

**THE REGENTS OF THE UNIVERSITY OF CALIFORNIA  
MEETING AS A COMMITTEE OF THE WHOLE**

January 17, 2002

The Regents of the University of California met on the above date at Covell Commons, Los Angeles campus.

Present: Regents Atkinson, Bagley, Connerly, Davies, T. Davis, Hertzberg, Hopkinson, O. Johnson, S. Johnson, Kozberg, Lansing, Lee, Lozano, Marcus, Montoya, Morrison, Parsky, Pattiz, Preuss, Sayles, and Seymour

In attendance: Regents-designate Ligot-Gordon, Sainick, and Terrazas, Faculty Representatives Binion and Viswanathan, Secretary Trivette, General Counsel Holst, Treasurer Russ, Provost King, Senior Vice President Mullinix, Vice Presidents Broome, Doby, Drake, Gomes, Gurtner, and Hershman, Chancellors Berdahl, Bishop, Carnesale, Cicerone, Dynes, Greenwood, Tomlinson-Keasey, Vanderhoef, and Yang, and Recording Secretary Nietfeld

The meeting convened at 9:50 a.m. with Chairman S. Johnson presiding.

**PUBLIC COMMENT**

Chairman Johnson explained that the Board had been convened as a Committee of the Whole in order to permit members of the public an opportunity to address matters on the morning's open session agendas. The following persons addressed the Board concerning the items noted.

A. Committee on Finance, Item 502: ***Amendment of Standing Order 110.2 - Matters Relating to Residency: Proposal to Establish New Policy on Tuition Exemptions to Conform to AB 540 (Conditions of Implementation)***

- (1) Ms. America Yareli Hernandez, who entered the state illegally as an infant, believed that she had a basic right to the same educational opportunities as those that are offered to legal residents and urged The Regents to apply AB 540 to the University.
- (2) Ms. Rita Cepeda, the president of Santa Ana Community College, reported that her campus was nationally designated as an Hispanic-serving institution. A significant number of the students speak English as a second language, and the college offers a rigorous curriculum that builds on the linguistic assets of its students, faculty, and staff. She urged support for AB 540.
- (3) Mr. Mark Silverman, an attorney with the Immigrant Legal Resource Center, reported that, following careful review of the issue, the center believes that there is no potential liability if The Regents adopts AB 540.
- (4) Ms. Lupe Delgado, a student, asked for the opportunity to pursue an education.

- (5) Ms. Paula Cruz-Takash, an instructor at the Los Angeles campus, suggested that the citizens of California could not afford not to invest in the future of undocumented students in order to promote a robust economy for the state.
- (6) Mr. Victor Viramontes of the Mexican American Legal Defense and Education Fund urged The Regents to implement AB 540 because his organization believes that it is the right public policy and that it does not conflict with federal law. He noted that the Governor and the Legislature had agreed with this conclusion.
- (7) Ms. Audre Yamagata-Noji, vice president of student services at Mt. San Antonio Community College, discussed the backgrounds of two of her students who are undocumented and thus will be denied the benefit of a UC education unless The Regents adopts AB 540.

B. Committee on Finance, Item 505: ***University of California Retirement Plan: Proposal on Relative Equity of Benefits***

- (1) Ms. Shane Snowden, chair of the systemwide UC Lesbian, Gay, Bisexual, Transgender, and Intersex Association (LGBTIA) also spoke on behalf of Ms. Sarah Archibald, Mr. Robert Anderson, and Ms. Kathleen Eiler. Ms. Snowden believed that the equalization of retirement benefits for UC employees with same-sex domestic partners would be extremely beneficial. She recalled that The Regents had extended only health benefits to domestic partners in 1997, which resulted in continued inequities for domestic partners when they retire. For example, if a married UCRP member dies before becoming eligible to retire, his or her spouse receives a full pension, while unmarried partners receive no benefits. Since 1997, all of the University's Comparison 8 institutions have equalized retirement benefits for domestic partners. A Kaiser Foundation survey found that 77 percent of the American public support same-sex benefits. Ms. Snowden observed that, if a tragedy were to occur at a UC campus, bereaved spouses would be treated differently from bereaved same-sex partners.
- (2) Dr. Pat Alford-Keating, a psychologist at UCLA, introduced her same-sex domestic partner and discussed some of the details of their life together. She believed that the retirement benefits afforded to married UCRP members should be extended to employees' domestic partners.
- (3) Dr. Mark Litwin, an Associate Professor of Medicine at UCLA, informed the Committee that he had been awarded a \$50 million grant to study prostate cancer, the largest award in the campus' history. He pointed out that, while UC states that it does not discriminate on the basis of sexual orientation, it continues to discriminate with respect to retirement benefits, and asked that these benefits be equalized.

- (4) Mr. Thomas Wortham, chair of the Department of English at UCLA, discussed some of his academic achievements and those of his department. He believed that his life partner of 25 years should be eligible for survivor retirement benefits.
- (5) Mr. Shaun Travers, director of the San Diego campus LGBTIA resource office, urged The Regents to support the equalization of retirement benefits for domestic partners.
- (6) Ms. Pat Walsh, assistant dean of students at UC Irvine and founder of the campus' LGBTIA resource center, expressed concern that her domestic partner would not have access to her pension were she to die.
- (7) Ms. Carol Miller, chair of the Council of UC Staff Assemblies, reported that the delegates had requested that she convey to the Board the council's unanimous support for relative equity in the University of California Retirement Plan.
- (8) Dr. Rose Maly, a cancer researcher at UCLA, recalled that in 1997 she had addressed the Board concerning the death of her same-sex partner. She urged support for the equalization of retirement benefits for domestic partners.

C. Committee on Grounds and Buildings and Committee on Finance, Item 5-GF: ***Authorization to Establish a Limited Liability Company with Virginia Smith Trust, Merced Campus***

Mr. Bob Smith, former planning director for the County of Merced, reported that he had had the opportunity to work closely with the UC Merced physical planning and environmental permitting teams. The County and the campus have developed a close partnership for the development of UC Merced and have worked to ensure extensive public participation in all of their planning efforts, which will lead to the establishment of a world-class university while protecting the environment.

D. Committee on Grounds and Buildings, Item 101B: ***Certification of Environmental Impact Report and Amendment of Long Range Development Plan for Northeast Quadrant Science and Safety Projects, Berkeley Campus***

Mr. Trent Orr explained that he was appearing as special counsel to the City of Berkeley to express the City's concern over the environmental review process for the northeast quadrant science and safety projects, which nearly double the square footage allowed under the central campus 1990 LRDP. He suggested that the planning should have proceeded in conjunction with the LRDP update in order to provide the City and its residents the opportunity to consider its impact in the context of other development projects. The City is interested in a negotiated settlement which will address its concerns.

E. Committee on Investments, Item 601: ***Annual Endowment Investment Report***

- (1) Ms. Carol Richards spoke on behalf of students and faculty who are concerned about the violation of human rights in Burma. She urged The Regents to divest from any holdings that have investments in Burma.
- (2) Ms. Julia Zolinsky of the UC Free Burma Coalition asked that the University divest from its Burma-related holdings, including Unocal.
- (3) Mr. Bryant Tan, speaking on behalf of UCLA's undergraduate student association, spoke as the son of Burmese immigrants in urging the University to divest from companies with ties to Burma. He read from a resolution that was endorsed by the student association.

F. Committee on Educational Policy, Item 304: ***Multi-Campus Research Units: Advancing the University of California's Research Excellence***

Mr. Murray Morgan presented a suggestion that the title of staff research associate be changed to research scientific officer in order to improve the quality of research at the University.

The meeting adjourned at 10:30 a.m.

Attest:

Secretary