UNIVERSITY OF CALIFORNIA   ACADEMIC SENATE
UNIVERSITY COMMITTEE ON RESEARCH POLICY

Minutes of Meeting
February 8, 2010

I. Chair's Announcements
Greg Miller, UCORP Chair
Chair Miller reported to the committee highlights from three recent meetings:
1. Academic Council meeting of January 27, 2010
    - Regent Gould will meet with the Council at its February meeting.
    - Other committees are also concerned over the limits of confidentiality; as a rule-of-thumb, unless material on a controversial topic is approved by the Academic Council, it should not be shared further.
    - UC Commission on the Future recommendations are expected in early March, and will be subject to full Senate review. The reports will be issued separately and may have different content than the recommendations. Senate review and comment on the reports is still under discussion.
    - Another differential fees proposal will be soon sent for review.
    - Recent public outcry regarding medical center administrator bonuses was deflected by citing contractual obligations and best practices.
    - More affinity groups are challenging UC's new admissions policy; lawsuits are expected.
    - The state budget outlook is still poor, but it is hoped that UC will recover the one-time cut from last year of $305M.
    - Various public initiatives to protect higher education funding are being analyzed. Their likely legislative and public receptions are still unclear.
    - The furlough program will end this year. Future budget cuts will be passed to the campuses to administer, mostly likely through layoffs.
    - The Post-Employment Benefits Task Force is investigating ways to meet the University's accrued pension obligations, but non-guaranteed benefits, such as retiree health and new employee benefits, could be at risk.
    - The revised Compendium will soon be sent for formal review; the MRU section is incomplete, and UCORP will likely be asked to spearhead its revision. See also Item VIII below.
    - The state's Legislative Analyst Office has indicted UC's course and school approval processes, and UCORP may wish to opine on the matter, although the issue is not under formal review.
2. Academic Council teleconference of February 5, 2010 (report submitted by Vice Chair Kolaitis)
    - UCORP's revised letter on COR funding restoration was still not favorably received. Many divisional chairs cited the zero-sum funding pots at the campuses, and while sympathetic to the research mission, felt that singling it out over other University priorities was unwise.

Nonetheless, UCPB will incorporate UCORP's position into its forthcoming budget white paper on fiscal choices at UC.
- The responses to the remote and online instruction proposal ran the gamut, from both standing committees and divisions. At the same time, however, an Academic Planning Council initiative on the same topic is moving ahead on a trajectory orthogonal to what the Senate is opining.

3. Academic Council Special Committee on Lab Issues (ACSCOLI) meeting of December 14, 2009
- Morale at Lawrence Livermore National Laboratory is suffering badly. Many scientists plan to leave as soon as the market is more robust. At root are concerns over the management practices of the limited liability company that now runs the Department of Energy labs and perceptions of a pro-administrator bias. Many remain unclear as to the benefits that now accrue to UC given the new administrative structure. Similar concerns can be found at the Los Alamos National Laboratory.

II. Consent Calendar
1. Minutes of November 9, 2009 meeting
2. Minutes of December 14, 2009 teleconference

ACTION: The consent calendar was approved as amended.

III. Indirect Cost Recovery Working Group Update
Mike Kleeman, UCD Representative

UPDATE: The joint UCORP-UCPB working group is continuing its investigation, and now focusing on how recovered funds are used at the campus level to support research. Local investigations, however, are proceeding slowly.

DISCUSSION: Chair Miller asked whether it was thought that the recovered funds were adequate to meet the expenses they are intended to reimburse. Professor Kleeman indicated that while specific figures were still unavailable, the trend is negative. Chair Miller also asked how the humanities might be subsidizing the hard sciences in this arena. There are two ways: 1) when recovered funds are disbursed locally, priority might go to high profile departments; or 2) when funds are underrecovered, the humanities departments' budgets are cut to make up the difference in expenses. Members were skeptical of receiving meaningful cost-flow data on this point. Members were also dubious of the merit of trying to increase UC's ICR rate, worrying that it might reduce UC's competitiveness. [*Note: discussion continues in Item V.1 below.*]

IV. DANR Working Group Update
Note: Item not addressed.

V. Consultation with the Office of the President – Office of Research and Graduate Studies
Steve Beckwith, Vice President
Ellen Auriti, Executive Director, Research Policy Analysis and Coordination
Kathleen Erwin, Director, Research Grant Programs and Operations, Research Program Application and Review Center (RGPO-PARC)

1. Indirect Cost Recovery
   DISCUSSION: [*Note: Continued from Item III above.*] VP Beckwith noted that underrecovery of ICR funds impacts everyone. He also speculated that recovering the true cost of research would necessitate an ICR rate closer to 70%, rather than the low 50%s that UC currently gets; some private institutions, like Harvard and MIT, have secured higher ICR rates due to more aggressive negotiations and to their having a different cognizant agency. The presence at those institutions of several FTE dedicated to rate setting and negotiating, as well as differentially higher rates for off-campus research, have helped them secure better rates.

   Members asked whether ending ICR waivers was to be UC's main strategy on this topic. VP Beckwith indicated there is no official strategy in place, but he added that private foundations that do not offer ICR cost UC ~$300M/annum and that MIT grants zero waivers but remains competitive in securing sponsored research. Members then asked how waivers are granted, and VP Beckwith noted that officially he approves them, though seemingly only as a fait accompli, as local officials have usually already submitted the proposals in question.

   Members inquired as to the disposition of state ICR funds, and VP Beckwith responded that state ICR funds come blended with other general funds from the state. Moreover, seeking additional ICR funds from the state would yield minimal revenue and could be politically very costly. Members also asked how HHS became UC's cognizant agency and whether the University could request another. VP Beckwith indicated that HHS has always been UC's cognizant agency, and there do not seem to be any procedures for changing agencies.

   Members then asked how greater transparency at the divisional level might be attained, given that past investigations have stalled at campus disbursals. VP Beckwith agreed that local EVCs have discretion in assigning the disposition of general funds dollars; it is unlikely that further tracking is possible. Nonetheless, VP Beckwith encouraged members to await the UC Commission on the Future's final recommendations before proposing alternate strategies, as ICR is under active discussion there, too.

   Finally, members returned to the topic of cross-departmental subsidization. VP Beckwith offered the analogy of security for animal researchers: not allowable as direct charges to grants, the costs of researcher security for a relatively low number of faculty is amortized across the campus. Thus, humanities departments incur some of the cost, as they do with un- and underrecovered allowable ICR expenses.

2. The Compendium and MRUs
   ISSUE: The committee continues its discussion regarding the formal procedures of establishing and disestablishing MRUs/MRPIs, and the funding process for them.
   DISCUSSION: VP Beckwith noted that MRPIs were intended as an umbrella category to capture the various units throughout the system that may or may not match the formal definition of MRUs. Further, the inherited system had not been

evaluated and many improvements were sought. Members suggested that MRPIs should then be better defined and regulated via the Compendium, a suggestion to which VP Beckwith agreed. He added, though, that there are many structural models to be considered, and that a nimble process is desirably from both faculty and administration perspectives. Members agreed that many loopholes remain to be closed and that new structures and units will require an adaptable Compendium. The process for establishing these new procedures and definitions need to have input from and the support of both the faculty and the administration, too; unilateral action here will not be received well by either group.

3. Policy and Legislation Updates
   - Patent acknowledgement: How best to update acknowledgement forms for past inventions and prior signatories is still under investigation by the Office of the General Council. A request for feedback should be forthcoming.
   - Open access: Draft legislation at the federal level has been submitted that would mandate online access to federally sponsored research. While UC is supportive of open access generally, the draft contains some specific language that UC would oppose should the legislation move forward in its present form.

VI. Consultation with Academic Senate Leadership
Henry Powell, Chair, Academic Council

REPORT: Chair Powell reported that Regents' Chair Gould is hopeful that the UC Commission on the Future's recommendations will be known in advance in order to facilitate as thorough a review as possible. He also reported that UCORP's letter on COR funding was not endorsed by the Academic Council due to concerns of being too restrictive in a time when divisions need maximal budget flexibility; nonetheless, the letter was sent to UCPB for consideration in their budget priorities deliberations. Chair Powell then remarked that the Compendium was a living document undergoing a routine check-up; operations changes will be recommended to keep it vibrant.

Chair Powell also reported on the work of the Intersegmental Committee of Academic Senates (ICAS), which he is chairing this year. The remainder of this year's ICAS meetings will take place in Sacramento to highlight advocacy efforts by making face-to-face contact with legislators easier. At the most recent meeting, ICAS discussed the reports being issued by the Legislative Analyst's Office (LAO), which have been critical of UC and the other higher education segments. The reports have offered an opportunity to clarify misperceptions about the workings of all three segments. Similarly, both Chair Powell and Vice Chair Simmons have recently testified in Sacramento on higher education issues; the testimonies should be publicly available.

DISCUSSION: Members questioned how the LAO could best be countered. Chair Powell noted that the LAO is information dependent, and UC needs to do a better job of educating both that office and the legislature as to realities at UC. Members also questioned whether there could be too much coordination with the other segments. Chair Powell pointed out the different missions of each of the segments, and highlighted the need for fluidity between segments so as not to disadvantage students. Members agreed

and suggested that UC's uniqueness also be highlighted. Members agreed, noting that articulation and preparation concerns continue for transfer students who enroll at UC from the other segments. Lack of preparation is again reflective of the overall public disinvestment of higher education.

VII. UC Commission on the Future – Research Strategies Working (RSW) Group Update

Mary Croughan, Co-Chair, RSW
John Crawford, UCI Representative and RSW Members

UPDATE: Professor Crawford reviewed the four areas upon which the RSW is focusing: mission and principles; internal funding management; barriers, challenges, and incentives; and systemwide funding models. Professor Croughan noted that the subgroups working on each of the areas will soon generate subreports or white papers, which will be shared with UCORP.

DISCUSSION: Members voiced concerns over some of the ideas that have reportedly been under discussion, such as listing collaborative research on CAP forms: it could disincentive single-author work, especially in the humanities. Members also reasserted their concerns over the time frame for the Commission. Professor Croughan noted that the process was an iterative one, encompassing as much dialogue between constituencies as possible. Members cautioned, though, that anything in writing, whether an official recommendation subsequently endorsed or not, could take on a life of its own.

Members returned to the topic of ICR, asking whether the RSW had been able to gather data on the subsidization question. Professor Croughan indicated that VP Beckwith was gathering that data, but she cautioned that isotope-type tracking of ICR funds was not a feasible outcome. It was suggested that the theorem could be proven without numbers. Members also suggested that the RSW consider advocacy strategies, such as illustrating the positive impacts of UC research on local communities. Members also noted that UC inventions do not typically bring high residuals, regardless of qualitative impacts. Finally, members asked what a good outcome from the RSW perspective would be from this process. Professor Croughan suggested that a decreased compliance onus, increased central support, and potential culture changes are all realistic and positive outcomes.

VIII. Compendium Revision

Kim Hammond, UCR Representative and Compendium Revision Task Force Member

DISCUSSION: Chair Miller noted that MRPIs are not mentioned at all in the revision, and that the operating definition for ORUs remains vague and seemingly malleable. Further, the relationship of funding decisions to units' establishment and official recognition needs to be specified. Members agreed, noting that different campuses have different procedures for ORU decisions. Members also agreed that funding plans need to be part of proposals and applications, and that reviews need to be rigorous and critical. The level of specificity needed for the Compendium on these matters, however, is unclear. Analyst Feer suggested the Faculty Code of Conduct::APM as a model for this duality. Separating funding decisions from name recognition was also suggested.

IX. Raising UC's Research Profile

ISSUE: Chair Miller referred members to the potential ads circulated with the agenda as a grass-roots method of facilitating the advocacy regarding UC's research impact.
DISCUSSION: Members noted that public advertising campaigns need careful message management. Some questioned the wisdom of spending increasingly rare research monies on public campaigns. Nonetheless, anecdotes of UCSF's successful advertising were received, as were similar reports of efforts underway at LBNL. Again, it was noted that a unified Senate-administration approach to this effort would be desirable.
ACTION: Analyst Feer will investigate who in UCOP is assigned this or similar work.

X. New Business and Planning
1. Proposed Open Campus at Lawrence Livermore National Lab
   ISSUE: Chair Miller reported that LLNS, LLC may be investigating converting space "outside the fence" into an industrial park to foster industry collaborations. The concern to UC is that on the proposed location, there is a building that houses research conducted by UC Davis faculty. There are conflicting reports on the possible disposition of the facility and on the viability of the location to host an open campus.
   ACTION: UCORP will submit a letter to the Academic Council requesting more information on the proposal before any actions are decided.
   ACTION: UCORP will invite UCOP personnel to its next meeting to discuss further the management structure at the labs and UC's role there.

Adjournment 3:35 p.m.

Minutes prepared by Kenneth Feer, Senior Policy Analyst
Attest: Greg Miller, UCORP Chair