



Mary Gauvain
Telephone: (510) 987-0887
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Chair of the Assembly of the Academic Senate
Faculty Representative to the Regents
University of California
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

March 8, 2021

SUSAN CARLSON, VICE PROVOST
ACADEMIC PERSONNEL

Re: Proposed Presidential Policy, Business and Finance Bulletin, IS-12 IT Recovery

Dear Susan,

As requested, I distributed for systemwide Senate review the proposed revisions to Presidential Policy, Business and Finance Bulletin, IS-12 IT Recovery. Nine Academic Senate divisions and three systemwide committees (UCACC, UCORP, and UCFW) submitted comments. These comments were discussed at Academic Council's February 24 meeting and are attached for your reference.

We understand that the IS-12 policy describes requirements and procedures around the recovery of UC data and other IT resources following a disaster, and details the planning, oversight, and implementation of an IT recovery program at each UC location. The revisions update the existing policy to reflect contemporary technology concerns and issues; provide guidance to UC locations on data recovery; ensure compliance with requirements related to HIPAA, insurance underwriting, and research grants; provide for local governance of IT recovery, budgeting, and risk management; and outline a standards-based approach to IT recovery. Finally, the policy defines the responsibilities of the personnel who will be assigned to IT recovery functions at each location, including the Cyber-risk Responsible Executive (CRE), Unit Head, Unit and Location Leads, Risk Manager, Business Continuity Planner, and others.

In general, Senate reviewers believe the policy includes reasonable and practical requirements that will help UC locations prepare for disasters and IT recovery, while giving individual campuses control over local implementation. However, reviewers also raise a number of concerns and questions that warrant additional consideration. One of the dominant concerns is that the policy text is overly complex and uses technical jargon and concepts that make it inaccessible to a non-expert audience. We encourage the authors to consider suggestions in our comments to provide or clarify definitions of key terms and concepts, policy implementation criteria, communication processes, and management reporting structures, and to add specific examples to the policy to help readers without a specialized background more easily understand the basic provisions and implications of the policy, particularly its impact on faculty in their roles as researchers and educators.

Senate reviewers are also concerned that a costly new bureaucracy may be needed to implement the policy, forcing a significant unfunded mandate onto campuses already bracing for budget cuts. One budget-related suggestion is to include a cost-benefit analysis outlining the fiscal implications of the policy. Another is for the University to review the IT recovery services included in UC's cloud technology contracts, and identify gaps between the contracts and the revised policy as well as opportunities for additional linkages.

There was also concern about who on the campus will provide oversight of these activities and how well they are working. The working groups or committees charged with this responsibility should include members from the campus faculty, possibly from computer science departments. This will help ensure that the rights and activities of faculty will be considered in any proposed practices or decisions. In the Council discussion, members commented that IT managers on the campuses often want to make changes quickly and, in their urgency, bypass consultation with faculty because it is seen as too difficult or slow. Some clear and direct communication processes need to be established so that urgent matters can be dealt with in a consultative and timely manner. Finally, while faculty need to be made aware of their data security responsibilities, the administration needs to understand and address faculty concerns regarding academic freedom and privacy when IT changes are proposed, for example, in wanting to install software, such as malware, on faculty computers.

The enclosed letters make several other suggestions for further developing the policy, including clarifying its impact on faculty research data; how IT recovery mechanisms will be tested and evaluated for vulnerabilities; how recovery priorities will be established and recovery efforts funded; contingencies to address if a campus is unable to recover its data; and the provision of sanctions and discipline to individuals and teams found out of compliance.

We appreciate the opportunity to comment and also appreciate the ongoing consultation by Systemwide IT Policy Director Robert Smith with the University Committee on Academic Computing and Communications during the development of the policy.

Please do not hesitate to contact me if you have additional questions.

Sincerely,

A handwritten signature in cursive script, reading "Mary Gauvain".

Mary Gauvain, Chair
Academic Council

cc: Systemwide IT Policy Director Smith
Academic Council
Senate Division Chairs
Executive Director Baxter

Encl.



320 STEPHENS HALL
UNIVERSITY OF CALIFORNIA

February 17, 2021

MARY GAUVAIN
Chair, Academic Council

Subject: Systemwide Review of Proposed Presidential Policy, Business and Finance Bulletin, IS-12 IT Recovery

Dear Chair Gauvain;

On February 8, 2021, the Council of the Berkeley Division (DIVCO) discussed the proposed replacement for the Presidential Policy, Business and Finance Bulletin, IS-12, informed by comments from our local committees on Academic Planning and Resource Allocation (CAPRA) and Computing and Information Technology (CIT). The committee comments are appended in their entirety.

The Berkeley Division generally supports the proposed replacement policy, and found the policy to be reasonable. Four points were brought up during the meeting:

1. The number of mandatory roles in the policy could be difficult to fill, especially in the current resource-constrained environment.
2. The need for clarity in the area of UC "allocates resources to protect Institutional Information and IT Resources based on their value, risk factors, likelihood, and severity of the impact of potential events causing an adverse outcome."
3. More clarification for Recovery Time Objectives (RTOs).
4. Conflated cost of downtime with cost of permanent loss

I draw your attention specifically to a point made by our Committee on Computing and Information Technology (CIT):

While there is a tool with pointers to various resources to help individuals understand their compliance obligations, the Committee would like information to be woven into processes where that information is of vital necessity to compliance.

CIT also provided recommendations for communications strategies. Please refer to the enclosures.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in blue ink, reading "Jennifer Johnson-Hanks".

Jennifer Johnson-Hanks
Professor of Demography and Sociology
Chair, Berkeley Division of the Academic Senate

Enclosures

cc: Ronald Cohen, Vice Chair, Berkeley Division of the Academic Senate
Paul Fine, Chair, Committee on Academic Planning and Resource Allocation
Deirdre Mulligan, Chair, Committee on Computing and Information Technology
Jocelyn Surla Banaria, Executive Director, Berkeley Division of the Academic Senate
Deborah Dobin, Senate Analyst, Committee on Academic Planning and Resource Allocation



February 3, 2021

PROFESSOR JENNIFER JOHNSON-HANKS
Chair, Berkeley Division of the Academic Senate

*Re: CAPRA comments on Proposed Presidential Policy, Business and Finance Bulletin,
IS-12: IT Recovery*

At today's meeting, CAPRA discussed the proposed *Presidential Policy, Business and Finance Bulletin, IS-12: IT Recovery*. This memo addresses issues of academic planning, budget, and resource allocation, consistent with the charge of CAPRA.

The IS-12 policy describes, at a very broad level, "appropriate governance, funding, design, development, testing, maintenance, protection, and procurement procedures" to ensure IT recovery and business continuity for the university in the event of a large-scale disruption. The last major update to the policy, prior to this one, was almost 15 years ago (July 2007).

Overall, CAPRA found the policy to be very reasonable. While it is necessarily prescriptive, it balances that need with pragmatic concerns. For example, while the goal is for each location and unit to achieve compliance quickly, it recognizes that this may not be immediately possible in many cases, and it defines an iterative process to work towards implementing the policies. In addition, it has a well-defined procedure to allow for exceptions, and it delegates much of the responsibility to the local institution (e.g. the campus).

The policy is defined at a sufficiently broad level that the committee does not have a lot of questions or comments about specifics. Nevertheless, the following comments/questions arose in reviewing the document:

1. The number of mandatory roles in the policy could be difficult to fill, especially in the current resource-constrained environment. It was not clear to us how many of these roles would represent new FTEs, as opposed to delegation to existing FTEs. What is the estimated annual cost to fulfill the mandatory roles as stated?
2. Section 1.2 states that UC "allocates resources to protect Institutional Information and IT Resources based on their value, risk factors, likelihood, and severity of the impact of potential events causing an adverse outcome." But it was unclear to us who exactly

determines value. Is there consultation with faculty, staff, and others who rely on these resources?

3. Section 4.2 lists RTOs (Recovery Time Objectives) for each of the five Recovery Levels (RL), ranging from 15 minutes (RL5) to 30 days (RL1). Presumably these RTOs represent scenarios under which most/all of our other services remain up — it would be unrealistic to envision that all RL5 resources could be recovered in 15 minutes (as the policy specifies) in the event of a major catastrophe that shut down everything. Perhaps the policy should make this clear by giving specific examples, such as the 2019 PG&E shutdown for fire prevention.
4. In Section 7.3, it appears that the RLs conflate the cost of downtime with the cost of permanent loss; only RL3 and above require off-site backup. Some resources, however, might be valuable but not immediately necessary. These resources could receive a low RL and thus not be backed up off site. (Note: it's possible that IS-3, which we did not review, addresses this issue.)

Thank you for the opportunity to review the proposed policy. CAPRA finds it responsive to the university's needs in this changing and challenging technology environment, and endorses it.

With best regards,

A handwritten signature in blue ink, appearing to read 'Paul Fine', with a stylized, flowing script.

Paul Fine, Chair
Committee on Academic Planning and Resource Allocation

Committee on Information Technology
Berkeley Div. of the Academic Senate

February 1, 2021

Division Chair Jennifer Johnson-Hanks
Berkeley Division of the Academic Senate
University of California

Re: Systemwide Review of Proposed Presidential Policy, Business and Finance Bulletin,
IS-12 IT Recovery

Dear Division Chair Jennifer Johnson-Hanks,

Thank you for the opportunity to comment on the New IS-12 policy. The Committee invited Allison Henry, Chief Information Security Office, and Professor Anthony Joseph, the campus Cyber-risk Responsible Executive, to discuss IS-12 and its interaction to IS-3 at our December 14, 2020 meeting.

Many of the questions and concerns raised by the Committee focused on making sure faculty and students were provided with information about their new responsibilities and new workflows at relevant points. For example because IS-12 covers any project that has a data management plan the Committee discussed the need to provide information to researchers when they are applying for federally sponsored research, and when they are going through the human subjects research approval process at OPHS. While there is a tool with pointers to various resources to help individuals understand their compliance obligations, the Committee would like information to be woven into processes where that information is of vital necessity to compliance. For example, during grant proposals PIs should be alerted to the fact that their data management plan must conform with IS-12, that there are resources available on campus for IS-12 compliant storage so that they can build this into the proposal. Researchers should also be aware of charges and migration options. Sponsored projects and OPHS may both play an important role in providing “just in time” information to researchers that will ease the transition, maximize compliance and minimize confusion and labor. We also discussed the possibility of making sure IS-12 is discussed in PhD seminars, and in research labs and groups. The Committee wants to make sure faculty and researchers as a whole understand their responsibilities *and* the availability of tools to ease compliance.

The Committee offered a few concrete recommendations for communication, however, we expect that others on campus will be better able to develop detailed and effective communication strategies.

- Include information about IS-12 and compliant data management resources in the faculty newsletter about funding opportunities.
- Build awareness of IS-12 obligations and resources into the grant process and research approval process.
- Provide clear points of contact to help faculty members.
- Provide training to help faculty understand their new obligations and risk. We discussed an IS-12 awareness month; communications highlighting consequences flowing from compromises of research data.
- Educate students. Student Affairs could include information about IS-12 and resources as part of their onboarding.

The Information Security Office has been very quick to respond to issues that arose in our conversation. Allison Henry, CISO, recently shared a set of new resources and processes including the [Draft Roles and Responsibility Policy](#) which we are now reviewing. The Information Security Office also incorporated additional responsibilities that came up during a separate review of the IS-3 requirements which they summarized below.

Responses to Feedback:

- Updated and clarified the definition of a [Unit](#), and added it to the Policy
- Developed a one-page [Faculty guide](#) - linked from the Policy
- Published a [resource page for Unit Heads and Security Leads \(UISLs\)](#) - linked from the Policy
- Compiled a UISL “job description” ([one-page](#) and [expanded](#) versions), including estimated time commitment - linked from the above resource page.
- Reviewed and updated data classification resources including “[How to Classify Research Data](#)”, linked from the campus Data Classification Standard

Policy Additions:

1. Added UC's Minimum Security Standards to the list of information security standards that Workforce Members must follow. These will eventually be incorporated into our local Minimum Security Standards (MSSND and MSSEI).
2. Added links for guidance and clarification to Proprietor and Security Lead sections regarding record retention and classification, respectively;
3. Highlighted documentation requirements for Workforce Managers;
4. Clarified that all Users are responsible for responding to official reports of security incidents involving their systems or accounts;
5. Added resources to the “Related Documents and Policies” section.

The CIT will review these next week and provide any additional feedback.

Sincerely,

Deirdre K. Mulligan, Chair, Professor, School of Information

Michael Eisen, Professor, Molecular and Cell Biology

Michael Laguerre, Professor, African American Studies

Kimiko Ryokai, Associate Professor, School of Information

Paul Schwartz, Professor, School of Law

Matthew Welch, Professor, Molecular and Cell Biology

Avideh Zakhori, Professor, Electrical Engineering and Computer Science, UCACC rep

Parth Nobel, Representative, Associated Students of the University of California

Jenn Stringer, Chief Information Officer & Associate Vice Chancellor Information
Technology (ex-officio)



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February 17, 2021

Mary Gauvain
Chair, Academic Council

RE: Proposed Presidential Policy, Business and Finance Bulletin, IS-12 IT Recovery

Dear Mary,

The proposed Presidential Policy, Business and Finance Bulletin, IS-12 IT Recovery was forwarded to all standing committees of the Davis Division of the Academic Senate. The Committee on Information Technology (CIT) responded.

CIT did not have any comments or concerns about the proposed policy. The Davis Division appreciates the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Tucker", is written over a light blue horizontal line.

Richard P. Tucker, Ph.D.
Chair, Davis Division of the Academic Senate
University of California, Davis

Enclosed: Davis Division Committee Responses

c: Hilary Baxter, Executive Director, Systemwide Academic Senate
Michael LaBriola, Assistant Director, Systemwide Academic Senate
Edwin M. Arevalo, Executive Director, Davis Division of the Academic Senate

January 28, 2021

Richard Tucker

Chair, Davis Division of the Academic Senate

RE: Request for Consultation – Proposed Presidential Policy, Business and Finance Bulletin, IS-12 IT Recovery

Dear Richard:

The Committee on Information Technology has reviewed the RFC – Proposed Presidential Policy, Business and Finance Bulletin, IS-12 IT Recovery and did not have any comments regarding this new policy.

Sincerely,

A handwritten signature in cursive script that reads "Matt Bishop".

Matt Bishop

Chair, Committee on Information Technology

c: Edwin M. Arevalo, Executive Director, Davis Division of the Academic Senate

February 2, 2021

JEFFREY BARRETT, CHAIR
ACADEMIC SENATE, IRVINE DIVISION

RE: Systemwide Review of Proposed Presidential Policy Business and Finance Bulletin IS-12 on IT Recovery

At its meeting on January 21, 2021, the Council on Research, Computing, and Libraries (CORCL) reviewed the proposed presidential policy business and finance bulletin IS-12 on IT Recovery.

The main objective of IS-12 requires IT resources to be recoverable regardless of the source of failure, whether natural or man-made. The policy includes guidance on governance, funding, design, development, testing, maintenance, protection, and procurement procedures. IS-12 follows the Business Continuity Plan (BCP) of the UC which was developed for safeguarding, security, and emergency management situations. This policy also defines the duties of workforce members responsible for the IT Recovery.

The policy designates five Recovery Levels for response time (RL1-RL5), ranging from 30 days for RL1 to 15 minutes for RL5. Additionally, it describes how the funding must be planned to meet recovery levels, recovery time objectives, recovery point objectives, and maximum tolerable downtime. The document details the responsibilities of Cyber-risk Responsible Executives (CRE), managers, unit leaders and other relevant individuals for implementation.

Overall, the Council observed that the IS-12 has important policy points for IT Recovery and has made substantial refinements to the previous policies. However, the Council identified a number of issues that warrant additional consideration:

- It is unclear how CREs will be appointed. Information on who is responsible for this process of selection, recruitment, and appointment is needed.
- Faculty involvement in the development of the policy and oversight of the operation is minimal. There should be more in-depth consultation with research faculty whose work may rely on this policy in case of disaster.
- The policy should include an organization chart. An organization chart will convey the operation and duties of each level of management in a succinct way.
- The policy does not consider how testing of the IT Recovery mechanisms proposed in IS-12 will be done. There should be clear guidance for having external review of policies by IT external security firms, including mock cyber-attacks to evaluate the vulnerability of the system.
 - There should be a more coordinated systemwide effort to address cyber risk. This academic year alone, the Council will have reviewed three separate items relating to systemwide online issues. A more integrated approach would ensure that policies relate itself to other existing policies and should articulate how it fits in with the new environment.

Given the concerns above, the Council advises a reconsideration of the proposed policy.



On behalf of the Council,

A handwritten signature in black ink, appearing to read "Michele Guindani", with a long horizontal flourish extending to the right.

Michele Guindani, Chair

c: Kate Brigman, Executive Director
Gina Anzivino, Assistant Director
Michelle Chen, CORCL Analyst
Brandon Haskey-Valerius, Senate Analyst

February 9, 2021

Mary Gauvain
Chair, UC Academic Senate

Re: (Systemwide Senate Review) Proposed Presidential Policy, Business and Finance Bulletin,
IS-12 IT Recovery

Dear Chair Gauvain,

The Divisional Executive Board, councils, and committees appreciate the opportunity to review the proposed revision to (Systemwide Senate Review) Proposed Presidential Policy, Business and Finance Bulletin, IS-12 IT Recovery.

After discussion, members unanimously endorsed a motion to support the proposal as written with caveats about possible unintended consequences for privacy and security, as expressed in the attached committee statements.

Sincerely,

A handwritten signature in black ink, appearing to read "Shane White", is enclosed in a rectangular box.

Shane White
Chair, UCLA Academic Senate

Encl.

Cc: Jody Kreiman, Vice Chair/Chair Elect, UCLA Academic Senate
Michael Meranze, Immediate Past Chair, UCLA Academic Senate
April de Stefano, Executive Director, UCLA Academic Senate

January 26, 2021

Shane White, Chair
Academic Senate

Re: Systemwide Review: Proposed Presidential Policy, Business and Finance Bulletin, IS-12, IT Recovery

Dear Chair White,

At its meeting on January 19, 2021, the Faculty Welfare Committee discussed the Business and Finance Bulletin Proposed Policy on IT Recovery. Committee members offered the following comments.

Members agreed that data recovery is an issue related to faculty welfare. However, the committee was unable to assess the potential impact of the proposal because it was challenging to understand. Members are concerned over privacy, security, and data ownership, as well as access to faculty files which could lead to privacy violations when recovering data.

If you have any questions, please contact us via the Faculty Welfare Committee's interim analyst, Elizabeth Feller, at efeller@senate.ucla.edu.

Sincerely,

Huiying Li, Chair
Faculty Welfare Committee

cc: Jody Kreiman, Vice Chair/Chair Elect, Academic Senate
Michael Meranze, Immediate Past Chair, Academic Senate
April de Stefano, Executive Director, Academic Senate
Elizabeth Feller, Interim Analyst, Faculty Welfare Committee
Members of the Faculty Welfare Committee

January 12, 2021

To: Shane White, Chair
Academic Senate

Re: **Systemwide Senate Review: Proposed Presidential Policy, Business and Finance Bulletin, IS-12IT Recovery**

Dear Chair White,

The Committee on Teaching discussed at its meeting on January 12, 2021, the Proposed Presidential Policy, Business and Finance Bulletin, IS-12IT Recovery. COT does not wish to opine, as the inaccessibility of the report for a general audience made it difficult to review effectively.

If you have any questions, please do not hesitate to contact me at collett@soc.ucla.edu or Academic Senate Policy Analyst Renee Rouzan-Kay at rrouzankay@senate.ucla.edu.

Sincerely,



Jessica L. Collett, Chair
Committee on Teaching

cc: Shane White, Academic Senate, Chair
Jody Kreiman, Academic Senate, Vice Chair/ Chair- Elect
Michael Meranze, Academic Senate, Immediate Past Chair
April de Stefano, Academic Senate, Executive Director
Members of the Committee on Teaching

December 15, 2020

Shane White, Chair
Academic Senate

Re: Systemwide Senate Review: Proposed Presidential Policy, Business and Finance Bulletin, IS-12 IT Recovery

Dear Chair White,

At its meeting on December 7, 2020, the Council on Planning and Budget (CPB) had an opportunity to review and discuss the Proposed Presidential Policy, Business and Finance Bulletin, IS-12 IT Recovery. Members offered the following comments.

Members expressed some frustration at the language and acronyms on the policy, which they described as dense, not useful for non-experts, and hard to understand. Members wondered what would be involved in carrying out these new requirements. How much of that already exists and is being done at UCLA? What does this policy mean for faculty at UCLA who teach and do research on and off-campus? What would it mean for them to recover their information? Much of what faculty do may come late in the recovery process.

Based on the information provided, it is difficult to discern whether it would be fiscally burdensome to face the costs. Will UCLA need to increase its IT services to carry out this policy? Additionally, how does it interact with research? It might be an added complication in addition to existing rules about privacy. It would be helpful to understand the scope and breadth of this policy. Moreover, the centralization of systems and operations may cause them to fail. Members also mentioned that we should make sure that we are thinking of the technology infrastructure to pursue goals that we are interested in at the UCLA campus.

If you have any questions for us, please do not hesitate to contact me at groeling@comm.ucla.edu or via the Council's analyst, Elizabeth Feller, at efeller@senate.ucla.edu.

Sincerely,



Tim Groeling, Chair
Council on Planning and Budget

cc: Jody Kreiman, Vice Chair/Chair-Elect, Academic Senate
Michael Meranze, Immediate Past Chair, Academic Senate
April de Stefano, Executive Director, Academic Senate
Elizabeth Feller, Principal Policy Analyst, Council on Planning and Budget
Members of the Council on Planning and Budget

December 14, 2020

To: Shane White, Chair
Academic Senate

Re: **Proposed Presidential Policy, Business and Finance Bulletin, IS-12 IT Recovery**

Dear Chair White,

At its meeting on December 10, 2020, the Committee on Academic Freedom reviewed and discussed the Proposed Presidential Policy, Business and Finance Bulletin, IS-12 Recovery.

Committee members were supportive of the policy, but had some follow-up questions:

- Would the proposed IT recovery policy require faculty to store research data on UCLA servers? If so, would there be exceptions, for instance if faculty doing research about the university want to store data on a non-UCLA server? What about faculty using national secrets data that needs to be kept on specially secured servers, or faculty doing clinical work, in which they want to keep the data secure for client confidentiality reasons?
- How would the proposed IS-12 IT Recovery policy interact with the data security requirements imposed by Institutional Review Boards (IRBs) and, specifically when the data includes human subjects?

Thank you for the opportunity to review and comment on this proposal. If you have any questions, please do not hesitate to contact me at volokh@law.ucla.edu or the Committee on Academic Freedom Analyst Taylor Lane Daymude at tlanedaymude@senate.ucla.edu.

Sincerely,



Professor Eugene Volokh, Chair
Committee on Academic Freedom

December 11, 2020

Shane White, Chair
Academic Senate

Re: Systemwide Senate Review: Proposed Presidential Policy, Business and Finance Bulletin, IS-12 IT Recovery

Dear Chair White,

At its meeting on December 2, 2020, the Council on Research (COR) had an opportunity to review the Proposed Presidential Policy, Business and Finance Bulletin, IS-12 IT Recovery. Members were in support of the policy and offered no additional comments.

If you have any questions for us, please do not hesitate to contact me at julianmartinez@mednet.ucla.edu or via the Council's analyst, Elizabeth Feller, at efeller@senate.ucla.edu, or x62470.

Sincerely,

Julian Martinez, Chair
Council on Research

cc: Jody Kreiman, Vice Chair/Chair-Elect,
Michael Meranze, Immediate Past Chair, Academic Senate
April de Stefano, Executive Director, Academic Senate
Elizabeth Feller, Principal Policy Analyst, Council on Research
Members of the Council on Research

Committee on Data, Information Technology, and Privacy

December 4, 2020

To: Shane White, Chair
Academic Senate

From: Susan Cochran, Chair
Committee on Data, Information Technology, and Privacy

Re: Proposed Presidential Policy, Business and Finance Bulletin, IS-12 IT Recovery

At its meeting on December 3, 2020, the Committee on Data, Information Technology, and Privacy (CDITP) reviewed and discussed the Proposed Presidential Policy, Business and Finance Bulletin, IS-12 IT Recovery. Members found the proposed revisions to the policy to be straightforward and offered no additional comments.

Thank you for the opportunity to review and comment.

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SANTA BARBARA • SANTA CRUZ

OFFICE OF THE ACADEMIC SENATE, MERCED DIVISION
ROBIN DELUGAN, CHAIR, DIVISIONAL COUNCIL

UNIVERSITY OF CALIFORNIA, MERCED

February 17, 2021

To: Mary Gauvain, Chair, Academic Council

Re: Proposed Presidential Policy, Business and Finance Bulletin, IS-12 IT Recovery

The Merced Division Senate and School Executive Committees were invited to comment on the proposed Presidential Policy, Business and Finance Bulletin, IS-12 IT Recovery. Comments were received from the Committee on Academic Planning and Resource Allocation (CAPRA). They are appended for your consideration.

The UC Merced Division sees the importance of updating IS-12 to reflect up-to-date technology references, a uniform method to meet UC's current recovery needs and a method for local governance; and for providing guidance to help UC locations plan for IT recovery.

For clarification, the policy could address how IT recovery priorities are established, the allocation of funding to recovery efforts, who sets the funding priority for the campus, what happens when the Cyber-Risk Responsible Executive does not receive the necessary funds, and what occurs if a campus is unable to recover its systems. The policy points to necessary discussions about how IT priorities are established on campus.

The Merced Division thanks you for the opportunity to review and offer comments on this policy.

Sincerely,

A handwritten signature in cursive script, reading "Robin M. DeLugan".

Robin DeLugan
Chair, Divisional Council
UC Merced

Cc: DivCo Members
Hilary Baxter, Systemwide Senate Executive Director
Michael LaBriola, Systemwide Senate Assistant Director
UCM Senate Office

Encl. 2

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SANTA BARBARA • SANTA CRUZ

ACADEMIC SENATE, MERCED DIVISION
COMMITTEE ON ACADEMIC PLANNING AND RESOURCE ALLOCATION
PATTI LIWANG, CHAIR
pliwang@ucmerced.edu

UNIVERSITY OF CALIFORNIA, MERCED
5200 NORTH LAKE ROAD
MERCED, CA 95343

December 3, 2020

To: Robin DeLugan, Chair, Division Council

From: Patricia LiWang, Chair, Committee on Academic Planning and Resource Allocation
(CAPRA)

A handwritten signature in blue ink, reading "Patricia LiWang".

Re: Proposed Presidential Policy, Business and Finance Bulletin, IS-12 IT Recovery

CAPRA has reviewed the proposed Presidential Policy, Business and Finance Bulletin, IS-12 IT Recovery. CAPRA appreciates that the proposed policy allows each campus to determine the scope and procedures for IT recovery. Each campus is to appoint a Cyber-risk Responsible Executive (CRE) who will be responsible for leading the effort to recover systems following an interruption.

However, CAPRA is concerned that the policy is unclear on the following points: the allocation of funding to recovery efforts, who sets the funding priority for the campus, what happens when the CRE does not receive the necessary funds, and occurs if a campus is unable to recover its systems.

As a general comment, CAPRA recommends that campus leadership address how IT priorities are established at UC Merced.

We appreciate the opportunity to opine.

cc: Senate Office



CHAIR, ACADEMIC SENATE
RIVERSIDE DIVISION
UNIVERSITY OFFICE BUILDING, RM 225

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February 16, 2021

Mary Gauvain, Chair, Academic Council
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Oakland, CA 94607-5200

RE: Proposed Presidential Policy, Business and Finance Bulletin, IS-12 IT Recovery

Dear Chair Gauvain,

The Riverside Division discussed the Proposed Presidential Policy, Business and Finance Bulletin, IS-12 IT Recovery and I transmit the comments provided by the Senate committees' review.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Jason Stajich", is written over a light gray rectangular background.

Jason Stajich
Professor of Microbiology & Plant Pathology and Chair of the Riverside Division

CC: Michael LaBriola, Assistant Director of the Academic Senate
Hilary Baxter, Executive Director of the Academic Senate
Cherysa Cortez, Executive Director of UCR Academic Senate



Academic Senate

COMMITTEE ON FACULTY WELFARE

December 17, 2020

To: Jason Stajich
Riverside Division Academic Senate

From: Patricia Morton, Chair
Committee on Faculty Welfare

Re: [Systemwide Review] Proposed Presidential Policy, Business and Finance
Bulletin, IS-12 IT Recovery

The Committee on Faculty Welfare met on December 15, 2020 to consider the proposed Presidential Policy, Business and Finance Bulletin, IS-12 IT Recovery. CFW sees a tremendous impact on faculty welfare if the campus does not have a fully implemented IT recovery plan. Otherwise CFW feels this is not within the committee's purview and has no further comment.



Academic Senate

January 29, 2021

To: Jason Stajich, Chair
Riverside Division

From: Alejandra Dubcovsky, Chair
Committee on Library and Information Technology

RE: Proposed Presidential Policy, Business and Finance Bulletin, IS-12 IT Recovery


The committee reviewed the proposal and received input from different members of the IT department. Overall, the committee supports the policies recommended by the report and seeks to underscore the importance of a systemwide Recovery Plan. Since the policy is sound and an IT recovery plan seems essential to the functioning of a research university, it is important to emphasize the issue of funding. Sufficient funding should be allocated for this policy to succeed and that funding should take into account the different revenues/staff needs/support of ITS services across the UC's.



PLANNING & BUDGET

January 22, 2021

To: Jason Stajich, Chair
Riverside Division

From: Katherine Kinney, Chair 
Committee on Planning and Budget

RE: [Systemwide Review] Proposed Policy: Proposed Presidential Policy, Business and Finance Bulletin, IS-12 IT Recovery

The Committee on Planning & Budget (P&B) discussed the proposed Presidential Policy, Business and Finance Bulletin, IS-12 IT Recovery at their January 19, 2021 meeting. P&B agreed the IT security is a crucial issue but were concerned that the scale of this proposal would likely be prohibitively expensive given that no new funding appears to be attached to the initiative and recommended a cost/benefit analysis of the proposal be conducted.



UC SANTA BARBARA

Academic Senate

Susannah Scott, Chair
Shasta Delp, Executive Director

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<http://www.senate.ucsb.edu>

February 19, 2021

To: Mary Gauvain, Chair
Academic Senate

From: Susannah Scott, Chair
Santa Barbara Division

A handwritten signature in cursive script that reads "Susannah L. Scott".

Re: Systemwide Review of the Proposed Presidential Policy – Business and Finance Bulletin,
IS-12 IT Recovery

The Santa Barbara Division distributed the Proposed Presidential Policy to the Council on Planning and Budget (CPB), Committee on Research Policy and Procedures (CRPP), and the Committee on Information Technology (CIT). Both reviewing groups raised a number of serious concerns regarding the generic nature of the proposed policy, the absence of a cost-benefit analysis, and the budgetary implications of a new unfunded mandate. The attached responses are included for your consideration.

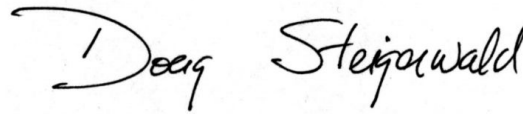
We thank you for the opportunity to opine.

UNIVERSITY OF CALIFORNIA
ACADEMIC SENATE
SANTA BARBARA DIVISION
Council on Planning & Budget

December 21, 2020

To: Susannah Scott, Divisional Chair
UCSB Academic Senate

From: Douglas Steigerwald, Chair
Council on Planning & Budget



Re: Proposed IT Recovery Policy, Business & Finance Bulletin, IS-12

The Council on Planning & Budget (CPB) has reviewed the Proposed UCOP Presidential Policy on Information Technology (IT) Recovery, Business & Finance Bulletin, IS-12, the aim of which is to provide an iterative model for IT Disaster Recovery. IS-12 is based on the policy IS-3 /CSF, which is concerned with data security and storage but not specifically with disaster recovery.

The IS-12 policy provides a framework for IT recovery that, once ratified, all campuses will be required to comply with. Specifics on the implementation of IS-12 are, however, the decision of individual campuses. CPB particularly welcomes the new policy measures to enable the provision of cloud-based data back-up but is concerned that the policy contains no language focused on faculty research and archiving.

The implementation of IS-12 will place an additional workload on IT management, which is already stretched in complying with IS-3. It is likely that additional staff/funding will be required. A document describing "best practices" to serve as role models that campus teams can model from, would be especially useful.


CPB supports policy IS-12: IT Recovery

cc: Shasta Delp, Academic Senate Executive Director

**Academic Senate
Santa Barbara Division**

February 8, 20201

To: Susannah Scott, Divisional Chair
Academic Senate

From: Forrest Brewer, Chair 
Committee on Research Policy and Procedures

James Frew, Chair 
Committee on Information Technology

Re: Proposed Presidential Policy - Business and Finance Bulletin, IS-12 IT Recovery

The Committee on Research Policy and Procedures (CRPP) reviewed this policy at its meeting of 1/22/21 and the Committee on Information Technology reviewed this policy at its meeting, joined by the Chair of CRPP, on 1/29/21.

While the committees acknowledge the need to back up vulnerable and critical research information, they jointly feel that this policy leaves out or poorly defines some rather significant variables, specifically the amount of unprotected or poorly protected data on campus and the appropriate recovery level. They felt that more data was needed to produce a rigorous cost benefit analysis in order to offer deeper insights.

Both committees are concerned with the level of jargon involved in the policy and the vague details it offers regarding the impacts to faculty. They felt it would be helpful for subsequent drafts to provide more detailed information or examples, particularly for those that are not IT experts. The document describes generic response policy without any attempt to identify specific UC policy or organizational requirements that make it specific to UC. In particular, in a document of such size, specific data set types might be identified as examples for the currency evaluation on campus. Cost/benefit analysis is at the core of risk abatement, so such a policy ought to at least template data census and currency evaluations.

Both wanted to see more details related to a strategy for data collection and retention. They are concerned this is a significant unfunded mandate coming to campuses that are already bracing for cuts to their operating budgets, though the groups note and appreciate that an exception process, which allows for cost-benefit justification, exists to exclude specific data sets from the mandate.

Additionally, input from the acting CIO indicates that much of the policy duplicates what is contained in IS-3. The committee members noted that the role of CIO is absent from this policy and felt the leadership designations could be clearer.

CC: Shasta Delp, Executive Director, Academic Senate



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Office of the Academic Senate
SANTA CRUZ DIVISION
125 CLARK KERR HALL
(831) 459 - 2086

February 12, 2021

Mary Gauvain, Chair
Academic Council

Re: Systemwide Review of Proposed Presidential Policy, Business and Finance Bulletin, IS-12 IT Recovery

Dear Mary,

The Santa Cruz Division has reviewed and discussed the proposed replacement for the Presidential Policy, Business and Finance Bulletin, IS-12. Our Committees on Information Technology (CIT), Planning and Budget (CPB), and Rules, Jurisdiction, and Elections (RJE) have responded. Overall, the majority of responding committees saw the proposed replacement as positive, in that it provides individual campuses with the ability to have control over implementation, and will encourage the UC community to prepare for recovery and business continuity. However, questions and concerns were raised about the policy's implementation, particularly with regards to roles and responsibilities.

The need to further clarify roles and communication processes is clear. The replacement policy references Units and Unit heads. However, it is not clear whether the location business continuity plan would use academic divisions, or academic departments, as the natural notion of "Units." Further, it is not clear to whom Unit heads should report in an emergency situation. Responding committees suggested that divisions might be a better designation for units than departments, as deans have more authority to allocate funds and personnel in support of this policy than department chairs.

Concerns were additionally raised about the role and workload of the Cyber-risk Responsible Executive (CRE). The proposed policy places the bulk of responsibility on the CRE, including the responsibility of appointing duties, governance, planning, testing, and securing funding. As such, there is a question as to whether the CRE can be successful in recovering IT properties in an emergency situation. Further, the exception process noted in the revision vests much authority in the CRE. Responding committees questioned whether a Unit head such as a dean might be better positioned to make such decisions.

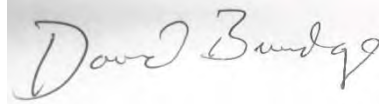
Further clarification is also needed with regards to terms and implementation criteria for new features in the policy. The terms "immediate" and "critical" used throughout the document should be differentiated, as should the major differences between the full compliance method in 1.3.1 and the iterative method in 1.3.2. Also, implementation criteria for the iterative approach should be further clarified, such as expected

timelines for implementation, whether there will be any differences in timelines based on different Recovery Levels, and whether the CRE is the proper person to have jurisdiction over iterative processes. Clarification may also be needed on whether UC-managed national laboratories will be subject to the same policy as the campuses and Office of the President.

The Santa Cruz Division further notes that unlike the recently revised IS-13: Electronic Information Security policy, the proposed IS-12 IT Recovery replacement policy does not specifically speak to research data, other than in Section VIII. Frequently Asked Questions. As research is a cornerstone of both the faculty profession and the UC mission, the Division encourages the consideration of research data in all policies regarding IT recovery and business continuity.

Thank you for the opportunity to comment on this proposed revision.

Sincerely,

A handwritten signature in cursive script, reading "David Brundage", written in dark ink on a light-colored background.

David Brundage, Chair
Academic Senate
Santa Cruz Division

cc: Brent Haddad, Chair, Committee on Information Technology
Dard Neuman, Chair, Committee on Planning and Budget
Kenneth Pedrotti, Chair, Committee on Rules, Jurisdictions, and Elections



OFFICE OF THE ACADEMIC SENATE

92093-0002

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January 20, 2021

Professor Mary Gauvain
Chair, Academic Senate
University of California
VIA EMAIL

Re: UC Presidential Policy, Business and Financial Bulletin, IS-12, IT Recovery

Dear Professor Gauvain,

The proposed revisions to UC Presidential Policy, Business and Financial Bulletin, IS-12, IT Recovery, were distributed to San Diego Divisional Senate standing committees and discussed at the January 11, 2021 Divisional Senate Council meeting. Senate Council had no objections to the proposed revision.

Suggestions for improvement to policy text include providing clearer definitions and examples for keywords such as *Unit Head*, *IT recovery teams* and *serious violations and consequences*, as well as providing clarification on which party is responsible for recovery under the new policy and the Chancellor's review in this process. While adopting cloud technologies creates opportunities for increased IT recovery, this can substantially increase costs to the campus if they are not disciplined in utilizing a risk-based approach or if policy is over-interpreted over time, and this also creates additional contract and IT architecture complexity. The policy does not appear to address cyber-attacks or industrial espionage on the University. The iterative approach may be considered too lax, especially since there is no set time limit to use this approach.

Further follow-up regarding the need for campuses to identify the linkages between cloud technology contracts and IS-12 is recommended. UCOP IT (or a working group of the CIO Committee, the ITLC) should review these contracts and identify gaps between them and the revised IS-12 policy and generate the necessary documentation to fulfill the related campus IS-12 policy requirements.

The responses from the Divisional Committee on Academic Information Technology and the Committee on Planning and Budget are attached.

Sincerely,

A handwritten signature in black ink that reads "Steven Constable". The signature is written in a cursive, flowing style.

Steven Constable
Chair
San Diego Divisional Academic Senate

Attachments

cc: Tara Javidi, Vice Chair, San Diego Divisional Academic Senate
Ray Rodriguez, Director, San Diego Divisional Academic Senate
Hilary Baxter, Executive Director, UC Systemwide Academic Senate

January 4, 2021

PROFESSOR STEVEN CONSTABLE, Chair
Academic Senate, San Diego Division

SUBJECT: UC IS-12 IT Recovery Policy

Dear Chair Constable,

At its December 3, 2020 meeting, the Committee on Academic Information Technology (CAIT) reviewed the UC IS-12 IT Recovery Policy. A sub-committee of CAIT was formed to review the policy more in-depth. The CAIT sub-committee and CAIT have no major objections to the proposal. We have several suggestions for improvement.

Some of the policy text can be improved:

- Unit Head should be more clearly defined, perhaps with concrete examples, or linkages to the definition in IS-3 provided in place or in the appendix.
- The policy asks for review with the campus Chancellor. The purpose of that review and the Chancellor expectations should be clarified.
- In sections 3.1 and 3.2 the distinction between IT recovery teams, local recovery team and unit recovery team could be made clearer, perhaps with concrete examples either in place or in the appendix.
- In section 1.7.2, the policy could be improved with clearer definitions or concrete examples for serious violations and consequences, particularly the differences between educational and employment consequences, since student workers may fall into both categories.

We have recommendations regarding possible follow-up actions once the policy is in place.

With regard to cloud technologies most of the topics of practical concern in the policy, including recovery levels, are addressed by cloud providers as expressed in contract terms including but not limited to Microsoft, Amazon, Google, Oracle, Instructure and others. Some these contracts are managed out of the Office of the President. While campuses use these services from these providers under these contracts, campuses will need to identify the linkages between those contracts and IS-12, OP IT (or a working group of the CIO Committee, the ITLC) should review these contracts and identify gaps between them and the revised IS-12 policy and generate the necessary documentation to fulfill the on related campus IS-12 policy requirements.

In addition, in theory and in practice, cloud technologies provide many options for IT recovery, and much more so than most on-premise IT environments. While we can and should improve IT recovery, adopting cloud options creates an opportunity and some challenges. The opportunity is that we can 'raise the bar' on IT recovery and improve an institutions recovery capability. The challenge is two-fold. First, raising the bar can substantially increase costs to the institution if the campus is not disciplined in utilizing a risk-based approach or if policy is over-interpreted over time. Second, raising the bar creates additional contract and IT architecture complexity requiring tight coordination between the Office of the President and campuses. For example, in a cloud-only environment, on-premise risk rapidly shrinks (since on-premise systems are reduced or eliminated). However, risk now moves to regional and national network architecture risk. Regional network planning will play a more important role in IT recovery.

Future revisions of, or addendums or additional work products added to this policy should contain further guidance regarding how OP contracts and IS-12 compliance are addressed and should further elucidate how adoption of cloud technologies may require policy revisions or FAQ additions. We recommend a work group of some kind, perhaps from the ITLC, be tasked to address these issues.

Sincerely,

Ian Galton, Chair
Committee on Academic Information Technology

cc: T. Javidi
R. Rodriguez
B. Simon

December 17, 2020

STEVEN CONSTABLE, CHAIR
Academic Senate, San Diego Division

SUBJECT: UC IS-12 IT Recovery Policy

The Committee on Planning and Budget (CPB) reviewed the UC IS-12 IT Recovery Policy at its December meeting. The CPB endorsed the proposed plans. However, with minimal budgetary information, the committee cannot provide a more specific assessment. Additional contextual information is necessary to fully understand how the campus is preparing for these programs and how this information may be used in the future.

The plan does not appear to directly address cyber-attacks or industrial espionage on the university. Certainly, as recent events at UCSF demonstrate, this is an area of increasing concern.

Would the allowed use of an iterative approach be considered too lax in view of the recent events? Furthermore, there's no set time limit for the use of the iterative approach. Units facing financial constraints might choose to adopt the approach indefinitely.

The definitions of "unit" and "unit head" follow the 2018 document "Insurance Programs for Institutional Information Technology Resources." It appears the new revision shifts responsibility for recovery from departments to unit heads? Is this correct and could responsibility be clarified?

Sincerely,

Kwai Ng, Chair
Committee on Planning & Budget

cc: T. Javidi



UNIVERSITY COMMITTEE ON ACADEMIC COMPUTING
AND COMMUNICATIONS (UCACC)
David Robinowitz, Chair
Email: David.Robinowitz@ucsf.edu

ACADEMIC SENATE
University of California
1111 Franklin Street, 12th Floor
Oakland, California 94607

February 17, 2021

MARY GAUVAIN, CHAIR
ACADEMIC COUNCIL

Re: UCACC's Comments on IS-12: IT Recovery Policy

Dear Chair Gauvain,

UCACC was first introduced to plans to revise the IS-12, IT Recovery policy (previously known as Business and Finance Bulletin, Continuity Planning and Disaster Recovery), in February, 2019. Systemwide Policy Director Robert Smith has joined each UCACC meeting since then to provide updates on the revision plan and progress – a total of nine meetings over two years. 2019-20 UCACC Chair Anthony Joseph (UC Berkeley) was one of the policy revision's three "executive sponsors."

The IS-12 revision is described as a major rewrite to comply with academic research/grant requirements, conform to cyber insurance underwriting, conform to the Office of Civil Rights guidance on HIPAA compliance, adapt to changes in security landscape, and adopt a standards-based approach to IT Recovery. The name was changed from "Continuity Planning and Disaster Recovery" to "IT Recovery" to align with UC's overall business continuity and disaster preparedness planning. Additional features were added to support local governance, budgeting, and risk management. The policy addresses UC's ability to recover data and supporting systems due to power loss, floods, fires, earthquakes, and pandemics, as well as to cyber threats like ransomware. The revised policy provides guidance to help UC locations plan for IT recovery in all of these situations. The policy was also updated to align with the recent revision of IS-3, the Electronic Information Security Policy.

Although IS-12 is primarily directed toward IT professionals, there are some implications for faculty, for example when a PI sets up an IT recovery plan for a research laboratory. In general, UCACC feels that faculty need to be aware of their data security responsibilities, but with the support, resources, and backing of the local administration.

UCACC greatly appreciates the conscientious and consultative process undertaken by ITS in revising this policy.

Sincerely,

/s/

David Robinowitz, Chair

University Committee on Academic Computing and Communications



UNIVERSITY COMMITTEE ON FACULTY WELFARE (UCFW)
Shelley Halpain, Chair
Shalpain@ucsd.edu

Assembly of the Academic Senate
1111 Franklin Street, 12th
Oakland, CA 94607-5200

February 17, 2021

**MARY GAUVAIN, CHAIR
ACADEMIC COUNCIL**

RE: Proposed Revisions to Presidential Policy, Business and Finance Bulletin, IS-12: IT Recovery

Dear Mary,

The University Committee on Faculty Welfare (UCFW) has discussed the proposed revisions to Presidential Policy, Business and Finance Bulletin, IS-12: IT Recovery, and we have several concerns. While we appreciate the need to update policies given the rapid pace of change in the technology realm, these proposed revisions go too far in non-technical areas. We note that the proposed revisions now include penalties for supervisors whose team may be found to be in violation. This prescription of penalties by the administration requires clarification, as it may contradict established Senate disciplinary processes and policies. Guidelines should include specific scenarios, as well.

We also note that there may be several unfunded mandates implied by the new regulatory requirements. Where will back-up data be stored, and at whose cost; will costs be transferred to individual investigators or research groups? How much will new CRE staff cost, and where will they be housed? Importantly, the compliance onus and time spent are also lost costs that impact the productivity of faculty, trainees, and staff.

UCFW looks forward to a more targeted policy draft that includes recognition of Senate processes and addresses issues of cost and time.

Sincerely,

Shelley Halpain, UCFW Chair

Copy: UCFW
Hilary Baxter, Executive Director, Academic Senate
Robert Horwitz, Academic Council Vice Chair



UNIVERSITY COMMITTEE ON RESEARCH POLICY (UCORP)
Richard Desjardins, Chair
Email: desjardins@ucla.edu

University of California
Academic Senate
1111 Franklin Street, 12th Fl.
Oakland, California 94607

February 17, 2021

MARY GAUVAIN
CHAIR, ACADEMIC COUNCIL

RE: Academic Planning Council Faculty Salary Scales Task Force Report and Recommendations

Dear Mary,

UCORP discussed the **Proposed Revisions to Presidential Policy on IT Recovery** at its meeting on February 8th. Committee members felt that the policy is primarily aimed at IT professionals, who presumably would have more insight into some of its more opaque directives. Nevertheless, UCORP members had the following comments based on conversations with their local committees:

- The section on roles and responsibility is overly complex, including the need to identify recovery and security leads
- The policy is unclear about remedies for cyberattacks and lacks a unified framework regarding IT recovery systemwide
- There is no mention of overlap with other initiatives at the systemwide level
- It is not clear whether there are penalties for not following the policy
- The policy does not include information about how to determine the cost of violations
- There should be faculty input in the oversight of this policy

UCORP appreciates the opportunity to comment on this policy.

Sincerely,

A handwritten signature in black ink, reading "Richard Desjardins".

Richard Desjardins
Chair, University Committee on Research Policy