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UNIVERSITY COMMITTEE ON RESEARCH POLICY
Monday, March 14, 2022

Meeting Minutes

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I. Chair's Announcements, Approval of Meeting Minutes

Action: Meeting minutes from February 14, 2022 were approved.

II. UCORP Response to Graduate Student Unionization/Negotiations

UCORP members approved the draft letter to the Academic Council regarding the potential impact of graduate student unionization on UC research programs.

Action: Approved statement will be sent to Academic Council

III. TF-ANR Recommendation for ANR External Review
Professor Eleanor Kaufman, Chair, TF-ANR

Eleanor Kaufman, the chair of the Academic Senate's Task Force on Agriculture and Natural Resources (TF-ANR), joined the meeting to provide background on a request for a comprehensive external review of UC's Division of Agriculture and Natural Resources. TF-ANR is asking for UCORP's endorsement.

The Division of Agriculture and Natural Resources (ANR) is UC's largest multicampus entity. It receives over $250 million from the State for a wide variety of programs. The Academic Senate has tried to increase engagement and/or oversight of ANR over the years. The ANR Task Force was formed a few years ago using the UCFW task forces as models. Prior to that, there was an Academic Council Special Committee on ANR, with representation from standing committees. UCANR Vice President Glenda Humiston is a consultant to UCORP who generally joins the committee once or twice per year. In addition to its budget, the Academic Senate has also been interested in increasing collaborations with ANR. In 2018, as a result of a President's Advisory Committee report on ANR, a broadly representative Governing Council for ANR was formed that reports directly to the UC President. The Governing Council includes three Senate representatives and either the Chair or Vice Chair of the Academic Council as an ex-officio member. It is currently chaired by UC Riverside Chancellor Kim Wilcox.

Kaufman said that a current budget issue is around the addition of a line item to the California State budget for Agricultural Experiment Stations (AES). Three UC campuses receive AES funding: Berkeley, Davis, and Riverside. Merced and Santa Cruz may soon be added to the AES domain.

UCORP members had some questions about the current governance and oversight of ANR.
ANR reports to external constituencies and stakeholders, as well as several internal bodies of its own, including a Program Council that advises the Vice President and makes programmatic decisions. The Academic Senate does not have representation on the Program Council.

IV. Consultation with the Office of the President – Office of Research and Innovation
Kathleen Erwin, Director, UC Research Initiatives
Janna Tom, Director, Research Policy Analysis and Coordination
Lourdes DeMattos, Associate Director, Research Policy Analysis and Coordination
Agnes Balla, Research Policy Manager

- *Announcements*

The Vice President for Research & Innovation is continuing to work on reinvigorating a systemwide Council on Research, likely in conjunction with the Council of VC-Rs. With the departure of Research Portfolio Manager Emily Rader from UC, a new person will be starting soon and helping to advance that effort.

Climate resilience funding should be coming from the State soon. An LAO report was positive about research funding, although less so about workforce development. UC's State Government Relations staff testified to the legislature regarding making use of the research funds, primarily in applied, translational research. UC is interested in working with communities and other higher education segments to achieve the most impact on CA.

Based on recommendations made in the recent report of the Regents' Working Group on Innovation Transfer & Entrepreneurship, some patent tracking and support functions will be managed at the campus level. The Chancellors are all on board, but since some campuses are better prepared to assume this work than others, UC is encouraging local stakeholder discussions.

An announcement regarding the new UC Observatories Director will be made soon.

The 2022 MRPI call will be released on March 16.

- **MRU Reporting Templates**

MRUs systemwide were asked for their thoughts about the annual reporting templates, which are designed to be rolled up into the five-year review. Most MRUs reported difficulty in tracking grant details, particularly in getting information from other campuses and obtaining graduate student outcomes. UCORP members noted that on the whole the information requested in the review templates is data that should be tracked, but that perhaps the format could be redesigned to make it a more useful tracking tool. They confirmed that all of the information collected is helpful, but it can be challenging to tease out the most important information from the detailed tables.

UCORP's input into the MRU reporting templates and processes included:
- Add diversity data.
- Governance should be clearly described in the narrative section. All MRUs should provide organizational charts.
- Formatting of appendixes could use some improvement.
- Appendix 2 is difficult to understand; definitions might help.

UCORP members also suggested that to motivate disparate units to report back, the reporting could be made a requirement for receiving funds. Members mentioned that although the MRUs attribute all outcomes to the MRU, that case is not clear; the narrative section might be used to illustrate the strength of the individual contributors' connections to the MRU.

Looking at the big picture, the reviews constitute a lot of work for little benefit. The emphasis might be shifted to focus on reviewing how the MRU enhances the UC mission.

- **Office of Research Policy Analysis and Coordination (RPAC) Policy Updates**
- High Level Overview of NSPM-33 Guidance

The White House National Science and Technology Council has issued guidance for implementation of National Security Presidential Memorandum 33: National Security Strategy for U.S. Government-Supported Research and Development. NSPM-33 has to do with inappropriate foreign influence in US research. The key takeaway of the document is the need for proper disclosure by PIs of all personnel. Universities are directed to provide "clear and effective rules for ensuring research security and researcher responsibilities." UC continues to work on this and to provide training for research security and export control.

- [New Russia Sanctions and Recommendations](#) *(UC document)*

As the landscape changes rapidly, the recommendations from UC boil down to: continue to screen for the controlled entities list. If UC faculty and researchers have questions, they are advised to check in with their campus export control officer.

- [NAGPRA draft communication regarding research restrictions](#) *(UC document)*

UCORP was asked to review guidance for faculty regarding use of Native American remains and ethnographic or archaeological objects. A communication will be distributed systemwide, signed by the Academic Senate leader as well as administration.

- [DOE Determination of Exceptional Circumstance](#) *(links to a document from the Department of Energy)*

The Department of Energy has implemented new domestic manufacturing requirements for federally funded research. Referred to as the Science and Energy Department's Determination of Exceptional Circumstances (DEC), the new guidance requires inventions resulting from DOE-funded R&D to be "substantially manufactured" in the U.S, with additional restrictions beyond previous requirements. Higher Education organizations have raised issues about the new restrictions, as it might prove to inhibit research and innovation. UC is concerned about the impact on the ability to attract industry partners for research collaborations or technology commercialization licenses and potential risk/liability to the university. Recent DOE awards have started to include the US Competitiveness clause in the contract language. UC's Federal Government Relations is tracking the issue.

- [UC Research Data Ownership Policy](#) - *2nd systemwide review*

UCORP members made suggestions for additional FAQ questions, including examples of how the policy would be applied in specific situations. A key part of the policy is what happens when an investigator leaves the university. Research Data may be transferred or licensed to a new institution, but UC may impose conditions on the transfer or may require the researcher to make copies of the data available to the university. One consideration is in publication of results generated from the data, for which the original PI must give approval. The policy gives the Vice Chancellors for Research much control and responsibility for interpretation, implementation, and oversight of the policy. The VC-Rs have discussed the policy and are advocates of its existence. It will be a continuing educational effort to carry out and make sure there is common understanding of the issues.

V. MRU Reviews – Progress updates

The MRU review groups discussed their progress on the draft reports. Group leads will compile and refine the sections and circulate drafts by the next meeting. The due date for final drafts is May 13th.

VI. Academic Senate Leadership Update
Robert Horwitz, Academic Council Chair
Susan Cochran, Academic Council Vice Chair

The Senate leadership joined the meeting to provide an overview of current activities of the Senate.

Regents' Health Services Committee – UC Health VP Carrie Byington is still wary of the Covid-19 virus and ending mask mandates. But data shows that even 50% of students masking in a large classroom or lecture hall provides protection from the virus. UC is in the process of reviewing its contracts with affiliated institutions, including Dignity Health.

Regents' Innovation Transfer & Entrepreneurship Committee – VP Theresa Maldonado announced to the Regents that there was agreement about each campus choosing its own patent tracking system. UCOP will maintain a database and provide legal support. There is some concern about interoperability. UCORP may be able to review patent form templates in advance of implementation.

Foreign influence – President Drake responded to the Academic Council's letter regarding US Presidential Proclamation 10043, which restricted visiting scholars entering the US from China under certain

circumstances. President Drake recommended coordinating with UC's FGR (federal government relations) to figure out how to approach the federal government.

State Budget – With higher tax revenues than anticipated, UC will ask the State for $1.6 billion in one-time funding for seismic retrofitting and other capital projects.

UC Berkeley enrollment issues – There are two issues around enrollment at UC Berkeley. One is a temporary issue that freezes enrollment at 2020 levels [since resolved] and the other is CEQA regulations that trigger additional environmental impact review when the campus population grows. There is now an effort in the legislature to remove enrollment growth from CEQA.

Online undergraduate degrees – The legislature is just one of many parties that would like to see an increase in online courses and online degree programs offered by UC. The Academic Council has been split on this issue for several years. It turns out that very few of UC's comparator institutions are undertaking fully online undergraduate degree programs. Academic Council Vice Chair Susan Cochran investigated what other universities are doing, and the programs underway tend to be not selective, serve a not very diverse population of older learners, and students drop out with substantial debt. Faculty salaries in these programs are not equivalent to ladder rank at UC. UCEP has been asked to create "get ready" guidelines. If online degree programs are determined to be worthwhile, then the Senate will need to help figure out how to do it well.

Retirement assistance – UCOP is adding personnel and trying to help retirees navigate the new pharmaceutical program, about which there continues to be reports of problems. There is a new problem with health insurance for retirees who are on callback status.

Teaching modalities – Disabled students' calls for mandatory recording and hybrid courses have prompted a response from the Committee on Academic Freedom. Faculty understand, and the UCAF memo states clearly, that ADA accommodations are powerful and just, and overcome any abstract assertion of faculty academic freedom. But ADA accommodations are granted on an individual basis. The UCLA students' call expands accommodations beyond disabled individuals, beyond the law and the spirit of the law, raises very serious issues regarding privacy and chilling effects, and in general intrudes on faculty practice and judgment on the best way to conduct pedagogy. Academic Council endorsed the Committee on Academic Freedom's memo supporting individualized accommodations for recording, but not universal demands for mandatory recording of lectures. That letter has now been distributed to division chairs to help them in their discussions with students and campus administrators..

Mitigating Covid-19 Pandemic Impacts on Faculty –The workgroup is winding up its work and moving on to a final report. The key concept in the preliminary report was Achievements Relative to Opportunity (ARO), readjusting the balance between teaching, research and service to reflect that it was difficult for some faculty to do their research during the pandemic and that caregiving responsibilities affected the research effort. The report also recommends ways for campuses to help restart research, among which is the award of extra sabbatical credit for teaching during the pandemic, and to provide teaching flexibility to faculty under particular stress. UC Davis EVC Mary Croughan and Chair Horwitz have been asked to present the report at the May Regents meeting.

UC Online (formerly ILTI) – The UC Online Advisory Committee met for the first time. The members are staff and campus reps who understand the problems, limitations, and opportunities, and asked tough questions. UC Online will have to figure out what it provides to the system, what it should be doing going forward, and what value-add it offers to campuses that have engaged in online education for the past two years.

Climate crisis memorial to the Regents – The Assembly of the Academic Senate ran out of time at its last meeting to finish the discussion of the climate "memorial" to the Board of Regents. Discussion will resume on April 13th at the next meeting. If the Assembly endorses the statement, it will quickly be sent to campuses for a vote.

Transfer issues – ICAS – the Intersegmental Council of Academic Senates – is charged by AB928 to create a singular general education pathway from community colleges to CSU and UC. A special work group was convened and was able to agree on changes to IGETC, the transfer requirements.

The Academic Council is developing a charge for a new "special committee" on transfer within the Academic Senate. Transfer is a complicated and increasingly important issues that has no Senate committee home or built-in expertise. It has fallen to Senate leadership to take on, which is not sustainable. The special committee will be formed based on subject-area knowledge and building expertise along the lines of Health Care Task Force.

VII. Systemwide Review Items

UCORP will offer comments on the second round review of the Proposed Presidential Policy on UC Research Data. Comments due on April 19, 2022, so there is time to further discuss at the April UCORP meeting.

VIII. Round Robin of Reports from the Campuses

UCB – The big item at UC Berkeley is the pending enrollment freeze. The current number of students is apparently 30% over the predictions of a 2005 long range enrollment plan. The freeze has impacted all aspects of the campus, including offers to PhD students that had to be postponed. While the administration knew this was coming, most faculty were taken by surprise.

UCD – Policy Manager Agnes Balla has joined the UC Davis COR meetings several times to talk about the Research Data Policy. UC Davis recently held its Grand Challenges program, and a multi-disciplinary building is underway. Senate faculty funding applications are out, and the committee is working on a rubric for funding decisions. UC Davis is willing to share their metrics and interested in hearing from other campuses on how they make faculty grant funding decisions. The COR is also working on ORU reviews and seeing similar issues as the MRUs.

UCI – UC Irvine is reviewing ORUs, some of which were formed long ago. Some are trying to repurpose themselves. The campus COR spent time on ORU timelines and whether and how to sunset older units.

UCLA – No report

UCM – Merced's COR is working on a response to the administration's response on the research impacts of adopting the Oracle financial accounting system. The administration's letter included a list of things that have been done to mitigate the problems. The COR discussed using metrics of researcher experience, such as the amount of time it takes to do finite administrative activities. The COR is involved in deciding how to spend $20 million from Mackenzie Scott, plus an additional $1 million from the campus. The result of the funding has been that all faculty grant proposals have been funded. The committee co-created a campus safety oversight committee. The Senate is developing a new Centers committee.

UCR – UC Riverside is looking at issues with IRB reviews. The local committee was told that more personnel were hired and systems were expanded. Researcher grants are also underway.

UCSF – As of March 1st UCSF is back to full in-person capacity. Faculty have expressed concerns, for example, about the impact anti-Asian hate, fears about public transportation, and lack of parking at the urban campuses. The COR is investigating whether the pandemic impacted the ability of certain populations to get grants. The committee is also considering how to most effectively make use of a Chancellors' fund of $1 million for Covid-19 relief. Previously, small grants of $5k and $25k were offered. The committee is also looking at IRB processes and interruptions to clinical trials.

SB – No report

SC – UC Santa Cruz' COR is working on a response to the Research Data Ownership policy. The group is developing a survey of 14 short questions to capture post-pandemic faculty wellbeing. The idea is to release the survey in the spring quarter. The COR is now working to get the administration to make good on a commitment to fund an annual faculty allowance.

Meeting minutes drafted by: Joanne Miller, UCORP Committee Analyst
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