

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

March 29, 2012

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

Members present: Regents De La Peña, Gould, Hallett, Island, Kieffer, Lansing, Lozano, Makarechian, Mireles, Newsom, Pattiz, Pelliccioni, Reiss, Ruiz, Schilling, Varner, Wachter, and Yudof

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 Allen-Diaz, Beckwith, Darling, Duckett, Lenz, and Sakaki, Chancellors Block, Blumenthal, Desmond-Hellmann, Fox, Katehi, White, and Yang, and Recording Secretary McCarthy

The meeting convened at 8:35 a.m. with Chairman Lansing presiding.

PUBLIC COMMENT

Chairman Lansing stated that, following the public comment period, the balance of the day's sessions would be devoted to discussions of issues critical to the future of the University: advocacy, fundraising, the Governor's new tax initiative, and the possibility of a funding agreement with the State. Chairman Lansing stated that the Board has been aggressively pursuing development of potential new revenue sources for the University, and has set up working groups on private giving and advocacy. She stressed that, should the Governor's tax initiative pass in November, there should be no tuition increases for the upcoming year.

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. The following persons addressed the Board concerning the items noted:

1. Mr. Murray Morgan stated that he has been treated unfairly and that he should be a professor. He expressed his view that his religious beliefs would help him.
2. Mr. Erik Green, UC Santa Cruz graduate student and president of the UCSC Graduate Student Association, thanked the Board and particularly Chairman Lansing for their consideration of initiatives that would bring new revenue to UC. He urged the Board to support the Millionaires Tax of 2012 and the Middle Class Scholarship Act. While acknowledging the role of the Office of the President in negotiating with the Legislature, Mr. Green stated that student leadership should be involved in the process as well.

3. Mr. Kevin Huang, UC Santa Cruz undergraduate, campus organizing director for the UCSC Student Union Assembly, and member of the Board of Directors of the UC Student Association (UCSA), applauded the efforts of the Office of the President to secure funding for UC. He stated that a method should be devised so that students could be included in these discussions, since students have a huge stake in the outcome.
4. Mr. Ryan Krebs, UCLA fourth-year student, urged the Regents to support the Middle Class Scholarship Act. He also asked for support of student entrepreneurship, which would help both students and the UC system. Students would benefit from the opportunity to collaborate with like-minded fellow students, and the University would benefit from potential private-public partnerships. Resulting inventions could be patented, leading to royalties for campuses.
5. Mr. James Caldwell, eldest son of Hannah Carter, stated that the Hannah Carter Japanese Garden, now owned by UCLA, was made possible by former Regent Edward Carter's bequest. He stated that UCLA had agreed to maintain the garden in perpetuity, but that a court decision undid the terms of the bequest, clearing the way for the sale of the garden. Mr. Caldwell stressed the importance of the University's keeping its commitment to maintain the garden.
6. Ms. Hannah Sowerwine, daughter of Hannah Carter, stated that her stepfather Edward Carter, a UCLA alumnus who chaired the Board of Regents, and her mother were extremely loyal to UC. She stated that the Regents should find a way to honor their wishes regarding the Hannah Carter Japanese Garden, so that future potential benefactors would be assured that their wishes would also be honored. Ms. Sowerwine stated that the original agreement with UCLA provided an endowment to maintain the garden, as well as to fund numerous UCLA faculty chairs and programs. She acknowledged that the amount of the original endowment had become insufficient, but noted that the agreement also provided that proceeds from the sale of the Carter home could be used to augment the endowment as needed. Ms. Sowerwine stated that the garden serves many in the UCLA community and that there are many local organizations willing to work with the campus to find a sustainable solution in order to maintain the garden.
7. Ms. Jennifer Gates, field services director for the California Preservation Foundation, expressed concern about the planned sale of the Hannah Carter Japanese Garden, which was gifted to UCLA in 1965 with the intent that it would be preserved in perpetuity. She stated that UCLA should honor the donors' intent and the terms of the agreement. She stated that in November 2011 UCLA had announced plans to sell the garden, citing rising maintenance costs, deferred maintenance, and lack of attendance. She expressed her view that UCLA had not reached out to groups interested in creating partnerships to maintain the garden. She stated that almost 1,500 people signed an online petition to stop the sale. Ms. Gates asked the Regents to consider other possible options to the sale.
8. Mr. Gustavo Oliveira, UC Berkeley graduate student, urged the Board to support the Millionaires Tax of 2012 rather than Governor Brown's tax initiative. He expressed concern about police brutality used against students expressing their right to free speech.

He also stated that the recently released report about police action on the Berkeley campus was unacceptable. Mr. Oliveira stated that students who are demonstrating peacefully have not been safe on their own campuses.

9. Ms. Tanya Smith, member of University Professional and Technical Employees Communications Workers of America (UPTE) Local 9119 and the Public Education Coalition, stated that the UPTE Local 9119 board had voted unanimously to oppose the stay-away orders for some UC students and other protestors who participated in demonstrations of November 9. She expressed concern about violent police actions against peaceful protesters on campus. She also urged transparency in budget discussions and support for the Millionaires Tax of 2012.
10. Mr. Mark Mason, who holds a doctoral degree from UC Berkeley, stated that the Board was on the wrong side of civil rights in 1964-65 and is in the same position currently. He pointed out that the Regents are unelected officials, and expressed concern about a concentration of power and privilege. Mr. Mason urged the Board to protect students' rights of free speech and assembly, and to eliminate tuition.
11. An unidentified man stated that some students who were waiting outside had not been admitted to the meeting room. He asked that the police leave the meeting room.
12. Mr. Andrew Newton, UCLA undergraduate, expressed concern about Regents' potential conflict of interest and the lack of democracy in the governance of the University.
13. Ms. Kathryn Lybarger, president of the American Federation of State, County and Municipal Employees (AFSCME) Local 3299, expressed her opposition to future possible tuition increases. She stated that students have been demonstrating for a free system of public higher education and that AFSCME Local 3299 is in solidarity with the students. Ms. Lybarger also urged transparency in budget discussions.
14. Mr. William Jones, Jr., graduate of San Francisco State University, commented on the increase in the cost of higher education since he attended college, particularly for the middle class and in view of the lack of increase in real wages. He urged a freezing of wages for staff.
15. Ms. Jolynn Jones, employee at UC Hastings College of the Law, stated that students' tuition revenue should be used only to support the educational program. She expressed concern about recent layoffs at UC Hastings and their effect on the remaining workers and on student services. She noted her support for students, opposition to tuition increases, and urged transparency in UC's finances.
16. Mr. Charlie Eaton, UC Berkeley graduate student and member of United Auto Workers (UAW) Local 2865, expressed support for admitting all students present to the meeting room, and his disagreement with the Regents' meeting during students' spring break and at a campus that he said is least accessible to students. Mr. Eaton urged the Board to support a tax initiative that would generate revenue for UC, and to negotiate for a

sufficient portion of the new revenue so that student tuition increases could be rolled back.

17. Mr. Seth Newmeyer, UCLA undergraduate, expressed dissatisfaction with the meeting procedure.
18. Ms. Mary Higgins, member of International Brotherhood of Teamsters (IBT) Local 2010, expressed disagreement with Chancellor Desmond-Hellmann's proposal regarding UCSF. She noted IBT's opposition to any proposal that would reduce funds paid by UCSF into the UC system. She stated that UC is a whole which is greater than the sum of its parts.
19. Mr. Alex Yu, UCLA fourth-year student, stated that the structure of UC is undemocratic. He added that his younger brother had been accepted at UC, but that his family could not afford to send him there because of tuition increases.
20. Mr. Nikolai Smith expressed support for student activists.
21. Mr. Marshall Sanders, a fifth generation Californian, stated that the University has abandoned the goals of the California Master Plan for Higher Education.
22. Ms. Shelby Cohantz expressed dissatisfaction with the Regents.
23. Ms. Alexandra Holmstrom-Smith, UCLA graduate student and head steward with UAW Local 2865, stated that any additional revenues that might be gained from tax initiatives should be directed to student aid so that working-class students can afford to attend UC. She said that UC is one of the best higher education institutions in the world, but that it could be ruined by continued tuition increases and privatization.
24. Ms. Sophia Lawson, UCSD student, stated that she works for a human rights group on campus and for Border Angels, a human rights advocacy group along the United States-Mexico border. She stated that she would like to open a migrant shelter after she graduates from UC, but that she will have too much student debt.

The Regents recessed at 9:10 a.m.

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The Regents reconvened at 10:55 a.m. with Chairman Lansing presiding.

Members present: Regents Blum, De La Peña, Gould, Hallett, Island, Kieffer, Lansing, Lozano, Makarechian, Mireles, Newsom, Pattiz, Pelliccioni, Reiss, Ruiz, Schilling, Varner, Wachter, and Yudof

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 Allen-Diaz, Beckwith, Darling, Duckett, Lenz, and Sakaki, Chancellors Block, Blumenthal, Desmond-Hellmann, Fox, Katehi, White, and Yang, and Recording Secretary McCarthy

President Yudof introduced UC Student Association (UCSA) second-term President Claudia Magaña, a fourth-year UC Santa Cruz student. He congratulated her and her colleagues on what he characterized as a tremendously effective rally and demonstration in Sacramento.

Ms. Magaña reported that 400 students from throughout the UC system attended UCSA's three-day conference in Sacramento, learning about the legislative process and lobbying their elected officials. More than 120 meetings were held with legislators, to discuss funding for UC, eliminating the proposed trigger cut, rejecting eligibility changes to the Cal Grant program, passing the Middle Class Scholarship Act, supporting AB 970, the Working Families Student Fee Transparency and Accountability Act, and same-day voter registration. On March 5, UC students combined with colleagues from the California State University (CSU) and the community colleges for a march and rally on the Capitol steps with more than 7,000 students and supporters. Speakers included Senate President pro Tem Darrell Steinberg, Speaker of the California Assembly John A. Pérez, and Lieutenant Governor Gavin Newsom. Ms. Magaña stated that positive results of the rally were already in evidence; a few days after the rally the Assembly Education Budget Subcommittee rejected Governor Brown's proposed cuts to the Cal Grant program, with each legislator citing the students' lobbying and demonstration as a reason for his or her decision. Students plan to continue pressure on Sacramento in the coming months.

Ms. Magaña commented on students' long-standing support for finding sources of new revenue to support education and essential State services. UCSA was an early and vocal supporter of the Millionaires Tax of 2012, particularly because that measure specifically dedicated funding to UC. UCSA currently supports the combined tax initiative, the Temporary Taxes to Fund Education and Local Public Safety Funding, which is backed by the Governor. Ms. Magaña expressed UCSA's concern that the new initiative does not designate any additional funds directly to higher education. UCSA believes that UC should receive a fair portion of the proceeds from the tax initiative, which it estimates to be approximately \$600 million in additional annual funding. UCSA appreciates President Yudof's statement of the prior day of support for the Governor's tax initiative.

Regarding ongoing budget negotiations among UC, the Governor's office, and the legislative leadership, Ms. Magaña expressed UCSA's concern that these negotiations are occurring without adequate input from students and other stakeholders. She expressed appreciation for Executive Vice President Brostrom's update during a meeting that day, and his promise of regular updates to UCSA on the progress of the budget negotiations. While students were pleased to learn of a potential buyout of tuition increases for the upcoming year, they would not support a plan that would include guaranteed tuition increases in the future. She urged UC's negotiators to focus on rolling back tuition, rather than increasing it.

Turning to the Middle Class Scholarship Act, Ms. Magaña expressed UCSA's strong support for the measure, which would close a corporate tax loophole to bring approximately \$1 billion in aid, and cut tuition by up to two-thirds for middle class students who have been hardest hit by the current financial crisis. She urged the Board to take a stance in favor of the measure, both collectively and individually, and expressed students' appreciation of the stated support of both President Yudof and Chairman Lansing. Ms. Magaña also expressed UCSA's appreciation for meetings held with Chairman Lansing, Regent Varner, and Regent Kieffer, and stated that UCSA hopes to schedule further meetings with Regents.

President Yudof stated his appreciation for Ms. Magaña's report, and that he would keep UCSA informed about budget negotiations. The President commented that he hopes to have UCSA's support for four critically important initiatives: Governor Brown's tax initiative, an agreement with the State for UC funding, Speaker of the California Assembly John A. Pérez's Middle Class Scholarship Act, and preservation of the Cal Grant program, which he characterized as crucial for maintaining access to the University.

Regent Lozano stated that, although the Board may not want to support some initiatives collectively, individual Regents may wish to support certain initiatives that are important to students and UCSA. She asked that a procedure be established, perhaps through the Secretary and Chief of Staff's office, whereby information about initiatives important to UCSA could be communicated directly to the Regents in case individual Regents want to take a position in support of an effort. Regent Lozano said that an efficient method of communicating these items would enable quicker responses. Chairman Lansing agreed with this suggestion, and asked Regent Lozano to work with Secretary and Chief of Staff Kelman to establish this process.

The meeting adjourned at 11:05 a.m.

Attest:

Secretary and Chief of Staff