

# THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

March 13, 2019

The Regents of the University of California met on the above date at the Luskin Conference Center, Los Angeles Campus.

Members present: Regents Anderson, Anguiano, Butler, Cohen, Estolano, Graves, Guber, Kieffer, Lansing, Leib, Makarechian, Morimoto, Napolitano, Ortiz Oakley, Park, Pérez, Sherman, Sures, and Zettel

In attendance: Regents-designate Simmons, Um, and Weddle, Faculty Representatives Bhavnani and May, Secretary and Chief of Staff Shaw, General Counsel Robinson, Chief Compliance and Audit Officer Bustamante, Chief Investment Officer Bachher, Executive Vice President and Provost Brown, Executive Vice President and Chief Financial Officer Brostrom, Executive Vice President and Chief Operating Officer Nava, Executive Vice President Stobo, Senior Vice Presidents Gulbranson and Holmes, Vice Presidents Brown and Humiston, Chancellors Block, Blumenthal, Christ, Gillman, Hawgood, Khosla, Leland, May, Wilcox, and Yang, Interim Vice Presidents Gullatt and Leasure, and Recording Secretary Li

The meeting convened at 8:45 a.m. with Chair Kieffer presiding.

## 1. 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. Eduardo Perez, an undocumented UCLA student, spoke in opposition to the proposed nonresident tuition increase. He characterized UCLA's message of diversity as hypocritical and performative and stated his belief that UCLA tokenizes diversity and does not prioritize affordability and student retention.
- B. Kealoha Pisciotta, a Hawaiian resident, spoke in opposition to the Thirty Meter Telescope project, stating that Mauna Kea, the Hawaiian people's place of origin, was being threatened. Opponents of the project did not prevail in the Supreme Court of Hawaii but plan to continue litigating. Ms. Pisciotta stated that the project would allow the State of Hawaii to be heavy-handed with the Hawaiian people and that 60,000 people have signed a petition to stop the project. She appealed to the Regents to consider stopping the project and cited other existing telescopes already in use.
- C. Liko Martin, an Elder of Hawaii, read from a letter written by Professor Alfred de Zayas from the Geneva School of International Relations regarding Hawaiian sovereignty. The letter stated that the Hawaiian Islands have been under U.S.

occupation for 126 years and that the state should be administered by the laws of the Hawaiian Kingdom. A resolution to correct the state of the Hawaiian Islands was being brought before the United Nations.

- D. Christopher Alonso, an eight-year-old child of a UCSC student, spoke in opposition to the closure of Early Education Services and stated that a for-profit institution would replace it. As a result, his teachers would lose their jobs, and he and other children would lose high-quality childcare.
- E. Aidan Arasasingham, UCLA student and board member of UC Student Association (UCSA), opposed the nonresident student tuition increase. He shared that his grandfather and father were both immigrants from Sri Lanka and studied as international students at UC. He also brought petition signatures from 2,000 students opposing rising nonresident tuition and asked the Regents to take into account both the budget and the students, faculty, and staff that will be affected.
- F. Lindsay Saginaw, UCLA student, spoke on behalf of the UCLA Undergraduate Student Association and thousands of out-of-state, international, and undocumented students at UCLA subject to the nonresident tuition increase. She stated that each tuition increase alienates students who bring diversity to UCLA and that students should not have to worry if they can stay in school year to year.
- G. Atreyi Mitra, UCLA student and representative from Bruin Consent Coalition, asked the Regents to increase funding to Campus Assault Resources and Education (CARE). She stated that there were only two CARE advocates for a rapidly growing number of clients on campus, with a projected 900 clients in 2019. Furthermore, these advocates have been expected to train over 80,000 students, faculty, and staff. Ms. Mitra spoke of her own trauma from sexual violence prevention work and highlighted burnout of advocates and activists.
- H. Ko Smaoui, UCLA student and representative of the Bruin Consent Coalition, called on the Regents to provide more CARE funding. CARE advocates are sole confidential advocates to survivors of sexual violence, and many survivors choose not to file complaints because the Title IX process or court process can be traumatizing, and CARE advocates help survivors navigate that.
- I. Milan Patel, UCLA student, spoke on behalf of international student roommates and opposed the nonresident tuition increase. He stated that programs both inside and outside of the classroom would become more costly as a result of the increase.
- J. Carley Towne, UC alumna and representative of Code Pink, called on the University to divest from companies invested in militarism. BlackRock, which invests on behalf of UC, owns over 16 million shares of stock from General Dynamics, a company that has provided both weapons to Saudi Arabia and social services at immigration detention camps.

- K. Ashraf Beshay, UCLA student from Egypt and UCSA international student affairs officer, expressed opposition to the proposed nonresident tuition increase. Mr. Beshay has protested four tuition hikes during his time as a student, and he has not seen much progress from the Board despite speaking at a Regents meeting and advocacy at nearly all campuses. He stated his belief that the Board was treating nonresident students like cash cows and the State was treating them like scapegoats.
- L. Connor Strobel, UC Irvine student and chair of the UC Graduate and Professional Council (UCGPC), recommended that the Regents use the Professional Degree Supplemental Tuition (PDST) best practice list created by UC Office of the President (UCOP) in consultation with UCSA, UCGPC, student council presidents, and other student organizations. He recommended incorporating some of these best practices into Regents Policy 3103: Policy on Professional Degree Supplemental Tuition.
- M. Neda Ashtari, UCLA medical student and co-president of the American Medical Student Association, called on the Regents to drop the patent suit for the cancer drug Xtandi in India. She shared her experience as the primary caregiver of her mother, who had metastatic breast cancer, and the financial loss her family experienced when her mother lost her health insurance.
- N. Mia McIver, UCLA faculty member and president of University Council American Federation of Teachers (UC-AFT), called on the Regents to tell Labor Relations at UCOP to settle labor contracts with UC-AFT, American Federation of State, County and Municipal Employees (AFSCME), and University Professional and Technical Employees (UPTE). She stated that UC librarians were working with an expired labor contract for 5.5 months, that UC-AFT faculty experience 30 percent turnover at every UC campus, and that UCLA is refusing to offer new faculty orientations on campus, which adversely affects students and faculty who are women and people of color. She also called on the Regents to rectify the problems with UCPath.
- O. Dan Russell, IT worker at UC Berkeley and executive vice president of UPTE, called on Labor Relations to present a fair deal to UPTE. He stated that he was participating in his third strike in one year, that UC was continuing to outsource jobs, that there has been 80 percent turnover of UPTE members in five years, and that UPTE member retirement benefits were being cut while top UC executives continue to receive raises and bonuses.
- P. Joaquin Chavez, UC Davis audio/visual technologist and vice president of UPTE Communications Workers of America (CWA) 9119, asked the University to drop its attacks on the labor unions and invest in its workers, who are people who believe in the UC mission, seek stability, and choose to work for UC instead of taking higher-paying jobs elsewhere.

- Q. Jenna Barrett, UCLA clinical social worker and UPTE president of Los Angeles, spoke about the understaffing of UC mental health facilities and increased outsourcing. Ms. Barrett stated that she would be striking in solidarity.
- R. Paulette Carney, staff member at UCSC Early Education Services (EES), spoke in opposition to the Student Housing West project and the replacement of EES with Bright Horizons. Ms. Carney stated that 79 percent of EES families are State-subsidized and that such subsidies would not be offered with Bright Horizons. EES staff believed that Bright Horizons would not provide the same quality of care or affordability.
- S. Valerie Ewald, nurse at UCLA Santa Monica Hospital and California Nurses Association representative, spoke about problems UCLA nurses have encountered with UCPATH, including unclear pay stubs and pay inaccuracies.
- T. Emily Carrera, nurse at UCLA, called on the Regents to fix the problems affecting UCPATH before implementing it systemwide. Ms. Carrera stated that UC hospitals were top-ranking in the nation due to the devotion of UC staff.
- U. Monica De Leon, vice president of AFSCME Local 3299 patient care unit, spoke on behalf of the demands of UPTE members who were striking, recalling similar struggles AFSCME members experienced as it protested outsourcing and pay cuts. Ms. DeLeon stated that AFSCME Local 3299 would be striking in solidarity.
- V. Davina Woods, UCLA custodian and member of AFSCME Local 3299, stated that AFSCME members would be striking in solidarity with UPTE members. AFSCME represents 10,000 groundskeepers, bus drivers, cooks, and custodians, who are some of the lowest paid career workers at UC. Ms. Woods criticized the outsourcing and pay cuts by the University.
- W. Kathryn Lybarger, gardener at UC Berkeley and member of AFSCME Local 3299, spoke in support of UPTE and UC-AFT negotiations. Ms. Lybarger stated that outsourcing was widening racial, gender, and income disparity and that outsourced workers were abused and being paid less than minimum wage. She also raised issues of job loss while UC executives receive pay raises.
- X. Andrea Ng, UCLA international student from Malaysia, spoke in opposition to the nonresident tuition increase. Ms. Ng stated that she worked two jobs while attending community college in order to save money prior to attending UCLA and that international students bring diversity to UC campuses.
- Y. Samiha Rahman, UCLA student, opposed the nonresident tuition increase and stated that UCLA has failed to support international students in the Computer Science department whose start-up clubs have received outside recognition.

- Z. Colby Xavier Riley, UCSC student and representative of the Black Student Union at UCSC, spoke against the Student Housing West project on behalf of students. Mr. Riley stated that Student Housing West would be 45 percent single student rooms and that adding new students would not solve affordability problems. He added that the contractors for Student Housing West were involved with the border wall along the U.S. border with Mexico.
- AA. Prajay Lolabattu, UCSD student representing UPTE and AFSCME, stated his belief that the University's offer to UPTE would not improve the inadequate mental health services provided on the UCSD campus. Mr. Lolabattu added that AFSCME, a union that is comprised of mostly black and brown members, is also the lowest paid.
- BB. Sabina Wildman, UCSC student, spoke on behalf of workers in UPTE and AFSCME and stated that the latter union was 92 percent people of color, immigrants, and women. She spoke in opposition to privatizing childcare and stated that standardized testing and admissions restrict low-income students from higher education.

2. **APPROVAL OF MINUTES OF PREVIOUS MEETING**

Upon motion duly made and seconded, the minutes of the meeting of January 16, 2019 were approved.

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

Chair Kieffer noted the recent news that UCLA and other universities were victims of an illegal scheme regarding college admissions and cited Regents Policy 2201: Policy on University of California Admissions Practices and on Participation of Regents and Elected Officials in Individual Admissions Decisions, which was adopted in 1996 in order to keep influence out of UC admissions. He also stated that UCLA would be celebrating its 100th anniversary in May.

Several Regents attended an informal reception with students on March 12, 2019. He thanked UC students for their cooperation as Regents and students worked together to secure more State funding. Regents also attended a reception welcoming new State legislators in January.

Chair Kieffer also reported that the Special Committee on Basic Needs and the Investments Committee both met on March 12, 2019. The Public Engagement and Development Committee would be meeting on April 22, 2019 at UC Davis. He provided a summary of topics covered in upcoming Committee and Board meetings, such as Professional Degree Supplemental Tuition, foreign influence, cyber security, workforce planning, and the multi-year framework.

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

President Napolitano began her remarks by reaffirming her intent to hold in-state tuition flat for 2019–20, the seventh time in eight years despite rising costs and growing enrollment. Since 2015, the University has added 14,500 California resident undergraduates, exceeding the initial target of 10,000 students by 2018. UC has continued to work to expand affordable student housing and address food insecurity. Accessibility and affordability remain key values of the University. However, holding tuition flat means UC has less institutional aid for the lowest income students. Currently, one-third of tuition revenue is returned to financial aid, and that funding stream remains flat if tuition remains flat. Meanwhile, non-tuition costs continue to rise.

President Napolitano stated that, absent major State reinvestment in the University, it would be unwise to continue holding tuition flat ad infinitum. She asked the Board to consider what this means for the future. Affordability and accessibility drive the multi-year framework discussion, which will focus on degree attainment, closing achievement gaps, growing and diversifying the professoriate, and supporting the role of UC research in meeting California's needs and fueling the state's economy. The framework has been informing UC efforts to work with the Governor and Legislature on the 2019–20 State budget and securing funding for the University.

California Congresswoman Lucille Roybal-Allard introduced the Dream and Promise Act of 2019, which would allow certain immigrant youth, including Deferred Action for Childhood Arrival (DACA) recipients, to earn lawful permanent residence and citizenship. The University supports this bill. DACA students at UC are contributing in important ways in the UC community, the country, and the State that has invested in them. DACA recipients are renewing their status at the rate of 90,000 per quarter, and half of the DACA population will be able to renew their status during the injunction that the University obtained if the United States Supreme Court does not rule on DACA until 2020.

In early March, UC was selected by Reach Higher to cohost its College Signing Day on May 1, 2019 at UCLA. Reach Higher is a college access and success initiative launched by former First Lady Michelle Obama. College Signing Day recognizes high school seniors and transfer students from low-income, underrepresented, and first-generation college backgrounds. UCLA will host over 9,000 students, Mrs. Obama, celebrities, athletes, and performers. Other UC campuses will hold simultaneous celebrations as well.

The University's National Center for Free Speech and Civic Engagement would host its first conference in Washington, D.C. the following week, bringing together scholars, students, and experts on free speech on college campuses. President Napolitano stated that the conference came at an opportune time, because the federal government was contemplating an executive order regulating free speech on college campuses. UC is proud to uphold its longstanding tradition of free speech and to explore complex issues surrounding it through research, advocacy, and discussion.

President Napolitano closed her remarks with comments regarding the college admissions cheating scandal. At the time of the meeting, the University knew only UCLA to have been affected, and the campus had taken prompt action. She stated that this should give the University pause to consider its admissions process and whether it has been administered in the fairest way possible and whether sufficient protections were in place.

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

Faculty Representative May began his remarks with an overview of the Academic Senate's activity since the January 2019 Regents meeting, which includes considering the significance of standardized testing for graduate admissions, considering the value of self-supporting professional graduate degree programs, faculty diversity initiatives, the efficacy of student course evaluations, and considering development of policies that help students who are unable to be on campus. An academic freedom policy for non-faculty academic appointees would be sent out for systemwide review shortly.

Mr. May congratulated President Napolitano on the publication of her new book, "How Safe Are We?: Homeland Security Since 9/11," and looked forward to holding a seminar for a critical discussion of the book.

With regard to negotiations with the company Elsevier, the Academic Senate, through the University Committee on Library and Scholarly Communication, has participated in negotiations alongside the California Digital Library and University librarians on behalf of UC. The Academic Senate believes in the need to fundamentally change UC research and scholarship dissemination such that there is universal, no-cost availability. Open access is a demand of academic freedom. Negotiations with Elsevier have failed, and President Napolitano asserted her support of UC faculty, staff, and students in response and noted the impact on scholars, researchers, and scientists worldwide. UC has received support across the country and the world, joining countries like Norway, Germany, and Sweden in their commitment to open access. Mr. May acknowledged that students would be inconvenienced and stated that UC librarians were working diligently to create contingency plans to retain access to Elsevier materials. This was a watershed moment. The University stands firm in its belief that knowledge generated by UC scholars and researchers should be accessible regardless of the ability to pay, and access should not be limited to those with the means to pay.

The Academic Council and the chairs of the systemwide Academic Senate committees made a collective statement in support of UC's negotiating position with Elsevier to advance UC's mission as a public institution, make scholarship as freely and widely available as possible, and ensure that UC is using taxpayer money to enter into agreements with commercial publishers in the most ethical and responsible way possible. Mr. May invited the Regents to add their endorsement to the Academic Senate's resolution.

The meeting adjourned at 10:05 a.m.

Attest:

Secretary and Chief of Staff