

The Regents of the University of California

COMMITTEE ON GOVERNANCE

January 17, 2013

The Committee on Governance met on the above date at UCSF–Mission Bay Conference Center, San Francisco.

Members present: Regents Makarechian, Reiss, Ruiz, Schilling, and Wachter; Ex officio member Brown

In attendance: Regents Blum, De La Peña, Gould, Island, Kieffer, Lansing, Lozano, Mendelson, Newsom, Pérez, Rubenstein, Stein, Torlakson, Varner, Yudof, and Zettel, Regents-designate Feingold, Flores, and Schultz, Faculty Representatives Jacob and Powell, Secretary and Chief of Staff Kelman, Associate Secretary Shaw, General Counsel Robinson, Chief Investment Officer Berggren, Provost Dorr, Chief Financial Officer Taylor, Senior Vice President Stobo, Vice Presidents Duckett, Lenz, and Sakaki, Chancellors Block, Blumenthal, Desmond-Hellmann, Drake, Katehi, Leland, and Yang, Acting Chancellor Conoley, and Recording Secretary McCarthy

The meeting convened at 12:00 p.m. with Committee Chair Wachter presiding.

1. APPROVAL OF MINUTES OF PREVIOUS MEETING

Upon motion duly made and seconded, the minutes of the meeting of July 18, 2012 were approved.

2. DATES OF REGENTS MEETINGS FOR 2014

The Chairman of the Board and the President recommended that the following dates of Regents meetings for 2014 be approved.

2014
January 21-23
March 18-20
May 13-15
July 15-17
September 16-18
November 18-20

[Background material was mailed to Regents in advance of the meeting, and a copy is on file in the Office of the Secretary and Chief of Staff.]

Upon motion duly made and seconded, the Committee approved the Chairman of the Board and the President's recommendation and voted to present it to the Board.

3. **REPEAL OF STANDING ORDER 103.6, RETIREMENT AND REAPPOINTMENT FOLLOWING RETIREMENT**

The President recommended that following service of appropriate notice, Standing Order 103.6, Retirement and Reappointment Following Retirement, be repealed, as shown in Attachment 1.

[Background material was mailed to Regents in advance of the meeting, and a copy is on file in the Office of the Secretary and Chief of Staff.]

Committee Chair Wachter stated that this item involved repeal of Standing Order 103.6, which requires that Officers of the Regents of the University and other Senior Management Group members retire when they reach a certain age. For those who participate in the UC Retirement Plan that age is 67. This item proposed repealing the Standing Order in order to eliminate that mandatory retirement requirement.

Vice President Duckett said this item proposed repealing the requirement of mandatory retirement that had been in place since 1979. This requirement is not necessary since all executives of the University are at-will employees, meaning that the University can terminate them at any time for any legal reason. Currently, if the University needs to retain an executive who is subject to Standing Order 103.6 to work past the mandatory retirement age, the policy requires that the President approve an extension of the appointment for one year at a time. Repeal of this Standing Order would mean that executives previously subject to Standing Order 103.6 would have open-ended appointments. It would also mean that individuals being appointed to a position that would have previously been subject to Standing Order 103.6 could initially be given open-ended appointments, rather than appointments that are limited to one year and subject to annual review by the President. This would be the case even if they had already reached what would have been the mandatory retirement age under the Standing Order. Mr. Duckett said that if this Standing Order amendment is approved by the Regents at their next meeting, an action would be brought to a future meeting of the Committee on Compensation to address those appointments for which the President had previously granted extensions under Standing Order 103.6, converting them to open-ended appointments.

Upon motion duly made and seconded, the Committee approved the President's recommendation and voted to present it to the Board.

The meeting adjourned at 12:05 p.m.

Attest:

Secretary and Chief of Staff

Deletions shown by strikethrough

~~STANDING ORDER 103.6~~

~~SPECIAL PROVISIONS CONCERNING OFFICERS, FACULTY MEMBERS, AND
EMPLOYEES OF THE UNIVERSITY~~

~~RETIREMENT AND REAPPOINTMENT FOLLOWING RETIREMENT~~

~~103.6 Retirement and Reappointment Following Retirement.~~

~~No date of retirement is prescribed for faculty members and other employees of the University. The date of retirement for Officers and members of the University's Executive Program shall be as follows:~~

- ~~(a) — For bona fide executives who participate in the University of California Retirement Plan and are Officers of The Regents, Officers of the University, or members of the University's Executive Program, the date of retirement shall be the July 1 coinciding with or next following the person's 67th birthday, except as provided in federal or state law.~~
- ~~(b) — For bona fide executives who participate in the Public Employees' Retirement System and are Officers of The Regents, Officers of the University, or members of the University's Executive Program, the date of retirement shall be the July 1 coinciding with or next following the person's 70th birthday, except as provided in federal or state law.~~

~~The President may appoint on a year-to-year basis employees who have attained their applicable retirement age or retired. In special circumstances, the President may also approve multiple year reappointments of retired faculty for up to five years at a time. No such appointment shall be in conflict with law, including federal laws relating to distribution of retirement benefits.~~