

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

March 16, 2005

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

Present: Regents Anderson, Blum, Dynes, Hopkinson, Johnson, Kozberg, Lansing, Lee, Marcus, Novack, Ornellas, Parsky, Pattiz, Ruiz, Sayles, and Wachter

In attendance: Regents-designate Juline, Rominger, and Rosenthal, Faculty Representatives Blumenthal and Brunk, Secretary Trivette, General Counsel Holst, Treasurer Russ, Provost Greenwood, Senior Vice Presidents Darling and Mullinix, Vice Presidents Doby, Drake, Gomes, and Gurtner, Chancellors Birgeneau, Carnesale, Córdoba, Denton, Fox, Tomlinson-Keasey, Vanderhoef, and Yang, University Auditor Reed, and Recording Secretary Nietfeld

The meeting convened at 10:05 a.m. with Chairman Parsky presiding.

1. PUBLIC COMMENT

Chairman Parsky 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 University-related matters. The following persons addressed the Board concerning the items noted.

Committee on Finance, Item 505, Amendment of the University of California Defined Contribution Plans Related to the Review of Fiduciary Oversight, Participant-Directed Investments Options, and Administrative Services

A. Ms. Mary Higgins, a member of the Coalition of University Employees (CUE), referred to the proposal with respect to the Severance Pay Plan benefit and requested more details about the funding source and any potential reduction in the retirement system to provide benefits for employees who are not senior managers. She asked how the proposed fiduciary oversight structure for the UC Defined Contribution Plan would differ from the one already in place.

University-Related Matters

B. Ms. Jen Smith, a member of CUE, urged the Board to adopt the report that had resulted from the UC-CUE fact-finding process. She believed that the University should be able to provide pay increases for its employees without an increase in student fees.

- C. Mr. Cliff Fried, a staff research associate on the Los Angeles campus and the vice president of the Union of Technical and Professional Employees (UPTE), asked that the Regents take more of a hands-on approach to collective bargaining in order to avoid potential strikes by employees.
- D. Ms. Margy Wilkinson, a member of CUE from the Berkeley campus, recalled that there had been time in the University's past when workers were regarded as an integral part of the institution. Staff received better benefits and salaries than workers in the market place. In October 2004, the University Committee on Planning and Budget sent a letter to Faculty Representative Blumenthal which stated that the committee members were not persuaded that faculty salaries should trump other needs in 2005-06. The Committee ranked staff salaries as the number one priority.
- E. Mr. Hueteoto Lopez, a member of CUE, alleged that \$20 million that had been allocated for clerical wages had been diverted to other uses.
- F. Mr. Brett Chapman, a staff research associate at the Los Angeles campus, recalled that in 2003 the Governor had signed into law a bill which offers paid family leave at 55 percent of salary for six weeks following the birth of a child. UC requires employees to use accumulated sick time for the benefit to occur.
- G. Ms. Bridget Smith, a student at the Los Angeles campus, spoke as a member of the Darfur Action Committee, noting that the United States government had determined that the situation in western Sudan represents genocide. She presented a resolution from the committee.
- H. Ms. Amatullah Alaji-Sabrie, a member of CUE, asked for an investigation into the \$20 million that she believed had been diverted from salary increases.
- I. Ms. Dorothy Lee, a student at the Los Angeles campus and a member of California Students for Sustainability, urged the University to take sustainability into account in all of its efforts, moving beyond environmental goals.
- J. Ms. Sara Hogan, a student at the Los Angeles campus and a member of California Students for Sustainability, pointed out that the campuses as a system have billions of dollars in buying-power potential and a legion of students who want to become involved. She was impressed by the University's dedication to environmental and social progress.
- K. Mr. Hoku Jeffrey, the southern California coordinator for the Coalition to Defend Affirmative Action By Any Means Necessary (BAMN), commented on the fact that there were only 24 black male students on the Berkeley campus who are not on an

athletic scholarship. He urged the University to refuse to accept the new writing section of the SAT.

- L. Ms. Kelly Mejia, a student from east Los Angeles, believed that she deserved a place at the University of California.
- M. Ms. Shanta Driver, a co-chair of BAMN, believed that qualified Latino and Black students would be denied admission to the University due to changes in the SAT. She urged the Regents to restore affirmative action.
- N. Ms. Rita Kern, a staff research associate on the Los Angeles campus, commented on the proposals to change the University's retirement system from a defined benefit to a defined contribution system, noting that the current pension plan was one of the last good benefits provided to UC employees.
- O. Mr. Gary Ratner, the executive director of the American Jewish Congress, reported that his organization had been contacted by UC students who perceived an anti-Israel prejudice on the part of the faculty. He believed that the rules of the Academic Senate pertaining to academic freedom, which were amended in September 2003, should be reinstated.
- P. Ms. Alyson Taylor, the associate director of the American Jewish Congress, urged The Regents to enforce the academic freedom rules and the faculty code of conduct. She believed that views from all sides of the middle-east conflict should be available on UC's campuses.
- Q. Ms. Nancy Kabzenell observed that because one-third of the University's employees earn less than \$25,000 per year, they need to work two and three jobs in order to survive.
- R. Ms. Norah Foster, a member of CUE from the Berkeley campus, commented on wage disparities that exist for UC library assistants. A fact-finder found that California State University clerical employees earn 28 percent more than UC clerical workers; for library assistants, the gap is 33 percent.
- S. Mr. Ricardo Rodriguez, an employee of the Los Angeles campus, shared the concerns of other employees that wages have not increased, which makes it more difficult to recruit qualified staff.
- T. Ms. Maxine Terk, a nurse at the UCLA medical center and a member of the California Nurses Association (CNA), spoke against the pension reform plan that has been proposed by the Governor.

- U. Ms. Beth Kean, a member of CNA, believed that implementation of the Governor's proposal with respect to pensions would have a disastrous effect on the University's ability to recruit and retain nurses. She urged the Regents publicly to oppose the plan, which she saw as ill-conceived and short-sighted.
- V. Mr. Robert Schechtman, the academic affairs vice president of the Graduate Student Association on the Berkeley campus, spoke in favor of student-based fees such as the recent health care initiative at Berkeley, which was formulated by a committee of students, faculty, and staff.

2. **REMARKS OF THE PRESIDENT**

President Dynes commented on several events that had occurred since the January meeting. He reported that Chancellor Cicerone had been confirmed as president of the National Academy of Sciences, effective July 1, 2005. A search committee has been established for his successor as chancellor. He noted that Marye Anne Fox had been formally inaugurated as chancellor of the San Diego campus, while Chancellor Birgeneau's inauguration would take place in April.

Three University of California researchers were among eight recipients of the National Medal of Science at the White House:

- Michael Bishop, chancellor of UC San Francisco and a winner of the Nobel Prize for his achievements in the biological sciences;
- Duncan Luce, a behavioral scientist at the Irvine campus; and
- John Prausnitz, a professor of chemical engineering at UC Berkeley.

The medal is the highest national honor accorded to American scientists; of the 409 medals that have been presented, 51 have been awarded to researchers affiliated with the University of California. In addition, the President noted that last month the National Academy of Engineering had announced the election of 74 new members and 11 foreign associates, 10 of whom are members of the UC faculty.

Turning to budget deliberations taking place in Sacramento, President Dynes reported that there was a recognition of the University's contributions to the state and that the compact with the Governor is necessary to help UC recover from budget cuts over the last several years. The issue of funding for academic preparation programs remains to be resolved.

The University has submitted its proposal to the Department of Energy for the management of the Lawrence Berkeley National Laboratory; the Regents will be kept apprised.

In concluding his remarks, President Dynes commented on his visits to communities around the state, including the Imperial Valley and parts of Los Angeles County. These visits have served as a reminder of the major differences the University makes not only to the state as a whole but also in the lives of people across the state.

The meeting adjourned at 10:45 a.m.

Attest:

Secretary