

The Regents of the University of California

**COMMITTEE ON EDUCATIONAL POLICY**

September 17, 2014

The Committee on Educational Policy met on the above date at UCSF–Mission Bay Conference Center, San Francisco.

Members present: Regents Engelhorn, Gould, Island, Leong Clancy, Lozano, Reiss, and Saifuddin; Ex officio members Napolitano and Varner; Advisory members Davis, Gilly, Gorman, and Oved; Staff Advisors Acker and Coyne

In attendance: Regents Blum, De La Peña, Makarechian, Pattiz, Ruiz, Sherman, and Zettel, Faculty Representative Hare, Secretary and Chief of Staff Shaw, General Counsel Robinson, Chief Compliance and Audit Officer Vacca, Chief Investment Officer Bachher, Provost Dorr, Executive Vice President and Interim Chief Financial Officer Brostrom, Senior Vice Presidents Dooley and Stobo, Vice Presidents Allen-Diaz, Andriola, Brown, Budil, Duckett, Lenz, and Sakaki, Chancellors Block, Blumenthal, Katehi, Leland, Wilcox, and Yang, Interim Chancellor Gillman, and Recording Secretary McCarthy

The meeting convened at 9:35 a.m. with Committee Chair Reiss presiding.

**1. APPROVAL OF MINUTES OF PREVIOUS MEETING**

Upon motion duly made and seconded, the minutes of the meeting of July 16, 2014 were approved.

**2. UPDATE ON NEW PARTNERSHIPS TO ADVANCE INNOVATION IN THE FIELDS OF FOOD AND HEALTH, DAVIS CAMPUS**

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

Committee Chair Reiss stated that UC Davis recently entered into two important partnerships that would bring new funding to the University for research on food and health issues. These partnerships would encourage innovative new research and technologies that could benefit not only UC and its partners, but also the state, nation, and the world.

Chancellor Katehi noted that these new partnerships would strengthen and support President Napolitano's Global Food Initiative. The UC Davis World Food Center was developed to bring together world-renowned researchers, industry leaders, innovators, entrepreneurs, and policy makers working on the full range of food issues from production to safety and transport, nutrition, health, and the environment. Chancellor

Katehi updated the Committee on two additional steps taken to build on this momentum and enhance UC Davis' work related to innovation in the fields of food and health.

Many creative national and international partnerships across a variety of disciplines would be required to feed the world's growing population in an environmentally sustainable way. In that spirit, UC Davis had formed two new partnerships. First, the UC Davis World Food Center would partner with Mars, Inc. (Mars), one of the largest food companies in the world with a history of more than 40 years of collaboration with UC Davis in areas of sustainability, genomics, food quality, and nutrition. The World Food Center and Mars have agreed to invest at least \$60 million over ten years to establish the Innovation Institute for Food and Health (Institute) at UC Davis. Mars would provide at least \$40 million of funding, and the remaining \$20 million would be in-kind contributions from the World Food Center, primarily new faculty positions, and research scholarships and fellowships for UC Davis students and postdoctoral scholars. The Institute would act as a hub to bring together the expertise needed for targeted innovation at a scale sufficient to tackle complex sustainability challenges related to food, agriculture, and health. Chancellor Katehi stressed that this partnership would be much broader than a traditional research agreement and would aim for breakthrough research both in science and technology, educating UC students in the process, and creating potential commercial and social benefits. The goal of the Institute would be to address the world's great challenges relating to food and agriculture.

The second partnership would be international, between UC Davis and the economic development agency of the Chilean government, Corporación de Fomento de la Producción de Chile (CORFO) to create the UC Davis Life Sciences Innovation Center (Center) in Chile. Modeled after the successful UC Davis InnovationAccess, the Center would bring together scientists from UC and universities in Chile to conduct groundbreaking research and commercialize technologies through creation of startups, both in California and in Chile. UC Davis would receive \$12 million to fund the Center's first three years, \$6 million from the Chilean government and \$6 million from industry and other partners. If the first three years' collaboration succeeds, it could be continued. Chancellor Katehi thanked the Regents for their support for these exciting partnerships that would foster groundbreaking research and technology development in the important areas of food and health.

Regent Zettel congratulated Chancellor Katehi on these innovative partnerships and asked whether Mars would expect to have first access to technologies developed through the Institute. Chancellor Katehi responded that the campus was in the process of defining the agreements for the Institute. She stated that the Institute's work would be very broad with some innovations available to the public. Other work may be competitive research with licensing agreements that would be negotiated before projects would be initiated. These agreements would be typical of those the campus was already using in collaborations with industry. Innovations could be licensed by Mars or by other companies, including startups.

Regarding the partnership with CORFO, Regent Zettel asked how the transfer of life science technologies from UC Davis and collaborative UC Davis – CORFO programs to industry in Chile would benefit California industry. Chancellor Katehi said the partnership would certainly benefit California industries. Some of the Institute’s projects would interest Chilean companies and others would interest Californian companies. The \$6 million of industry funding could be from companies of either nation and the Institute’s focus would be on projects that could be of interest to a wide variety of businesses and startups from both countries.

Regent-designate Davis complimented Chancellor Katehi for envisioning an international collaboration, which would be a necessary component of President Napolitano’s Global Food Initiative.

Regent Leong Clancy asked how much of the \$6 million in industry funding for the Institute’s first three years had been raised. Chancellor Katehi responded that the funds had not yet been raised. Industries had been identified and a fundraising campaign would begin in 2015. Regent Leong Clancy asked what would happen should the fundraising fall short of expectations. Chancellor Katehi responded that the agreement being negotiated would protect the University should funding from industry or from the Chilean government be insufficient. She clarified that the \$1.5 million from UC Davis for the Institute’s first three years would be in-kind contributions.

Regent Makarechian asked about Mars’ interest in nutrition, since the company is commonly associated with its candy products. Chancellor Katehi expressed her belief that Mars was aware that its business model must adapt to society’s need for healthy food options. She noted that Mars had already done much work in food science and food safety, for instance in methods of growing corn while limiting pesticides and providing foods with high nutritional content.

Regent Pattiz expressed appreciation for Mars’ willingness to fund research in areas that were socially responsible. However, he cautioned that the Regents must examine private sector funding of UC research very closely.

Regent Lozano expressed support for these partnerships, particularly with the Chilean government, adding that many other regions could benefit from such partnerships. She encouraged Chancellor Katehi to seek other international partnerships that could benefit other regions’ food security and safety. Chancellor Katehi responded that UC Davis was also working actively in Brazil and other countries in South America.

3. **BUILDING THE NATIONAL MODEL: PRESIDENT’S TASK FORCE ON PREVENTING AND RESPONDING TO SEXUAL VIOLENCE AND SEXUAL ASSAULT**

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

Committee Chair Reiss thanked the members of the Task Force on Preventing and Responding to Sexual Violence and Sexual Assault (Task Force) for their contributions and dedication. She emphasized that providing a safe environment for UC students is of the highest importance to the Regents. President Napolitano had asked that the Task Force continue its work and return to the Committee by July 2015 with detailed plans for implementation of the recommendations that would be presented at this meeting. Many campuses were not waiting to implement the recommendations, including making policies of zero tolerance of sexual assault part of their recent freshman orientations.

Committee Chair Reiss stated that the Task Force had reviewed effective existing campus programs and focused on areas that were not being covered by those programs. While implementing programs would be important, campus cultures must also be changed, which would take time and perseverance. Prevention of sexual assault and sexual violence was as important as the response to such incidents. The Task Force's recommendations go beyond the requirements of national and State legislation, and would include establishment of independent, confidential advocacy offices on each campus, mandatory training of students, staff, and faculty, consistent response models, systemwide standardized investigation and adjudication standards, and a comprehensive communication plan. Committee Chair Reiss acknowledged that there would be costs associated with implementation of these recommendations, and cited President Napolitano's and the Regents' commitment to finding resources for funding.

Committee Chair Reiss commended Chief Compliance and Audit Officer Vacca who led the Task Force and UCLA student Task Force member Savannah Badalich whose courage to come forward to turn her personal nightmare into a positive endeavor that would help other students grounded the Task Force's discussions in reality.

Ms. Vacca stated that she would provide an overview of the recommendations of the Task Force, whose full report was distributed at this meeting and was available on the UC website. The Task Force had crucial support from all UC campuses and President Napolitano, permitting it to bring together a group of people representing many different functions from across the campuses. Ms. Vacca recalled that one goal of the Task Force was to identify ways to review the University's current processes that would make a difference in the campuses' cultures. She emphasized that, for this effort to be successful, zero-tolerance campus cultures must be established. The Task Force was also charged with recommending strategies for excellence in prevention, response, and investigation of sexual violence, sexual harassment, sexual assault, and stalking. Ms. Vacca displayed a chart showing the Working Groups that contributed to the Task Force. As indicated in feedback from students and other Task Force Working Group members, further efforts would include more UC students and representatives of other functions across the campuses. Ms. Vacca pointed out that to date the focus of the Task Force had been on students. Preliminary processes determining how to engage faculty and staff have begun.

Ms. Vacca discussed the Task Force's recommendations. The first recommendation was to establish a consistent response team model for all UC campuses. She noted that this recommendation did not mean that there were not available response teams operating at

all UC campuses. Response teams were functioning in different ways and were not necessarily known to campus constituents. The response team model needs to be consistent and not fragmented in its approach. In fact, two teams were needed: one for reporting and handling reports of allegations, and another for prevention, education, policy, and working with campus communities.

The Task Force's second recommendation was to adopt systemwide investigation and adjudication standards. There were currently existing adjudication practices on UC campuses, but there were differences among the campuses. The focus of this recommendation would be to create consistency, increase awareness of practices, ensure fair outcomes, and establish consistent sanctions across the campuses. Fair and objective standards for those against whom allegations have been made would ensure that their rights would be respected.

Ms. Vacca stated that the Task Force's third recommendation to develop comprehensive education and training would probably be the most difficult to implement because it would involve many different methods of delivery. Effective education cannot simply be delivered one time through an online training; education efforts need to be ongoing and must engage students, faculty, and staff. These communities need to understand the culture of prevention. An effective education and training program with measurable outcomes would be challenging and costly to establish, leveraging existing programs to attain the desired outcome, with students participating in what they believe to be meaningful. Ms. Vacca emphasized the importance of this recommendation, since students would be the ones who could change campus cultures.

The Task Force's fourth recommendation was to implement a comprehensive communication strategy to educate the community and raise awareness of UC's programs, involving students deeply in its design and implementation. UC's students know best how to communicate effectively with students through the use of student-friendly methods such as social media, mobile applications, and whatever other methods are best able to communicate available resources. Students who want to say "No" to unwanted sexual advances must feel the strength of the culture supporting them. Students who find themselves in a potentially compromising situation could seek support from their peers. In addition to these messages to students, communications to faculty and staff regarding these issues would also be developed.

Ms. Vacca commented that the fifth recommendation to establish an independent confidential advocacy office on each campus for victims of sexual violence and sexual assault was very strongly supported by the Working Groups. These offices would be independent from the campus' reporting and adjudication functions. Feedback from the Working Groups indicated that these advocacy offices should have no function other than being places where students could feel safe and comfortable discussing their issues confidentially and learning what options were available to them throughout the process. Student survivors of sexual assault reported that, while campus student advocates exist, they are hard to find and can be occupied with other job duties.

The sixth Task Force recommendation was to establish a comprehensive systemwide website that could be customized by the campuses. It would be important that key language and website links be consistent across campuses, and that the websites deliver clear information about available resources. President Napolitano emphasized her dedication to ensuring that these recommendations were implemented effectively and financially supported. She added that terminology on campus websites was not always consistent, which could make reporting and obtaining statistical information difficult. Common vocabulary across the campuses must be established.

The final recommendation was to establish a systemwide standard data collection method. Ms. Vacca stated that there was currently no way to track data across the UC system and obtaining data even on the campus level could sometimes be challenging. This system would be in place by July 2015 and would make it possible to identify needs throughout the University.

Ms. Badalich stated that she and other students on the Task Force and Working Groups had created a comprehensive student survey that was sent to UC students to solicit their anonymous input. By August, responses from 263 students had been received, with representation from each UC campus. In their survey responses, students suggested establishment of the confidential advocacy centers where students could find someone to talk to about their assault without having to give a mandatory report. Some students reported that they had talked to professors about their assaults, without realizing that professors are mandatory reporters; their cases were reported even though that was not the students' preference. Student survey responses also indicated the importance of having one clear website with information about available resources.

Ms. Badalich reported that student survey respondents expressed that education efforts should not conflate alcohol education with sexual assault prevention education. In both the UC survey responses and in the national discussion, sexual assault survivors said they have heard too often that sexual assault can be avoided through education about alcohol. Education about sexual assault and alcohol should be separated, particularly in online education where they were often presented together.

Ms. Badalich stated that the Task Force would like to have all faculty and staff required to participate in survivor-centered sensitivity education and training. Many professors were not equipped with knowledge about sexual violence. When a survivor confides in a trusted professor about a sexual assault, the professor's response may be insensitive. She noted the crucial importance of the response of the first person to whom an assault survivor turns. All UC professors should be trained in appropriate sensitivity and should also be able to refer students to the campus' independent confidential advocacy office. A sexual assault survivor may not want to report the assault, but would still deserve academic and other accommodations. Survivors often mistakenly think they are not entitled to such accommodations unless they report their assault.

Ms. Badalich expressed her strong support for the Task Force's intention to involve UC students in its continuing work. She reported strong student interest in contributing to the

implementation of the Task Force's recommendations, particularly development of the methods of delivery of information and education to students. The UC Student Association (UCSA) created a new campaign against sexual violence called You Consent, with individual campaigns at each UC campus to help implement the Task Force recommendations relating to that campus. In addition, UCSA would create other communication strategies.

Chairman Varner expressed appreciation for the leadership of Committee Chair Reiss, and thanked Ms. Vacca and Ms. Badalich for their work. He anticipated that UC would become a national leader in this extremely important area. He affirmed President Napolitano's and the Regents' commitment to fund implementation of the Task Force's recommendations.

Committee Chair Reiss introduced Committee student observer Allyson Osorio, UC San Diego fourth-year student. Ms. Osorio commended the work of the Task Force, encouraged the involvement of more students in the Working Groups, and noted the need for adequate funding of the recommendations' implementation. As part of its You Consent campaign, UCSA hoped to work with the Task Force and the Regents to create change in the climate around sexual assault and sexual violence on UC campuses.

Regent Makarechian asked about current policy regarding disciplinary actions available to the University when a student was determined to have committed a sexual assault. Ms. Vacca responded that disciplinary actions could vary among campuses and that implementation of systemwide consistent disciplinary standards would be part of the continuing work of the Task Force. She stated that a student who was determined to have committed an act of sexual violence or sexual assault would be expelled from all UC campuses. Committee Chair Reiss added that future work of the Task Force would include establishment of systemwide minimum sanctions for perpetrators. Ms. Vacca added that this work would be accomplished by July 2015. Committee Chair Reiss stated that President Napolitano had requested that members of the Task Force continue to serve as the next phase of the work begins.

Regent Pattiz congratulated the Task Force on its excellent report and recommendations, which would provide an excellent framework for continued action. He asked whether the Task Force had considered working with the private sector, particularly the media, to broaden the scope of the effort to create a culture of prevention, since many of the problems of sexual assault and sexual violence stem from the larger culture. Ms. Badalich responded that during the next phase the Task Force would remain open to additional recommendations. Engaging with private media could be considered. Ms. Badalich stated that the University's progress in these areas would be a model for its surrounding communities. For example, UC changed its affirmative consent definition in March, and subsequently SB 967 was signed into law, requiring all colleges and universities in California to adopt an affirmative consent standard. Ms. Vacca added that the Task Force was working closely with UC's media and external relations staff.

Regent Leong Clancy, a member of the Task Force, commended Ms. Vacca for her leadership in bringing together constituencies from across the University. The effective implementation of the recommendations would involve the entire UC community, including faculty and staff. Committee Chair Reiss added that the Task Force also was managing the balance between the need for a systemwide approach and respect for the campuses' existing programs.

Regent-designate Davis commended the Task Force for the first phase of its work on this very difficult issue of great concern to UC alumni. He noted a *New York Times* article citing incidents of sexual assault of female students at off-campus research facilities. He suggested that the Task Force broaden the language of its recommendations to cover conduct at such off-campus facilities.

Regent Zettel asked whether educational efforts would require students to sign a policy indicating awareness of these policies during registration. Ms. Vacca responded that the Task Force was examining various ways to obtain commitment from staff, faculty, and students prior to their becoming members of the University community. She noted that the federal government It's On Us campaign sought a commitment from all in higher education to increase awareness. Regent Zettel suggested that UC film schools could be involved in producing videos for dissemination on social media.

Regent Sherman asked who would be in charge of investigations of allegations of sexual assault or sexual violence, and whether a victim would have an advocate provided by the University. Ms. Vacca responded that under current procedures the campus Title IX officer usually initiated the investigation, sometimes along with local police officers or the District Attorney's office. In addition, the student adjudication process occurs. Committee Chair Reiss added that campus police can also be involved. Campus police were encouraged to develop working relationships with local police departments to facilitate coordination. The confidential advocacy offices that would be established would have trained advocates available to assist students through the process. Ms. Vacca commented that an important goal was to increase the timeliness of response. Regent Sherman pointed out that many student assaults occur off campus and would require involvement of the appropriate authority. Ms. Vacca agreed that research has found that students are vulnerable to being sexually assaulted at off-campus locations. Ms. Badalich stated that students would seek on-campus support for assaults that happened off campus. The recommended independent confidential advocacy centers would be the first place a student could go to receive advice about available options; many students decide not to report the assault, but still have rights under Title IX and the Clery Act.

Regent-designate Oved highlighted an initiative that he and Ms. Badalich had worked on the prior year at UCLA with Circle of Six, a cell phone application that centralizes emergency communications by connecting the user to a core group of six individuals who the user has identified as emergency contacts. Circle of Six would also identify key campus-specific resources for sexual assault victims. Regent-designate Oved said that UCLA would be the first campus in the nation to use a campus-specific safety application that would be available free to students, faculty, staff, and administration.



Regent Engelhorn commended the Task Force's focus on prevention. He expressed support for having a clear systemwide policy that would clarify University sanctions for students who have been found to have engaged in behavior that was unacceptable but that would fall short of criminal.

Regent-designate Gorman commended the Task Force for its concrete, actionable recommendations and asked whether the effects of their implementation would be assessed. Ms. Vacca responded that metrics would be developed for each recommendation, although she acknowledged that in some areas measurable results can be difficult to establish and were not found in current research. UC may become a leader in defining metrics to measure these outcomes.

Committee Chair Reiss thanked the chancellors for their support of the Task Force, noting that their leadership would be crucial in these efforts. Chancellor Katehi said that the Davis campus has been very active in its attempts to address sexual assault, which had been an issue for many years for universities. She expressed pride in UC Davis' addressing reports of sexual assaults in a timely manner, regularly examining campus statistics regarding such incidents, and monitoring of penalties that have been issued. Chancellor Katehi stated that the most challenging aspect would be to improve the campus culture around issues of sexual assault and sexual violence. Despite her campus' efforts, she expressed her view that students do not feel safe because there have been too many such incidents, not only at UC Davis, but at universities across the nation. Much work needs to be done.

Chancellor Leland also commended the work of the Task Force. She stated that sexual assault happens too often on college campuses and can leave scars for life. In order to effect change in campus cultures around sexual assault, it would be essential to enlist the help of students who are respected by their fellow students, including athletes, fraternity members, and student government leaders.

Chancellor Block applauded the work of the Task Force. He stated that UCLA had excellent resources, but they are not always well coordinated and students are not always aware of how to use them. Chancellor Block emphasized the importance of recognizing that problems of sexual assault and sexual violence are social problems that pervade campuses, and are not simply alcohol problems or student athlete problems. The focus should be on all students.

Chancellor Dirks echoed support for the work of the Task Force and the coordination of its work with campus endeavors. UC Berkeley renewed efforts the prior year to find ways to better coordinate information and investigations. These are major problems on UC campuses and on campuses nationwide. He noted that, even though UC Berkeley had made a student orientation around issues of sexual assault and sexual violence mandatory, Chancellor Dirks learned that 500 students had not participated; those students would have blocks put on their registrations. Cooperation among campus personnel, UC Office of the President, and the Task Force would be essential if the recommendations of the Task Force were to be successfully implemented.

Chancellor Blumenthal added his voice in thanks to the Task Force for addressing this serious problem that had been identified in campus climate surveys. Education efforts would have to be ongoing, since new students come to campus each year. Uniformity of actions, including responses and sanctions, across UC campuses would be crucial.

Interim Chancellor Gillman confirmed that staff at UCI, including campus police chief Paul Henisey and Associate Vice Chancellor and Title IX officer Kirsten Quanbeck, had accomplished outstanding work in this area and were committed to working with the Task Force.

The meeting adjourned at 11:00 a.m.

Attest:

Secretary and Chief of Staff