

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

September 18, 2019

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

Members present: Regents Anguiano, Cohen, Elliott, Estolano, Guber, Kieffer, Kounalakis, Lansing, Leib, Makarechian, Napolitano, Ortiz Oakley, Park, Pérez, Reilly, Sherman, Sures, Um, and Weddle

In attendance: Regents-designate Mart, Muwakkil, and Stegura, Faculty Representatives Bhavnani and Gauvain, Staff Advisors Klimow and Jeffrey, Secretary and Chief of Staff Shaw, General Counsel Robinson, Chief Compliance and Audit Officer Bustamante, Provost Brown, Executive Vice President and Chief Operating Officer Nava, Executive Vice President Stobo, Interim Executive Vice President and Chief Financial Officer Jenny, Senior Vice President Holmes, Vice President Brown, Interim Vice Presidents Gullatt and Leasure, Acting Vice President Lloyd, Chancellors Block, Christ, Gillman, Hawgood, Khosla, Larive, Wilcox, and Yang, Interim Chancellor Brostrom, and Recording Secretary Li

The meeting convened at 9:00 a.m. with Chair Pérez presiding.

1. PUBLIC COMMENT

Chair Pérez 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. Amanda Chavez, Chair of Council of University of California Staff Assemblies, highlighted policy covered staff: Rachel Ochoa, undergraduate advisor for the Department of Psychology at UC Berkeley; Lisa Chow, training coordinator in External Affairs at UCLA; and Peter Blando, business systems analyst at UC Davis. She asked that the Regents keep these employees in mind when making decisions about policy-covered staff.
- B. David Anyakora, UCSD student, spoke about the importance of an outreach and research initiative in the Inland Empire, where bachelor's degree attainment is more than 30 percent less than the statewide average. The program helped students with transition into UC and retention by pairing students with faculty mentors, providing research opportunities, and educating the community about college applications.
- C. Carlos Alarcon, UCR student and representative from the UC Undocumented Student Coalition, reported that the deadline for campuses' undocumented student centers to apply for part of the \$2 million in Office of the President (UCOP) funding had been extended to accommodate when instruction began. He added that the UC

Undocumented Student Coalition wished to work with UCOP to help students who could not qualify for CalFresh because of their immigration status.

- D. Sithara Menon, UCLA student and California Public Interest Research Group (CALPIRG) representative, shared that CALPIRG's New Voters Project registered 6,000 UC students to vote and contacted 500,000 students about voting. However, first-time voters still faced barriers. She thanked UC for helping CALPIRG in its endeavor and called for easier voter registration.
- E. Star Beltman, UC Berkeley student, thanked the University for suspending glyphosate use and forming the Herbicide Task Force. She called for a permanent glyphosate ban and the transition from all toxic herbicide use. Ms. Beltman reported that there were 90,000 lawsuits against Monsanto for non-Hodgkin's lymphoma and that a member of the Task Force received money from pesticide companies.
- F. Mark Biedlingmaier, UCLA alumnus, called for the glyphosate ban to become permanent. He was once a Global Food Initiative fellow and was currently a staff member at the UCLA Semel Healthy Campus Initiative Center. He frequently considered the health of students, staff, and faculty. He called for UC to be a leader.
- G. Ronald Richards, UCLA alumnus and current staff member, urged the Regents not to increase the retirement contribution for UC employees. The University received billions of dollars in tuition, revenue, and donations but wished to raise employees' retirement contribution due to corruption. Salaries of nonrepresented staff fell below the cost of living. He called on the Regents to talk to staff and to stop the corruption, theft, ageism, racism, nepotism, and financial mismanagement.
- H. Ali Tweini, member of Teamsters Local 2010, spoke against the proposed retirement contribution increase for UC employees. He asked that UC support the 14,000 valuable members of the union and all staff systemwide. Mr. Tweini appealed to the Regents' great leadership and asked them to do the right thing.
- I. Laura Newman, UCLA staff member, spoke against the proposed retirement contribution increase for UC employees. Many UC employees experienced food insecurity, and some worked multiple jobs to make ends meet. The change would be insignificant to those earning \$200,000 but would affect the household and healthcare expenses of those earning half that amount or less.
- J. Judith Serlin, member of Teamsters Local 2010, spoke in opposition to the proposed retirement contribution increase for UC employees. While in financial crisis, UC has asked its students for more money. Teamsters called on the Regents to visit employees, listen to their concerns, and learn how money could be spent and saved.
- K. A.J. Schuster, UCLA medical student, detailed their struggle to change their name in school identification and websites after coming out as transgender. They were

told that changing the name on their email address and student identification badge was against policy, but no administrator has produced such a policy despite their repeated requests. They experienced stress from being frequently “deadnamed” by fellow students, staff, and patients and decided to spend \$600 for a legal name change. UCSF allowed preferred names on the front of an identification badge and one’s legal name on the back. They called on UC to allow students, faculty, and staff to use their preferred names and to make the process available online.

- L. Eduardo Rosales, UCSD staff member and member of Teamsters Local 2010, spoke against the proposed retirement contribution increase for UC employees. He observed that more had been taken away from staff than given. He called on the Regents to keep the retirement contributions low and affordable for staff.
- M. Mackenzie Feldman, founder of Herbicide Free Campus, spoke in support of making the glyphosate ban permanent. UC has not recorded everything that was sprayed and where it had been sprayed. There were thousands of pending lawsuits for glyphosate use, with more future lawsuits for other harmful chemicals. Herbicide Free Campus was mobilizing massive student movement and looked forward to the glyphosate ban becoming permanent on November 1, 2019.
- N. Dianne Pennington, UCLA Medical Center patient, called for a thorough investigation of James Heaps and shared her own experiences as his patient. She alleged abuse by Dr. Heaps during pelvic and breast examinations, when she was vulnerable, ashamed, and afraid of losing her life to cancer. She later learned that hundreds of other girls and women had experienced similar treatment.
- O. Eric Halgren, UCSD professor, lauded the University for its decision to divest from fossil fuel companies. This was expressed as a financial decision but was also a moral decision. He added that UC was the brains and conscience of California.
- P. Jeanette Antolin, UCLA alumna and former UCLA gymnast, called on UCLA to conduct a thorough, independent investigation of James Heaps. A survivor of Larry Nassar, she spoke on behalf of Dr. Heaps’ survivors.
- Q. LaWanda Sweet, UCLA nurse, shared her experience as James Heaps’ patient. She alleged that he had sexually harassed and physically abused her. She stated that a UCLA administrator told her that Dr. Heaps was well respected and that there were no other complaints, which was not true. She claimed that she had previously been told to drop her complaint. She called for a thorough, independent, and transparent investigation. Those who enabled or covered up Dr. Heaps’ abuse or silenced his victims should be held accountable.
- R. Johnathen Bodenschatz, UCI staff and CUCSA member, spoke about the proposed retirement contribution increase for employees. He stated that an increased retirement contribution was linked to UC’s competitive hiring and would reduce the value of the benefit and pay to the employee. He thanked the University for

considering a phased approach and urged UC to adopt a consultative process with input from all stakeholders and to communicate with employees.

- S. Crystal Petrini, UCR staff member and president of the Staff Assembly at UCR, spoke against the proposed retirement contribution increase for UC employees. In the 2019 CUCSA UCOP Staff Engagement Survey, 94 percent of UCR respondents supported the UC mission but 47 percent were considering leaving UC. The continued loss of institutional knowledge would be catastrophic to the campus. UC was once one of the best places to work. She asked the Regents to rethink strategies, consider impacts to staff, and focus on making UC an employer of choice.
- T. Oscar Macias, UCLA student and member of Beyond the Score, spoke about the group's quest for more equitable admissions policies. He noted that standardized testing had not been brought before the Regents since the 2000s. The group asked that the Regents work with students, staff, and faculty to develop better options for the most vulnerable students.
- U. Salvador Martinez, UCLA student and member of Beyond the Score, stated the group's wish that the Regents revisit the issue of standardized testing, which the group believed had been shown only to determine income level. Standardized testing was a barrier to low-income students, especially those of color.
- V. Fernanda Romero, UCLA student and member of Beyond the Score, spoke in support of the removal of the standardized testing admissions requirement. This would give students of color and low-income students better access to higher education and the same opportunities as students who could afford tutoring.
- W. Nicole Nukpese, UCLA student and member of Beyond the Score, called on the Regents to remove the standardized testing admissions requirement. The Regents should support student diversity instead of the business of standardized testing.
- X. Zachary Handler, UCB alumnus and former member of Fossil Free Cal, expressed his enthusiasm that UC was divesting from fossil fuel companies six years after students first demanded this action. Mr. Handler was disappointed that UC did not include a moral component to its decision and warned that the lack of a moral argument would make it possible that UC would invest in fossil fuels in the future. He called on the Regents to publicly commit to never investing in fossil fuels again.

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

Upon motion duly made and seconded, the minutes of the meeting of July 17, 2019 were approved.

3. REMARKS OF THE CHAIR OF THE BOARD

Chair Pérez welcomed new Regent Janet Reilly, co-founder and board president of Clinic by the Bay, former board member of the Presidio Trust, and UCLA alumna. He also welcomed new Faculty Representative Mary Gauvain, Vice Chair of the Academic Senate and professor of psychology at UC Riverside. Chair Pérez welcomed Nathan Brostrom as Interim Chancellor of UC Merced and looked forward to working with him in this capacity. He noted that former Governor Gray Davis would be speaking at the Public Engagement and Development Committee meeting. He acknowledged California State University trustee Jane Furstenberg, who was attending this meeting. He also noted that this was Executive Vice President Stobo's last Regents meeting, thanking him for his extraordinary leadership at UC Health.

4. REMARKS OF THE PRESIDENT OF THE UNIVERSITY

President Napolitano stated that she looked forward to a robust discussion on a variety of topics. She then announced that this would be her last academic year as President of the University. She began considering this difficult decision through discussions with Regent Kieffer when he was Board Chair and with Chair Pérez. UC has shown her the monumental value of public higher education, for which she planned to continue to fight. She reviewed the University's accomplishments during her tenure. Since 2015, UC added more than 17,500 California undergraduate students, including first-generation and community college transfer students. The Achieve UC outreach program, which helps California high school students prepare for UC admission, was expanded. A systemwide initiative for first-generation college students was launched, and four campuses each enrolled more Pell Grant recipients than all Ivy League schools combined. The vast majority of low-income UC students were expected to earn more than their parents. Undergraduate in-state tuition was stabilized, and initiatives were established to address basic needs and mental health. UC has continued to advocate for undocumented students and has made inroads in addressing sexual violence and harassment. UC continued to push for a diverse student body and faculty, launched the National Center for Free Speech and Civic Engagement, instituted a \$15 minimum wage, set ambitious carbon neutrality goals, and partnered with the Academic Senate and the California Community Colleges (CCC) to improve the transfer process. Challenges remained, and President Napolitano believed that the University would benefit from new energy. She stated that it had been an honor and privilege to serve as President of the University.

Chair Pérez thanked President Napolitano for her leadership, service, and partnership on behalf of the Board. He appreciated her approach, dedication, and commitment to UC and people of California and thanked her for her lifetime of commitment to public service. He looked forward to working with President Napolitano in this academic year and the next phase of her career. He would announce the appointment of a presidential search committee per Regents Policy 7101: Policy on Appointment of the President of the University. Chair Pérez stated that all stakeholders would have the opportunity to share their thoughts. The search committee would include students, faculty, alumni representatives, chancellors, National Laboratory directors, and staff.

Chair Pérez stated that, as an employer, UC could learn from its labor centers. The University could also learn how to achieve better representation, ensure affordable access, and strengthen partnerships. He thanked Speaker Rendon and former Speaker Atkins for their role in putting State Assembly Bill 48, which would provide \$2 billion to UC, on an upcoming ballot. UC was granted a three-month reprieve to address issues presented by Assembly Constitutional Amendment 14; it needed to settle its collective bargaining agreements and consider its policies and expectations regarding contracting out. Chair Pérez announced that he would be asking Regent Butler, Regent Sherman, as well as Chancellors Christ, Khosla, and Wilcox to join a working group on legislative engagement. There would be working groups on the structure of Regents meetings and other issues. He noted that the Public Engagement and Development Committee met the day before for the first time at a local K-12 school. Both the substance and symbolism of the meeting were important, as was the recognition of the partnership between UC and community-based organizations and schools. He thanked Regents Leib and Simmons for organizing that meeting.

Regent Lansing expressed her shock at President Napolitano's announcement. She was proud of chairing the search committee that hired President Napolitano, who would leave UC much better than when she joined it. She commended President Napolitano's integrity, vision, and fairness as well as her inclusivity and how she listened. UC was set on a path to a better future. She thanked President Napolitano for her public service.

Regent Kieffer expressed his pleasure at having served as Board Chair during President Napolitano's term. UC benefitted from her extraordinary record of public service. He highlighted the many improvements during her time, such as her leadership in Deferred Action for Childhood Arrivals (DACA) matters, diversity, food insecurity, sustainability, the quality of UC, and the role of faculty in UC governance.

Faculty Representative Bhavnani also expressed her shock at the announcement. She thanked President Napolitano for her work in ensuring that the University was a good employer and for compelling UC to consider worldwide hunger, global health, and how to use the wisdom from UC to improve the world. She thanked the President for remaining in public service and for all that she had done for the Academic Council and Academic Senate.

Regent Ortiz Oakley thanked President Napolitano for working with the CCC and for making transfer students a priority. He thanked her for being a leader in immigration issues despite early criticism for her role as former U.S. Secretary of Homeland Security. He commended her moral authority and personal commitment to the issue.

Staff Advisor Klimow recognized President Napolitano's leadership both as former Governor of Arizona and as UC President and thanked her on behalf of 16 former staff advisors for her support and time. She and Staff Advisor Jeffrey wished her success in the future.

Regent Leib noted that President Napolitano was an embodiment of the public service that UC so greatly valued. He thanked her for her lifetime of public service.

Regent Sures thanked President Napolitano and stated that her legacy would be amazing. He commended her commitment to students, DACA, sexual assault and harassment policies, and homeland security as Secretary and through the National Laboratories. President Napolitano did her best despite the difficulties of leadership. He wished her the best of luck and looked forward to working with her in the upcoming year.

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

Faculty Representative Bhavnani introduced the new Vice Chair of the Academic Senate, Faculty Representative Gauvain, a distinguished professor of psychology at UC Riverside who focused on children's cognitive and concept development. Ms. Gauvain has been a longtime member of the Academic Senate, serving on various committees, and received the Distinguished Campus Service Award in 2010.

Ms. Bhavnani stated that education was a way to move away from the familiar and personal; it was not a commodified set of skills but rather a critically active approach to life. Pursuing a UC education demanded discipline and rigor—more than just being active. Undergraduate students developed skills while graduate students and postdoctoral researchers refined them. A UC education could lead people to think differently about future, first imagining something and then engineering it. Education has led to the analysis of history so that mistakes would not be repeated, and the suggestion that there are worlds beyond ours. A university education has helped people consider contradictions and complexities. Ms. Bhavnani linked Japanese internment and the Holocaust with recent events.

Professors wished for the best possible student experience, working 60- to 80-hour weeks. Professors also provided service beyond their teaching and research. She highlighted UC's strong and unique system of shared governance. Because they relied on faculty experience and knowledge, curricular innovations were robust and helped develop admissions and transfer policies that promoted quality experiences and timely graduation. UC offered degrees in familiar areas but also created some of the first departments and degrees in ethnic studies, LGBTQ studies, and a combination of media arts and technology. The University has drawn upon the expertise of its faculty in making decisions about finance and budget, health centers, pension, capital development, and harmful chemicals. Faculty have also contributed to discussions about energy policy, as well as diversity, equity, and inclusion. Faculty have partnered with librarians for an open access policy and were exploring whether standardized testing was helpfully predictive. Ms. Bhavnani noted the memorial on fossil fuel divestment and the response to federal directives regarding non-American faculty. UC was a place where two women, one who was a woman of color, could lead the Academic Senate. She voiced her concern about such things as world hunger, maternal mortality, literacy, worker exploitation, and the protection of the planet. This was the time for the University to keep its talents and values at the forefront of all it did. Paraphrasing the late Toni Morrison, Ms. Bhavnani stated that this was precisely the time artists and scientists go to work; there was no room for fear. Speaking, writing, researching, and using language were how civilizations heal.

The meeting adjourned at 10:40 a.m.

Attest:

Secretary and Chief of Staff