

UNIVERSITY COMMITTEE ON RESEARCH POLICY
Monday, May 14, 2018

Meeting Minutes

1. Announcements, overview of agenda, approval of minutes

Jeff Richman, UCORP Chair

Chair Jeff Richman reviewed the agenda and noted that the meeting would include visits from three UC Vice Presidents.

Richman informed the committee that UCORP's review of the Export Control Policy was endorsed by the Academic Council and forwarded to the Office of Research and Graduate Studies. The process of reviewing the Export Control Policy was a good example of successful shared governance. In the end, UCORP recommended that the new policy be regularly monitored via annual updates to the committee.

The meeting minutes from April 9, 2018 were approved.

2. Consultation with the Office of the President – Office of the National Laboratories

Kim Budil, Vice President for National Laboratories

VP Budil found out shortly after starting in her position at UCOP that the contract for LANL was ending and would be opened up for bid. In preparation for this year's bid process, UC has formed a new partnership, identified key personnel, and submitted a proposal to the NNSA in March. Oral interviews were held in Washington, DC, in April, and the new contract will be announced soon. Budil believes UC put together the best-possible team for Los Alamos, that is grounded in the guiding principles of the University, with as many attributes as the old (UC-only) model as possible.

VP Budil talked about nuclear pit production and the intention of the federal government to use the Mixed Oxide (MOX) Fuel Fabrication Facility in South Carolina to supplement pit production at Los Alamos National Lab.

Budil and Regent Ellen Tauscher, Chair of the Regents' National Laboratories Subcommittee, met with the new NNSA Administrator in Washington. The nominee to lead the NNSA's defense programs comes from Livermore.

Chair Jeff Richman noted that if UC wins the LANL contract, that might be used as an opportunity to educate and communicate with faculty about the work of the labs. He suggested that Budil talk to Academic Council about what the contract means for UC.

VP Budil also mentioned the Hertz Hall site at Lawrence Livermore National Lab that UCOP is taking over from Davis and repurposing as a systemwide asset. She is visiting campuses to spread the word and find faculty that may be interested in partnering and taking advantage of the opportunity, and looks forward to strengthened engagement between the lab and faculty.

The budgets for the labs have been better than anticipated. The budget for the Office of Science has increased. Secretary of Energy Rick Perry is interested in applications of high speed computing to medicine, such as the data sets created by highly detailed brain scans. UCSF and LLNL are part of a public-private partnership for drug discovery and development that uses open source computing.

3. UC Unmanned Aircraft System (Drone) Policy

Ken Smith, Executive Director for Environment Health & Safety in the office of Risk Services

Brandon Stark, Director, UC Center of Excellence on Unmanned Aircraft System Safety

Dr. Brandon Stark, drone expert and Director of the UC Center of Excellence on Unmanned Aircraft System Safety joined the meeting to talk about the huge range of drone activity at UC. UCORP is trying to understand the new UC policy on drones in order to determine how to respond to vocal opposition to the policy from a faculty member. Dr. Stark described drone usage at UC and the numerous regulatory regimes that impact drone use. In addition to FAA rules and aviation insurance, there are federal and state laws about privacy and civil rights, as well as county and city regulations.

Oversight for UC drone policy will be at the systemwide level, with a “UC UAS Advisory Board.” The board has not yet been convened, but is slated to be broadly representative. Campus oversight for drone use will be with campus boards, which will be determined by each UC location. There will also be a UC-wide Drone Safety Workgroup.

The UC UAS Policy, which was released in February, allows campuses to determine their own “standard operating procedures” (SOP) to meet their own needs. Stark mentioned a UC drone web application that expedites the flight approval process and collects information from UC’s drone users. Information collected goes into a central repository for analysis. Flight requests that are denied are used as an opportunity to inform and educate users.

Chair Richman noted parallels with the Export Control policy, which UCORP recently dealt with on behalf of the Academic Senate. There needs to be a centralized oversight function that monitors regulations and deals with UC liability, but all else – such as processes for permissions – should be left up to the campuses. Some campuses with significant drone usage, have user groups or boards, and more being formed.

As UAS regulations change there may need to be changes to the wording of UC’s policy. UCORP members may also have some suggestions for edits. Members emphasized the importance of data collection and monitoring drone usage in the UC system, including accidents, requests denied, etc., and that these issues be communicated systemwide.

4. UCOLASC Open Access Principles – Request for Endorsement

Jeff Richman, UCORP Chair

UCOLASC Chair Rich Schneider joined the meeting by phone to provide detailed information on the Declaration of Principles that UCOLASC is circulating to systemwide committees for endorsement. The 18 principles would be taken into account when the University engages in negotiations with commercial publishers. The overall goal is the transformation of the scholarly publishing ecosystem.

Questions for Schneider revolved around practicalities and concerns about negative consequences. Schneider noted that the declaration is not a policy, and acknowledged that some items on the list may be idealistic. When negotiating contracts, UC's libraries benefit from having the backing of the faculty. Schneider said that the millions of dollars currently spent on journal licenses could instead be redirected toward open access fees and the support of UC's own scholarly publishing platform. Although scholars are concerned about predatory open access publishers, there are many legitimate open access journals. Increasing open access does not mean allowing illegitimate publications to flourish. The Principles are meant primarily for the big publishers that control over 50 percent of the journal market and make huge profits.

Committee members asked about UC Press. UC Press is a very traditional publisher with an editorial board that makes publishing decisions. UC Press also has an open access journal called Collabra.

Schneider also addressed the concern of transfer of costs from reader to author. No one wants to make a new barrier to publish while removing the barrier to read. The OA2020 initiative that was started at the Max Planck Institute now has many institutions signed on to help transform scholarly communication at scale. Currently the United States is responsible for one-third of published scholarly articles, but pays for one-half.

UC has an Open Access Policy and UC authors can make their scholarly articles publicly available.

Action: UCOLASC's Declaration of Rights and Principles to Transform Scholarly Communication was endorsed.

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

Arthur Ellis, Vice President for Research and Graduate Studies

Kathleen Erwin, Director, UC Research Initiatives

Emily Rader, Portfolio Manager, ORGS

Wendy Streitz, Executive Director, Research Policy Analysis & Coordination

Lourdes DeMattos, Research Policy Manager

- **State NAGPRA-related legislation regarding UC's policy/practice with respect to repatriation of Native American remains**

[NAGPRA=Native American Graves Protection and Repatriation Act]

There is new State legislation aimed at UC that requires the University to form a committee with a prescribed disciplinary composition, that will submit timely reports to an outside entity, and that will be audited every 2 years by the State Auditor's Office. While the bill pushes up against UC's constitutional autonomy, it has a lot of public support. Most of the Native American remains are at UC Berkeley, but Davis, UCLA, and Santa Barbara also have collections. Many of the requirements in the bill are things UC already does, so the State Governmental Relations staff will work with the legislature to temper the bill. Meanwhile, UC will be revising its own policy over the course of the next several months

- **Cannabis-related research**

Cannabis research is conducted at five UC campuses, with a cannabis research institute at UCSC. The Chancellors and President have discussed the risk factors involved with studying cannabis as well as the

importance of research in the rapidly changing legal environment. Because decisions made by one campus could affect all of UC, the conclusion was to keep a centralized authority for decision-making at UCOP. UC will rely on higher education associations such as the Council for Governmental Relations (COGR) for advocacy.

- **EPA proposed rule regarding use of only publicly available data for policy-making**

[Link: <https://www.gpo.gov/fdsys/pkg/FR-2018-04-30/pdf/2018-09078.pdf>]

Campuses, UC, and higher education associations will comment on the rule. More responses will have a bigger impact. Although “open data” is generally regarded as a positive, this move by the EPA is clearly to enable a political agenda.

- **EU General Data Protection Regulation - Effective mid-May**

Big issue with the GDPR will be in figuring it out. Various areas of the university are impacted, including admission (of foreign students) and international research.

- **ITS Review issues and planning for next year’s MRU reviews**

VP Ellis thanked the committee for the ITS MRU Report. And said his review letter would be coming shortly.

UCORP Chair Jeff Richman recognized the high level of engagement between ORGS staff and ITS, and offered a few recommendations for next year to help smooth out the process.

One suggestion was for an introductory meeting with the MRU director(s) and UCORP chair to help set expectations for the oral presentation in particular. It was acknowledged that reviews of MRUs with one director and one host campus will be simpler.

There was brief discussion of the whether external letters would be useful for five year reviews, but no clear consensus.

- **NSF Reporting requirement for sexual harassment, other forms of harassment and sexual assault**

UC’s response to the proposed rule raised issues about privacy and confidentiality, as well as timing of an investigation.

- **UC effort regarding replacement of cesium irradiation sources**

Cesium is commonly used in medical and research settings to sterilize blood. UC has over forty cesium irradiators around the system, and the fear is that they could fall into the wrong hands and be used for harm. There is currently a national and state eradication campaign, and the NNSA is offering a cost-sharing option for replacing cesium irradiators with X-ray irradiators for a limited period of time. A UC-wide workgroup found that most cesium irradiators in the system could be replaced, but UC researchers and laboratories are being asked to assess their situations and each campus may make a determination about whether to take advantage of the cost-sharing opportunity. Medical faculty have concerns about the impact of transitioning their research without financial support for comparative efficacy.

Action: UCORP members can talk to colleagues and to campus committees on research about what makes the most sense for their campus.

6. Consultation with the Office of the President – Division of Agriculture and Natural Resources (ANR)

Glenda Humiston - Vice President

Vice President for Agriculture and Natural Resources (ANR), Glenda Humiston joined the meeting to talk about the latest ANR initiatives. She showed ANR’s latest annual report, which is very concise and includes vignettes and budget information. ANR works with over 300 partners around the state. VP Humiston focused on the public service that UC provides to the people of California through ANR. She mentioned the “Elevate Rural California” effort to support workforce and economic development activities. A State budget bill charges UC and CSU to create a wood products institute to develop new and expanded uses for wood products to help deal with the millions of dead and dying trees in the Sierras. “Biomass” from the forests can be used for buildings.

VP Humiston also talked about data hubs and networks to support agricultural entrepreneurship. Partners include the California Department of Food and Agriculture, QB3, CalIT2, Citris, and others. ANR continues in its efforts to increase “citizen scientist” opportunities by providing resources to youth and adults through programs such as 4-H and the Citizen Scientists Center.

UCORP asked VP Humiston whether ANR had any issues with the new UC Drone policy being too restrictive or constraining the use. Humiston was not aware of any problems.

VP Humiston expressed dismay at recent decreases in the ANR budget. She says there is much demand for cooperative extensions – including a requirement by NSF – which come with federal funding as part of the mandate of public land-grant universities. ANR has traditionally relied on a funding formula but this year it was disrupted.

7. Systemwide Review Items

Andrew Baird, UCORP Vice Chair

- [Proposed Presidential Policy on Disclosure of Financial Interests and Management of Conflicts of Interest in Private Sponsors of Research and Revised APM - 028](#) [PDF] (Comments due June 20, 2018)

UCORP Vice Chair was charged with researching the proposed policy. He said that the revisions were relatively minor and straight-forward. Additional discussion will take place at UCORP’s June meeting, with discussion led by Baird and UC Berkeley representative Irina Conboy.

Meeting participants:

UCORP Members: Jeffrey Richman (Chair, UCSB) Andrew Baird (Vice Chair, UCSD), Irina Conboy (UCB, via phone), Dietmar Kuelz (UCD, via video), Liane Brouillette (UCI alternate), Leif Havton (UCLA), Michael Scheibner (UCM alternate), K.K.Ramakrishnan (UCR), Brian Eliceiri (UCSD via phone), Janet Myers (UCSF), Dejan Milutinovic (UCSC, via video)

Guests and Consultants: Kim Budil (UCOP), Arthur Ellis (UCOP), Kathleen Erwin (UCOP), Glenda Humiston (UCOP), Emily Rader (UCOP), Wendy Streitz (UCOP), Lourdes DeMattos (UCOP)

Staff: Joanne Miller (Committee Analyst)

Meeting adjourned: 4:00

Meeting minutes drafted by: Joanne Miller, committee analyst

Attest: Jeffrey Richman, UCORP Chair