

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

September 17, 2015

The Regents of the University of California met on the above date at the Student Center, Irvine Campus.

Members present: Regents Atkins, Blum, Davis, De La Peña, Gorman, Gould, Island, Kieffer, Lozano, Makarechian, Napolitano, Ortiz Oakley, Oved, Pattiz, Pérez, Reiss, Ruiz, Sherman, Varner, and Zettel

In attendance: Regents-designate Ramirez and Schroeder, Faculty Representatives Chalfant and Hare, Secretary and Chief of Staff Shaw, General Counsel Robinson, Chief Compliance and Audit Officer Vacca, Provost Dorr, Executive Vice President and Chief Financial Officer Brostrom, Executive Vice President and Chief Operating Officer Nava, Senior Vice Presidents Henderson and Peacock, Vice Presidents Budil, Duckett, Humiston, and Sakaki, Chancellors Block, Blumenthal, Gillman, Wilcox, and Yang, and Recording Secretary McCarthy

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

PUBLIC COMMENT

Chairman Lozano 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. Mr. Gary Fouse, UC Irvine extension adjunct teacher, stated that he was co-author of a letter to President Napolitano from more than 100 UC faculty expressing alarm about campus anti-Semitism and urging the University to adopt the U.S. State Department's definition of anti-Semitism. Mr. Fouse expressed his view that many Jewish students who support Israel spend their college years in a climate of intimidation.
- B. Mr. David Kadosh, director of the Zionist Organization of America's western region and previous head of its campus department, cited UC Irvine incidents of anti-Semitism. He expressed his view that the draft Statement of Principles Against Intolerance (Statement) would not define the problem and did not mention anti-Semitism. The Regents' Statement should incorporate the U.S. State Department's definition of anti-Semitism.
- C. Ms. Tammi Rossmann-Benjamin, UC faculty member and co-founder of AMCHA Initiative, which had written the Regents about what it characterized as the alarming increase in incidents of anti-Semitism on UC campuses, expressed her view that the draft Statement would not affect the current atmosphere of bigotry faced by UC Jewish students. She urged the University to adopt the U.S. State Department's definition of anti-

- Semitism in order to identify and address anti-Semitism. The campus community should be educated about anti-Jewish bigotry.
- D. Ms. Sharon Shaoulian, UC Irvine student, recounted incidents of anti-Semitism she had experienced at UC Irvine, which she said amounted to an environment of malicious, constant intimidation of Zionist and Jewish students. This violent anti-Semitism had no place anywhere, especially at UC.
- E. Mr. David McCleary, a Jewish student, executive board trustee of United Auto Workers 2865 (UAW), and member of Jewish Voice for Peace and Students for Justice in Palestine, urged the Regents not to adopt the U.S. State Department's definition of anti-Semitism.
- F. Ms. Carol Smith, UC Berkeley and UCLA Law School graduate, and member of the National Lawyers Guild, said that the National Lawyers Guild was one of several civil rights legal organizations that submitted a legal memorandum to President Napolitano clearly demonstrating attempts by external organizations through pressure and exaggerated falsehoods to lead the Regents to adopt policies that categorize speech and activities critical of Israeli policies as anti-Semitic. Ms. Smith said such policies would violate First Amendment rights and would chill political speech. Existing UC policies have been resolving acts of discrimination against any group or individuals.
- G. Ms. Karin Pally, a Jewish woman, and UC Berkeley and UCLA graduate, recalled the Free Speech Movement and expressed her view that criticism of the Israeli government should not be restricted. The University should adopt principles strong enough to prevent racism against any students, but allowing the full intellectual life of the University.
- H. Mr. Daryl Temkin, UCLA graduate and leader of the executive committee of the AMCHA UCLA alumni group, said he had witnessed the discomfort and fear experienced by Jewish students because of inflamed anti-Semitic sentiment and anti-Israel campus activities. He urged the Regents to incorporate the U.S. State Department's definition in the Statement.
- I. A female UC student who said she was a representative of the Jewish community of the University, said that the phrase "Hitler did nothing wrong" had been etched into a communal table at UCLA. Jewish history was instructive to Jewish students in the importance of making their own voices heard, rather than depending on others.
- J. A male UC student said that a Jewish fraternity at UC Davis had been defaced with several swastikas. He added that it was unacceptable for a non-Jewish person to define what is anti-Semitic.
- K. A male UC student said that a bathroom at UC Berkeley was vandalized with graffiti reading "Zionists should be sent back to the gas chamber." To deny Jewish students the right to define their experiences would give legitimacy to the bigoted and racist sentiment they face on campus.

- L. A male UC student said that the phrase “Grout out the Jews” was etched into bathroom stalls at Hillel at Davis and Sacramento. Soul-searching work must be done to make UC the University it was destined to be.
- M. A female UC student stated that a Jewish student at UCLA was initially denied a student leadership position based solely on her Jewish identity. Jewish students must be included in the conversation about what it means to be a Jewish student on a UC campus.
- N. A female UC student thanked the Regents for bringing incidents of anti-Semitism and other identity-based hatred to the forefront of campus consciousness. Past wrongs cannot be corrected. However, working together could result in future Jewish students not being subjected to the same bigotry and discrimination.
- O. A female UC student commented that the draft Statement was not strong enough.
- P. A female UC student commented that a statement that failed to acknowledge anti-Semitism or any other specific form of hatred was an injustice to those who had experienced them.
- Q. A female UC student emphasized that any administrative action that did not provide a mechanism for identifying anti-Semitism would be flawed.
- R. A male UC student urged the University to recognize and take a stance against anti-Semitism and all forms of identity-based hatred. Years of inaction have led to a toxic campus climate.
- S. A female UC student urged the Regents to adopt the U.S. State Department definition of anti-Semitism.
- T. Mr. Omar Zahzah, member of UAW 2865 and Students for Justice in Palestine, urged the adoption of a comprehensive Statement leading to tangible reform. He noted the effect of the reduction of diversity on UC campuses since the passage of Proposition 209.
- U. Ms. Estee Chandler of Jewish Voice for Peace urged the Regents to keep in mind that principled criticism of Israel is not anti-Semitic. Such criticism is directed at a state and its policies, and not at ethnic or religious groups living in that state. Many complaints of anti-Semitic incidents on U.S. college campuses amount to attempts at censorship, often the result of an organized quest to silence discourse and speakers critical of Israel. Many Jews, including many with strong connections to Israel, support changing Israel’s treatment of Palestinians.
- V. Ms. Rebecca Ora, external vice president of the Graduate Student Association of UC Santa Cruz, expressed hope that the Regents would use this meeting at UC Irvine to reach out to students and encouraged the Regents to hold a future meeting at UC Santa Cruz. She commented that UC Santa Cruz students were concerned about affordable housing.

- W. Mr. Roman Rivilis advocated educating UC students in personal finance.
- X. Mr. Mohsin Mirza, external vice president of statewide affairs of the Associated Students of UC Santa Barbara and undergraduate chair of UCSA, stated that wait times for student mental health services were often excessive, sometimes caused by a lack of space in student mental health facilities. Long-range planning to create new, better-equipped mental health facilities is necessary.
- Y. Ms. Ellen Wann, Ph.D. student at UC Irvine, advocated for placing graduate student representatives on hiring committees and at faculty meetings. Graduate student liaisons who communicate with both students and faculty are critical for building community within departments, voicing student concerns, and achieving transparency in the hiring process.
- Z. Ms. Lydia Williams, UC Davis alumna and member of Christians United for Israel, expressed support for using the U.S. State Department definition of anti-Semitism.
- AA. Mr. Aaron Wistar, member of UAW 2865, expressed support for specifically naming anti-Semitism and other forms of bigotry in the Statement. However, he expressed opposition to using the U.S. State Department definition of anti-Semitism because it could stifle criticism of the State of Israel.
- BB. Ms. Kristine Jermakian, executive vice president of the Associated Students of UC Irvine, encouraged the University to resist efforts to single out anti-Semitism as a unique concern, implicitly framing other forms of bigotry as less worthy of attention. She noted that some voices have urged the highly controversial U.S. State Department definition of anti-Semitism, which conflates criticism of Israel with anti-Semitism, be implicitly or explicitly adopted as part of the University's principles.
- CC. Mr. Andrew Tonkovich, UC Irvine lecturer and member of the University Council – American Federation of Teachers, expressed concern about teaching and student learning conditions such as class size, lecturers' right to balanced reviews, clear and fair reappointment procedures, stability and predictability in teaching appointments, that appointments be determined in advance of the teaching term, continuity of appointments so that lecturers could maintain health benefits, support for professional development, and access to departmental and campus governance. UC lecturers were currently negotiating a new collective bargaining agreement, offering UC the opportunity to be a leader in its treatment of its academic workforce. He recommended (1) reducing the time to continuing appointment status; (2) giving balanced and fair annual reviews, and multiple-year appointments in the years before a lecturer has obtained continuing appointment status; (3) increasing lecturers' access to shared governance and compensation for service to the University.
- DD. Ms. Debra Glazer, Irvine attorney, expressed concern about incidents of anti-Semitism on UC campuses. She said the March 2014 UC Irvine Campus Climate Project final report

found that Jewish respondents were the most uncomfortable with the overall campus climate, yet this finding was not acted upon.

- EE. Mr. Kurt Horner, UAW 2865 head steward, expressed support for the proposed Statement. He emphasized the crucial distinction between criticizing a government and condemning a religious group. He cited governmental and economic inequities for the people of Palestine, which reflect a political situation that should be permitted to be discussed.
- FF. Mr. Max Samarov, UC Santa Barbara alumnus, expressed his view that adopting the U.S. State Department definition of anti-Semitism would not limit criticism of Israel. He said that people who are opposed to adoption of that definition want to demonize Israel.
- GG. Ms. Yael Steinberg, UC Davis alumna and West Coast director of Hasbara Fellowships, commented that anti-Semitism on UC campuses is not exaggerated. It is unfair for non-Jewish people to define anti-Semitism. Rights of Jewish students must be protected.
- HH. Ms. Nicole Warren, UC Irvine student, said that she was conducting research about campus violence at UC Irvine and had developed the month-long program Peace Over Violence that would take place at UCI during the month of October. She recommended using the program at all UC campuses.

The meeting recessed at 9:15 a.m.

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The meeting reconvened at 11:05 a.m.

Members present: Regents Atkins, Blum, Davis, De La Peña, Gorman, Gould, Island, Kieffer, Lozano, Makarechian, Napolitano, Ortiz Oakley, Oved, Pattiz, Pérez, Reiss, Ruiz, Sherman, Varner, and Zettel

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President Napolitano introduced UC Student Association (UCSA) President Kevin Sabo, a fourth-year UC Berkeley student. Mr. Sabo expressed student concerns about affordable housing, graduate student services, campus climate, and student mental health that were impediments to student success and also affected the attractiveness of UC campuses to prospective students. Students favor the University's decision to implement mandatory in-person training for students regarding prevention of sexual assault and sexual violence, and were concerned that mandatory,

in-person training was not yet mandatory for faculty and staff. Bold solutions were needed for issues around campus climate, including campus police profiling of students, a lack of cultural sensitivity training, and mental health services for lesbian, gay, bisexual, transgender, and queer students and students of color. A statement of principles against intolerance could be specific without being exclusive. Students were firmly opposed to increases in or introduction of new Professional Degree Supplemental Tuition (PDST) without transparency about how PDST revenue is used to improve the quality of professional programs. Students are not universally opposed to fees if they can see transparent spending that positively affects their education. Mr. Sabo recalled UCSA's prior stance of no confidence in the Regents and the President because of a lack of consultation with students about possible tuition or fee increases. UCSA would release a statement of progress, based on the positive first step of freezing of undergraduate resident tuition for two years. Students continue to oppose sharp increases in fees levied on other groups of students, such as graduate, professional, and nonresident students. UCSA appreciated what Mr. Sabo said was President Napolitano's expressed willingness to sign a memorandum of understanding concerning the consultation process integral to AB 970.

The meeting adjourned at 11:10 a.m.

Attest:

Secretary and Chief of Staff