

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

May 21, 2015

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

Members present: Regents De La Peña, Elliott, Engelhorn, Gould, Kieffer, Lansing, Leong Clancy, Lozano, Makarechian, Napolitano, Ortiz Oakley, Pattiz, Pérez, Reiss, Ruiz, Saifuddin, Sherman, Varner, Wachter, and Zettel

In attendance: Regents-designate Davis, Gorman, and Oved, Faculty Representatives Gilly and 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 Chief Financial Officer Brostrom, Executive Vice President and Chief Operating Officer Nava, Executive Vice President Stobo, Senior Vice Presidents Henderson and Peacock, Vice Presidents Brown, Budil, Duckett, and Sakaki, Chancellors Block, Blumenthal, Dirks, Gillman, Hawgood, Khosla, Leland, Wilcox, and Yang, and Recording Secretary McCarthy

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

1. PUBLIC COMMENT

Chairman Varner 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.

- A. Ms. Iman Sylvain, external affairs vice president of the UC Berkeley Graduate Assembly, expressed concern about tuition increases for graduate and professional students. She urged the Regents to reconsider increases to Professional Degree Supplemental Tuition.
- B. Ms. Jane Pomeroy, UC graduate student, commented that UC graduate students face distinct barriers navigating experiences with or reporting sexual violence. Such barriers include lack of clear information about student versus professional roles, responsibilities, or rights; fear of retaliation from reporting a faculty or research advisor; and lack of consistent training. Ms. Pomeroy recommended requiring graduate and professional students to attend three mandatory in-person training sessions on evidence-based practice. Training should include graduate student rights, resources, and options, reporting obligations, whistleblower policies, and consideration of power dynamics.
- C. Ms. Amber Priat, UCLA and UC San Diego alumna, stated that as an undergraduate she had been sexually harassed by a male graduate student

instructor, causing her to stop attending class laboratories and study sessions, and eventually change her science major. She urged requiring graduate student training in prevention of sexual harassment.

- D. Ms. Vanessa Raditz, UC Berkeley graduate student, expressed opposition to the development of the Gill Tract Farm. Development would increase environmental injustice and sacrifice the health of vulnerable communities, including UC students' families who had insufficient food resources. She urged the Regents to establish a center for urban agriculture and food justice at the Gill Tract Farm.
- E. Ms. Andrew Baskin, UC Davis student, expressed opposition to the privatization of the Gill Tract Farm as environmental racism that would sacrifice the health of local disadvantaged communities by increasing pollution and reducing healthy environmental elements such as trees and soil. He urged establishment of an urban agriculture center for which there is great community support.
- F. Ms. Anya Kamenskaya, UC Berkeley alumna and local business owner, called attention to a recent article highlighting the need for urban agricultural research stations. She urged the Regents to invest in the Gill Tract Farm as a center for urban agricultural research.
- G. Ms. Diana Galbraith, community member, noted the freedom under the First Amendment to criticize any government. Criticism of Israel should not be treated differently from any other critical discourse, as suppressing free speech would set a dangerous precedent. The movement to boycott investment in Israel explicitly condemns anti-Semitism and other forms of bigotry. She expressed her view that there was no evidence linking anti-Semitic graffiti on college campuses to the Palestinian human rights movement.
- H. Ms. Marge Sussman, Jewish UC Berkeley alumna, expressed concern about labeling criticism of Israel and its policies toward Palestinians as anti-Semitism, which is hatred of people because they are Jewish, rather than publicly opposing unjust Israeli policies. She urged the Regents not to adopt the U.S. Department of State's definition of anti-Semitism.
- I. Ms. Carol Sanders observed that the Supreme Court has repeatedly recognized that universities are marketplaces of ideas and that the First Amendment protects campus speech, even when it is personally offensive to some. Supporters of adopting the U.S. Department of State's definition of anti-Semitism do not want to engage in robust political discourse that the First Amendment protects and want to label those with differing political views anti-Semites. She commented that the U.S. Department of Education rejected the State Department's definition in dismissing complaints that pro-Palestinian activism on UC campuses created a hostile environment for Jewish students. She urged the Regents to reject the Department of State's definition of anti-Semitism.

- J. Ms. Kathryn Lybarger, president of American Federation of State, County and Municipal Employees Local 3299 and president of the California Labor Federation, urged the University to stop outsourcing UC jobs to private contractors. Employees of private contractors work fulltime alongside UC employees, often for years, under the same UC supervisors. However, these contract employees receive no benefits and are paid as much as 53 percent less than career UC employees doing the same jobs. The number of contract workers at UC is growing. Ms. Lybarger urged the University to require private contractors at UC to provide their employees the same pay as career workers doing the same jobs, as would be required by pending Senate Bill (SB) 376 by State Senator Ricardo Lara. Ms. Lybarger called on President Napolitano to support SB 376.
- K. Mr. Art Pulaski, Executive Secretary-Treasurer and Chief Officer of the California Labor Federation, commented that Los Angeles and San Francisco had raised their minimum wage to \$15 an hour. He expressed his view that an increasing number of employers were exacerbating the problem of income inequality by contracting out the work of their employees. For generations the University had been honored for being a great contributor to California's vibrant economy. However, UC was increasingly contracting work out to contingent workers who struggle with poverty-level wages, while private contractors make profits as middleman employers. He urged the Regents to support SB 376 that would address this problem by raising the standards for contracted work or to develop a similar policy at the University.
- L. Mr. Jin Chen, UC Berkeley contract custodian, commented that contract workers at UC do the same jobs as UC workers and report to UC supervisors, but are exploited for profit by private contractors. He had worked as a custodian at UC Berkeley since 2011, employed by Impec Group for half the pay of UC-employed custodians. He was paid as little as \$10.74 an hour by Impec, with no benefits and constant job insecurity. Workers can be fired for being sick or for advocating for better pay or working conditions. These workers are asked to work double shifts, to take on hazardous duties without proper training, and risk being fired if they decline. Mr. Chen said he is the sole source of income for his family, including his daughter who attends UC Davis. UC's contract employees are not temporary; in fact many work in the same positions for years. He urged the Regents to support SB 376.
- M. Ms. Allie Clement, UCSB alumna, observed that two days later would be the one-year anniversary of the shootings in Isla Vista and that her hometown of Newtown, Connecticut had also been tragically affected by gun violence. She presented a petition urging UC to be a national leader by divesting from the gun industry.
- N. Dr. Elizabeth Downing, pediatrician, staff physician at UC Santa Barbara for more than 35 years, and past UCSB director for student health, observed that her

experience had heightened her awareness of public health issues including gun violence. She reported recent news that 2015 would be the first year in which more young people, about 32,000, would die from gun violence than from car accidents. UCSB was devastated by the Isla Vista shootings and the campus continues to grieve. Dr. Downing urged the University to divest from the gun industry.

- O. Mr. Bob Weiss stated that one year earlier his daughter, a UC Santa Barbara student, was walking from her dormitory room to her sorority house with two friends when the three were shot. His daughter and one of her friends were killed. He urged the Regents to divest from the gun industry.
- P. Ms. Tuyen Nguyen, coordinator of the food bank of the Associated Students of the University of California (ASUC) at Santa Barbara, said the food bank works to alleviate hunger and provide holistic services to UC students. Since it opened in 2011, the food bank had served more than 5,400 students, providing a friendly, reliable, consistent resource for students in distress, and offering resources to help students move forward. Ms. Nguyen shared a student testimonial.
- Q. Ms. Katie Freeze, chair of the food bank of the ASUC at UC Santa Barbara, provided a testimonial from a student who used the food bank. Food insecurity can happen to any UC student because of chance events. Food insecurity was increasing, in part because of increases in other costs, such as tuition, books, and housing. She urged the Regents to support measures to eliminate food insecurity on UC campuses.
- R. Ms. Crystal Owings, UC Santa Cruz student and fellow of the Global Food Initiative, commented that the University of California Undergraduate Experience Survey revealed that one in five UC undergraduates skips meals to save money. Some students use CalFresh food stamps. Living expenses in areas around UC campuses are often quite high. She urged the Regents to support measures recommended by the Global Food Initiative Food Security and Access Subcommittee.
- S. Mr. Patrick Valentino, vice president of the South Beach and Mission Bay Business Association, expressed support for development of the Golden State Warriors' new arena in Mission Bay. He noted the Mission Bay Alliance's strong opposition to the arena, although the identities of its supporters were unclear. Mr. Valentino said the community supports plans for the arena, as evidenced by more than 1,500 signatures on a petition asking the Mission Bay Alliance to clarify its membership and whether it has any affiliation with UC. He asked the Regents to distance the University from the Mission Bay Alliance.
- T. Mr. Joel Koppel, member of the International Brotherhood of Electrical Workers, Local 6 in San Francisco, said he spoke on behalf of San Francisco building and construction trade workers in support of the development of the Mission Bay

Golden State Warriors' arena, which would provide good jobs for local residents, including jobs that offer career pathways and apprenticeship programs for local youth. The proposed arena would have a positive effect on the Mission Bay community.

- U. Mr. D. J. Brookter, resident of San Francisco's District 10 and deputy director of Young Community Developers, Inc., expressed support for development of the Mission Bay Golden State Warriors' arena, which would provide economic and community development. The Warriors would be a good neighbor because of their dedication to working with community groups. He urged the Regents and UCSF to support the development of the Warriors' arena in Mission Bay.
- V. Mr. Irving Ling, UCSF medical student, expressed opposition to the University's engaging outside contractors to provide custodial services, noting the challenges faced by those contract employees as a result of unfair labor practices that have a negative effect on the immigrant community. UCSF should demonstrate its commitment to its community through fair treatment of its workers. He urged support for Senate Bill 376.
- W. Ms. Katherine Shibata, representing Pearson, Inc., stated that students should have a choice of which language proficiency test they take. She urged the Regents to add the Pearson Test of Academic English to UC's accepted English proficiency tests.

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

Chairman Varner praised the efforts of President Napolitano and Governor Brown in reaching a satisfactory framework for a stable and predictable funding model for the University. He thanked those who advocated on behalf of the University. Negotiations with the Legislature would continue and he expressed confidence that the University's long-term financial stability would continue to improve.

Chairman Varner observed that this would be his last meeting as Chair, which had been a great honor. He had enjoyed working with President Napolitano, his fellow Regents, and the entire UC community. His recent trip to New Zealand, where he gave talks on behalf of the University, demonstrated New Zealand universities' desire to emulate UC. Chair Varner thanked Secretary and Chief of Staff Shaw and the chancellors for their excellent work.

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

President Napolitano expressed appreciation for the exemplary work of UCSF Police Chief Pamela Roskowski, who would be retiring. The President thanked Chair Varner for his service as Chair and expressed gratitude for his able assistance to her since she was named President of the University.

President Napolitano provided an update on several initiatives, which are galvanizing forces to direct the power of UC's ten campuses toward single objectives. Initiatives serve as leadership tools, inspiring members of the University community to work together toward a common goal. Initiatives are also tools for communicating what the University is capable of achieving in massive, complex endeavors.

The Initiative on Innovation, Entrepreneurship and Technology Commercialization took a major step forward with the creation of UC Ventures, an independent fund to pursue investments in enterprises fueled by UC research. A UC QuickStart Agreement has been established for use by any UC campus or the Lawrence Berkeley National Laboratory (LBNL), and a UC-approved startup interested in licensing UC's intellectual property. The UC Innovation Council has convened some of California's visionary leaders to provide an external perspective on opportunities to boost the public benefit of UC innovations. In December 2014, the President's Research Catalyst Awards were launched, supporting cross-campus collaborations in research disciplines of strategic importance to California. One award would support a major research project studying UC's Natural Reserve System, with the goal of understanding how climate change would affect California ecosystems. Another Research Catalyst Award went to UC research leading to formulation of the California Institute for Quantum Emulation, studying problems and ideas at the intersection of physics, materials science, and computing. Earlier this month, President Napolitano was master of ceremonies at the first UC systemwide Grad Slam, a tournament competition for UC graduate students to present their research in a clear and engaging manner to a general audience in three minutes. Ten finalists won competitions at their own campuses prior to the finals in Oakland. The winner was Ashley Fong, a UC Irvine Ph.D. student in molecular biology and biochemistry, who is studying the ways in which stem cells could repair damaged heart muscle. The graduate student finalists were proxies for UC's 238,000 students and demonstrate the critical importance of supporting UC students engaged in basic research.

The UC Community College Transfer Initiative's goal is to simplify the transfer process, ensuring that more community college students are aware that a UC education is attainable. President Napolitano reported that she had been meeting with California Community College (CCC) leaders around the state to discuss how UC could better support transfer students. The team at the UC Office of the President had been reaching out to CCC leaders, particularly from those community colleges with low UC application rates, to provide targeted information about financial aid and coursework requirements. UC was making substantial progress on the development of transfer admission pathways for ten of the most popular UC majors: biology, biochemistry, cell biology, molecular biology, chemistry, physics, mathematics, anthropology, economics, and sociology. Each pathway would present a single set of courses that a student could take to prepare for admission to any of UC's nine undergraduate campuses. Completing the pathway would not guarantee admission, but the pathways would provide students clear roadmaps. A delegation of faculty representatives from all campuses had approved the pathways and would return to their campuses to seek final approval. President Napolitano thanked Faculty Representatives Gilly and Hare, and Professor Ralph Aldredge, Chair of the

Board of Admissions and Relations with Schools of the Academic Senate, for their impressive efforts.

Through the UC-Historically Black Colleges and Universities (HBCUs) Initiative more than 80 graduate fellows from HBCUs would conduct research at UC this summer. Under the auspices of the President's Postdoctoral Fellowship Program, funds for new faculty hires in science, technology, engineering, and mathematics on four UC campuses have been committed. Several more startup packages for new faculty were being developed. UC actively recruited 17 President's Postdoctoral Fellows for positions this fall as ladder-rank faculty.

Important progress was being made on the UC undocumented student initiative. Two weeks prior, UC held a national summit in Oakland on undocumented students, which was attended by Regent Lozano. A pilot UC Davis School of Law legal services center for undocumented students was intended to serve as a model for other UC campuses and other universities around the country. A website has been launched offering clear and consistent information for undocumented students about applying to UC, financial aid, and other available support services.

President Napolitano reported that in April she met with many of the Global Food Initiative's (GFI) 54 student fellows who described the remarkable work they are undertaking on behalf of the GFI. The UC chancellors were also leading in this initiative, with each campus in the process of establishing a food security working group, with the goal of supporting food security for UC students.

In the area of carbon neutrality, the President's Global Climate Leadership Council had identified opportunities for the University to maximize its efforts in sustainable operations, research, and student, faculty, and staff engagement and education. UC became a wholesale power provider and completed the largest solar energy purchase of any university in the nation. UC also adopted a landmark sustainable investing policy. Each UC campus, the Division of Agriculture and Natural Resources, and LBNL selected fellows for the President's Sustainability Student Fellowship/Internship Program.

The UC-Mexico Initiative has five working groups in arts and culture, education, energy, environment, and health. The working groups and the Student Mobility Task Force were identifying their top priorities for collaboration with UC's Mexican partners and were developing appropriate proposals and agreements. The Advisory Board of the UC-Mexico Initiative would meet in late September in Berkeley.

President Napolitano announced the winners of the 2015 President's Award for Outstanding Student Leadership, noting that recognizing UC students for their hard work, creative thinking, and public service is one of most rewarding aspects of her job. The first recipient was Kyle Haines, a UCSD Ph.D. candidate in political science, for his work in convening the Interdisciplinary Forum on Environmental Research at UC San Diego. For the past two years, Mr. Haines brought together scholars from a range of disciplines, including scientists from the Scripps Institution of Oceanography (Scripps), social

scientists and humanities scholars from UCSD, and environmental scholars from Tijuana, Mexico's El Colegio de la Frontera Norte. The Forum helps prepare graduate students for engaging in productive cross-disciplinary discussions. Mr. Haines also played an instrumental role in the success of UCSD's Tijuana community development programs that focus on soil improvement, backyard gardens, and watershed awareness.

Mr. Haines commended the UC-Mexico Initiative, observing that the San Diego and Tijuana area is a single bioregion and a microcosm of common developmental problems including environmental sustainability. He expressed appreciation for this award, which recognized the significance of creating a link with Mexican partners. He thanked President Napolitano for this award, and Professor Richard Norris of Scripps, Associate Director Sarah McCullough of the UCSD Center for the Humanities, and Regent Blum of the Blum Cross-Border Initiative at UC San Diego for their support.

President Napolitano announced the second recipient, the Riverside Free Clinic at UC Riverside, represented by Tiffany Ha and Vu Pham. Ms. Ha recently completed her undergraduate degree in biology at UC Riverside and Mr. Pham is a second-year UCR biology major. For the past 11 years, the Riverside Free Clinic has provided a tremendous public service to the Riverside community. Every other Wednesday night, medical students and undergraduate volunteer staffers serve dozens of patients, many of whom are low-income, Spanish-speaking immigrants. The Clinic has sought partnerships with other educational institutions in the Inland Empire to better serve its patients. In the past year, the Riverside Free Clinic partnered with the Western University College of Dental Medicine to expand dental services. The Clinic also affords an enhanced academic experience to UC Riverside students who volunteer and would be the health care providers of the future.

Ms. Ha thanked President Napolitano and Chancellor Wilcox for recognizing the work of the Free Clinic, and the Clinic's mentors Richard Wing, professor emeritus, and registered nurse Donna Wing. The Clinic's patients are people from various backgrounds including single mothers, homeless people, recent immigrants, or community members without health insurance. UC Riverside is located in an area with the most severe shortage of primary care providers in the state.

Mr. Pham commented that it was a humbling experience to see the efforts of those at the Free Clinic help increase their patients' wellbeing. Receiving this award would enable the Clinic to continue to provide medications, dental services, fresh produce, and educational programs critical for patient health. He reported that Clinic providers and staff were ecstatic to receive recognition of their efforts in providing needed healthcare services.

President Napolitano commented on the framework budget agreement reached through rigorous good-faith negotiations with Governor Brown as reflected in the May Revision and ultimately requiring the support of the Legislature and the endorsement of the Regents. The Governor and she were united in their conviction that this was the time for the State to begin to reinvest in UC. The terms of the agreement would provide the University with significant new revenue and ensure that current tuition levels remain flat

for in-state students for the next two years. Between the current time and June 30, UC would work to gain the support of State legislators for the proposed agreement and for funding to enroll more California students. The President reaffirmed her commitment to collaborating with State leadership for solutions that benefit both the University and the state. She expressed appreciation for discussions with the Legislature and the progress made with State Senate President pro Tempore de León, Speaker and Regent Atkins, and other members of the Legislature. These collaborations were essential to ensure that UC remains a hub of innovation and a beacon of hope for the people of California. The President expressed confidence that these efforts would be successful.

On behalf of the Regents, Chair Varner acknowledged the service of Chief Roskowski, who was retiring following her long and distinguished career in law enforcement. Her calm and deliberate approach as UC systemwide Coordinator of Police Services responsible for security for Regents' meetings was invaluable.

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

Faculty Representative Gilly spoke about the University's excellence. UC serves as an incubator of intellectual excellence for its undergraduate, graduate, and professional students. Much of California's distinction is rooted in UC and Californians take justifiable pride in the University.

The key to UC's excellence is its faculty. UC faculty members have received 62 Nobel Prizes and 61 National Medals of Science. As of June 2013, UC faculty included 61 MacArthur Fellows, 286 members of the National Academy of Sciences, and 410 members of the American Academy of Arts and Sciences. Faculty of this caliber are attracted to UC by their respect and admiration for the University and its commitment to their values of intellectual achievement. UC's high standards for its faculty indicate that its faculty will be supported to do their best possible work in research and in the classroom, that they will work with colleagues who are the best in their fields, and that they will teach students who are excited by new knowledge. UC faculty take pride in the quality of UC research. UC's increasing selectivity is a function of an increasing number of applications combined with the state's unwillingness to provide funding for increased enrollment. The faculty would prefer to accommodate more California residents. Faculty are concerned about the increasing student-faculty ratio, not because it could lower UC's rankings, but because it reduces faculty's ability to connect with students as individuals. Faculty would consider the implications of the proposed budget framework and Ms. Gilly would convey the faculty's conclusions to President Napolitano. Ms. Gilly expressed concern that an emphasis on speed and efficiency in the production of undergraduate degrees would change the quality of a UC education. Faculty and students may choose to find another institution that shares their values of excellence in teaching, research, and service if they perceive those values to be eroding at UC.

The meeting recessed at 10:00 a.m.

The meeting reconvened at 1:35 p.m.

Members present: Regents Engelhorn, Gould, Kieffer, Lansing, Leong Clancy, Lozano, Makarechian, Napolitano, Ortiz Oakley, Pattiz, Pérez, Reiss, Ruiz, Saifuddin, Sherman, Varner, and Zettel

In attendance: Regents-designate Davis, Gorman, and Oved, Faculty Representatives Gilly and Hare, Secretary and Chief of Staff Shaw, General Counsel Robinson, Chief Investment Officer Bachher, Provost Dorr, Executive Vice President and Chief Financial Officer Brostrom, Executive Vice President and Chief Operating Officer Nava, Executive Vice President Stobo, Senior Vice Presidents Henderson and Peacock, Vice Presidents Brown, Budil, and Duckett, Chancellors Block, Blumenthal, Khosla, Leland, Wilcox, and Yang, and Recording Secretary McCarthy

President Napolitano introduced UC Student Association (UCSA) President Jefferson Kuoch-Seng, recent UC Merced graduate. On behalf of UC students, Mr. Kuoch-Seng thanked Chair Varner for his service. The prior week, UCSA proudly endorsed the Model Memorandum of Understanding released by State Attorney General Harris regarding campus sexual assault, a guide for California institutions of higher education and law enforcement agencies to improving their coordination, collaboration, and transparency in response to cases of campus sexual assault. UCSA appreciates the proactive work of President Napolitano and Attorney General Harris in pursuing this student-initiated issue. On every UC campus, sexual violence and the response to assault affect the entire student body and have a large impact on campus culture. More work remains to be accomplished. UCSA's UConsent campaign was built on the belief that a culture of consent should not only be supported, but must be enforced. UCSA collected more than 6,000 signatures on a petition demanding that the UC Office of the President mandate in-person consent and bystander intervention training for all UC students, faculty, and staff; allocate a minimum of \$420,000, or about 96 cents per trainee, annually for the training program; designate self-identified survivors of sexual assault as training leaders; and provide stipends and/or class credit for trainers. UCSA believed that all trainers should receive compensation and urged President Napolitano to trust the power of peer education and student leadership in this effort. Mr. Kuoch-Seng commented that students support improved student mental health services, but with a funding source other than an increase in the student services fee.

While the budget framework's temporary reprieve from undergraduate tuition increases would provide relief for some students, UCSA called for more equitable supplemental fees for graduate and professional students. UCSA urged the Regents to join in advocacy for increased funding for Cal Grants. UCSA supported the proposed one-time State contribution to the UC Retirement Plan and the proposed reduction to the pensionable income limit. Increased State funding for enrollment of California students is necessary. The framework did not address some important issues such as the University's financial aid to nonresident students and what Mr. Kuoch-Seng said was a disproportionate increase in senior management staff. UCSA's goal is to work toward a fully funded University.

Chancellor Yang then introduced engineering professor and 2014 Nobel Laureate Shuji Nakamura, who made a short presentation about his work on light-emitting diodes (LEDs), which enabled bright and energy-saving white light sources. Professor Nakamura commented that LED light bulbs can last 50 years. The next generation of high-efficiency lighting was being developed. The Department of Energy estimated that the energy savings from LEDs in the U.S. by 2030 would be equal to the output of 30 power plants.

The meeting adjourned at 1:45 p.m.

Attest:

Secretary and Chief of Staff