## **Chairs' & Center Directors' Meeting Minutes**

**Date:** September 28, 2009 (12:00 to 2:00 pm)

**Location:** EBU II – Room 443 **Attendees:** Abbaschian, Reza

Bhuyan, Laxmi

Chen, Wilfred (for Yushan Yan) Haberer, Elaine (for Alex Balandin)

Haddon, Robert Hartney, Pat

Mahalingam, Shankar Matsumoto, Mark

Payne, Tom

Ravi

Schultz, Jerry

**Absent:** Balandin, Alex

Barth, Matt Bhanu, Bir Boretz, Mitch Lake, Roger Norbeck, Joe Parker, Linda Yan, Yushan

The agenda for the meeting is shown in Appendix 1.

### 1. Welcome and call for agenda items - Reza

Reza welcomed Elaine Haberer who is replacing Alex Balandin (and also Roger Lake, Bir Bhanu and Matt Barth) at today's meeting.

Jerry asked Reza to discuss UCR's new strategic planning process. Reza responded that the EVCP has initiated eight Strategic Planning Committees. BCOE faculty on these committees include Reza (Advancement Committee), Jerry Schultz (Chair of the Research Committee), Shankar Mahalingham (Climate Committee), Victor Zordan and Yushan Yan. The first meeting of these committees will be tomorrow (9/29/09). Reza expects this process to be similar to the planning process for UCR's Medical School. The Strategic Planning process needs to be completed before the Chancellor's presentation to the UC Regents in March 2010.

Reza stated that the City of Riverside announced its \$100,000 in funding for BCOE's new Solar Research Center at last Tuesday's City Council meeting. He was asked to make (televised) remarks afterward the announcement. This new Solar Research Center will be established at CE-CERT. Annual reports will need to be made to the City.

### 2. Approval of Minutes - Pat

The revised minutes of the September 21st Chairs/Directors meeting were unanimously approved.

### 3. Public Health Action Plans - Reza

Reza noted that UCR's EH&S department has established a website to answer questions about UCR's response to the H1N1 flu (http://ehs.ucr.edu/environmentalhealth/flu/). Reza stated that the best advice is for faculty, staff and students to stay home if sick. Younger people are particularly vulnerable to this flu since older people seem to have partial immunity. Sanitation wipes for teaching and research labs can be obtained from Tim. Reza suggested that computer labs have screen saver messages that encourage students to use the sanitation wipes.

### 4. Thursday's Classes - Chairs

The Chairs did not report any BCOE classes that were cancelled during last Thursday's strike day at UCR. Pat stated that BCOE departments/centers did not report any unexcused staff absences that day.

### 5. Furlough Exchange Program - Reza

Reza stated at all UC campuses except UCI, UCSC and UCR have already implemented a Faculty Furlough Exchange Program (FEP). All BCOE faculty input to an FEP has been positive so far. The Academic Senate's Executive Committee will be forwarding an FEP recommendation to the Chancellor after their meeting today. Pat stated that the campus administration is assuming that UCR will announce an FEP this week that will be similar to the FEPs at other UC campuses.

### 6. Legal Advisory - Pat

Pat called attention to the Office of General Counsel's Legal Advisory that is attached to the agenda. This Advisory presents the requirements of meeting California's new Electronic Discovery Act (which took effect on 6/29/09). Pat stated that this California law is now consistent with current federal law and requires UCR to respond to court requests for Electronically Stored Information (EIS). UCR has established a flowchart of how these requests will be handled. Pat will discuss this flowchart with department managers at tomorrow's FAO/MSO meeting. BCOE should be able to comply with any such EIS requests since it routinely backs-up most electronic files and correspondence.

### 7. Graduate Education/Recruitment - Mark

Mark distributed two handouts. The first handout compares FY 10/11 grad student targets with FY 09/10 SIRs by BCOE department. The total BCOE grad student target for FY 10/11 is 132 (vs 130 for FY 09/10). There were 123 SIR's in FY 09/10. The second handout indicates that there should be 485 continuing grad students in BCOE this FY but only 415 have registered. Mark believes that another 39 are on filing fee status which means that there should be 446 continuing grad students this FY. Mark announced that he has been talking with Hobsons about contracting for their services for grad student recruitment. The Hobsons program would keep track of anyone contacting BCOE's website and enable appropriate email or brochures to be sent automatically. It would be particularly helpful in connecting

potential grad students with appropriate BCOE faculty. Hobsons is used by MIT, Cal Poly SLO, and the business schools at UCI and UCD. Mark mentioned that Cal Poly's applications increased by 80% after implementing Hobsons. Mark will send information to the Chairs about Hobsons so that they can discuss this program with their Graduate Advisors and Graduate Assistants. Reza has asked Linda Parker to seek corporate sponsorship for the annual cost to implement Hobsons (estimated to be around \$35K/yr). It was noted that \$35K is only about \$500 per BCOE faculty member.

In response to a question, Mark stated that the proposed loss of the full year of second year NRT has not yet been finalized by the Grad Division. The Grad Division now realizes that this change would significantly affect contract/grant funding. Lastly Mark noted that BCOE has some Grad Division funding for MS students that want to switch to PhD programs.

### 8. Undergraduate Education - Ravi

Ravi stated that BCOE held a successful student orientation last week in conjunction with BCOE student clubs. Ravi has 35 requests for undergraduate research stipends this year which is significantly higher than last year. An FY 08/09 vs FY 09/10 comparison of BCOE undergraduate student Applications, Admitted, Accepted and Enrolled data was presented. This comparison indicates that the number of BCOE Enrolled Freshmen decreased slightly from 574 to 567 but the number of Enrolled Transfer students increased from 19 to 35. Reza noted that UCR overenrolled about 2,000 undergrad students this year. There may be additional ed fee funds coming to the campus for these additional students but this is not certain. Reza stated that he has requested the Math department to use BCOE TAs for Math classes required for BCOE students. Also, the proposed new "Writing Across the Curriculum" program will need additional BCOE TAs.

### 9. Other Matters

Reza noted three documents attached to the agenda. The first is an announcement of UC President's Postdoctoral Fellowship Program. This program provides a salary of \$40-50,000 per year for 1-2 years plus up to \$4,000 for research related expenses. Reza encouraged BCOE faculty to identify candidates to apply for this funding. The application deadline is November 2, 2009. The second document is APB-010, Preamble to the Statement of Principles: Student Freedom of Scholarly Inquiry. The last document is the list of BCOE faculty that are members of UCR Academic Senate committees.



## Chairs' & Center Directors' Meeting

## September 28, 2009 Agenda

Engineering Building Unit II – Room 443

1.	Welcome - Request for Agenda Items from the Floor	Reza
2.	Approval of Minutes from September 21, 2009 Meeting	Pat
3.	Public Health Action Plan	Reza
4.	Thursday's Classes	Chairs
5.	Furlough Exchange Program	Reza
6.	Legal Advisory	Pat
7.	Graduate Education/Recruitment	Mark
8.	Undergraduate Education	Ravi
9	Other Matters	

The next scheduled meeting will be

Monday, October 12, 2009

Please note: Meetings will be held in EBU II - Room 443

## **LEGAL ADVISORY**

## Office of the General Counsel

September 24, 2009

Charles F. Robinson
General Counsel
Vice President for Legal Affairs

#### www.ucop.edu/ogc

### SUMMARY

With the passage of the California E-Discovery Act, the University's obligations to preserve and produce electronically stored information ("ESI") in state court litigation now parallel its obligations in federal court litigation. The University must preserve relevant ESI when litigation is reasonably anticipated (or filed, if there was no advance notice) to ensure compliance and minimize the University's exposure to monetary and evidentiary sanctions.

If you have questions concerning your obligation to preserve ESI, please contact your campus or medical center counsel or risk manager.

You may also contact:

Cynthia Vroom Senior Counsel, Litigation cynthia.vroom@ucop.edu (510) 987-9773

This legal advisory is issued by the Office of the General Counsel to provide updates regarding important legal and regulatory developments that affect the University. For additional information or assistance with a specific legal matter, please contact the Office of the General Counsel.

# CALIFORNIA PASSES NEW E-DISCOVERY LAW

California's Electronic Discovery Act, which took effect on June 29, 2009, imposes requirements regarding the production of electronically stored information ("ESI") in state court litigation. Similar rules took effect in federal courts in December 2006. The duty to preserve and produce ESI imposes a much greater burden than was the case when only the production of paper documents was required. Implementation of the new state rules may have an impact on University operations given the prevalence of state court litigation across the University system.

California's new law largely tracks the federal rules and provides that:

- · Either party may request ESI in the discovery phase of a lawsuit.
- The party requesting ESI may specify the form in which it is to be produced; otherwise it must be produced in the form in which it is ordinarily maintained or a form that is reasonably usable.
- A party may object to producing ESI that is "not reasonably accessible" (such as backup tapes or legacy data) due to burden or expense; however, if the requesting party moves to compel production and demonstrates good cause, the court may order production.
- Entities like the University must ensure that relevant ESI is not overwritten by routine computer operations when litigation is reasonably anticipated.

Attorneys are now required to meet early in a lawsuit to discuss the preservation and production of ESI. In order for the University to be well-positioned for that discussion and satisfy its discovery obligations in litigation, it is critical that the following steps take place:

- Administrators and supervisors should promptly inform their risk manager or local counsel when they become aware of disputes that may lead to either state or federal litigation.
- The campus or medical center should then take steps to identify and assess all sources of relevant ESI and advise the University's attorneys regarding the sources, form, and accessibility of the ESI.
- Measures to preserve the ESI should be implemented as soon as possible.

If the University fails to preserve ESI and relevant information is lost or destroyed as a result, the University could incur monetary or evidentiary sanctions that could compromise its ability to prevail in litigation. The extent of preservation required will depend on the circumstances of each situation. Campus or medical center counsel and risk managers will determine what is required in each instance, typically with the assistance of local information technology authorities.

2010-11 BCOE GRADUATE STUDENT COHORT RECRUITMENT

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	09/10 SIRs	0	0	0	1	3	4	1	3	4
CEF	Target	1	2	3	13	4	17	14	9	20
1	09/10 SIRs	2	2	4	13	3	16	15	5	20
Jac	Target	5	5	10	15	10	22	20	15	35
	09/10 SIRs	11	4	15	20	11	31	31	15	46
FIFN	Target	9	7	13	25	7	32	31	14	45
	09/10 SIRs	4	4	8	27	7	34	31	11	42
MCEN	Target	0	4	4	3	5	8	3	6	12
	09/10 SIRs	0	4	4	2	5	7	2	6	11
RCOF	Target	12	23	35	61	36	26	73	59	132
	09/10 SIRs	17	14	31	63	29	92	80	43	123

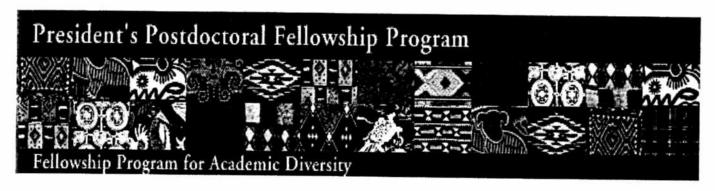
Fall 2009 BCOE Graduate Student Enrollment

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BIEN	4	22	79	3	21	24	1	Н	2	3	21	24
CEE	10	75	82	5	61	99	5	8	13	5	- 67	72
CPSC	36	133	169	27	115	142	5	9	11	31	127	158
ELEN	24	122	146	18	112	130	4	4	8	20	118	138
MCEN	12	47	59	6	44	53	2	3	5	10	44	54
BCOE	98	399	485	62	353	415	17	22	39	69	377	446

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Chemical Egr	322	307	-15	-4.7%	283	350	67	23.7%	38	59	21	55.3%	34	57	23	67.6%
Chem Egr BS+MS	0	100	100	n/a	0	18	18	n/a	0	2	2	n/a	0	2	2	n/a
Computer Egr	572	547	-25	-4.4%	445	452	7	1.6%	110	80	-30	-27.3%	105	80	-25	-23.8%
Computer Science	541	414	-127	-23.5%	440	498	58	13.2%	87	73	-14	-16.1%	81	73	89	%6.6-
Comp. Sci. BS+MS	0	243	243	n/a	0	40	40	n/a	0	-	-	n/a	0	-	-	n/a
Electrical Egr	433	200	29	15.5%	365	434	69	18.9%	9	9	0	%0.0	55	59	4	7.3%
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Engineering (Prep)	0	0	0	n/a	0	-	-	n/a	0	-	-	n/a	0	-	-	n/a
Environmental Eng	140	168	28	20.0%	131	229	86	74.8%	34	20	16	47.1%	34	49	15	44.1%
Enviro. Egr. BS+MS	0	112	112	n/a	0	16	16	n/a	0	-	-	n/a	0	-	-	n/a
Information Sys	65	0	-65	-100.0%	99	0	-56	-100.0%	7	0	-7	-100.0%	7	0	-7	-100.0%
Limited	0	0	0	n/a	0	0	0	n/a	0	0	0	n/a	0	0	0	n/a
Materials Sci & Eng	317	319	2	%9.0	292	312	20	6.8%	19	15	4	-21.1%	18	15	ç	-16.7%
Mechanical Egr	606	176	-133	-14.6%	843	942	66	11.7%	176	135	4	-23.3%	165	129	-36	-21.8%
Mech. Egr. BS+MS	0	343	343	n/a	0	37	37	n/a	0	5	5	n/a	0	5	5	n/a
Total	3,698	4,395	269	18.8%	3,239	3,853	614	19.0%	611	578	-33	-5.4%	574	267	-7	-1.2%

84.2%	16	35	19	4.8%	2	44	42	1.9%	4	210	206	20.9%	87	503	416	Total
n/a	0	0	0	n/a	0	0	0	n/a	0	0	0	n/a	2	2	0	Mech. Egr. BS+MS
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n/a	0	0	0	n/a	0	0	0	n/a	0	0	0	n/a	0	0	0	Engineering (Prep)
n/a	0	0	0	n/a	0	0	0	n/a	0	0	0	n/a	0	0	0	Engineering Other*
%0.09	3	80	2	42.9%	3	10	7	-11.1%	4	32	36	3.9%	3	79	92	Electrical Egr
n/a	0	0	0	n/a	0	0	0	n/a	0	0	0	n/a	0	0	0	Comp. Sci. BS+MS
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## University of California President's Postdoctoral Fellowship Program

## **Call for Applications**

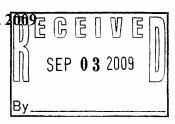
THE PROGRAM The University of California President's Postdoctoral Fellowship Program was established in 1984 to encourage outstanding women and minority Ph.D. recipients to pursue academic careers at the University of California. The current program offers postdoctoral research fellowships and faculty mentoring to qualified scholars in all fields whose research, teaching. and service will contribute to the diversity and equal opportunity at the University of California. These contributions may include public service addressing the needs of our increasingly diverse society, efforts to advance equitable access to higher education for women and minorities, or research focusing on underserved populations or understanding issues of racial or gender inequalities. The program is seeking applicants with the potential to bring to their academic careers the critical perspective that comes from their non-traditional educational background or understanding of the experiences of members of groups historically underrepresented in higher education.

AWARDS AND APPOINTMENTS Fellowships are awarded for research conducted under faculty sponsorship on any one of the University of California's ten campuses. The University awards 15-20 postdoctoral fellowships every year. The annual award provides a salary of \$40-50,000, depending on the field and level of experience. The award also includes health insurance, vision and dental benefits, and up to \$4,000 for research-related expenses. Each award is for a 12-month period, renewable for one year upon demonstration of academic productivity and participation in program events.

**ELIGIBILITY** Applicants must be U.S. citizens or permanent residents and must hold or receive a Ph.D. from an accredited university by June 30, 2010.

**APPLICATION** Online application is available on the web at: <a href="http://www.ucop.edu/acadadv/ppfp/">http://www.ucop.edu/acadadv/ppfp/</a>

Application deadline is: November 2, 2





2010 - 2011

Berkeley
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Irvine
Los Angeles
Merced
Riverside
San Diego
San Francisco
Santa Barbara
Santa Cruz

#### Further Information:

President's Postdoctoral Fellowship Program University of California Division of Equity &Inclusion 102 California Hall Berkeley, CA 94720-1508 (510) 643-6566 kadkinson@berkeley.edu Preamble to the Statement of Principles: Student Freedom of Scholarly Inquiry

The University of California seeks to provide and sustain an environment conducive to sharing, extending, and critically examining knowledge and values, and furthering the search for wisdom. Effective performance of these central functions requires that students be free within their respective level in the educational process to pursue knowledge in accord with appropriate standards of scholarly inquiry.

But the nature of student freedom of scholarly inquiry has not been well articulated in the University. This lack of clarity was brought to the attention of the University Committee on Academic Freedom (UCAF) in 2003 as a result of student awareness of the recent revisions to the University's policy on academic freedom (APM - 010). UCAF agreed to examine the issue, and a joint Academic Senate-Student Affairs systemwide work group was established to this end. The work group consisted of faculty from UCAF, Academic Senate faculty leaders, Student Regents, student representatives from campuses, divisional campus student affairs representatives, and staff from the Office of the President.

In the work group's deliberations, it became clear that the issue was more complex than first thought. This was primarily due to articulating sound principles that account for differences in student roles based on whether they are undergraduate students, graduate students, or postdoctoral fellows. Within this range of roles, the concept of "student" has varied operational meanings associated with intellectual maturity and development, as well as with academic responsibilities such as graduate student teaching and participation as a researcher-colleague.

The most salient guiding principle that emerged from our deliberations is that academic freedom is conferred in the University of California by virtue of faculty membership. As such, student freedom of scholarly inquiry is ultimately derived from, and protected by, faculty academic freedom.

Student freedom of scholarly inquiry should also not be construed as adversarial to the faculty from which it derives. The academic freedom of the faculty is not absolute. The Faculty Code of Conduct describes the responsibilities of the faculty in relation to students, and specifically, in situations where controversial opinions are not germane to the subject of the course. These Principles are intended as an aspirational statement to guide members of the University community toward the goal of preserving an environment conducive to promoting the highest standards of teaching and scholarship.

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Statement of Principles: Student Freedom of Scholarly Inquiry

The University seeks to foster in its students a mature independence of mind, and this purpose cannot be achieved unless students are free to express a wide range of viewpoints in accord with the standards of scholarly inquiry for the competence of student work at each level of the educational process. The substance and nature of these standards properly lie within the expertise and authority of the faculty as a body. As such, it is primarily the responsibility of the faculty as set forth in the Faculty Code of Conduct to ensure that student freedom of scholarly inquiry is fostered and preserved in the University.

While there is substantial variation in students' competence to engage in scholarly inquiry based on their level in the educational process, the faculty has the major responsibility to establish conditions that protect and encourage all students in their learning, teaching, and research activities. Such conditions include, for example: free inquiry and exchange of ideas; the right to critically examine, present, and discuss controversial material relevant to a course of instruction; enjoyment of constitutionally protected freedom of expression; and the right to be judged by faculty in accordance with fair procedures solely on the basis of the students' academic performance and conduct.

For students to develop a mature independence of mind, they must be free in the classroom to express a wide range of viewpoints in accord with standards of scholarly inquiry and relevance to the topic at hand. No student can abridge the rights of other students when exercising their right to differ. Students should be free to take civil and reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.<sup>3</sup> The faculty has authority for all aspects of the course, including content, structure, relevance of alternative points of view, and evaluations. All decisions affecting a

If a professor of constitutional law reads the examination of a student who contends that terrorist violence should be protected by the First Amendment because of its symbolic message, the determination of whether the examination should receive a high or low grade must be made by reference to the scholarly standards of the law. The application of these standards properly distinguishes indoctrination from competent pedagogy. Similarly, if a professor of American literature reads the examination of a student that proposes a singular interpretation of Moby Dick, the determination of whether the examination should receive a high or low grade must be made by reference to the scholarly standards of literary criticism. The student has no "right" to be rewarded for an opinion of Moby Dick that is independent of these scholarly standards. If students possessed such rights, all knowledge would be reduced to opinion, and education would be rendered superfluous. http://www.aaup.org/AAUP/comm/rep/A/abor.htm

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See *Academic Freedom*, University of California Academic Personnel Manual 010. <a href="http://www.ucop.edu/acadadv/acadpers/apm/apm-010.pdf">http://www.ucop.edu/acadadv/acadpers/apm/apm-010.pdf</a>

See The Faculty Code of Conduct, University of California Academic Personnel Manual 015. http://www.ucop.edu/acadadv/acadpers/apm/apm-015.pdf

<sup>&</sup>lt;sup>3</sup> An example of this responsibility from the American Association of University Professors statement on the Academic Bill of Rights follows:

student's academic standing, including assignment of grades, should be based upon academic considerations administered fairly and equitably under policies established by the Academic Senate.<sup>4</sup> In professional curricula, such decisions may include consideration of performance according to accepted professional standards.<sup>5</sup>

Students may also serve as instructors under supervision of the faculty. The faculty retains authority over all aspects of the course, including content, structure, evaluations, and delegation of authority for the course, and must base the guidance of student instructors on accepted scholarly and professional standards of competence in teaching. Subject to such authority, however, such student instructors share with faculty the freedom and responsibility to present concepts, to lead discussion in class, and to ensure the appropriate and civil treatment of other members of the academic community.

Faculty guidance and supervision of student research is desirable and appropriate. Students' freedom of inquiry while conducting research may not be abridged by decisions contrary to accepted scholarly and professional standards.<sup>6</sup> Students are entitled to the protection of their intellectual rights, including recognition of their participation in supervised research and their research with faculty, consistent with generally accepted standards of attribution and acknowledgement in collaborative settings.

These protections are in addition to, and distinct from, the full protections of the Constitution of the United States and the Constitution of the State of California.

See APM - 015.

See University of California, Section 170.00 of the Policies Applying to Campus Activities, Organizations and Students: University Obligations and Student Rights, Section 171.09. <a href="http://www.ucop.edu/ucophome/coordrev/ucpolicies/aos/uc170.html">http://www.ucop.edu/ucophome/coordrev/ucpolicies/aos/uc170.html</a>

Scholarly and professional standards include: Graduate thesis research must be conducted under the supervision of a specified faculty advisor and is subject to the approval of the faculty thesis committee.

committee Committee on Educational Policy Committee on Academic Personnel Executive Council Committee on Diversity and Equal Opportunity Graduate Council Committee on Library & Scholarly Communication Committee on Library & Scholarly Committee Committee on Academic Freedom Committee on Academic Freedom Committee on Privilege and Tenure Committee on Privilege and Tenure Committee on Preparatory Education Committee on Preparatory Education Committee on Faculty Welfare Committee on Research Health Affairs Council Committee on Research Health Affairs Committee Reorganization iEVAL Process Committee on International Education
department  Bioengineering Computer Science & Engineering Electrical Engineering Mechanical Engineering Electrical Engineering Computer Science & Engineering Electrical Engineering Electrical Engineering Electrical Engineering Electrical Engineering Electrical Engineering Chemical/Environmental Engineering Gomputer Science & Engineering Electrical Engineering Electrical Engineering Electrical Engineering Gomputer Science & Engineering Anderhanical Engineering Mechanical Engineering
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