chair Clare reported to the committee several items of interest:

- Academic Council meeting of September 25: 1) A total remuneration study will be conducted of ladder-rank, general campus faculty. Results are expected in the spring or summer. 2) Open Enrollment begins soon. Members should read all materials carefully as there are significant changes to the plan offerings. 3) Open Access is underway at 3 campuses now- UCSF, UCLA, and UCI. UC has a "green" open access policy, not a "gold" policy, which should minimize up-front costs. Ease of deposit continues to be improved. 4) Advocacy in Sacramento for UC must still emphasize basic concepts, like instruction occurs not only during podium hours but also during mentoring and labs.
- Upcoming business: 1) APM 600 series (Salary Administration) will soon come for formal systemwide review. 2) Senate By-Law 55 (Departmental Voting Rights) is also to be reviewed. The impact to research from the proposal is unclear. 3) Composite Benefit Rates continue to be advanced by the administration, but the proposals continue to be rejected by the Senate. 4) Several of the external reviews of the California Institutes for Science and Innovation (Cal ISIs) remain unfinished; a process failure has been identified and UCORP will work with ORGS and the Academic Planning Council to improve the process.

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

Jeff Hall, Director, Research Policy Development

1. Sequestration and Government Shutdown Impacts:

   Issue: ORGS has been tracking the dollars lost and percentage of cuts, but to strengthen the report, UCORP is asked to submit narratives and anecdotes to illustrate the qualitative impacts. UCORP is also asked to encourage colleagues to submit reports, too.

   Discussion: Members asked if the divisional Offices of Research were pursuing similar efforts, and Director Hall answered yes, they are working together on the project through local Research Development Officers. Members asked if ORGS had any preliminary analysis on the impacts of the cuts, and Director Hall indicated that junior faculty seem to have been disproportionately impacted, which also disproportionately impacts the diversity of funded researchers (senior faculty are less diverse). Oversubscription rates for reduced federal grants have reduced the process to more of a lottery than a competitive review.

2. National Science Foundation (NSF) Conflict of Interest (COI) Changes:
   Issue: For PHS-funded researchers, new federal regulations have necessitated changes to UC policies. Many changes were cosmetic- updating titles, removing the DOE national labs, including domestic partners; other changes were more substantial, such as the expanded definition of investigator and the removal of independent authority for certain decisions. The campus COI officers have reviewed and approved the changes.
   Discussion: Members asked about the administrative burden to faculty, noting that three different entities' regulations must be followed- campus, NSF, and in many cases, National Institutes of Health (NIH). Director Hall noted that there are multiple policies, but the goal is to create a single form; differential local practices may be a larger obstacle than guidelines from different federal grantors. Members also asked about the timing of the disclosures, wondering why they should be at the proposal stage, rather than at the funding stage. Director Hall replied that this was a federal expectation, not a UC preference; nonetheless, a "just in time" disclosure may suffice, and he will investigate further and report back.
3. Biomedical Research Subjects:
   Issue: In response to a faculty request, ORGS is proposing UC-sponsored state legislation that would remove or modify the current ban on biomedical research on prisoners. The intention is to align state law with federal regulations in order to allow beneficial, ethical research with prisoners. The proposal is in the early investigation phase, and will be subject to review.
4. Conflict of Commitment and Health Sciences Faculty:
   Issue: New federal disclosure guidelines require pharmaceutical and medical device manufacturers to report gifts given to faculty. The reporting thresholds are determined by individual, not institution. It is not yet known if textbooks and journal reprints would fall under these guidelines as they could be educational materials, not gifts. UCORP will be kept informed as new information becomes available.

IV.   Campus Updates

Berkeley: The local grant program has changed from a competitive application process to a direct grant to all faculty of $4K, with some usage restrictions. Usage restrictions limit the funds to new technology development or acquisition and travel; the same as in the previous COR grants. The 3-year carry-over maximum and similar provisions were retained. The policy is still in draft form; it will be shared when finalized.

Davis: 1) There are 110 open searches on campus. 2) Changes in budget distribution practices have pushed the onus of many incidental costs directly to researchers.

Irvine: Anecdotal reports suggest roll-out of the Open Access policy was not as smooth as hoped.

Los Angeles: 1) Implementation of the Open Access policy is under discussion. 2) The local interdisciplinary grant program has been revamped, but securing reviewers has been challenging. Members noted that reviewing is considered part of the normal duties of a COR member on most campuses.

Merced: The local COR is in its first year of operation as a single entity, having just split from the joint graduate student committee. Priorities include ORU approval policy, overhead distribution practices need sunshine, COR grant allocation guidelines need reviewed, and a faculty library committee needs to be established.

<u>Riverside</u>: 1) The local COR has not yet met. 2) The cuts to the COR grants budget are being partially restored.

<u>San Diego</u>: No update; the local committee has not yet met.

<u>San Francisco</u>: 1) Space usage issues continue, and allocation formulae are being investigated: square foot per ICR dollar? The impact to faculty productivity of open workspaces remains unknown, yet the plan to move forward has not been altered. 2) The number of COR research grants has been cut, and the review process has been centralized. Grants of $30-50K had a 2::1 oversubscription rate.

<u>Santa Barbara</u>: (report unavailable due to teleconference difficulty)

<u>Santa Cruz</u>: 1) Recruitment for a new Vice Chancellor for Research was not successful; the interim appointment may become permanent by default. In the meantime, the process needs revisited, and the local COR and VCR office is seeking to improve relations. 2) New methods of recruiting graduate students are under investigation, such as increases in research funding. 3) A review of campus opportunity funds and their approved uses is also overdue.

<u>Graduate Student</u>: UCSA is discussing the GSR unionization bill Governor Brown vetoed; there is not yet consensus on UCSA. Chair Clare noted a recent article in Inside Higher Education reported that unionized GSRs did not report markedly different educational or mentoring outcomes, but they did report a higher paycheck.

Members also noted that the new minimum post-doc contract of 1 year disallows "bridge" appointments of 3-6 months, which are often necessary to complete projects.

V. Consultation with Academic Senate Leadership

Bill Jacob, Academic Council Chair
Mary Gilly, Academic Council Vice Chair
Martha Winnacker, Executive Director, Academic Senate

Update: Chair Jacob discussed several items of interest with the committee:

- President Napolitano will meet with the Academic Council for the first time next week.
- The changes to the health and welfare benefits necessitate careful review by all faculty and staff.
- The UCPath project is undergoing a health check.
- The Innovative Learning Technology Initiative (ILTI) is a $10M carve out at the Governor's request. Another RFP cycle will commence soon.
- The total remuneration study has a 9 month time line.

Discussion: Members asked how President Napolitano has embraced UC-style Shared Governance. Chair Jacob answered that she has received the Council briefing book, and that Provost Dorr is a strong ally in the education process. Members also asked about ILTI targets, and Chair Jacob indicated that a measured approach is being taken; many have realized that online education will not function as a "silver bullet" for UC's funding and access concerns.

Note: the remainder of the item occurred in executive session; other than action items, no notes were taken.

VI. Consultation with the California Digital Library (CDL)

Catherine Mitchell, Director of Publishing
Laine Farley, Executive Director, CDL

Issue: Director Mitchell reported that CDL preparations for the implementation of UC's Open Access policy are well under way. So far, publishers are being notified, deposit workflows and

process maps are being developed, the website portal functionality is being designed and tested, a communications program is being developed, and a harvesting tool (to automate deposition) is being investigated, which may also allow direct deposition into eFile.

Discussion: Members asked how the CDL repository would interact with other repositories, such as the NIH's. Director Mitchell indicated that authors could submit locally, unless their grantor had other requirements, and she added that the harvesting tool, once developed, would further simplify author duties. Members asked if dissertations were included in the OA requirements, but they are not. The policy is currently only for ladder-rank faculty publications. The submissions should be the author's final version. If incorrect versions are deposited, or other errors made, postings can be removed easily.

Members then asked how the CDL repository related to the Clearing House for Open Research – US (CHORUS), but the UC program is unrelated. Derivative works are also not permitted unless it is explicitly noted in the grant of license. Non-commercial restrictions can also be applied to the end-user. Embedded copyrighted materials are subject to the "fair use" standard, but if authors are uncertain, they should opt-out. Members asked how the lead author would be determined, when co-authors are from different campuses, and Director Mitchell indicated it is up to the authors to determine such issues among themselves. If there are several co-authors, work with CDL to determine the best way forward. If co-authors are not from UC, with their permission, depositions can be made; if permission is not granted, opt-out.

A new office of scholarly communication will launch November 1, and it will be responsible for implementation.

Members noted that differential impacts by discipline should be tracked, too.

VII. Consultation with ORGS (continued)
Steve Beckwith, Vice President
1. MRPI Funding:
   With Mary Croughan, Executive Director, Research Grants Program Office
   With Kathleen Erwin, Director, UC Research Initiatives
   Issue: The MRPI program continues to be significantly oversubscribed, especially as available funding has shrunk by 60% of its original total. The next funding cycle poses a challenge as the process has almost become a lottery. Bridge funding is not available, but campus programs are permitted to adjust their budget to extend current funding beyond the current end date.
   Discussion: Members wondered how the research budget had been so disproportionately cut, despite all the grand public statements about the value of research in attracting faculty and graduate students to UC. How the new president will prioritize research remains unknown, but other administration leaders do not have research funding in their first tier of priorities. A targeted initiative for limited funds may need to be developed.
2. Lab Fee Funding:
   With Mary Croughan, Executive Director, Research Grants Program Office
   With Kathleen Erwin, Director, UC Research Initiatives
   Issue: The funding pool for this program is also diminishing, both because the contract with the DOE has a built-in decline in fee, and because there are increasing costs associated with lab oversight. The current amount is expected to be $13.5 M, down from an original $20M five years ago. Current commitments to multiyear programs are covered, but future funding cycles will be from this much smaller pool of funds.

3. Intellectual Property (IP) Changes:
   With Wendy Streitz, Executive Director, Research Policy Analysis and Coordination
   Issue: Following a 2010 working group on IP, the decision was made to change IP policies to IP guidelines. The proposal has been vetted by contract and grants officers, IP officers, Vice Chancellors for Research, and is not being presented to the Senate. Major changes include the removal of the schedule of sponsored rights, which was an historical legacy item, and the removal of redundant sections that are now addressed elsewhere, such as in the APM.
   Action: Members should send feedback directly to Director Streitz by the end of October.

4. Indirect Cost Recovery (ICR) Policy:
   With Wendy Streitz, Executive Director, Research Policy Analysis and Coordination
   Issue: UC has taken the position that full recovery of allowable costs should be the goal. To facilitate that, a new policy for ICR is being developed and will soon for full systemwide review. The new policy will be a statement of principle, recognizing that different rates for different activities will still be necessary and that exceptions can still be granted.

5. California Institutes for Science and Innovation (Cal ISI) Program Reviews:
   Issue: The time involved and the lack of consequences following these external reviews has caused some to ask whether the reviews should be retained, not just how they may be improved. Another problem with the current review structure is that they lack comparative metrics; an institute may be good, but there is no way to tell if it is better than or a leader compared to similar efforts.
   Discussion: Members noted that while value added to the system is an important datum, it should not be the only information considered. Members also noted that expanded site visits could be helpful to reviewers.

VIII. Lab Safety Update

Erike Young, Director, Environmental Health and Safety, Office of Risk Management
Ken Smith, Systemwide Lab Safety Manager
Update: Members were reminded that many of the changes to lab safety are a result of the UCLA incident and the agreement the Regents entered into following investigation into it. Centers of Excellence are being developed, and most of the SOPs have been started. Personal Protective Equipment (PPE) enforcement needs more vigilance still. Mock OSHA inspections have been instituted, and FAQs are under development, as well. Remaining obstacles include increased scrutiny on related labs, access to appropriate trainings, and culture change needed to buttress these efforts and make them commonplace. A new tool, LHAT, will help researchers identify appropriate trainings, and UC's efforts in the area have been recognized nationally.
Discussion: Members asked if the trainings had been vetted by representatives from multiple disciplines, and Director Young indicated that the current trainings are baseline level only; specific modules for other labs can be created. Chair Clare asked if the new guidelines were teaching labs, too, and Director Young answered that they are only for research labs, but teaching labs should also stress safety early and often. Members were reminded that appropriate attire includes "long pants or the equivalent and closed toed shoes", with the goal being to minimize exposed skin. Pedestrian zones should be clearly marked and distinct from safety zones.

Members noted that much of the new safety practices have accrued to faculty as there are not more safety personnel. Director Young noted that UCB received permission for 11 more positions, and UCD 8. Nonetheless, since faculty serve as director supervisors in the labs, they are directly responsible, even with a safety advisor. It was noted that local officials deserve constant communication and updates.

IX.   New Business
None.

Meeting adjourned at 4:30 p.m.

Minutes prepared by Kenneth Feer, Principal Analyst
Attest: Robert Clare, UCORP Chair