

The Regents of the University of California

COMMITTEE ON GOVERNANCE

July 15, 2010

The Committee on Governance met on the above date at UCSF–Mission Bay Community Center, San Francisco.

Members present: Regents Blum, Lansing, Lozano, Ruiz, Schilling, and Varner

In attendance: Regents DeFreece, De La Peña, Gould, Hime, Island, Johnson, Kieffer, Makarechian, Maldonado, Marcus, Wachter, Yudof, and Zettel, Regents-designate Hallett, Mireles, and Pelliccioni, 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, Vice Presidents Beckwith, Duckett, Lenz, and Sakaki, Chancellors Block, Blumenthal, Drake, Fox, Kang, Katehi, White, and Yang, and Recording Secretary Johns

The meeting convened at 11:40 a.m. with Committee Chair Lozano presiding.

1. APPROVAL OF MINUTES OF PREVIOUS MEETING

Upon motion duly made and seconded, the minutes of the meeting of March 25, 2010 were approved.

2. CONSENT AGENDA

A. *Proposed Revisions to the Schedule of Reports to the Regents*

The President recommended that the Schedule of Reports be amended, as shown in Attachment 1.

B. *Maintenance and Rescission of Certain Regents Policies*

The Secretary and Chief of Staff recommended that, as part of routine maintenance of Regents policies, the following eight policies of the Regents be rescinded, as shown in Attachments 2 through 9:

- Policy on Commemorative Displays
- Policy on Regents Relations To Fair Employment Practices Act
- Policy on Retention of Outside Consultants
- Policy on Appointment of Chairman
- Policy on Competitive Bidding

- Resolution Granting Authority to the Officers of the Regents to Execute Contracts or Accept Grants from Extramural Sponsors
- Policy on Nondiscrimination by Student Organizations and in Approved Student Housing
- Policy on Implementation of the Uniform Management of Institutional Funds Act

[Background material was mailed to Regents in advance of the meeting, and a copy is on file in the Office of the Secretary and Chief of Staff.]

Upon motion duly made and seconded, the Committee approved the President's and Secretary and Chief of Staff's recommendations and voted to present them to the Board.

The meeting adjourned at 11:45 a.m.

Attest:

Secretary and Chief of Staff

Additions shown by underscoring; deletions shown by strikethrough

SCHEDULE OF REPORTS TO THE REGENTS [Pursuant to Bylaw 16.8(a)] Amended January <u>July</u> 2010	
	Month(s) Presented or Mailed to Regents
BOARD	
Report of the President Concerning University Activities and Individuals (the President's Report)	January March May July September November
COMMITTEE ON COMPENSATION	
Annual Reports on Executive Compensation for Calendar Year ____: (a) Incumbents in Certain Senior Management Positions and (b) Deans <u>and Certain Faculty Administrators</u> (<i>mbm*</i>)	March <u>July</u>
Annual Reports on Compensated Outside Professional Activities for Calendar Year ____: (a) Incumbents in Certain Senior Management Positions and (b) Deans <u>and Certain Faculty Administrators</u> (<i>mbm*</i>)	March <u>July</u>
Annual Report on Health Sciences Compensation Plan Participants' Compensation that Exceed the Reporting Threshold (<i>mbm*</i>)	November
Annual Report on Adjustment of the Indexed Compensation Level (<i>mbm*</i>)	September
Bi-Monthly Monitoring Reports: (a) Incumbents in Certain Senior Management Positions; (b) Deans <u>and Exceptions to Policy for Certain Faculty Administrators</u> ; and (c) Actions for Certain Athletic Positions and Coaches Systemwide (<i>mbm*</i>)	January March May July September November

SCHEDULE OF REPORTS TO THE REGENTS
[Pursuant to Bylaw 16.8(a)]
Amended ~~January~~ July 2010

	Month(s) Presented or Mailed to Regents
COMMITTEE ON COMPENSATION and COMMITTEE ON LONG RANGE PLANNING	
Biennial Accountability Sub-Report on Faculty Competitiveness [Biennial cycle begins 2011]**	January
Biennial Accountability Sub-Report on Staff [Beginning 2010]	September
COMMITTEE ON COMPLIANCE AND AUDIT	
Annual Report on Internal Audit Plans	May <u>July</u>
Annual Review of External Audit of Hastings College of the Law (<i>mbm*</i>)	March
Annual Report on Compliance	September
Annual Report of External Auditors for the Year Ended June 30, ____	November
Annual Report on Internal Audit Activities	November
COMMITTEE ON EDUCATIONAL POLICY	
Annual <u>Quarterly</u> Report on Private Support, Major Donors, and Namings and Endowed Chairs (<i>mbm*</i>)	February May September <u>November</u> December
Statistical Summary of Students and Staff (<i>mbm*</i>)	March
Annual Report on Student Financial Support (<i>mbm*</i>)	March
Annual Report on Undergraduate Admissions Requirements [effective 2013; will include Report on Comprehensive Review] (<i>mbm*</i>)	July

SCHEDULE OF REPORTS TO THE REGENTS
[Pursuant to Bylaw 16.8(a)]
Amended January July 2010

	Month(s) Presented or Mailed to Regents
Annual Report on Proposals Seeking Research Funding from the Tobacco Industry (<i>mbm*</i>)	September
Annual Report on the University Private Support Program	November
Report on Comprehensive Review (<i>mbm*</i>) [Consolidate with the Annual Report on Undergraduate Admissions Requirements, 2013]	April
COMMITTEE ON EDUCATIONAL POLICY and COMMITTEE ON FINANCE	
Annual Report on Self-Supporting Professional Degree Programs (<i>mbm*</i>)	August
COMMITTEE ON EDUCATIONAL POLICY and COMMITTEE ON LONG RANGE PLANNING	
Biennial Accountability Sub-Report on Graduate Academic and Professional Degree Students [Beginning 2010]	July
Biennial Accountability Sub-Report on Student Success [Beginning 2011]**	July
Annual Accountability Sub-Report on Diversity at the University of California	September
Annual Accountability Sub-Report on the University of California Admissions and Enrollments	March
COMMITTEE ON FINANCE	
Annual Report on Risk Management (<i>mbm*</i>)	January
Annual Report on Use of Outside Counsel (<i>mbm*</i>)	January
Annual Report on Settlements and Separation Agreements	January
Annual Report on University Housing Assistance Programs (<i>mbm*</i>)	January

SCHEDULE OF REPORTS TO THE REGENTS
[Pursuant to Bylaw 16.8(a)]
Amended January July 2010

	Month(s) Presented or Mailed to Regents
Annual Report on Expenditures of Associates to the President and Chancellors (<i>mbm*</i>)	September
University of California Financial Reports	November
Annual University of California Retirement Plan Actuarial Valuation Report	November
Annual Report on Debt Capital and External Finance Approvals (<i>mbm*</i>)	November
Annual Report on the University of California Technology Transfer Program (<i>mbm*</i>)	May
<u>Annual Report on Newly Approved Indirect Costs</u>	<u>November</u>
COMMITTEE ON FINANCE and COMMITTEE ON OVERSIGHT OF THE DEPARTMENT OF ENERGY LABORATORIES	
Annual Report on the Net Fee Income Received as Owner of a Limited Liability Company Managing a Department of Energy National Laboratory and Expenditures Made Therefrom (<i>mbm*</i>)	November
COMMITTEE ON GROUNDS AND BUILDINGS	
Annual Report on Sustainable Practices (<i>mbm*</i>)	January
Annual Report on Chancellor's Residence and Office Capital Projects (<i>mbm*</i>)	September
Annual Report on Major Capital Projects Implementation (<i>mbm*</i>)	October
Budget for State Capital Improvements	November
University of California Five-Year Capital Program State Funds	November
Annual Report on Campus' Ten-Year Capital Financial Plans	November

SCHEDULE OF REPORTS TO THE REGENTS
[Pursuant to Bylaw 16.8(a)]
Amended January July 2010

	Month(s) Presented or Mailed to Regents
COMMITTEE ON HEALTH SERVICES	
<u>Biannual</u> Activity and Financial Status Report on Hospitals and Clinics (<i>mbm*</i>)	<u>January</u> <u>February</u> March May June July <u>August</u> November
COMMITTEE ON HEALTH SERVICES and COMMITTEE ON LONG RANGE PLANNING	
Biennial Accountability Sub-Report on Health Sciences and Services [Biennial cycle begins 2011]**	March
COMMITTEE ON INVESTMENTS	
Annual Endowment Investment Report	February
Annual Report on Divestment Policies (<i>mbm*</i>)	September
Annual Report of the Treasurer (<i>mbm*</i>)	November
COMMITTEE ON LONG RANGE PLANNING	
Biennial Accountability Sub-Report on University Private Support [Biennial cycle begins 2010]**	January
Annual University of California Accountability Report	May
Biennial Accountability Sub-Report on the Research Enterprise [Biennial cycle begins 2010]**	January

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~~POLICY ON COMMEMORATIVE DISPLAYS~~

~~The Regents of the University of California have declared that it is their policy to permit the installation of plaques, cornerstones, inscriptions, or other commemorative displays only on or in such buildings of the University of California as are erected with funds provided as outright gifts by donors and which have been indicated by the donors as memorials to specifically named individuals.~~

~~The Regents have determined that this policy is applicable to the placement of plaques in portions of buildings and the naming of those portions after individuals, as well as to the use of plaques to honor an individual without intent to name the building or portion of building after the individual honored.~~

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~~POLICY ON REGENTS' RELATIONS TO FAIR EMPLOYMENT PRACTICES ACT~~

~~The Regents of the University of California believe that there is no place on our democracy for discrimination based on race, religion, or national origin.~~

~~As a result of this conviction, the University has long opposed discriminatory practices in all University affairs.~~

~~As a matter of policy, The Regents declare that the University will continuously support the spirit and purpose of the Fair Employment Practices Act and will tender appropriate assistance to the Fair Employment Practices Commission and other governmental agencies in achieving the elimination of discriminatory practices in employment and other fields.~~

~~To insure strict adherence to this policy, the University has procedures to prevent any discriminatory practice contrary to the rights of prospective, current, or former employees.~~

~~The Board of Regents makes this policy declaration of its own accord since it is a constitutionally independent body and thus legally exempt from the provisions of the Fair Employment Practices Act.~~

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~~POLICY ON RETENTION OF OUTSIDE CONSULTANTS~~

~~That the practice of retaining expert consultants from outside the University be continued whenever such a procedure is deemed necessary by The Regents.~~

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~~POLICY ON APPOINTMENT OF CHAIRMAN~~

~~The Committee on Committees further recommends that the policy adopted by the Board upon the appointment of Regent Dickson as Chairman of the Board, in the following words, be reaffirmed:~~

~~In presenting this recommendation the Committee wishes to state that it has been made without regard to seniority, but with the best interests of the University in mind. The Committee does not believe that the rule of seniority for the appointment of the Chairman of the Board or Chairman of Committees necessarily should be followed.~~

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~~POLICY ON COMPETITIVE BIDDING~~

~~That The Regents reaffirm their policy that construction contracts be competitively bid, to the extent required by law.~~

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~~RESOLUTION GRANTING AUTHORITY TO THE OFFICERS OF THE REGENTS TO EXECUTE CONTRACTS OR ACCEPT GRANTS FROM EXTRAMURAL SPONSORS~~

~~That the Regents' approval of a proposal to an extramural sponsor for the conduct of research, training, or public service be construed as granting authority to the Officers of The Regents to execute a resulting contract or to the President to accept a resulting grant in which the amount and/or time varies from that proposed, provided the general intent and purpose of the project as proposed have not been significantly changed, and provided further that if the amount and/or time varies by more that 25 percent, the action shall be reported to the Board at a subsequent regular meeting.~~

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~~POLICY ON NONDISCRIMINATION BY STUDENT ORGANIZATIONS AND IN APPROVED STUDENT HOUSING~~

~~The University of California has always had a policy in the administration of its affairs against discrimination based on race, religion or national origin. This policy has been followed strictly in the admission of students to the University and in the utilization of all of the University's facilities. All groups operating under the administrative control of The Regents, including administration, faculty, student governments, and University-owned residence halls, are governed by this policy of nondiscrimination.~~

~~Private groups which surround University campuses and which in various ways provide services to the University or its students are not bound by the University's nondiscrimination policy if they do not receive special privileges from the University and are not subject to its control.~~

~~Somewhat different problems are presented by the many organizations composed of University students which are essentially private organizations but which are recognized by the University or by student governments. They are entitled to certain privileges such as use of University facilities and are subject to certain University regulations (e.g., rules governing student living in fraternities and sorority houses). Most organizations of this type, including most social fraternities and sororities, honorary societies, and professional societies, have long had as an essential aspect of their operations the freedom of their members to choose the persons who shall be included in their groups. The University recognizes and approves this freedom of essentially private groups to select their own members.~~

~~A few groups with such a special relation to the University still are subject, however, often against the wishes of their local members, to external restraints requiring discrimination. In accordance with the traditions of the University, there must be freedom for all such groups to choose members on a basis of individual evaluation unfettered by policies which require discrimination on the grounds alone of race or religion or national origin regardless of the personal merit of the fellow student. Consequently for such groups having a special reciprocal relationship of privileges from any obligations to the University, the University, in accordance with its basic philosophy of nondiscrimination, must insist that the students participating in such organizations be freed from any external restraints requiring said discriminatory practices.~~

~~In accordance with the general policies expressed above, the following regulation governing student groups has been approved to apply to all campuses of the University:~~

- ~~1. Discrimination based on race, religion, or national origin is specifically forbidden in the administration of the affairs of student governments and their subsidiary agencies.~~
- ~~2. All other student organizations which are recognized by the University or by the student governments as a condition of recognition shall have a membership policy which does~~

~~not require discrimination based on race, religion, or nation origin. The members of such organization shall be free to choose their own associates according to their own best judgment, and should not be confined to selection within a system of categories which finds its origin in racial or religious discrimination. Where such groups operate on a basis of selected membership, the students participating in them shall be permitted to choose members free from the restraints of said discriminatory policies imposed by constitutions, agreements, alumni or other non-students, or other organization rules. With respect to the few remaining student organizations (including fraternities and sororities) which are bound by discriminatory clauses in national constitutions or other regulations beyond the power of the local organization to change, and in order to proceed with all deliberate speed in the elimination of said discriminatory policies, this regulation shall become effective at the earliest possible date when (1) said discriminatory clauses in national constitutions and in other national regulations can be eliminated; or (2) the local organizations specifically are exempted by the national organizations from the effect of such discriminatory clauses, and in no event later than September 1, 1964.~~

- ~~3. Each organization covered by the policy in Paragraph 2 shall deposit with the Dean of Students or equivalent officer on the relevant campus by January 1, 1960, copies of all constitutions, charters, or other documents relation to their policies with reference to choice of membership. By the same date, they shall also deliver to the same officer a statement signed by the president or similar officer of the local organization to the effect that there are not rules or policies which inhibit the members from accepting students without discrimination on account of race, religion, or national origin in the selection of members. (Organizations falling within the exception in the last sentence of Paragraph 2 may delay filing the nondiscrimination statement until the governing date under Paragraph 2.) This statement shall be renewed annually and the other documents required by this paragraph shall be refilled within the ninety days after any substantive change or amendment.~~
- ~~4. Nothing contained in this statement of policy shall interfere with the traditional alumni-chapter relationships except as set forth above.~~
- ~~5. Privately owned housing facilities which are inspected and approved by the University for student housing shall be open to all students without discrimination based on race, religion, or national origin. This paragraph does not apply to student organizations covered by Paragraph 2.~~
- ~~6. Violation of the policy set forth in Paragraph 2 shall result in the withdrawal of University recognition and of any University privileges from the group involved. Violation of the policy set forth in Paragraph 5 shall result in the removal of the housing facility involved from the approved list.~~

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~~IMPLEMENTATION OF THE UNIFORM MANAGEMENT OF INSTITUTIONAL FUNDS
ACT~~

~~The Regents adopt the Uniform Management of Institutional Funds Act (UMIFA), California
Probate Code section 18500, et seq.~~