March 29, 2018

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


Dear Colleagues:


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is two-fold: (1) APM - 028 has not been substantively revised since 1984 and the referenced state and federal laws are outdated; and (2) the proposed new Presidential Policy applies to all University employees, not just academic appointees.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
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Attachments:

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
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     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
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     Director Lee
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     Manager Donnelly
     Manager Smith
     Academic HR Manager Jordan
     Human Resources Manager Crosson
     Analyst Ha
     Analyst Miller