

**THE REGENTS OF THE UNIVERSITY OF CALIFORNIA
MEETING AS A COMMITTEE OF THE WHOLE**

October 8, 1999

The Regents of the University of California met on the above date at the Haas School of Business, Berkeley campus.

Present: Regents Davies, S. Johnson, Khachigian, Lee, Montoya, Pannor, Taylor, and Vining

In attendance: Faculty Representative Coleman, Secretary Trivette, Deputy General Counsel Morrison, Provost King, Chancellor Berdahl, and Recording Secretary Nietfeld

The meeting convened at 9:05 a.m. with Chairman Davies presiding. It was noted that the public comment period would take place in the context of the Regents' visit to the Berkeley campus, rather than as a formal meeting of the Board, and as such a quorum of The Regents was not required.

1. PUBLIC COMMENT PERIOD

Chairman Davies explained that the Board had been convened in order to permit members of the public an opportunity to address University-related matters or items on the day's schedule. The following persons addressed the Board concerning University-related matters:

- A. Ms. Margy Wilkinson, Coalition of University Employees, reported that it is common for negotiations between the University and unions to take as long as three years; employee wage increases may be held up during these negotiations. On November 1, 1999 clerical staff will receive a two percent salary increase which was mandated by the State to go into effect in October 1998.
- B. Ms. Tanya Smith, Union of Professional and Technical Employees, reported that PERB had ruled that the University had discriminated against technical employees by withholding salary increases and contrasted this with the recent merit increases provided to senior-level management. Some full-time technical employees at the University qualify for food stamps.
- C. Mr. Nick Slater, Coalition of University Employees, pointed out that market forces had been used to justify the recent 8.5 percent merit increase for executives. He suggested that the same theory should apply to clerical staff.
- D. Mr. Ronald Cruz, a student and a member of the Coalition to Defend Affirmative Action by Any Means Necessary (BAMN), stated that The Regents' July 20, 1995 action represented a decision of historical consequences. The fact that there are 8 Black

freshmen at Lowell High School in San Francisco out of an entering class of 650 represents a return to segregation.

- E. Ms. Dorothy Hamilton, BAMN, asked the Regents who support affirmative action to support the actions being taken in its defense.
- F. Mr. Hoku Jeffrey, BAMN, charged that the Regents were responsible for the attack on K-12 public education as a result of their decision to end affirmative action. He presented a statement in support of ending the ban which had been signed by many union and student groups.
- G. Ms. Andrea Wilbone, BAMN, urged the Regents to reverse the ban on affirmative action, because affirmative action had helped her to gain admittance to the Berkeley campus.
- H. Mr. Doug Lenox, BAMN, who recently transferred to Berkeley from a community college, suggested that classes at the campus lack diversity.
- I. Mr. Bongane Nyathi, Black Seminarians of the Graduate Theological Union, explained that, as a Black South African, he would not be enrolled in graduate studies without the help of affirmative action.
- J. Mr. Frank Pinto, Union of Professional and Technical Employees, discussed the role of the Board of Regents in an historical context, including the loyalty oath, the Free Speech Movement, the anti-apartheid movement, and the ban on affirmative action. He spoke against the pay raises for executives, noting that some UC employees must go on welfare to support themselves.
- K. Mr. John Kelly, a University employee, described some of the difficulties that departments face when trying to recruit staff to work in the area of information technology. He believed that salaries in this area should be raised.
- L. Ms. Yvette Falarca, a representative of the Oakland Education Association, stated that her organization represents 37,000 teachers and that it supports overturning the ban on affirmative action in the UC system.
- M. Ms. Ivora Griffith, an ASUC Senator, drew attention to the decreasing number of minority students within the UC system and asked the Regents to reconsider their decision.

2. **INTRODUCTORY REMARKS BY CHANCELLOR BERDAHL**

Chancellor Berdahl remarked that the visit was intended to give the Regents a sense of the Berkeley campus, noting that this portion of the visit was taking place in the newly built Haas

School of Business, a facility which was made possible by private donors and which is serving to attract and retain outstanding faculty and students.

3. **BERKELEY HEALTH SCIENCES INITIATIVE**

Mr. Ed Penhoet, Dean of the School of Public Health, recalled that in previous presentations to the Regents he had described the seminal role played by the University of California in the development of the biotechnology industry over the past twenty years. During that time, the fields of biology and related sciences have also evolved, with biology addressing more complex problems than ever before. One of the objectives of the School of Public Health is to engage the campus in issues related to health care and to recognize the emerging role of many scientific disciplines in addressing health-care issues. Dean Penhoet drew the Regents' attention to the outstanding quality of the Berkeley faculty, noting that 17 of the 28 National Medals of Science have been awarded to Berkeley faculty and that the campus has 121 members in the National Academy of Sciences. The campus' new Health Sciences Initiative is designed to bring together a comprehensive range of expertise to fashion solutions to medical problems in entirely new ways. As such, it represents the campus' debut as a major force in the health field. Dean Penhoet mentioned that, in addition to cross-campus collaboration, faculty at the Berkeley campus collaborate with their colleagues at the San Francisco campus and at the Lawrence Berkeley National Laboratory.

Mr. Robert Tijan, Professor of Molecular and Cell Biology, recalled that the Berkeley campus has had a strong tradition in the classical sciences of physics, chemistry, biology, and engineering. These fields are now coalescing in a way that should have a major impact on health care in the state. Professor Tijan provided the Regents with an overview of how the Health Sciences Initiative came about. He emphasized that few institutions in the world are able to accomplish what the Berkeley campus hopes to do because they lack the breadth and the quality of the faculty. Over the past five years, the work of scientists in areas such as chemistry and physics has begun to impinge on the work being performed in the biological and health sciences. At the same time, biologists have come to understand the need to perform their research using the tools that have been developed in the other sciences. In order to bring faculty and students from across these disciplines together, laboratories must be redesigned to accommodate this evolving cross-disciplinary research. The campus has recently undertaken the coordination of the biological sciences, the physical sciences, engineering, and the School of Public Health in order to achieve a new level of synergy. Warren Hall will be rebuilt to house such units as the neuroscience program. The Health Sciences Initiative will address cancer and infectious diseases. In addition, Stanley Hall, which must be replaced, will house units that look at the technological aspects of the health sciences initiative. Professor Tijan outlined some of the projects which will fall under the initiative, including the discovery of new genes which are critical for the understanding of the origins of cancer. He emphasized the Berkeley campus' unique capability to design new instruments to be used in the diagnosis of disease. A new bio-engineering department will serve as a focal point for the interdisciplinary study of diseases.

A. ***Biomaterials: At the Science-Engineering Interface***

Professor Ronald Gronsky, holder of the Arthur and Phyllis G. Oppenheimer Chair in Advanced Materials Analysis, Department of Materials Science and Mineral Engineering, presented a discussion of his research at the science-engineering interface, using a series of slides to illustrate what engineers hope to accomplish in the bio-engineering field. One project involves the imaging of the human body in order to perform better medicine. Cross-model imaging will allow a surgeon to dry-run a surgery before it is performed. The field of bioinformatics (the convergence of computer technology and biotechnology) addresses the problem of handling large amounts of data within the health sciences. Professor Gronsky described some of the medical advances which will be made possible through the use of micro-electro mechanical engineering.

B. ***Mechanics at the Molecular Level: How Do Protein Machines Work?***

Assistant Professor Eva Nogales, Department of Molecular and Cell Biology, noted that the study of life at the molecular level requires highly specialized equipment, including the Advanced Light Source at the Lawrence Berkeley National Laboratory. The role of the structural biologist is to determine the shape of a protein and thus to discover the role it plays in the cell. Professor Nogales explained that her research centers on tubulin, a protein that is in each cell of the body, and microtubules, which are required for cell division. She discussed the challenges which the campus faces in the field of structural biology. Collaborators from the campus and the laboratory are working on a project known as microscopies of molecular machines to study the structure and dynamics of these machines. The campus provides a unique place for this important interdisciplinary collaboration.

C. ***Some Magnetic Moments***

Professor Alex Pines, Glenn C. Seaborg Professor of Chemistry, explained that while his research is centered mainly in chemistry and physics, part of it interfaces with the Health Sciences Initiative. One project involves work with Dr. Stanley Prusiner, who received the Nobel Prize for his discovery of prions, to understand the molecular basis of degenerative diseases of the central nervous system. Some progress has been made using novel nuclear magnetic resonance methodology to understand how molecules aggregate to form diseased plaques. A second project involves the use of lasers and the gas xenon to enhance an NMR image of a patient's body. A third project involves magnetic resonance imaging without using a magnet, which may lead to a portable scanning device that could be used in the field to look into the human body.

D. *Berkeley's Neuroscience Institute*

Professor Corey S. Goodman, Department of Molecular and Cell Biology, predicted that research on the brain would be the new frontier for the 21st century. He explained that traditionally faculty in the biological sciences who conduct brain research have focused on genes, molecules, and cells, while other academic units such as psychology had focused on behavioral issues. Researchers in these two fields have now begun to work together in the Neuroscience Institute to understand the brain, partly in response to the development of innovative new technologies. Researchers study how the brain makes molecular connections in order to function. Their discoveries will lead to new treatments for spinal cord injury, brain trauma, and stroke.

E. *Infectious Diseases: From the Bench to the Field and Back*

Dean Penhoet informed the Regents that Assistant Professor Eva Harris had received a MacArthur Fellowship in support of her work. Professor Harris discussed her work in the School of Public Health and how it relates to the Health Sciences Initiative. The Applied Molecular Biology Appropriate Technology Transfer Program trains local scientists and health care workers in Latin America and other developing countries in the theory and the practice of medical techniques such as immunization. At workshops training is provided in epidemiology, which looks at the factors that cause disease at the population level. Participants are taught to apply for grants to fund their work in treating disease. Professor Harris described a simplified method for detecting Leishmaniasis disease, which led to the discovery of new manifestations of the disease. As a result, she has begun to collaborate with colleagues to study the immune system. This project will be greatly aided by the opportunities which are offered by the Health Sciences Initiative. Professor Harris continued that her research also focuses on Dengue fever, a viral disease for which there is no vaccine and no cure. The only way to control the disease is by controlling the mosquito by which it is spread. This problem led back to the bench, where she performs research on anti-viral therapies.

Regent Lee urged the faculty to look for ways to reduce the side effects that result from chemotherapy. Dean Penhoet responded that one result of the research performed by Professor Nogales would be that the treatment would attack only a patient's cancer cells.

Chancellor Berdahl noted that the Berkeley campus is facing the challenge which the poor seismic condition of many of its buildings represents by seeing it as an opportunity to build new facilities that will accommodate new programs, including the ones described today.

4. **STUDENT RESEARCH PRESENTATIONS**

Vice Chancellor Padilla observed that it is important for the campus to provide the premiere educational experience that undergraduate students expect to receive at Berkeley. The McNair Scholars Program prepares undergraduates for graduate study at the doctoral level. The program, which is funded by the federal government, aims to increase the numbers of groups underrepresented in doctoral programs. The Haas Scholars Program funds financial-aid eligible, academically talented undergraduates to engage in a sustained research, field-study, or creative project in the summer before and during their senior year. The Miller Scholars Program, which was funded by George A. Miller, is designed to provide outstanding community college transfer students with a scholarship and research/community service stipend.

A. *The Arabic Influence on Spanish Medieval Literature*

Ms. Veronica Rodriguez, a McNair scholar, described her research project, which examines the influence of the Arabic text **Alf-Layla wa-Layla** (The Thousand and One Nights) on the Spanish book **El Libro de Buen Amor** (The Book of True Love). Professor James T. Monroe and visiting Professor Maria Morras serve as the mentors for her research. During the 14th century, when **El Libro de Buen Amor** was written, the Iberian Peninsula was a major hub of Islamic learning, and the Arabic influence may be seen in the Spanish text. Ms. Rodriguez believed that the study of the Arabic influence on Spanish medieval literature is relevant because it provides an historical model for the intermingling of cultures in a multi-cultural world.

B. *Intracellular Growth of L. Monocytogenes Producing a Listeriolysin O: Perfringolysin O Chimeric Protein*

Ms. Simmie Lorene Foster, a Haas scholar and a McNair scholar, discussed her research topic: Is Listeriolysin O, a protein produced by the intracellular pathogen *Listeria Monocytogenes*, tagged for degradation in the cytoplasm of an eukaryotic host cell. Professor Daniel Portnoy serves as the mentor for her research. Ms. Foster explained that listeria is a food-borne pathogen that can cause serious infections and death in immunocompromised patients. Researchers study listeria as a model for intracellular pathogens. Listeriolysin O (LLO) is an essential virulence factor of listeria, which cannot survive without it. Ms. Foster reported that she had performed an experiment and had determined that LLO may be tagged for degradation in the cytoplasm by a proteasome. Her senior thesis will involve genetic analysis of the tag region to further illuminate the mechanism of degradation.

C. *Building a Community of Cultural Relevancy*

Mr. Todd Barnes, a Miller scholar, presented his project, Gloria Ladson-Billings' model of culturally relevant teaching as implemented in inner-city schools. The six points of this

model, which is designed to motivate students to succeed, cover a variety of teacher activities and beliefs. Mr. Barnes explained that his research took place at Castlemont High School in Oakland, where he examined, through interviews with students and teachers, how the model affects African-American students. His findings added six additional points to the Ladson-Billings' model. A second research project was done on the Latino student population in a San Diego area high school, where he discovered the need for a teacher community in order to create dialogue between teachers. He acknowledged the support of his mentor, Professor Pedro Noguera.

Ms. Kathleen Jones, also a Miller scholar, described her mentoring work at Vista Community College in Berkeley during summer 1999. The project goals included encouraging retention and transferability of community college students and introducing students to new disciplines to develop new thought processes. Vista College benefited from the project because it created a tangible connection to the University, while benefits to the University include assistance in meeting the goals of the Memorandum of Understanding between the University of California and the community college system to increase transfer enrollment by one-third by 2005. Ms. Jones reported that she has initiated a Democratic Education at CAL (DE-CAL) class; thirty UC students give two hours per week to a potential transfer student at Vista. She expressed her appreciation to Professor Jerry Adam of Vista College and her sponsor, Professor Bart Grossman.

In response to a question from Regent Khachigian, Vice Chancellor Padilla explained that other opportunities for undergraduate research are provided by honors courses in most departments. The administration is committed to expanding these educational opportunities, because students represent future scholars.

Chancellor Berdahl reported that a project which concerns people on the campus is how to educate students about the real responsibilities of citizenship in a democratic society. The requirement of the Miller Scholars Program that its scholars perform community service is important. More than 6,000 students at the Berkeley campus are engaged in volunteer activities in a wide array of programs. The sense of community which the students acquire is an essential ingredient in their education.

The Committee then adjourned for lunch.

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5. CAMPUS TOUR

The Regents took a bus and walking tour of the campus. The following three buildings were featured:

- The Hearst Field Annex, a temporary structure occupied by the College of Environmental Design and the Pacific Film Archive.
- Latimer Hall, occupied by the College of Chemistry, where the Regents visited researchers in their laboratories.
- The Hearst Memorial Mining Building, undergoing extensive renovation which includes the installation of 134 seismic isolation bearings.

6. LONG RANGE DEVELOPMENT PLAN UPDATE

The Committee reconvened in the Morrison Room of Doe Library for a campus presentation on its Long Range Development Plan (LRDP). Chancellor Berdahl spoke of the importance of long-range planning to a campus' academic mission.

Mr. Ed Denton, Vice Chancellor for Capital Projects, recalled that in 1990, when the campus was in the process of putting together its LRDP, it was also preparing Environmental Impact Reports for many projects which were then challenged in the courts. As a result of this experience, the campus saw the need to go about its planning in a more holistic manner as it works on the next LRDP update.

Mr. Tom Lollini, Director of Physical and Environmental Planning, recalled that the 1990 LRDP included a mitigation implementation agreement with the City of Berkeley which set limits on the next planning cycle. Some of the highlights of the Plan included protection of the central campus and land acquisition strategies. The campus determined that traffic could be reduced through the construction of approximately 3,400 units of student housing. The implementation agreement requires that the campus limit enrollment, and the campus agreed to keep People's Park as open space.

A major component of the campus' planning involves seismic safety. The campus has identified the need for approximately \$1 billion just to make facilities safe. At present, 50 percent of campus space is beyond its life cycle. In the next five to ten years, an additional 25 percent of space will be beyond its economic life cycle. The campus faces the challenge of how to use older buildings in smarter ways. The campus is looking for ways to develop partnerships with the private sector in order to meet some of its facility needs. In order to accommodate expansion, the campus is looking beyond its core environs. The campus will explore new uses for the Richmond Field Station. The campus is also engaged in negotiations with the State to acquire the Department of Health Services site in Berkeley.

Mr. Lollini noted that one goal of the current planning process is to create a sense of community for the campus, especially in light of the advent of electronic information sharing. The intention is to create facilities and programs such as the Health Sciences Initiative to create new connections

among faculty. With respect to the student community, the intention is to create environments that facilitate learning and interaction through housing and recreational facilities. The campus has spent approximately \$150 million over the past ten years to refurbish its existing housing stock. Over the next ten years the campus proposes to build housing to accommodate 800 new beds. There may be graduate students and young faculty who would be interested in new housing proposed to be developed in downtown Oakland.

The campus' next round of long-range planning includes an air-quality health risk assessment, which should show that the campus is not a major source of toxins. The campus is bringing its mitigation monitoring plan for its LRDP up to date, and it is doing strategic facility master planning. An important consideration is to define projects within the context of the entire campus. The campus intends to present its LRDP update to The Regents sometime in 2001.

In response to a question from Regent S. Johnson regarding the use of People's Park, Chancellor Berdahl believed that it poses a serious problem for the campus in terms of the quality of the neighborhood. He has asked that the City trade another piece of land and take control of the park. The City is reluctant to do so. The community will need to pressure the City Council if any change is to occur in the use of People's Park.

Regent Taylor asked that Mr. Lollini discuss in more detail how a partnership with the private sector would work. Mr. Lollini explained that under this arrangement the campus would enter into a land lease with the developer, who builds and maintains the housing. Private sector developers are able to keep housing prices below market due to tax benefits that they receive. The City of Oakland is willing to contribute public funding or land to develop housing.

Chairman Davies asked that Chancellor Berdahl address planning in the context of enrollment growth. The Chancellor estimated that the Berkeley campus would need to accommodate a ten-percent enrollment growth, which represents about 3,000 students. This enrollment would put the campus over the limit of the enrollment agreed to with the City of Berkeley under the Long Range Development Plan. The campus will seek alternatives to having additional students on campus, including the use of the University Extension facility in San Francisco. Another option would be for molecular and cell biology students who are interested in medical school to spend one year at UCSF Mission Bay. Year-round operations are also being considered.

7. **CHALLENGES TO MAINTAINING UC'S DISTINCTION AND ACHIEVING EXCELLENCE IN THE NEW CENTURY: A STAFF PERSPECTIVE**

Chancellor Berdahl observed that the Berkeley campus is blessed with a talented staff who frequently are not given the attention they deserve. He introduced Ms. Sandy Merino Hare, the new Director of Human Resources for the campus.

Ms. Kathryn Day-Huh, Chair of the Council of UC Staff Assemblies (CUCSA), stated that the presentation would provide a profile of staff and a demonstration of how important staff contributions are to the missions of the University. It will also raise some of the issues that the campus will face in the new century. Without the contributions of the staff, it is difficult for the University to maintain its excellence.

Ms. Suzanne Pierce, director of administration for the Department of Physics and the coordinator of the Academic Business Officers Group for 1999-2000, explained that as a business officer she oversees financial projections and controls, directs facility renovations, and provides training and development for staff. The staff work in a variety of roles to provide support services for faculty, staff, students, and the campus as a whole. She read from a variety of staff recognition awards nominations to illustrate how they are valued by their supervisors and their peers.

Mr. Abram Hardin, Chair of the Chancellor's Staff Advisory Committee, introduced Mr. J. C. Seamus Davis, an Associate Professor of Physics. Professor Davis recalled that during his 16 years on the Berkeley campus he had interacted with the staff in their performance of a wide variety of functions. He found that many of the staff regularly perform above the call of duty while going about their daily work in an unobtrusive way. He pointed out, however, that problems will arise because a significant fraction of staff, both at the Berkeley campus and systemwide, will retire in the next decade. Additional staff will be needed to accommodate increased enrollments. Professor Davis noted that California is a very competitive recruitment environment with low unemployment, due in part to the success of the University of California in providing a world-class education to large numbers of Californians who generate the state's prosperity. He believed that the Regents should focus on how the University will be able to attract highly qualified staff in the coming decade so that the long-term excellence of the staff may be guaranteed.

Ms. Edith Ng, director of staff affirmative action, explained that her office collects demographic data on the workforce in order to comply with federal reporting requirements. She provided the Regents with an overview of the campus workforce, noting that the campus has a racially diverse career staff population of approximately 6,500. While minorities constitute 41 percent of the workforce overall, however, they are only 15 percent at the executive level and 22 percent at the senior management level. Women have a slightly higher representation at the executive level and have made good progress at the senior management level. The campus has seen a recent shift toward more highly skilled jobs, particularly in the field of information technology, where it is experiencing recruitment difficulties. The campus workforce is also aging; 60 percent of the staff will retire in the next ten to fifteen years, resulting in the loss of a large share of the institutional memory.

Ms. Ella Wheaton, an ombudsman for staff, noted that if the University wishes to remain an employer of choice in a highly competitive labor market, it must pay attention to the strategies

which will allow it to retain valuable employees and to compete successfully for talented workers. To do so, attention must be paid to the following factors:

- Compensation: Offer competitive salaries and benefits.
- Flexibility: Respond in a timely and strategic way to changing staffing needs.
- Employer Values: Articulate values that give clear direction in setting strategies and priorities for the future and that are responsive to issues of access, inclusion, and diversity.
- Training and Development: Promote employer practices that invest in staff through training and retraining.
- Civility: Value all members of the campus community by establishing and promoting a culture that balances formal and informal methods of addressing and resolving conflict.
- Staff Voice: Promote a culture that recognizes and values staff contributions and that gives staff a voice at all levels of the institution.

Faculty Representative Coleman reported that both the Academic Council and CUCSA had approved a joint report on the interaction of staff and faculty.

The meeting adjourned at 4:30 p.m.

Attest:

Secretary