

Minutes of Teleconference**April 13, 2009****I. Chair's Announcements***James Carey, UCORP Chair*

Chair Carey updated the committee on several items of interest:

- President Yudof reported to the Academic Council at its March meeting that an official UC policy on financial emergency procedures does not exist. He has established a task force to develop such procedures via a Regental Standing Order. The task force will focus on establishing 1) rules and roles and 2) parameters for implementation. Of particular concern is how faculty and clinicians might be furloughed.
DISCUSSION: Members noted that although a final outcome has not been indicated, development of a formal policy seems contradictory to previous statements that faculty furloughs were no longer being considered. Chair Carey added that Council members also voiced concern about parity within faculty ranks, not just types of employees. Members were hopeful that a robust discussion, informed by all available data, could occur during the drafting phase. Members suggested that OP should be transparent not just with facts and figures, but about its intentions, too.
- The UCORP-proposed UC Seminar Network white paper was approved by the Academic Council for systemwide review. Feedback is expected by the June meeting. (See also Item VIII below.)
- The University Committee on Computing and Communications (UCCC) strongly opposes the proposed the central PI resources pilot project UCORP heard about in December, though reports indicate that administration support for the project is unflagging.
- The Academic Council Special Committee on Lab Issues (ACSCOLI) heard more details of the potential move of the national labs from the supervision of the Department of Energy (DOE) to the Department of Defense (DOD). It is argued that removing the labs from DOE administration could harm the quality of the basic research conducted there, but others note that enabling the DOE to focus more exclusively on civilian energy needs could be beneficial. No decision has yet been made.
- ACSCOLI also received an update on safety issues at the labs. Some feel that science is being subsumed by bureaucratic requirements, but safety incidents are on the rise.

Analyst Feer noted that the reimbursement submission receiving address has changed.**II. Consent Calendar**

- Minutes of Meeting of March 9, 2009
ACTION: The minutes were approved as amended.

III. Systemwide Review Items

- APM 028 (due May 20)

DISCUSSION: Members noted that the APM has direct relevance to UCORP's charge, and so the committee should support the technical changes.

ACTION: Analyst Feer will draft a letter of support.

- Eligibility Regulations (due May 20)

ACTION: The committee elected not to opine on this item.

IV. MRUs/MRPIs and Shared Governance

James Carey, UCORP Chair

ISSUE: The current RFP for MRPI funding continues to be discussed as issues involving shared governance remain unresolved. Chair Carey stated that the task force which met in the summer of 2008 focused on issues other than those at the center of the current controversy.

DISCUSSION: Members noted that strictly speaking, Vice President Beckwith is correct that there is a difference between defunding an existing MRU and disestablishing one. Others responded, however, that there is no de facto significant difference between the two actions.

Members wondered whether the recent exchange of letters on the subject between Council Chair Croughan and Vice President Beckwith was adequate to ameliorate these and other concerns. Many members felt not: Several issues remain unresolved, such as taxonomy, and Chair Carey added that previous MRU review task forces had made suggestions for new taxonomical structures which have gone unheeded. Members then noted that the Compendium applies only to formal MRUs, while the RFP is for any multi-campus projects and initiatives.

Some members observed that, given the number of LOIs received and the abbreviated time table in the RFP, it seems reasonable to let others make the first review and let the Senate evaluate only the competitive proposals. Others noted, however, that competitiveness in a business sense and in an academic sense are not always the same. Vice Chair Laursen suggested that the RFP reduces Senate approval to a fait accompli and that the Senate should not be satisfied with an ex post facto role. Another member added that better oversight of the vetting process is needed, especially as this process is a new one. Members then wondered whether greater campus-level pre-review would help address this concern, but others noted that the RFP does include a requirement for campus cost-sharing/support by VCRs, even though that aspect was omitted in many instances due to the aggressive time frame.

In addition to the above concerns, members will seek more information on the status of current MRU reviews and what might happen if the Senate rejects the short list it receives. UCORP will also request that Senate reviewers receive the review protocols and the reasons for endorsement or declinations to endorse.

ACTION: Analyst Feer will draft a follow-up letter to the Academic Council and circulate it to the committee for an electronic vote prior to final submission.

V. Technology Transfer Advisory Committee (TTAC) Update

Ted Groves, UCSD Representative and TTAC Liaison

Ellen Auriti, Executive Director, Research Policy and Legislation, Office of Research and Graduate Studies

- Universities Allied for Essential Medicine (UAEM) Proposal

ISSUE: UCORP has previously received a petition from UAEM to facilitate amendments to licensing agreements that would allow drugs to be distributed in developing countries at reduced prices. UCORP deferred action pending the evaluation of other interested parties, such as TTAC. Representative Groves reported that TTAC received a presentation by members of UAEM. The main TTAC concerns involved contract flexibility regarding implementation procedures, if approved, and how much leverage UC could have with the pharmaceutical companies. TTAC formed a subcommittee to further investigate these and other questions.

DISCUSSION: Members agreed that it would be best for UCORP to again defer action pending the recommendations of the subject area experts on TTAC. Representative Groves noted that the recommendations may not be ready until fall due to the TTAC meeting schedule.

VI. Native American Graves and Repatriation Act (NAGPRA) Update

Greg Miller, UCD Representative

Ted Groves, UCSD Representative

Ellen Auriti, Executive Director, Research Policy and Legislation, Office of Research and Graduate Studies

ISSUE: Representative Groves reported that the San Diego chancellor has withdrawn her request for a waiver to repatriate unidentified remains to an area tribe. Prior to that action, though, several UC Davis professors cosigned a letter emphasizing the scientific relevance of the remains, which is considerable. Executive Director Auriti added that the revisions to UC's policy on NAGPRA implementation are nearly ready for formal evaluation. If approved, the changes will move the locus of final authority from the president to the chancellors, but retain a systemwide advisory body similar to that in place for Institutional Review Boards.

DISCUSSION: Members sought clarification on who actually owns the remains. Representative Groves indicated that the San Diego campus is in custody of the remains and is obligated to preserve and make them available for scholarly purposes, while The Regents are the official owners.

Members posited that moving the final decision-making authority from the president to the chancellors was a step in the wrong direction as the issues implicated have systemwide significance and ought to be considered in a systemwide light, not just a local one. Members also argued that these resources are similar to other research data, which the University cannot just give away.

ACTION: Representatives Groves, Miller, and Lane will draft a letter to the Academic Council explaining the committee's concerns and calling for the establishment of best practices and better record keeping of relevant deliberations.

VII. Stimulus Money Access and Usage

James Carey, UCORP Chair

Ellen Auriti, Executive Director, Research Policy and Legislation, Office of Research and Graduate Studies

ISSUE: ED Auriti noted that the question is not whether to accept stimulus monies but rather how to navigate successfully the reporting and other requirements associated with receiving the funds. She encouraged members to work closely with campus officers in this effort. Additional guidance should come from the federal government soon, as well.

DISCUSSION: Members inquired whether no-cost extensions had been eliminated, and ED Auriti indicated that different agencies were distributing the funds differently. She added that the Research Administration Office (RAO) is also working closely with campus officers, and guidelines are being developed to help campuses with the compliance measures. Chair Carey noted that in many programs, it is unclear who is eligible for additional funding. ED Auriti replied that the NSF and NIH have earmarked most of their funds for supplemental funding and projects that are “shovel ready.” Finally, ED Auriti mentioned that the OP stimulus team is developing a portal to serve as a clearing house for various federal communications on this matter; some campuses already have one in place.

VIII. Synergy Project

James Carey, UCORP Chair

- Seminar Network Update

UPDATE: Chair Carey reported that the Academic Council approved the paper for systemwide review. It is expected that feedback will be received in time for consideration at the June meeting. Next steps are to incorporate the feedback into the manuscript in hopes of submitting it for publication by mid summer. At Davis, three departments have been using the pilot, and UCOP officials are investigating proprietary and copyright issues.

DISCUSSION: Members asked whether more citations and supporting documentation would be useful or distracting. Chair Carey, noting that approval and acceptance are not guaranteed, suggested that the more robust the manuscript can be, the better off UCORP will be.

- Departmental Complementarity

Note: Item not addressed.

IX. New Business

None.

The call ended at 11:20.

Minutes prepared by Kenneth Feer, Senior Policy Analyst

Attest: James Carey, UCORP Chair