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Office of the Academic Senate
SANTA CRUZ DIVISION
125 CLARK KERR HALL
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April 18, 2022

ROBERT HORWITZ, Chair
Academic Council

RE: Second Systemwide Review of Proposed Presidential Policy on University of California Research Data

Dear Robert,

The Santa Cruz Division of the Academic Senate has completed its review of the proposed Presidential Policy on University of California Research Data with the Committees on Information Technology (CIT) and Library and Scholarly Communication (COLASC) providing comment. The reviewing committees agreed that the proposed policy does little to increase clarity over the previous iteration, and in places, may have increased its vagueness.

An overarching concern raised by the reviewing committees is that the policy lacks a clear *raison d'être*. CIT was left to wonder if the policy was drafted to address some as yet unrevealed legal requirement stating that the policy appears to be an “empty checkbox serving some unknown purpose for the University.” COLASC concurred, writing “The policy appears to have been written to address a specific problem — we are not sure what problem, but perhaps a desire to ensure that data is preserved, perhaps for legal reasons?”

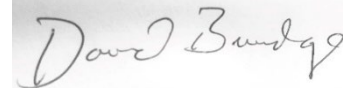
From this common theme the committees diverge. CIT was primarily concerned with the implications of this policy for faculty workload. This workload issue is a result of the lack of clarity in the policy with regard to how faculty are to comply with the policy. Specifically, they note that the prior draft contained examples that have been removed leaving it open to interpretation by “each discipline and/or to the Vice Chancellor of Research (VCR).” Hence, the faculty are left without any guidance on just how much effort will be required to comply with the policy. Moreover, without a clear process outlined, it is unclear how or when the campus is to provide compensation for the time needed to fulfill the requirements of the policy.

COLASC voiced three areas of concern. As mentioned above, they were troubled by how vague the policy is. An example of this is that it lacks any clear definition or guidance on what constitutes “research data.”

They suggest that the policy should include a list of things that don't constitute research data. Their second concern revolves around the status of data resulting from a collaboration between two or more Primary Investigators (PI), when one either arrives from or leaves for another institution. Will the remaining PI be able to impose conditions on the data? Since the University appears to state an interest in the data, this could create hardships for the departing PI. The third and final concern expressed by COLASC is the lack of understanding of how this new policy will interact with existing open access policies and why the University is claiming ownership of data that "is supposed to be made publicly available?"

In closing, the committees have expressed that the policy lacks clarity and as such could place as yet unknown burdens on faculty with regard to the efforts required to comply with it. On behalf of the Santa Cruz division, I thank you for the opportunity to provide comment on this evolving policy.

Sincerely,

A handwritten signature in cursive script that reads "David Brundage". The signature is written in black ink on a light-colored background.

David Brundage, Chair
Academic Senate, Santa Cruz Division

encl: Senate Committee Responses (Bundled)

cc: Kirsten Silva Guesz, Chair, Committee on Affirmative Action and Diversity
Abraham Stone, Chair, Committee on Library and Scholarly Communication
Peter Alvaro, Chair, Committee on Information Technology
Nicolas Davidenko, Chair, Committee on Research