

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

November 17, 2021

The Regents of the University of California met on the above date at UCSF-Mission Bay Conference Center, 1675 Owens Street, San Francisco and by teleconference meeting conducted in accordance with California Government Code §§ 11133.

Members present: Regents Anguiano, Blum, Cohen, Drake, Elliott, Estolano, Guber, Hernandez, Lansing, Leib, Lott, Makarechian, Ortiz Oakley, Park, Pérez, Reilly, Sherman, Sures, Torres, and Zaragoza

In attendance: Regents-designate Blas Pedral, Pouchot, and Timmons, Faculty Representatives Horwitz and Cochran, Secretary and Chief of Staff Shaw, General Counsel Robinson, Provost Brown, Executive Vice President and Chief Financial Officer Brostrom, Executive Vice President Byington, Executive Vice President and Chief Operating Officer Nava, Senior Vice President Colburn, Vice President Lloyd, Chancellors Christ, Gillman, Hawgood, Khosla, Larive, May, Wilcox, and Yang, and Recording Secretary Li

The meeting convened at 8:40 a.m. with Chair Estolano presiding.

1. PUBLIC COMMENT

Chair Estolano explained that the public comment period permitted members of the public an opportunity to address University-related matters. The following persons addressed the Board concerning the items noted.

- A. Melissa Mendez, UCSF student researcher, urged the Regents to begin the bargaining process with Student Researchers United-United Automobile, Aerospace, and Agricultural Implement Workers of America (SRU-UAW). Maternity leave, vacation, conflict resolution, and protection from excessive workloads were provided at the discretion of faculty supervisors and not guaranteed. Ms. Mendez stated that student researchers from the ten campuses and the Lawrence Berkeley National Laboratory have chosen to form a union to negotiate workplace protections and obtain grievance processes, but the Office of the President had obstructed their democratic mandate.
- B. Jason Rabinowitz, Secretary-Treasurer of Teamsters Local 2010, called for fair compensation of union members as they bargain for a new labor contract. Union members have worked to maintain University operations while inflation, gasoline prices, and housing prices have risen. A tentative agreement has been reached at UC Irvine, but Administrative Officer 2 (AO2) staff have been bargaining at UC Davis and other campuses for some time. The statewide Clerical and Allied Services (CX) unit was also entering bargaining for its successor contract.

- C. Catherine Cobb, President of Teamsters Local 2010, called for fair pay for the union's CX unit as it bargained for its successor contract. Students have struggled to find housing on or near campuses, and workers could not afford housing near their workplaces, which has led to longer commutes, lower quality of life, and difficulty paying for basic necessities. With inflation at six percent and housing costs rising over 30 percent, she called on UC to provide fair pay increases and ensure adequate housing for union members. She noted that federal stimulus funds had been added to the University's billions of dollars in reserves and regarded Teamsters Local 2010 members as essential workers.
- D. Lucy Andrews, UC Berkeley graduate student and member of the UCB Chancellor's Independent Advisory Board on Police Accountability and Community Safety, sought the Regents' support for reallocating a substantial portion of the UC Police Department (UCPD) funding to programs that foster safety and equity on campus. Community members have called for improved campus lighting and crime-preventing infrastructure, extended lockout services, expanded mental healthcare services, and better support for survivors of harm. These improvements have been difficult to fund, while the UCPD budget has increased every year for the past decade without marked changes in instances of harm.
- E. Miriam Goldman, UCSF student researcher, stated that student researchers who chose to form SRU-UAW were eager to begin the bargaining process with the UC administration in order to make vital improvements to their working conditions, such as safety protections at work and paid parental leave. Student researchers helped drive UC's research mission, and their hard work and dedication was a significant reason why UC received over \$6 billion in research grant funding last year. She stated that UC would not recognize SRU-UAW because student researchers funded by training grants and fellowships were not recognized as UC employees, but all student researchers performed the same work and made equal contributions to UC regardless of funding source.
- F. Ailyn Palancares, UC Merced student, asked that the Regents allocate more funding to affordable housing for students. Instruction at UC Merced was delayed one week because housing was not available for many students at the beginning of term, and some students were still living in hotels.
- G. Maureen Dugan, UCSF nurse and member of the California Nurses Association (CNA), stated that students were experiencing chronic and debilitating stress and anxiety over climate change. Nurses and students would not settle for climate adaptation, "green capitalism," or false solutions that allow institutions to pay to pollute. She called on the University to set higher standards for climate justice policies, which must also include a clear commitment to racial, gender, economic, and environmental justice, taking communities most affected by climate change into account.

- H. Carly Morgan, UCLA nurse and CNA member, called on the Regents to address worsening working conditions and a lack of respect for nurses at UCLA Mattel Children's Hospital. She stated that UCLA nurses have made multiple attempts to address issues of unsafe staffing and contract violations, but their concerns were disregarded by upper management. This has led to unsafe conditions and nurse burnout. Ms. Morgan stated that the time when labor contract arbitrations were scheduled violated Articles 8 and 14 of the contract.
- I. Stephanie Watts-Parrish, UCLA staff member and member of the Teamsters Local 2010 CX bargaining team, called on UC to give workers fair pay raises. She stated that many UC employees had difficulty covering their expenses, and some worked multiple jobs or rented out rooms from their residences. Ms. Watts-Parrish added that the inflation rate was 6.2 percent as of October, and the median housing price increased 33 percent over the last two years.
- J. Katie Augspurger, UCSF student researcher, shared that, while she was performing cutting-edge research at a top institution, she spent half of her income on rent and students did not have adequate protections from harassment and discrimination. Last year, she signed a union authorization card so that student researchers could bargain and improve working conditions. Ms. Augspurger stated that UC has refused to recognize the union despite majority certification by the California Public Employment Relations Board. According to the University, student researchers funded by training grants and fellowships were not considered employees. She stated that UC was ignoring the advice of the California Congressional Delegation.
- K. Gina Aguirre, UCPATH staff member and member of the Teamsters Local 2010 CX bargaining team, stated that the Office of the President was proposing a significant reduction in earnings and was refusing to address pay inversion and misclassification of union members as exempt employees.
- L. Ethan Moos, UC Santa Barbara student, stated that the proposed housing project on the Santa Barbara campus funded by Charles Munger would house students in small spaces without natural light. Mr. Moos called on the Regents to reject unreasonable demands made by unqualified donors and to explore other possibilities, such as supporting State Assembly Bill 1277, which would protect student housing projects from costly litigation and streamline construction. He also called on the Regents to prioritize students' needs and common sense.
- M. Herman George Ricks, UC San Diego Health staff member and member of Teamsters Local 2010 K6 bargaining team, shared his experience working through the COVID-19 pandemic. He and other skilled trades workers, whom he regarded as essential workers, maintained hospital operations and built COVID testing sites and emergency triage tents. He asked the Regents to recognize the union members' hard work and dedication, and to urge the UCSD administration to pay fair wages to essential workers.

- N. Generoso Ventura, UCSD staff member and member of the Teamsters Local 2010 K6 bargaining team, asked the Regents to call upon UC leadership to recognize the hardships workers faced and to pay workers fair wages. Worker hardships were not limited to those resulting from the pandemic. The cost of living in San Diego was very high; it was difficult to afford groceries and housing.
- O. Diana Garcia, UCSB alumna, called on the University to divest from the Thirty Meter Telescope (TMT) project. She and others would continue to speak at Regents meetings until the University divests from the project, and they would ask other TMT partners, such as the University of Hawaii (UH), to divest from the project as well. The UH master lease of Mauna Kea was ending in 2033 with lease extension uncertain, but its draft master plan still included the TMT project. Ms. Garcia stated that the draft master plan's proposed gate would block Native Hawaiians from accessing Mauna Kea and disregarded Native Hawaiian sovereignty.
- P. Laulani Teale, representative of the Ho'opae Pono Peace Project, strongly encouraged the University to divest from the TMT project. She stated that the proposed community benefits packages in the UH Mauna Kea draft master plan, which would compensate the community with money for the destruction of Mauna Kea, would sow conflict and division and were part of a longtime, worldwide colonial paradigm. She asked UC to lead a better paradigm for science and indigenous peoples.
- Q. Monica Nelson, UCSD graduate student, shared her concerns about the climate crisis. Emissions reduction goals set by world leaders at the 2021 United Nations Climate Change Conference would not keep global warming below the safe limit of 1.5 degrees Celsius. The University emitted about one million tons of carbon dioxide equivalents annually, and this number has not decreased in the past ten years. UC needed to do more to reduce carbon emissions, such as rapidly phase out methane cogeneration and allocate funding for electrification at all campuses.

2. **REMARKS OF THE CHAIR OF THE BOARD**

Chair Estolano began her remarks by noting that this was the first Regents meeting with in-person attendance since the start of the COVID-19 pandemic, and that the Regents amended their policy to permanently accommodate public comment via telephone. She thanked the staff of the Office of the Secretary and Chief of Staff to The Regents for coordinating the meeting. The University and the State of California were well represented at the 2021 United Nations Climate Change Conference (COP26), particularly by Regents Kounalakis and Rendon. UC representatives led discussions on trade and transportation, and participated in presentations on some of the over 1,000 climate-related projects in which UC is involved. Chair Estolano welcomed Regent Ortiz Oakley, who returned to the Board from his temporary appointment as Senior Advisor to U.S. Secretary of Education Miguel Cardona. Later in the meeting, State Senators John Laird and Scott Wiener would be speaking to the Public Engagement and Development Committee. The Finance and Capital Strategies Committee would be considering a UC Santa Cruz proposal that would

increase housing, as well as UC Riverside's 2021 Long Range Development Plan, which sought to accommodate 35,000 students by 2035. Chair Estolano emphasized the importance of sufficiently growing the number of graduate students, faculty, and staff as well. The Academic and Student Affairs Committee would be discussing results of the Graduate Student Experience Survey and diversifying the professoriate. The University played an essential role in educating the future faculty of all segments of California public higher education. The Board would hear faculty recommendations regarding the use of the Smarter Balanced Assessment in UC admissions, and the Academic and Student Affairs Committee and the Finance and Capital Strategies Committee would be meeting jointly for a strategic campus overview of UCSF, the first of a series of such strategic overviews.

Chair Estolano invited UCSF Professor David Julius, Chair of the Department of Physiology and recipient of the 2021 Nobel Prize in Physiology or Medicine, to speak about his research. UC Berkeley Professor David Card, recipient of the 2021 Nobel Prize in Economic Sciences, would be speaking at an upcoming Regents meeting.

Mr. Julius stated that his laboratory's goal was to understand how humans experience pain, particularly how nerve fibers detect stimuli, such as changes in temperature, pressure, and chemical irritants, and transmit information from the environment to the spinal cord and brain. Mr. Julius' laboratory studied chemicals such as capsaicin, menthol, isothiocyanates and thiosulfates, and found that proteins on human nerve fibers activated by capsaicin and menthol were important for the ability to sense heat and cold. New facilities at UCSF have allowed researchers to visualize the three-dimensional structures of these molecules, which would be important for designing future drugs that treat pain, such as non-opioid analgesics that treat inflammatory pain. Mr. Julius shared that he earned his Ph.D. at UC Berkeley and has worked at UCSF for over 30 years. The Nobel Prize was not only for himself, his laboratory, and his department, but for the whole UC system.

Regent Makarechian praised UC faculty, particularly Mr. Julius and his team, whose research would help many with spinal cord injuries like himself. He stated that it was a privilege to serve as a Regent.

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

President Drake began his remarks by congratulating this year's UC-affiliated Nobel laureates: UC Berkeley Professor David Card, UC Irvine alumnus David MacMillan, UCSF Professor David Julius, and Scripps Research Institute Professor Ardem Patapoutian. So far, 70 UC faculty and staff have received 71 Nobel Prizes, and these awards reflected the vision and investment of preceding generations. President Drake welcomed State Senator John Laird, who would be speaking at the Public Engagement and Development Committee meeting. Senator Laird chaired the Senate Budget Subcommittee on Education and had been very supportive of the State's investment in UC in 2020. Overnight, UC reached a tentative agreement with University Council-American Federation of Teachers, which would provide more job security and other benefits to UC's valued lecturers. President Drake thanked those involved in negotiations. The Capacity Working Group, comprised of President Drake and the chancellors, was carefully

approaching the issue of enrollment growth, which could affect the fundamental mission of the University. With the demand for a UC degree never higher and the value of a UC degree never greater, the goal of adding 20,000 students by 2030 would roughly be the equivalent of adding a new campus. This growth was being considered with UC values of access, equity, excellence, and sustainability in mind, and would align with the needs and constraints of each UC campus. More traditional growth would occur on campuses with the physical capacity and with stakeholder input. UC must also focus on expanding capacity in nontraditional ways, through partnerships, technology, and existing educational programming. Examples included the UC Irvine-Irvine Valley College Engineering Academy, over one dozen joint Ph.D. programs at UC San Diego, and a new joint Ph.D. program in computational precision health between UCSF and UC Berkeley. UC was also considering expanding summer programming, off-campus internships, and the use of UC Extension, as well as partnerships with neighboring institutions. The University's ultimate goal of growing enrollment while shortening time to degree must be accomplished while advancing equity among all students, including underrepresented minorities, first-generation students, and Pell Grant recipients, while preserving academic and research quality, and in a way beneficial to the institution. President Drake thanked UC Berkeley and UC San Diego for hosting his recent campus visits. In closing, he urged people to get vaccinated and a booster shot, wear a mask, maintain social distance, and stay home when one is sick.

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

Faculty Representative Horwitz began his remarks by noting the tentative contract between the University and lecturers. He stated that the increasing fragility of University excellence was due largely to the State's underinvestment in UC for the last two decades. Since 2000, core funds have increased by nine percent while enrollment has increased by 71 percent, which meant a 36 percent decrease in funding per student. Forty percent of students reported not knowing a professor well enough to ask for a letter of recommendation, which Mr. Horwitz attributed to the worsening student-faculty ratio. Before the COVID-19 pandemic, the vast majority of faculty had no prior experience with remote instruction, but their efforts helped keep enrollment steady and allowed students to continue their studies during the pandemic. UC research, an engine for the state, suffered due to faculty devoting more time to teaching and the inability to access laboratories, performance spaces, field sites, or archives. In response, President Drake created a joint work group between the Academic Senate and UC administration focused on mitigating the effects of COVID-19 on faculty careers, and Provost Brown shared the work group's preliminary report with the system. The work group found that research efforts were particularly constrained for caregiving faculty, who tended to be younger, female, from a minority group, and early in their UC career. In Mr. Horwitz's view, UC could not afford to lose them. Achievements relative to opportunity could adjust the balance of research, teaching, and service in the merit, tenure, and promotion process to reflect challenges associated with the pandemic. In the return to on-campus instruction, work flexibility desired by staff and course-taking flexibility desired by students translated to additional burdens for faculty. Preparing courses in multiple modalities or responding to accommodation requests was time-consuming and required more coordination, pedagogical preparation, and email

correspondence. This meant less time for new scholarship, innovating and applying for patents, or training graduate students, all of which Senate faculty were required to do. Mr. Horwitz stated that UC was best suited for in-person, hands-on instruction informed by research. Weakening in-person teaching could degrade the overall UC experience.

In response to the climate crisis, faculty were organizing with campus sustainability offices to help change policy and practices in campus operations, and they were discussing ways to address this issue in course offerings and requirements. With regard to the report of the Regents Working Group on Innovation Transfer and Entrepreneurship, the Academic Senate has been asked to address the recommendation that greater recognition and credit be given to faculty engaged in patent and startup activity in the merit, tenure, and promotion process. Senate committees planned to produce their own recommendations next year. State Assembly Bill 928 was signed by Governor Newsom and charged the Intersegmental Council of Academic Senates (ICAS), which UC chaired this year, with creating a singular transfer pathway through the Associate Degree for Transfer. This would force community colleges to limit students' ability to explore their interests, force the California State University to make difficult decisions about its general education requirements, and make it more difficult for UC to ensure that transfer students arrive prepared for upper division work. Although ICAS wrote a letter opposing the legislation last year, it would work hard to implement it.

The meeting adjourned at 9:45 a.m.

Attest:

The Secretary and Chief of Staff