

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

March 19, 2008

The Regents of the University of California met on the above date at UCSF–Mission Bay Community Center, San Francisco.

Members present: Regents Allen, Blum, Brewer, Bugay, De La Peña, Dynes, Gould, Hopkinson, Hotchkis, Island, Kozberg, Lozano, Marcus, O’Connell, Pattiz, Schilling, Varner, and Wachter

In attendance: Regents-designate Cole, Scorza, and Shewmake, Faculty Representatives Brown and Croughan, Associate Secretary Shaw, General Counsel Robinson, Chief Investment Officer Berggren, Chief Compliance and Audit Officer Vacca, Provost Hume, Executive Vice Presidents Darling and Lapp, Vice Presidents Beckwith, Broome, Dooley, Foley, Lenz, and Sakaki, Chancellors Birgeneau, Bishop, Block, Blumenthal, Fox, Kang, Vanderhoef, and Yang, Acting Chancellor Grey, and Recording Secretary Johns

The meeting convened at 8:45 a.m. with Chairman Blum presiding.

1. PUBLIC COMMENT

Chairman Blum 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.

- A. Mr. Murray Morgan, a former UCD employee, alleged that he was punished for his scientific integrity. He referred to a lawsuit he has filed, noted his attorney fees, and warned of the University exposure from his case.
- B. Mr. David Shukla, representative of Students for a Democratic Society, noted the fifth anniversary of the invasion of Iraq. He cited the effect of the war on California and UC’s ties to the military, in research and programs, ROTC, and military recruitment on campuses. He suggested that the University has abandoned its mission.
- C. Mr. Michael Tank, a UCLA student, expressed concern about rising fees and the struggles of many students with fees and debt. He described it as outrageous that UC student fees have doubled over the last ten years, outpacing inflation. He asked the Regents to prioritize affordable higher

education by freezing and eventually eliminating fees, and cited the California Master Plan for Higher Education.

- D. Ms. Bernice Shaw, a UCLA student, urged the Regents not to raise student fees. She asked the Regents to show compassion and understanding for students with financial challenges who must work while enrolled at the University, and not to treat the University as a business.
- E. Mr. Jason Ahmadi, a UCB student, noted UC involvement in the development of nuclear weapons. He called attention to an alternative meeting taking place outside the building and stated that UC is no longer a public education institution. He stated that the Regents do not represent students, community, or faculty.
- F. Ms. Corina Bigham, a UCD graduate student, referred to a recent letter from President Dynes to chancellors which stated that the Philip Morris external research program has been discontinued at UC. Ms. Bigham reported that Philip Morris continues to fund research at UC.
- G. Ms. Tanya Smith, a representative of the University Professional & Technical Employees—Communications Workers of America (UPTE-CWA) 9119, reported that, on November 21, 2007, the union asked for a meeting with the Regents. She stated that the union will continue to pay attention to the Regents' actions and communicate with them.
- H. Mr. Ronald Cruz, a UCB student and member of By Any Means Necessary (BAMN), excoriated the University for raising student fees and compared this to the financial aid offered to students by Stanford. He decried perceived segregation at UC and opined that the University is increasingly irrelevant to the state. Mr. Cruz demanded that UC eliminate use of the SAT exam in its admission process.
- I. Ms. Christine Byon, a UCSB student and representative of the UC Student Association, discussed the burden of fee increases for students and families and emphasized the Regents' responsibility for public education. She called attention to barriers faced by qualified students and asked the Regents not to increase fees.
- J. Ms. Ahnika Kline, a UCSF graduate student and chair of the UC Student Association Graduate and Professional Committee, described the current diversity crisis at UC as a side effect of increased fees. She expressed concern over the small numbers of underrepresented minority faculty and graduate students at UCSF. She urged the Regents to increase diversity by not increasing student fees.

- K. Mr. Chris Sarantos, a Ph.D. student at UCSB, urged the Regents to vote against significant increases in fees. He noted that graduate student fees have increased 106 percent since 2001 and noted that fee increases will drive away students who pay their own tuition, while increasing the cost of students to research grants. He argued that fee increases are harmful to the UC system and to the state economy.
- L. Mr. Francisco Ramos-Stierle, a Ph.D. student in astrophysics at UCB, informed the Regents that he has decided to withdraw from the University until it ceases its involvement with the production and manufacture of nuclear weapons. He emphasized his position as a scientist who opposes the unethical use of science.
- M. Mr. Clement Calado demanded democratization of the Board of Regents, stating that the Legislature and California voters seek this also. He criticized the Regents for perceived financial mismanagement, skewed funding priorities, and poor labor practices. Mr. Calado observed the democratic governance functions at other universities and looked forward to meeting with a representative UC governing board in the future.
- N. Ms. Gianna Ranuzzi, a Berkeley community activist, referred to a recent Western Association of Schools and Colleges (WASC) report, and to problems in UC governance, leadership, and decision-making. She urged the Regents to examine the Environmental Impact Reports for the Lawrence Berkeley National Laboratory. She submitted a transcript of a December 17, 2007 public hearing and expressed concern about building in the canyon and a perceived lack of proper review.
- O. Mr. Norman “Wounded Knee” De Ocampo, a representative of the California Miwok, asked UC Berkeley to repatriate 12,000 Native American remains for proper burial. He informed the Regents about the Longest Walk 2008, an American Indian cross-country walk from San Francisco to Washington, D.C. to bring attention to environmental issues and indigenous sacred sites. He asked the Regents to consider how they would want their own ancestors’ remains to be treated and noted that there are no Native Americans on the Board of Regents.
- P. Mr. Quanah Parker Brightman, vice president of United Native Americans, Inc., expressed concern about UC compliance with the Native American Graves Protection and Repatriation Act (NAGPRA). He emphasized that this issue concerns human rights, dignity, and pride. Mr. Brightman decried the robbing of Native American graves and stated that the University merits negative publicity on this issue.
- Q. Ms. Hillary Violet, a UCB alumna, expressed shame at the University’s participation in nuclear weapons development. She criticized the

University for not returning Native American remains, and the Regents for a perceived lack of democratic accountability to the people of California. Ms. Violet advocated that the Regents be democratically elected, like community school boards.

- R. Mr. Arthur Fonseca, a long-term volunteer at People's Park in Berkeley, expressed opposition to UC's involvement in nuclear weapons production and UC contracts with military defense contractors. He alleged that UC is responsible for war crimes in Iraq.
- S. Mr. Jonathan Wright, a UCSC student and American Federation of State, County, and Municipal Employees (AFSCME) Local 3299 representative, expressed anger at the University's lack of diversity, long range development plans, and treatment of workers. He emphasized community disapproval and anger regarding the University.
- T. Ms. Lisa Putkey, a UCB student, referred to Article IX, Section 9 of the California Constitution, ratified in 1974, which states that the Regents should reflect the diversity of people in the state. She stated that this diversity has not been reflected in the Board for the past 34 years, and asked for a change in the selection process for Regents, so that they better reflect the state's diversity.
- U. Mr. Gregory Cendana, a UCLA student, informed the Regents that more than 65,000 undocumented students graduate from U.S. high schools every year. Those who then attend UC do not receive financial aid. Mr. Sendana urged the Regents and the University to support and ensure that the Governor signs SB 1301, authored by State Senator Cedillo, and AB 2083, sponsored by Assembly Speaker Núñez, bills which would allow undocumented students to receive financial aid.

2. **REMARKS OF THE CHAIRMAN OF THE BOARD**

Chairman Blum welcomed a new Regent, John Hotchkis, to the Board. Mr. Hotchkis previously served as a Regent from 1997 to 1998 and has served for several years on the Investment Advisory Group. An alumnus of UCB and UCLA and a leading institutional money manager, he is the current Chairman and Chief Executive Officer of Ramajal LLC. Regent Hotchkis also serves on the boards of several nonprofit organizations. Chairman Blum anticipated that Regent Hotchkis' expertise will prove valuable to the University during its current restructuring.

Chairman Blum briefly discussed the recent UC Day in Sacramento, in which over 400 alumni participated. The day's events included discussions with legislators about the University's funding needs and the importance of the UC to the state. Chairman Blum thanked the UC Alumni Associations for their work

and stressed the importance of this event. He also welcomed consultant Alan Hoffman, who will assist with UC's advocacy efforts. Mr. Hoffman served as chief of staff for Senator Joseph Biden and has worked for the RAND Corporation.

Chairman Blum discussed a recent visit he made to the Irvine campus. He reported that he was especially impressed by the construction of new buildings carried out efficiently, on time, and at reasonable cost. He described UC Irvine's building process as exemplary for all UC campuses. Chairman Blum thanked Chancellor Drake and his team for their leadership. He also noted the state-of-the-art stem cell research at UCI, specifically research that may lead to treatments for paralysis and multiple sclerosis.

Chairman Blum recalled the status of the State budget and the University's \$417 million funding gap. He noted the presentation to be made later that morning by Provost Hume and Executive Vice President Lapp on the restructuring of and budget for the Office of the President. He anticipated that the budget problems now facing the University will continue for another year or two. He also noted the report of the UC Campus Security Task Force, to be presented the next day.

3. **REMARKS OF THE PRESIDENT OF THE UNIVERSITY**

President Dynes began with good news on student admissions. Undergraduate applications for fall 2008 increased overall, among all racial and ethnic groups. Applications by Chicano/Latino students have risen by 17.9 percent; African American applications have risen by 16.1 percent. The University had a record number of over 121,000 applications, an increase of 9 percent over last year. All campuses experienced this increase, including UC Merced, with an increase in freshman applications of over 13 percent, and an increase in transfer applications from community colleges of over 37 percent. President Dynes expressed the view that the University must accommodate these students and find a way of doing so within existing budget constraints.

President Dynes thanked the alumni for the success of UC Day 2008 in Sacramento. He reported that the University "Green Tent" on the lawn of the State Capitol demonstrated the combined power of the ten campuses and Lawrence Berkeley and Lawrence Livermore laboratories. It showcased UC's environmental education and research programs and showed how education and research are intertwined. UC Merced students showed their design for a solar collector, developed under the supervision of Professor Roland Winston, which would provide light equivalent to a 100-watt light bulb.

President Dynes reported from a recent meeting with former Regents, who expressed enthusiasm about the new Regent Emeritus title and the wish to help contribute to University. The Regents Emeriti expressed concerns about UC's

affordability, competition from well-endowed private universities, and the need for more vigor in the University's advocacy program. President Dynes welcomed newly appointed Regent Hotchkis.

President Dynes reported on honors received by UC faculty. On February 8, the National Academy of Engineering elected 65 new members; eight are from UC. On February 15, the Alfred P. Sloan Foundation awarded 118 fellowships throughout the U.S. in sciences, math, and economics. Seventeen of these awards were made to UC faculty members. In both instances, UC received more honors than any other U.S. institution.

President Dynes reported that he has completed visits with the Academic Senate Divisions at all the campuses to explore better ways of using the combined strength of the UC system. He informed the Regents that he will present his report at the May meeting.

President Dynes concluded his remarks by noting achievements in the visual arts by five UC alumni: Richard Serra, UCSB alumnus, a world-renowned sculptor; UCSC alumna Annie Wells, a photojournalist who received the 1997 Pulitzer Prize for news photography; Tim Hawkinson, a UCLA alumnus, a multimedia artist who has exhibited at the Venice, Whitney, and Corcoran Biennials; Scott Adams, UCB alumnus, a cartoon artist whose "Dilbert" is the most widely read syndicated comic on the internet; and UCSD alumna Hung Liu, an artist whose glass mural adorns a terminal at the Oakland airport.

4. **REMARKS OF THE PROVOST AND EXECUTIVE VICE PRESIDENT**

Provost Hume reported that the administration is currently focusing its energy in two areas: the University's response to the substantial proposed cuts to higher education funding in the State budget in 2008-09, and the effort to increase administrative effectiveness and dynamism at the Office of the President. Mr. Hume reported that, in two weeks, the University will submit to the State Legislature a long-range enrollment plan through 2020-21. This was developed in close consultation with the campuses over the last 12 months. The plan summarizes the aspirations of the campuses regarding future size, proportions of undergraduate and graduate students, and professional school growth. Mr. Hume described the plan as a reminder of how UC has continued to excel during the last decade, even in difficult budget years, but with strains on the institution.

5. **REMARKS OF THE CHAIR OF THE ACADEMIC SENATE**

Faculty Representative Brown thanked alumni for what he deemed a powerful UC Day in Sacramento, noting the display of UC innovations and accomplishments in energy conservation and production, agriculture, and other areas. He emphasized the importance of appropriate academic priorities, and encouraged the Regents to

maintain faculty salaries, graduate student support, and staff salaries as a paramount agenda item.

Professor Brown noted that the Academic Senate is paying close attention to the presidential search. He thanked Regents Lozano and Gould for their visits to the Academic Council, the executive body of the Academic Senate, and looked forward to visits by Chairman Blum and Regent Allen.

Professor Brown called attention to a resolution of the Academic Assembly, the legislative body of the Academic Senate, on limiting UC's role in manufacturing nuclear weapons. Professor Brown stated that faculty were unaware of certain facts in 2004, when they indicated their support for UC's involvement in the national laboratories; the Academic Senate learned of them in spring 2007. The seven-year contract with the Los Alamos laboratory can be extended unilaterally by the Department of Energy (DOE) to up to 20 years; the University has forfeited its long-held right to terminate the contract with 18 months' notice. It has now become more difficult for the University to leave the contract if it so wishes. The DOE now has the unilateral right to increase production of warhead-ready plutonium pits or triggers beyond self-imposed UC limits. While UC has been involved in the design of nuclear weapons in the past, it now appears that the University is involved in production. Los Alamos has been chosen by the National Nuclear Security Administration as the DOE's preferred alternative site for plutonium pits. Professor Brown noted the Academic Senate's deep concern about this and its recommendation to the President that pit production must be monitored and reported; if this is not possible, the University should not be a party to this activity. If pit production for warhead assembly increases, the University must reconsider its involvement in the national laboratories.

Professor Brown expressed appreciation for the fact that the Western Association of Schools and Colleges (WASC) has acknowledged the efforts of the Regents and the administration to realign the proper governance roles and responsibilities of the President and campuses. The Academic Senate feels that continued and accelerated efforts in this area are in the best interests of UC.

Professor Brown concluded by noting that the major reason for increased costs to students, beyond cost of living, is the erosion of State support. The Academic Senate wishes to be part of any effort to reinvigorate that support.

The meeting adjourned at 9:40 a.m.

Attest:

Secretary and Chief of Staff