

SENATE COMMITTEE ON SOCIAL CONCERNS
MINUTES OF MEETING
NOVEMBER 4, 2002

[In these minutes: Welcome, Meeting Format, Mount Graham, Intellectual Property Policy as it Relates to Essential Medicines, Energy Conservation and Efficiency, Child Care, Mitsubishi Motors Update, Campus Chemical Use for Landscaping, Divestment from Israel, K-12 Links to the University, Tuition Increases]

[These minutes reflect discussion and debate at a meeting of a committee of the University of Minnesota Senate or Twin Cities Assembly; none of the comments, conclusions or actions reported in these minutes represent the views of, nor are they binding on, the Senate or Assembly, the Administration or the Board of Regents.]

PRESENT: Mark Pedelty, chair, Jennifer Oliphant, Ruth Taylor, Roger Beck, Karen Holtmeier, Yvonne Redmond-Brown, Albert Cooper, Sheri Huerd, Greg Schooler, Susan Von Bank, Julie Sweitzer, Jeffrey Crump, Kenneth Heller, Margaret Kuchenreuther, Ben Senauer, Joel Helfrich

ABSENT: Judi Linder, H. Jeanie Taylor, Susan Craddock

OTHER(S): Joel Albers, Greta Bauer, Danielle Morales, Adam Sitz

I). Professor Pedelty called the meeting to order and introductions were made.

II). Because the committee has many issues to address in 2002 – 2003, it will be important for members with a particular interest in an issue to take the lead and spearhead that issue. Members were encouraged to contact Renee Dempsey, Senate staff, to schedule time on future agendas as issues are brought forward.

III). MOUNT GRAHAM UPDATE: Professor Pedelty reported that the University has decided to participate in the Mount Graham Observatory. There have been continued protests regarding the University's decision to do so. Although the committee took a stand on this issue last year, it is very likely this matter will come before the committee again.

A member doing his dissertation on Mount Graham briefly provided the committee with some history and new developments surrounding this issue. He noted that earlier this year the University of Arizona asked that 4 more telescopes be placed on the mountain in addition to the 2 that are already there and the one that is being built. He suggested that a resolution be drafted denouncing the further desecration of the mountain, etc.

Members discussed whether to continue to examine this issue. Joel Helfrich volunteered to spearhead the issue.

IV). INTELLECTUAL PROPERTY POLICY AS IT RELATES TO ESSENTIAL MEDICINES: Professor Pedelty welcomed Ms. Greta Bauer, a Ph.D. candidate in the School of Public Health, to lead a discussion of intellectual property and essential medicines. Ms. Bauer introduced associates who were working with her on this cause and passed around a binder with several articles and pieces of information on this issue. To begin, essential medicines are minimum medicine needs for a basic health care system, or, in other words, essential medicines are the basic toolbox of medications a country needs to deal with most major public health issues.

In 1980 patent laws were reformed allowing universities to hold their own patents on research that was funded through the federal government. Additionally, besides being able to hold their own patents, universities were able to grant exclusive license to commercial entities to develop and market the drugs they produced. As a result, there exists a conflict between many university's current intellectual property policies and the delivery of essential medicines to needy people throughout the world.

If a disease is found primarily in a low-income country, it is likely a drug will never be discovered because there is no money to be made. If a disease afflicts a wealthy country, a cure or treatment will be discovered and brought to market, and the market will function relatively well. However, when a disease occurs in both low-income and wealthy countries and a drug becomes patented, a conflict arises. Companies with patents will oppose production of generics or the marketing of the drug in low-income countries because it produces competition. Hence, the market fails to deliver a life-saving product to people that need it, despite demand

While some universities have ethics clauses written into their intellectual property policies; the University of Minnesota, like most, does not. Ms. Bauer does not want the University to be in the same league with other institutions that block delivery of essential medicines to poor countries. According to Ms. Bauer, the University's Intellectual Property Policy (<http://www1.umn.edu/usenate/policies/intelproperty.html>) needs to be revisited as it relates to essential medicines. Essential medicines are different than other inventions and need to be treated differently in terms of patent policy.

Discussions around this issue are taking place across the country. Current examples of groups that are dealing with the essential medicines issue include:

- Center for Interdisciplinary Research on AIDS (CIRA), Yale University.
<http://cira.med.yale.edu/>
- Commission on Intellectual Property Rights.
http://www.iprcommission.org/text/documents/final_report.htm

Ms. Bauer stated that at a recent workshop at Yale University, 'Access to Essential Medicines and University Research: Building Best Practices' several ideas were discussed to get around this problem:

- Do not patent essential medicines

- Do not enforce essential medicine patents in developing countries
- Do not enforce these patents in countries with a certain level of a disease

It is assumed that if a product is brought to market, a corporation will take it over and act in the public interest. This theory is deeply flawed. Ms. Bauer's goal is for the University to retain its integrity and act in accordance with its mission statement. In its current form, patent policy has undermined the University's ability to accomplish its own mission.

Members debated the issue and the need to encourage the University to review and revise its Intellectual Property Policy as it relates to not only essential medicines, but other inventions that could have similar implications. Ms. Bauer and her associates volunteered to draft a statement/resolution regarding this issue and bring it back to the committee for endorsement and support at a future meeting.

V). ENERGY CONSERVATION AND EFFICIENCY UPDATE: Professor Kuchenreuther summarized for the committee a 1997 Senate resolution dealing with energy conservation and efficiency. While researching this issue she also uncovered a document called 'Program Information/Requirements' which outlines, as of August 2000, requirements for new buildings and she obtained a report from the UMM Conservation Research Reduction Program which included a list of ideas for energy conservation and efficiency at UMM. Professor Kuchenreuther will provide members with copies of these documents.

VI). CHILD CARE UPDATE: Professor Pedelty spoke with Professor Mary Lay, chair of the Senate Equity, Access and Diversity Committee (EAD) who indicated that EAD will not be dealing with the issue of child care on campus. Julie Sweitzer, Director, Office of Equal Opportunity and Affirmative Action stated that there is a growing concern about work/life issues on campus and child care is one aspect of that. Because there is an organized work/life effort in place this may influence whether the committee chooses to add this to the list of issues it plans to deal with. Professor Pedelty asked if there is anyone interested in spearheading this issue. No members volunteered but Ms. Sweitzer agreed to report back periodically on any information she comes across.

VII). MITSUBISHI MOTORS CORPORATION UPDATE: Professor Pedelty announced that Mitsubishi Motors Corporation is no longer on the Rainforest Action Network list of irresponsible vendors and has been off for quite some time. There is no evidence that there is any type of boycott against Mitsubishi at this time. Since the Rainforest Action Network has removed Mitsubishi Motors from its list of irresponsible vendors, the University should do the same.

A member asked whether the University posts anywhere a list of companies that it will not do business with. If so, it was suggested that this list also be posted to the Social Concerns website.

The committee unanimously passed a motion to remove Mitsubishi Motors Corporation from the University's non-acceptable vendor list. Professor Pedelty indicated that the Purchasing Department would be informed of this action.

VIII). CHEMICAL USE ON CAMPUS FOR LANDSCAPING PURPOSES UPDATE: Professor Pedelty has been unable to make contact with Grounds Superintendent Les Potts to find out information about the University's chemical use for landscaping purposes. Professor Pedelty will continue to try and make contact with Mr. Potts. Joel Helfrich volunteered to help Professor Pedelty with this issue.

IX). DIVESTMENT FROM ISRAEL: Professor Pedelty announced that FCC has asked the Social Concerns Committee to examine this issue. At issue is should the University divest from Israel.

Greg Schooler from Asset Management informed members that the University of Minnesota (not including the University Foundation, etc.) has approximately \$531 million in its investment pool. Of the \$531 million, \$674,000 is invested in securities in Israel. If the University were to divest from Israel at the end of October 2002 the University would take an unrealized loss of \$435,000.

Discussion highlights:

- It was noted that in terms of divesting from Israel, the University needs to look beyond Israeli owned companies and include large corporations that have substantial holdings in Israel; many of which will be American companies.
- A member stated it would be incumbent on the committee to hear a diversity of opinions related to the issue. To date, many of the articles the committee has read have been very one-sided. Members agreed they would like to hear from different constituencies regarding this issue. Professor Pedelty agreed to arrange for speakers for future meetings.

X). OTHER BUSINESS:

- K-12 LINKS TO THE UNIVERSITY: At the October 2002 meeting there was a discussion about K-12 links with the University. To what extent does/should the University support the metro K-12 education system? A member feels strong that this issue is the biggest social issue the University should be involved in. Professor Ken Heller and alumni member Yvonne Redmond Brown volunteered to spearhead this issue.
- TUITION INCREASES: At the October 2002 meeting there was a brief discussion concerning what are students getting for their tuition dollars and fees in light of belt-tightening measures and tuition increases. The committee may want to develop some ethical guidelines for the University to consider. This agenda topic was deferred until next semester.

XI). Hearing no further business, Professor Pedelty adjourned the meeting.

Renee Dempsey
University Senate