

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

July 19, 2023

The Regents of the University of California met on the above date at UCSF-Mission Bay Conference Center, San Francisco campus and by teleconference at 106 E. Babcock Street, Bozeman, Montana.

Members present: Regents Cohen, Drake, Elliott, Ellis, Guber, Hernandez, Lee, Leib, Makarechian, Matosantos, Park, Raznick, Reilly, Robinson, Sarris, Sherman, Sures, and Tesfai

In attendance: Regent-designate Pack, Faculty Representatives Cochran and Steintrager, Secretary and Chief of Staff Lyall, General Counsel Robinson, Chief Compliance and Audit Officer Bustamante, Provost Newman, Executive Vice President and Chief Financial Officer Brostrom, Executive Vice President and Chief Operating Officer Nava, Interim Senior Vice President Reese, Vice Presidents Brown, Gullatt, and Leasure, Chancellors Block, Christ, Gillman, Hawgood, Khosla, Larive, May, Muñoz, Wilcox, and Yang, and Recording Secretary Li

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

1. PUBLIC COMMENT

Chair Leib 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. Sameer Ameen, UC Berkeley student and representative of the Associated Students of the University of California, urged the Regents to approve item F2, *Preliminary Plans Funding and External Financing, Clean Energy Campus – Electrified Heating and Cooling Plant, Distribution, and Distributed Energy Resources, Berkeley Campus*. He stated that students of color from low-income communities had higher rates of asthma, and that UC Berkeley’s cogeneration plant consumed the equivalent of 150 pounds of coal per minute. Mr. Ameen added that the Clean Energy Campus would reduce the UCB carbon emissions by 70 percent by 2028, create hundreds of jobs in construction and clean energy, reduce operational costs by \$200 million over the next 20 years, and would result in cleaner air in Berkeley, Oakland, Richmond, and Albany.
- B. Ada Briceño, Co-President of UNITE HERE Local 11, expressed outrage that Aimbridge Hospitality, which employed few unionized Black workers among its permanent staff, brought in temporary Black workers to break strikes at three hotels it managed: Laguna Cliffs Marriott Resort and Spa, Fairfield El Segundo, and Aloft El Segundo. UNITE HERE has filed multiple unfair labor practice charges with the National Labor Relations Board (NLRB) against the UC Retirement System and its

agents. Copies of the charges were made available to the Regents. Ms. Briceño expressed solidarity with United Auto Workers (UAW) and the American Federation of State, County and Municipal Employees (AFSCME) 3299.

- C. Jordan Fein, representative of UNITE HERE Local 11, called on the University to help resolve labor disputes at hotels related to UC's investment portfolio. Mr. Fein stated that the UC Retirement Plan (UCRP) owned the Laguna Cliffs Marriott Resort and Spa and that Blackstone owned Fairfield Inn and Suites Los Angeles LAX/El Segundo, Aloft El Segundo, and Sheraton Phoenix Downtown. He further stated that UC had a fiduciary duty to protect UCRP from environmental, social, and governance risks. Hotel workers voted to authorize a strike and demand a wage increase of five dollars per hour, affordable family health care, and a pension that would enable a secure retirement.
- D. Cindy Guzman, undocumented UC Santa Barbara student, thanked the Regents for adopting the Regents Policy on Equitable Student Employment Opportunities during the May meeting. She stated that the implementation of the proposed strategy of the Opportunity for All campaign would lift the financial burden of supporting two college students from her father, her family's sole income earner.
- E. Felipe Tamayo Flores, Director for the National Association of Professionals and Technicians of Fonasa, a public health system in Chile, addressed the Board in Spanish and was accompanied by a translator. He expressed solidarity with UAW workers facing repressive charges and asked the Regents to be just. He praised other UC unions for their solidarity with UAW.
- F. Warren Chang, physician at St. Mary's Medical Center in San Francisco, asked that St. Mary's physicians be included in discussions about the proposed acquisition of the hospital by UCSF. Dr. Chang appealed to the University to consider—in addition to figures such as the number of inpatient beds and operating rooms, cost to UC, and return on investment—the importance of patient care and attention. He shared that St. Mary's was ranked one of the top 250 hospitals in the U.S. due to its emphasis on care. The value of St. Mary's did not lie in its real estate, but rather in its doctors, nurses, and staff who aimed to provide the highest level of care to San Franciscans.
- G. Mary Entoma, UCLA alumna and community organizer for UNITE HERE Local 11, asked the University to support striking staff at Laguna Cliffs Marriott Resort and Spa, which she stated was owned by UCRP, and called for union jobs for Black workers. She stated that the hotel employed few unionized Black workers but hired temporary Black workers to break the strike. Ms. Entoma cited Regents Policy 4400, Policy on University of California Diversity Statement, and called on UC to act consistently with its values.
- H. Aaron Peskin, President of the San Francisco Board of Supervisors, urged the Regents to respect workers employed by UC and by companies in UC's investment

portfolio. He shared that he was joined by Supervisors Rafael Mandelman, Catherine Stefani, and Dean Preston. Supervisor Peskin stated that he was disturbed that UC San Diego police arrested and jailed graduate students chalking on campus. In Southern California, hospitality workers had long commutes or lived in their cars because they could not afford to live where they worked. Supervisor Peskin urged the Regents to help resolve the labor dispute at Laguna Cliffs Marriott Resort and Spa and at hotels owned by Blackstone, an investment manager for the University.

- I. Miguel Craven, UC Merced student and incoming President of the Associated Students of UC Merced, urged the Regents to support item F3, *Authorization of Terms for Urban Services Agreement and Potential Annexation, Merced Campus*. Mr. Craven shared that many students who live on the Merced campus were not able to vote on campus, and some UCM students wished to run for elected office or serve on boards in local government.
- J. Manuel Rodriguez, undocumented UC San Diego student, urged the Regents to implement the proposed strategy of the Opportunity for All campaign. He recalled feeling a sense of relief when the Regents voted in May to adopt the Regents Policy on Equitable Student Employment Opportunities, as well as hope that opportunities at UC would be open to students regardless of immigration status. He believed that the University's actions would change the employment opportunities of undocumented students at other institutions of higher education as well.
- K. Cheyenne Dean, UCSF researcher and member of University Professional and Technical Employees (UPTe), expressed UPTe's solidarity with UAW workers. Ms. Dean questioned workers' ability to trust UC leadership and stated that UC did not abide by the terms of its labor contract with UAW and arrested UAW members. UPTe members demanded that the University drop charges against UAW members and pay wage increases to UAW members without duplicity or bad faith.
- L. Rafael Jaime, UCSD graduate student and President of UAW Local 2865, expressed outrage at what he regarded as an attack on labor and freedom of expression. He stated that, on June 30, UCSD police arrested academic workers for writing messages in chalk on buildings. Mr. Jaime added that police also searched the home of a UAW member. He called on the University to drop all charges and cease retaliatory behavior against UAW members and all unionized workers.
- M. Jonathan Ly, UC Merced alumnus, asked the Regents to support item F3, *Authorization of Terms for Urban Services Agreement and Potential Annexation, Merced Campus*. Mr. Ly stated that the action would allow the campus to grow and offer benefits to students, such as the ability to vote in municipal elections.
- N. Jeffry Umaña Muñoz, undocumented UCLA student, asked the Regents to fully implement the proposed strategy of the Opportunity for All campaign. Mr. Muñoz thanked the Board for voting to adopt the Regents Policy on Equitable Student Employment Opportunities in May. He stated that the Opportunity for All

campaign has spread across the nation and noted that the Regents would be voting whether to approve Josiah Beharry, an undocumented student from UC Merced, as the next Student Regent-designate. Mr. Muñoz expressed his wish to partner with the Regents' working group so that policies on employment opportunities are implemented quickly and equitably.

- O. David Ramirez, UCLA student and Government Relations Committee Chair of the UC Student Association (UCSA), spoke in support of streamlining the transfer process. He noted that low-income students of color faced the most significant equity gaps in this difficult process. Bills like Assembly Bill 1749, which would require UC to accept the Associate Degree for Transfer (ADT), sought to streamline the process. Mr. Ramirez stated that, if the bill passes, the onus would fall on the Regents to make such a pathway a reality. He expressed his belief that there were no obstacles preventing the University to accept existing ADTs and thanked Regent Cohen for his past support of admission guarantees.
- P. Kenneth Mills, St. Mary's Medical Center physician, called for the inclusion of St. Mary's physicians in discussions about the proposed acquisition of the hospital, adding that a collaboration between UCSF and St. Mary's could benefit the community and physicians. Although transitioning into retirement, Dr. Mills, an internist and HIV specialist, was still seeing three generations of patients and believed that faith-based health care added value. The Sisters of Mercy in California who founded St. Mary's have had a continued presence since the 1850s. Though not against the sale of the hospital, Dr. Mills emphasized that culture and respect must be ingrained in the sale.
- Q. Ashley Perez, UC Davis transfer student, urged the Regents to invest in culturally competent and holistic retention programs to diminish opportunity gaps that transfer students from marginalized backgrounds faced. Ms. Perez believed that she would not have experienced academic probation and dismissal after transferring if her campus had more transitional programs. She suggested collaborating with the California Community Colleges through programs like PUENTE and Umoja with Student Academic Preparation and Educational Partnerships (SAPEP) funding.
- R. Mariela Vasquez, UC Santa Barbara student and member of Mauna Kea Protectors at UCSB, spoke in opposition to the Thirty Meter Telescope (TMT) project on Mauna Kea. She stated that, as of 2020, UC has invested \$68 million in the project, funds that could be invested in indigenous communities. Ms. Vasquez called on the University to hire full-time repatriation staff and substantially fund efforts to repatriate indigenous remains still located at some campuses. She stated that this could easily be accomplished if UC divests from the TMT project.
- S. Ivy Torres, UC Irvine student, claimed that the University was allowing the poor treatment of staff at Laguna Cliffs Marriott Resort and Spa. She stated that the UC pension, used to attract the researchers, students, and staff who help uphold

academic excellence at the University, was benefitting from the sacrifices of these workers. She asked UC to direct the hotel to provide better treatment of its workers.

- T. Silvia Rodriguez, UC Davis student, shared her experience as an undocumented student without Deferred Action for Childhood Arrivals (DACA) status. She stated that she has been financially independent since the age of 18, relying on financial aid, scholarship, grants, fellowship stipends, and her small business. She credited campus resources like the AB540 and Undocumented Student Center for helping her stay in school. Ms. Rodriguez stated that the Regents' unanimous vote to adopt the Regents Policy on Equitable Student Employment Opportunities could change lives of undocumented students.
- U. Katherine Tygart, UCSD physician, shared that she could not begin her fellowship at UCSD due to delays in obtaining her full medical license caused by the Medical Board of California. Dr. Tygart indicated that she has only been allowed to perform non-clinical work while on administrative leave with pay. She believed she would have been terminated per licensing policies at other UC programs. She asked the Regents to convene UC Health leadership to establish a universal policy that would allow residents and fellows to keep working despite licensing delays.
- V. Gary Williams, Pastor at St. Mark United Methodist Church and Co-Chair of Clergy and Laity United for Economic Justice (CLUE Justice), stated that, when workers are treated fairly, they can develop their creativity, talents, plan their futures, and practice their faith. He expressed disappointment that Laguna Cliffs Marriott Resort and Spa, Fairfield Inn and Suites Los Angeles LAX/El Segundo, and Aloft El Segundo employed few permanent, unionized Black workers but brought in temporary Black workers during a strike. Reverend Williams stated that UC retirees benefitted from the pension fund while hotel workers labored. He demanded that the Regents correct this injustice.
- W. Stephen "Cue" Jn-Marie, Pastor of The Row Church and representative of CLUE Justice, spoke in support of UNITE HERE Local 11 and quoted from the Bible. He called attention to current moral conditions and noted that workers were striking across the nation. He characterized the practice of bringing in temporary Black workers during a strike as divisive and dangerous and decried expanding police forces, militarizing communities, and arresting UAW members for using chalk. Pastor Jn-Marie appealed to UC not to contribute to income inequality, adding that executives were making millions of dollars while not adequately paying workers.
- X. Pamela Lewis, Chief of Surgery and Medical Director of the Sister Diane Grassilli Center for Women's Health (Women's Center) at St. Mary's Medical Center, asked that UCSF and CommonSpirit Health include St. Mary's physicians in negotiations in order to preserve health care for the local community. The Women's Center, which provided comprehensive, state-of-the-art breast cancer imaging and treatment, was the first to offer automated whole-breast ultrasound in San Francisco and the only location providing these services in the west side of the city. Dr. Lewis

expressed concern that UCSF might close the Women's Center upon its acquisition of St. Mary's, noting that breast cancer mortality rates were higher for patients of color and poor socioeconomic status. St. Mary's took patients regardless of their ability to pay. Dr. Lewis stated that the earliest appointment for a mammogram at any UC Health location was in September while at St. Mary's one could obtain a workup and biopsy within two weeks.

- Y. Andrea Rodriguez, housekeeper at Laguna Cliffs Marriott Resort and Spa and member of UNITE HERE Local 11, addressed the Board in Spanish and was accompanied by a translator. Ms. Rodriguez shared that, since joining the union, she felt more energized and her relationship with her family improved. She previously feared retaliation from supervisors as they pushed staff to do more work, but the union now offered her a safety net and empowered workers. Ms. Rodriguez believed that workers deserved a five dollar pay increase in light of the high cost of living in Orange County. Union members wished to fight for a pension and retire with dignity, which she felt UC pensioners took for granted. She asked the Regents to direct Laguna Cliffs Marriott Resort and Spa to agree to union demands.
- Z. Jennifer Bolen, legislative aide to San Francisco Supervisor Dean Preston, read a statement on his behalf. Supervisor Preston stood in solidarity with hotel workers demanding fair treatment and asking UC to honor its commitment to diversity, equity, and inclusion. Supervisor Preston stated that the treatment of these workers was unacceptable, was inconsistent with UC values, and presented a serious risk to UC investments. He added that UC leadership had the power to right these wrongs, and that the University must not stand by while its pensioners benefit from the mistreatment of these workers. Mr. Preston stated his belief that UC owned the hotel and called on the University, as an investor in Blackstone, to settle these labor contract disputes.
- AA. Davina Woods, UCLA staff and member of AFSCME 3299, demanded that UC increase its minimum wage to \$25 per hour. She shared that, after 12 years at UCLA, she still did not make \$25 per hour and was living paycheck to paycheck. She has had to make difficult decisions regarding groceries as well as visiting her grandchildren due to gasoline prices and her long commute to work. She stated that, meanwhile, University executives were receiving pay increases and housing benefits. Ms. Woods expressed solidarity with UAW and UNITE HERE workers.

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

Chair Leib began his remarks by congratulating Chancellor Wilcox and UC Riverside on the campus' acceptance into the Association of American Universities (AAU), which recognized UC Riverside's research and graduate education profile. He expressed pride in UCR leadership, faculty, staff, and students. Chair Leib welcomed Regents Nancy Lee, Executive Vice President of International Business Operations and Chief of Staff to Robert Iger at the Walt Disney Company, and Gregory Sarris, Chairman of the Federated Indians of Graton Rancheria and who served as the inaugural chair of the President's Native

American Advisory Council. He welcomed Alumni Regents-designate Alfonso Salazar, Senior Director at KPMG and UC Berkeley alumnus serving as Secretary of the Alumni Associations of the University of California (AAUC) president, and Geoffrey Pack, retired naval officer and UC Riverside alumnus serving as AAUC Treasurer. Chair Leib welcomed new Staff Advisor Andenet Emiru, Director of External Partnerships and Projects at UC Health's Center for Data-driven Insights and Innovation, and Regent Robert Rivas, the new Speaker of the California State Assembly. Chair Leib noted that Faculty Representative Cochran's term was ending and thanked her for her service. Ms. Cochran, who would be returning to teach at UCLA, helped the Regents understand the impact of the COVID-19 pandemic on students and faculty. He congratulated the California State University system on the appointment of Mildred Garcia as its new chancellor, the first Latina appointed to the position.

Chair Leib highlighted several items on the agenda, including recognition of the recipients of the President's Outstanding Student Award and Regents Foster Youth Award. In the coming months, the Regents Working Group on Equitable Student Employment Opportunities would meet with student groups, and he conveyed UC's commitment to students benefiting from higher education in ways that included employment. Chair Leib recognized Regent Reilly, Chancellor May, and UC Davis Vice Chancellor for Student Affairs Pablo Reguerín for shepherding Aggie Fresh, a two-year pilot project modeled on CalFresh that would enable food-insecure students to obtain hot meals.

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

President Drake echoed Chair Leib's welcome of new members on the Board. He recalled partnering with Regent Sarris on the creation of the Native American Opportunity Plan and looked forward to working with Regent Lee. President Drake stated that Talmadge King Jr., M.D. had agreed to serve as Interim Executive Vice President of UC Health pending Regental approval. Dr. King currently served as the Dean of the School of Medicine and Vice Chancellor for Medical Affairs at UCSF.

President Drake congratulated recent graduates and shared that 41 percent of the class of 2023 were first-generation college students, a graduation rate that exceeded the national average and those of other selective universities and demonstrated the effectiveness of UC support for first-generation students. Thirty percent of the graduating class transferred from a community college; UC enrolled more community college transfers than national comparators. This demonstrated the importance of the transfer pipeline at UC. More than 43 percent of the class of 2023 were Pell Grant recipients. At UC, systemwide tuition and fees were covered by grants and scholarships for over half of undergraduates. Pell Grant recipients at UC also earned more than their parents within five years of graduation, and their income doubled within ten years of graduation.

Last month, the U.S. Supreme Court barred the use of race in college admissions. Such a ban has been in place in California since 1996 through Proposition 209. Since then, the University has carefully adjusted its practices to comply with the law while pursuing avenues to increase diversity in applications, admission, enrollment, and retention. There

was much left to do, but efforts were paying off. UC would continue to work to improve access and create clear pathways to college. UC was ready to share its experience with its higher education partners across the country. President Drake shared that he, Chancellor May, and Regent Tesfai would be attending the U.S. Department of Education's summit on educational opportunity later this month. The Supreme Court also rejected the Biden administration's student loan relief program, which would have had a particular impact on graduates from low-income backgrounds, who were more likely to incur debt. Also, later this month, UC was partnering with the Department of Education to offer a free webinar to review loan repayment options.

The final State budget signed by Governor Newsom maintained strong support for the University and showed a continued commitment to the Governor's funding Compact. UC received funding for core operations, to replace nonresident undergraduate students with California resident students, for student housing and services, as well as capital outlay funds to add more classrooms, improve energy efficiency, and modernize facilities. President Drake expressed gratitude to the Governor and the Legislature. The University has also adopted a stronger climate protection policy that would prioritize direct emissions reduction, limit the use of carbon offsets, and include transportation emissions in targets. The new policy was better aligned with State goals and allowed campuses to tailor their plans to their specific challenges. UC carbon emissions were now 25 percent lower than in 2009 despite significant growth and this has resulted in hundreds of millions of dollars saved in energy costs. President Drake recognized the commitment of faculty, staff, and students toward a more sustainable future. He concluded his remarks by expressing his appreciation for Faculty Representative Cochran, whose term on the Board was ending. He praised her focus, passion, and precision in addressing many complex issues, as well as her advocacy of academic excellence and the Academic Senate's position.

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

Faculty Representative Cochran began her remarks by highlighting the U.S. Supreme Court's decisions regarding reproductive rights last year, the rights of same-sex couples and freedom of speech in June, and, more recently, the consideration of race in admissions. Based on the Court's decision in the latter case, comprehensive review as practiced at the University has survived. Ms. Cochran stated that the hope, trust, and reciprocity that made up social cohesion were in short supply in recent years amidst the country's deep polarization. Higher education tended to foster tolerance and informed debate, which promoted social cohesion. She believed that UC must bolster its commitment to its mission.

Faculty have joined students, staff, and administrators to rebuild UC's community of scholars, and renewed scholarship was being reflected in faculty personnel files for merit and promotion review. Faculty were writing grants and papers, filing for patents, completing research paused during the COVID-19 pandemic, and shepherding students and postdoctoral researchers. Students were also recovering from learning loss during the pandemic and have had to learn or relearn how to thrive in an academic community. Faculty have also partnered with the administration to make progress toward goals set in the climate memorial that the Academic Senate passed last year. In response to the Assembly Bill (AB)

928, the UC Academic Senate joined the academic senates of the California Community College system and the California State University (CSU) to create the California General Education Transfer Curriculum (CALGETC) to provide clear guidance to community college students and simplify the transfer process. The Academic Senate was also collaborating with administrators to propose a new systemwide transfer admission guarantee, which would require the completion of the CALGETC and major preparation courses with a minimum grade point average. The State's response to this offer was pending.

Next year, the AB 928 Committee would be making recommendations to the State Legislature regarding transfer preparation at community colleges. In 2030, all California public high school graduates would be required to take at least one semester of ethnic studies. The Senate's Board of Admissions and Relations with Schools (BOARS) has been developing a proposal for an ethnic studies A–G course requirement that could also provide guidance to high school educators designing ethnic studies courses. The new admissions requirement would be subject to Regental approval. In the last year, the Senate modernized the campus residency requirement to create more flexibility for stop-outs and the development of online majors. UC Santa Cruz had the system's first fully approved online major in creative technologies. Ms. Cochran expressed gratitude to Chair Leib, President Drake, and the Board, and she concluded her remarks by quoting the poet Richard Lovelace (1616–1657): “Minds innocent and quiet take that for a hermitage.”

5. **REPORT OF THE SPECIAL COMMITTEE TO SELECT A STUDENT REGENT**

Appointment of 2024–25 Student Regent

The Special Committee recommended that Josiah Beharry, a graduate student at the University of California, Merced, be appointed a Regent of the University of California to serve for the period July 1, 2024 through June 30, 2025, and that he serve as Regent-designate, effective immediately, until the appointment becomes effective.

Regent Hernandez shared that four exceptional students had been interviewed for the role of Student Regent. He thanked Regents Park and Sherman, as well as former Regents Blas Pedral and Timmons, for serving on the search committee. If approved, Josiah Beharry would be the 50th Student Regent and the first from UC Merced. He graduated *magna cum laude* from UC Merced and was now pursuing a doctoral degree there as well. A Deferred Action for Childhood Arrivals (DACA) student who has been a peer leader and mentor supporting students from underrepresented communities, Mr. Beharry would provide a valuable perspective as the Board determines ways to provide opportunities for all UC students.

Upon motion duly made and seconded, the recommendation of the Special Committee was approved, Regents Cohen, Drake, Elliott, Ellis, Guber, Hernandez, Lee, Leib, Makarechian, Matosantos, Park, Raznick, Reilly, Robinson, Sarris, Sherman, Sures, and Tesfai voting “aye.”

Regent-designate Beharry thanked the Board for approving his appointment and the UC Student Association (UCSA) for nominating him. He was aware of the weight of this role and the indelible mark left by Student Regents before him. Regent-designate Beharry proudly represented UC Merced, which offered him a profound sense of belonging and support to those who seek knowledge and growth. He called attention to the systemic oppression that persisted, recalling the fear and uncertainty of his youth due to his undocumented status. As a DREAMer, Mr. Beharry had the tenacity to dream amidst adversity, navigate his identity as a queer person of color, and envision a future that defied the odds. He believed in the transformative power of inclusivity, recognized the urgency of addressing disparities in access to resources, and was committed to learning, growing, and advocating for underrepresented communities. By initiating meaningful conversations, implementing evidence-based policies, and lifting marginalized voices, he aimed to create a more equitable environment for all. Mr. Beharry concluded his remarks by addressing fellow marginalized students, noting an institutional shift that was occurring with his appointment and a triumph against discrimination and oppression.

The meeting adjourned at 10:05 a.m.

Attest:

The Secretary and Chief of Staff