

The Regents of the University of California

COMMITTEE ON EDUCATIONAL POLICY

November 20, 2003

The Committee on Educational Policy met on the above date at Covell Commons, Los Angeles campus.

Members present: Regents Bodine, Bustamante, Dynes, Hopkinson, Huerta, Johnson, Kozberg, Lansing, Marcus, Moores, Murray, and Sayles; Advisory members Novack, Ornellas, and Blumenthal

In attendance: Regents Blum, Connerly, Davies, Montoya, Pattiz, Preuss, and Seigler, Regent-designate Anderson, Faculty Representative Pitts, Secretary Trivette, General Counsel Holst, Provost King, Senior Vice Presidents Darling and Mullinix, Vice Presidents Broome, Doby, Gomes, Gurtner, and Hershman, Chancellors Berdahl, Bishop, Carnesale, Cicerone, Córdoba, Greenwood, Tomlinson-Keasey, Vanderhoef, and Yang, Acting Chancellor Chandler, and Recording Secretary Nietfeld

The meeting convened at 10:55 a.m with Committee Chair Kozberg presiding.

1. **APPROVAL OF MINUTES OF PREVIOUS MEETING**

Upon motion duly made and seconded, the minutes of the meeting of September 18, 2003 were approved.

2. **ANNUAL REPORT ON THE UNIVERSITY PRIVATE SUPPORT PROGRAM, 2002-03**

In accordance with the Schedule of Reports, the **Annual Report on the University Private Support Program** for 2002-03 was submitted for information.

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

Senior Vice President Darling presented an overview of the annual report, noting that the University had experienced a decrease in private giving of approximately 11 percent from the previous year. He pointed out, however, that last year was the first time in ten years that there had been a decline in private support in the United States. Some of the nation's top-level private universities have experienced decreases of 25 percent to 30 percent. Mr. Darling reported that 2002-03 was the fourth consecutive year in which gifts to the University of California had exceeded \$1 billion. Four campuses reported increases in private support, while six reported decreases. Many of the declines, however, follow record years for those campuses.

Mr. Darling noted that for the first time the annual report includes data for each campus using both the accrual and the cash-based methods of accounting. He pointed out that, from 2001-02 to 2002-03, new pledges had declined from \$551 million to \$195 million, which will have a negative effect on cash flow in future years. New gifts and pledges for endowments dropped to \$255 million from last year's all-time record of \$407 million. The University continues its strong pace with regard to the funding of endowed chairs.

Regent Lansing observed that the University's older campuses seemed to receive the strongest financial support from their alumni. She believed that there should be a large fundraising campaign focused on all UC alumni which would ask that each alumnus contribute \$100.

Senior Vice President Darling confirmed that the more established campuses tend to receive more support from their alumni, but he noted that when he left the San Diego campus in 1996 the median age of an alumnus of UCSD was 35 years. He agreed that a larger percentage of alumni in general should participate as donors to the University but made the observation that the University had failed to imbue in its students and alumni a culture of responsibility for sustaining the institution. There has been an expectation that the State would provide adequate funding, a perception which must be changed in order to cope with economic realities and to connect the alumni to the University. In response to a question from Regent Lansing, he stated that the University has approximately 1.2 million living alumni.

Regent Lansing pointed out that a hundred dollar contribution from each of these 1.2 million people would produce \$120 million. She suggested the need for a unified campaign in which all of the campuses would participate. Senior Vice President Darling endorsed the concept and suggested that the Regents provide philanthropy to challenge the alumni to contribute. Regent Lansing continued that her ideas would involve a media event at which all of the chancellors were in attendance.

Mr. Darling commented that the campuses have a limited amount of money to devote to their fundraising efforts; in addition, fund raising is an expensive activity. The campuses have chosen to invest their resources in attracting large gifts from private donors.

Regent Huerta endorsed the proposal made by Regent Lansing, noting that prior to her appointment to the Board of Regents she had been unaware of the University's budget problems. She believed that, once alumni were informed of the situation, they would be eager to contribute.

Regent Bodine observed that, while she believed Regent Lansing's proposal to be a good one, the alumni associations do not have contact information for all 1.2 million alumni. Vice President Darling added that several years ago there were more alumni for whom the University did not have addresses than for those it did. A considerable amount of time and

energy have recently been expended to improve these contact data, with a high degree of success.

Regent Marcus commented on the fact that each campus tends to have its own fundraising priorities and suggested that there may be some reluctance to share information about donors. Vice President Darling believed that a campaign with an overall theme could be designed, with donors being encouraged to give to the campus of their choice. Regent Marcus asked whether consideration might be given to a fundraising effort that was coordinated within the Office of the President in order to raise discretionary funds that could be distributed to the campuses. Regent Bodine pointed out that this raises the question of how such funds would be allocated.

Mr. Darling pointed out that the University's alumni had received an excellent education at a very lost cost; these alumni have the responsibility to help sustain that opportunity for others. Regent Kozberg noted that one purpose of the campaign proposed by Regent Lansing could be to raise the public's awareness about the fact that the University of California is now a State-assisted rather than a State-supported institution.

In response to Regent Marcus' comments, Senior Vice President Darling emphasized that it has long been the University's policy that funds raised by a campus remain with that campus. If the Office of the President were to take on the responsibility of distributing funds, this could have a chilling effect both on the campuses' incentive to solicit donors and on the donors' willingness to contribute.

Regent Seigler noted that, as chair of the Chancellor's Associates and as President of the UCLA Alumni Foundation, he had been involved with these issues for the past ten years. He believed that it was important to keep in mind that there is a considerable lag between the first gift on the part of an alumnus and the largest gift to the University; a gift of \$100 could translate into a much larger gift in the future. He agreed with the need to change the culture of the students and alumni to imbue them with a sense of responsibility for future generations.

Regent Pattiz suggested that the public's awareness of the problems the University faces could be changed through the use of public service announcements on campus and local radio stations.

President Dynes expressed his enthusiasm for the proposal, noting that his inaugural tour of the state was aimed at educating its citizens on the value of the University of California and the precarious financial position it is in today.

Chancellor Berdahl cautioned that most alumni and others who contribute to the University expect their gifts to add a margin of excellence rather than to replace State funding. He did not believe that the campaign proposed by Regent Lansing should be framed entirely as a way to deal with the budgetary crisis. Regent Lansing pointed out that this is a unique time

in the state's history that requires unusual efforts. She requested that the chancellors and the President put together a proposal for a fundraising campaign and report back to the Regents. Regent Bodine believed that the Legislature might see a successful fundraising campaign by the University as a reason to provide less funding and suggested that the money raised be used for scholarships.

3. **UPDATE ON THE UC MERCED CAMPUS**

Chancellor Tomlinson-Keasey recalled that providing access to the University of California had been one of the principal rationales behind the decision to open a tenth campus in Merced. A second goal was to strengthen the economy of the San Joaquin Valley. She characterized the demographics of the region as follows: the unemployment is twice that of the state of California; the college graduation rate is 50 percent less than that of the state as a whole; the per capita income is significantly lower; and the percentage of those living in poverty is significantly higher. The twelve-county area which comprises the San Joaquin Valley is home to 20 percent of the state's school children, 40 percent of whom are Hispanic. The Merced campus contributes about \$1 million per month in payroll to the local community, and \$280 million worth of construction projects are under way. She continued that 75 percent of the 638 construction workers live in the Central Valley. In addition, the campus has spent \$9 million on direct purchases of goods and services over the past year. Even in its embryonic stage, the campus is having a clear and widely felt economic effect in the Central Valley. The Chancellor presented views of the various construction projects that are under way on the campus, all of which will allow the campus to open in fall 2005.

With the ongoing construction projects as a backdrop, the Merced campus is in the process of building up its founding faculty. In addition to the attractiveness of being a member of the University of California, the opportunity to help create a new institution also draws faculty to Merced. These faculty, who arrived on campus in July, have already received \$6.1 million in federal and State research grants and contracts, and they have applied for an additional \$11 million. Graduate and postdoctoral students are joining the faculty in their research activities.

Chancellor Tomlinson-Keasey reported on the campus' fundraising activities to date, noting that it had received \$40 million in private support, which includes 15 endowed chairs and \$4 million for scholarships.

The Chancellor then called upon Professor Gregg Herken, a founding faculty member and the author of "Brotherhood of the Bomb," for his remarks. Professor Herken reminisced about his experiences visiting the Santa Cruz campus in its infancy and his decision to transfer there in order to be part of something which was new and exciting. The Merced campus offers a similar opportunity. Some faculty are already giving talks and lectures at various venues and are working with graduate and postdoctoral students from their previous institutions. Discussions are under way with the Lawrence Livermore National Laboratory about establishing an advanced degree program in security studies which would be

administered jointly by the Merced campus and the laboratory. The faculty are also involved in developing the curriculum which will be offered in 2005.

Chancellor Tomlinson-Keasey commented that the courses offered in summer 2004 would be taught by Merced's own faculty for the first time. The faculty are also planning undergraduate seminars for 2004-05 for concurrent enrollment students, and many are involved in teaching partnerships at the University's northern campuses and at local community colleges. The Ford Foundation has provided funding for the concurrent enrollment program because of the diversity of the population in the Central Valley and also because so many students begin their education in the community colleges. The Ford Foundation was also interested in supporting nontraditional students who are not free to move away from home to begin their educational experience. The Chancellor then invited Ms. Crystal Wuebker to discuss her experiences with the concurrent enrollment program.

Ms. Wuebker was confident that the standard of instruction at UC Merced would match that of the entire UC system. The faculty recruited to date are exceptional and are excited by the possibilities that the new campus offers. She explained that, while taking courses at Merced College, she is also working in the School of Engineering at UC Merced and has participated in designing the academic structure of the school. In addition, Ms. Wuebker reported that she had traveled to Sacramento in order to lobby local legislators about the importance of the campus and the economic benefits that it will bring to the Central Valley. She commented on the reasons she intends to transfer to UC Merced: its location, the faculty, and opportunities. UC Merced will help to balance the disparity between valley students and those in other locations in the state. At present the concurrent enrollment program involves 120 students who are enrolled at local community colleges. She noted her disappointment in the decision by the Legislature to delay the opening of the campus to fall 2005 but stated her willingness to wait another year before transferring to UC Merced, where she intends to obtain a degree in computer science.

Chancellor Tomlinson-Keasey concluded her presentation by remarking on issues pertaining to educational access. Although it had been anticipated that there would be high demand for admission from students in the Central Valley, 37 percent of SAT scores submitted this year in support of their applications were from students in the Los Angeles basin. The new campus will relieve some of the pressure on impacted majors throughout the UC system and further assist the University of California in preserving its commitments under the Master Plan for Higher Education.

Regent Johnson asked for comment on the effect of the delay in opening the campus on resource development. The Chancellor acknowledged that there had been an interruption in the momentum of the campus and emphasized the need to obtain operational funding for 2005; once this has occurred, the campus should be more successful in its fundraising efforts.

Regent Blum expressed concern about possible obstacles to the campus' opening in fall 2005. Chancellor Tomlinson-Keasey noted that she must move forward with the expectation that the \$20 million that are needed to open will be appropriated.

4. **STATUS REPORT ON ELIGIBILITY AND ADMISSIONS ISSUES**

President Dynes observed that the University would confront a number of issues relating to eligibility and admissions over the coming months. These issues include continued growth in the college-age population, potential budget constraints on enrollments, and the periodic study by the California Postsecondary Education Commission of the eligibility rates being achieved by the University of California and the California State University. In addition, Chairman Moores has raised specific questions about the comprehensive review process. The President explained that, in response to these issues, he had commissioned a study group to be co-chaired by Regent Kozberg, who originally proposed such a group, and Senior Vice President Darling, and he mentioned the names of those people who had agreed to serve. He emphasized the importance of providing more clarity to parents and students about current policies.

President Dynes commented that faculty responsibility for admissions criteria, with appropriate Regental oversight, had worked well for the University of California for many years. The faculty are in the classroom and are responsible for the academic quality of the institution. They are thus well positioned to know what standards are expected of the students who are admitted. The President believed that the study group would help inform future discussions as well as develop a more thorough understanding of issues pertaining to admissions and eligibility across many segments of the University of California community.

President Dynes outlined his goals for the study group, noting that he had asked the group to look at three things:

- UC's eligibility criteria and issues related to the forthcoming study by CPEC;
- the implementation of existing Regental eligibility and admissions policies; and
- methods to achieve greater efficiencies in UC's admissions policies, as well as ways to communicate with the public more clearly about eligibility criteria, selection practices, and admissions policies.

The President suggested that four principles would guide the work of the study group. First, comprehensive review is and shall remain the admissions policy of the University of California, requiring every applicant to be evaluated in a broad range of academically relevant areas and in light of available educational opportunities. Second, the quality of the University must be maintained. This quality is measured by such factors as the caliber of the faculty and the research they conduct, the character and potential accomplishments of

the students, the breadth and depth of the student experience, and whether those people who are touched by the University are broadly representative of the society that supports it.

Third, UC must continue to recognize that competition for admission to the nation's finest universities has never been more intense; this fact causes anxiety for parents and students. The University has an obligation to clarify how the admissions process works on each campus and to measure the academic impact of all facets of comprehensive review. Finally, UC is a public institution with a unique mission as expressed by the Regental resolution which states that "the University shall seek out and enroll, on each of its campuses, a student body that demonstrates high academic achievement or exceptional personal talent and that encompasses the broad diversity of backgrounds characteristic of California."

In concluding his remarks, President Dynes commented on the fact that much of the discussion of these issues in recent weeks had focused on data. While data will be an important part of the study group's deliberations, many questions about college admissions ultimately boil down to questions about values and institutional objectives, not data. These questions include the following:

- What are the public responsibilities of a highly selective public university in America today?
- What does quality mean, and how is it best measured?
- What impact do admissions decisions have on the educational environment on campus and in K-12?

He encouraged the study group to look not only at the data but also at what the University of California is trying to achieve and the extent to which its policies support that mission.

Committee Chair Kozberg believed that having Regents, senior administrators, faculty, and students meet to discuss these issues would result in solid recommendations to bring forward at the March 2004 meeting. She asked that today's meeting be seen as an opportunity for those Regents who are not participating on the study group to inform the group of some of the challenges they would like to see discussed. She reiterated the view offered by President Dynes that the process was part of the University's strong tradition of shared governance; the faculty is the body with the expertise to determine the preparation and ability required to gain admission to the University of California. Regent Kozberg provided a brief outline of the study group's schedule, noting that the first meeting would focus on eligibility, including an overview of its policy foundations, its history, and the composition of the eligibility pool. At its second meeting the study group will examine admissions issues, including campus implementation of comprehensive review. The third meeting will focus on concrete steps for increasing efficiencies and sharing best practices across the system. The group will consider ways to improve communications about the admissions

process. Regent Kozberg anticipated the need for a fourth and fifth meeting in order to address any remaining issues and to formulate the group's findings and observations.

Senior Vice President Darling observed that the growth in the college-age population and the State's financial situation give greater weight than normal to the importance of the issues related to eligibility and admissions. Few issues elicit greater interest from the public and its elected representatives, as the hopes of thousands of students depend on gaining admission to the University of California and to their first-choice campus. Many students and their parents begin preparing for a UC education well before they enter middle school. Mr. Darling pointed out that, before becoming admissible, students must meet UC's eligibility requirements and noted that these requirements serve three important purposes. First, they send a signal to the high schools about the importance of offering a rigorous academic curriculum and they outline the courses that schools should offer to prepare their students for college. They send a similar signal to students about how to prepare for University work. Lastly, UC's eligibility requirements help the campuses to determine which students are ready for a university education. Vice President Darling emphasized that many knowledgeable observers have said that these eligibility requirements may be the most important factor in maintaining academic standards in California's schools. In concluding his remarks, Vice President Darling discussed how the mission of the University at its founding had been to provide a public education that would be equivalent to the best private universities and to make that education available to students who could not aspire to higher education. This duality of purpose both defines and challenges the University community and should be uppermost in the minds of the members of the study group as it embarks on its effort.

Regent Hopkinson observed that much of the information in the public domain over the past 45 days regarding eligibility and admissions did not reflect the policies of The Regents. She recalled that the Organic Act had provided that "...it shall be the duty of The Regents, according to population, to so apportion the representation of students, when necessary, that all portions of the State shall enjoy equal privilege therein." In 1960, the Master Plan for Higher Education defined the percentage of high school graduates who would be eligible for the University. Prior to that time, approximately 15 percent of California high school graduates met UC admissions requirements. In 2001 The Regents restated the commitment to enroll a student body that reflects the broad diversity of the state's population. Finally, in November 2001, The Regents overwhelmingly endorsed comprehensive review. Regent Hopkinson outlined the various factors that are taken into consideration in admissions decisions under the system of comprehensive review, noting that none is the single determining factor. She found the report issued by Chairman Moores to be flawed, as it looked at only limited data for a one-year period and gave no historical data for comparison. She believed that the publicity generated by the report had generated a significant amount of confusion in the public's mind.

Regent Hopkinson suggested that the report had hurt individual students, because the analysis and resulting media coverage had implied that a particular group of students was

not worthy of a UC education. On the contrary, these students have achieved high grades in rigorous UC-approved academic course work. She quoted the following statistic as an example, noting that it applies to both Berkeley and UCLA: when out-of-state students, students who applied to the most competitive majors, or students who withdrew are removed from the high-end pool of applicants, those students who received low scores on the SAT have a higher grade point average than the high-SAT scoring students. It is known that these low-scoring students, once enrolled, by and large succeed in their studies. Regent Hopkinson continued that it was not possible to understand the effects of comprehensive review, which has been in place for only two years. She agreed that the University's admissions process should be more understandable and acknowledged the need to continue to evaluate how Regental policies are being implemented. With respect to the study group, it was her hope that the members would approach their work in an open, unbiased way. She encouraged the group to avail itself of UC faculty members who have stellar reputations in relevant fields such as evaluation and testing. She also suggested the importance of using independent, outside resources to accumulate statistical data. Regent Hopkinson was concerned that the March deadline did not provide enough time for the group to accomplish a thorough job.

Regent Hopkinson requested that General Counsel Holst provide an opinion on the use of the University's logo and copyright on the report.

Regent Connerly commended Regent Hopkinson for her articulation of the issues which are facing the study group. He hoped that the Regents would reserve judgment on the report released by Regent Moores until the study group has had the opportunity to complete its work. Regent Connerly stressed that any comments he might make should in no way be taken as a criticism of the Chairman, who had undertaken the report in order to bring certain issues to the attention of the Regents. He resonated with the suggestion raised by Regent Hopkinson that the report may have sent a message to certain students that they are not welcome at the University, although he did not believe that such a message had been intended by the report. Regent Connerly wondered whether the University creates a self-fulfilling prophecy for some students that they cannot succeed, as a result of stereotypes about matters such as race. He asked the study group to consider issues related to eligibility in such a way that is not harmful to any group of students.

Regent Marcus believed that while each Regent had the responsibility to gather information, there was also a responsibility to be sensitive about creating an environment in which the University's reputation may be damaged. He regretted that the debate about the report had taken place in the media rather than within the committee structure of The Regents. Regent Marcus emphasized that any report produced by the relevant study group should be a document that anyone in the state would be able to comprehend.

In response to a question from Regent Sayles, President Dynes explained that the product he hoped would emerge from the work of the study group was a deeper understanding of how much flexibility there is within the existing eligibility criteria. The University will face

some serious budget issues in the near future and will also receive the results of the most current CPEC eligibility study. He anticipated that if the University has been at all successful in its outreach and its preparation of students, the current eligibility pool will be higher than the 12.5 percent mandated by the Master Plan. The President ventured that, given the confusion on the part of parents about admissions, even some members of the study group did not entirely understand how eligibility works. The work of the study group should address how this process could be made more clear to the populace of the State of California.

Regent Sayles recalled that the implementation of comprehensive review had been preceded by a year of study by the faculty and asked whether the study group's work might be on too fast a track. President Dynes acknowledged that more time may be required to produce a high-quality report. Regent Sayles asked why the work on issues pertaining to eligibility was not being performed by the faculty. Regent Kozberg observed that the study group was part of the tradition of Regents and faculty working together to address important issues. Regent Sayles noted that his approach would have been to delegate the work to the faculty and then have the study group review their findings. In concluding his comments, he emphasized that each Regent should have as a goal to do no harm to any students. When students are given the impression that they are not welcome or qualified to attend the University of California, this does harm to these students.

Faculty Representative Pitts reported that the faculty believe that there has been sufficient consultation and are comfortable with the idea of seeking clarity about issues related to eligibility and admissions. He believed that it was appropriate for the Regents to have a voice in the philosophy concerning these issues.

Regent Lansing emphasized the fact that the Regents were solid in their support of comprehensive review. She recalled that when the policy was adopted, it was with the understanding that practices on the campuses would be monitored.

Regent Bustamante resonated with Regent Lansing's comments, noting that comprehensive review is practiced by the nation's leading institutions of higher education. He recalled that when the Regents considered adoption of this policy, they were informed that the SAT I is the least likely predictor of academic success. He suggested that the study group had the responsibility to refute the idea that over-zealous admissions officials are trying to circumvent the comprehensive review process in order to produce a certain student body. Regent Bustamante reiterated the request made by Regent Marcus that the study group produce a report which will eliminate confusion in anyone's mind about the University's admissions process and underscore the high standards which those students who are admitted are expected to achieve.

Regent Davies commented that the proposal for a study group had been considered by the President before Chairman Moore's report was released. He emphasized that the work of the study group did not pertain to comprehensive review, which has been adopted as a policy

by The Regents. The charge from the President to the group is to study how policies that apply both to eligibility and admissions are being implemented. Any recommendations for changes to policy resulting from the group's work will be referred to the Board on Admissions and Relations with Schools for review and comment.

Chairman Moores observed that any actions taken by the Board with respect to admissions should be legal, fair, and transparent. It was his opinion that this test was not being met. He suggested that the University's admissions process was difficult for the public to understand, given terms such as eligibility in the local context, admission by exception, and augmented review. He was concerned that the University is admitting more than the 12.5 percent of California high school graduates mandated by the Master Plan. In addition, he noted that the eligibility index used in the admissions process has only two components, a weighted grade point average and a composite of SAT scores. Students with a weighted GPA of 3.5 and a composite SAT score of 390 are guaranteed admission to a campus of the University of California. Regent Moores recalled that the study undertaken by his office had reported that the Berkeley campus had admitted as many as 400 students with SAT I scores of 1,000 or less, while denying admission to more than 3,200 students with scores over 1,400. He suggested that data about UC admissions had not been forthcoming to the Regents as fiduciaries. It was his hope that the work of the study group would result in absolute transparency in the admissions process to the extent permitted by law. Regent Moores stressed that his remarks were not aimed at comprehensive review but rather at how the policy is being implemented at the campus level. He recalled that several Regents had requested an audit of the effect of the comprehensive review process; he did not believe that such an audit had been provided.

In response to a further comment by Regent Hopkinson regarding the use of the seal on the report and its having a University copyright, Chairman Moores stated his opinion that such use had been appropriate, as the data in the report had been provided by the University. Regent Bodine agreed with the concerns expressed by Regent Hopkinson, noting that the use of the seal on the cover of the report appeared to indicate that it was an official Regental document.

Regent Seigler did not believe that the intention of the report had been to harm students. He was concerned about the harm done to the high-achieving students who were not admitted to the Berkeley campus. Regent Moores assured him that these students had enrolled in some of the best institutions of higher education in the country but pointed out that for many of them Berkeley had been their campus of first choice.

President Dynes looked forward to a clarification of the issues relating to eligibility and admissions as the study group carries out its charge.

Regent Connerly reported that the President had agreed to look at the appropriateness of adopting a "multiracial" category in the University's race categorization system. President Dynes commented that a feasibility study is under way.

(For speakers' comments, see the minutes of the November 20, 2003 meeting of the Committee of the Whole.)

The meeting adjourned at 1:10 p.m.

Attest:

Secretary