

**Minutes of Meeting
Monday December 6, 2004**

I. Chair's Announcements

Chair Neiman reminded members that there will be no meeting in January and provided an update on the last Academic Council meeting, which included the status of the Council vice chair nominations, BOARS activities, the status of the bidding process for the labs, the review of guidelines for establishing a new division, Council review of a Senate initiated Concurrent Resolution on Graduate Education that will, it is hoped, go to the state Legislature, Council's discussion of the WASC review structure, and Council's discussion with Regent Novack.

Assembly. Vice Chair Sensabaugh updated the committee on the November Assembly meeting (held by teleconference), covering the President's report to Assembly and the Q&A with members that included discussion of declines in graduate enrollment, the stem cell initiative, and political pressures on research.

Labs update. Council Vice Chair Brunk reported that the RFP for LBL is now out and UC is in a good position for bidding, given that the new lab director is in place and the UC's strong history with the lab.

II. Consent Calendar

- Approval of the October 18, 2004 Minutes
- Approval of the November 8, 2004 Teleconference Minutes

Action: A motion was made, seconded and passed to approve both the October 18, 2004 Minutes and the November 8, 2004 Teleconference Minutes as written.

III. MRU Review Update, Cathie Magowan, Director of Science and Technology Programs

Review update. The last of the 15-year reviews are being conducted this year and next. The CalSpace report has just been completed and will be distributed for Senate comments soon. The review materials for ITS and IGPP are now being completed, and will be sent for comments later in the academic year. In 2005, the final two 15-year reviews will be done: the Biotechnology Research Program and the UC Committee on Latino Research.

The new review structure. This has been in development since 2000, has ongoingly been discussed with the Senate and will reflect the systemwide committees' recommendations. The new structure is not yet finalized, but some aspects have been decided on. As per the Senate's recommendations, there will be four types of MRUs grouped by primary function: 1) in-house research programs (e.g., IGPP, CalSpace, ITS, IGCC, IUUE); 2) grants programs; 3) conference and workshop programs; 4) facilities (e.g., UCO LICK, White Mountain). Each five-year review will be a "sunset" review, and each MRU will be looked at according to new criteria, as appropriate. Still being discussed is whether to call the process a review of a 'proposal for continuation,' and how best to manage competition among this number of programs and campuses and frequency. To streamline the process, what is proposed is to empanel a review committee or group each year to vet the MRU proposals and decide which ones would be appropriate for systemwide competition. All review materials would be online with standardized templates. It is now planned to start reviews for about half of the conference and grants programs in '06, for facilities in '07, for research units and the remainder of the conference and grants programs in '08.

The make-up of the panel and the question of faculty expertise, and the charge to the group are yet to be determined, and the Senate is asked for its input.

Comments:

- A panel of generalists would be in a better position to rank programs. The more specialists, the more difficult it might be to have a broad comparative perspective.
- This sounds very top-down, and there may be a problem with using generic metrics. Also, there is the question of whether and how the group would be compensated, and the potential problem of professionalizing the review process.
- The MRU directors will need to be sensitized to the need for circulating research funds, and should be brought into the discussion.

IV. New Business: Academic Council Resolution on Restrictions on Funding Sources, Comments from Council Chair Blumenthal

Chair Blumenthal joined the committee and briefly provided background on activities relating to this issue. The Council has sent the Resolution out for general review with the Chair's transmittal letter that lists main points on both sides of the debate. There are inaccuracies in some of the criticisms of the 'strings' report and the resolution, and UCORP might consider responding in a point-by-point manner to these criticisms. The Senate bodies may respond by endorsing the resolution as it is, recommending changes to it, or recommending that it be rescinded. It is possible that this will be taken to the Assembly.

Discussion: Research Coordinator Barbara Yoder noted that the report was seen as powerful and helpful document for contracts and grants offices, and suggested that a second resolution be developed related to external restrictions, and that the tobacco issue not be the focus of the debate. The matter of the funding restriction policy at UCEI was raised, the nature of the Director's appointment, and how matching funds are handled. It was reported that the UCEI director wrote a letter explaining some of these points to the San Diego Senate Chair.

V. 15-Year Review of California Sea Grant

Review Subcommittee: Francesco Chiappelli, Walter Fitch

Report: Despite the current funding problem, CSG is a successful and valuable MRU that has a good administrative unit, receives strong outside funding, and sponsors many publications and good training programs. The current funding stand-off must be resolved in a way that retains CSG at UC and with minimal disruption to the unit. A more aggressive strategy for outside funds (outlined in the subcommittee's addendum) would make the MRU more secure.

Discussion: Members questioned the rationale of VP Coleman's deadline, and also whether a second iteration of the ultimatum is meaningful. It was noted that the program would do well on another campus and be a benefit wherever it ends up.

Action: The committee agreed to support the position of the Office of Research to compete the hosting of California Sea Grant to other UC campuses if Scripps Institute of Oceanography does not restore annual funding. Chair Neiman and Analyst Foust will craft a committee response, to be circulated to the committee for comment, incorporating the outcome of today's discussion with the report of the MRU review subcommittee.

V. Consultation with UCOP David Mears, Director, Research Administration

Restrictions on Funding Sources .The UCORP report on funding restrictions that was endorsed last year by Council, was an important iteration of the fundamental values of the University while updating the issue. The tobacco funding restriction is fundamentally and academic freedom issue. The Resolution on Restrictions on Research Funding Sources is helpful because of its specificity,

and within the context of the report it is compelling. Both documents are very helpful to contract and grants administrators in providing a solid point of reference in contract discussions.

Revisions to Contract and Grant Manual.

VI. Consultation with UCOP, Barbara Yoder, Coordinator, Research Administration Policy

Export Controls. There are three areas for focus: the effects of regulations; the specifics as to what is and is not considered a controlled export; and the question of how best to disseminate the information to the faculty. The information is complex, but can be put in different forms for easy distribution and quick reference – e.g., a list for faculty of what one *can* take when traveling. It should go to key staff at ORUs and at UCO, to MSOs who work with lab technicians and graduate students, and to VCRs with a follow up plan for campus dissemination. Common questions can be listed on campus websites (this is already on some campuses). The Office of Research Administration has limited resources for this project. The Senate could recommend that additional funds be applied in this area, that each campus has a local expert or resource person in export controls, and that follow up is done (through the Office of Research) with the VCRs.

Corporate Funding Agreements. Director Yoder maintains the database on contracts and grants, negotiates the master agreements with pharmaceutical companies for clinical trials, and has recently drafted a report for VP Drake on the results from clinical trials at UC. A 6-year trend line in federal and state awards shows that growth has been gradual to flat, now around \$200M/year from industry. Data on the sponsors is available. Clinical trials were added in the reporting system about 3-4 years ago, so it does not yet have a usable trend line. According to the report, in the last year UC received \$106M of awards as clinical trials, which represents about half of the total coming from industry. Systemwide, UC's terms with pharmaceutical companies are that: the company access to but does not own the data; will agree to keep the data set; UC will keep the results confidential until publication of the multi-site trial (but not in cases of a one-site trial); UC reserves the right to publish based on the data from UC sites at the latest 12 months after the last site has completed data collection. There isn't uniformity on terms among the campuses, even though it is very important that UC (campus and systemwide) is consistent across the board on its position for clinical trial agreements.

Action: Coordinator Yoder will make available the presentation on export controls, with the inclusion of additional slides, to committee members for further distribution on campuses.

Action: Coordinator Yoder will also distribute a two-page prose explanation of export controls that may affect faculty research. For the purposes of educating faculty, this is for further distribution by members to their respective campus Senate committees and to any other appropriate individuals, offices or professional groups.

Action: Coordinator Yoder will make available to the committee a summary report of a 6-year trend line of agreements with pharmaceutical sponsors, including four years of data on clinical trial funding.

VII. Executive Session: Academic Council Resolution on Restrictions on Funding Sources

The resolution is out for general review with response due to Council by February 10, 2005

Earlier in the meeting, Academic Council Chair Blumenthal offered an update on the actions taken leading up to the current review and an overview of the communication between the Council and the anti-tobacco group. Chair Blumenthal suggested that UCORP respond to points raised by the group in a point by point fashion. Recommendations could be made to amend the current language, keep it as it is, rescind it entirely, or commend it to the Assembly for action.

Action: The 12/3/04 message sent to members of the Academic Council from the anti-tobacco group will be distributed to UCORP. UCORP will conduct an email discussion of whether to

respond to the points raised in that document, and if so, how. A formal response to the current review of the Resolution will be finalized also by email to meet the February 10 deadline.

VIII. Influence of Corporate Funding on Research

Issue: At UCAF's request, UCORP is considering the question of corporate influence on research. UCORP and UCAF will work jointly on a project that addresses the issue, but the nature and scope of that project need to be determined.

Discussion:

The issue is quite large in scope, and will need to be considered apart from the question of restrictions (which was addressed in last year's report). Possible directions include calling for a task force to be set up by Council or conducting a meta-analysis of the literature. It was suggested that UCORP consult an expert with a broad view of the subject. Some sub-issues to be considered include: Ethics and practices; developing recommendations for oversight and disclosure policy; personal bias.

Action: Chair Neiman will further discuss with UCAF Chair Fox the scope and definition of the proposed project and report back to UCORP.

IX. Graduate Education Issues

Discussion of the scope, format and process for a possible study/report and how to coordinate efforts with CCGA

Action: This item is deferred to the next committee meeting.

X. Liaisons with Systemwide Groups - Report from Hans Schollhammer, UCORP Representative to IUCRP and TTAC (by telephone)

Update on Technology Transfer Advisory Committee. Earlier, this group had been discussing the issue of centralization, and concluded that it would be more efficient to de-centralize. At September's meeting a proposal outlining the rationale and model for a greater degree of decentralization of the administrative activity. There was also a proposed financial model that would be simpler than the current one but maintain a degree of financial control at OP. It is not clear how much overlap with the campuses there is on the financial side; more campus autonomy may lead to more inter-campus rivalry.

Update on Industry-University Cooperative Research Program – Steering Committee. The program has an impressive amount of funding coming in mainly with the Discovery Grants (roughly \$280M since '87) on all campuses. An addendum on data on grants is available; about 1200 projects total. About 40% of the funding comes from the state and 60% from industry, with around 400 companies participating. UC has a portfolio of about 6000 active patents. On the return end, the licensing income is roughly \$82M.

Possible proactive steps:

- UCORP may wish to contact IUCRP Director of Research, Teresa Yarkin, for information on special research projects and perhaps the Cal ISIs. Information could also go to the IUCRP regarding interesting projects they could seek out (rather than waiting for applications).
- UCORP could work to get more information on how a larger return on patents could be extracted (either at OP or on the campuses).

Action: UCORP will follow up with AVP Huttner on the issue of how the \$17M in research funds to IUCRP was appropriated for other uses, and also request from her office a spreadsheet on IUCRP funding.

XI. Proposed Review Structure for the Cal ISIs

Issue: UCORP, UCPB and CCGA are the lead committees and are asked to submit comments to Council by January 14, 2005.

Discussion: Members raised questions about how the campuses will fit into the proposed review structure, the need for a planning model, and how the consideration of FTEs at the Institutes can be included in the review. One member remarked that the reports should go out to the Senate and the Chancellors at the same time; another questioned why reports go to the Chancellors twice.

Action: Using points raised in today's discussion as a basis, UCORP will continue its consideration of the proposed review structure by email and finalize a response.

Action: Council Vice Chair Brunk will suggest to Council Chair Blumenthal that the response date be moved back to February, which will allow UCORP time for consultation with AVP Huttner regarding the proposed Cal ISI review structure.

Meeting adjourned, 4:00 p.m.

Attest: Max Neiman, UCORP Chair

Minutes prepared by

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