

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

May 21, 1999

The Regents of the University of California met on the above date at Covell Commons, Los Angeles campus.

Present: Regents Atkinson, Connerly, Davies, Espinoza, Hopkinson, O. Johnson, S. Johnson, Khachigian, Kozberg, Lansing, Leach, Miura, Montoya, Parsky, Preuss, Sayles, and Willmon (17)

In attendance: Regents-designate Pannor, Taylor, and Vining, Faculty Representatives Coleman and Dorr, Secretary Trivette, General Counsel Holst, Provost King, Senior Vice President Kennedy, Vice Presidents Darling, Gomes, Gurtner, Hershman, and Hopper, Chancellors Carnesale, Cicerone, Dynes, Vanderhoef, and Yang, and Recording Secretary Nietfeld

The meeting convened at 8:56 a.m. with Chairman Davies presiding.

1. APPROVAL OF MINUTES OF PREVIOUS MEETING

Upon motion of Regent Preuss, duly seconded, the minutes of the meeting of March 19, 1999 were approved.

2. REPORT OF THE PRESIDENT

President Atkinson discussed the history of the President's Report, which was first presented in 1884, when some of the issues were the misuse of alcohol and a plea that the State provide the University with funding in proportion to the funds which were flowing to the State. The "A Report," so called because it is the first report following the roll call and the approval of the minutes, has been presented in some form throughout the century.

President Atkinson presented the report concerning University activities and individuals. Upon motion of Regent Khachigian, duly seconded, the President's report was accepted, and it was directed that notes of thanks be sent to the donors of the gifts mentioned in the report, that congratulations be extended to those faculty and staff members who have been awarded honors, and that notes of sympathy and regret be sent to the families of those whose deaths were reported.

[The report was mailed to all Regents in advance of the meeting, and a copy is on file in the Office of the Secretary.]

Faculty Representative Dorr referred to the previous day's presentation on undergraduate research, noting that the opportunity to do research is one reason faculty want to teach at the

University of California. Professor Dorr reported that the faculty have been involved in enrollment planning with the administration, spurred by increasing enrollment pressure and by the Legislature's interest in year-round operations. The faculty and the administration have been investigating ways to increase capacity for both undergraduate and graduate students, considering the challenges and opportunities on each campus. The faculty believe that such planning is important in order for the University to meet its obligations under the Master Plan while continuing to provide high-quality education and sustain the mission of the University of California as a preeminent research university.

Faculty Representative Dorr recalled that she had reported at a previous meeting that the Intersegmental Council of Academic Senates had been working on a course articulation effort known as IMPAC, or "intersegmental major preparation articulation curriculum." Although this program is still in its trial stage, it is expected to provide a pattern that will represent the ways in which a student prepares for upper-division work in various majors, using course descriptions that will be the same across the three segments. This program should assist in the efforts to increase the transfer rate and also to assure students' timely completion of their majors.

Faculty Representative Dorr reported that the faculty had been involved with issues concerning unionization by teaching assistants. She noted that teaching assistants, readers, and tutors at Berkeley and UCLA had voted for unionization. The faculty have been discussing the situation in light of the fact that teaching assistants are also students in order to find the right balance of engagement with collective bargaining issues and the retention of appropriate control over academic programs for both undergraduate and graduate students. The faculty look forward to working with the administration, which they support in its efforts to engage in collective bargaining and to protect academic judgment.

The faculty are actively preparing for the opening of the Merced campus. An academic personnel committee has been established in order for the faculty to engage in the recruitment process in a timely way. The Senate bylaws will be amended to remove any reference to "nine campuses." The UC Merced task force has been active in considering what academic areas might be established and gathering information from other campuses about the range of general education programs for use by faculty at Merced. The task force is working with other faculty and community members in the Merced area to demonstrate the engagement of UC faculty with the Merced campus.

3. **REPORT OF THE COMMITTEE ON FINANCE**

A. ***Amendment of the Budget for Capital Improvements and the Capital Improvement Program***

The Committee reports its concurrence with the recommendation of the Committee on Grounds and Buildings that the 1998-99 Budget for Capital Improvements and the 1998-2001 Capital Improvement Program be amended to include the following project: Santa Cruz: Core West Parking Structure.

B. ***Establishment of Student Facilities and Campus Enhancement Fee, Davis Campus***

The Committee recommended that, effective fall quarter 1999, all registered students at the Davis campus, with the exception of students in the School of Law, be assessed a mandatory Facilities and Campus Enhancements Fee as follows:

- (1) Effective fall quarter 1999, \$5 per student per quarter.
- (2) Effective fall quarter 2000, an increase from \$5 per student per quarter to \$11 per student per quarter.
- (3) Effective fall quarter 2003, an increase from \$11 per student per quarter to \$126 per student per quarter.

Thereafter, the fee would be subject to an annual adjustment for inflation.

C. ***Establishment of Law Student Access and Facilities Fee, Davis Campus***

The Committee recommended that, effective fall semester 1999, a mandatory law student access and facilities fee be assessed all students enrolled in the School of Law at the Davis campus, as follows:

- (1) Beginning fall semester 1999, \$15.50 per student per semester.
- (2) Effective fall semester 2000, an increase from \$15.50 per student per semester to \$27 per student per semester.
- (3) Effective fall semester 2001, an increase from \$27 per student per semester to \$30 per student per semester.
- (4) Effective fall semester 2002, an increase from \$30 per student per semester to \$33 per student per semester.
- (5) Effective fall semester 2003, an increase from \$33.00 per student per semester to \$183.50 per student per semester.

Thereafter, the fee would be subject to an annual adjustment for inflation.

D. ***Increase in Associated Students Fee, Davis Campus***

The Committee recommended that, effective fall quarter 1999, the Associated Students Fee, Davis campus, be increased from \$23.50 per undergraduate student per quarter to \$35 per undergraduate student per quarter.

E. ***Increase in Nursing Student Council Fee, San Francisco Campus***

The Committee recommended that, effective fall 1999, the Nursing Student Council Fee at the San Francisco campus be increased from \$2 per student per quarter to \$5 per student per quarter.

F. ***External Financing for the Purchase of Land Underlying UCLA Wilshire Center Office Building, Los Angeles Campus***

The Committee recommended that:

- (1) The Treasurer be authorized to obtain external funding in an amount not to exceed \$8.1 million to finance the acquisition of the leased fee interest in the land underlying the UCLA Wilshire Center office building, 10920 Wilshire Boulevard, Los Angeles, which building was acquired by The Regents in 1993, subject to the following conditions:
 - a. Repayment of the debt shall be from the Los Angeles campus' share of the University Opportunity Fund; and
 - b. The general credit of The Regents shall not be pledged.
- (2) The Officers of The Regents be authorized to provide certification that interest paid by The Regents is exempt from federal income taxation under existing law and to indemnify lenders in this respect.
- (3) The Officers of The Regents be authorized to execute all documents necessary in connection with the above.

G. ***External Financing for Multipurpose Science and Technology Building, Irvine Campus***

The Committee recommended that:

- (1) Funding for the Multipurpose Science and Technology Building, Irvine campus, be approved as follows:

<u>Fund Source</u>	<u>Amount</u>
External financing	\$7,847,000
Campus funds	<u>2,000,000</u>

Total \$9,847,000

- (2) The Treasurer be authorized to obtain external financing in an amount not to exceed \$7,847,000 to finance a portion of the construction of the Multipurpose Science and Technology Building, Irvine campus, subject to the following conditions:
- a. Interest only, based on the amount drawn down, shall be paid on the outstanding balance during the construction period;
 - b. Repayment of the debt shall be from the Irvine campus' share of the University Opportunity Fund; and
 - c. The general credit of The Regents shall not be pledged.
- (3) The Officers of The Regents be authorized to provide certification to the lender that interest paid by The Regents is exempt from federal income taxation under existing law.
- (4) The Officers of The Regents be authorized to execute all documents necessary in connection with the above.

H. ***External Financing for Faculty Levering Housing Renovation, Los Angeles Campus***

The Committee recommended that:

- (1) Funding for the Faculty Levering Housing Renovation project, Los Angeles campus, be approved as follows:

<u>Fund Source</u>	<u>Amount</u>
External financing	\$5,300,000
University of California Housing System Net Revenue Fund	<u>400,000</u>
Total	\$5,700,000

- (2) The Treasurer be authorized to obtain external financing not to exceed \$5.3 million to finance a portion of the construction of the Faculty Levering Housing Renovation project, Los Angeles campus, subject to the following conditions:

- 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, the University of California Housing System fees for the Los Angeles campus shall be established at levels sufficient to meet requirements of the University of California Housing System Revenue Bond Indenture and to provide excess net revenues sufficient to pay debt service and meet the related requirements of the proposed financing; and
 - c. The general credit of The Regents shall not be pledged.
- (3) The Officers of The Regents be authorized to provide certification to the lender that interest paid by The Regents is excluded from gross income for purposes of federal income taxation under existing law.
 - (4) The Officers of The Regents be authorized to execute all documents necessary in connection with the above.

I. *External Financing for Core West Parking Structure, Santa Cruz Campus*

The Committee recommended that, subject to amendment of the Budget for Capital Improvements and the Capital Improvement Program to include the Core West Parking Structure, Santa Cruz campus project:

- (1) Funding for Core West Parking Structure, Santa Cruz campus, be approved as follows:

<u>Fund Source</u>	<u>Amount</u>
External financing	\$11,078,000
Parking reserves	<u>250,000</u>
Total	\$11,328,000

- (2) The Treasurer be authorized to obtain external financing not to exceed \$11,078,000 to finance a portion of the construction of the Core West Parking Structure, Santa Cruz campus, subject to the following conditions:
 - 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, parking fees for the Santa Cruz campus shall be established at levels which, together with other related income, will be sufficient to provide excess net revenues to pay the debt service and to meet related requirements of the proposed financing; and
 - c. The general credit of The Regents shall not be pledged.
- (3) The Officers of The Regents be authorized to provide certification to the lender that interest paid by The Regents is exempt from federal income taxation under existing law.
 - (4) The Officers of The Regents be authorized to execute all documents necessary in connection with the above.

Upon motion of Regent S. Johnson, duly seconded, the report and recommendations of the Committee on Finance were approved.

4. **REPORT OF THE COMMITTEE ON GROUNDS AND BUILDINGS**

A. ***Amendment of the Budget for Capital Improvements and the Capital Improvement Program***

The Committee recommended that, subject to the concurrence of the Committee on Finance, the 1998-99 Budget for Capital Improvements and the 1998-2001 Capital Improvement Program be amended to include the following project:

Santa Cruz: Core West Parking Structure -- preliminary plans, working drawings, and construction -- \$11,328,000 to be funded from external financing (\$11,078,000) and parking reserves (\$250,000).

B. ***Approval of Design, Health Sciences Seismic Replacement Building 1, Los Angeles Campus***

Upon review and consideration of the environmental consequences of the proposed project as evaluated in the Final Environmental Impact report for the Academic Health Center Facilities Reconstruction Plan, certified by The Regents in November 1998, the Committee reported its:

- (1) Adoption of the Findings and EIR Addendum.

- (2) Approval of the design of the Health Sciences Seismic Replacement Building 1, Los Angeles campus.

[The Findings and EIR Addendum were mailed to all Regents in advance of the meeting, and copies are on file in the Office of the Secretary.]

C. ***Approval of Negative Declaration and Approval of Design, International Village Student Housing, Riverside Campus***

Upon review and consideration of the environmental consequences of the proposed project as indicated in the Initial Study, the Committee reported its:

- (1) Approval of the Initial Study/Mitigated Negative Declaration.
- (2) Adoption of the Findings and Mitigation Monitoring Program.
- (3) Approval of the design of International Village Student Housing, Riverside campus.

[The Initial Study/Mitigated Negative Declaration, Findings, and Mitigation Monitoring program were mailed to all Regents in advance of the meeting, and copies are on file in the Office of the Secretary.]

D. ***Certification of Environmental Impact Report and Approval of Design, North Torrey Pines Road Parking Structure, San Diego Campus***

Upon review and consideration of the environmental consequences of the proposed project as indicated in the Tiered Environmental Impact Report, the Committee reported its:

- (1) Certification of the Tiered Environmental Impact Report including Addendum.
- (2) Adoption of the Mitigation Monitoring Program and Findings.
- (3) Approval of the design of the North Torrey Pines Road Parking Structure, San Diego campus.

[The Tiered Environmental Impact Report, Mitigation Monitoring Program, and Findings were mailed to all Regents in advance of the meeting, and copies are on file in the Office of the Secretary.]

E. *Approval of Negative Declaration and Approval of Design, Gilman Drive Parking Structure, San Diego Campus*

Upon review and consideration of the environmental consequences of the proposed project as indicated in the Initial Study, the Committee reported its:

- (1) Approval of the Initial Study/Negative Declaration.
- (2) Adoption of the Mitigation Monitoring Program and Findings.
- (3) Approval of the design of the Gilman Drive Parking Structure, San Diego campus.

[The Initial Study/Negative Declaration, Mitigation Monitoring Program, and Findings were mailed to all Regents in advance of the meeting, and copies are on file in the Office of the Secretary.]

Upon motion of Regent Montoya, duly seconded, the reports and recommendation of the Committee on Grounds and Buildings were approved.

5. **REPORT OF THE NOMINATING COMMITTEE**

The Committee recommended the following appointment, effective immediately upon approval by the Board through June 30, 1999:

Regent Odessa Johnson be appointed to the Committees on Grounds and Buildings and Health Services.

Upon motion of Regent Khachigian, duly seconded, the recommendation of the Nominating Committee was approved.

6. **REPORT OF PERSONNEL ACTIONS**

In accordance with Bylaw 14.7(b), Secretary Trivette reported that the following personnel action was taken at the March 1999 meeting. There was no roll call vote on this action.

Appointment of Michael Cole as University Professor, Department of Communication, San Diego campus, effective March 19, 1999.

7. **REPORT OF COMMUNICATIONS**

Secretary Trivette presented summaries of communications received subsequent to the March 1999 meeting. The residency appeals were referred to the General Counsel, and the remaining communications were referred to the President for review and response as appropriate.

8. **REPORT OF THE PRESIDENT**

President Atkinson reported that on the dates indicated, the following informational reports were mailed to Committees, with copies to all Regents:

To Members of the Committee on Audit

- A. Summary report on audits of Campus Foundations for the year ended June 30. April 27, 1999. (Schedule of Reports)

To Members of the Committee on Educational Policy

- B. Statistical Summary of Students and Staff for Fall 1998. March 22, 1999. (Schedule of Reports)

To Members of the Committee on Finance

- C. Annual Report on Compensation: Principal Officers of The Regents and Officers of the University. March 31, 1999. (Schedule of Reports)

To Members of the Committee on Grounds and Buildings

- D. Major Capital Projects Implementation Report. April 12, 1999. (Schedule of Reports)

To Members of the Committee on Health Services

- E. The Activity and Financial Status Report on Hospitals and Clinics as of February 28, 1999. April 1, 1999. (Schedule of Reports)
- F. Fiscal Year 1997-98 Report on the University of California Clinical Enterprise Management Recognition Plan. April 16, 1999.
- G. Report on 1998-99 Salary Structure for Staff Physicians. April 16, 1999.
- H. The UCSF Stanford Health Care Activities and Financial Status Reports for January and February 1999. April 29, 1999. (Schedule of Reports)

- I. The Activity and Financial Status Report on Hospitals and Clinics for the third quarter ended March 31, 1999. May 5, 1999. (Schedule of Reports)
- J. The UCSF Stanford Health Care Activities and Financial Status Reports for March 1999. May 7, 1999. (Schedule of Reports)

9. **RESEARCH LIBRARIES AND SCHOLARLY INFORMATION**

Provost King introduced Mr. Richard Lucier, University Librarian and the Director of the California Digital Library. President Atkinson recalled that in the fall of 1997 the Regents were presented with the plan for the digital library, which coordinates the efforts of libraries throughout the UC system and is far ahead of any other institution in the country.

Mr. Lucier reported that nationwide libraries are in a state of transition, which presents situations of crisis and opportunity. The crisis for libraries and for scholarly information in general is one of sustainability, due to increased costs for scholarly journals and to an information explosion. For example, the published literature in chemistry doubles approximately every seven years. Because of technology, higher education is going through a transition as to how it delivers information, while the scholarly community is going through a transition in the way it disseminates the result of its research. There is an opportunity for leadership on the part of the University in this area due to faculty innovation and vision on the part of the administration.

Mr. Lucier noted that planning for UC's digital library has been ongoing since September 1995. This planning includes not only librarians but also information technologists, faculty, and other administrators. The goal of this planning is a viable system for scholarly communication that has the following characteristics:

- Advances science and scholarship, fosters teaching and learning, and promotes public service
- Is consistent with the values of the academy
- Is compatible with academic work
- Is financially sustainable

Mr. Lucier stressed that financial sustainability is critical to the library's success.

The California Digital Library was created by the President in October 1997 and was endorsed by the Academic Senate and by the librarians on the various campuses. Staffing began in January 1998, and the "digital doors" were opened on January 20, 1999. The intention of the digital library is to create an integrated digital system for the management of scholarly information that will directly serve its faculty and students, and eventually a much broader segment of the state's citizenry. The digital library is not envisioned as a replacement library but rather as complementary to the world-

class libraries on each of the campuses. One of the challenges over the next decade, particularly for students, will be to integrate paper and digital libraries. Many students believe that all they need to do is to access the World Wide Web, but that is not yet true.

The digital library was designed to have the following components:

- High-quality digital knowledge resources that support UC's academic programs;
- Tools for producers and consumers of information;
- A network interface for integrated access to information for research, teaching, and learning; and
- Distributed services provided at the campus level.

The high-quality digital content may be divided into a number of areas, including published literature, materials which are digital at birth, special collections and archives, scientific data sets, museum collections, and "eScholarship." Mr. Lucier noted that the digital library has several ongoing programs with museums such as the J. Paul Getty Museum in Los Angeles and the Metropolitan Museum in New York. In its first year the digital library has brought together a large amount of integrated content that is available to the faculty, students, and staff at all of the campuses, including UC Merced. This content includes the SciTech collection of journals; JSTOR (social science journals); the web of science, which is a window into all of the knowledge that has been published in serial literature; the Melvyl online catalog, which contains more than 9.5 million unique titles; and the California serials data base, which includes serials from more than five hundred libraries across California.

Continuing with inaugural-year highlights, Mr. Lucier reported that there are more than ten million items in the University of California's special collections. These items include faculty papers, valuable photographs, and rare manuscripts. These materials have been digitized for all of UC's special collections and archives. In addition, the online archive includes material from 33 other institutions within California, including campuses of the California State University, small private colleges, Stanford University, and the Getty Museum. The material includes museum content, and a project is under way to digitize thematic collections across these institutions, beginning with ethnic cultures and arts in California. Senator Feinstein is interested in providing new funding for the University to digitize these special collections that are being made available through the online archive of California.

Mr. Lucier noted that in the past libraries made acquisitions by purchasing them. In the digital arena, the business arrangement involves licensing. The information marketplace is undergoing a transition, and the University of California has taken a national role in trying to incorporate in its licenses a number of areas that are critical to protect the University, including perpetual access. Over the next ten to fifteen years, libraries will move from an ownership model to a service model.

This will have an enormous effect over time on the kinds of libraries that are built and the types of technology that are needed on campus.

The digital library has been putting into place a number of tools and online services, including REQUEST. One of the mandates of the digital library was to provide the technology that will make it easier to share paper materials from campus to campus. Through REQUEST, any faculty member can ask for paper material at any other campus. In addition, the library is developing a cross-content search tool which will permit researchers to access multiple databases.

Mr. Lucier discussed the organizational framework of the California Digital Library, which was established as UC's tenth research library. It represents a cooperative venture of all nine campuses, and its business model is one of co-investment on the part of the campuses. There is a small central staff which is complemented by staff located at the campuses.

The digital library was created by building upon existing technologies, including the Melvyl system. The library has joined with twenty other universities nationally and the Library of Congress to create a digital library federation to develop standards, share material in digital form, and to determine which areas of technology will be developed separately. In designing the digital library, it has been critical to develop links to basic research.

Mr. Lucier mentioned InterLib, which is a unique collaboration among computer scientists at the Berkeley and Santa Barbara campuses, Stanford, the San Diego Supercomputer Center, and the California Digital Library. The goal of InterLib is to facilitate technology transfer. Basic science research will develop tools which will be moved into production by the supercomputer center, to be tested by the CDL in the production phase. InterLib has been given funding of \$15 million by the National Science Foundation.

The digital library is beginning to move into the area of "eScholarship," which is an infrastructure which supports faculty in creating and developing innovative ways to disseminate their scholarship and communicate with their colleagues. The library has held focus groups and faculty forums at the campuses, particularly at UCLA and Berkeley, with senior editors, junior faculty, postdoctoral researchers, and graduate students who plan to pursue academic careers. These forums have helped to define the shape that eScholarship should take. The basic assumptions driving eScholarship are the following:

- Effectively managing the continuous and rapid increase of information is a more significant driving force than the increasing cost of publication.
- Digital libraries and universities are investing in infrastructure necessary to support scholarly discourse.

- Collaboration among universities is essential for long-term sustainability and worth the overhead inherent in collaboration.
- A minimum alteration to current copyright policies and practices is desirable.
- Variable solutions are likely to emerge from different disciplines.
- Technology can improve upon the current system for scholarly information management.
- The lack of decisive action by key universities will ensure a worsening crisis, loss of opportunity, and a decline in academic productivity, particularly in the sciences.

Turning to the financial aspects of the CDL, Mr. Lucier reported that the library had been successful in leveraging current investments in technology such as Melvyl. The Budget Office has been of assistance in obtaining new funding for the library. In addition, the idea of co-investing between the Office of the President and the campuses has been critical to the library's success. The CDL has provided more than \$3 million in information to the campuses in its first year. The focus has been on greater equality of access and service, using the basic principle that everything should be available to all faculty, staff, and students irrespective of their campus, which is not true in the paper environment.

Mr. Lucier concluded his presentation by noting that the California Digital Library faces continuous challenges, particularly political and cultural challenges. The change the library represents is a significant undertaking.

President Atkinson stated that a brief tutorial on the use of the CDL would be made available to interested Regents. He added that the California Digital Library will serve not only as a resource for the University of California but for the entire state. President Zedillo of Mexico is interested in linking up to the digital library.

In response to a question from Regent Leach, Mr. Lucier explained that while usage of the library is difficult to measure, measurement is mainly done by noting the number of people accessing a title and the number of searches that they perform. There are close to millions of searches on individual databases per year by students and faculty. He added that the cost per use is extremely low, especially as compared with the traditional library environment.

In response to a question from Chairman Davies regarding the resources that are being devoted to the digital library as opposed to traditional libraries, Mr. Lucier explained that the University spends about \$150 million on its libraries, while the CDL budget is \$4 million. The Regents' Budget has requested an increase for 1999-2000. He confirmed for Chairman Davies that the

percentage of overall library resources being devoted to the digital library would be expected to grow.

Regent S. Johnson asked how the digital library would alleviate some of the financial pressures faced by traditional libraries and also for an explanation of the licensing process. Mr. Lucier noted that the business models are very different, depending upon the information publisher or provider. In some instances the library is charged a one-time fee, while in others there is an annual fee because new information is added annually. The libraries have not begun to cancel journal subscriptions, but there is a group that is looking at cancellation of subscriptions in areas where there is digital access. The long-term archiving problems have not been solved, so it will be necessary for UC to maintain one paper copy of journals indefinitely.

Regent Preuss requested information on how access to the CDL is controlled. Mr. Lucier explained that there are different levels of access; for example, any citizen of California may access the online archive of California under an agreement with the California State Library. Certain materials that are licensed are for use only by UC faculty, staff, and students. The CDL is willing to broaden access to people outside the UC system, but those users would need to co-invest because the cost to UC would increase. This has been done with Stanford and with the California State University for certain resources. The CDL is working with the digital library federation and some publishers to develop an authentication program because more and more faculty need to access the library from locations outside the University.

In response to a question from President Atkinson regarding scholarly publishing, Mr. Lucier noted that the traditional publishing model is not sustainable because of the high cost and the information explosion. Less expensive ways for faculty to disseminate their research results are being sought. An ePrint archive would allow faculty to deposit information in the archive by discipline. There has been some experimentation in fields such as high-energy physics, mathematics, and economics, and the National Institutes of Health is looking at a similar model. Once material has been deposited in the ePrint archive, the digital library will work with societies and other publishers to develop new forms of digital journals that would take advantage of the infrastructure and would also add an essential peer-review component. The digital library hopes to develop a server over the coming year, working with faculty in the above-mentioned disciplines. Over time, this should lead to true innovation in scholarly communication.

Faculty Representative Dorr reported that Provost King, Vice Provost Tomlinson-Keasey, and University Librarian Lucier had been working with the faculty to examine their digital needs for the academic personnel process and for the publication of research. She was pleased by the active engagement of the faculty in the planning process, noting that the faculty are well prepared to work in an electronic medium. Mr. Lucier noted that 14 percent of the editors of top journals that were surveyed were UC faculty.

Regent Lansing pointed out that having journals online could become a profit center for the digital library.

Regent-designate Taylor urged Director Lucier to consider adding the capacity for alumni access to the CDL as the project evolves. Mr. Lucier noted that the number of UC alumni is very large; the publishing industry is concerned that there would be no one left to purchase their products if access were too widespread.

President Atkinson recalled that several years ago 30 percent of the use of the University's libraries was non-University related. A large part of that use was on the part of private companies who require access to technical publications.

Regent-designate Vining reported that a survey of UCSB alumni found that access to the library was the number two reason why they would join the alumni association.

President Atkinson stated his intention to follow up on Regent-designate Taylor's request.

10. **U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS, GUIDELINES FOR USE OF STANDARDIZED TESTS**

Regent Connerly noted that the Office for Civil Rights of the Department of Education had announced guidelines that would treat standardized tests as presumptively invalid based upon their impact on certain groups. He believed this position would have detrimental consequences for higher education and asked how the University intended to weigh in on the matter.

Provost King responded that the administration will look into the legal aspects, on which there is no analysis as yet. Reports in the press suggest that it may be a trial balloon. Vice President Darling added that there seems to be a difference of opinion within the Department of Education about what the guidelines will constitute. The Secretary of Education is commenting in a more modest way than is the Director of the Office for Civil Rights. The University will take an active role when the guidelines are issued for public comment.

President Atkinson stated his intention to provide the Regents with an update on this matter within two weeks.

Regent Connerly noted that there are legal actions pending which would be influenced by the proposal from the Office for Civil Rights. General Counsel Holst responded that he would be looking at the whole picture, including the legal ramifications.

BOARD OF REGENTS

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May 21, 1999

The meeting adjourned at 10:05 a.m. in memory of Angus E. Taylor.

Attest:

Secretary