

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

November 28, 2011

The Regents of the University of California met on the above date by teleconference at the following locations: UCSF–Mission Bay Community Center, San Francisco; Activities and Recreation Center Ballroom, Davis campus; James West Alumni Center, Los Angeles campus; and Kolligian Library, Room 232, Merced campus.

Members present: Regents Blum, Crane, De La Peña, Gould, Hallett, Island, Kieffer, Lansing, Marcus, Mireles, Newsom, Pattiz, Pérez, Reiss, Ruiz, Schilling, Varner, Wachter, Yudof, and Zettel

In attendance: Regents-designate Mendelson, Rubenstein, and Stein, Faculty Representatives Anderson and Powell, Secretary and Chief of Staff Kelman, Associate Secretary Shaw, General Counsel Robinson, Chief Investment Officer Berggren, Provost Pitts, Executive Vice President Brostrom, Chief Financial Officer Taylor, Senior Vice Presidents Dooley and Stobo, Vice Presidents Darling, Duckett, Lenz, and Sakaki, Chancellors Block, Blumenthal, Drake, Fox, Katehi, Leland, White, and Yang, and Recording Secretary McCarthy

The meeting convened at 9:05 a.m. with Chairman Lansing presiding.

1. REMARKS OF THE CHAIRMAN OF THE BOARD

Chairman Lansing addressed what she characterized as deeply disturbing incidents that had occurred recently on the Berkeley and Davis campuses. She stated that she was shocked and appalled by the images of students being doused with pepper spray and jabbed with batons. Chairman Lansing reported that President Yudof took immediate action by convening all ten chancellors to begin the process of developing systemwide procedures for interaction with students participating in peaceful protests. The chancellors of UC Davis and UC Berkeley have called for independent reviews of specific confrontations on their campuses. Two officers involved in the pepper spray incident at UC Davis and the UC Davis police chief have been placed on administrative leave. Former Los Angeles Police Chief William Bratton would undertake an independent fact-finding of this incident and would report to President Yudof and a campus advisory panel within 30 days. Chancellor Katehi had asked the District Attorney to drop all charges against students arrested during the Davis event and UC would cover all medical bills of those Davis students who received medical attention.

Chairman Lansing emphasized that the Regents share the passion and conviction of UC's students for the University, and fully and unequivocally support students' right to protest peacefully. She stated that the Regents had postponed their meeting in order to ensure the safety of students and members of the public. Law enforcement officials had recommended postponing the Regents' meeting scheduled for November 16-17, because

of a real danger of significant violence and vandalism, not from UC students, but from outside sources. This teleconference meeting at four campuses would give students and other members of the UC community more opportunity to have their voices heard. The public comment period would be expanded to at least one hour in order to hear from as many speakers as possible.

Chairman Lansing remarked that many current Regents had been student activists during their college years, and many had been active in movements involving civil rights, women's rights, stem cell research, and other causes. She stated that none of the Regents wanted to raise tuition; no tuition increase would be considered at the current meeting. The Regents were committed to preserving quality and access, and strongly believed that the State should support UC to maintain its affordability. She noted that the Regents served without compensation. She emphasized the Regents' belief that peaceful, constructive dialogue among students, faculty, and the Regents was crucial for UC's continuing success. All segments of the UC community must find a way to work together during these difficult times.

2. **REMARKS OF THE PRESIDENT OF THE UNIVERSITY**

President Yudof stated that UC students and administration were in agreement about First Amendment rights to peaceful demonstrations. He affirmed that he would do everything in his power to protect the rights of students, faculty, and staff to engage in nonviolent protest. Free speech and nonviolent protest were central to the history of the University.

President Yudof reported that he had asked former Los Angeles Police Chief William Bratton to undertake a thorough, independent fact-finding of the UC Davis pepper spray incident. Results would be reported back to President Yudof within 30 days and would be presented to Chancellor Katehi and to a task force composed primarily of UC Davis students, faculty, staff, and community members. The task force would review Chief Bratton's report and make recommendations to President Yudof and Chancellor Katehi regarding steps that should be taken to ensure the safety of peaceful protestors on that campus. President Yudof stated that he had also directed General Counsel Robinson and UC Berkeley School of Law Dean Edley to lead a systemwide examination of police protocols and policies as they apply to protests at all ten UC campuses. This review would result in recommended best practices for policing protests at UC.

Turning to the current meeting, President Yudof stated that an expenditure-only budget would be sent to Sacramento as soon as possible so that the Governor's staff would know UC's needs as they prepare their budget proposals. UC was requesting that the State partially restore UC's State funding from its current \$2.3 billion to \$2.7 billion, which would still be \$500 million less than the State's \$3.2 billion UC funding of a few years past. Should the State provide the requested funding, tuition would not have to be increased and UC could begin the process of moving forward by hiring more professors and providing smaller class sizes. This would be possible in large part as a result of the \$500 million in cost savings achieved at UCOP and the campuses in the past three years.

Should the State not provide an increase in funding, the University would continue its current efforts to pare spending and increase revenue from other sources.

The January 2012 meeting would include discussions of efforts to generate more revenue for UC, such as increasing advocacy in Sacramento, raising more funding for scholarships, maximizing revenue from technology transfer, and using UC's balance sheet in creative ways to generate more revenue for operating expenses. President Yudof emphasized the core objective of the budget would be to protect the academic quality of the University. He noted that the Regents shared students' antipathy toward tuition increases.

President Yudof reported that the most recent of five union contract agreements made during the current year has been finalized with the American Federation of State, County and Municipal Employees (AFSCME) in October. Also, a tentative agreement has been signed with the Coalition of University Employees (CUE) Teamsters. Since May, contractual agreements have been reached with the bargaining representatives of 45,000 union employees. President Yudof expressed his hope that union employees would advocate with UC in Sacramento.

President Yudof reiterated that First Amendment rights and the right to peaceful protest must be protected on UC campuses. He stated that tuition increases must be avoided to the extent possible and that a long pattern of State disinvestment has placed tremendous strain on the University and its students, faculty, and staff. The various elements of the UC community must unite and galvanize their efforts to influence the outcomes of the coming legislative session in Sacramento. He stated that higher education represented the most enlightened investment any state can make.

In response to a request from Chairman Lansing, Regent Mireles acknowledged the strong support of the UC Davis community for that campus and the UC system. He stated that he and Regent-designate Stein appreciated the attendance of so many members of the UC Davis community.

Regent Mireles affirmed the Regents' commitment to the importance of having a meeting site at the Davis campus, so that Davis students would have an opportunity to address the Regents directly following recent campus events. He explained that the Regents also tried to have as minimal a police presence at the meeting as possible. He stated that he and Regent-designate Stein were horrified by events at UC Davis on November 18 and at UC Berkeley on November 9. They were eager for justice to be served in these cases and for the implementation of new policies to prevent similar events from happening in the future.

Regent Mireles stated that, while he supported the Davis community in its reaction to the recent pepper spraying of students, it was also important to remember the issues underlying the student demonstrations. Students were demanding new progressive taxes and reform of Proposition 13 in order to restore State funding to UC. Regent Mireles noted his and Regent-designate Stein's support for these proposals. He noted that

students have succeeded in gaining attention for these issues and urged the continued use of peaceful methods of protest to maintain the moral high ground.

Regent Pérez stated that he was deeply offended and appalled by clearly unacceptable police responses to peaceful student demonstrations at UC Davis and UC Berkeley. He remarked that the police responses were incongruous with values of the First Amendment. He noted that it must be determined if the police were operating within University policies; if not, they should be held accountable. If the police were acting within University policies, then the policies should be restructured, since the police response was an inappropriate reaction to a peaceful demonstration.

Regent Pérez expressed his admiration for Davis students' approach to Chancellor Katehi on the evening of November 19, their silent, peaceful demonstration showing both their self-control and their deep concern. He stated that he was inspired by students' focus and sense of purpose during a recent visit to Sproul Plaza at UC Berkeley. He expressed his hope that President Yudof's review process chaired by former Los Angeles Police Chief Bratton would come to a quick resolution and result in appropriate changes to policies.

Regent Pérez stated that the underlying causes of the student demonstrations must be addressed. The State's budgetary decisions have taken California in a direction which may be different from the core values of its people. He noted his support for the California Master Plan for Higher Education (Master Plan), under which education-related services were to be provided free. He stated his commitment to work toward the goals of having a progressive tax increase approved by voters in the current year and using the revenue from such a tax policy change to fund higher education fully.

Chairman Lansing stated that the Regents were looking forward to Regent Pérez' help in working with the State Legislature in ensuring no further cuts to higher education and in restoring previous cuts.

Regent Pérez stated that he had worked with Governor Brown and State Senator Steinberg for nine months of the prior year on efforts to pass tax measures that would have prevented some of the cuts to UC's funding. He urged advocacy in the home districts of representatives who were opposed to such measures. Chairman Lansing stated that Regent Pérez could count on the Regents' support.

3. **PUBLIC COMMENT**

Chairman Lansing 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. She noted that the public comment period had been extended to at least one hour. The following persons addressed the Board concerning the items noted:

- A. Mr. Ian Lee, UC Davis freshman, stated that he was one of the students who was pepper sprayed. He expressed concern about the University's use of its financial

resources, and spoke in favor of an open and democratic structure for Regents' meetings.

- B. Mr. Eran Zelnik, UC Davis graduate student and a head steward with United Auto Workers (UAW) Local 2865, stated there was a hostile environment at UC. He expressed concern about tuition increases, police brutality, and hostility to unions. He spoke in favor of a more democratic University.
- C. Ms. Katheryn Kolesar, UC Davis graduate student, expressed her support for the current procedure of having the Regents' meeting at multiple sites so that more students could speak. She noted that the State's commitment to provide tuition-free higher education for qualified Californians, expressed in the Master Plan, has been slowly undermined. She stated that it was the responsibility of the Regents to safeguard public education and that the current student movement has provided an opportunity to create change. She urged transparency regarding budgetary decisions, expenditures, and the selection of Regents. She encouraged the Regents to find sources of revenue other than increased tuition.
- D. Ms. Puneet Kamal, UC Davis undergraduate, expressed concern about chancellors' salaries, given the shortage of supplies on campus, and remarked that many students must consider dropping out of UC because of tuition increases. She stated that the Davis Chancellor should have known the practices of the campus police force. She expressed her view that salaries of administrators should be reduced before tuition increases were implemented.
- E. Mr. Farshid Haque, UC Davis graduate student, stated that education was a right rather than a privilege. He urged the Regents to advocate for higher taxes on wealthier Californians to restore funding to higher education.
- F. Mr. Jordan Carroll, UC Davis Ph.D. student, called on the Regents to support restoring funding of public services in California, including its higher education system. He asked the Regents to sign the ReFund California pledge and urged the maintenance of UC as a public institution.
- G. Ms. Rachelle C. Taylor, transfer student to UC Davis, read from the ReFund California pledge. She questioned the makeup of the group chosen to review the pepper spraying incident at UC Davis and urged a serious independent inquiry of the incident.
- H. Mr. Adam Thongsavat, president of the Associated Students of the University of California, Davis (ASUCD), spoke in favor of expanding the public comment period to allow for a more substantive discussion, as well as increasing the number of Student Regents. He noted the drastically reduced expenditure per pupil in California and the return to the State economy that investment in higher education provided. For example, he stated that UC Davis supplied \$1.3 billion annually to the local economy. He expressed his concern that it had required a

horrible event to focus attention on higher education and asked why prisons received more State funding than higher education. He also urged the Regents to come to UC Davis to talk with students.

- I. Ms. Bree Rombi, fourth-year UC Davis student and vice president of ASUCD, urged a reinvestment in higher education. She noted that tuition has increased every year she has been at UC Davis, in spite of the Regents' statements that they did not want to raise tuition. She expressed concern about the affordability of UC.
- J. Ms. Nicole Reynoso, second-year UC Davis student, spoke about the challenges of paying increased tuition, particularly for students of color. She stated that issues of police brutality, poverty, and lack of resources were realities in many of these students' home communities. She expressed concern about the effects of budget cuts and recent police actions on campus safety and campus climate for students of color and other marginalized groups.
- K. Mr. Elias Marvinney, UC Davis Ph.D. student and researcher, stated that, although he received a comfortable salary as a researcher and did not have to pay his own tuition, he supported the students who were being affected by tuition increases and priced out of public education. He expressed concern that the tuition increases would effectively put a social and economic filter on the admissions process. He expressed concern about administrative salary increases at the same time student tuition was being raised.
- L. Mr. Michael Johnson expressed concern about police brutality, in light of the Principles of Community at UC Davis. He urged an independent investigation of recent police actions.
- M. Mr. Baxter Boeh-Sobon, director of university affairs for ASUCD, noted students' concerns about tuition increases. He pointed out that students currently paid more than the State to support UC and urged increased advocacy in Sacramento.
- N. Ms. Monica Smith, attorney and organizer with the Coalition to Defend Affirmative Action, Integration, and Immigrant Rights and Fight for Equality by Any Means Necessary (BAMN), representing more than 30 UC Berkeley students in relation to recent police action, spoke against fee increases and urged the resignations of Chancellors Birgeneau and Katehi. She noted that a civil lawsuit would be filed and urged the dropping of all civil charges against the protesters.
- O. Mr. Keith Ellis, Merced student and treasurer of the Associated Students of the University of California Merced (ASUCM), acknowledged the difficulty of making financial decisions in such trying economic conditions. He requested that campus-based fees not be included in the 1.6 percent tax for the Office of the President, since such fees have been voted on for a specific purpose by students through a democratic process. He invited the Regents to visit the Merced campus.

- P. Mr. William Kyle Hamilton, director of academic affairs of ASUCM, presented Resolution One, Recognition of the University of California Office of the President and the Board of Regents in their Efforts to Maintain Quality Higher Education for the State and People of California. He stated that the purpose of this resolution was to demonstrate that the goals of the Master Plan were being pursued and implemented at UC Merced during these difficult economic times. The resolution acknowledged the efforts of the Office of the President and the Regents to maintain the openness, affordability, and accessibility of the UC system, including for transfer students. The resolution also recognized the efforts of President Yudof and Executive Vice President Brostrom to educate Californians about the importance of UC and the Merced campus in particular.
- Q. Mr. Nibal Halabi, fourth-year UC Merced student and president of Democrats of UC Merced, expressed concern about tuition increases and their effect on UC Merced's students' abilities to continue at UC. He stated that current students were the future of California and have a right to higher education.
- R. Mr. Jonathan Ly, external vice president of ASUCM and university affairs vice chair of the UC Student Association (UCSA) stated that tuition had increased more than 50 percent over the past two and one-half years. He remarked that California cannot have affordable, high-quality higher education without adequate State funding. He asked Regent Pérez for his support and urged increased pressure on State officials.
- S. Mr. Adam Hefty, UC graduate student and member of UAW Local 2865, urged the Regents to sign the ReFund California pledge. He stated that the proposals in the pledge would enable funding of higher education in California. He advocated higher taxes on the wealthy and more transparency of UC finances.
- T. Ms. Velma Montoya, UC Regent emerita and past chair of the California Advisory Committee to the U.S. Commission on Civil Rights, expressed her opinion that many UC campuses were disciplining students for expressing constitutionally protected speech. She also expressed concern about some UC campuses' compliance with policies regarding discriminatory harassment.
- U. Ms. Cheryl Deutsch, UCLA graduate student and statewide president of UAW Local 2865, which represents UC student employees, expressed her opinion that the Regents were not representative of most Californians or UC students. She stated that, while the Regents have requested more funding from the State, they have not developed a concrete proposal for increasing State revenue to ensure adequate funding of UC. She remarked that the ReFund California pledge offered such concrete proposals.
- V. Mr. Charles Schwartz, UC Berkeley professor emeritus, expressed concern about the financial management of the University, particularly the use of student tuition.

He stated his opinion that the logical and moral maximum amount of undergraduate student tuition would be the full cost to the University of providing that education. He expressed his view that undergraduate students currently pay more than the full cost of their education and urged the Regents to examine this issue.

- W. Ms. Jennifer Tucker, Ph.D. student at UC Berkeley and Berkeley unit chair of UAW Local 2865, expressed her concern about the composition of the group that would review recent campus police actions. She spoke in favor of adequate State funding and an increase in corporate taxes to fund education, and urged the Regents to sign the ReFund California pledge.
- X. Mr. Charles Eaton, financial secretary of UAW Local 2865, part of the ReFund California coalition, stated his opinion that students supported the proposals in the ReFund California pledge calling for increased taxes on corporations and the wealthy. He remarked that students have been beaten, pepper sprayed, and arrested. He urged the Regents to support increased taxes on corporations and the wealthy, and a reduction in mortgage debt for homeowners whose homes are worth less than their mortgages. He urged Regents who sat on boards of corporations to support an increase in the corporate tax rate to aid higher education.
- Y. Ms. Tanya Smith, president of University Professional and Technical Employees Communications Workers of America (UPTE-CWA) Local 9119, expressed her opinion that the Regents' silence in reaction to police brutality at UC Berkeley on November 9 led to the police actions at UC Davis on November 18. She expressed concern about employee layoffs, hiring of expensive consultants, and increases in student fees and executive salaries. She urged the Regents to sign the ReFund California pledge.
- Z. Mr. Jia Ching Chen, UC Berkeley graduate student and instructor, encouraged the Regents to sign the ReFund California pledge.
- AA. Ms. Tatiana Bush, fifth-year UC Davis student, stated the Master Plan guaranteed accessibility, affordability, and diversity. She stated that, of these three, only diversity had been maintained, while accessibility and affordability were being reduced. She urged support of progressive tax measures and reformation of Proposition 13.
- BB. Mr. Darach Miller, UC Davis undergraduate, expressed concern about increasing tuition and spending levels essentially privatizing the University. He expressed his opinion that balancing the University's budget by increasing student tuition would hurt California.
- CC. Ms. Liana Mulholland, member of BAMN, stated that she was beaten by police at UC Berkeley on November 9th and was a plaintiff in a lawsuit regarding the

incident. She spoke in favor of a rollback of student fee levels, a restoration of affirmative action, a UC-wide Development, Relief and Education for Alien Minors (DREAM) Act, and the resignations of Chancellors Birgeneau and Katehi.

- DD. Ms. Sophia Kamran, UC Davis student, expressed her opinion that the Regents did not understand the struggle faced by students and did not represent the students and faculty. She stated that she was pepper sprayed and that the UC Police Department was a threat to student safety and to students' rights to open expression of ideas at the University. She expressed her opinion that putting police on paid administrative leave was insufficient, and that having the campus police subdue peaceful student protesters was a threat to the critical thinking and open intellectual environment that the University should foster.
- EE. Mr. Robert Slaughter, a fourth-year student at St. Mary's College, stated that he was handcuffed, beaten, kicked in his side, stabbed in his ribs with batons, and choked by UC police and other local law enforcement at UC Berkeley on November 9. He expressed his concern about such inhumane treatment, especially given UC Berkeley's long, successful tradition of supporting social justice. He stated that the defenseless students were trying to learn and to effect positive change.
- FF. Ms. Kristynn Sullivan, UC Merced third-year Ph.D. student and Graduate Student Association (GSA) president, acknowledged the devastating State and federal cuts to higher education. She stated that the Regents have asked UC students to protest these cuts and a State system that provides increasing funds to prisons while slashing the budget for higher education. Ms. Sullivan stated that when UC students joined the protests of millions of people across UC campuses, the nation, and the world, they were met with brutality and violence. She questioned Regents' support for UC students given these actions.
- GG. Ms. Michelle Greenwood, graduate student and chair of UC Merced's Student Fee Advisory Committee, expressed her outrage and horror at recent episodes of police brutality at UC campuses, and appreciation for steps that the Regents have taken to remedy the problem. She stated that students should have more representation on the Board and requested Regents' support in efforts to reform Proposition 13 to provide adequate funding for education. Ms. Greenwood also expressed concern that a discussion regarding the Student Health and Counseling Centers at the current meeting was held in a closed session, even though students voted to impose fees on themselves to support the Centers.
- HH. Mr. Eric Chiu, UC Santa Cruz graduate, UC Merced Ph.D. student, and recording secretary of UAW Local 2865, expressed his appreciation of the UC system for the education and opportunities he has been provided. He stated that the Regents have a duty to keep such opportunities available for current and future students, and urged the Regents to sign the ReFund California pledge to support education.

- II. Ms. Chelsea Carey, UC Merced Ph.D. student and internal vice president of the UC Merced GSA, expressed concern about tuition increases leading to high levels of student debt. She noted that, unlike other debt, student loans cannot be absolved through bankruptcy, while banks have received government bailout funds. She also expressed concern about recent police tactics on UC campuses when students protested tuition increases.

- JJ. Mr. Arrash Abri, UC Merced undergraduate active in ASUCM, commended UC Merced Chancellor Leland, who he stated has already made a significant positive impact during her short tenure; he particularly noted her openness to student input. He commended President Yudof and the chancellor search committee for their excellent choice.

- KK. Mr. Ahmed Mostafa, UC Santa Barbara undergraduate and external vice president of statewide affairs of the Associated Students of the University of California Santa Barbara (ASUCSB), expressed concern about past and potential student tuition increases. He urged the Regents to collaborate with students to work for adequate State funding for UC.

- LL. Ms. Emily Resnick, president of UCLA Undergraduate Students Association (USA), urged Regents' support for two of USA's current goals of guaranteeing student safety and ensuring students' constitutional rights to free speech. She asked that UC police be instructed to never again use violence on non-violent protesters. She expressed her opinion that Regents' meetings should be held at UC undergraduate campuses to allow more student voices to be heard.

- MM. Mr. Harrison Weber, president of ASUCSB, stated that the Regents' leadership was needed in the wake of worldwide attention following recent incidents of violent suppression of student expression at UC Davis and UC Berkeley. He stated that increasing student tuition was a betrayal of past promises and an assault on the future economic recovery of California. He urged the Regents to advocate for adequate State funding and to collaborate with students in this effort.

- NN. Ms. Raquel Saxe, academic affairs coordinator of UCLA USA, acknowledged the challenges of the current State budget crisis, but noted that the cuts affect students disproportionately through reduction of services, loss of class offerings, and increases in tuition. She questioned the value of the recent three percent faculty salary increase, in light of tuition increases. She urged the Regents to listen to the voices of students.

- OO. Ms. Joelle Gamble, external vice president of UCLA USA, asked the Regents to endorse a specific plan to increase State funding for education, such as supporting student calls for a progressive State tax increase and reformation of Proposition 13.

- PP. Ms. Bahar Navab, president of the Graduate Student Assembly of UC Berkeley, noted that students have long been encouraged to advocate for adequate funding for UC, but their efforts have recently been overshadowed by episodes of police violence at UC Berkeley and UC Davis. She urged collaboration between the Regents and students to advocate in Sacramento. Ms. Navab spoke against any further increases in fees for professional programs and in support of a tax increase on corporations and wealthy Californians. She expressed her opinion that the burden of funding education should be transferred from already indebted students to corporations.
- QQ. Ms. Angelica Salceda, student body president of UC Berkeley School of Law, first-generation UC student, and daughter of immigrant farm workers, expressed her opinion that the Regents should not balance the University's fiscal books by raising student tuition. She advocated restoring investment in education and California's students' futures.
- RR. Mr. Manuel Rosaldo, UC Berkeley Ph.D. student, reported on the effects of budget cuts on students, such as increased class sizes, increased teaching loads for graduate student teaching assistants and graduate student researchers, and increased use of multiple choice tests rather than writing assignments. He urged support of policies that would reverse the dismantling of public education.
- SS. Ms. Michelle Squitieri, UC Berkeley alumna, former lecturer at UC Davis, and union representative, questioned the independence of William Bratton, Charles Robinson, and Christopher Edley, members of the panel named to review recent campus police conduct. She expressed her outrage at campus police treatment of students.
- TT. Ms. Javiera Barandiaran, UC Berkeley graduate student, expressed concern about accounting practices regarding technology transfer. She stated that continual increases in tuition would not be a sustainable way of funding the University. She noted that students around the world were waging similar struggles for affordable higher education and urged the Regents to sign the ReFund California pledge.
- UU. Mr. Benjamin Irwin, UC Davis graduate student, expressed his opinion that UC should develop a policy to prevent situations in which campus police use violence against nonviolent student protesters, because such violence was antithetical to the University's values. He expressed his concern about initial justifications for campus police actions given by the UC Berkeley and UC Davis chancellors. Mr. Irwin supported immediate action to reduce student fees as well as administrative salaries.
- VV. Mr. Alex Kravitz stated his opinion that a corporation should not have the same legal status as a person.
- WW. Mr. Ethan Evans stated that active student participation in protests was necessary to halt the budget cuts, which have resulted in a reduction in the quality of a UC

education and necessary campus services. He stated that students were protesting actively and using civil disobedience, but were suppressed by campus police using batons and pepper spray. He expressed his admiration for students organizing to protest the effects of funding cuts on the University.

- XX. Mr. Osahon Ekhter, UC Davis student, stated that UC diversity would be reduced if students from some backgrounds could not afford to attend because of the economic effects of a long history of socioeconomic disadvantages. He also expressed his opinion that the UC Davis Principles of Community should be used to prevent incidents rather than after the fact. He urged consideration of the impact on hundreds of thousands of students' lives before tuition increases were passed.
- YY. Mr. Jake Malone, ASUCM senator, stated that he co-authored his organization's resolution recognizing the efforts of UCOP and the Regents in maintaining quality education at UC Merced. He encouraged other students to express such appreciation.
- ZZ. Mr. Miguel Lopez, president of ASUCM, expressed his appreciation for the commitments made to protect students' First Amendment rights and his sympathy for the students harmed at recent incidents at UC Berkeley and UC Davis. He thanked the Regents for having a site for the current meeting at UC Merced. Mr. Lopez stated that recent tuition increases were not a sustainable budget solution and were a burden on students. He praised the leadership of Chancellor Leland.
- AAA. Mr. Chucho Mendoza, UC Merced student, son of a farm worker, and farm worker himself, asked the Regents to ensure equal access to education. He stated his parents earned \$8,000 a year, but UC Merced's annual tuition was now \$13,218. Mr. Mendoza noted that, as a child of migrant workers, he overcame many obstacles, such as being told by some high school advisors and teachers that he was not college material, even though he graduated in the top ten percent of his high school class. He asked whether students from migrant working families have a place at UC. Mr. Mendoza urged the Regents to advocate for hardworking migrant families and the dreams of their children.
- BBB. Mr. Jeff Freitas, community member, stated his belief that the Regents should be chosen more democratically. He expressed concern about UC's involvement with nuclear weapon development. He pointed out a recent news story saying that student debt in the United States currently exceeded the nation's credit card debt.
- CCC. Mr. Nick Valdez, UC Merced lecturer and graduate of UCLA and UC Riverside, stated that current economic policies were subverting the democratic process, since low-income students were becoming unable to afford a UC education. He called upon the Regents to protect the interests of low-income students, who would use a UC education to contribute to the well-being of democracy.

- DDD. Mr. Robert Samuels, UCLA lecturer and president of University Council: American Federation of Teachers (UC-AFT), said the Regents should develop a specific proposal to support a tax initiative to raise revenue for higher education and other important public services. Mr. Samuels stated that policies regarding police conduct at various campuses were inconsistent; several campuses' policies stated that the action of linking arms was not nonviolent resistance. The lack of consistency in the definition of what was nonviolent resistance was contributing to problems on campuses. Mr. Samuels also expressed concern about the police use of devices characterized as "non-lethal weapons," as well as a lack of clarity regarding when police should act and when they should not act. Mr. Samuels advocated the creation of a coherent policy and rules for campus police conduct, and expressed his opinion that campus police should be disarmed.
- EEE. Mr. Adam Swart, UCLA student, urged the Regents to use all means at their disposal to advocate for a sustainable funding model for the University, including lobbying elected officials to modernize the prison system and pass a progressive income tax to support education.
- FFF. Ms. Nicole Fossier, UCLA student, expressed outrage at recent campus police conduct at UC Davis and UC Berkeley. While she appreciated statements of apology and the initiation of a review process, Ms. Fossier emphasized that steps must be taken to ensure that such police conduct would not happen again. She stated that violence should not be allowed against nonviolent student protesters.
- GGG. Ms. Maryssa Hall, UCLA second-year student, expressed her concern that the affordability, accessibility, and quality of the UC system were deteriorating under the pressure of student tuition increases. She asked for the Regents' support of students' proposals for a progressive tax increase and reformation of Proposition 13.
- HHH. Ms. Chris Schildt, UC Berkeley graduate student, stated that the Regents should act against student fee increases and budget cuts, and in support of a tax increase on corporations and the wealthy. She urged the Regents to sign the ReFund California pledge.
- III. Mr. Daniel Buch, UC Berkeley graduate student, stated that he was beaten on November 9 at UC Berkeley while lying on the ground in the fetal position. He questioned the University's commitment to protecting students' rights of free speech, in view of what he characterized as similar incidents of suppression on other campuses. Mr. Buch expressed concern about student fee increases and unfunded expenditures, which he characterized as unprecedented.
- JJJ. Mr. Emiliano Huet-Vaughn, UC Berkeley Ph.D. student, spoke in favor of financial transparency and increases in State revenue, and expressed concern about campus police brutality. He stated that violence should never be used

against nonviolent protest, even when students used civil disobedience. Mr. Huet-Vaughn also stated that UC teachers and workers should be included on the Board. He urged Regents to sign the ReFund California pledge, which advocated progressive taxation and reformation of Proposition 13 to fund education.

- KKK. Mr. Philippe Marchand, UC Berkeley student, expressed his opinion that private fundraising would not be sufficient to replace State funding, since the majority of private donations are restricted. He spoke in favor of a progressive tax system to provide education funding, such as was proposed by the ReFund California campaign.
- LLL. Ms. Ellie Harmon, UC Irvine Ph.D. student, stated her view that it was wrong to expect students and workers to replace the education revenues lost because of State disinvestment. She commented that students were being asked to perform increasing amounts of free labor, such as taking out the trash from their laboratories because of the reduction in janitors.
- MMM. Ms. Robin Marie Averbeck, UC Davis graduate student, expressed concern about the postponement of the Regents' November 16-17 meeting and the current meeting's teleconference format. She expressed skepticism about Regents' statements of concern while student fees were being continually increased. She stated that the Board was not democratically selected and was not accountable to students.
- NNN. Ms. Megan Thiele, UC alumna, commented on the difficulty students faced when carrying a large amount of student debt. She stated that higher tuition levels fell disproportionately on middle-class, lower-income, and students of color. She commented that the salaries of campus police officers were relatively high compared with those of professors and lecturers. She urged the Regents to support a progressive tax to support education.
- OOO. Mr. Barry Eidlin, UC Berkeley graduate student and member of UAW Local 2865, expressed his opinion that students should not be thought of as income for the University, but rather as the future of California. He recommended that the Regents sign the ReFund California pledge.
- PPP. Mr. John Elrick, UC Berkeley graduate student, asked whether the Regents supported efforts to increase taxes on wealthy Californians and to repeal corporate tax loopholes in Proposition 13. He urged the Regents to sign the ReFund California pledge, which advocated proposals for restoring funding to vital services such as public education.

UC Student Association (UCSA) president Claudia Magaña thanked the Regents for extending the public comment period. She stated that UCSA supported students at UC Davis and UC Berkeley, as well as efforts to hold those responsible for recent events there accountable.

Ms. Magaña stated that meetings of students, staff, and faculty during the past month focused on disinvestment in higher education and solutions to reverse what she characterized as the privatization of UC. Thousands of students attended days of action on November 9 and 16.

Ms. Magaña stated that UCSA acknowledged State budget difficulties and supported efforts to find new sources of State revenue to fund higher education. She remarked that students want the Regents to advocate for such new revenue sources, such as increased tax levels on the wealthy and reformation of Proposition 13. UCSA urged the Regents to sign the ReFund California pledge. She expressed concern that the Regents' meeting was postponed when many students had arranged to attend the previously scheduled meeting. UCSA would encourage the Regents to hold meetings at undergraduate campuses to allow students more access.

Ms. Magaña expressed concern about the use of violence by campus police against nonviolent student protesters, and noted that campus police have used excessive force on prior occasions as well. She supported the first steps the University had taken in response to the police brutality at UC Davis and UC Berkeley, particularly the UC systemwide investigation, review of policies, and statements from chancellors. She stated that UCSA expected full accountability of those responsible, student participation in the review process, and a clear statement from UC leadership that violence would not be used against nonviolent demonstrators. She noted that protests were not new to UC and the campus police should be able to handle demonstrations without use of excessive force. Ms. Magaña stated that students should have a greater role in the governance of UC, and that UCSA supported the addition of two more student Regents to the Board.

Chairman Lansing thanked speakers for their comments. She asked Regent Mireles and Regent-designate Stein to facilitate visits for her and other Regents to each campus to meet with students to continue the dialogue of the public comment period. Regent Mireles stated that he would do so. Chairman Lansing stated that students have a powerful voice. She asked Regent Mireles and Regent-designate Stein to help organize a protest for the Regents and students in Sacramento to stop budget cuts for all California higher education. Regent Mireles stated that proposals for new sources of revenue should be developed.

President Yudof stated that he appreciated the public comments and that the University would do all in its power to implement suggested changes. Regarding the investigation of recent events at UC Davis, he noted that Chief Bratton, chairman of Kroll Inc., a risk consulting company, was in charge of the fact-finding; the work performed by Kroll for UC over the past few years had been limited to some background checks on potential hires and work regarding threats to some UC researchers who do animal research. President Yudof stated that he had asked former California Supreme Court Justice Cruz Reynoso, one of the leading civil rights lawyers in the United States, son of a farm worker, UC Davis professor emeritus, and winner of the 2000 Presidential Medal of Freedom, to chair the task force. President Yudof noted Justice Reynoso's lifelong commitment to protecting civil liberties. Further nominations for the task force would be

solicited from students, faculty, and staff. The fact-finding report would be submitted to Justice Reynoso and his task force, President Yudof, and Chancellor Katehi. President Yudof confirmed his agreement that the definition of nonviolence must be clarified, and that nonviolence should not be met with violence, even if protesters engage in unlawful behavior. Unlawful behavior could be nonviolent, and should be handled appropriately. He confirmed that new rules for campus police engagement with nonviolent protesters would be developed that would clarify these issues.

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

Faculty Representative Anderson stated that 48 hours after the pepper spray incident at UC Davis he convened an emergency teleconference of the Academic Council. All members of the Council participated and unanimously adopted the following four statements: 1) We are outraged by the display of force against members of the UC community that we have seen at the Berkeley and Davis campuses. 2) It is essential that there be a clear chain of command with the Chancellor accepting ultimate responsibility for actions of the police who must be trained to respond appropriately to protests. 3) Campuses should exercise restraint in responding to peaceful protests and seek to resolve the situation through dialogue. 4) We support the right of free speech and peaceful protest by all members of the University community. We reaffirm our opposition to the State's disinvestment in higher education, which is at the root of the student protests.

Chairman Lansing stated that she looked forward to continuing this conversation in meetings at all campuses and to working together to stop further cuts to higher education.

The meeting adjourned at 11:15 a.m.

Attest:

Secretary and Chief of Staff