

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

July 18, 2018

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

Members present: Regents Anderson, Blum, Elliott, Graves, Guber, Kieffer, Lansing, Makarechian, Morimoto, Napolitano, Newsom, Ortiz Oakley, Park, Pérez, Sherman, Tauscher, and Zettel

In attendance: Regents-designate Simmons and Um, Faculty Representatives May and White, Secretary and Chief of Staff Shaw, General Counsel Robinson, Chief Compliance and Audit Officer Bustamante, Chief Investment Officer Bachher, Executive Vice President and Chief Financial Officer Brostrom, Executive Vice President and Chief Operating Officer Nava, Vice Presidents Brown, Budil, Duckett, Ellis, Holmes-Sullivan, and Humiston, Chancellors Block, Blumenthal, Christ, Gillman, Hawgood, Khosla, Leland, May, Wilcox, and Yang, and Recording Secretary McCarthy

The meeting convened at 8:30 a.m. with Chair Kieffer presiding.

1. APPROVAL OF MINUTES OF PREVIOUS MEETING

Upon motion duly made and seconded, the minutes of the meeting of May 23, 2018 were approved.

2. PUBLIC COMMENT

Chair Kieffer explained that the public comment period permitted members of the public an opportunity to address University-related matters. The following persons addressed the Board concerning the items noted.

- A. Ms. Eileen Samitz, former City of Davis planning commissioner and a representative of Citizens for Responsible Planning, said she had submitted a letter with a map showing where much more student housing could be provided on the UC Davis campus. During the UC Davis process of developing its Long Range Development Plan (LRDP), the Citizens' group had consistently advocated that UC Davis provide much more on-campus student housing than was proposed. The group had also recommended a plan that would ensure that any additional student housing needs would be provided if UC Davis exceeds the LRDP enrollment targets. She urged the Regents not to approve the UC Davis LRDP and Environmental Impact Report (EIR), but to send them back for revision to add the needed on-campus housing.

- B. Mr. Greg Rowe, City of Davis planning commissioner, urged the Regents not to approve the UC Davis LRDP and EIR, but to direct UC Davis to revise the Plan. The LRDP retained UC Davis' tradition of dispersed low-density, low-rise housing development that defied sustainability principles of high-density, high-rise apartment buildings that would conserve land and reduce student commuting. The LRDP also did not have adequate timelines to ensure that development of housing would match the pace of enrollment growth. Information was lacking about the completion of mitigation measures of the 2003 LRDP.
- C. Mr. Dan Carson, member of the Davis City Council, urged the Regents to continue consideration of UC Davis' LRDP and EIR to a future date, to allow time to remedy significant problems. While the City of Davis generally supported the plan and its goal of providing additional on-campus housing, the final EIR did not address potential environmental consequences of the growth.
- D. Ms. Heidi Tschudin, Davis Deputy City Manager and Director of Community Development and Sustainability, said the UC Davis LRDP and EIR did not address issues raised by the City. There are no enforceable assurances that planned new on-campus housing would be built. The EIR used a 2030 environmental baseline, which ignored near-term impacts. The EIR relied on mitigation measures that would not ensure that mitigation actually happens before the impacts occur and ignored feasible mitigation measures proposed by the City. She asked that the Regents not approve the LRDP or certify the EIR until UC Davis and the City can collaborate on enforceable solutions.
- E. Ms. Whitney McDonald, an attorney representing the City of Davis in connection with the UC Davis LRDP and EIR, said she had submitted a detailed letter regarding the City's concerns. She urged the Board to postpone its vote to allow additional time to address the City's concerns.
- F. Ms. Jamie Kennerk, a Native American UCLA student, expressed concern about the University's handling of Native American remains and artifacts. AB 2836 would require the Regents to establish a systemwide Repatriation Act Implementation and Oversight Committee, but she said legislation should not be necessary.
- G. Ms. Lisa Albertson, UC Berkeley student and founder of the Berkeley Disabled Students group, demanded that the Regents mandate disability training for UC faculty and that disabled students have their own cultural space.
- H. Mr. Dominick Williams, fourth-year UC Berkeley student, commented on the shortage of affordable student housing. He had to work two jobs to pay his rent, while some of his friends were homeless. The Regents should take action to address the lack of affordable housing in coordination with the State legislature and UC students.

- I. Mr. Randy Howell, UCSF nurse and member of the California Nurses Association's (CNA's) bargaining team, expressed UC nurses' outrage over the lack of progress in contract negotiations. He said the University did not come to negotiations prepared with a written proposal, which wasted time of bargaining team members. Contract takeaways would negatively affect UC patients, including the lack of lift and transport teams, inadequate staffing, mandatory overtime, and lack of protection of per diem nurses. UC nurses are united in solidarity.
- J. Ms. Fong Chuu, UCLA nurse, chief nurse representative, and member of the CNA bargaining team, said UC nurses demand no cuts to their pensions. The proposed cuts were unnecessary and harmful to nurses' retirement security. UC also proposed to increase the retirement age by five years. During prior negotiations, UC nurses were the only group that agreed to pay more into the pension fund to ensure the financial security of future generations, yet the University was demanding more cuts in nurses' pensions.
- K. Ms. Kiersten Clickner, UCSF birth center nurse, commented that UCSF received transfers of the most ill mothers and babies, who come to UCSF for the highest level of care. UCSF nurses guide these families through life-changing events. UCSF nurses also help residents, medical students, and nursing students learn. UC owes its nurses secure retirements with intact pensions.
- L. Ms. Nancy Mancias, national organizer for Code Pink Women for Peace, spoke about BlackRock, which she said invests in weapon and gun companies. She asked the Regents to divest from weapons and gun manufacturers.
- M. Ms. Jackie Barshak, of Code Pink, spoke against the use of weaponry on civilians and UC's investments in BlackRock.
- N. Ms. Maria Iroma, unit service coordinator at UCSF, said she takes good care of UCSF patients and expressed pride in working for UCSF. She urged the University to negotiate a fair contract with UC nurses.
- O. Ms. Carmen Lee, UCSF shuttle driver, spoke against UCSF outsourcing jobs, which created an underclass of workers with poverty wages and no benefits. She called on the University to stop outsourcing and noted the high cost of living in San Francisco.
- P. Ms. Claudia Preparata, research director at American Federation of State, County and Municipal Employees Local 3299, expressed solidarity with CNA.
- Q. Mr. Neil McClintick, UC Berkeley student, urged continuing collaboration among UC Regents and students, and increased funding for enrollment of transfer students.

- R. Mr. Liam Willingham, incoming UC Berkeley student, expressed appreciation for the proposed \$60 Student Services Fee rollback. He urged focusing on basic needs of UC students.
- S. Ms. Tanya Tandon, UC Berkeley student, said she and many other students experience food insecurity, which detracts from their ability to concentrate and succeed. She urged the Regents to address students' food insecurity and to advocate for increased State funding for higher education
- T. Mr. Richard Lim, fourth-year UC Berkeley transfer student, encouraged increased student interaction with Regents and UC administrators in UC's budget process to help facilitate student priorities.
- V. Ms. Harriet Steele, fourth-year UC Berkeley student, urged UC to divest from General Dynamics Information Technology, a defense contractor that she said UC used to administer its analytical writing placement examination. She said this company facilitated the inhumane separation of immigrant children from their families at the U.S. - Mexico border.
- V. Mr. Jeremy Saraie, fourth-year UC Berkeley student, advocated for increased State funding for UC. He cited statistics about UC Berkeley students' food insecurity and homelessness. The decrease over time in State funding per student has been dramatic.
- W. Ms. Amma Sarkodee-Adoo, third-year UC Berkeley student, urged the Regents to develop relationships with UC students, who could provide information about conditions for students on UC campuses. She also encouraged prioritization of the needs of first-generation students and transfer students.
- X. Ms. Stephanie Luna-Lopez, third-year UC Berkeley student, urged the Regents to reconsider their relationship with General Dynamics Information Technology because of its involvement in the separation of families and traumatic detainment of children.
- Y. Mr. Raphael Villagracia, UC Berkeley transfer student and recent immigrant from the Philippines, urged the Regents to consider students' situation and needs.
- Z. Ms. Sarah Abdeshahian, UC Berkeley student and UC Student Association (UCSA) board member, said UCSA advocated for increased resources systemwide for disabled students. She cited students' reports of professors' being unwilling to make accommodations for students with mental health issues.

3. **REMARKS OF THE CHAIR OF THE BOARD**

Chair Kieffer welcomed alumni Regents-designate Simmons and Um, and Student Advisor Huang. He thanked Staff Advisor Valdry and Faculty Representative White for their work.

Chair Kieffer expressed appreciation to the Regents, staff, and UC students who engaged in joint advocacy on behalf of the University over the past year. The student leadership was particularly sophisticated and effective. While the results were mixed, the University had strong support in the State Assembly and Senate, and results were much improved since the beginning of the year and boded well for the upcoming year with a new State administration.

Chair Kieffer noted that 150 years prior, the Regents met four times in the month of July, 1868, working to develop the University by organizing classes and adopting Bylaws. In 1968, 50 years prior, the Regents discussed then-Governor Reagan's line-item vetoes of appropriations to UC, at a time when UC Santa Cruz, UC San Diego, and UC Irvine were building their academic programs.

4. **REMARKS OF THE PRESIDENT OF THE UNIVERSITY**

President Napolitano congratulated all recent UC graduates and their families. In the current year, 55,000 undergraduates received their degrees from UC and 18,000 students received advanced degrees. A UC education has a significant effect on the economic mobility of its students. Within ten years of graduating, most of UC's low-and middle-income students earn higher incomes than their parents. The greatest leap in economic well-being occurs for students whose families were in the bottom 20 percent of incomes. A significant portion of these graduates are in the top 20 percent of incomes within a decade of graduation. About two-thirds of UC graduates remain in California to work.

President Napolitano reported that UC's efforts on behalf of its Deferred Action for Childhood Arrival (DACA) recipients continue to make a positive difference. In the current year to date, 117,000 young immigrants across the nation have been able to extend their authorizations to live and work legally in the United States under the DACA program, a direct result of the federal injunction issued in response to the lawsuit brought by the University of California and other plaintiffs, including the State of California. That case was currently on appeal to the Ninth Circuit. While the fight to protect DACA recipients was far from over, it was nonetheless good news for these young immigrants brought to this country as children who have done all that had been asked of them to authorize their U.S. residency. For the upcoming two years, they could continue to work, pursue their educations, help support their families, and live without fear of deportation.

The prior month, Governor Brown signed into law the State Budget Act of 2018, which included a significant increase in UC's budget. This support would allow UC to keep in-state tuition and Student Services Fees flat for the upcoming academic year. President Napolitano would recommend that in-state tuition be rolled back \$60 to account for the surcharge approved by the Regents to recover costs resulting from two earlier class-action lawsuits – *Kashmiri v. Regents* and *Luquetta v. Regents*. She expressed gratitude to Governor Brown, and to State Assembly Speaker Anthony Rendon, State Senate President pro tempore Toni Atkins, and many other members of the State Legislature for their continued support of the University. She recognized UC students, alumni, faculty, staff, and Regents for their tireless advocacy on behalf of UC. Collaborative advocacy would

continue in the following year to ensure that future UC students receive the same high-quality education as past generations of Californians. Much of the budget increase UC received in the current year was through one-time funds, rather than ongoing support to effectively tackle challenges such as enrollment growth, and to sustain financial aid programs, academic quality, and UC's cutting-edge research.

Since the Regents' retreat in April, President Napolitano and Chair Kieffer had discussed how UC might adjust its approach to budget and enrollment planning. The following day, the Regents would begin to discuss an approach to multi-year budgeting that would address degree production, student services, faculty hiring, enrollment, and capital projects. Multi-year budgeting would give UC chancellors, students, and their families the ability to plan ahead, and allow the Regents to consider the future of the University more strategically. A multi-year plan would be especially important as UC continued to increase enrollment of California students. As announced the prior week, UC offered nearly 137,000 students admission to at least one UC campus. These admittees included more than 28,000 transfer students, the highest number accepted in the history of UC and almost all from California Community Colleges. California residents comprise the vast majority of students admitted for fall 2018. More California undergraduates were currently enrolled at UC than at any point in UC's history. President Napolitano anticipated that UC would surpass its goal of adding 10,000 California students by the 2018-19 academic year. Estimates indicated that UC's three-year growth would be an additional 15,000 California undergraduates. That kind of enrollment growth presented challenges to the chancellors and the Regents to plan in a healthy way, sustaining UC's academic quality.

President Napolitano was delighted to share that the prior month the Department of Energy's National Nuclear Security Administration awarded a new contract to Triad National Security LLC (Triad) to operate and manage the Los Alamos National Laboratory (LANL) starting in the fall. UC is the lead Triad partner and had been involved in the management of LANL for 75 years. President Napolitano was pleased that UC would continue that involvement. The award further solidified UC's status as a national scientific and research leader, and critical partner in protecting the nation's security. She congratulated Vice President Budil, Regent Tauscher, and the entire National Laboratory team for their hard work to achieve this outcome.

Chair Kieffer added that consideration of multi-year budgeting would also consider the enrollment capacity of UC campuses and ways to graduate more students more quickly.

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

Chair Kieffer thanked Faculty Representative White for his service to the Board.

Faculty Representative White noted that, even though the State's economy, UC enrollment, and demand for a UC education grew in the past year, the proportion of the State higher education budget spent on UC decreased. In contrast, the proportion spent on California Community Colleges (CCCs) and the California State University (CSU) increased. This was a continuation of a 30-year trend, since the approval of Proposition 98 in

1988 redistributed higher education funding, requiring that 40 percent of the State General Fund be spent on K-12 schools and the CCCs. Since that time, funding for the CCCs had steadily increased, while funding for UC had steadily decreased, with a small recovery in the last few years. During economic downturns, California had disproportionately cut higher education. UC received substantial cuts following the recessions of 1990, 2001, and 2008, but in the subsequent upturns, funding was not restored back to baselines. UC had much less available core funding per student currently than in 2000-01.

UC's current student body contained the highest proportion ever of underrepresented minorities, fiscally disadvantaged, or first-generation students, more than any other American public research university, and should be celebrated rather than short-changed. Abrupt unfunded or partly funded mandates from the State to increase enrollment played havoc with UC campuses. Students rightly complained of overcrowding. One-time State funding did not provide stability.

UC's student body had grown dramatically, but growth in its numbers of faculty had not kept pace. A steady worsening of the student-faculty ratio adversely affected the ability of UC faculty to serve its students. In 2000, UC's student-faculty ratio was equal to that of its Association of American Universities public peers, but UC had since been left behind. This gap continued to widen, diminishing UC's diverse faculty pipeline, reducing research capability, decreasing graduate program quality, and devaluing the undergraduate experience. Predictable, multi-year budgeting was needed so that the University could provide access, affordability, and excellence to meet the needs of California youth and the state.

The recent State budget did not keep the Governor's agreement with UC, even though the State had experienced healthy revenues. Recent budgets have sidestepped the University's constitutional autonomy, restricting UC's ability to best use its resources. The State had abdicated its role of providing educational infrastructure. A State General Obligation Bond including the University had not been issued for a decade. UC cannot sustain its teaching and research missions at the level of quality that had served the state so well.

Faculty Representative White urged the Regents to fulfil their duty to ensure that the University be kept entirely independent. The University needs steady, predictable funding; policies to protect UC from the State's rollercoaster budget; and incentives should be tied to student progression and success to better align the goals of the University, the state, and the public.

6. **COMMITTEE REPORTS INCLUDING APPROVAL OF RECOMMENDATIONS FROM COMMITTEES**

Report of the Special Committee to Select a Student Regent

Appointment of 2019-20 Student Regent

The Special Committee recommended that Hayley Weddle, a graduate student at the University of California, San Diego, be appointed a Regent of the University of California to serve for the period July 1, 2019 through June 30, 2020, and that she serve as Regent-designate, effective immediately, until the appointment becomes effective.

[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.]

Regent Elliott commented that Ms. Weddle was currently a Ph.D. student at UC San Diego, studying transformative practices in education. She served as co-chair of the UC San Diego Basic Needs Committee and as a member of UC's systemwide Student Advisory Board on Title IX.

Upon motion of Regent Elliott, duly seconded the recommendation of the Special Committee to Select a Student Regent was approved.

Regent-designate Weddle thanked the Regents for trusting her to serve the University. She expressed her strong commitment to ensuring UC's access and affordability for all students, and that students could be successful during their time at UC. Ms. Weddle was especially interested in promoting basic needs security systemwide, and addressing and preventing sexual violence and harassment. She looked forward to collaborating with the Regents.

The meeting adjourned at 9:45 a.m.

Attest:

Secretary and Chief of Staff