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

April 27, 2005

The Regents of the University of California met on the above date at the Buehler Alumni and Visitors Center, Davis campus.

Present: Regents Anderson, Hopkinson, Johnson, Kozberg, Lee, Novack, and Parsky

In attendance: Regents-designate Juline, Rominger, and Rosenthal, Secretary Trivette, General Counsel Holst, Chancellor Vanderhoef, and Recording Secretary Nietfeld.

The meeting convened at 1:35 p.m. with Regent Lee presiding. It was noted that the public comment period would take place in the context of the Regents' visit to the Davis campus, rather than a formal meeting of the Board, and as such a quorum of The Regents was not required.

1. **PUBLIC COMMENT**

Regent Lee explained that the Board had been convened as a Committee of the Whole in order to permit members of the public an opportunity to address University-related matters. The following persons addressed the Board concerning the items noted.

A. Mr. Anthony Pineda, a student at the Davis campus, believed that fee increases affect the diversity of the University and are particularly difficult for low-income students. These increases are forcing students to work more and take out more loans, which affects grades and retention rates. He expressed doubt that he would be able to afford to send his children to college if fees continue to rise.

B. Ms. Yadira Hernandez, a student at the Davis campus, believed that the fee increases would have a negative effect on the ability of her brothers to attend college. She urged the Regents to enter into a dialogue with students.

C. Dr. Murray Morgan described problems he has had with the Davis campus.

D. Ms. Angie Cazares, a student at the Davis campus, addressed the issue of service workers on campus, including her father, whom she believed deserve to be treated with respect. Because of low wages, these workers often must take on a second job to make ends meet.

E. Mr. Frank Pinto, a member of the Union of Professional and Technical Employees, observed that the California Constitution requires that Regents be broadly reflective of the diversity of the state. He believed that this requirement was not being met, thereby short-changing the public.

F. Mr. Ruben Arevalo, a member of West Davis Neighbors, spoke about the importance of agriculture to the state's economy, noting that the majority of agricultural research at the University of California is performed on the west campus of UC Davis, which is the future site of the West Village community. He recalled that the Davis City Council had voted to recommend to the Davis campus administration that the project be relocated.

G. Mr. John Stenzel, a lecturer at the Davis campus who was the recipient of an excellence in teaching award, expressed regret that lecturers are considered to be non-Senate faculty. He commented on the low salaries paid to service and clerical workers and on the negative effects of recent fee increases on students.

H. Mr. Charles Hunt, a professor of Electrical Engineering at the Davis campus, presented allegations related to the conduct of the chair of his department which he did not believe had been taken seriously by the campus administration.

2. **OPENING REMARKS**

Chancellor Vanderhoef welcomed the Regents to the Davis campus and outlined the program that was anticipated for the visit. Following Chancellor Vanderhoef's remarks, the Committee took a campus bus tour, beginning with the new "front door," a neighborhood that includes the Buehler Alumni and Visitors Center and the Mondavi Center for the Performing Arts**.** Vice Chancellor Meyer provided some background information with respect to the early development of the campus, and he indicated the future site of the hotel and conference center and the Graduate School of Management. The Regents were then given a view of the future site of the Mondavi Institute for Wine and Food Science. A visit to the health sciences district began with a tour of the Center for Companion Animal Health, led by Dean Osburn, and included a walking tour of projects that are under way. The Regents then visited the site for the campus' West Village project**,** which will construct 500 units of housing for faculty and staff, as well as 3,000 beds for students.

3. **DISCUSSION WITH ACADEMIC SENATE AND ACADEMIC FEDERATION REPRESENTATIVES**

The Committee met in the University Club for a discussion among the Regents and representatives from the Academic Senate and the Academic Federation, moderated by Professor Simmons, chair of the Davis division of the Senate.

In response to a question from Regent Hopkinson, Professor VandeVoort, chair of the Academic Federation, explained that the federation is the constituent organization that represents non-Senate faculty. The federation was established as a pilot program on the Davis campus in 1969 at the request of the Office of the President. Although the idea was successful, the other campuses have not chosen to form similar organizations. One of the federation's most critical issues is whether federation faculty should participate in shared

governance. In response to a question from Regent Anderson, Professor VandeVoort explained that very few lecturers have security of employment; those who do are members of the Academic Senate.

Regent Kozberg asked for comment on the opportunities and obstacles that the campus will see as new faculty are hired. Professor Simmons noted that the biggest obstacles are money and housing. A further challenge for the University as a whole is access to graduate students due to a lack of adequate financial support. He recalled that in 1996, as part of the compact with the Governor, the University had agreed that the marginal cost of instruction funding level from the State would be the same for undergraduate and graduate students, whereas prior to that time the State had provided twice as much funding for graduate students. This policy offered the University an incentive to concentrate on the growth of the undergraduate population. Professor Simmons pointed out that, in order for the University to survive as a first-class research institution, it will need to attract more graduate students.

Professor Velinsky observed that most institutions of higher education provide faculty and staff with reduced tuition for their children; faculty families at the California State University do not pay tuition. He encouraged the Regents to consider this issue, particularly given the high cost of attending the University.

Referring to the University's desire to attract more graduate students, Regent-designate Juline suggested that it would be important to understand what resources are required to improve the situation in order to communicate the outcome of the investment of those resources.

Professor Berger believed that a selling point for the investment in graduate education was how much benefit an advanced degree adds to the state's economy. The faculty are worried about the University's international reputation, which is built and maintained with international graduate students; it appears that enrollment has fallen over the past several years. Regent-designate Juline emphasized that the importance of educating graduate students should be communicated to the public in order to enlist more support.

Professor Simmons observed that one of the difficulties in attracting foreign graduate students is the fact that China, Taiwan, and India have been developing their own universities
in order to retain their talented students at home. He suggested that the University may wish to focus on areas of the world such as South America or Africa as part of its role as an international institution.

Regent Kozberg commented that many legislators do not recognize the value of graduate education; they associate it with lightening the faculty teaching load.

Several members of the faculty panel emphasized the fact that private universities are able to offer four years of tuition fee waivers, which also puts the University of California at a disadvantage.

Regent Lee commented on the financial difficulties that prohibit many Chinese students from studying in the United States.

Referring to Regent Kozberg's comment that legislators tend to believe that graduate students lighten the teaching load, Professor Conrad reported that she supported four to five Ph.D. students in her laboratory; the mentoring of these students is her primary teaching responsibility. Faculty at the University have a commitment to training the next generation of scientists. She believed that the University faces the problem of recruiting faculty who will continue to support graduate students, because, as a result of fee increases, it is more expensive to do so. This support must come from the faculty member's grants. The tendency is for faculty to hire postdoctoral fellows to do research.

Professor Jarvis described some of the goals of the Academic Federation, which include guarantees for greater job security and, in particular, a greater voice within the campus community. Because the positions that are represented by the federation are temporary, the faculty are concerned about the maintenance of quality. While the integration of federation members varies among the units on the campus, it is the greatest where they are engaged in research. He saw the need to rely upon these non-State funded positions to a greater extent. The federation is an outstanding example of how to provide structure and voice to allow these employees to work more effectively with the campus administration.

Professor Simmons recalled that the Regents had received a copy of *Shared Governance in the University of California,* a paper which he had presented to the Board following its publication in 1995. He observed that the University is unique among institutions of higher education due to the delegation of authority to the Academic Senate. Shared governance represents a system with two lines of management authority, that of the faculty and that of the administration. The faculty are responsible for maintaining the academic quality of the University, based upon a uniform set of standards. Professor Simmons acknowledged the contributions to this quality made by non-Senate academic employees, and he recognized the uniqueness of the Academic Federation to the Davis campus.

In response to a question from Regent-designate Rominger as to why the other campuses had not formed similar organizations, Professor VandeVoort reported that, due to budget difficulties, the program had not been pursued. Regent Hopkinson asked about any controversial issues, and Professor VandeVoort noted that there was some disagreement about the shared-governance role for non-Senate faculty. Senate faculty believe they should have the sole responsibility to advise the administration. Professor Simmons added that the Davis campus is exploring ways in which to involve federation members in departmental decision-making while staying within the boundaries of the bylaws of the Senate.

Regent Novack spoke of the academic freedom enjoyed by the University's faculty and asked if there were other institutions where the board of trustees or the administration is able to control what courses are taught and the context of these courses. Professor Simmons recalled that there had been periods in the University's history when Regents had been involved with the curriculum. There is administrative oversight and coordination of the overall academic program on a campus. The University's uniqueness is derived from the fact that the faculty have been delegated the authority to monitor the content and quality of degree programs. There are universities where the governing bodies are more involved with these matters.

Professor Kass observed that there are movements in parts of the United States that would jeopardize academic freedom by sponsoring legislation that would require a balanced approach in the classroom. He asked the Regents to protect the ability of the faculty to determine what they will teach.

Regent Hopkinson raised the issue of student diversity in light of the passage of Proposition 209. She asked whether the faculty had any suggestions for achieving more diversity on the University's campuses. Professor Jarvis spoke to the importance of outreach programs that assist disadvantaged students. He saw the need to replicate successful programs throughout the state.

Professor Simmons raised the issue of the University's bidding to continue the management of the Los Alamos National Laboratory, noting that the Department of Energy had substantially increased the fee that it would pay to the successful bidder over that which it provides to the University. He believed that the national interest had been well served by the University's management and expressed concern if the management should be awarded to a private military contractor.

Chairman Parsky concurred that there was reason for concern. No decision has been made as to whether the University should bid on the contract. The Regents believe that the excellence of the research at the laboratories is in part the University's contribution to the nation; there is no other institution that is capable of providing that quality of research. He acknowledged that there had been a need for a change in the culture at Los Alamos regarding safety and security. The University sees the need to form a partnership with a private entity if it is to continue to manage the laboratory. Chairman Parsky pointed out that a major concern at the moment is whether the federal government considers this to be just another defense contract rather than a contract with an emphasis on science and research; if that is the case, he was doubtful that the University would bid. He believed that there had been a clear effort on the part of the government to create a competition for the management of the laboratory as a result of the lapses in safety and security that had occurred. He saw the increased fee income as a way to involve corporations in the competition.

Regent-designate Rominger commented that the government had included in the Request for Proposal a requirement changing the retirement plan for employees at Los Alamos and also

requiring that the laboratory be managed by a separate corporation. He believed that these changes were intended to favor corporate management.

Professor Jarvis observed that the University's main interest should be in maintaining its ties with Lawrence Livermore National Laboratory. He felt that it was not clear what the result of bidding and losing the contract for Los Alamos would be with respect to Livermore.

Regent Kozberg suggested that it would be helpful for the Regents to understand how the faculty interact with scientists at the national laboratories. Professor Jarvis believed that the faculty who serve on the Academic Senate's committee on the national laboratories, which is chaired by Faculty Representative Blumenthal, could be useful in this regard.

The Committee recessed at 4:45 p.m.

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The Committee reconvened on April 28, 2005 at 9:05 a.m. in the Activities and Recreation Center.

Present: Regents Anderson, Hopkinson, Johnson, Lee, Novack, and Parsky

In attendance: Regents-designate Juline and Rominger, Faculty Representative Blumenthal, Secretary Trivette, University Counsel Thomas, Chancellor Vanderhoef, and Recording Secretary Nietfeld

4. **PUBLIC COMMENT**

Chairman Parsky explained that the Board had been convened as a Committee of the Whole in order to permit members of the public an opportunity to address University-related matters. The following persons addressed the Board concerning the items noted.

A. Dr. Murray Morgan commented on the fact that he did not feel welcome on the Davis campus.

B. Ms. Jordan Steiner, a member of Students Taking Action Now - Darfur, urged the Regents to consider divesting from international corporations that do business in Sudan. The Sudanese government relies heavily upon foreign investments for revenue. She recalled that the University of California had been the most prominent institution to take a stand against investments in South Africa; she believed a similar message to Sudan would benefit the people of Darfur.

C. Ms. Claudia Pacheco believed that, due to a lack of funding for outreach programs, diversity on the University's campuses would continue to erode. She noted that these programs assist low-income students to prepare for college.

D. Ms. Kimberly Homer, a Davis campus alumna and member of the COUGH Campaign, thanked the Academic Council for addressing the issue of externally funded research and forwarding the issue to The Regents for further review.

E. Ms. Nadeah Vali, an ASUC senator at Davis and a member of the University of California Student Association, saw a lack of racial and economic justice on the University's campuses. She decried the lack of funding for outreach programs. Ms. Vali also asked that the Regents not invest in companies that do business in Israel.

F. Ms. Roshani Parekh commented on how rising student fees were making it difficult for low-income students to afford to attend the University. She asked for better treatment of service and clerical workers.

G. Ms. Cynthia Funes, a student at the Davis campus, believed that the the Regents should recognize the needs of low-income students and workers.

H. Ms. Melissa Haworth, an alumna of the Davis campus and a staff member and graduate student, observed that the majority of students on campus do not share the opinions voiced by the students speaking in today's public comment. Rather, they have a positive opinion of the University. The campus also offers career and educational opportunities to its staff.

I. Mr. Brian McInnis, a student at the Davis campus, commented that while he was not a product of outreach he had benefitted from its successes. He noted that in 1999 Chancellor Vanderhoef had spearheaded an undertaking to invest more than $1 million in Restoration for College, a program in the local schools. UC Davis invests in 21 high schools with over 60 outreach programs.

J. Ms. Lucia Kimble, a student at the Davis campus, commented on the difficulties she faced as a result of steep fee increases, particularly as her parents are not able to contribute to her education. She was concerned that she would not be able to afford to graduate.

5. **TOUR OF THE ACTIVITIES AND RECREATION CENTER**

Prior to the tour, which was led by student employees of the Activities and Recreation Center, Vice Chancellor Sakaki gave a brief presentation on its history. The Facilities and Campus Enhancements Fee, approved by students in 1999, supports the center's construction and maintenance. The center, which is open to faculty, students, and staff, sees over 4,000 student visits each day. In addition to recreational facilities, the center offers meeting space to a wide array of campus groups. In response to a question from Regent-designate Juline,

Executive Director for Student Affairs Compton explained that a conscious decision had been made not to offer membership to alumni or community members due to capacity issues.

The Committee reconvened at 10:00 a.m.

6. DISCUSSION OF GRADUATE STUDENT ISSUES

Dean of Graduate Studies Gibeling explained that the morning's presentation would focus on academic degree programs that typically lead to advanced degrees such as the Ph.D. and the Master of Arts. He recalled that at the January 2005 meeting, in her presentation on the importance of graduate education, Provost Greenwood had emphasized the link between the quality of graduate education and the quality of the faculty. As the University seeks to maintain its competitive advantage, it must ensure that both are in place. Dean Gibeling recalled that over the past decade pressures to accommodate more undergraduate students had diverted attention from issues pertaining to graduate education. He believed that it was time to refocus this attention, as 80 percent of students who graduate from the University indicate the intention to seek some type of advanced degree. The question arises as to whether the University will be in a position to accommodate these students.

Financial support is critical to attracting a talented and diverse graduate population. The University faces strong competition for these students from other research universities. Provost Greenwood reported that the percentage of graduate students enrolled is low compared with the Comparison 8 institutions. She also discussed the challenges that relate to attracting international graduate students, including the high cost of nonresident tuition. Dean Gibeling noted that diversity in the graduate population is essential to success. Progress has been slow; it requires continuing dedication and attention, as well as the development of new strategies. Graduate education contributes to the economic well-being of the state, as well as providing solutions to social challenges. Because of the lack of attention to graduate education, the University has not made a strong case to the State about its important benefits.

Business Development Certificate Program

Dean Gibeling explained that the Business Development Certificate Program is a new, one-year program developed through collaboration between the Graduate School of Management and the Office of Research. The intention of the program is to assist students in translating ideas from the laboratory to viable products in competitive markets.

Associate Professor Hargadon, the director of the program, noted that it represents an attempt to build an entrepreneurial network across the various schools and departments on the campus. The program was announced in fall 2004, and over 100 responses were received. The program admitted nine students for the first year. Professor Hargadon introduced the student members of the panel and asked them to describe their experiences with the program.

Mr. Joel Koshy, a computer science graduate student, explained that his research is in the area of wireless sensor networks, which have applications in such diverse areas as microclimates and surveillance. It is considered a promising technology for the 21st century. His research focuses on software techniques for these networks. Mr. Koshy noted that he had been motivated to participate in the program because of his interest in real-world applications.

Ms. Melanie Funes-Duran, a biochemistry and molecular biology graduate student, noted that it is estimated that one in seven women will be affected with breast cancer. Not all of these cancers are the same. Some respond well to treatment, while others are resistant to the treatments that are available. Research in understanding the characteristics of each sub-set of the cancer dictates to the physician how to treat a patient. Her research focuses on a family of proteins that are involved in the most highly aggressive and yet most poorly treated breast cancers. Understanding how these proteins interact and how other proteins can regulate them can lead to the development of new therapies in the treatment of breast cancer. Ms. Funes-Duran observed that the Business Development Certificate Program had provided her with the tools she needs to take her ideas from the laboratory to the marketplace.

Mr. Jeff Norris, an anatomy/physiology and cell biology postdoctoral fellow, explained that his research is devoted to discovering new ways to store blood platelets, which are the cells that cause blood to clot after an injury. Platelets may only be stored for five days, and every year one-quarter of the platelets that have been collected expire before they can be used. The disposal of these cells causes an economic loss of $600 million annually, limits the blood supply, and increases risk among the population. Researchers have learned how to store platelets as a dry powder for up to two years. The technique will improve the supply of blood to soldiers in combat zones and thereby save lives. The development program has helped him to focus on how best to move this work into the marketplace.

Ms. Samara Freeman, a gastrointestinal physiology postgraduate researcher, discussed her research, which is focused on the interface between the food a person eats and the wall of the gut. She observed that obesity is an epidemic; related health-care costs are on the increase. Her interest is in developing new health products that are aimed at the management and prevention of diseases in an entrepreneurial setting. The Business Development Certificate Program has been a critical step towards this goal.

In response to a question from Regent Novack, Professor Hargadon reported that at present the funding for the program allows him to hire additional faculty. The students are all on fellowships, and they must be advanced to candidacy for the doctorate.

Regent Lee suggested that the next step would be for students to develop a business plan and then meet with venture capital firms. Ms. Freeman was hopeful that she would be able to use the expertise gained through the program to become involved in a start-up company. The program has also given the students exposure to venture capitalists.

Roundtable Discussion with Faculty and Students

Dean Gibeling introduced the panel of five faculty members and five graduate students:

- Emilio Bejel, professor of Spanish
- Linda Bisson, professor of viticulture and enology
- Kenneth Britten, professor of neurobiology, physiology, and behavior
- Victoria Smith, professor of sociology
- Anthony Wexler, professor of mechanical and aeronautical engineering

- Cynthia Batchelder, molecular, cellular, and integrative physiology graduate student
- Melanie-Funes-Duran, biochemistry and molecular biology graduate student
- Kristen Koster, French graduate student
- Chad Sterling, computer science graduate student
- Nicholas Tooker, civil and environmental engineering graduate student

Dean Gibeling explained that the intention would be to address the factors that students consider in making choices about graduate school and the challenges and constraints faced by faculty in admitting and recruiting graduate students. Admission to graduate school is quite different from that of undergraduate admissions, with heavy involvement of the faculty in admissions decisions.

Professor Smith explained that her graduate program admits about 30 students each year; 10 to 12 enroll. Students in the program conduct research in the field and analyze large data sets. They typically spend seven to eight years in the program, during which time they support themselves by teaching, which is the career they tend to pursue upon completion of the degree. The major problem that her graduate program faces is a lack of sufficient funding; as a result, the campus cannot offer the type of competitive package that attracts the top students. This particularly affects the ability to recruit international students due to the high nonresident tuition. One result is decreased diversity in the graduate population.

Regent Novack asked how the Regents could become more involved in addressing the problem of funding for graduate students. Professor Britten pointed out that the hard sciences have an advantage over fields like sociology because the faculty members receive grants to support their students. This is true for other competitive universities. He suggested looking for new ways to distribute funding to award the most successful students and programs.

In response to a comment from Faculty Representative Blumenthal regarding support for foreign graduate students, Professor Bejel reported that in 2002, 31 percent of his department's applicants were from foreign countries; by this year, the number had declined to 6.5 percent.

Dean Gibeling observed that increasing support for graduate students will involve many activities, including cost containment and raising funds from private sources. Professor Britten commented on the ability of private universities to recruit graduate students and the necessity for the University to fund such recruitment in order to compete. Professor Wexler saw a need to reach out to undergraduate students in the California State University system as potential graduate students.

Dean Gibeling invited the student panelists to describe the decisions they made when selecting a graduate school. Ms. Funes-Duran explained that her interest had been in finding a place where she could do cutting-edge research. She was drawn to Davis by the interaction between the campus and the medical school and by the cancer center.

Mr. Sterling, who was an undergraduate student at Davis, felt that the program offered in computer science at Davis was superior to those at others institutions where he applied. He has received funding from the campus throughout his graduate career.

Mr. Tooker reported that one of his professors at Montana State University had suggested that he apply to graduate school at Davis. The faculty are internationally known in the field of water reuse applications, which was a prime motivator for him.

Ms. Batchelder recalled that she had asked her undergraduate advisor at the Virginia Polytechnic Institute for advice on applying to graduate school and that he had suggested she identify someone who is well recognized in his field. The faculty member should provide financial support. She chose UC Davis following her recruitment by a member of the faculty. Ms. Batchelder emphasized the excellence of the research facilities at Davis.

Regent Anderson requested more discussion of the quality of the students' experiences in graduate school. Ms. Funes-Duran felt fortunate to have received fellowships from the National Institutes of Health and the California Breast Cancer Research Program. In recent years other graduate students in her laboratory have not been able to secure this type of funding; they must be supported by the Principal Investigator's grant. As a result, it is not possible for the laboratory to accept additional student researchers. Ms. Funes-Duran believed that the campus would benefit from innovative initiatives such as the Business Development Certificate Program.

Mr. Sterling referred to a recent report by the dean of the College of Engineering at Berkeley that none of the 800 students who entered the college in 2004-05 were African American. He saw this as an isolating environment. Recently the chair of the National Society of Black Engineers called for a boycott of conferences in California until he is able to meet with The Regents.

In response to a comment by Regent-designate Juline, Professor Britten stressed the need to improve diversity in the graduate population. He believed that there could be better efforts in terms of recruitment and retention of underrepresented students. Professor Wexler

reiterated the fact that the University must compete with private institutions that provide tuition waivers. He saw the need for the campus to publicize the excellence of its programs.

Regent Lee suggested that more attempts should be made by development staff to cultivate UC alumni who have returned to their home countries and been successful financially. Dean Gibeling acknowledged that they were an important part of the alumni family.

7. **BUS TOUR TO THE UC DAVIS MEDICAL CENTER**

The Regents took a bus tour from the campus to the medical center by way of downtown Sacramento.

The Committee then adjourned for lunch at the Medical Investigation of Neurodevelopmental Disorders (M.I.N.D) Institute, where Vice Chancellor Pomeroy made introductory comments about the Health System.

8. **EXCELLENCE IN EDUCATION, LEADERSHIP IN INNOVATIVE RESEARCH, STATE-OF-THE-ART CLINICAL CARE, AND EFFECTIVE COMMUNITY ENGAGEMENT**

The visit concluded with Regents participating in four concurrent roundtable discussions, as follows:

- **Excellence in Education**, facilitated by Dr. Michael Wilkes and Dr. Dan West.
- **Leadership in Innovative Research,** facilitated by Executive Associate Dean Bohham and Dr. James Boggan.
- **State-of-the-Art Clinical Care,** facilitated by Vice Chancellor Claire Pomeroy and UC Davis Medical Center Chief Executive Officer Bob Chason.
- **Effective Community Engagement**, facilitated by Dr. Thomas Nesbitt and Mr. Shelton Duruisseau.

Attest:

Secretary