

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

May 14, 2014

The Regents of the University of California met on the above date at the Sacramento Convention Center, 1400 J Street, Sacramento.

Members present: Regents Brown, De La Peña, Feingold, Flores, Gould, Island, Kieffer, Lozano, Makarechian, Napolitano, Pattiz, Reiss, Ruiz, Schultz, Sherman, Varner, and Zettel

In attendance: Regents-designate Engelhorn, Leong Clancy, and Saifuddin, Faculty Representatives Gilly and Jacob, Interim Secretary and Chief of Staff Shaw, General Counsel Robinson, Chief Compliance and Audit Officer Vacca, Chief Investment Officer Bachher, Provost Dorr, Executive Vice President and Interim Chief Financial Officer Brostrom, Senior Vice President Dooley, Vice Presidents Andriola, Brown, Budil, Duckett, Lenz, and Sakaki, Chancellors Block, Blumenthal, Dirks, Drake, Katehi, Khosla, Leland, and Yang, Interim Chancellor Hawgood, and Recording Secretary McCarthy

The meeting convened at 8:40 a.m. with Chairman Varner presiding.

1. PUBLIC COMMENT

Chairman Varner 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. Todd Senigar commended the University's efforts on the Independent Investigative Report on Acts of Bias and Discrimination Involving Faculty at the University of California, Los Angeles, and campus climate. He expressed concern about a retaliatory attitude of UC administrators toward employees who advocate for their rights. He asked that the Regents investigate the treatment of certain UCSF employees following their reports of unlawful discrimination. Otherwise, Mr. Senigar stated that he would request the California Attorney General, members of the State Assembly, and the Governor to investigate.
- B. Ms. Darcie McClelland Descalzo, UC Riverside Ph.D. candidate and chair of the UC Student Association (UCSA) Graduate and Professional Committee, which has focused in the current year on professional development for graduate students, stated that early results of a survey of UC graduate students showed that they are not prepared to enter the non-academic job market. She expressed interest in working with the Regents on programs that would help graduate students transition into professional careers.

- C. Ms. Vanessa Raditz stated that President Napolitano's food initiative needs a space to focus on research into issues such as global warming, energy, water, and hunger. She urged use of the 20-acre Gill Tract in Berkeley for this purpose.
- D. Ms. Avril Prakash, transfer student at UC San Diego, spoke in favor of increasing the number of transfer students at UC, expressed support for President Napolitano's transfer initiative, urged students to register to vote, and encouraged the Regents to hold meetings at UC campuses in Southern California.
- E. Mr. Shubhankar Sharan, UC Santa Cruz student, encouraged the Regents to visit UC campuses more frequently, hold meetings on various UC campuses, and schedule meetings with UC students who are not student government representatives.
- F. Ms. Helia Bidad, first-year UC Berkeley student, expressed concern about the effect of budget cuts and the lack of resources at such a renowned university. She encouraged increased use of the Gill Tract in Berkeley to develop multi-disciplinary educational curricula in food system initiatives and urban agriculture, in support of President Napolitano's food initiative and the new Berkeley Food Institute. She expressed her view that current plans for development of the Gill Tract are not visionary.
- G. Ms. Shasa Curl, City of Richmond Administrative Chief, spoke on behalf of Richmond City Manager Bill Lindsay, affirming the City of Richmond's strong support for the Richmond Bay Campus (RBC), and recognizing the remarkable opportunity it presents for UC, the Lawrence Berkeley Laboratory (LBNL), and the Richmond community. The City is working diligently with UC Berkeley and LBNL to ensure that the RBC will reach its maximum potential, for instance by preparing the City's South Shoreline Specific Plan and the South Richmond Connectivity Plan to guide the development of the land near the campus. These plans would work in conjunction with RBC's Long Range Development Plan to meet the campus' transportation and housing demands, and spur development that would complement the campus.
- H. Mr. Duane Wright, UC Davis Ph.D. student and member of United Auto Workers (UAW) 2865, expressed his view that the UAW representing teaching assistants was still without a contract because of the University's lack of movement in negotiations. He expressed solidarity with Fossil Free UC.
- I. A student representing Fossil Free UC urged the Regents to divest at the present time from investments in the fossil fuel industry.
- J. Professor Stephen Wheeler, professor of human ecology at UC Davis, spoke in support of Fossil Free UC and encouraged UC to follow the lead of Stanford University and Pitzer College and divest from the fossil fuel industry. UC already plays a positive role in climate and renewable energy research, and in developing

campuses with reduced greenhouse gas emissions. He urged moral leadership to further build UC's reputation as a world leader in sustainable development. He advocated formation of a task force on fossil fuel divestment, a moratorium on new oil, gas, and coal investments, holding a vote on divestment at an upcoming Regents meeting, and establishment of a standing committee on socially responsible investing.

- K. A student from Fossil Free UC spoke in favor of the immediate establishment of a task force, conducting a data analysis by June, and holding a vote on divestment at the September Regents meeting. He urged quick action.
- L. Ms. Kathy Barnhart, UC Berkeley alumna, stated that Stanford University had voted to divest from the coal industry the prior week and urged UC to divest from all fossil fuel industries and reinvest those funds in water, wind, and solar energy companies, the hope of the world's future.
- M. A student from Fossil Free UC noted the widespread support in the UC community for addressing the existential threat posed by climate change. He expressed his view that UC's efforts in sustainability make no sense if the University continues to finance companies that are causing the crisis.
- N. A student from Fossil Free UC stated that a government report issued in the current week confirmed that the effects of climate change are being felt now. The problem is urgent and cannot be addressed with promises of future action. She expressed her view that UC should align its investments with its values.
- O. A student from Fossil Free UC expressed her view that the existence of fossil fuel industries is a social and environmental rights violation. Hydraulic fracturing is not an acceptable alternative, as it contaminates and pollutes without approval from the people it most affects, with little transparency about the practice. She urged support for a ban on hydraulic fracturing and urged the University to divest from investment in any companies that practice it.
- P. A student from Fossil Free UC stated that, in addition to the financial effect of divestment on the fossil fuel industry, the symbolism of divestment would be even more important. Fossil Free UC seeks to change the perception of investment in the fossil fuel industry. Given many Regents' business experience and leadership, the University should be run as a sustainable business.
- Q. A student from Fossil Free UC emphasized the need for the immediate formation of a task force.
- R. Ms. Lindsay Maurer, first-year UC Berkeley student and facilitator for the National Organization for Women, expressed her support for Fossil Free UC. She stated that she had been followed across the Berkeley campus by a registered sex offender, sexually assaulted in April by a UC Berkeley student, and harassed

countless times on the street while walking home. She cited Chancellor Dirks' February statement that "sexual assault has no place on a college campus...." Ms. Maurer said that she found it necessary to take grades of "Incomplete" on all of her current semester classes and did not feel safe on campus.

- S. Ms. Emili Abdel-Ghany, UC Davis student and member of Fossil Free UC, demanded formation of a task force regarding divestment.
- T. Ms. Azka Fayyaz, UC Davis student, Associated Students of UC Davis Senator, and member of Students for Justice in Palestine at UCD, urged divestment from companies that profit from the military occupation of Palestinian territory. She stated that this divestment movement had gained momentum across the international community.
- U. Mr. Melvin Willis speaking on behalf of the Alliance of Californians for Community Empowerment (ACCE) and the Contra Costa Interfaith Supporting Community Organization (CCISCO) stated that the Richmond Bay Campus (RBC) was an exciting project and would be the largest development in Richmond since the building of shipyards there during World War Two. While he expressed appreciation that UC was working with the Richmond community, he expressed concern that the process was somewhat rushed. He advocated implementation of targets for hiring both local and disadvantaged workers. He also recommended providing resources to help the City of Richmond prevent displacement of local residents as a result of increasing rent around the RBC, since Richmond is primarily a working class community. He also recommended offering retail space to local businesses to move closer to the RBC. The Richmond community should have access to the benefits that the RBC will bring to the area.
- V. Ms. Tia Josia of CCISCO and ACCE stated that the RBC could greatly benefit the Richmond public schools, which lack many resources available in schools in neighboring communities. Richmond public school teachers need help educating the children of Richmond. She also recommended providing opportunities for local businesses.
- W. Ms. Stephanie Hervey, Richmond community member, stated that the City of Richmond is a vulnerable community, with 28 percent of its youth living in poverty and a good deal of unemployment and underemployment. Development of the RBC offers a great opportunity for UC leadership to provide high-quality jobs, affordable housing, support for youth and education, opportunities for small businesses, and a reduction in pollution.
- X. Ms. Kathryn Lybarger, president of American Federation of State, County and Municipal Employees (AFSCME) Local 3299 representing 22,000 UC workers, was pleased to report that new contract agreements were in place for UC patient care and service workers, and for UC Santa Cruz skilled craft workers represented

by AFSCME, although she stated that it took too long to arrive at these contracts. She recommended attempting to develop a more constructive dialogue by focusing on interests shared by AFSCME and the University. Ms. Lybarger expressed her view that more progress should be made on campus safety issues. AFSCME supports efforts to advocate for adequate State funding of UC and to prevent further increases in tuition. AFSCME is also supportive of efforts to deal with the effects of the Patient Protection and Affordable Care Act. Patient safety and maintaining affordability for UC students must be valued more highly than increasing executive salaries. AFSCME supports efforts to provide good career jobs to low-income residents near the planned RBC. AFSCME-represented workers at UC Hastings deserve the same settlement granted to other AFSCME-represented UC workers.

- Y. Ms. Maricruz Manzanarez, senior custodian at UC Berkeley and executive board member of AFSCME Local 3299, spoke about a fatal accident the past month. Damon Frick, a UC worker at UC Berkeley's International House and a devoted family man, was 45 years old and had worked for UC for about five years. Ms. Manzanarez said that Mr. Frick was cleaning windows when the 23-foot lift he was on fell. Ms. Manzanarez said that workplace accidents have increased at UC and that they are preventable. Some supervisors regularly ask workers to perform dangerous tasks outside of the workers' job descriptions without proper training. Much equipment is old and not properly maintained. Complaints have been filed with Occupational Safety and Health Administration (OSHA) and the University regarding Mr. Frick's tragic accident. She accused the University administration of remaining silent about the loss of Mr. Frick. She distributed a flyer with information about ways to help Mr. Frick's family.
- Z. A UC Davis student expressed support for development of the RBC and the goals of the "Joint Statement of Commitment to Strengthen Community Partnerships between UC Berkeley, UC Lawrence Berkeley National Laboratory, and the Richmond Community."
- AA. A man stated that he spoke as a member of a faith tradition and expressed support for divesting from investments in the fossil fuel industry on moral grounds. He expressed his belief that future generations should have the same opportunities that people have currently.
- BB. Mr. Ian Saxton, UC alumnus, expressed concern about corruption of the Board of Regents, collusion with military surveillance, destruction of natural resources, police brutality, discrimination, and repression of free speech.
- CC. Mr. Hassan Rassmy, UC Irvine undergraduate student, expressed concern about tuition levels. He stated that he chose UC because he thought it would be affordable, but his student loans are insufficient to cover his tuition. He noted that many European students pay no tuition for their university education. He expressed frustration at the difficulty students from middle class families have in

paying UC tuition and buying books. He urged the Regents not to increase tuition further.

- DD. Ms. Rebecca Hernandez, UC Davis senior, confirmed that the coalition between UC Davis students and AFSCME 3299 remained strong. She stated that UC Davis students support AFSCME's efforts at the RBC, and the Richmond community's proposed benefits agreement, to ensure that the RBC benefits the entire Richmond community. She noted that the University has stated its willingness to strengthen ties to the Richmond community. Ms. Hernandez confirmed that UC Davis students and AFSCME support engaging local contractors, institutionalizing union service jobs providing better pay and safe working conditions to Richmond community members, and maintaining a healthy environment.
- EE. Ms. Jacqueline Hermes-Fletcher, Albany resident, advocated using the Gill Tract to develop programs about food and farming for UC Berkeley students and the local school district. She stated that a coalition of Albany and East Bay community groups have submitted several well-conceived proposals regarding the Gill Tract to UC over the past 14 years. She stated her opposition to the planned development of the site and the paving over of historic farmland.
- FF. Mr. Thomas Johnson, UC Davis Ph.D. student, stated that demolition of 476 units of affordable student family housing was planned at UC Davis this summer and that 176 other student family housing units at Solano Park would be demolished and the site repurposed for businesses, with an tremendous effect of the lives of low-income students and their families who would be displaced. Affordable student family housing needs to be maintained.
- GG. Mr. Jonathan Perez, community organizer with CCISCO, expressed support for a community benefits agreement to provide opportunities at the RBC for Richmond residents. He noted the lack of educational and career opportunities for Richmond high school students, leading to episodes of street violence. He stated that life expectancies in the Richmond community are shortened by high levels of pollution.
- HH. Ms. Effie Rawlings, UC Berkeley alumna, expressed opposition to development plans for the Gill Tract. At a time when interest in food systems is increasing, the Gill Tract should be used for research and educational initiatives. She stated that residents of University Village, adjacent to the Gill Tract, face rent increases, even though they often experience bad air quality, poverty, and food insecurity, with almost half of the residents receiving food stamps.
- II. Ms. Alyssa Lee, fourth-year UCLA student representing Fossil Free UC, urged the Regents to divest immediately from investments in the fossil fuel industry, noting that current students have a right to survive. As a future alumna, she would not want her contributions to UC to be invested in fossil fuel companies. She advocated formation of a task force.

JJ. Mr. Jason Schwartz, San Francisco State University student, expressed solidarity with Fossil Free UC and stated that there was not time to wait to act on climate change. He demanded divestment from the fossil fuel industry immediately.

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

Chairman Varner observed that this was the third consecutive year the Regents had held their May meeting in Sacramento in conjunction with successful joint advocacy days with the UC Student Association (UCSA). He thanked the many participating UC students who made the case for public higher education and increased State support for the University.

Chairman Varner stated that the University is very grateful to Governor Brown for the increase in UC funding proposed in January and his efforts to stabilize UC's long-term funding. The University would continue to collaborate in this effort, while advocating for a further increase. There would be no tuition increases in 2014-15 and the University intended to work with the State in hopes of avoiding tuition increases for the following year. UC is using other revenue sources and operating efficiencies to absorb part of the budget gap, and would continue to look for new sources of revenue. However, State support remains a crucial part of the University's budget and the Regents would join with students to advocate for the additional funds to stabilize the University's funding without tuition increases. Increased funding would be used to maintain the quality of a UC education through adequate graduate student support, faculty hiring, and investments in undergraduate instruction, technology, and library services, funding for which had been deferred for years because of budget reductions. The University also was requesting that the State fund the employer contribution to the UC Retirement Plan and retiree health costs in an amount comparable to the State's allocation to California State University for similar purposes. Chairman Varner stated that UC had been an engine of opportunity and innovation for nearly 150 years, benefiting nearly every resident of the state. The future of the University will affect not only UC students and their families, but every Californian.

Chairman Varner expressed appreciation for the work of student Regent Flores, alumni Regents Feingold and Schultz, and Staff Advisor Barton, who would be concluding their terms on the Board. He also thanked Chancellor Drake, who was leaving UC Irvine to become the president of Ohio State University, and former Chief Financial Officer Taylor who left the Office of the President to take a position as president of a private educational foundation. Chairman Varner also thanked former Speaker of the State Assembly John Pérez for his work on issues benefiting UC, including his landmark Middle Class Scholarship Act that will help many California families.

Chairman Varner called attention to the Regents' policy encouraging campus visits by Regents, adding that President Napolitano supported the Regents' visiting all the campuses to meet with students and faculty. President Napolitano said she had discussed the Regents' visits with the chancellors who would work with the Office of the Secretary and Chief of Staff to coordinate the visits. Regent Kieffer added that sometimes Regents

visit campuses but their visits were not well-publicized in the student newspapers. He advocated coordinating the Regents' visits with campus administration and students.

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

President Napolitano introduced Vice President for Laboratory Management Kimberly Budil who would replace retiring Glenn Mara. Ms. Budil is an exceptionally regarded scientist and administrator who has worked at Lawrence Livermore National Laboratory for almost 30 years in programs ranging from the National Ignition Facility to global security. Ms. Budil had been a Ph.D. student at UC Davis in applied science and engineering. President Napolitano commended Mr. Mara who served the University and the National Laboratories for 40 years with admirable dedication and foresight.

President Napolitano discussed ongoing efforts to foster an ethos of respect, inclusion, and civility at the University. President Obama recently rightfully raised the issue of improving policies regarding and reducing the incidence of sexual assaults on college campuses, a commitment President Napolitano shares. A student spoke on this issue forcefully and passionately at the earlier public comment session. The prior month a White House Task Force to Protect Students from Sexual Assault released a significant report that included six key recommendations for universities, including ongoing training for victims' advocates, strict confidentiality protocols, and holding offenders accountable. President Napolitano clarified that UC was already implementing those recommendations at the time of the report's release. Curbing sexual assault on campuses is a challenge that would require assistance from the entire UC community, including students, staff, faculty, and leadership. Students are playing a key role in educating administration and one another about this issue.

In that spirit, President Napolitano announced that the first recipient of the 2014 President's Award for Outstanding Student Leadership was the Student Wellness Commission 7,000 in Solidarity Campaign at UCLA, represented by Ms. Savannah Badalich, third-year UCLA student. The relatively new 7,000 in Solidarity Campaign's aim is to create a campus culture in which sexual assault is not tolerated, by educating the campus community, expanding support resources for survivors of sexual assault, and partnering with other student organizations on campus. Other colleges and universities across the nation have adopted the campaign, a testament to its effectiveness.

Ms. Badalich thanked the more than 100 survivors of sexual assault and UCLA community members, both women and men, alumni and current students, who supported her after she revealed the prior September that she was a survivor of a sexual assault and began the 7,000 in Solidarity Campaign. She also thanked the team of survivors and advocates who run the Campaign, particularly Chrissy Keenan and Claudia Varney, the UCLA administration, and the UC Police Department at UCLA for their support and willingness to listen to criticism. She expressed hope that this would be a long-term initiative. She also thanked her parents for their support.

President Napolitano said that a criticism had been levied recently at California's Master Plan for Higher Education by some researchers at the University of Pennsylvania (Penn), suggesting that research displaces education at UC. The President responded that UC must more effectively publicize its research mission, the benefits of research for the education of UC students, and its contribution to California and the world. Research is not a luxury pursued by faculty after class; it is fundamental to the synergy between researchers, graduate students, and undergraduates, and the outstanding discoveries that shape the education of UC's students. California is considered a center for creativity and innovation, in large part because of the knowledge that UC creates in its laboratories. The President expressed her view that the Penn report failed to grasp the structure of the Master Plan. UC flourishes as a great research university because of the clear delineation of duties among UC, the California State University (CSU), and the California Community Colleges (CCC), providing multiple routes into higher education and job training. President Napolitano confirmed that she is working with CSU Chancellor White and CCC Chancellor Harris to reinvigorate the Master Plan by improving the relationship among their institutions. The UC Transfer Action Team that President Napolitano appointed in November would share its report and recommendations to improve the transfer experience at this meeting. The President emphasized this major priority, since one in three UC undergraduates entered higher education as a community college student, and its transfer students are an important part of UC's strength and an engine of social mobility for the state. If UC serves its transfer students well, it is serving the state well.

President Napolitano announced the second recipient of the 2014 President's Award for Outstanding Student Leadership, UC Davis undergraduate Axana Rodriguez-Torres. Ms. Rodriguez-Torres played a key role as a coordinator of a UC Davis pre-medical and pre-health professional national conference, the largest of its kind in the nation. She also developed a Spanish language, prevention-focused diabetes education program offered at free clinics, churches, and community centers in Sacramento, securing a \$10,000 foundation grant to make the program broadly available online. Ms. Rodriguez-Torres completed three years of medical school in her native Colombia before emigrating to the United States as a political asylee. After working low-paying jobs while mastering English and learning that her Colombian medical school credits were not transferable, she enrolled in American River College, a CCC, and then transferred to UC Davis where she is thriving.

Ms. Rodriguez-Torres stated that she is honored by this award and thanked Chancellor Katehi, Vice Chancellor de la Torre, President Napolitano, and the Regents for recognizing her efforts, her background, and her goals of improving opportunities for her community. She emphasized that students like her can be mentors to other community members.

President Napolitano said she would travel to Mexico City the following week to meet with education and government leaders there in support of the UC-Mexico Initiative, with the goal of finding areas of mutual interest and shared issues facing higher education. This initiative would help expose UC students to cultural resources they will need to

become leaders, and would further enrich the relationship between California and Mexico.

Chairman Varner congratulated Ms. Badalich and Ms. Rodriguez-Torres for their extraordinary accomplishments. He welcomed Regent Lozano back to the Board.

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

Faculty Representative Jacob thanked the UC Student Association for joining Regents in meetings with members of the Legislature to discuss public higher education. Student support was essential to making the case for the University.

Mr. Jacob commented that the Academic Senate views the California Master Plan for Higher Education (Master Plan) as the foundation upon which the greatness of UC rests and urges rejection of the view that the Master Plan is broken. The Master Plan is an expression of the political will to sustain and enhance California public higher education. Recent comments, such as a report from researchers at the University of Pennsylvania, have often mischaracterized the Master Plan, misunderstanding the multiple functions of California Community Colleges, and otherwise misusing statistics while ignoring important contributing factors.

Mr. Jacob recommended looking at ways the Master Plan is succeeding. The Master Plan designated UC as the state's primary academic research institution, with the additional integrally related function of providing undergraduate, graduate, and professional education. In the current year, UC again admitted approximately 13 percent of California's high school graduates to a UC campus to which they applied, a commitment UC had sustained throughout the recent financial downturn. Over the past decade, the Academic Senate, the Office of the President, and the Regents have collaborated to revise UC's admission policies with an eye toward ensuring diversity, leading to a large increase in the number of applications received, but no reduction in the number of California high school graduates admitted. These collective efforts prove the viability of the Master Plan as a driver to sustain the excellence of California public higher education.

Mr. Jacob addressed the critique that UC places too high a premium on research at the expense of instruction. The Master Plan directs UC to be a research university and its ten campuses leverage a \$2.8 billion State investment by bringing California a \$5 billion research program essential to nurturing graduate and professional education. The rapid rise of younger UC campuses to national prominence demonstrates UC's commitment to the Master Plan through nurturing the power of the ten-campus system. UC provides California's youth access to public higher education that rivals what other states offer only through private systems.

Mr. Jacob added that those arguing for increased undergraduate graduation rates should note that UC has the highest four-year graduation rate among public universities in the nation, including for its transfer students, even though its classrooms are packed and its

teaching laboratories are filled with students seven days a week. UC does not have the infrastructure to support more undergraduate students. Rather than risk undermining UC's academic quality, UC needs investment in infrastructure and in its full educational enterprise. In legislative visits this week, UC is seeking full partnership with the State to recommit to the Master Plan.

UC's service and research roles must be acknowledged. This month UC's Agriculture and Natural Resources Cooperative Extension celebrates its 100th anniversary, supporting agriculture and providing educational youth opportunities in every county in California. Cooperative Extension respects UC's land grant heritage and is another aspect of the Master Plan at work.

UC has a solid tradition of systemwide support for research that enhances education across campuses. Decades of support for the Lick Observatory and the Scripps Institution of Oceanography have put California into the forefront of space and ocean science. Newer multi-campus research centers in humanities, information technology, and nanotechnology stimulate scholarship essential to UC's ten-campus system. Recently the central commitment of the Office of the President to multi-campus research has weakened, with reductions of more than half in central funding for faculty-led, multi-campus research over the past five years, an unintended consequence of the drive to reduce the budget of the Office of the President. The Academic Senate has set a priority to restore funding to these programs and ongoing discussions about this commitment continue to invigorate the Master Plan.

The meeting adjourned at 10:10 a.m.

Attest:

Interim Secretary and Chief of Staff