

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

March 24, 2010

The Regents of the University of California met on the above date at UCSF–Mission Bay Community Center, San Francisco.

Members present: Regents Bernal, Blum, De La Peña, Gould, Island, Kieffer, Lansing, Lozano, Makarechian, Marcus, Nunn Gorman, O’Connell, Pérez, Reiss, Schilling, Stovitz, Varner, Wachter, Yudof, and Zettel

In attendance: Regents-designate Cheng, DeFreece, and Hime, Faculty Representatives Powell and Simmons, Secretary and Chief of Staff Griffiths, Associate Secretary Shaw, General Counsel Robinson, Chief Investment Officer Berggren, Chief Compliance and Audit Officer Vacca, Interim Provost Pitts, Executive Vice Presidents Brostrom and Taylor, Senior Vice President Dooley, Vice Presidents Beckwith, Duckett, Lenz, and Sakaki, Chancellors Birgeneau, Block, Blumenthal, Desmond-Hellmann, Drake, Fox, Kang, Katehi, White, and Yang, and Recording Secretary Harms

The meeting convened at 8:40 a.m. with Chairman Gould presiding.

1. PUBLIC COMMENT

Chairman Gould addressed the public attendees at the meeting and acknowledged the deeply disturbing hate-based incidents that had taken place recently on some of the campuses. He stated that the anger and frustration felt was understandable and legitimate, and that the Board planned to address concerns about intolerance on the campuses. He encouraged the audience to remain after this session to hear how the University will counteract the recent hate-based activities.

The Chairman 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 Committee:

- A. Ms. Chris Strudwick-Turner, vice president of the Los Angeles Urban League and a member of the Alliance for Equal Opportunity in Education (AEOE), commented that the recent incidents at UC San Diego were the result of many factors, particularly the lack of African American students on the UC campuses.
- B. Mr. John D. Johnson III, past president of the African American Alumni Association at UC Davis, informed the Regents that the incidents at San Diego prevent qualified students from feeling that UC is a safe educational environment.

In his experience, hate crimes happen consistently on the campuses and have not been addressed.

- C. Ms. Jennifer White, president of the UCLA Black Alumni Association and a member of AEOE, remarked that a diversity report commissioned by the Regents directed them to explore actions that would increase enrollment of underrepresented students, and that the University needs a clear timeline and metrics to assess progress.
- D. Mr. Duane DeWitt, UC Berkeley alumnus and veteran, stated that UC is causing problems for disadvantaged students through increased costs, especially for professional degrees. The Regents need to acknowledge that professional fees discriminate against people who cannot afford UC's fees and expenses.
- E. Ms. Shanta Driver, national chair of the Coalition to Defend Affirmative Action, Integration, Immigrant Rights and Fight for Equality by Any Means Necessary (BAMN), said that the Regents must ensure that students of color are adequately represented in the University.
- F. Ms. Nora Cisneros, UCLA undergraduate student, stated her disappointment with the substance of the prior day's meeting of the UC Commission on the Future. She asked the Regents to be more direct and transparent in their communications.
- G. Ms. Maria Bellman, student and an organizer with BAMN, said that students' and workers' protests in response to fee hikes, layoffs, and budget cuts resulted in a proposal for institutional financial aid for undocumented students. She said that UC should lead the way to asserting equality for undocumented students.
- H. Ms. Monica Smith, an organizer with BAMN and civil rights attorney, stated that BAMN and dozens of students filed a suit against UC asking that it publicly declare Proposition 209 unconstitutional and send a strong signal that it supports its students of color.
- I. Mr. Michael Petrelis, who has AIDS, stated that UCLA professor Sally Blower issued a study alleging the existence of a rampant strain of drug-resistant HIV in San Francisco. He expressed frustration with the lack of follow-up on this issue, and asked that Professor Blower be investigated for doing a disservice to people with AIDS.
- J. Ms. Adi Hoag, an alumnus of Berkeley and organizer with BAMN, said that none of the proposals from the previous day's meeting of the Commission on the Future were viable in terms of maintaining the University as a public institution open to all Californians.
- K. Mr. Joseph Semana, an international student, said that the educational system of the United Kingdom has been effective in keeping minorities out of institutions of

higher learning and government. Intolerance has grown in Europe because the government has chosen not to fight racism.

- L. Mr. David Ritcherson, a fourth-year student at UCSD, stated that this quarter has been the most challenging of his entire educational career. He stated that African American students have transferred because of the climate of intolerance at UCSD. He reminded the Regents that students had come to the meeting on their spring break to voice their experiences, anger, and concerns.
- M. Ms. Fnann Kflezighi, a third-year student at UCSD, and co-chair of the Black Student Union, criticized the surveillance and treatment of Palestinian and Muslim-identified people and people of color throughout the UC system. She remarked that black students she recruited now regret making the decision to come to UC. She expressed her pain, and asked the Regents to address the issue of campus climate.
- N. Mr. Samuel Bostick, fourth-year student at UCSD, said that this year he feels like a survivor, and not a student, of the San Diego campus. He stated that the African American high school students with whom he has spoken will not consider attending UCSD.
- O. Mr. Sy Prescott, a student at UCSD, informed the Regents that this quarter has been the worst he has experienced on campus. He said there are many problems on the San Diego campus, but the students cannot be the only individuals working to bring about change.
- P. Ms. Julieanne Aquino, a second year student at UC San Diego, said that she is a Filipino immigrant with parents who work double jobs to fund her education and that she does not receive financial aid. She informed the Regents that she was called a particularly vulgar epithet as she walked from her apartment.
- Q. Ms. Josue Castellon commented that the administrative problems at UCSD are attributable to the Regents. The economic privilege the Regents enjoy prevents them from understanding the difficulties faced by students of color.
- R. Mr. Sam Jung, a fourth-year student at UCSD, told the Regents that they must face the situation in San Diego and across UC. As a gay Asian/Pacific Islander who is subjected to homophobic slurs on campus, he feels unsafe at UC.
- S. Ms. Janessa Stemke, a student at UCR, expressed her disappointment in the previous day's meeting of the Commission on the Future. She said that the tension between students and Regents should be handled through communication, listening, and a customer-service attitude.
- T. Ms. Patricia Park, a third-year student from UCSD, identified herself as a member of the campus' 1.3 percent black population. She stated that she felt very

threatened on campus. She expressed disappointment in her fellow students, but stated that she is more disappointed in the administration's disregard for her safety.

- U. Mr. Miguel Lopez, a fourth-year Ph.D. candidate at UCLA, expressed his disappointment at the incidents mentioned by previous speakers. He spoke in opposition to an agenda item related to professional fees.
- V. Mr. Tanvir Dhillon, from UCSD, said that he is a proud UC student, but that recent events were very demoralizing. The most disturbing by far, he said, was the noose at the library, which sends a message to all students of color that they are not welcome at that campus.
- W. Mr. Kyle Simerly, a third year political science major at UC Berkeley, commented on the previous day's meeting of the Committee on the Future. He said that the only way UC can maintain its public status is to increase State funding.
- X. Mr. Julian Posadas, a food service worker at UC Santa Cruz and executive vice president for the Association of Federal, State, County, and Municipal Employees (AFSCME), stated that the Commission on the Future did not sufficiently address the option of increasing public funding for UC.
- Y. Mr. Derrik Wortes, a researcher with AFSCME, spoke about UC's and the state's obligation to ensure that workers' pensions remain funded. He said that workers must have a say in how their pension dollars are invested.
- Z. Ms. Judy McKeever, a respiratory care practitioner at UCSF for 15 years and a member of the Native American Health Alliance, said that her 10 percent cut in pay was supposed to avert layoffs and furloughs, but did not.
- AA. Mr. Laurence De Grassi said that in order to change the policies of UC, the Regents must be changed. He suggested that the Board be restructured through the application of pressure on government authorities.
- BB. Mr. JoJo Mends, AFSCME member and Berkeley employee, said that the Regents took an oath to uphold higher education. He stated that UC cannot restrict access for the poor.
- CC. Mr. Vic San Vicente, a security guard at UCSF and AFSCME member, said that the Regents should implement changes outlined in the proposals from the unions. These would include cutting salaries at the top, and an elimination of overtime pay spent on security guards to keep workers and students out of Regents meetings.

- DD. Ms. Maria Lopez, a cook at UC, works for hundreds of students. She said that hours for help have been cut and that every summer, dining hall employees are out of work.
- EE. A cook at UC who did not identify himself said he was grateful to be employed and suggested that the Regents take time out of their work lives to visit UC San Diego and experience the hostile campus climate first-hand.
- FF. Ms. Jenny Ingram, an employee at UCB and representative for AFSCME 3299, stated she believes UC intends to use the economic downturn as an excuse to cut employee retirement benefits. However, highly paid executives earn supplemental retirement benefits.
- GG. One of the 38 UC Berkeley custodians who were laid off asked the Regents to reconsider their decision to cease their employment. He stated that after their unemployment benefits end, those former employees still have to pay rent and other expenses.
- HH. Alicia Thorndike, a nurse at a non-profit agency in San Francisco that works with people with HIV, stated that the Regents have limited higher education to the wealthiest Californians.

2. **REMARKS OF THE CHAIRMAN OF THE BOARD**

Chairman Gould thanked the speakers, particularly those who addressed the shameful incidents that took place at some of the campuses. He stated that all of the Regents regret that any member of the UC community had to endure such disgusting displays of bigotry. He assured the speakers that the Regents take the incidents seriously and are committed to addressing their underlying causes.

Chairman Gould observed that anyone attending a UC campus has the right to expect a safe and respectful environment. He stated his strong support for the upcoming recommendations from President Yudof, and his belief that these recommendations would help heal some of the terrible wounds that have been created on the campuses. He said that the University will move forward to support the principles of justice, fairness, and open-mindedness, and will not let a few individuals detract from the greatness of the institution.

The Chairman remarked that UC is currently fighting for State funding, and that many of the programs that assist with recruiting and retaining students depend on State support. In addition to securing funding for its enrollment growth, the University is focused on ensuring support for the Cal Grants program, which is critical to the success of low-income and underrepresented minority students. Chairman Gould noted that on March 1, he, Regent Blum, and Regent Lozano joined President Yudof, five of the chancellors, and student leaders for an advocacy day in Sacramento. The University targeted three specific areas at that time: the full funding of its budget, the adequate funding of Cal Grants to

keep pace with rising costs, and State reinvestment in California's Master Plan for Higher Education. He complimented the actions of the student attendees, who made a very positive impact in Sacramento.

Chairman Gould remarked that the UC Commission on the Future had met the previous day and that some initial ideas were discussed. He acknowledged that some of them would likely be controversial, but that the fiscal environment demanded that the University examine its business model and look for alternative ways to operate more efficiently and maintain quality. Over the next few months, the Academic Senate, staff, students and the general public will have an opportunity to review the Commission's ideas, and are encouraged to discuss and comment on them.

3. **REMARKS OF THE PRESIDENT OF THE UNIVERSITY**

President Yudof remarked that the most important business of the day is the Regents' examination of recent events on the campuses. He thanked the speakers who had taken the time to share their comments, and said that he shared their passion, pain, and anger. President Yudof stressed that the actions on the campuses constituted the worst acts of racism, intolerance, and incivility that he has seen on college campuses in 20 years.

President Yudof stated that he recently met with a group of students from UC San Diego and was deeply disturbed by their accounts of campus incidents and climate. The President noted that the students shared their isolation, fear, disappointment, and anger, and that he was extremely impressed with their courage, eloquence, and determination to formulate constructive solutions. He stated that the University must deal with the causes that gave rise to the incidents, and while the University will not abandon due process, the perpetrators will face appropriate consequences and sanctions.

Addressing the students who had been so grievously harmed, the President affirmed that they had the full support of the Office of the President, the chancellors, and the Regents. He observed that UC stands for commitment to access and opportunity for all Californians. As legal scholar, he has devoted much of his career to ensuring access to education for historically underrepresented individuals. The President emphasized that he refused to see the first amendment hijacked to serve the perverse ends of a small, intolerant group. He stressed that there is no excuse for the behavior that has taken place, and that even one hate-based incident is too many.

President Yudof also stressed that it is incumbent on everyone in the University community to visibly and vigorously challenge expressions of bigotry whenever they occur. The University must recognize that it has a problem, and that the problem is not limited to one campus alone. UC must take steps to address campus climate issues that leave students feeling marginalized. Toward that end, the President appointed Dean Christopher Edley, distinguished civil rights and constitutional law expert, to act as a Special Advisor to himself and to Chancellor Fox.

The President appealed to UC's alumni and friends to raise scholarships that would support underrepresented minority students. He observed that many of the University's most talented candidates accept offers from private institutions that do not face restrictions on affirmative action and can offer far more generous financial aid packages. He acknowledged that UC is bound to obey Proposition 209, but that there is nothing to prevent private individuals from raising money to provide scholarships for targeted populations.

President Yudof remarked that he is also taking steps to reevaluate the campus admissions processes. He noted that some campuses are more effective than others, and that he wants an admissions system that is more detailed, fair, and more effectively considers multiple factors beyond test scores and grade point averages. He said that he wants a larger pool of applicants, and that he expects to see some improvement with the implementation of the new eligibility policy the Regents approved last year. President Yudof expressed his anticipation of faculty leadership on the issue, and noted that he had asked the Academic Council and the Boards of Admissions and Relations with Schools (BOARS) committee to recommend revisions to the Regental policy on comprehensive admissions review. These revisions will require the campuses to adopt processes that are more consistent and that represent best practices.

The President stressed that the campuses also will fully cooperate with prosecutorial authorities and will aggressively impose appropriate punishments. He added that the Office of the President will establish monitoring mechanisms so that every three months the status of its diversity initiatives will be reported.

4. **REMARKS OF THE SPEAKER OF THE ASSEMBLY**

Speaker of the Assembly Pérez stated that he was very excited to be attending his first meeting as a Regent. He explained that as a student, he had come before the Regents 20 years previously regarding some of the same problems discussed at this meeting. He expressed shock at the lack of progress, and stated that he intends to address those challenges during the course of his term as Regent.

Speaker Pérez remarked that California has not faced so many urgent challenges on as many fronts since the Great Depression. The State economy has been hit hard by the recession, causing widespread unemployment in California's workforce as well as a \$20 billion deficit. He informed the Regents that when he was sworn in as Speaker, his first priority was getting Californians back to work. Part of that task is making sure they have access to the kind of education that will prepare them for the jobs ahead.

The Speaker stressed that California has reached the point where it cannot address its budget problems without dealing with the need to create jobs. It cannot do either until it has adopted some fundamental operational reforms. Speaker Pérez emphasized that these three issues are deeply interlinked and cannot be dealt with separately any longer. He said that the State has not kept faith with California's tradition of providing more and better opportunities for each successive generation. That commitment must be restored if the

economy is to recover, and the State must absolutely preserve its opportunities for future students. The Speaker remarked that the pathway out of the recession is in the creation of quality, high-paying jobs, and that the path runs directly through the UC system.

Chairman Gould thanked the Speaker for his remarks, and stated that the Regents were looking forward to his leadership.

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

Academic Senate Chair Powell stated that he was deeply disturbed by recent events, particularly those that defiled Black History Month. San Diego is his home campus, and Dr. Powell felt a sense of personal responsibility for the actions that took place at UCSD. He expressed his support for Chancellor Fox and her administration, and for their quick, direct, and decisive response to the crisis.

Dr. Powell observed that the previous weekend, he attended the special hearing conducted by California State Assemblymember Hall, at which the Chancellor and her colleagues described the steps that the campus will take to rebuild the confidence of the community and to make UCSD a more inviting campus. He recalled President Yudof's request that BOARS urgently consider holistic review in its admissions practices, and stated that such consideration is already under way at the campus level. At the systemwide level, said Dr. Powell, the UC Committee on Affirmative Action and Diversity has followed the situation closely, and will advise the Academic Council on steps to be taken. He expressed his view that the Academic Senate will be called upon to play an increasing role in the expansion of diversity among faculty, staff, and students.

The meeting adjourned at 10:00 a.m.

Attest:

Secretary and Chief of Staff