

# **THE REGENTS OF THE UNIVERSITY OF CALIFORNIA**

September 30, 2021

The Regents of the University of California met on the above date by teleconference meeting conducted in accordance with Paragraph 3 of Governor Newsom's Executive Order N-29-20.

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

In attendance: Regents-designate Blas Pedral, Pouchot, and Timmons, Faculty Representatives Cochran and Horwitz, Secretary and Chief of Staff Shaw, General Counsel Robinson, 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 Brown, Chancellors Block, Christ, Gillman, Hawgood, Khosla, Larive, May, Muñoz, Wilcox, and Yang, and Recording Secretary Li

The meeting convened at 8:35 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. Jiseon Kim, UCLA student and Data and Administration Coordinator for UCLA's CalFresh Initiative, shared reasons why she believed the CalFresh eligibility email from financial aid offices was ineffective. The email was sent before students accepted their work-study awards, which Counties often required to demonstrate eligibility. Students who lived on campus were ineligible because of their meal plans. She asked that financial aid offices consider all requirements and exemptions when determining students' CalFresh eligibility. This would help improve their perception of CalFresh, increase enrollment, and reduce food insecurity by half.
- B. James Weichert, UC Berkeley student, addressed campus reopening from a student perspective. He attributed the Berkeley campus' weekly average of 60 COVID-19 cases despite a 97 percent undergraduate vaccination rate to the lack of a quarantine period at the beginning of the semester and the lack of asymptomatic testing of vaccinated students, which was contrary to Office of the President (UCOP) reopening recommendations. He asked the Regents to consider who was being left out of the narrative in Chancellor Christ's presentation later in the meeting, adding that students, faculty, and staff were suffering.

- C. Jason Rabinowitz, Secretary-Treasurer of Teamsters Local 2010, called on UC to negotiate fair contracts for its members, many of whom were frontline workers. While housing costs and the cost of living were rising, UC has seen increases in its budget, large reserves, and hundreds of millions of dollars of federal stimulus. In his view, UC could afford to be fair. He called on the University to stop unfair labor practices, to stop violating State labor laws, and to train managers properly.
- D. Agam Patel, UC Riverside delegate of the Council of UC Staff Assemblies (CUCSA), asked that staff be allowed to work remotely if their job duties did not require them to be on site and called for a mediation process regarding remote work. Despite leadership public support of work-from-home flexibility, employees were reporting that their requests for flexibility were being rejected, which affected retention. According to the last staff engagement survey, almost half of staff were already considering leaving UC. Flexible work improved staff productivity and benefitted the environment, but some managers wished to return to a pre-pandemic norm, leaving staff feeling frustrated, unvalued, and disposable.
- E. Emily Ham, Executive Director of the Santa Cruz County Business Council, praised UC Santa Cruz for involving community stakeholders in developing its 2021 Long Range Development Plan (LRDP). UCSC was a longtime member and strong partner of the Business Council; students, educators, and administrators were an integral part of the local community. UCSC was situated in one of the most unaffordable housing markets in the country, and the Business Council supported the campus' efforts to address students' housing challenges. The Business Council looked forward to supporting implementation of the LRDP.
- F. Tony Yang, former Office of the President (UCOP) delegate of CUCSA, asked that staff be allowed to work remotely if their job duties did not require them to be on site and called for a mediation process regarding remote work. Mr. Yang reiterated comments made by Mr. Patel.
- G. Rosa Enriquez, disabled UC Berkeley graduate student, stated that the UCB COVID-19 response disproportionately affected disabled students. When she informed administrators of her inability to attend classes in person, she was told to take a leave of absence, which would have resulted in serious financial consequences and losing her healthcare coverage. It took almost five weeks for Ms. Enriquez to receive remote accommodations. Many students faced similar challenges. She encouraged UC to consider the displacement of disabled students.
- H. Casey Beyer, Chief Executive Officer of the Santa Cruz County Chamber of Commerce, spoke in support of the UCSC 2021 LRDP. Over the last few years, the Chamber of Commerce, working with the campus and community stakeholders, has advocated for a plan that addressed the needs of the Santa Cruz community, and it believed that UCSC would continue to incorporate the community in addressing housing, transportation, water, and land use.

- I. Chase Hobbs-Morgan, UC Santa Barbara lecturer and member of University Council-American Federation of Teachers (UC-AFT), called for performance reviews and merit-based retention for lecturers from their first year of employment. Mr. Hobbs-Morgan taught popular courses and spent his own time writing letters of recommendation, providing academic and career advising, and mentoring, but being treated as a contract worker meant that he could not guarantee continued support to his students, which was harmful to those who struggled to connect with their professors, such as first-generation and transfer students. Mr. Hobbs-Morgan stated that he would strike if necessary, and he asked President Drake and the Regents to settle the lecturers' labor contract and ensure job stability.
- J. Dan Melzer, UC Davis professor, shared that the majority of the UCD Writing Program faculty were lecturers, whose morale was affected by their year-to-year contract and the need to seek extra work to support themselves financially. Outstanding candidates were taking positions at other institutions due to the lack of stability of UC's contract and low salaries. Mr. Melzer believed that President Drake shared the concern about attracting a highly qualified and diverse faculty. He stated that he would strike if it was the only way that UC would take lecturers seriously.
- K. Raffi Joe Wartanian, UCLA lecturer and UC-AFT member, strongly encouraged President Drake and the Regents to provide lecturers with performance reviews and merit-based retention from their first year of employment, which he stated were measures necessary to protect students. Contingent faculty already existed at every California State University (CSU) and California Community College campus. He asked that UC settle the UC-AFT contract, agree to standards of employment that were common throughout the state, provide salary increases above the inflation rate, and provide job security beyond short-term contracts.
- L. John Rundin, UC Davis lecturer, expressed his hope that UC would settle its contract with UC-AFT and provide lecturers with performance reviews early in their careers. He called on President Drake to take responsibility and address these issues. He and other lecturers were willing to strike if necessary.
- M. Jeff Girod, UCR delegate of CUCSA, asked that staff be allowed to work remotely if their job duties did not require them to be on site and called for a mediation process regarding remote work. Mr. Girod reiterated comments made by Mr. Patel.
- N. Sabra Cossentine, academic advisor, called on UC Santa Cruz to build housing to accommodate existing students and the campus' planned enrollment growth. She could not recommend UC to high school students due to cost, and given housing costs in Santa Cruz, students could spend less attending a private institution with smaller class sizes. She stated that UC was burdening Santa Cruz, using its water and transit system. Residents did not want the Santa Cruz campus to expand.

- O. Lacy Barnes, Senior Vice President of the California Federation of Teachers (CFT), called on President Drake to ensure that UC lecturers have employment protections. Over 2,000 teaching specialists lost their jobs in fall 2020 despite UC classifying their work as essential during the pandemic. CFT called for reemployment preferences for lecturers that mirrored those at CSU and community college campuses. Lecturers deserved a clear and consistent review process that eliminates bias and ensures instructional continuity, rehiring rights that reward teaching excellence, and multi-year contracts that establish career pathways of work.
- P. Virginia Espino, UCLA lecturer, called for job security and a livable wage. She has taught seven to nine classes per year for the past five years but lacked job security and rehiring rights. She was highly qualified and taught popular classes, but every year she was uncertain about getting rehired and her source of income. She asked the Regents to consider people like herself who were products of the California public education system and graduates of the University.
- Q. Cody Trojan, UCLA lecturer, expressed disappointment that UC has not put forth a reasonable proposal regarding rehiring rights after over two years of negotiations. He called for performance evaluations and reappointment based on evaluations for lecturers. He asked the Regents to direct Labor Relations to settle the contract.
- R. Ashley Gauer, representative of the Monterey Bay Economic Partnership, encouraged approval of the UCSC 2021 LRDP and Environmental Impact Report (EIR) and expressed the Partnership's support for implementation of the LRDP. UCSC was a member of the Partnership and played an integral role in fulfilling the Partnership's mission of improving economic health and quality of life in the Monterey Bay region. The Partnership has worked with the Santa Cruz campus, one of the region's largest employers, research institutions, and talent developers, on issues such as housing, work-based learning, climate action, sustainability planning, transportation, and research and development.

## 2. **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

Upon motion duly made and seconded, the minutes of the meetings of June 23 and July 20, 21, and 22, 2021 were approved, Regents Anguiano, Cohen, Drake, Elliott, Estolano, Guber, Lansing, Lott, Makarechian, Reilly, Sures, Torres, and Zaragoza voting "aye" and Regent Hernandez abstaining.<sup>1</sup>

## 3. **REMARKS FROM STUDENT ASSOCIATIONS**

President Drake introduced the new UC Student Association (UCSA) President, Esmeralda Quintero-Cubillan, the first student from UC Santa Barbara to hold the position since the 1980s. Ms. Quintero-Cubillan was pursuing majors in political science, sociology, and

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<sup>1</sup> Roll call vote required by the Bagley-Keene Open Meeting Act [Government Code § 11123(b)(1)(D)] for all meetings held by teleconference.

environmental studies, and was also serving as External Vice President of Statewide Affairs of the Associated Students of UC Santa Barbara.

Ms. Quintero-Cubillan introduced herself and shared that she was a first-generation transfer student. She praised Chair Estolano and Regent Leib for their steady leadership and remarked on the steps UC has taken to address student equity and justice. The appointment of Regent Hernandez signified a commitment to appoint a Board that reflected the diversity of UC students. UCSA was celebrating its 50th anniversary this year, and Ms. Quintero-Cubillan was grateful to the Regents for sharing UCSA's commitment to advancing equity. In recent years, students and Regents have joined forces to advocate for affirmative action through Proposition 16, basic needs, and increasing the Pell Grant. UCSA priorities this year included menstrual equity, a non-instructional Election Day, doubling the Pell Grant, defunding UC police departments (UCPD) and reinvesting in marginalized student communities. The return to in-person learning exacerbated existing problems, such as over-enrolled courses and housing insecurity. Ms. Quintero-Cubillan called for a review of campus reopening policies and a validation of community concerns. She and other student leaders were acting as public health experts, housing specialists, and advocates, and she observed freshman students afraid about whether they could maintain their full-time student status. She asked that the Regents and the Office of the President (UCOP) consider divesting from the Thirty Meter Telescope (TMT) project, making cost of living adjustments for graduate students, implementing a non-instructional Election Day, and defunding UCPD and consulting with marginalized students affected by police violence.

President Drake introduced the UC Graduate and Professional Council (UCGPC) President Gwen Chodur.

Ms. Chodur stated that student testimonies at the Academic and Student Affairs Committee meeting demonstrated that goals in the final report of the Special Committee on Basic Needs were audacious but necessary. As it moves forward from the COVID-19 pandemic, UC should not lose sight of both long-standing challenges and those brought about by the pandemic. Ms. Chodur recognized the work of the Systemwide Basic Needs Committee and basic needs managers across the system. Through the efforts of UC Davis Assistant Dean of Graduate Studies Erum Abbasi Syed and her work group, some graduate students affected by "Broketober," a period during which graduate students did not receive their first paychecks until November 1, have received their first paychecks, and a pilot program with UCPath has been successful so far. Still, many graduate students were rent-burdened, lacked summer funding, and faced uncertainty regarding the pandemic's impact on time to degree. Ms. Chodur expressed disappointment at the University's stance toward labor unions. University Council-American Federation of Teachers (UC-AFT) has been without a contract for two-and-a-half years. In May, graduate student researchers filed for union representation as Student Researchers United (SRU), and UC hired outside counsel to challenge some graduate students' qualifications. In her view, this was particularly distasteful given the University's own data on graduate students' increased food insecurity, expenses, stress, and reliance on basic needs resources. Students wished to address these issues through collective bargaining. Students have consistently been the voice for equity

and progress, calling for defunding UCPD and community reinvestment and respecting the Native Hawaiian people with regard to the TMT project. She asked the Regents to reflect on the gains of the student movement, and to direct UCOP to recognize SRU and bargain with both SRU and UC-AFT in good faith.

#### 4. **FALL CAMPUS OPENING PLANS**

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

Provost Brown stated that the Office of the President (UCOP) has worked with the campuses to set guidelines for the transition back to on-site operations, such as vaccine mandates, indoor masking, testing and tracing, and congregate living recommendations. Campuses have used both UC and County guidance. He introduced speakers from UC Merced and UC Berkeley, campuses on the semester system whose terms started in August.

Chancellor Muñoz shared that UC Merced's enrollment of over 9,000 students this fall was the largest in its history and included the largest first-year transfer class, and 143 new graduate students. About 3,800 students were living on campus, an increase of nearly 30 percent from 2019 as a result of new units built for the Merced 2020 Project. More staff were needed for these new facilities. The campus now offered 43 online courses, compared with six such courses in 2019. Students were 96 percent compliant with the vaccination policy, exceeding UC Merced's 90 percent target, and UCM had a low COVID-19 positivity rate at move-in. The controlled positivity rate and lack of a surge in cases has reduced anxiety among faculty, staff, students, and their families. Students have continued to wear face coverings in classrooms and both on and off campus. Faculty remained concerned with outbreaks, enforcement of mitigation strategies, and asymptomatic testing, as well as with research progress in the context of a pandemic, a new financial system, and the operational readiness of some facilities. Over 1,700 courses, or 98 percent of courses, were being taught in person. In the last two months, UC Merced has been awarded \$25 million in grants and \$3 million from the U.S. Department of Education.

UC Merced Interim Dean of Students Armando Contreras stated that the campus' Working Forward Initiative provided staff with guidelines for the transition back to on-campus work in terms of telecommuting, testing requirements, and campus safety measures. Currently, 518 of about 1,300 staff members had approved telecommuting agreements, and 76 staff members worked fully remotely. "Do Your Part" dashboards have provided data and mitigation strategies to help staff with the transition. In August, UCM hosted an in-person staff welcome event, where approximately 270 staff attended. Students were excited to be on campus, over 50 percent of whom had never been on campus before. About 42 percent of students were living on campus, many for the first time. Students who had issues with wearing face coverings were referred to Mr. Contreras' office before being referred to the student conduct office. The campus has seen an increase of mental health and well-being concerns. Some students have reported a fear of COVID-19, loneliness, and homesickness, and some have reported high anxiety when adjusting from remote learning to in-person interaction and living with others in dormitories. In response, UCM has increased the

number of social activities and intervention strategies on campus, such as group therapy and virtual town hall events. His office received and addressed students' and parents' concerns. As of September 13, 96 percent of students, 90 percent of faculty, and 92 percent of staff were compliant with the systemwide vaccination policy, compared to the 36 percent vaccination rate in Merced County. As part of mitigation efforts, the UCM chief resiliency officer has continued to provide campus, County, and systemwide updates, and the campus has hosted town hall events to communicate the implementation of mitigation strategies.

Chancellor Muñoz presented challenges and opportunities arising from the pandemic. UCM was preparing a pivot plan, which would include flexible and remote work options, in case conditions on campus do not improve or decline rapidly. A few days before move-in, over 500 students were told that apartments at Merced Station, a privately owned student housing complex, were not ready, and the campus acted quickly to accommodate these students and respond to their families. Some students were placed in new units from the Merced 2020 Project, and campuses like UC Davis assisted with furniture. About 150 to 200 students have since been able to move into Merced Station, but there were several students who have elected to wait in hotels. Chancellor Muñoz emphasized the importance of increasing on-campus housing that the University managed and for which UC set prices. The campus has encountered challenges with hiring and retaining dining, custodial, information technology, and research administration support staff. Recent supply chain issues have led to the dramatically increased cost of food, research supplies, technology equipment, and building materials. The campus would explore opportunities for more online instruction and flexible work schedules.

Chancellor Christ stated that the Berkeley campus decided to return to in-person instruction because productivity and common experiences on campus were essential to building, strengthening, and maintaining a robust university culture. Even if they were critical of the steps the campus has taken, it was the students' highest priority that instruction remain in person. Students have expressed both joy and anxiety as they return. This fall, UC Berkeley enrolled 45,040 students, including roughly 8,600 freshman and transfer students. Like UC Merced, more than half of enrolled students have never been on campus before. Chancellor Christ acknowledged faculty, staff and students, whose hard work made reopening the campus possible. A UCB public health committee met regularly and made recommendations to campus leadership. To date, the campus had little or no evidence of onward transmission of COVID-19 in classrooms. Over 97 percent of students and almost 92 percent of employees were vaccinated, compared to 73 percent in the City of Berkeley. Requests for exemptions from 349 students and 173 faculty and staff were approved. Currently, 447 out of over 40,000 students were out of compliance, but the number continued to shrink. Weekly surveillance testing for COVID-19 was required for unvaccinated individuals. Not all vaccinated students were required to be tested, but those in campus housing were subject to monthly testing. Free testing was available to faculty, staff, and students who wished to be tested. Testing was required of vaccinated individuals 180 days post-vaccination. UCB administered 5,000 tests per week, averaging 52 positive cases per week, or seven cases per day. The last two weeks, the campus averaged one to five cases per day. Per UCOP guidelines, the campus sequestered students who were not fully vaccinated at the beginning of the semester. Contact tracing has revealed that the vast

majority of infections came from students off-campus and from off-campus, unmasked social gatherings with food and drink. With limited laboratory testing ability, the campus has prioritized high-risk situations and protecting the most vulnerable. The campus' indoor mask mandate has had excellent compliance, and over half of students were wearing masks outside as well. UCB health leaders were in regular contact with the City of Berkeley Public Health Division. In response to UC Berkeley's long-standing housing challenges, Chancellor Christ launched an aggressive student housing initiative in 2019 with the goal of doubling housing capacity in the next ten years. This year, campus housing was at capacity, with 6,916 students in residence halls and 1,458 in campus-controlled apartments. UCB reserved 299 beds for isolation, three of which were currently occupied. There were now more infections than in the summer, but the case rate was holding at a reasonable level. Freshman orientation was a mix of in-person and virtual activities, and 95.5 percent of students completed a mandated training on sexual violence and sexual harassment. Student clubs and organizations have resumed meeting in person, athletic games were being held, and the Cal Band was playing.

UC Berkeley Interim Executive Vice Chancellor and Provost Catherine Koshland stated that hesitancy about in-person instruction subsided as faculty, students, and staff reoriented to in-person experience. The campus admitted its most diverse class in 30 years, and a record 1,257 undergraduate students returned after a leave of absence. Ninety-eight percent of undergraduate students were enrolled in at least one in-person course, and 446 studied completely online. Lectures were offered remotely in courses with over 200 students due to uncertainty regarding international students during the pandemic, and students appreciated the ability to access and review lectures. Most discussion sections and laboratory and studio courses were held in person, and remote sessions were used when the campus ran out of classrooms. At 13,186 students, this year's was UC Berkeley's largest graduate student class to date. An improved lecture capture system was added to 120 general assignment classrooms, with 60 more being upgraded this academic year. The campus launched a webpage with instructional resources, strategies, and best practices for remote and hybrid learning, and was helping faculty with student support issues such as disability accommodations. The Academic Senate has been a partner throughout the pandemic. UCB regularly updated its COVID-19 website, where the public could submit questions and view testing, vaccination, and case rates. Ms. Koshland convened a virtual weekly leadership meeting and released a biweekly newsletter detailing recovery efforts. Campus Conversations, a series of COVID-related talks, has continued. The Bears Care campaign has encouraged compliance with COVID-19 prevention measures.

Chancellor Christ projected that, with State funding, federal COVID-19 relief funding, and austerity measures, UC Berkeley should come very close to a balanced budget by the end of this fiscal year. Research and scholarship opportunities were lost during the pandemic and continued to be hampered, but the campus has received over \$1 billion in funding for contracts and grants. Student athletes' games and training were mostly cancelled during the pandemic, and Chancellor Christ thanked the athletics department for finding creative ways for some teams to compete. UC Berkeley was also experiencing supply chain issues, as well as issues with wireless fidelity (Wi-Fi) equipment. The campus was revising its policies and procedures to meet the City of Berkeley's new stricter standards for checking



vaccination status on campus, at gyms, and where food is served. Aside from mandating sexual violence and sexual harassment training, the campus has increased messaging to educate students about this issue, reinforcing concepts like consent and boundaries, and has shared steps to take if an incident occurs. UC Berkeley was also working to address issues that students faced regarding access to support and accommodations during the pandemic. Addressing what one student said during the public comment period, Chancellor Christ explained that it took four weeks to process a disability accommodation request because each request involved medical documentation and speaking with instructors. Requests also increased by more than 50 percent this semester, and staff were hard-pressed. Chancellor Christ expressed pride in the UC Berkeley community, recognizing the hard work and resilience of faculty, staff, and students.

Mr. Brown shared that the campuses were sharing their reopening experiences with each other and learning from each other.

Regent Pérez noted the similarity of outcomes at UC Merced and UC Berkeley despite different surrounding communities. He asked Mr. Contreras about the results of consulting with students resistant to masking. Mr. Contreras replied that a faculty member working with a student refusing to wear a face covering in class would submit a report to him. Mr. Contreras would meet with the student to discuss the behavior. Typically, these students did not understand the policy or had health concerns. In one case, the student was referred to the campus director of student health for more counseling and provided with a face shield. Education has helped the campus achieve compliance. Referring a student to the student conduct office would result in more meetings and possible suspension.

Regent Pérez asked what was keeping UCM and UCB faculty and staff from reaching the same level of vaccination as students and what UC could learn from this. Chancellor Christ stated that the faculty and staff vaccination rate was currently 92 percent at UC Berkeley. However, there were those who were working remotely and unvaccinated or vaccinated but had not reported it yet. Chancellor Muñoz concurred, adding that some recently separated employees had not been purged from the system, so numbers would improve. He underscored the importance of communicating early and often to further educate the community about the importance of compliance. Regent Pérez stressed the importance of paying attention to the experiences of individual members of the campus community, and he congratulated both campuses on both their results and their humane and interactive approach.

Staff Advisor Tseng stated her belief that some of these perspectives were presented from the senior leader perspective, as narratives from staff contradicted what was shared. Many staff were excited to return to campus, but managers and supervisors were approaching flexibility differently. A staff member who does not need to be on campus to perform their job should not be asked to return until it is safe to do so. In some cases, staff members have had to isolate multiple times because a colleague or colleague's child tested positive for COVID-19. Isolation meant staff had to stay away from family members and were unable to run errands, which had an impact on other family members. Ms. Tseng invited Regents and senior leaders to speak with staff advisors, delegates from the Council of UC Staff

Assemblies (CUCSA), and other staff leaders. In CUCSA's last staff engagement survey, retention was an issue.

Regent Reilly asked if UCM was engaging in any outreach to help Merced County increase its vaccination rate. Chancellor Muñoz replied that the campus has made itself available. Early in the pandemic, UC Merced partnered with UC Health, Dignity Health, and the Merced County Department of Public Health to provide the first large-scale vaccination effort in the City of Merced. However, the county was large, with many remote areas and a geographically dispersed population. The campus chief resiliency officer has been speaking regularly with County health officials, who were fully aware of the campus' willingness to help inoculate county residents.

Regent Reilly asked about the student infection rate on the Merced and Berkeley campuses. Chancellor Muñoz replied that the UCM student infection rate was one percent as of this morning, but it was less than one percent the previous week. The infection rate was a bit higher for staff because they live off campus. The county infection rate was 9.5 percent. Chancellor Christ replied that the UCB student infection rate was also about one percent.

Staff Advisor Lakireddy called on senior leadership and Regents to understand the importance of providing flexibility to staff. The pandemic was still ongoing, and surrounding communities had lower vaccination rates. She shared that a colleague was quarantining for two weeks because of positive cases at their child's daycare facility. Staff were working hard to support faculty, students, and administrators. Ms. Lakireddy called for annual pay increases for staff and consistent manager awards. Staff advisors and CUCSA were available to help improve the staff experience.

Regent-designate Blas Pedral asked Chancellor Muñoz what percentage of UC Merced students had permanent housing for the academic year and about the timeline for moving students into Merced Station. Chancellor Muñoz stated that over 3,800 students were living on campus. UC Merced's current capacity of 4,200 beds could be increased to 4,400 beds. Merced Station has worked diligently to complete construction, and between 150 to 200 students moved into five of the Merced Station buildings. A small group of students elected to stay in hotel rooms provided by UC Merced and Merced Station until their apartments were available. After these students move into their private apartments, the campus would likely begin to reduce the density of dormitories at the end of the semester. Chancellor Muñoz underscored the importance of having on-campus housing managed by the campus. The City of Merced had about one percent of available occupancy, which exacerbated the Merced Station situation.

Regent Zaragoza stated that recommendations regarding campus reopening made by students, staff, and faculty were not included in this item, so the Board could not review them. She expressed concern that the Regents items did not include a range of perspectives and asked that these recommendations be distributed to Regents after the meeting. Chancellor Christ responded that UC Berkeley's recovery management task force met weekly, and recommendations were carefully considered. She distinguished governance from implementation and shared her view that the campus was the right place to consider

recommendations. Chancellor Muñoz replied that UC Merced had a COVID-19 response center and a team that was meeting almost daily and would be receptive to suggestions.

Regent Zaragoza recalled missing classes when she became ill with a cold. Despite low COVID-19 case rates on campus, she has observed student absences due to other sicknesses, such as cold and flu. She asked what being done to prevent students from falling behind in their coursework. Chancellor Christ replied that UC Berkeley has told students not to go to class when sick. Faculty have been told not to factor attendance into grading and to work with students individually on making up work. Chancellor Muñoz replied that UC Merced had a similar approach. Students who were unwell were discouraged from attending class. He had become more familiar with agriculture-related allergy and respiratory issues in the region. Faculty were encouraged to be more flexible, and they were able to do so now more than before. Mr. Contreras added that most first-generation students did not know how to ask faculty for flexibility, and it was his role to advocate on these students' behalf. Regent Zaragoza noted that, anecdotally, she had heard that restrictions prevented faculty from offering online options for students who miss classes.

Regent Zaragoza asked about the availability of housing at campuses other than UC Merced and UC Berkeley. She had heard accounts of students struggling to find housing across the system. Chancellor Block responded that, to the best of his knowledge, UCLA had more on-campus housing than ever before and was not experiencing extraordinary housing issues. UCLA just added about 1,800 beds for a total of about 14,500 beds on campus. Chancellor Block added that he would find out if there were housing issues that had not been brought to his attention. Chancellor Khosla responded that, out of 13,000 students moving into on-campus housing at UC San Diego, there were 13 positive COVID-19 cases. Currently, 15 students were in quarantine housing, and students were complying with mask requirements. The campus needed far more housing and dining staff, and landlords were raising rent when applicants were UCSD students. The pandemic hampered UC San Diego's progress in building more student housing. There was some confusion regarding in-person and online instruction that he hoped would be cleared by the winter quarter. Chancellor May stated that, at move-in, UC Davis opened two new facilities with a total of about 3,300 beds. Of the approximately 17,000 COVID-19 tests performed the week of move-in, there were 17 positive cases, or 0.1 percent positivity. In the first week of instruction, about 16,000 tests were performed, and positivity decreased to 0.09 percent. Chancellor Gillman stated that 15,000 to 16,000 students moved in at the Irvine campus. Over the summer, there was concern about whether students can secure private apartments near campus, but UCI housing staff worked with student leaders on a solution. Faculty have continued to provide accommodations for students as they had done earlier in the pandemic. Some dining facilities were not opened yet due to staffing issues, something that was the case throughout the system. Chancellor Larive stated that housing issues in Santa Cruz have been exacerbated by the pandemic and the loss of about 1,000 homes in the CZU Lightning Complex fires. Typically, students could be placed in transitional housing on campus at no charge for up to 30 days while permanent housing is sought. This year, UC Santa Cruz secured hotel space as transitional housing for the academic year. On-campus housing could accommodate 9,300 students, and 200 spaces were still available. Chancellor Larive stated that campus reopening has been smooth, and

the seven-day positivity rate was 0.16 percent. She shared other chancellors' concerns about dining and other staffing. With few students on campus last year, UCSC lost a cadre of student workers. Chancellor Yang stated that UC Santa Barbara's housing problems were due in part to landlords and students wishing to keep Isla Vista less dense. The campus negotiated with local hotels to accommodate 350 students. The waitlist for housing has fluctuated as students sought better accommodations. UCSB faculty were dedicated to remaining flexible. Chancellor Yang shared extra measures he has taken for the in-person course he was teaching, such as recording his lectures, posting notes online, and checking student badges.

Regent Park asked what academic improvements campuses have made since the pandemic, such as offering online office hours or addressing learning loss. Chancellor Christ replied that UC Berkeley was offering remotely all classes with over 200 students. These made up ten percent of classes but 44 percent of enrollment, and she expected that this would continue. Lecture capture technology has been installed in 60 classrooms, and that number was expanding. The UCB academic community has continued to discuss these changes. Chancellor Wilcox responded that UC Riverside classrooms were refitted for hybrid learning, which he expected to continue. About 3,000 UCR students have opted to continue remote instruction this quarter. Many sectors across the country were grappling with questions about the future of work, such as what could be done at home versus what must be done in the office, as well as the culture created for professional development, shared work experiences, and cross-training. The education sector was in the early days in exploring this. Chancellor Larive stated that, over the summer, UCSC installed lecture capture technology in all general assignment classrooms. The Center for Innovations in Teaching and Learning has helped develop fully online courses with a focus on learning outcomes and equity. UCSC staff received an award from the Online Learning Consortium for supporting faculty in creating online courses.

Regent Park asked that the Regents be informed of these changes as they develop. The Academic and Student Affairs Committee would be interested in sharing them.

President Drake remarked that offering online office hours was likely to be a ubiquitous and permanent change.

Regent Hernandez commended reopening efforts at UC Berkeley and UC Merced. Both campuses served as a barometer for and resource to other campuses. Based on the data, students seemed to be safer on campus than at home. He praised Chancellor Muñoz for addressing the Merced Station situation in one week.

Regent Leib asked Provost Brown who decided the modality of a course, underscoring the importance of efforts to get students back on campus. Mr. Brown responded that this was a decision of the campus division of the Academic Senate, in consultation with the administration. In response to Regent Leib's question, Mr. Brown clarified that this was not decided by individual faculty members. Chancellor Christ added that remotely teaching a course that did not have over 200 students was seen as an individual accommodation that went through the accommodation process. This was not an individual faculty choice.

Regent Makarechian asked campuses what was preventing them from adding as much housing as possible to address the shortage. Interest rates have been close to zero for the past several years, the Office of the Chief Financial Officer has been able to raise funds, and student housing was revenue-generating, so financing was not a problem. He recognized that some campuses might not have available land. Chancellor Khosla responded that a 2,000-bed facility was under construction at UCSD. Even with available space, the campus must remain in operation while under construction, which limits the speed at which housing could be built. Chancellor Christ explained that UC Berkeley did not have much land and had a challenging relationship with the community. Planning, approvals, and environmental review took longer at a university. Chancellor Muñoz stated that UC Merced had land, an interest in adding housing, and the support of the community, and it wished to present future housing opportunities to the Regents. The Merced campus needed transfer student and graduate student housing, as well as more undergraduate housing. The foresight of the Merced 2020 Project meant the campus had 1,700 new beds to address the Merced Station issue. Chancellor Gillman described a number of completed and upcoming UC Irvine housing projects. Even with this much construction, he did not feel as if UCI was keeping up with the increase in resident undergraduate enrollment. Chancellor Gillman hoped that the State understands that UC needed to ensure that it could build the infrastructure necessary for student success. Executive Vice President and Chief Financial Officer Brostrom stated that the University has built 20,000 beds in the last four years. In his view, the biggest issue was the California Environmental Quality Act (CEQA) process. Mr. Brostrom planned to testify before the State Legislature on streamlining the CEQA process for student and affordable housing. Chancellor Wilcox thanked Regent Makarechian for his leadership and advice. UC Riverside was adding 2,300 beds this year, and more projects were anticipated. Chancellor May shared that UC Davis underwent its most ambitious housing initiative over the past five years and was now able to house almost half of its students. The campus added 3,300 new beds, and new graduate student housing was under construction. Chancellor Block stated that UCLA was adding 5,500 new beds between now and next fall. The campus was nearly out of building sites and might have to consider additional sites such as Westwood. Chancellor Larive stated that UC Santa Cruz was still in litigation over Student Housing West, which would add 3,000 beds, and she expected UCSC to break ground for the project in 1.5 years. The campus wished to add housing wherever possible for undergraduate and graduate students, faculty, and staff. She hoped that the Regents would approve the campus' 2021 Long Range Development Plan, which would provide housing for 100 percent of new enrollment and up to 25 percent of new faculty and staff. UC must think not only about current housing, but also future housing. Chancellor Yang stated that UC Santa Barbara's current housing project would add 4,500 beds and increase student housing capacity by 50 percent. The campus was working on the Environmental Impact Report, which he hoped could be sent to the California Coastal Commission and then the Regents for approval soon. This project was being partially funded by a major donor; Chancellor Yang thanked Regent Makarechian, President Drake and UCOP, and the Office of the General Counsel for their help with this project. Regent Makarechian remarked that every campus was actively trying to add as much housing as possible. UC exceeded then President Napolitano's goal of adding 30,000 beds by 7,000 to 8,000 units.

Regent Lansing asked if smaller classes could be taught outdoors. Chancellor Khosla replied that several UCSD classes had been taught outdoors earlier in the pandemic. Performance or theater classes, which might feature speaking loudly and the spreading of aerosols, were still held outside. Regent Lansing noted that campuses had much outdoor space and stadiums. Chancellor Yang shared that the Massachusetts Institute of Technology (MIT) was conducting some classes in tents outdoors but faced seasonal weather constraints. Many MIT courses were technical in nature and still being pre-recorded.

Ms. Tseng shared that CUCSA had a work group on staff housing. She raised questions of how UC could make housing in affordable areas available to staff and how to make work flexible so that staff could live in affordable areas.

Chair Estolano underscored the dramatic changes faculty have had to absorb and the extraordinary efforts they have made during the pandemic. She hoped that the Academic and Student Affairs Committee would further discuss pedagogical innovations and support that would enable faculty to meet new needs.

5. **A ROADMAP FOR HIGHER EDUCATION AFTER THE PANDEMIC: REPORT OF THE RECOVERY WITH EQUITY TASK FORCE**

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

Executive Vice President and Chief Financial Officer Brostrom stated that, in August 2020, Governor Newsom convened the Recovery with Equity Task Force (Task Force), led by then Senior Policy Advisor for Higher Education Lande Ajose, to support California institutions of higher education as they emerge from the COVID-19 pandemic. Members included state and national experts, representatives from UC, the California State University, the California Community Colleges, and private institutions. Mr. Brostrom, former Regents Lozano and Weddle, Professor and Chair of the UC Davis School of Education Michal Kurlaender, and other UC leaders also served on the work group. Ms. Ajose has since joined the Public Policy Institute of California.

Regent Emerita Lozano stated that the Recovery with Equity Task Force was in consultation with the Governor's Council for Post-Secondary Education (Council), which was established by Governor Newsom in August 2019 to advise the Governor and consider policy changes that broaden equity and prosperity across California. Members of the Council included President Drake, California State University (CSU) Chancellor Joseph Castro, California Community Colleges Chancellor Eloy Ortiz Oakley, and representatives from the labor and business communities. The purpose of the Task Force was to create a roadmap for how California's postsecondary institutions could emerge from the COVID-19 pandemic more equitable, integrated, resilient, and more aligned with the economic needs of the state. This roadmap did not address issues such as college affordability and public higher education finance, which were being discussed by the Council, but it was a call to action to all segments of higher education, political leaders, the business community,

the philanthropy community, and other institutions to work together and create a more coordinated, collaborative approach. Regent Emerita Lozano hoped to convey a sense of urgency and a commitment to act on these recommendations. The state must not return to pre-pandemic norms; education must be reimagined and redesigned such that all Californians could aspire to and attain high-wage, high-quality, and high-demand jobs.

After examining existing research, engaging with 196 stakeholders, and conducting focus groups with over 100 students throughout the state, the Task Force found that students who were low-income, first generation, Latino(a), black, and indigenous—who made up most of California’s public high school student population—were less likely to finish high school, complete A–G coursework, and enroll and graduate from college. Barriers to access and success included insufficient financial aid and basic needs support; the lack of clear pathways to and through higher education; the lack of coherence between K–12 and higher education, as well as among the segments of public higher education; limited seats and course availability; and the inability to collect and use data to support students.

Regent Emerita Lozano stated that the recommendations of the Task Force’s report were meant to be learner-centered, interdependent, and part of systemic solutions that change the way California supports all of its residents. The Task Force focused on four guiding principles for its recommendations: fostering inclusive institutions, streamlining pathways to degrees, facilitating student transitions, and simplifying supports for student stability. Among the 11 recommendations were increasing faculty, staff, and administrator diversity; cultivating inclusive and equity-oriented campus environments; establishing an integrated admissions platform; streamlining the admissions process; addressing basic needs issues; providing high technology and high-touch advising; and improving affordability.

In response to capacity constraints in higher education, the Council launched the K–16 Regional Collaboratives, a pilot program in the Fresno area involving K–12 school districts, community colleges, and public and private four-year institutions working together to create pathways to high-wage, high-growth job opportunities. Students could take courses on other campuses and accumulate course credits. The pilot has proven to be very effective and was now in its second year. Governor Newsom has allocated \$250 million toward a competitive grant program meant to expand this pilot program into other regions. Eligible collaboratives were required to involve an institution from each segment, consider regional workforce needs, and adopt Recovery with Equity Task Force report recommendations. In response to the report recommendations, the Council has convened a working group on basic needs comprised of the three segments of public higher education and independent institutions. By December, the working group planned to present recommendations to the Council and governing bodies. The working group aimed to devise intersegmental solutions that involved relevant public agencies.

Regent Pérez called attention to “undermatching,” in which first-generation students do not choose certain schools due to perceptions of affordability and proximity to home. Although he agreed that addressing basic needs was important, he believed a more fundamental issue was ensuring that students find a school that is the best fit for them. He asked about engaging in a discussion of fundamental priorities like undermatching. Regent

Emerita Lozano replied that the Council had requested the focus on basic needs. Another major recommendation pertained to sense of belonging, creating a culture of college-going and the role of the K–12 system in that. Proximity was also part of that discussion. She agreed that undermatching was an issue that needed to be addressed. Mr. Brostrom stated that undermatching was a major focus of the collaboratives. When he served as interim chancellor at UC Merced, Mr. Brostrom worked with community college presidents and school superintendents to expand the college pipeline and make students aware of their eligibility. He shared that Chancellor Muñoz launched the Merced Promise, which showed local students that they could pursue up to a Ph.D. without leaving Merced County. Transfer and college-going rates were low in the Central Valley. Regent Emerita Lozano stated that the College Futures Foundation found that students from high schools offering dual enrollment courses were not those with the greatest need. As a result, the College Futures Foundation was supporting the Dual Enrollment for Equitable Completion in California project, of the Career Ladders Project, to facilitate time to degree. Programs like dual enrollment should be universalized.

Regent Makarechian asked what Regents had to do to accomplish these goals. Regent Emerita Lozano responded that the Council was considering Ms. Ajose's recommendations, one of which was a universal platform for college admissions, where transcripts and financial information could be distributed across segments. Common course numbering would help make the admissions process more integrated and simplified. UC and the community colleges were working to expand the Associate Degree for Transfer (ADT) into other disciplines.

President Drake shared that, when he visited the online transfer portal, he found an overwhelming number of choices from over 100 community colleges, over two dozen CSU campuses, UC campuses, and hundreds of majors from UC alone. It seemed very challenging for a young adult, who might not yet know what they want, to navigate. In President Drake's view, flexibility is the enemy of standardization. He wished to see this process clarified, simplified, and streamlined so that students were not caught in early, difficult decisions. The availability of advising was also important. Regent Emerita Lozano stated that there was no standard technology used in advising. High-touch technology could be used to provide counseling and send reminders to students. She wished to make UC's world-class advising technology available to other segments.

Regent Makarechian asked why common course numbering, which had been discussed for years, was so difficult to achieve and if it needed to be mandated. Regent Emerita Lozano responded that State Assemblymember Marc Berman authored a bill that would transition the California Community Colleges to a single numbering system. Chair Estolano stated that this bill was supported by Regent Kounalakis. Provost Brown stated that hard work, collaboration, and a focused dedication of resources were needed.

Regent Makarechian remarked that the current numbering systems were confusing for students looking to transfer. He asked who would enforce such a change. If it was the Legislature, the University should put significant effort into advocating for the passage of legislation. There would then be a mandate and a timeline to achieve this. Chair Estolano



noted that the Academic Senate divisions of many institutions would be involved in the complex task of reviewing and aligning courses and curricula.

Regent Cohen, referring to a statement recommitting to the ADT in the report, stated that the University had never committed to the ADT in the first place, and that UC had also created its own transcript system despite one already being in place. He echoed President Drake's call for simplification. Instead of going its own way, the University should find where simplification would serve all California students. Mr. Brown stated that history might have differed from what was reported, but he agreed that extra systems were not needed and stressed the need for more effective collaboration. Regent Emerita Lozano stated that students were the focus of the report, and the aim was to facilitate an experience in which students could thrive and that went toward degree completion.

Staff Advisor Lakireddy asked what UC could do to help high schools in resource-deprived areas like Merced, where Advanced Placement (AP) courses were not offered every year and there was one counselor for hundreds of students. Many students and parents in the area had never visited UC Merced. She suggested developing a program to make staff ambassadors of UC. Chancellor Muñoz agreed that UC Merced needed to be more engaged with the community. Aside from the Merced Promise, the Merced Automatic Admission Program was an admission guarantee program in partnership with the Merced Unified School District. UC Merced did not have a school of education but did have an active extension program that worked with teachers. The Merced campus must become a more deliberate resource for both instructors and high school counselors. Chancellor Muñoz agreed that staff with children in public high schools could become more involved.

Regent Park stated that the Academic and Student Affairs Committee was committed to many of the issues raised in this report. She asked President Drake for his perspectives on adopting the report's recommendations. President Drake responded that the report broadly reflected the University's values. Recently, for instance, UC won an award for inclusion and diversity. The more challenging aspects of the report involved articulation with partners. UC could become more similar to its partners, but UC was also trying to set standards as a leader. With regard to course numbering, UC taught about 50,000 courses, CSU taught 50,000 or more, and, the California Community College campuses might teach far more courses than that. Categorizing these courses could be straightforward in some cases and nuanced and difficult in other cases. Still, UC was committed to doing it. Regent Park expressed her enthusiasm for the opportunity being presented. It was important to convey UC's commitment to working with its partners.

Chancellor Larive shared that UC Santa Cruz worked actively in regional partnerships, one of which embedded UC staff in Watsonville High School. UC Scout, which was hosted at UCSC, provided A–G and AP classes online with a focus on educationally disadvantaged students and closing achievement gaps. She stated that UC Scout was a great way for UC to address K–16 pipeline issues.

Regent Anguiano underscored the importance of having a vision and emphasized the work of UC Scout. She expressed her support for streamlining the transfer and admissions

processes through technology platforms. The challenges presented by common course numbers seemed to be data-related and could be solved using technology.

Regent Torres thanked Regent Emerita Lozano for her leadership and praised the report.

Regent-designate Blas Pedral, referring to the report recommendations, asked if there was discussion regarding the role of debt in discouraging students from pursuing higher education. President Drake expressed the University's appreciation for the report; UC committed to implementing the recommendations. UC was also committed to reducing the number of students in debt, as well as the amount of debt. A significant part of UC's tuition modification plan was supporting a debt-free pathway. Mr. Brostrom stated that he and Mr. Brown were working on reducing debt, which involved collaboration with State and federal governments. Doubling the Pell Grant would be very helpful. This topic was a high priority for the University and would be presented for discussion at upcoming meetings.

Chair Estolano opined that the K-16 Regional Collaboratives was one of the most promising opportunities in the 2021 State Budget Act. This program had the potential to do for higher education what the California Strategic Growth Council's Transformative Climate Communities program has done for transportation, affordable housing, and climate policy. All segments of higher education, private institutions, and the business community would be considering education from an economic development standpoint. Since the fund was competitive, the program could change the way segments worked together, and she hoped that UC campuses would join the other segments in applying for funding. She asked the chancellors if any have considered pursuing this funding. Chancellor Muñoz replied that UC Merced has already contacted its partners at Stanislaus State University and Merced College, and has assembled a team to prepare its application. Chancellor Wilcox replied that UC Riverside was part of several regional coalitions; and this would be part of the campus' funding portfolio.

## **6. CREATING A COMPREHENSIVE PLAN ON UC CAPACITY**

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

Chair Estolano stated that, in her inaugural remarks in July, one of her priorities was an examination of how the University could increase its undergraduate and graduate capacity without compromising excellence to meet the needs of the state. This included increasing the number of faculty and staff. President Drake and the chancellors have worked hard to determine a thoughtful, integrated, and comprehensive approach that achieves UC's goals around equity, access, and excellence.

President Drake began his remarks by thanking Chair Estolano for championing this issue. Demand for and the value of a UC education has grown, with record-breaking application numbers and anecdotes of the challenges students faced to achieve acceptance into UC. Enrollment growth was essential to the future of UC and the state and was a key priority. Ideally, President Drake wished to see the University grow at a rate that would allow the

addition of 20,000 new students by 2030, which was enough students for an additional UC campus, without adding a physical campus. The challenge was achieving this growth while preserving the academic and research excellence for which UC is known. He believed that the answer was strategic growth, which was aligned with the strategic goals of individual campuses, and organic growth, which meant growth plans were coming from the campuses themselves. A working group of chancellors and Office of the President (UCOP) leaders has been established to develop an action plan. The traditional approach would be adding buildings and students to campuses with the physical capacity to grow, and UC would do this, but this was not the case at every campus. Non-traditional approaches included shortening time to degree, providing better financial support to enable graduating more quickly and with less debt, offering more technology-enhanced education opportunities, and fostering new and existing educational partnerships. To maintain its world-renowned academic and research excellence, UC wished to grow the number of graduate students, who support undergraduate students and contribute to research and the faculty pipeline, and growing and diversifying UC's faculty ranks. The University would also need to provide students with a support structure for their success and access to the same high-quality education that UC has always offered. UC had a responsibility to work toward a future where opportunity is distributed more fairly across the state, where California research universities drive the state's success, and where UC campuses and scholars lead in addressing major challenges.

Vice President Pamela Brown stated that, despite projections of leveling or decline, the number of high school graduates in California has continued to increase, likely due in part to improving high school graduation rates, particularly among Hispanic/Latino(a) students, and improving A–G completion rates. More students completing A–G courses meant more students were preparing to attend UC or the California State University (CSU). UC undergraduate education was in high and growing demand among California students; the number of California students applying to UC as freshman students was 3.5 times greater than those applying as transfer students from California Community Colleges. Graduate enrollment, especially to pursue a Ph.D., has not kept pace with undergraduate enrollment, and graduate enrollment growth was important to UC and the state. The COVID-19 pandemic has demonstrated the importance of graduate degree recipients, especially medical professionals and researchers. The University was California's public option for producing future researchers to address the next pandemic and seek solutions to challenges like climate change. Ms. Brown presented a table that compared the size of UC campuses to Association of American Universities (AAU) public and private institutions, as well as the percentage of graduate students at those campuses. With nearly 45,000 students and 28 percent graduate students, UCLA and UC Berkeley reflected the AAU public institution average. Some campuses might consider non-traditional growth. UC Santa Cruz's three-year graduation rate has increased from three to seven percent in the last decade, and UC Santa Barbara had a larger proportion of students participating in its Education Abroad Program. UC Riverside and UC Merced had capacity to increase the number of students on campus, which would increase the educational opportunities in their local regions. Expanding the number of graduate students and faculty at these campuses would support UC Merced's goal of becoming a Research 1 (R1) institution and UC Riverside's goal of becoming an AAU member. Expanding capacity would advance educational equity and

ensure that UC students and faculty better reflect the state's regional and racial/ethnic diversity, which would align with UC's 2030 goals.

Chancellor Christ stated that California needed to increase its baccalaureate enrollment capacity to fulfill its workforce needs. In a 2015 report, the League of Women Voters found that California enrolled a lower proportion of college students in four-year campuses than other states, ranked ahead of only Mississippi in the proportion of high school students who moved directly to a four-year institution. The reasons were complex and included the role of community colleges and the challenges of the transfer process. A 2018 report from the Governor's office on the state of the California Master Plan for Higher Education found that enrollment growth at CSU and UC was below the rate of increase that was deemed necessary by the Public Policy Institute of California (PPIC) and by California Competes to bridge the state's degree gap. According to PPIC, this deficit would be one million degrees by 2030. To meet California's needs, the University must grow, but it would need faculty, programs, staff, and housing, and to sustain an appropriate proportion of graduate and undergraduate programs. Physical growth was limited on some campuses by their Long Range Development Plan (LRDP). Campuses that could grow had difficulty finding capital funding, and the State seemed to have little appetite or capacity for building new campuses. Chancellor Christ identified a number of unconventional approaches, such as satellite campuses on undeveloped land or on an existing campus, such as a community college campus; merger or acquisition, which was how UC initially grew; decreasing time to degree; expanding summer session; increasing participation in education abroad programs or internships; increasing capacity online, such as the option of a remote term; and using UC Extension in new ways, such as completing a liberal arts degree part-time and partially online. Some 4.5 million Californians have started but not completed college, and becoming a full-time student on a specific campus would otherwise be a challenge for a working adult. Expanding enrollment at scale in a financially efficient manner required the assessment of different structures and modalities; it would do UC a disservice to come up with a number without planning first. In 2020–21, about 30,000 undergraduate and 11,000 graduate students enrolled at UC Berkeley. The campus spanned approximately 130 acres and was surrounded by the City of Berkeley. The campus' 2021 LRDP limited undergraduate growth to one percent per year for the 16 years of the plan. While enrollment growth was central to its strategic planning, UC Berkeley had to seek other ways to increase its capacity due to physical constraints and agreements with the City of Berkeley. Two primary opportunities were satellite campuses and online education. Moffett Field was being developed for physical expansion so that UC Berkeley could serve students, advance discovery, cultivate a global talent pool, enable faculty growth, provide undergraduate opportunities such as specialized semester, summer, and internship programs, and support graduate students. UC Berkeley had learned much despite being unsuccessful in acquiring the Mills College campus. The Berkeley campus was also considering developing the Richmond Field Station, which would require a substantial investment in planning, environmental remediation, community benefits, and infrastructure, and provide a possible opportunity for public-private partnership. UC Berkeley was looking to expand undergraduate and graduate capacity online, and was committed to becoming a Hispanic-Serving Institution by 2027.

Chancellor Wilcox stated that 21,000 students were enrolled at UC Riverside when he joined in 2013, while UCR's national competitors had 40,000 to 60,000 students. While the campus had already been known for its diversity, it set goals in excellence, equity, and expanding to scale. UCR has since grown to over 26,000 students, a 24 percent increase. One challenge that UC Riverside faced was managing the synchrony of all aspects of a campus at once. The campus chose to focus on faculty, who were needed to achieve excellence and whose talent and expertise helped achieve equity. Since 2013, the campus has increased its ladder-rank faculty by 33 percent. *U.S. News & World Report* currently ranked UCR the 35th public university, number one in social mobility, and 16th in innovation in the country. In the last eight years, the campus has nearly doubled its research funding, raised four-year graduation rates by 20 percentage points and six-year graduation rates by 11 percentage points. UC Riverside was nationally recognized for its success in closing graduation gaps; UCR enrolled more students with the lowest Academic Index Scores than any other UC campus but was 0.7 percent behind UCLA in graduation rates for those students. The campus also diversified its faculty. The campus has built new research facilities, renovated laboratories, and built a new building with 1,100 classroom seats. The campus was trying to catch up. The Inland Empire was the fastest growing region in California, and UC Riverside would grow as quickly as resources would allow, focusing on time to degree, graduation rates, and research funding. UCR was working to improve online offerings, summer session, and staffing. The Riverside campus has grown its graduate enrollment to 13 percent, compared with 27 percent at AAU public institutions, but Ph.D. enrollment has only grown at pace with campus growth. The forthcoming UCR LRDP proposed an enrollment increase of 10,000 students by 2035, with 20 percent being graduate students. Chancellor Wilcox shared the campus' impact on the local economy. The California Air Resources Board was opening a major facility at UC Riverside, which would create 400 highly technical jobs. The State commissioned a report on "Lithium Valley," an area of the Salton Sea with large deposits of lithium that would be a boon to the Imperial Valley. UCR was operating under a framework known as Opportunities to Advance Sustainability, Innovation, and Social Inclusion (OASIS), which expanded sustainability efforts to include educational, social, and health equity. Chancellor Wilcox thanked faculty, staff, and students for their patience during this growing process, the surrounding community, and the Board for its support of the campus' various projects.

Chair Estolano introduced Thomas Saenz, President and General Counsel of the Mexican American Legal Defense and Educational Fund (MALDEF). Mr. Saenz previously served on the U.S. Department of Education Equity and Excellence Commission, the California Task Force on K-12 Civic Learning, and as Counsel to then Los Angeles Mayor Antonio Villaraigosa. He currently served on the boards of the California Community Foundation and the Campaign for College Opportunity.

Mr. Saenz began his remarks by urging the Regents to see increasing capacity as an equity issue. He explained that educational access and equity for the Latino(a) community has long been part of MALDEF's mission. This November marked the 25th anniversary of the enactment of Proposition 209, which the Regents themselves catalyzed through the passage of SP-1 (Policy Ensuring Equal Treatment – Admissions), banning consideration of race and sex in admissions. Under Proposition 209, ensuring that all institutions of higher

education adequately served an increasingly diverse K–12 student body has been challenging, particularly in the Latino(a) community. He shared that he served as co-chair in the campaign to pass Proposition 16, which would have repealed Proposition 209 but was unsuccessful despite UC support. In his view, Latino(a) enrollment at UC most starkly demonstrated the need to repeal Proposition 209. Last academic year, over 55 percent of all public high school students were Latino(a), but Latino(a) students were only 26 percent of new UC enrollees. Achieving equity or parity for the Latino(a) community would require more than doubling Latino(a) enrollment at the University. Data from the U.S. Census Bureau showed that the Latino(a) community made up over 68 percent of California population growth and 70 percent of the state’s voting age population growth. This meant that more members of the Latino(a) community were reaching college age. Mr. Saenz commended the Regents for doing away with requiring the SAT in admissions and noted that challenging admissions criteria remained at UC and across the country. Eliminating all admissions disparities would not solve the equity issues that Mr. Saenz has highlighted; more approaches were needed. Capacity expansion could not only create space to double Latino(a) enrollment, but it could also address perceptions that higher education is a zero sum game, or the idea that increasing Latino(a) and Black enrollment would be at the expense of other groups. Expansion could be pursued in a way that addresses equity concerns, such as employment or family obligations, the economic impact of time to degree on communities of color, transportation, and housing. Mr. Saenz was not optimistic about the outcome of an affirmative action case before the U.S. Supreme Court in its current composition. Capacity expansion as an equity tool would serve as an example for the rest of the country.

Chair Estolano stated that the Regents had an opportunity to provide some direction to President Drake and the chancellors as they develop a comprehensive plan for capacity growth. She stressed the need for regional equity with regard to accessing a UC education.

Regent Zaragoza called attention to the lack of course offerings at many campuses, which she believed would make expansion difficult. If students did not meet unit requirements, they could lose financial aid and housing. She asked if there were plans to increase course offerings. Chancellor Wilcox responded that this was one reason why UC Riverside focused on expanding faculty. UCR would not have increased its graduation rate without providing access to needed courses. Regent Zaragoza remarked that fewer course offerings would lead to longer time to degree, which would mean less capacity for new students.

Regent Zaragoza emphasized the use of summer session as a way to shorten time to degree and allow some students to catch up. She expressed concern that UC’s decision to modify its tuition model might affect the passage of Cal Grant reform. She called on the Board to take a more active role in legislative advocacy, such as advocating for the expansion of the Cal Grant to cover summer session. Regent Zaragoza also called on the University to prioritize housing in its expansion efforts. She questioned how UC could discuss enrolling more students if it did not have the capacity to house its current students.

Staff Advisor Tseng asked what UC was doing to hire, retain, and grow its staff, who were needed to support students and faculty. Housing close to work and work flexibility were

also important to staff success. Chancellor Wilcox replied that, while facilities could be paid for with bonds, the previous lack of tuition increases had the greatest effect on UC Riverside staffing. This was a priority for UCR. Chair Estolano noted that the cohort-based tuition model would allow for the staff and faculty growth needed to support existing students and accommodate future student growth.

Regent Torres shared that he raised the issue of low African American student enrollment during the Academic and Student Affairs Committee meeting. Faculty and management who were women and people of color could serve as role models. The California Community Colleges had an office recruiting students to historically black colleges and universities (HBCU) that has seen much success. He suggested establishing a similar office at UC that reached out to African American and Native American students. Provost Brown responded that UCOP had an office that focused on recruiting HBCU students to UC graduate programs, as well as another office that built pathways to UC. Student Academic Preparation and Academic Partnerships (SAPEP) funding supported many of these programs, and the University was grateful for the increase in this funding.

Regent Leib noted that the percentage of African American students at UC Santa Barbara was nearly identical to what it had been when he attended in the 1970s. SAPEP funding was important for outreach in high schools. With regard to capacity, he suggested that campuses identify places where they could physically expand in their plans, and he called on campuses to learn from UC's attempt to acquire Mills College. For instance, UCLA could consider expanding in the surrounding community.

Regent Anguiano remarked that, as the state's economy turns into a more high-technology, research-oriented economy, California would need more people with research university degrees. She asked how campuses were thinking about graduate program growth, and how the campuses could learn from UC Health's growth. Chancellor Christ agreed that growing graduate capacity was critical. UC needed to pay attention to where there was potential for master's and doctoral work, and to market needs for advanced training. Campuses needed to maintain an appropriate proportion of graduate and undergraduate students. Chancellor Wilcox responded that most of UCR's graduate growth was in master's and professional degree students. Many Ph.D. students were funded by research grants, and bolstering research funding was part of the campus' longer-term strategy. Graduate teaching assistantships were directly tied to undergraduate growth. UC Riverside has not needed to diversify locations yet, but Chancellor Wilcox saw the potential of satellite locations. Chancellor Christ added that, out of the Mills College situation, UC Berkeley found that it would be better to establish a satellite location with a specialized curriculum instead of a mini UC campus. A site with buildings was attractive; Stanford University recently announced its intent to purchase Notre Dame de Namur University. Small institutions were becoming more fragile, which presented opportunities for the University.

Chair Estolano noted that UC Berkeley's approach to Moffett Field reflected Chancellor Christ's comments about identifying market opportunities where UC could lead. UC Health's expansion was predicated on a similar approach. There also might be opportunities to partner with other institutions through dual enrollment or the sharing of

facilities. Chancellor Christ noted the potential for partnership with community colleges to grant baccalaureate degrees.

Regent Park asked about opportunities in and possible impediments to dual admission. Chancellor Christ replied that UC Berkeley eliminated dual admission due to its effects on equity as fewer underrepresented students took the opportunity. Chancellor Wilcox replied that, while UCR did not offer dual admission, the campus did have close relationships with nearby community colleges and offered dually advised pathways. Dual admission seemed like an appropriate next step, and personnel were already acquainted with each other. Chancellor Larive replied that Morgan Hill Unified School District Superintendent Carmen Garcia approached UC Santa Cruz about developing a direct pathway. Students taking community college courses through their high school were not considered transfer students and still admitted as a freshman student. This could potentially become a pathway to UC's transfer admission guarantee or other transfer programs. Chancellor Gillman shared that, a few years ago, faculty from the UC Irvine School of Engineering and from Irvine Valley College developed a pathway from Irvine Valley College to the UCI School of Engineering, which has been very successful and could be extended to many areas. Chancellor Block shared that Arizona State University had a multi-layered approach, ranging from a fully residential experience to a hybrid or fully online experience. Students had different life experiences and needs, and some could not afford to be on campus for four years. UC could continue to offer an excellent education in a more flexible way.

In response to Chancellor Christ, Regent Park stated that UC could apply a lens of equity to all that it did so that there would not be unintended or adverse consequences. She had discussed with Mr. Brown possible efforts to diversify UC's community college transfers.

Regent Makarechian asked about plans for the Richmond Field Station, where he foresaw many growth opportunities, such as housing. Chancellor Christ responded that, learning from the Mills College experience, the Richmond site would likely need an academic theme. UC Berkeley would be building a community and synergy among existing elements. Only building housing might not be successful because of the site's distance from the Berkeley campus, but housing with program development might have potential. Regent Makarechian underscored the large amount of land that was relatively close to campus.

Regent Cohen stated that, given the sense of urgency, the University must determine how to scale some of the ideas discussed, so that ten campuses were not engaged in separate, smaller projects that each took years to implement.

Chair Estolano noted that this discussion demonstrated campus diversity, regional contexts, and the relationships that needed to be navigated. She highlighted the possibility of expanding summer session, which would make better use of existing facilities; UC Extension; and UC helping Californians complete their college degrees, recalling previous Regents' discussions about lifelong learning. In order for the state to continue being a leader, UC had an obligation to scale up its capacity to provide an education. She asked the working group of chancellors to identify private institutions that would welcome UC



assistance through merger or acquisition, and she emphasized the potential of the K–16 Regional Collaboratives.

**7. UPDATE OF COVID-19 IMPACT ON THE UNIVERSITY OF CALIFORNIA: UC HEALTH ISSUES**

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

Executive Vice President Byington began her remarks by acknowledging that the U.S. passed 675,000 deaths from COVID-19, surpassing the number of deaths during the 1918 Spanish Flu pandemic. As of this month, one out of every 500 Americans has died of COVID-19. Dr. Byington presented a list demonstrating the disparity of COVID-19 deaths among Native Americans, Hispanics, and African Americans as compared with deaths among Asians or Whites in the 40–64 age group. Healthcare workers have experienced much death and tragedy. Cases in the U.S. were trending downward, due primarily to vaccination efforts, and cases and deaths in California were falling more dramatically. The U.S. seven-day average was 34 cases per 100,000 individuals, while the seven-day average was 18.7 cases per 100,000 individuals in California, which has been one of best states for control of transmission this month. This was due to excellent vaccination rates and adherence to public health measures. UC Health had below 200 cases of admitted COVID-19 cases for the first time since early July. Dr. Byington presented a map showing immunization status and hospitalization rates of all counties in the country. There were hospitals in parts of the country that have resorted to crisis standards of care during this fourth surge of the pandemic. In California, Bakersfield had the highest hospitalization rate outside of the southern United States. Cases in California among unvaccinated individuals were almost eight times higher than cases among vaccinated individuals. Hospitalized patients were 20 times more likely to be unimmunized. Dr. Byington thanked the UC Health coordinating committee who worked on each campus' public health interventions. Systemwide, 93 percent of employees and 97 percent of students were fully vaccinated. Research from UCSF, UC San Diego, UC Davis, and UC Berkeley showed that COVID-19 infection during pregnancy was associated with pre-term birth, and a UC Irvine study showed that pregnant women infected with COVID-19 had worse outcomes. The American College of Obstetrics and Gynecology, the U.S. Centers for Disease Control and Prevention (CDC), and the Society for Maternal-Fetal Medicine have used these studies to guide pregnant women to be vaccinated. UC San Diego and UCLA published evidence of waning immunity among vaccinated healthcare workers, which was used by the U.S. Food and Drug Administration (FDA) and the CDC to guide U.S. recommendations for booster doses of the vaccine.

Dr. Byington reviewed current CDC recommendations for booster shots. Six months after receiving their Pfizer-BioNTech primary series, people who were 65 years or older and residents of long-term care facilities, and those aged 50 to 64 with underlying medical conditions should receive a booster shot. People aged 18 to 49 with underlying conditions and those aged 18 to 64 who were healthcare workers might receive a booster shot. UC Health has been administering booster shots since September 24. Pfizer has submitted data

on primary vaccination for children five to 11 years of age to the FDA, which was expected to meet and provide guidance by the end of October. Transitioning from a COVID-19 pandemic to endemic would depend on the population immunity, either from vaccination or infection. The U.S. population had high levels of immunity. A CDC study of blood donations, for which UCSF provided institutional review, found that by May 2021, 83 percent of the U.S. population had evidence of seroimmunity, 20 percent of which came from infection, and 63 percent of which came from immunization. The country has since experienced a wave of the Delta variant, in which 36 million individuals were infected and 100,000 people died. An additional 11 percent of the population might now have some immunity from infection. Dr. Byington presented a CDC graph that projected a decline from about 145,000 cases per day to 9,000 cases per day by March 2022. This estimate depended on keeping immunity high by vaccinating unvaccinated people, pregnant individuals, and children, as well as administering booster shots. Dr. Byington shared a photo of Suzanne Brennan Firstenberg's art installation at the National Mall commemorating Americans who have died of COVID-19, and she expressed hope that the country was emerging from the worst of the pandemic.

Regent Lansing credited the hopeful nature of this report to the efforts of UC Health to vaccinate and educate. Noting colder weather, she asked Dr. Byington for indoor dining recommendations for vaccinated people. Dr. Byington replied that it was her preference to eat and congregate outside, especially if the vaccination status of others was unknown. Eating where there was a vaccination requirement would be a much safer way to eat indoors. If eating indoors with others of unknown vaccination status, she recommended wearing a mask when possible, keeping the meal as short as possible, and seeing if the restaurant practiced safe spacing of tables and ventilation.

Regent Lansing asked why booster shots have not been recommended to those who received the Moderna or Johnson and Johnson vaccines. Dr. Byington responded that data for the Moderna and Johnson and Johnson vaccines were expected to be reviewed in the next several weeks, and there would be guidance for people who received those vaccines. The dosage of Moderna's primary series vaccine was higher than the Pfizer dosage, and the wider interval between Moderna doses has been associated with higher immunity. Some waning of immunity was observed for the Moderna vaccine but less so than for Pfizer immunity. Immunity from the Johnson and Johnson vaccine was lower overall but has remained stable. The primary series of any vaccination was still very good at preventing hospitalization and death.

Regent Lansing asked if it was safe for vaccinated people to gather if they have not received booster shots. Dr. Byington responded in the affirmative. It was safe to be with other vaccinated people. If the vaccination status of others was unknown, she recommended wearing a mask or being outside.

Regent Hernandez praised Dr. Byington's leadership and expressed optimism about the projection that the U.S. would transition to endemic status by next March. Dr. Byington welcomed Regent Hernandez and stated that the U.S. must continue vaccinating people to prevent new variants of COVID-19 from developing.

Regent Reilly asked about Dr. Byington's global outlook with regard to the pandemic. Dr. Byington replied that, despite the relatively good position in this country, the U.S. could not be complacent about the rest of the world. As the country that financed the development of the vaccines and contributed much of the technology for this effort, the U.S. should be advocating for the donation of vaccines and helping other countries manufacture vaccines.

Staff Advisor Lakireddy thanked Dr. Byington for participating in a town hall meeting for UC Merced staff and faculty. She asked for guidance for Thanksgiving. Dr. Byington noted a pent-up demand for families to see each other. She suggested that people be vaccinated and get a booster shot if in the recommended group. She advised against traveling if one is sick and suggested undergoing COVID-19 rapid testing at home or at a rapid test site prior to travel and after travel. It would be safer to congregate outside or indoors with good ventilation, and to wear masks if people were not immunized.

8. **COMMITTEE REPORTS INCLUDING APPROVAL OF RECOMMENDATIONS FROM COMMITTEES**

Chair Estolano stated that Chairs of Committees and Special Committees that met the prior day and off-cycle would deliver reports on recommended actions and items discussed, providing an opportunity for Regents who did not attend a particular meeting to ask questions.

**Report of the Academic and Student Affairs Committee**

The Committee presented the following from its meeting of September 29, 2021:

A. ***Update on Student Basic Needs at the University of California***

Regent Park reported that the Committee heard an update on progress made on recommendations from the Special Committee on Basic Needs' final report approved in November 2020, such as reducing the rates of student food and housing insecurity by half by 2025, in the context of the COVID-19 pandemic. The University received \$38.8 million in ongoing State funding for food, housing, and student mental health, and \$650,000 in one-time funding for CalFresh enrollment efforts. Assembly Bill 1326, which would require Counties to designate a staff liaison in public colleges and universities, was pending the Governor's signature. UC financial aid offices notified more than 90,000 students of their CalFresh eligibility, but a speaker during the public comment session noted issues with that notification process. UC developed a strategic roadmap for implementing the recommendations and identified where the Office of the President (UCOP) and the campuses could exceed the recommendations, and a website was launched. Regent Park shared some findings from a recent survey of graduate students during the pandemic and called for support of graduate students as UC emerges from the pandemic. A graduate student speaker shared how stress and uncertainty inhibited research during the pandemic, and an undergraduate speaker shared the difficulty of

accessing mental health services and being in a food desert at UC Merced. The Committee asked UCOP for a more detailed report of the progress made on each recommendation and goal.

B. ***State Budget Allocations of Interest to the Academic and Student Affairs Committee***

Regent Park reported that UC received a one-time allocation of \$22.5 million that doubled its Student Academic Preparation and Educational Partnerships (SAPEP) funding. UC should advocate for more and ongoing funding by conveying the use and importance of this program. Previously, UC received \$80 million in ongoing SAPEP funding. The University also received \$5 million in one-time funding for developing culturally competent faculty and equal opportunity recruitment.

C. ***Accountability Sub-Report on Diversity: Systemwide Summary of UC Students, Faculty and Staff Representation and Outcomes***

Regent Park reported that the Committee discussed the sub-report data on student, faculty, and staff diversity. Freshman and transfer enrollment of African American students needed improvement, and campuses needed to pay more attention to the African American student experience and the campus climate. The Committee asked for more tracking of key performance indicators and that more attention be paid to the experience of faculty of color, who often had hidden workloads.

D. ***Financial Aid Outreach, Communication, and Processing***

Regent Park suggested that Regents review presentation materials from uASPIRE, which indicated ways that UC could improve its financial aid communications.

E. ***The ASSIST Program: An Intersegmental Partnership Facilitating Transfer***

Regent Park reported that the Committee heard a presentation on the ASSIST website and discussed how the student-facing aspects could be improved. She noted ASSIST's intersegmental governance and the multiple constituencies served.

**Report of the Finance and Capital Strategies Committee**

The Committee presented the following from its meeting of September 29, 2021:

A. ***Consent Agenda:***

- (1) ***Preliminary Plans Funding, Neuropsychiatric Replacement Hospital, UCLA Health, Los Angeles Campus***

The Committee recommended that the 2021–22 Budget for Capital Improvements and the Capital Improvement Program be amended to include the following project:

Los Angeles:            Neuropsychiatric Replacement Hospital – preliminary plans – \$22.5 million to be funded with hospital reserves.

(2)    ***Preliminary Plans Funding, UCSF Benioff Children’s Hospital Oakland Master Facilities Plan Phase 2 Including New Hospital Pavilion, San Francisco Campus***

The Committee recommended that the 2021–22 Budget for Capital Improvements and the Capital Improvement Program be amended to include the following project:

San Francisco:        UCSF Benioff Children’s Hospital Oakland Master Facilities Plan Phase 2 Including New Hospital Pavilion – preliminary plans – \$90 million funded from hospital reserves.

**B.    *2021 Long Range Development Plan Following Action Pursuant to the California Environmental Quality Act, Santa Cruz Campus***

The Committee recommended that, following review and consideration of the environmental consequences of the proposed UC Santa Cruz 2021 Long Range Development Plan (LRDP), as required by the California Environmental Quality Act (CEQA), including any written information addressing this item received by the Office of the Secretary and Chief of Staff to the Regents no less than 48 hours in advance of the beginning of this Regents meeting, testimony or written materials presented to the Regents during the scheduled public comment period, and the item presentation, the Regents:

- (1)    Certify the Final Environmental Impact Report (EIR) for the UC Santa Cruz 2021 LRDP.
- (2)    Make a condition of approval the implementation of applicable mitigation measures within the responsibility and jurisdiction of UC Santa Cruz as identified in the Mitigation Monitoring and Reporting Program adopted in connection with the 2021 LRDP EIR.
- (3)    Adopt the Mitigation Monitoring and Reporting Program (MMRP) for the UC Santa Cruz LRDP.
- (4)    Adopt the CEQA Findings and Statement of Overriding Considerations (SOC) for the UC Santa Cruz 2021 LRDP.

- (5) Approve the UC Santa Cruz 2021 LRDP.

Regent Cohen reported that Chancellor Larive committed to continuing conversations with the local community. The Committee learned about the campus' efforts with regard to water, habitat conservation, improving transportation, and reducing vehicle traffic on campus.

Regent Torres praised Chancellor Larive's efforts on this project and noted UCSC's sustainability successes.

C. ***Budget, External Financing, and Design Following Action Pursuant to the California Environmental Quality Act, Hillcrest Outpatient Pavilion and Parking Structure, San Diego Campus***

The Committee recommended that:

- (1) The 2021–22 Budget for Capital Improvements and the Capital Improvement Program be amended to include the following project:

From: San Diego: Hillcrest Outpatient Pavilion and Parking Structure – preliminary plans and working drawings – \$38,179,000 to be funded from campus funds (\$13,363,000) and external financing (\$24,816,000).

To: San Diego: Hillcrest Outpatient Pavilion and Parking Structure – preliminary plans, working drawings, construction, and equipment – \$550,275,000 to be funded from Medical Center Pooled Revenue Bonds (\$280 million), external financing (\$94.47 million), campus funds (\$104.16 million), operating leases (\$43,607,000), and hospital reserves (\$28,038,000).

- (2) The President of the University be authorized to obtain external financing from the Medical Center Pooled Revenue Bond 2020 Series N bonds in an amount not to exceed \$280 million to finance the Hillcrest Outpatient Pavilion. The UC San Diego Medical Center shall satisfy the following requirements:

- a. As long as the debt is outstanding, the general revenues of the UC San Diego Medical Center shall be maintained in amounts sufficient to pay the debt service and to meet the requirements of the authorized financing.
- b. The general credit of the Regents shall not be pledged.

- (3) The President be authorized to obtain external financing in an amount not to exceed \$94.47 million plus additional related financing costs to finance the Hillcrest Parking Structure. The President shall require that:
  - a. Interest only, based on the amount drawn, shall be paid on the outstanding balance during the construction period.
  - b. As long as the debt is outstanding, the general revenues from the San Diego Campus shall be maintained in amounts sufficient to pay the debt service and to meet the requirements of the authorized financing.
  - c. The general credit of the Regents shall not be pledged.
- (4) Following review and consideration of the environmental consequences of the proposed project, as required by the California Environmental Quality Act (CEQA), including any written information addressing this item received by the Office of the Secretary and Chief of Staff no less than 48 hours in advance of the beginning of the Regents meeting, testimony or written materials presented to the Regents during the scheduled public comment period, and the item presentation, the Regents:
  - a. Adopt the CEQA Findings for the Hillcrest Outpatient Pavilion and Parking Structure project, having considered the 2019 Long Range Development Plan Environmental Impact Report (2019 LRDP EIR) for the Hillcrest Campus as well as Addendum No. 1 to the 2019 LRDP EIR for the Hillcrest Outpatient Pavilion and Parking project.
  - b. Make a condition of approval the implementation of applicable mitigation measures within the responsibility and jurisdiction of UC San Diego, as identified in the Mitigation Monitoring and Reporting Program adopted in connection with the 2019 LRDP EIR for the Hillcrest Campus and revised in Addendum No. 1 to the 2019 LRDP EIR.
  - c. Approve the design of the Hillcrest Outpatient Pavilion and Parking Structure project, San Diego Campus.
- (5) The President be authorized, in consultation with the General Counsel, to execute all documents necessary in connection with the above.

Regent Cohen reported that this was the first of a series of projects in which UC San Diego would be overhauling Hillcrest hospital facilities while remaining in operation.

D. *Amendment to University of California 2020–21 Budget for State Capital Improvements and Approval of University of California 2022–23 Budget for State Capital Improvements*

The Committee recommended that:

- (1) The amended 2020–21 Budget for State Capital Improvements be approved as shown below:

		State General Funds Financed (\$000s)		
		Approved Budget Sept 2020	Proposed Change	Proposed Budget
Los Angeles	Public Affairs Building Seismic Improvements	\$25,000		\$25,000
Riverside	School of Medicine Education Building II	\$93,600		\$93,600
Systemwide	UC Center in Sacramento	\$11,400		\$11,400
Systemwide	2020-21 UC Seismic Program Supported by State Resources	\$189,327	(\$21,900)	\$167,427
Systemwide	2020-21 Planning for Future State Capital Outlay	\$57,000		\$56,279
Davis	Sprocket Building Seismic	\$12,000		\$12,000
Merced	Health and Behavioral Sciences Building (portion of preliminary plans)	\$7,800		\$7,800
<b>Capital Projects Total</b>		<b>\$396,127</b>	<b>(\$21,900)</b>	<b>\$374,227</b>
2020-21 Systemwide State Deferred Maintenance Program		\$35,000		\$35,000
<b>TOTAL STATE FUNDS FINANCED</b>		<b>\$431,127</b>	<b>(\$21,900)</b>	<b>\$409,227</b>

- (2) The 2022–23 Budget for State Capital Improvements be approved as shown below:

		State General Funds Financed (\$000s)	
			Proposed Budget
San Diego	Central Utility Plant and Mandell Weiss Theater and Shop Seismic Improvements		\$21,900
<b>TOTAL STATE FUNDS FINANCED</b>			<b>\$21,900</b>

Regent Cohen reported that one of UC San Diego's seismic projects was substituted with a number of smaller projects.

E. *University of California Debt Portfolio Overview*

Regent Cohen reported that the Committee heard a presentation on the University's debt portfolio. UC has taken advantage of low interest rates in the municipal bond market, which has saved hundreds of millions of dollars. UC was watching for opportunities that would allow advance refundings, which could potentially save \$1 billion from \$6 billion in refundings.



F. ***Preliminary Discussion of the University's 2022–23 Operating Budget***

Regent Cohen called on President Drake and the administration to incorporate the University's plans for enrollment, which had been discussed at this meeting, into UC's budget proposal to the Legislature.

G. ***Update on the University's Seismic Safety Program***

Regent Cohen reported that the Committee heard a sobering report on the state of UC facilities, 90 percent of which have been reviewed. Seismic improvements would cost roughly \$20 billion, including some deferred maintenance. Funding has been identified for only ten percent of projects. The State's one-time funding for various projects has helped, but more funding needed to be identified, especially for the highest-need facilities. Regent Cohen thanked Regent Lott for raising the issue of contractor diversity, which the Committee planned to discuss at a future meeting.

Upon motion of Regent Cohen, duly seconded, the recommendations of the Finance and Capital Strategies Committee in items A to D above were approved, Regents Anguiano, Cohen, Drake, Elliott, Estolano, Guber, Hernandez, Kounalakis, Lansing, Leib, Lott, Makarechian, Park, Reilly, Sherman, Sures, Torres, and Zaragoza voting "aye."

H. ***Budget, Scope, and External Financing, Student Housing and Open Space Components; and Design, All Components, Following Action Pursuant to the California Environmental Quality Act, Housing Project #2, Berkeley Campus***

The Committee recommended that:

- (1) The 2021–22 Budget for Capital Improvements and the Capital Improvement Program be amended as follows:

From: Berkeley: People's Park Housing – preliminary plans – \$10.13 million, to be funded with campus funds.

To: Berkeley: Student Housing and Open Space Components – Housing Project #2 – preliminary plans, working drawings, construction, and equipment – \$312,047,000 to be funded with external financing.

- (2) The scope of the Student Housing and Open Space Components – Housing Project #2 project shall provide approximately 326,500 gross square feet (gsf) of housing space, supplying 1,113 beds, related commons space, and approximately 1.7 acres of open green space.
- (3) The President of the University be authorized to obtain external financing not to exceed \$312,047,000, plus additional related financing costs for the

Student Housing and Open Space Components – Housing Project #2 project. The President shall require that:

- a. Interest only, based on the amount drawn down, shall be paid on the outstanding balance during the construction period.
  - b. As long as the debt is outstanding, general revenues from the Berkeley campus shall be maintained in amounts sufficient to pay the debt service and to meet the related requirements of the authorized financing.
  - c. The general credit of the Regents shall not be pledged.
- (4) Following review and consideration of the environmental consequences of Housing Project #2 as required by the California Environmental Quality Act (CEQA), including any written information addressing this item received by the Office of the Secretary and Chief of Staff to the Regents no less than 48 hours in advance of the beginning of this Regents meeting, testimony or written materials presented to the Regents during the scheduled public comment period, and the item presentation, the Regents shall:
- a. Adopt as conditions of approval of Housing Project #2 all applicable Mitigation Measures and Continuing Best Practices within the responsibility and jurisdiction of the University.
  - b. Adopt the Mitigation Monitoring and Reporting Program for Housing Project #2.
  - c. Following review and consideration of the previously certified Environmental Impact Report for the UC Berkeley 2021 Long Range Development Plan and Housing Projects #1 and #2, determine that no further environmental analysis pursuant to CEQA is required and adopt CEQA Findings and Statement of Overriding Considerations specific to Housing Project #2.
  - d. Approve the Project design of the Housing Project #2 project, Berkeley campus.
- (5) The President or designee be authorized, in consultation with the Office of the General Counsel, to execute all documents necessary in connection with the above.

Regent Cohen reported that the Committee believed the budget as originally proposed had too much contingency funding and reduced it to \$312 million. The Committee would receive a report on the bidding process of the project.

Upon motion of Regent Cohen, duly seconded, the recommendation of the Finance and Capital Strategies Committee in item H above was approved, Regents Anguiano, Cohen, Drake, Elliott, Estolano, Guber, Hernandez, Kounalakis, Lansing, Leib, Lott, Makarechian, Park, Reilly, Sherman, Sures, and Torres voting “aye” and Regent Zaragoza voting “no.”

**Governance Committee**

The Committee presented the following from its meeting of September 29, 2021:

**A. *Approval of Appointment of and Compensation for Katherine A. Yelick as Vice Chancellor for Research, Berkeley Campus, as Discussed in Closed Session***

The Committee recommended approval of the following items in connection with the appointment of and compensation for Katherine A. Yelick as Vice Chancellor for Research, Berkeley campus:

- (1) Per policy, appointment of Katherine A. Yelick as Vice Chancellor for Research, Berkeley campus, at 100 percent time.
- (2) Per policy, an annual base salary of \$430,000.
- (3) Per policy, standard pension and health and welfare benefits and standard senior management benefits including eligibility for Senior Manager Life Insurance and eligibility for Executive Salary Continuation for Disability (eligible after five consecutive years of Senior Management Group service).
- (4) Per policy, eligibility to participate in the UC Employee Housing Assistance Program, subject to all applicable program requirements.
- (5) Per policy, eligibility to accrue sabbatical credits as a member of the tenured faculty, consistent with academic personnel policy.
- (6) Ms. Yelick will comply with the Senior Management Group Outside Professional Activities (OPA) policy and reporting requirements.
- (7) This action will be effective on Ms. Yelick’s start date, which is estimated to be on or about January 1, 2022.

The compensation described above shall constitute the University’s total commitment until modified by the Regents, the President, or the Chancellor, as applicable under Regents policy, and shall supersede all previous oral and written commitments. Compensation recommendations and final actions will be released to the public as required in accordance with the standard procedures of the Board of Regents.

B. ***Amendment of Regents Policy 1302: Policy on Public Access to Meetings and Public Comment***

The Committee recommended that the Regents amend Regents Policy 1302: Policy on Public Access to Meetings and Public Comment as shown in Attachment 1.

Chair Estolano stated that, under this proposal, public comment would be allowed via telephone and in person even after Governor Newsom's Executive Order N-29-20 expires.

C. ***Dates for Regents Meetings for 2023***

The Committee recommended that the following dates of Regents meetings for 2023 be approved:

2023

January 17–19, 2023  
March 14–16, 2023  
May 16–18, 2023  
July 18–20, 2023  
September 19–21, 2023  
November 14–16, 2023

Upon motion of Chair Estolano, duly seconded, the recommendations of the Governance Committee in items A to C were approved, Regents Anguiano, Cohen, Drake, Elliott, Estolano, Guber, Hernandez, Kounalakis, Lansing, Leib, Lott, Makarechian, Park, Reilly, Sherman, Sures, Torres, and Zaragoza voting “aye.”

D. ***Approval of Incentive Compensation Using Non-State Funds for Fiscal Year 2020–21 for Jagdeep Singh Bachher as Chief Investment Officer and Vice President – Investments, as Discussed in Closed Session***

The Committee recommended approval of an incentive award of \$1,384,416 for Plan Year 2020–21, under the Office of the Chief Investment Officer Annual Incentive Plan (AIP), for Jagdeep Singh Bachher as Chief Investment Officer and Vice President – Investments, Office of the President. The recommended incentive award represents 200 percent of Mr. Bachher's total salary paid as of the end of the 2020–21 Plan Year of \$692,208.

The incentive compensation described above shall constitute the University's total commitment regarding incentive compensation until modified by the Regents or the President, as applicable under Regents policy, and shall supersede all previous oral and written commitments. Compensation recommendations and final actions will be released to the public as required in accordance with the standard procedures of the Board of Regents.

Chair Estolano noted that this was a performance-based incentive plan funded entirely with investment revenue. Mr. Bachher exceeded required performance benchmarks.

Upon motion of Chair Estolano, duly seconded, the recommendation of the Governance Committee in item D above was approved, Regents Anguiano, Cohen, Drake, Elliott, Estolano, Guber, Hernandez, Lansing, Leib, Lott, Makarechian, Park, Reilly, Sherman, Sures, and Torres voting “aye” and Regents Kounalakis and Zaragoza voting “no.”

### **Report of the Health Services Committee**

The Committee presented the following from its meeting of August 18, 2021:

A. ***Update from the Executive Vice President of UC Health***

Regent Sures reported that UC Health was implementing the new policy on healthcare affiliations and that the fourth surge of the COVID-19 pandemic had surpassed the first and second surges. The vast majority of COVID-19 cases, hospitalizations, and deaths in California occurred among unvaccinated people. Executive Vice President Byington discussed recommendations for a third dose of the vaccine.

B. ***California’s Healthcare Safety Net and the Role of UC Health***

Regent Sures reported that the Committee heard an overview of the Medi-Cal program. Of the \$99 billion spent on Medi-Cal in fiscal year 2019–20, about 65 percent was federal funding and 23 percent was State funding. UC Health was the number two provider of Medi-Cal hospital services in California, after Dignity Health. The Committee discussed the Legislature’s role in Medicaid expansion, the implications of UC absorbing county hospitals in the past, the volume of Medi-Cal outpatient services provided by UC, the challenges of costs shifting, and the benefits of offering commercial insurance to UC employees.

C. ***UC San Diego Health Sciences Strategy, San Diego Campus***

Regent Sures reported that the Committee heard a presentation about UCSD Health’s various entities, its work at the U.S.-Mexico border during the COVID-19 pandemic, and clinical growth of \$1 billion in revenue to nearly \$3 billion. Committee members asked about Centers for Medicare and Medicaid Services reimbursements in the San Diego region and updates to the medical school curriculum.

D. ***Speaker Series – Homeless Healthcare Collaborative, Los Angeles Campus***

Regent Sures reported that UCLA Health President Johnese Spisso and Chief of Health Equity, Diversity and Inclusion for the UCLA Hospital and Clinic System

Medell Briggs Malonson spoke about medical needs of the homeless population, the successful delivery of mobile healthcare to homeless encampments, the growth potential of these mobile clinics, and the cost structures of these services.

E. ***Update from the University of California Cancer Consortium***

Regent Sures reported that the Committee heard an update on the UC Cancer Consortium, comprised of all five UC comprehensive cancer centers. The update included policy, health equity, cancer prevention, and community outreach and engagement. The University was running almost 1,000 clinical trials at any one time.

F. ***Update from the University of California Health Clinical Quality Committee***

This item was deferred.

**Report of the Investments Committee**

The Committee presented the following from its meeting of September 28, 2021:

***Review of Fiscal Year 2020–21 Performance of UC Pension, Endowment, Retirement Savings Program, Blue and Gold Pool and Working Capital***

Regent Sherman reported that the Committee heard a presentation on the performance of UC investment products in fiscal year 2020–21, which grew to \$168 billion, beating various index-oriented benchmarks. The endowment returned nearly 34 percent, and the General Endowment Pool grew \$5 billion, which resulted in a \$430 million payout to the campuses. The pension, returning over 30 percent, had \$91 billion and was 94 percent funded based on market value of assets. Working capital had nearly \$23 billion, and the UC Retirement Savings Program had nearly \$35 billion. Investment choices were streamlined, and the number of active external managers was reduced, resulting in significantly lower fees. The Committee also heard presentations about progress in the Office of the Chief Investment Officer's diversity, equity, and inclusion efforts, the inflation outlook, and U.S.-China relations.

**Report of the National Laboratories Committee**

The Committee presented the following from its meeting of September 28, 2021:

***State of the Laboratory: Lawrence Livermore National Laboratory***

Regent Sures reported that Kimberly Budil, the first woman Director of Lawrence Livermore National Laboratory (LLNL), provided an overview of the National Laboratory. LLNL had 8,000 employees and a \$2.5 billion budget, and was at the forefront of designing and securitizing the U.S. nuclear stockpile. The Committee learned about LLNL's biosecurity work, its collaboration with UCSF, climate change mitigation and adaptation

research, the high level of fusion ignition achieved at the National Ignition Facility, diversity, equity, and inclusion efforts, and the National Laboratory's response to COVID-19 as an employer.

### **Report of the Public Engagement and Development Committee**

The Committee presented the following from its meeting of September 29, 2021:

A. ***Conversation with State Senator Robert Hertzberg***

Regent Reilly reported that State Senator Robert Hertzberg provided his insights on next year's State budget, and the Committee asked him about enhancing the relationship between the University and the State Legislature. State Senator Hertzberg regarded the growing wealth gap and climate change as the top challenges for California.

B. ***UC Division of Agriculture and Natural Resources: Engaging Communities to Build Wildfire Resiliency***

Regent Reilly reported that Agriculture and Natural Resources (ANR) worked with property owners, community groups, government agencies, and Native American tribes to build wildfire resiliency. Presenters shared information about ANR history and its mission, forest health and restoration, protecting watersheds, developing wood products from the byproducts of forest management, prescribed fire, and mapping and modeling fires for decision-making.

### **Report of the Special Committee on Innovation Transfer and Entrepreneurship**

The Special Committee presented the following from its meeting of August 19, 2021:

A. ***Patent Tracking System: Pre-project Foundational Work***

Regent Leib reported that the Patent Tracking System was designed in the 1980s and no longer met current needs. Several campuses have established their own systems, which would have to be integrated into a new system.

B. ***Innovation and Entrepreneurship Funding Strategies***

Regent Leib reported that the Regents Working Group on Innovation Transfer and Entrepreneurship had discussed funding strategies for early-stage development of companies, such as a proof of concept fund. Universities with such strategies experienced success with commercialization. The Special Committee identified an outlay of \$6.5 million to \$7 million of annual funding that would be needed. The Office of the Chief Financial Officer and the Office of the CIO have helped examine these opportunities.

C. ***Update on Vendor Procurement for Review of University Process for Enforcement of Intellectual Property Rights***

Regent Leib reported that the Special Committee was working with the Office of the General Counsel to better enforce UC intellectual property rights, which would increase the revenue generated from licensing agreements. He invited Regents and members of the Academic Senate to share their ideas.

D. ***The Challenges and Opportunities Faced by Campuses with Emerging Technology Transfer Programs***

Regent Leib reported that the Special Committee determined that UC Merced, UC Riverside, and UC Santa Cruz needed early-stage funding to strengthen their technology transfer programs.

E. ***Future Goals and Meetings of the Special Committee***

This item was not summarized.

Regent Leib explained that the Special Committee was established to provide oversight for the Office of the President as it implemented recommendations of the Regents Working Group on Innovation Transfer and Entrepreneurship. Members included Chancellors Christ, Khosla, and Muñoz, as well as a number of outside advisors.

**Report of the Special Committee on Nominations**

The Special Committee presented the following from its meeting of September 29, 2021:

***Appointment of Two Regents to Standing Committees***

The Special Committee recommended that:

- A. Regent Hernandez be appointed as a member of the Academic and Student Affairs Committee, the National Laboratories Committee, and the Public Engagement and Development Committee, effective immediately through June 30, 2022.
- B. Regent Zaragoza be appointed as a member of the Finance and Capital Strategies Committee, effective immediately through June 30, 2022.

Upon motion of Regent Elliott, duly seconded, the recommendation of the Special Committee on Nominations was approved, Regents Anguiano, Cohen, Drake, Elliott, Estolano, Guber, Hernandez, Kounalakis, Lansing, Leib, Lott, Makarechian, Park, Reilly, Sherman, Sures, Torres, and Zaragoza voting “aye.”



**9. UNFINISHED BUSINESS*****Rescission of Certain Standing Orders and Amendment of Certain Bylaws on Personnel Matters, and Adoption of Bylaw 32 – Officers of the University***

At the July 2021 meeting of the Board of Regents, notice was served that at the next regular meeting of the Board of Regents, the Regents:

- A. Rescind the following Standing Orders pertaining to personnel matters: Standing Orders 100.1 – Officers of the University, 100.2 – Employment Status, 100.3 – Compensation, 100.4(c), 100.4(d), 100.4(e), and 100.4(dd)(4) – Duties of the President, 100.5 – Duties of the Vice Presidents, 100.7 – Duties of Other Officers of the University, 101.1(c) – Employment Status, 101.1(e) – Employment Status, 103.1 – Service Obligations, 103.4 – Sabbatical Leaves, 103.8 – Death Benefit, and 120 – Retirement Systems, following service of appropriate notice, as shown in Attachment 2.
- B. Rescind the following Standing Orders that were previously incorporated into the Bylaws or Committee Charters: Standing Orders 100.4(a), 100.4(f), 100.4(g), 100.4(h), 100.4(i), 100.4(j), 100.4(k), 100.4(l), 100.4(n), 100.4(s), 100.4(t), 100.4(u), 100.4(v), 100.4(w), 100.4(dd)(2), 100.4(dd)(3), 100.4(dd)(5), 100.4(ii), 100.4(mm), 100.4(oo), 100.4(pp), and 100.4(rr) – Duties of the President; 100.6 – Duties of the Chancellors; 101.1(a), 101.1(b), and 101.1(d) – Employment Status; 103.2 – Privilege of Hearing Before the Academic Senate and 103.9 – Tenure; and 105.1(b), 105.1(c), 105.2(a), 105.2(b), 105.2(d), and 105.2(e) – Academic Senate following service of appropriate notice, as shown in Attachment 3.
- C. Amend Bylaws 22.2 – Authority of the Board/Specific Reservations, 23.5 – Authority and Duties of Principal Officers, 30 – President of the University, and 31 – Chancellors, be amended, as shown in Attachment 4.
- D. Adopt Bylaw 32 – Officers of the University, be adopted, as shown in Attachment 5.

Upon motion duly made and seconded, the recommendation was approved, Regents Anguiano, Cohen, Drake, Elliott, Estolano, Guber, Hernandez, Kounalakis, Lansing, Leib, Lott, Makarechian, Park, Reilly, Sherman, Sures, Torres, and Zaragoza voting “aye.”

**10. REPORT OF MATERIALS MAILED BETWEEN MEETINGS**

Secretary and Chief of Staff Shaw reported that, on the dates indicated, the following were sent to the Regents or to Committees:

**To the Regents of the University of California:**

- A. From the President of the University, a letter outlining the Budget Act of 2021 and the specific funds directed to the University. July 13, 2021.
- B. From the President of the University, the SARS-CoV-2 (COVID-19) Vaccination Program Participation Policy. July 15, 2021.
- C. From the Secretary and Chief of Staff to the Regents, the Summary of Communications Received for May and June, 2021. July 23, 2021.
- D. From the President of the University, the *2021 University of California Accountability Report*. July 23, 2021.
- E. From the President of the University, the *Annual Report on Health Systems Transactions Approved by the Health Services Committee* for the period from July 1, 2018 through June 30, 2021. August 13, 2021.
- F. From the President of the University, the 2021 UC Community Safety Plan. August 16, 2021.
- G. From the Secretary and Chief of Staff to the Regents, the Summary of Communications Received for July, 2021. August 19, 2021.
- H. From the Secretary and Chief of Staff to the Regents, an announcement of Governor Newsom's recent appointment of Jose Hernandez to the Board of Regents. August 20, 2021.
- I. From the Secretary and Chief of Staff to the Regents, a press release titled *UC assets grow by \$38 billion in 2021 to \$168 billion, with endowment returning 33.7 percent and pension up 30.5 percent*. August 31, 2021.
- J. From the Secretary and Chief of Staff, a letter announcing the appointments to the Regents Special Committee on Nominations. September 14, 2021.
- K. From the Chief Investment Officer, the 2020–21 UC Investments Annual Report. September 14, 2021.
- L. From the President of the University, the UC Student Academic Preparation and Educational Partnerships (SAPEP) 2018–19 Annual Outcomes Report. September 17, 2021.
- M. From the President of the University, the *Annual Report on Regents Policy 3501: Policy on Student-Athletes and the Guiding Principles to Enhance Student-Athlete Welfare*. September 17, 2021.

**To the members of the Finance and Capital Strategies Committee:**

- N. From the President of the University, the *Significant Information Technology Projects Report* for the period January 1, 2021 through April 30, 2021. July 15, 2021.

**To the members of the Governance Committee:**

- O. From the President of the University, the *Annual Report on Executive Compensation for Calendar Year 2020: Deans and Certain Full-Time Faculty Administrators*. July 12, 2021.
- P. From the President of the University, the *Annual Compensation Monitoring Report: Actions for Certain Athletic Positions and Coaches Systemwide for calendar year 2020*. July 27, 2021.
- Q. From the President of the University, the *2020 Annual Report on Executive Compensation: Incumbents in Senior Management Group Positions and Certain Managers and Senior Professionals*. August 10, 2021.

**To the members of the Health Services Committee:**

- R. From the Executive Vice President of UC Health, the UC Cancer Consortium Newsletter – Summer 2021 Edition. August 13, 2021.

The meeting adjourned at 3:20 p.m.

Attest:

Secretary and Chief of Staff

**Additions shown by underscoring; deletions shown by strikethrough**

Regents Policy 1302: Policy on Public Access to Meetings and Public Comment

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Approved January 20, 1995

Amended September 19, 1997, July 18, 2002, September 22, 2005, and March 16, 2017

The Board of Regents reaffirms its commitment to openness and transparency in the conduct of the University's business. Meetings of the Board of Regents shall be conducted in compliance with California open meeting laws applicable to the University of California. Members of the public are invited to attend open sessions of Regents meetings and may address the Regents of the University of California whenever the Board or any of its Committees meets in open session in accordance with the guidelines below. In addition, written communications to the Regents are always welcome.

1. On any day that the Board or any of its Committees meets in open session, the first open meeting will include a ~~twenty~~thirty-minute period for the purpose of hearing public comment. Individual speakers will be invited to speak for up to three minutes, depending on the number of individuals who have signed up to speak.
2. In order to accommodate those individuals wishing to speak when more people have signed up to address the Board or Committee than can be heard, the Chair may adjust the procedures at their discretion.
3. Speakers at the public comment sessions may address any University-related matter. When signing up to speak, individuals will identify the matter they wish to address.
4. ~~A sign-up sheet is used to record those who wish to address the Regents. Anyone who wishes to speak may sign up on the day of the meeting. The sign-up sheet is made available at the meeting location at least one hour before the public comment period is scheduled, and members of the public must sign up prior to the beginning of the meeting. Speakers may choose to attend in person or address the Regents via telephone during the public comment session. The University of California adheres to the Americans with Disabilities Act; individuals with disabilities who wish to request accommodation must contact the Office of the Secretary and Chief of Staff in advance.~~  
~~may~~ must contact the Office of the Secretary and Chief of Staff by 5 pm the day before the public comment period ~~after the Notice of Meeting for the meeting has been published or may sign up on the day of the meeting. The sign-up sheet is made available at the meeting location at least one hour before the public comment period is scheduled, and members of the public must sign up prior to the beginning of the meeting. Speakers may choose to attend in person or address the Regents via telephone during the public comment session. The University of California adheres to the Americans with Disabilities Act; individuals with disabilities who wish to request accommodation must contact the Office of the Secretary and Chief of Staff in advance.~~
5. ~~Three or more~~ To hear from as many individuals as possible, speakers may ~~not~~ pool their time ~~to provide up to seven minutes for a group representative. Those individuals intending to yield their time must be present at the meeting when their names are called to confirm their willingness to do so. If individual speaking times are reduced at the meeting, pooled times will also be reduced. Individuals who speak for less than their allotted time may not~~ or yield their remaining time to another speaker.
6. Written comments and materials are welcome ~~brought for the Regents by speakers will be accepted during public comment and will be available to the Regents during the duration of the meeting.~~
7. Attendees have the right to record the meeting, consistent with open meeting laws, as long as that activity does not constitute a persistent disruption of the proceedings.

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**Additions shown by underscoring; deletions shown by strikethrough**

See also: Guidelines for Public Comment Sessions.

## Standing Orders Pertaining to Personnel Matters Proposed for Rescission

### Standing Order 100.1: Designation and to Whom Responsible

- a. ~~Officers of the University shall be the President of the University, Executive Vice Presidents, Senior Vice Presidents, other Vice Presidents, Associate Vice Presidents, Assistant Vice Presidents, Chancellors, Vice Chancellors, and Director and Deputy Director of the Ernest Orlando Lawrence Berkeley National Laboratory, and Directors of University hospitals.~~
- b. ~~The President shall be responsible directly to the Board. All other Officers shall be responsible to the President directly or through designated channels, with the exception of the General Counsel and Vice President for Legal Affairs, the Chief Investment Officer and Vice President for Investments, and the Senior Vice President—Chief Compliance and Audit Officer, all of whom shall have dual responsibility to the Board and to the President.~~

### 100.2: Employment Status

- a. ~~Appointment and dismissal of the President of the University shall be by an affirmative vote of not less than a majority of the members of the Board.~~
- b. ~~Appointment (including temporary appointment of acting or interim status), or reemployment after retirement of all Officers of the University for whom Regental approval is required pursuant to Regental policies shall be voted by the Board upon recommendation of the President of the University following consultation, as appropriate, with an appropriate Standing Committee of the Board, as determined by the President, or with a special committee established for that purpose.~~
- c. ~~Action to demote or dismiss a Chancellor or the Director of the Ernest Orlando Lawrence Berkeley National Laboratory shall be voted by the Board upon recommendation of or following consultation with the President of the University.~~
- d. ~~Action to demote or dismiss other Officers of the University shall be taken by the President of the University upon recommendation of or following consultation with appropriate Officers and shall be reported to the Board.~~

### 100.3: Compensation

- a. ~~Compensation of the President of the University shall be determined by the Board upon recommendation of the Committee on Compensation.~~
- b. ~~Compensation of all other Officers of the University for whom Regental approval is required pursuant to Regental policies shall be determined by the Board upon recommendation of the President of the University through the Committee on Compensation.~~

### 100.4: Duties of the President of the University

~~(e)The President of the University, in accordance with such regulations as the President may establish, is authorized to appoint, determine compensation, promote, demote, and dismiss University employees, except as otherwise provided in the Bylaws and Standing Orders and except those employees under the~~

~~jurisdiction of the Secretary and Chief of Staff, Chief Investment Officer, and General Counsel of The Regents. Before recommending or taking action that would affect personnel under the administrative jurisdiction of Chancellors, Executive Vice Presidents, Senior Vice Presidents, other Vice Presidents, or the Director of the Ernest Orlando Lawrence Berkeley National Laboratory, the President shall consult with or consider recommendations of the appropriate Officer. When such action relates to a Professor, Associate Professor, or an equivalent position; Assistant Professor; a Professor in Residence, an Associate Professor in Residence, or an Assistant Professor in Residence; a Professor of Clinical (e.g., Medicine); an Associate Professor of Clinical (e.g., Medicine) or an Assistant Professor of clinical (e.g., Medicine); a Senior Lecturer with Security of Employment, or a Lecturer with Security of Employment, the Chancellor shall consult with a properly constituted advisory committee of the Academic Senate.~~

~~(d)The President and those of his staff to whom he may delegate such authority are authorized to act as agents of The Regents to carry out the collective bargaining responsibilities of the University under the Higher Education Employer-Employee Relations Act ( HEERA sections are 3560-3599). Whenever the President, under either general or specific authority delegated to him, takes action affecting the terms and conditions of employment of University employees, it shall be understood that for employees represented by an exclusive representative, such action may be taken only after satisfaction of any obligation the University may have to meet and confer with respect to such action, and then only to the extent approved by the President.~~

~~(e)The President is authorized to grant leaves of absence with or without pay, in accordance with such regulations as the President may establish, except that paid leaves of absence that exceed ninety days for Chancellors, the Ernest Orlando Lawrence Berkeley National Laboratory Director, Executive Vice Presidents, Senior Vice Presidents, and other Vice Presidents shall be subject to approval by the Board upon recommendation of the President of the University.~~

~~(dd) Except as otherwise specifically provided in the Bylaws and Standing Orders, the President is authorized to execute on behalf of the Corporation all contracts and other documents necessary in the exercise of the President's duties, including documents to solicit and accept pledges, gifts, and grants, except that specific authorization by resolution of the Board shall be required for documents which involve or which are:~~

~~(4) Agreements for the provision of employee group insurance benefits, with the understanding that Board authorization shall not be required for periodic revisions to existing agreements when the revisions do not substantially change the authorized scope of the benefit plans.~~

#### ~~100.5: Duties of the Vice Presidents~~

- ~~a. The Executive Vice Presidents and Senior Vice Presidents shall perform such duties of the President of the University as the President shall designate. In the event of the unavailability or inability of the President to act, Executive Vice Presidents shall have and exercise all the duties and powers of the President, other than service as a Regent, in such order and to such extent as the President shall designate.~~
- ~~b. Other Vice Presidents shall advise and assist the President of the University in connection with those functions of the administration of the University assigned to them by the President.~~

#### ~~100.7: Duties of the Other Officers of the University~~

~~All Officers of the University, other than those whose duties are defined in the Standing Orders or by resolution of the Board, shall perform such duties and shall have such powers as the President shall prescribe.~~

#### ~~101.1(c): Employment Status~~

~~Appointments, promotions, demotions, and dismissals of all faculty members and other employees, except as otherwise provided in the Bylaws, Standing Orders, or Regental policies, shall be under the jurisdiction of the President of the University, and of the Secretary and Chief of Staff, Chief Investment Officer, and General Counsel of The Regents in their respective areas of responsibility.~~

#### ~~101.1(e): Employment Status~~

~~Reemployment appointments of retired University employees to any Senior Management Group or other staff position shall be governed by the Regents policy on Reemployment of University of California Retired Employees.~~

#### ~~103.1: Service Obligations~~

- ~~a. No compensation shall be paid to any Officer, faculty member, or other employee of the University unless actively engaged in the service of the University, in accordance with such regulations as the President may establish.~~
- ~~b. No one in the service of the University shall devote to private purposes any portion of time due to the University nor shall any outside employment interfere with the performance of University duties. Arrangements for private employment by Officers, faculty members, or other employees of the University shall be subject to such regulations as the President may establish.~~

#### ~~103.4: Sabbatical Leaves~~

~~Sabbatical leaves are granted, in accordance with regulations established by the President, to enable recipients to be engaged in intensive programs of research and/or study, thus to become more effective teachers and scholars and to enhance their services to the University.~~

#### ~~103.8: Death Benefit~~

~~Upon the death of any Officer, faculty member, or regular employee of the University, or Officer or regular employee of the Corporation, who has been employed a minimum of six months, a sum equal to the salary of the deceased for one month will be paid to the person or persons in the first of the following categories in which there is a survivor: legal spouse or domestic partner; child or children; parent or parents; or siblings. If there is no survivor in any of the foregoing categories, the benefit will be paid to the estate, or if there is no estate, to the individual designated as the beneficiary of the deceased's University paid life insurance policy. This payment is in addition to any other benefit provided under a pension or retirement plan in effect for the deceased person.~~

#### ~~120.1: University of California Retirement System~~



~~The Regents have established the University of California Retirement System.~~

~~120.2: Other Retirement Systems~~

~~Employees who are members of the Public Employees' Retirement System, the State Teachers' Retirement System, the Federal Civil Service Retirement System, and county retirement systems shall participate in said systems under the conditions described in Regents' policy.~~

~~120.3: Provisions and Amendments~~

~~All provisions of the University of California Retirement System and provisions relating to the participation of employees in other retirement systems shall be set forth in Regents' policy.~~

## Standing Orders Previously Incorporated into the Bylaws or Committee Charters Proposed for Rescission

### 100.4: Duties of the President of the University

~~(a)The President shall be the executive head of the University and shall have full authority and responsibility over the administration of all affairs and operations of the University, excluding only those activities which are the responsibility of the Secretary and Chief of Staff, Chief Investment Officer, General Counsel of The Regents, and Senior Vice President—Chief Compliance and Audit Officer. The President may delegate any of the duties of the office except service as an ex officio Regent.~~

~~(f)The President annually, through the appropriate Standing Committee, shall present to the Board recommendations as to the budget of the University, recommendations as to the Capital Improvement Program of the University, and recommendations as to requests for appropriations of funds for the University.~~

~~(g)The President shall fix and determine the amount, conditions, and time of payment of all fees, fines, and deposits to be assessed against students of the University, except that the President shall secure the Board's approval prior to the assessment of the University Registration Fee, Educational Fee, tuition fees, and fees and charges required in connection with the funding of loan financed projects, except student-fee-funded facilities, parking facilities and housing projects.~~

~~(h)The President shall fix the calendar of the University, provided that no session of instruction shall be established or abolished except with the advice of the Academic Senate and the approval of the Board.~~

~~(i)The President is authorized to make awards of fellowships, scholarships, and prizes with the advice of the Chancellors and the Academic Senate, and to approve expenditures from appropriations, gifts, and endowments for these purposes.~~

~~(j)The President shall consult with the Chancellors and the Academic Senate regarding the educational and research policies of the University, and shall keep the Chancellors and the Academic Senate informed about significant developments within the University and within the State and Federal governments which may have serious consequences for the conduct of education and research within the University. The President shall present recommendations to the Board concerning the academic plans of the University and of the several campuses. The President shall transmit to the Board any memorial which the Academic Senate may address to The Regents.~~

~~(k)The President shall develop, initiate, implement, and approve fundraising campaigns for the benefit of the University in accordance with the policies of the Board.~~

~~(l)The President shall represent the Corporation and the University in all matters requiring action by the Congress or officers of the United States or by the Legislature or officers of the State of California.~~

~~(n)The President is authorized to permit expenditures against contracts, grants, and gifts, or against firm commitments thereon, provided that the contracts, grants, and gifts have been solicited or negotiated in accordance with established Regental policy.~~

~~(s)The President is authorized, in accordance with the terms specified by the donor, to designate the purpose for which, and the campus or other location at which, the income and/or principal of a gift shall be used and to make allocations in accordance therewith.~~

~~(t)The President is authorized to determine, consistent with any expressed intent of the donor, the purpose for which and the campus or other location at which a gift shall be used, to determine whether income and/or principal shall be used, and to make allocations and reallocations in accordance therewith, to the extent not specified by the donor of a gift.~~

~~(u)Any action taken pursuant to sections (s) and (t) above shall conform to established University programs and policies and shall not constitute a commitment requiring expenditures in excess of budgeted items.~~

~~(v)The President is authorized, after consultation with the General Counsel, to return to the donor all or any unused portion of a gift of personal property, when the purposes of the gift have been fulfilled or fulfillment has become impossible or impracticable and when alternative uses are precluded.~~

~~(w)The President is authorized to write off bad debts, provided reserves for that purpose are adequate or that specific income or an appropriation is available for that purpose.~~

(dd) Except as otherwise specifically provided in the Bylaws and Standing Orders, the President is authorized to execute on behalf of the Corporation all contracts and other documents necessary in the exercise of the President's duties, including documents to solicit and accept pledges, gifts, and grants, except that specific authorization by resolution of the Board shall be required for documents which involve or which are:

~~2.—Renewal or modification of the prime contracts with the Department of Energy for the operation of the Ernest Orlando Lawrence Berkeley National Laboratory, the Los Alamos National Laboratory or the Lawrence Livermore National Laboratory that, in the opinion of the General Counsel, would constitute a cardinal change as a matter of law; and renewals or substantive modifications of the Los Alamos National Security LLC and Lawrence Livermore National Security LLC Agreements.~~

~~3.—Loans of funds of the Corporation, other than loans from established student, faculty, and staff loan funds.~~

~~5.—Affiliation agreements with other institutions or hospitals involving direct financial obligations or commitments to programs not previously approved.~~

~~(ii) The President shall be the custodian of all contracts of purchase and sale, gift agreements, leases, licenses, easements and rights of way, ground leases, mortgages, deeds of trust, insurance policies and other documents relating to real property transactions for University related purposes custody for which is not established elsewhere in the Bylaws and Standing Orders.~~

(mm)The President is authorized to develop and implement policies and procedures on matters pertaining to intellectual property, including patents, copyrights, trademarks, and tangible research products, and to execute documents necessary for the administration of intellectual property, including those which may

contain commitments existing longer than seven years. The President annually shall report to the Board on matters pertaining to intellectual property.

~~(oo) The President is authorized to administer University participation in corporations, companies, and partnerships, provided that such participations have been approved by the Board for University related purposes, and to execute all documents in connection therewith on behalf of the University. The President shall be the custodian of all documents related to such participations.~~

~~(pp)<sup>1</sup> The President shall be the representative of the Corporation in, and is authorized to execute agreements in connection with, all matters relating to bank accounts and bank services; banking relationships; financial and banking type services provided by entities other than banks, including but not limited to, the following:~~

- ~~(1) The President shall select the banks in which funds of the Corporation are deposited and from which funds are disbursed.~~
- ~~(2) The President is authorized to transfer to the name of the Corporation all bank accounts, including time certificates of deposit, received as gifts to the Corporation, and to make withdrawals from or close such accounts.~~
- ~~(3) The President is authorized to designate representatives of the University who may sign checks, drafts or other orders for the payment of money or initiate electronic transfers of funds against University checking accounts, provided that all such representatives are covered by fidelity bond. The President is authorized to approved the use of and to direct banks or other depositories to honor faesimile signatures.~~
- ~~(4) The President is authorized to designate a list of representatives of the Corporation who may sign checks, drafts or other orders for the payment of money or initiate electronic transfers of funds against bank accounts used for deposit of Chief Investment Officer's General Cash and to make withdrawals from savings accounts, provided that all such actions have been approved by two such representatives, including one from the Office of the President and one from the Office of the Chief Investment Officer, and provided further that all such representatives are covered by fidelity bond, and provided that nothing herein shall be construed as empowering the President to direct banks or other depositories to honor faesimile signatures except on authority of the Committee on Finance.~~
- ~~(5) The President is authorized to make arrangements for lockbox, electronic transfer of funds, escrow services, credit card and other services to facilitate the collection or disbursement of funds.~~

~~(rr) Notwithstanding any provision in the Bylaws or Standing Orders to the contrary, including, without limitation, paragraphs (dd)(3) (loans of Corporation funds), (dd)(5) (certain affiliation agreements), (dd)(6) (agreements for the collection of fees), (dd)(9) (assumption of liability), and (oo) (participations) of this Standing Order, the President is authorized to approve and execute on behalf of the Corporation all contracts and documents relating to transactions that primarily arise from or serve the programs and services of UC Health or any of its components, as defined in Bylaw 12.7, where the transaction can reasonably be anticipated to commit or generate up to the lesser of (i) 1.5% of the relevant Medical Center's annual operating revenue for the previous fiscal year, or (ii) \$25 million. This approval authority may be exercised only with the review and approval of the Chair or Vice Chair of the Committee on~~

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<sup>1</sup> Added 3-14-02 and as amended 9-21-06.

Health Services, and does not extend to any transaction for a Medical Center that, when combined with other transactions approved by the President under this paragraph (rr) for that Medical Center during the fiscal year, would reasonably be anticipated to commit or generate more than the lesser of (i) 3% of the relevant Medical Center's annual operating revenue for the previous fiscal year, or (ii) \$50 million; nor to any transaction involving more than one Medical Center.

#### 100.6: Duties of the Chancellors

- a. ~~The Chancellor of each campus shall be the chief campus officer thereof and shall be the executive head of all activities on that campus, except as herein otherwise provided and excepting such activities as may be designated by the Board as University-wide activities; and with reference to these on a particular campus the Chancellor shall be consulted. In all matters within the Chancellor's jurisdiction, the Chancellor shall have administrative authority within the budgeted items for the campus and in accordance with policies for the University as determined by the President of the University. The Chancellor shall be responsible for the organization and operation of the campus, its internal administration, and its discipline; and decisions made by the Chancellor in accordance with the provisions of the budget and with policies established by the Board or the President of the University shall be final. The Chancellor of each campus shall nominate Officers, faculty members, and other employees on that campus in accordance with the provisions of these Standing Orders.~~
- b. ~~The Chancellor on each campus shall appoint all the members of the instructional staff deemed necessary for the conduct of instruction in any summer session on that campus, and may fix their remuneration in accordance with the provisions of the budget established by the Board and of the salary scales of the University.~~
- c. ~~The Chancellor of each campus shall preside at all formal functions on that campus. At formal exercises and ceremonies attended by the President, the Chancellor shall present the President, who, as the University's chief executive, shall function in accordance with the University's rules for protocol and procedure. The Chancellor, with the approval of the President, may replace or supplement formal exercises on the campus, including Commencement exercises, with informal functions at which Vice Chancellors, Provosts, or Deans may preside.~~

#### 101.1: Employment Status

- a. ~~Appointments of Regents' Professors and University Professors shall be voted by the Board upon recommendation of the President of the University, following consultation with the Committee on Educational Policy.~~
- d. ~~No political test shall ever be considered in the appointment and promotion of any faculty member or employee.~~

#### 103.2: Privilege of a Hearing Before the Academic Senate

~~Any member of the Academic Senate shall have the privilege of a hearing by the appropriate committee or committees of the Academic Senate on any matter relating to personal, departmental, or University welfare.~~

#### ~~103.9: Tenure~~

~~All appointments to the positions of Professor and Associate Professor and to positions of equivalent rank are continuous in tenure until terminated by retirement, demotion, or dismissal. The termination of a continuous tenure appointment or the termination of the appointment of any other member of the faculty before the expiration of the appointee's contract shall be only for good cause, after the opportunity for a hearing before the properly constituted advisory committee of the Academic Senate, except as otherwise provided in a Memorandum of Understanding for faculty who are not members of the Academic Senate.~~

~~An Assistant Professor who has completed eight years of service in that title, or in that title in combination with other titles as established by the President, shall not be continued after the eighth year unless promoted to Associate Professor or Professor. By exception, the President may approve appointment of an Assistant Professor beyond the eighth year for no more than two years.~~

#### ~~105.1: Organization of the Academic Senate~~

- ~~b. The Academic Senate shall determine its own membership under the above rule, and shall organize, and choose its own officers and committees in such manner as it may determine.~~
- ~~c. The Academic Senate shall perform such duties as the Board may direct and shall exercise such powers as the Board may confer upon it. It may delegate to its divisions or committees, including the several faculties and councils, such authority as is appropriate to the performance of their respective functions.~~

#### ~~105.2: Duties, Powers, and Privileges of the Academic Senate~~

- ~~a. The Academic Senate, subject to the approval of the Board, shall determine the conditions for admission, for certificates, and for degrees other than honorary degrees. It shall recommend to the President all candidates for degrees in course and shall be consulted through committees appointed in such manner as the President may determine in connection with the award of all honorary degrees.~~
- ~~b. The Academic Senate shall authorize and supervise all courses and curricula offered under the sole or joint jurisdiction of the departments, colleges, schools, graduate divisions, or other University academic agencies approved by the Board, except that the Senate shall have no authority over courses in the Hastings College of the Law, San Francisco Art Institute, in professional schools offering work at the graduate level only, or over non-degree courses in the University Extension. No change in the curriculum of a college or professional school shall be made by the Academic Senate until such change shall have been submitted to the formal consideration of the faculty concerned.~~

- d. ~~The Academic Senate is authorized to select a committee or committees to advise a Chancellor concerning a campus budget and to select a committee or committees to advise the President concerning the University budget.~~
- e. ~~The Academic Senate shall have the right to lay before the Board, but only through the President, its views on any matter pertaining to the conduct and welfare of the University.~~

**Proposed Amendment of Bylaws 22.2 – Authority of the Board/Specific Reservations, 23.5 – Authority and Duties of Principal Officers, 30 – President of the University, and 31 – Chancellors**

**Additions shown by underscoring; deletions shown by strikethrough**

**22.2 Specific Reservations.**

The matters in the following areas are specifically reserved to the Board and/or its Committees for approval or other action, within parameters that may be specified in a Committee Charter or Regents Policy:

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(e) Appointment and Compensation Matters

- Appointing, demoting or dismissing the President of the University, Chancellors, the Lawrence Berkeley National Laboratory Director and the Principal Officers of the Regents
- Approving compensation for the President of the University, Chancellors, the Lawrence Berkeley National Laboratory Director or Principal Officers of the Regents
- Approving paid leaves of absence for the President of the University, Chancellors, the Lawrence Berkeley National Laboratory Director or Principal Officers of the Regents, as specified in policy
- Approving University compensation plans and policies, including policies regarding outside professional activities, within parameters specified by Committee Charter or Regents Policy
- Approving substantial changes to the scope or availability of employee or retiree group health insurance benefits; or the creation of vested rights to such benefits
- Approving University retirement benefit and retiree health plans, within parameters specified by Committee Charter or Regents Policy
- Approving ~~emerita/Emeritus status~~ title suffix for retired Principal Officers of the Regents and ~~other Officers of the University~~ the President of the University, as specified in Regents Policy

**Bylaw 23.5 – Authority and Duties of Principal Officers**

Principal Officers are authorized to appoint, determine compensation, promote, demote and dismiss University employees in their respective areas of responsibility.

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**Bylaw 30. President of the University**

The President of the University is appointed by and serves at the pleasure of the Board, and exercises authority delegated by the Board pursuant to Bylaw 22.1.

The President is the executive head of the University and shall have full authority and responsibility over the administration of all affairs and operations of the University, except those activities within the responsibility of the Principal Officers. The President facilitates the development by the Board of the University's direction, goals and strategy. The President implements the policies and objectives of the Board, and keeps the Board informed of all significant developments affecting the University. The President may delegate any of the duties of the office except service as an *ex officio* Regent.



The President administers the day to day central and/or system-wide functions of the University, except those activities within the responsibility of the Principal Officers. The President develops, and on the approval of the Board, manages the University budget and is authorized to determine fees that are not reserved to the Regents. Except as otherwise reserved to the Regents or the Principal Officers of the Regents, the President is authorized to appoint, determine compensation, promote, demote and dismiss University employees and to carry out the collective bargaining responsibilities of the University under the Higher Education Employer-Employee Relations Act.

The President serves as the academic leader of the University, subject to any authority delegated to the Academic Senate, and is expected to consult with the Academic Senate, consistent with the principles of shared governance, on issues of significance to the general welfare and conduct of the faculty.

The President is charged with establishing a University environment that is conducive to compliance with law, regulation, policy and ethical principles. The President is expected to promote diversity in the University community, consistent with applicable law and the public mission of the University.

The President serves as principal administrative spokesperson for the University, promoting the University's interests and managing its reputation with external stakeholders. Except as may be otherwise provided in the Bylaws or as may be within the authority of a Principal Officer, the President represents the University before the executive and legislative branches of the state and federal governments, and of any foreign governments.

### **Bylaw 31. Chancellors**

The Chancellors of the University campuses are appointed by and serve at the pleasure of the Board, on recommendation of and in consultation with the President of the University. The Chancellors serve as the executive heads of their respective campuses, implementing the policies and objectives of the Board and of the President of the University, and apprising the Board and the President of the University of significant developments affecting their campuses and the University. The Chancellors set the policies, goals and strategic direction for their campuses, consistent with those of the University. The Chancellors are responsible for the organization, internal administration, operation, financial management, and discipline of their campuses within the budget and policies approved by the Board and/or the President of the University. They oversee all faculty personnel and other staff at their locations, and appoint all members of the instructional staff, and may fix their remuneration in accordance with the provisions of the budget established by the Board and the salary scales of the University. The Chancellors shall consult with a properly constituted advisory committee of the Academic Senate regarding appointment, compensation, promotion or dismissal of Senate faculty.

On recommendation of the Academic Senate, the Chancellors are authorized to confer academic degrees on candidates successfully completing their courses of instruction. The Chancellors are authorized to serve as principal spokespersons for their campuses, and shall preside at all formal functions of their campuses unless they delegate the presiding function to a campus provost, vice chancellor, or dean.

**Proposed Bylaw 32 – Officers of the University**

**Additions shown by underscoring**

Bylaw 32 – Officers of the University

Officers of the University shall be defined as individuals who are Level One Senior Management Group members.