



OFFICE OF THE VICE PRESIDENT - RESEARCH AND GRADUATE STUDIES

OFFICE OF THE PRESIDENT
1111 Franklin Street, 11th Floor
Oakland, California 94607-5200

March 29, 2018

CHANCELLORS
LABORATORY DIRECTOR WITHERELL
ACADEMIC COUNCIL CHAIR WHITE
ANR VICE PRESIDENT HUMISTON

RE: Systemwide Review of (1) Proposed Presidential Policy on Disclosure of Financial Interests and Management of Conflicts of Interest in Private Sponsors of Research and (2) Revised APM - 028, Disclosure of Financial Interest in Private Sponsors of Research

Dear Colleagues:

Attached for Systemwide Review is a new Presidential Policy on Disclosure of Financial Interests and Management of Conflicts of Interest in Private Sponsors of Research, as well as proposed related revisions to APM - 028, Disclosure of Financial Interest in Private Sponsors of Research.

Presidential Policy on Disclosure of Financial Interests and Management of Conflicts of Interest in Private Sponsors of Research

Effective July 22, 2015, the Fair Political Practices Commission (FPPC) revised its regulations regarding review of Statements of Economic Interests for Principal Investigators (also known as the Form 700-U). The revision removed the requirement to perform independent substantive review of Forms 700-U by campus conflict of interest committees. However, in subsequent conversations, the FPPC staff has indicated that the change was inadvertent, and the University is still expected to perform substantive reviews of Forms 700-U. Also, the UC Systemwide Provost and the Council of Vice Chancellors for Research have expressed their desire to continue to have a review process to mitigate risks associated with conflicts of interest possibly resulting in harm to the University and its researchers.

This new Policy provides the core parameters for continued compliance with the regulations issued by the FPPC, including a continuation of the University's long-standing practice of performing a substantive review of Forms 700-U. The foregoing conversations indicate that UC has flexibility in how the substantive review is performed. Accordingly, this new Policy provides the UC campuses, Lawrence Berkeley National Laboratory, and the Division of Agriculture and Natural Resources greater flexibility in their local processes for reviewing the Forms 700-U.

APM - 028, Disclosure of Financial Interest in Private Sponsors of Research

Also enclosed for Systemwide Review are proposed revisions to APM - 028, Disclosure of Financial Interest in Private Sponsors of Research. The rationale for the proposed revisions to APM - 028 is two-fold: (1) APM - 028 has not been substantively revised since 1984 and the referenced state and federal laws are outdated; and (2) the proposed new Presidential Policy applies to all University employees, not just academic appointees. As a result, the proposed APM revisions strike topics now covered by the new Presidential Policy. Thus, the new Presidential Policy will govern continued compliance with FPPC regulations and review of Forms 700-U for all University employees while revised APM - 028 will maintain additional important principles guiding the conduct of sponsored research for academic appointees.

Systemwide Review

Systemwide Review is a public review distributed to the Chancellors, the Director of Lawrence Berkeley National Laboratory, the Chair of the Academic Council, and the Vice President of Agriculture and Natural Resources, requesting that they inform the general University community, affected employees, and union membership about policy proposals. Systemwide Review also includes a mandatory, three-month full Senate review. Employees should be afforded the opportunity to review and comment on the draft policy, available online at <https://www.ucop.edu/academic-personnel-programs/academic-personnel-policy/policies-under-review/index.html>. Attached is a Model Communication which may be used to inform non-exclusively represented employees about these proposals. The Labor Relations Office at the Office of the President is responsible for informing the bargaining units representing union membership about policy proposals.

We would appreciate receiving your comments by June 27, 2018. Please submit your comments on the proposed new Presidential Policy on Disclosure of Financial Interests and Management of Conflicts of Interest in Private Sponsors of Research to RPAC@ucop.edu. Please indicate "700-U Policy Comments" in the subject line. Please submit your comments on the proposed revisions to APM - 028 to ADV-VPCARLSON-SA@ucop.edu.

Questions relating to the proposed new Presidential Policy on Disclosure of Financial Interests and Management of Conflicts of Interest in Private Sponsors of Research may be directed to Timothy Miller at Timothy.Miller@ucop.edu or (510) 987-0647. Questions relating to the proposed revisions to APM - 028 may be directed to Kimberly Grant at Kimberly.Grant@ucop.edu or (510) 987-9499.

Sincerely,



Susan Carlson
Vice Provost
Academic Personnel and Programs

Sincerely,



Arthur Ellis
Vice President
Research and Graduate Studies

Attachments:

1. Proposed Presidential Policy on Disclosure of Financial Interests and Management of Conflicts of Interest in Private Sponsors of Research
2. Revised APM - 028, Disclosure of Financial Interest in Private Sponsors of Research (clean and redline copies)
3. Model Communication

cc: President Napolitano
Provost and Executive Vice President Brown
Executive Vice Chancellors/Provosts
Executive Vice President & Chief Financial Officer Brostrom
Executive Vice President, Chief Operating Officer & Chief of Staff Nava
Executive Vice President Stobo
Senior Vice President & Chief Compliance and Audit Officer Bustamante
Senior Vice President Gulbranson
Vice President & Chief Investment Officer Bachher
Vice President & General Counsel Robinson
Vice President Budil
Vice President Duckett
Vice President Holmes-Sullivan
Vice Provost Gullatt
Deputy General Counsel Woodall
Vice Chancellors/Vice Provosts of Academic Personnel/Academic Affairs
Vice Chancellors for Research
Academic Personnel Directors
Chief Policy Advisor & Executive Director Kao
Senior Counsel Auriti
Senior Counsel Morodomi
Executive Director Baxter
Executive Director Chester
Executive Director Peterson
Executive Director Streitz
Chief of Staff and Director Henderson
Director Grant
Director Lee
Director Myjer
Manager Donnelly
Manager Smith
Academic HR Manager Jordan
Human Resources Manager Crosson
Analyst Ha
Analyst Miller