

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

January 24, 2024

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 1021 O Street and 1430 N Street, Sacramento and Corral del Risco, 63727 Nayarit, Mexico.

Members present: Regents Anguiano, Batchlor, Cohen, Drake, Elliott, Ellis, Hernandez, Leib, Makarechian, Matosantos, Park, Pérez, Raznick, Reilly, Robinson, Sarris, Sherman, and Tesfai

In attendance: Regents-designate Beharry and Pack, Faculty Representatives Cheung 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, Executive Vice President Rubin, Interim Senior Vice President Reese, Vice Presidents Brown, Leasure, and Lloyd, 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. Isabel Barbera, UC Berkeley staff member and alumna, stated that the University was complicit in the occupation of and genocide in Palestine and in U.S. militarism and imperialism. She stated that supporters of Palestinian liberation were being silenced and repressed, as well as exposed to the risk of violence or having their personal information exposed. She added that UC retirement funds were being invested in companies that profit from violence and bombing with genocidal intent.
- B. Timothy Tia, representative of the California Nurses Association (CNA), read a statement from UCSF nurse Matthew White about UCSF's acquisition of St. Mary's Medical Center and Saint Francis Memorial Hospital in San Francisco. CNA nurses demanded that UCSF keep St. Mary's and Saint Francis as full-service, acute care facilities; maintain or expand all existing services; make a plan to safely staff UCSF, St. Mary's, and Saint Francis; retain all St. Mary's and Saint Francis staff and their union rights; maintain or expand the current level of charity care; and commit to transparency with CNA regarding the acquisition and its effect on nurses.

- C. Batool Mahmoud, UC Davis student, called the Regents and chancellors cowards for not standing up for supporters of Palestine, who faced constant harassment, surveillance, censorship, and discrimination. Ms. Mahmoud added that UC was funding the bombing in Gaza through its investment in weapons manufacturing companies and was complicit in war crimes. She stated that UC was responsible for the deaths of 30,000 Palestinians, 10,000 of whom were children. She called for immediate divestment from occupation and genocide.
- D. Jeffry Umaña Muñoz, UCLA student, shared that he and dozens of undocumented students were engaging in a hunger strike to advocate for the implementation of the proposed strategy of the Opportunity for All campaign. He claimed that President Drake was dishonest to undocumented students and that chancellors were spineless, and he challenged President Drake to speak with him separately.
- E. Beshara Kehdi, UC Davis student, stated that students, faculty, administrators, and leaders at UC Davis engaged in UC-sanctioned terror, censorship, harassment, police brutality, and racism against Arab, Palestinian, and anti-Zionist Jewish students and faculty. He stated that the Regents were on a quest to follow Israeli policy on UC campuses and called on UC to divest from the State of Israel and the companies that feed it.
- F. Carolyn Sohn, UC alumna and staff member, urged UC to offer employment opportunities to all students regardless of immigration status. Yesterday, 20 undocumented students began a hunger strike because the Regents have not implemented the proposed strategy of the Opportunity for All campaign. Ms. Sohn expressed opposition to item J3, *Adoption of Regents Policy on the Use of University Administrative Websites*. By condemning the genocide of Palestinians by Israel and divesting from weapons manufacturers and companies targeted by the Boycott, Divestment, Sanctions (BDS) movement, UC could make an impact as it did in 1986, when it voted to divest from South African apartheid.
- G. Jenna Ahmad, UC Davis student, stated that UC has been silent and complicit in funding a genocide for the last 109 days. She stated that the University was silencing Palestinian voices and allowed other students and organizations to harass and surveil Palestinian students on campus.
- H. Zeph Schnellbach, UC Davis student, demanded that the University comply with the Native American Graves Protection and Repatriation Act (NAGPRA) and stated that the compliance of the Berkeley, Riverside, San Diego, and Santa Barbara campuses still lagged far behind what it should be. Campuses were using their anthropological museums as an excuse for the possession of indigenous remains.
- I. Krista Chan, UC Berkeley alumna, stated that over one thousand UC alumni pledged to withhold donations until three demands are met: that UC call for an immediate ceasefire in Gaza; divest from all enterprises of U.S. militarism and imperialism and from companies profiting from Israel's oppression of Palestinians

as demanded by the UC Divest coalition and the BDS movement; and provide special protection for students, staff, and faculty who face retaliatory threats while advocating for Palestine and condemning the State of Israel. A full letter has been sent to the Regents.

- J. A UC Davis student who identified himself as Sid urged total divestment from Israel and a boycott in line with the BDS movement. He stated that Chancellor May served on the Board of Directors of Leidos, a company that profits from the genocide of Palestinians and the deportation of undocumented people, and that Chancellor May's stock portfolio has increased in value. He and others urged Chancellor May to resign from the Leidos Board and eliminate his Leidos stocks or step down as chancellor.
- K. Adriana Weiss, UC Berkeley School of Law student, asked for the reinstatement of the UC Public Service Law Fellowship, which provided \$5 million in annual funding that addressed a critical funding gap in the legal field and enabled more law students to pursue public service legal jobs. Public service lawyers provide representation to one in five Californians who live below the poverty line, defend civil and constitutional rights, and work to protect democracy. Written comments have also been submitted to the Regents.
- L. Greta Sloan, UC Berkeley School of Law student, asked for the reinstatement of the UC Public Service Law Fellowship. Public interest lawyers fight discrimination, expand access to education and other social benefits, protect the rights of immigrants and low-wage workers, combat housing insecurity, and more, but public service opportunities were often unpaid or severely underpaid. The Fellowship had helped bridge the funding gap for seven years, and discontinuing the Fellowship has limited students' opportunities to pursue public service law.
- M. Izabella Campos Layne, UC Santa Cruz student, spoke in opposition to item J3, *Adoption of Regents Policy on the Use of University Administrative Websites*. She condemned the attempt to further isolate, villainize, silence, and erase Palestine, which has lost over 30,000 people under an apartheid occupation. Ms. Campos Layne regarded the Regents' communications as insincere at a time when students and workers experience high tuition, low wages, unsafe transportation, housing crises, threats, and silencing. She called on all faculty and students to stand with the UC Santa Cruz Department of Critical Race and Ethnic Studies.
- N. Laretta Johnson, UC Davis School of Law student, demanded that the Regents divest from apartheid perpetuated by Israel. Based on her past experience with the campaign to divest from fossil fuels, Ms. Johnson knew that divestment is powerful and something that the Regents can do. She stated that UC should stand up against genocide and asked that UC stop censoring pro-Palestinian students and faculty.
- O. Javier Núñez-Verdugo, UCLA student, asked that Regents and chancellors support the UC Student Association (UCSA) Racial Justice Now campaign and the

establishment of a permanent \$1 billion systemwide endowment for Black student access, recruitment, and retention. He stated that UC was using Proposition 209 as an excuse not to act.

- P. Jenna Tooley, UCLA student, stated that students were unable to make informed decisions about attending UC due to the financial aid system, and that the University's financial aid policy assumptions did not hold true for all students. She added that the admissions process fails to communicate gaps in financial support, increasing students' financial burden. Food insecurity has led to decline in grade point average among UC students; at UCLA, 35 percent of students were food insecure. She called on the Regents to address the prevalence of food insecurity.
- Q. Eva Jussim, UCLA student and representative of the UCSA Racial Justice Now campaign, asked for a permanent endowment of \$1 billion for Black student success and enrollment. Black students made up 3.4 percent of the student population in 2005 and 6.2 percent of the student population at present. Ms. Jussim stated that President Drake did not keep a promise made on October 26, 2023 to meet with Black student organizations. She concluded that it was shameful that UC has not met the demands of undocumented students and Palestinian students.
- R. Samia Ishmaeli, a first-generation Palestinian American student at UC San Diego, called on UC to make Palestinians feel safe and to promote their voices. Ms. Ishmaeli asked how students could grow as functioning members of society if the UC system does not uphold values of diversity, equity, and inclusion.
- S. Adan Deeb, Palestinian scientist, stated that the University was complicit in genocide through investment in Israeli companies and defense contractors. She stated that UC Berkeley sent \$1.6 million to Israel through federal taxes, and that UC was allowing harassment and the personal information of students to be exposed. She noted that UC had divested from South African apartheid in the past.
- T. Robert Sandoval, UC San Diego Health staff member, stated that he and his colleagues, who joined Teamsters Local 2010 last August, missed the Clerical and Allied Services unit's two percent increase due to delays by the University and that UC has refused to correct this. He asked the Regents to help rectify the situation.
- U. Stephany Martinez Tiffer, staff attorney at the UCLA Center for Immigration Law and Policy, shared that the Center has been advising the Opportunity for All campaign and has worked with UC human resources experts to provide UC leadership with research to develop an implementation plan, but to no avail. Approximately 500 faculty members have signed a letter stating that they would hire the best students regardless of immigration status if given the authority to do so. She urged the Regents to do the right thing.
- V. Kamel Awayda, UCSF student, stated that students, nurses, social workers, and doctors at UCSF who opposed the bombing of hospitals in Palestine have been met

with resistance from UC leaders, which included cease and desist letters and attacks and suppression of faculty and students. He called for the same acknowledgment, action, and humanity for Palestine that were afforded to Ukraine. Mr. Awayda called attention to genocide, hate crimes against Muslims and Arabs, the death of one percent of Gaza's child population, and the elimination of much of Gaza's health infrastructure. He asked the Regents to protect academic freedom, vote against item J3, *Adoption of Regents Policy on the Use of University Administrative Websites*, and divest from manufacturers of genocide. Mr. Awayda stated that students wished to meet with Chancellor Hawgood and Provost Newman.

- W. Vero Caverogusquiza, UC Santa Barbara student and UCSA University Affairs Chair, spoke in support of the Opportunity for All campaign. She stated that UC undocumented students worried about having sufficient food or having enough money to support their parents, and that undocumented students were defined by their immigration status at UC. She stressed that the University must ensure that campuses comply with NAGPRA and must promote Black student retention.
- X. Christine Hong, professor in the Department of Literature and the Department of Critical Race and Ethnic Studies at UC Santa Cruz, stated that the Regents have proposed policies that would repress academic freedom and disallow critical study or discussion of Palestine. She stated that Regent Sures has declared war on ethnic studies and compared his views with the views of the Netanyahu government in Israel. Ms. Hong stated that Regent Sures was politically homogenizing Jewish students.
- Y. Manuel Rodriguez, UCSD student, called for the implementation of the proposed strategy of the Opportunity for All campaign. He called for ensuring that undocumented students and workers are able to succeed as others do at UC.
- Z. Leigh Kimberg, UCSF professor, stated that UCSF leadership have not called for an end to bombing hospitals and that the chair of the pediatrics department told medical residents to stop speaking out against genocide and apartheid. Dr. Kimberg cautioned that equating criticism of Israel and Zionism with antisemitism endangers Palestinian, Muslim, Southwest Asian, and North African patients, students, and staff. Pro-Palestinian advocates have faced threats to academic freedom, First Amendment rights, and personal safety. She asked Regents to protect academic freedom, vote against item J3, *Adoption of Regents Policy on the Use of University Administrative Websites*, and divest from weapons manufacturers and Israel.
- AA. Ariane Walter, UC Berkeley School of Law student, asked UC to reinstate the UC Public Service Law Fellowship, which was her only source of funding as her summer internships were unpaid. The lack of summer funding for public interest internships forced many students into private sector employment.

2. REMARKS OF THE CHAIR OF THE BOARD

Chair Leib began his remarks by announcing that California undergraduate students comprised 83 percent of the incoming class, which demonstrated the commitment of the Regents and the State to admit more California students. He thanked the chancellors, President Drake, and the Regents for their efforts, but there was more work to be done. The number of Black, Latino(a), and Native American students that UC served was too low; Latino(a) enrollment lagged Latino(a) high school graduation rates. Earlier this month, UCLA acquired the 700,000-square-foot Westside Pavilion and planned to transform the former shopping mall into the UCLA Research Park, which would house the California Institute for Immunology and Immunotherapy at UCLA, the UCLA Center for Quantum Science and Engineering, and other programs, and bring together scholars and industry.

Chair Leib highlighted several agenda items that would be presented in open and closed session. He noted that the State faced a \$37.8 billion deficit, but UC would work closely with Governor Newsom and State legislators until the final State budget is approved in June. Chair Leib announced that Vice President Leasure was retiring after 34 years of service at the UC National Laboratories and expressed the University's gratitude to him. Mr. Leasure not only oversaw contributions to national security and energy development, but also strengthened communications, operations, and safety efforts at the Laboratories.

3. REMARKS OF THE PRESIDENT OF THE UNIVERSITY

President Drake began his remarks by wishing students, faculty, and staff a productive academic term. He acknowledged that this was a difficult moment for many in the country and commended members of the UC community for advancing education, research, and public service in the face of uncertainty and crisis. Governor Newsom's proposed 2024–25 State budget would defer the multi-year funding Compact's five percent increase, but the Governor and his team assured UC that it would receive two years' worth of increases in the next 2025–26 State budget. UC would continue to work with the Governor and the Legislature to achieve a budget that sustains the University's mission. Fall 2023 enrollment data indicated that UC enrollment has increased to its highest level ever. UC enrolled a record number of California resident undergraduate students and the smallest number of out-of-state undergraduate students since fall 2017. Enrollment of underrepresented groups also increased over last year, and UC continued to enroll more community college students than any comparable institution in the nation.

In June, the UCSF Benioff Homelessness and Housing Initiative (BHHI) released a report on homelessness in California, the largest representative study on homelessness in the U.S. in the last 30 years. BHHI exemplified the University's use of research to inform policymaking and help the State address the urgent and growing crisis of homelessness. This year, UC was celebrating the 20th anniversary of UC Programs in Medical Education (PRIME), which aimed to train more underrepresented students and treat more underrepresented patients. This innovative model in medical education combined specialized coursework, structured clinical experiences, advanced independent study, and mentoring. UC PRIME was recognized by the California Future Health Workforce

Commission as a successful model for health professional schools. UC was working to expand the PRIME model to other communities, health professions, and pipeline programs. PRIME recognized that patients' life circumstances greatly affect their health and access to health care. President Drake noted the recent passing of UCSF Professor Nancy Adler, who pioneered the study of the connection between life circumstances and health. Of the over 750 PRIME students who have graduated since 2004, more than half have completed residency training in primary care and in areas with workforce shortages, such as psychiatry, general surgery, and emergency medicine. Nearly 70 percent of graduates were in California residency programs or practicing in the state. There were over 400 students currently in PRIME, and 74 percent of these were from groups that were underrepresented in medicine. President Drake was proud to be part of the team that launched PRIME 20 years ago and even prouder of how much the program has grown since that time. He congratulated those who helped make PRIME a success. He also congratulated UC Merced for being named the top young university in the U.S. by *Time* magazine. Prior to the Merced campus, UC Irvine and UC San Diego had earned this title. President Drake concluded by noting the retirement of Vice President Leasure and praising the National Laboratories. The Regents would be voting on whether to approve Associate Vice President June Yu to serve as Interim Vice President while UC searches for Mr. Leasure's replacement.

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

Faculty Representative Steintrager began his remarks by explaining the origins of the terms "regent," "chancellor," and "chair." He remarked that representation was one of the most vexed topics in political philosophy, and that philosopher Jean-Jacques Rousseau (1712–1778) sought various ways to make the general and individual wills in a polity coincide. On the agenda of this meeting was a proposed policy that would bar the expression of faculty opinions as individuals or as groups from official channels of UC communication, including the landing pages of departmental websites. He understood that there was general agreement that individuals and collectives within UC had the right to express opinions, including political opinions. Yet the fact that official channels could legally be used this way could run counter to the University's equally legal assertion of control over these channels or the constitutional requirement to demarcate official UC political opinion from views expressed without UC endorsement. In its official recommendation on departmental political statements, the Academic Senate noted several downsides to departments making statements. Furthermore, if departments do make statements, they should mitigate risks to faculty who hold minority views and those with less institutional power, as well as the risk that one might take these views to be official UC views. The identity of the speaker should be clearly indicated.

Not all departments and centers that have posted opinions on their websites have followed the Senate's recommendations. Rather than eliminate opinions from departmental websites to reduce confusion about whether a view is that of the University or of an individual within UC, Mr. Steintrager asked whether a disclaimer would be effective. With a ban, political statements could migrate from official channels to private websites; there could be challenges to limit testing, enforcement, and policing; there could be decreased tolerance from faculty for Regents, chancellors, and other administrators disseminating political

views; outside parties and provocateurs could call for the removal of opinions on UC webpages in areas such as diversity, equity, and inclusion or climate science. As Chair of the Academic Senate, Mr. Steintrager had been consulted as the proposed policy was crafted but has since heard confusion about what the proposed policy entailed: whether it was banning opinions from all parts of a department or center website or only the landing page. He has provided the Board with his informed opinion of what faculty think about the matter and the policy. Some faculty were in favor while others were opposed, and many had reservations about statements but did not think that a ban was sensible or defensible. He did not believe that he could effectively represent the faculty without the faculty's review of the proposed policy. Mr. Steintrager understood the sense of urgency and affront that must be addressed promptly, and that Regental policy does not need Senate review, but taking time to broadly consult would be institutional wisdom.

For at least a decade, the Senate has considered how online learning should fit into a UC education. Mr. Steintrager shared remarks that several Regents had made about online education in 2013, noting that quality, access, diversity, technological change, campus experience, revenue generation, the cost of providing high-quality education have remained constants in the conversation. However, there has been frustration due to a lack of guidance from the administration on issues that would determine the success or failure of online education, and the creation of the Presidential Task Force on Instructional Modalities and UC Quality Undergraduate Degree Programs Presidential Task Force could be a response to this frustration. When seeking faculty representatives for the Task Force, Mr. Steintrager has found colleagues who were at the cutting edge of educational research and pedagogical innovation. Still, there was concern about online courses that do not meet UC quality standards, inadequate faculty training, resources, and technological support; these were all real costs attached to quality and opportunity costs at the expense of in-person instruction. There was also concern about a lack of access to campus social life, research opportunities, mentoring, and cultures of learning. Data have shown that these negative aspects were most damaging for first-generation, lower-income, and underrepresented students. Concern has also been expressed about lower persistence and completion rates for students in online programs. These and other concerns fueled skepticism. Mr. Steintrager cautioned that thinking that the University could succeed where others have failed simply because of being the University of California would be institutional hubris. He stated his understanding that the proposed website policy pertained to protecting the reputation and brand of the University. However, lively political exchange, free speech, and protest could also be UC's brand. He called for moving into new instructional modalities thoughtfully and strategically.

The meeting adjourned at 10:05 a.m.

Attest:

The Secretary and Chief of Staff