

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

May 11, 2016

The Regents of the University of California met on the above date at the Sacramento Convention Center, 1400 J Street, Sacramento.

Members present: Regents Davis, De La Peña, Gorman, Gould, Island, Kieffer, Lozano, Napolitano, Newsom, Ortiz Oakley, Oved, Pattiz, Pérez, Reiss, 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, Executive Vice President and Chief Financial Officer Brostrom, Executive Vice President and Chief Operating Officer Nava, Senior Vice Presidents Henderson and Peacock, Vice Presidents Brown, Budil, Duckett, and Sakaki, Chancellors Block, Blumenthal, Dirks, Gillman, Hawgood, Khosla, Leland, Wilcox, and Yang, Acting Chancellor Hexter, and Recording Secretary McCarthy

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

**1. 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. Ms. Iman Sylvain, external affairs vice president of the UC Berkeley Graduate Assembly, stated that, while she appreciated the three-year tuition freeze for California undergraduate students, it did not apply to professional graduate students, who faced five percent annual tuition increases. She expressed opposition to the proposal to be considered at the current meeting to create Professional Degree Supplemental Tuition (PDST) for two additional programs.
- B. Mr. Guillermo Rogel, UC Santa Cruz student and chair of the UC Student Association (UCSA) Board of Directors, expressed concern about planned enrollment increases without sufficient attention to providing students the resources they deserve, such as housing. UC Santa Cruz faces a housing shortage, transportation is being cut, and faculty would be paid the same for educating more students. He urged the Regents to consider the consequences for UC students of enrollment decisions.
- C. Ms. Julia Schemmer, first-year UC Riverside student, expressed concern about the cost of her education, housing, food, and high salaries for chancellors.

- D. Mr. Ryan Abusaa, second-year UC Davis student, spoke in favor of bolstering student mental health services. He said it took him two academic quarters to get an appointment with UC Davis counseling services, and then only if he was deemed a danger to himself. He advocated increasing outreach services, working to decrease the stigma around mental health services, and recruiting excellent diverse counselors, particularly given plans to increase enrollment.
- E. Mr. Ralph Washington, Jr., UC Davis graduate student, chair of the UC Davis Graduate Student Association, and co-chair of the UC Council of Presidents, expressed concern about the low number of minority professors. He urged the Regents to resolve any issues that hinder minority faculty hiring.
- F. Dr. Emanuel Maverakis, UC Davis associate professor and recipient of the Presidential Early Career Award for Scientists and Engineers and the National Institutes of Health Director's New Innovator Award, expressed support for Chancellor Katehi because of the exceptional work she has done at UC Davis, for example in securing alternate revenue streams.
- G. Ms. Betty Clark, UC Davis Medical Center hospital unit services coordinator for 15 years and executive board member of American Federation of State, County and Municipal Employees (AFSCME) Local 3299, stated that she was appalled at proposed changes to the pension plan such as more extensive benefits for the highest-paid employees and the 401(k) opt-out, which were not required by the budget agreement with Governor Brown. Employees work at UC because of the promise of a secure retirement. Ms. Clark questioned the savings that would be generated by the proposed changes.
- H. Ms. Kathryn Lybarger, lead gardener at UC Berkeley, president of AFSCME Local 3299, and president of the California Labor Federation, associated herself with Ms. Clark's comments about the pension proposal. She suggested controlling the rate of growth of executives and middle managers, which she said was four times the rate of growth of faculty. Ms. Lybarger urged the Regents to support SB 959 reintroduced this year with two key changes: it would not take effect until after UC's systemwide minimum wage was implemented; and it would bar UC from doing business with private companies that have a history of violating State labor laws. She said the University squanders resources on inefficient and unfair contract services that are neither temporary nor seasonal.
- I. Mr. Leopoldo Bernucci, UC Davis Russell F. and Jane H. Fiddyment Chair in Latin American Studies in the Department of Spanish and Portuguese, spoke in support of Chancellor Katehi. He stated that Chancellor Katehi was the most visionary and effective leader of a public university that he had worked with in his long career at public universities across the nation. He defended Chancellor Katehi's remarkable record of accomplishments, which he said far outweighed the unsubstantiated accusations against her.

- J. Ms. Rachele Trerice, Davis resident, active community member, and parent of two recent UC Davis graduates, expressed support for Chancellor Katehi who brought a global vision to UC Davis, developed partnerships with other universities around the world, attracted more highly qualified students, and was an effective leader who greatly improved the stature of the UC system and UC Davis.
- K. Ms. Lauren Jabusch, UC Davis graduate student and chair of the board of directors for the California Student Sustainability Coalition, urged the Regents to divest UC's holdings in the fossil fuel industry, for both financial and moral reasons. Maintaining holdings in the fossil fuel industry undermines the work of UC scientists and engineers.

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

Chairman Lozano expressed appreciation for the service of three departing Board members, Regents Davis, Gorman, and Oved. She also thanked Staff Advisor Acker for her service. This meeting in Sacramento would allow the Regents the opportunity to deepen their dialogue and partnership with the leaders of the State Legislature and the administration. Chairman Lozano confirmed her intention to establish and institutionalize ways in which the Regents can collaborate with Legislators to strengthen the University of California and the state. She had met with many legislators, as had President Napolitano, and would continue direct engagement with state leaders while developing processes for ongoing communication.

The Regents would consider a proposal to restructure the operations of the Board of Regents. The goal of the proposal is to modernize the way the Regents operate and make decisions, to be more strategic in addressing the long-term issues facing the University, and to take advantage of the expertise of the Board. The proposal was based on many discussions with Regents, the Office of the President, chancellors, other UC leaders, and external authorities on university governance. Regents' input at the current meeting would result in revisions to the proposal, before action would be taken that would be in the best interest of the University.

The Regents would hear about the vitally important issue of diversity of UC students and faculty. Chairman Lozano affirmed the view of the Board that progress in increasing the number of underrepresented minorities across all UC campuses needs to be accelerated and must be one of the University's highest priorities.

Chairman Lozano expressed the Board's support for President Napolitano's leadership and decisive action in dealing with recent challenges at the University.

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

President Napolitano welcomed Provost Ralph Hexter, who is serving as Acting Chancellor of UC Davis as a result of the Chancellor's being on administrative leave. The

President assured the UC Davis faculty, students, and staff that the forward momentum of the campus would continue, with the support of the Office of the President and the Regents. She emphasized that UC Davis' important initiatives with the Sacramento community would continue.

President Napolitano highlighted the University's ongoing work on significant issues such as preventing and handling cases of sexual harassment and sexual assault. Also, the University urges the Legislature and the Governor to support the University through efforts such as AB 2664, the UC Innovation and Entrepreneurship Expansion Bill.

UC continues to enhance support services for UC students, including for undocumented students at the University. President Napolitano announced that UC would fund the California DREAM Loan Program, a commitment of \$5 million per year, and would provide support for dedicated student services personnel and some individual fellowships for undocumented undergraduate and graduate students for the next three years. This support represents a commitment of \$2.5 million a year for a total of \$7.5 million over the upcoming three years. UC would continue to fund the UC Undocumented Legal Services Center (Center) through the 2018-19 academic year, including a commitment of \$900,000 for each of the next three years, which would allow the Center to expand the campuses it serves. These efforts would strengthen President Napolitano's Undocumented Students Initiative and would ensure that undocumented students at UC receive the support and resources they need to succeed at the University.

President Napolitano reported that she had served as master of ceremonies of the second annual UC systemwide Grad Slam, a competition for ten UC graduate students, one from each campus. The goal is to best present his or her research in a clear and engaging manner to a general audience in only three minutes. Regent Gould and Provost Dorr had served on the panel of judges. Mr. Peter Byrley, a UC Riverside Ph.D. student in chemical engineering, won the grand prize for presenting his research on the creation of smaller and more powerful microprocessors. All ten finalists epitomize graduate student research at UC.

President Napolitano reported that she had travelled throughout the state to speak with community college and high school students about UC. These students and their potential are why UC is planning to enroll 10,000 additional California students in the upcoming three years. The University is well on its way to enrolling 5,000 more in fall 2016 and aims to enroll 5,000 more in the subsequent two years. In fact, UC offered admission to nearly 8,500 more California high school seniors for fall 2016 than it was able to admit in the fall of 2015, an increase of almost 15 percent. Significantly, UC continued to affirm its commitment to enhancing student diversity in this admission cycle. Admitted California students from historically underrepresented groups made up more than 37 percent of the pool of prospective freshmen. Admission of Latinos increased to 32 percent from 28.8 percent the prior year; the number of admitted African American students was 32 percent higher than in the previous admission cycle. California high school seniors who would be the first generation from their families to attend college also

increased to nearly 43 percent of admitted students. These data do not yet include students who would transfer to UC from California Community Colleges in fall 2016.

President Napolitano announced the three winners of the 2016 President's Award for Outstanding Student Leadership. The first recipient was Ms. Lauren Jabusch for her leadership on sustainability and her contribution to enhancing inclusiveness and diversity at UC Davis. Ms. Jabusch served as a Communications and Engagement Fellow for the President's Carbon Neutrality Initiative. A highlight of her role in this program was coordinating the promotion of the Cool Campus Challenge at all ten UC campuses; the Challenge had 19,000 participants committed to reducing their carbon footprints. In addition, Ms. Jabusch worked through the Global Climate Leadership Council to establish student environmental resource centers on all ten campuses. Acting Chancellor Hexter added that Ms. Jabusch epitomizes UC Davis students' commitment to the environment and social justice.

The second Award recipient, Ms. Mariah Watson, having just completed her tenure as president of the Associated Students, University of California, Davis, worked closely with the UC Davis administration and the UC Office of the President to help develop a statewide strategic plan to address campus homelessness and hunger. Ms. Watson was also a key factor in ongoing productive, positive meetings with the Afrikan Black Coalition and the Office of the President. In addition, she helped establish a UC Davis student-oriented police review board that has served as a model for other UC campuses. Ms. Watson has also pursued other projects to address diversity, inclusion, hunger, mental health, and homelessness. Mr. Hexter added that it had been an honor to work with Ms. Watson, whom he characterized as an extremely thoughtful and powerful leader.

The third recipient, Mr. Tyler Watson, UCLA Global Food Initiative (GFI) Fellow, GFI Ambassador, and the graduate student representative to UCLA's food security program, was actively involved in both the Healthy Campus Initiative and the Stair Well project, which encourages campus residents and visitors to use the stairs instead of the elevator. Chancellor Block added that Mr. Watson exemplifies the best of the UC system, with his leadership, engagement, and excellent academics. The Healthy Campus Initiative has become a large part of the culture among UCLA students.

President Napolitano congratulated these students on behalf of the Board on their many accomplishments.

Chairman Lozano thanked President Napolitano for her leadership on issues affecting undocumented students and the student leaders for their contributions.

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

Faculty Representative Hare discussed UC's freshman admission policies and practices, and responded on behalf of faculty to allegations made by the State Auditor in a March 2016 report that faculty changed admissions criteria and allegedly disadvantaged resident

applicants. He stated that the Auditor had confused the public by presenting information in a way to make it appear that the University accepted 16,000 nonresident students with lesser qualifications than resident admittees. In fact, the Auditor's data showed that 55,714 nonresident admittees were above the median, while 15,949 were below the median of California resident admittees, showing that the nonresidents were considerably academically stronger than the resident admittees. The Auditor based her assessment on an analysis of students' grade point averages (GPA) and standardized test scores. Regents policy mandates that the University not evaluate applicants for admission on simple quantitative metrics like GPA and standardized test scores. The Regents agreed in 2001 that admissions decisions would be based on comprehensive review, which has become the norm for other highly selective public and private universities. This approach was further improved in 2011, instituting single-score holistic review. In particular, these Regents policies take into account the obvious variation in the quality and opportunities available at different high schools for students to attain the education that would qualify them for admission to UC and serve not to penalize applicants from schools providing fewer opportunities. A consequence of moving to holistic review had been an increase in the diversity of UC's student population, as hoped and expected. The Auditor freely acknowledged this outcome as well.

The Auditor admitted that her office could not evaluate admissions either on holistic review or any of the components of holistic review other than GPA and standardized test scores. By focusing only on these components of the admissions process, the Auditor did a disservice to UC by mischaracterizing the University's admissions practices. The 1960 California Master Plan for Higher Education mandated that UC accept the top 12.5 percent of all California public high school graduates. For 55 years, UC has met that standard. In fact, over the past several years UC has admitted more than 12.5 percent of all California public high school graduates, up to 14 percent in 2014, and more students than were funded by the State.

Mr. Hare discussed admissions of nonresident students. Although decisions are made using the same process, admissions of nonresidents is independent of admissions for residents. For the past five years, UC required that admitted applicants from outside California compare favorably to admitted resident students at the campus level, a logical extension to earlier changes to holistic review that made for a more fair review process. An earlier expectation that nonresidents should exceed a minimum numerical systemwide standard was no longer relevant under comprehensive review. The Auditor claimed that the faculty adopted the compare-favorably criterion to lower its admission standards for nonresidents purely to bring in more money to UC. However, the data on admitted students and their performance at UC demonstrate that nonresidents, on average, are not of a lower quality. The Auditor also implied that 16,000 nonresident admittees might have been replaced by 16,000 better-prepared California students. This was also not true. The reason that resident applicants were not admitted is that they were not the top applicants in the State and the State did not provide funding for them.

Mr. Hare stated that the Auditor seemed to suggest that UC should return to determining the admissibility of students by only GPA and test scores. While doing so would greatly

simplify the admissions process, it would undo many of the gains in increasing undergraduate diversity that has been achieved over the past 15 or more years by using the broader criteria defined by existing Regents policy. UC faculty would argue that this would not be in the best interest of California and any change away from current admission policies should be opposed. While the faculty are very aware of the high demand among California high school students for a UC education, it must be recognized that being in the top 12.5 percent of all California high school students is a high standard to meet. Seven of eight California high school students would not be offered admission. Offering admission to a larger fraction of students could be done only if the State were willing to provide funding to do so.

Mr. Hare thanked President Napolitano and the UC Office of the President staff for the report "Straight Talk on Hot Button Issues," which clarified many issues related to admissions and the Auditor's report.

The meeting adjourned at 9:30 a.m.

Attest:

Secretary and Chief of Staff