

## THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

June 15, 2020

A special meeting of the Regents of the University of California was held on the above date by teleconference meeting conducted in accordance with Paragraph 3 of Governor Newsom's Executive Order N-29-20.

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

In attendance: Regents-designate Mart, Muwwakkil, and Stegura, Faculty Representatives Bhavnani and Gauvain, Secretary and Chief of Staff Shaw, General Counsel Robinson, Provost Brown, Chancellors Gillman, Hawgood, Khosla, Larive, May, Wilcox, and Yang, Interim Chancellor Brostrom, and Recording Secretary Johns

The meeting convened at 8:30 a.m. with Chair Pérez presiding. He stated that notice had been given in compliance with the Bylaws and Standing Orders for a special meeting of the Regents of the University of California.

### 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. Varsha Sarveshwar, UC Student Association (UCSA) president, strongly encouraged the Regents to endorse Assembly Constitutional Amendment (ACA) 5. UC's efforts in outreach, recruitment, retention, holistic admissions, and cluster hiring were valuable but could not accomplish what affirmative action could. The University's goals for diversity, equity, and inclusion could not be accomplished without repealing Proposition 209.
- B. Kacy Keys stated that the passage of Proposition 209 had had an immediate and devastating impact on equity and diversity in higher education. UC Berkeley School of Law was one of the most racially diverse law schools in the U.S. in 1995; in the incoming class of 1997, there was only one African American student. She urged the Regents to support ACA 5.
- C. Maureen Simmons identified herself as one of the 1.9 percent of black students at UC Berkeley. Black students had met with Chancellor Christ, facilitated a campus climate hearing attended by California State Assemblymember Shirley Weber, and spearheaded efforts to repeal Proposition 209. She asked the Regents to consider how history would view their actions.

- D. Jenna Gaarde, representative of the Praxis Project, expressed her organization's strong support for ACA 5 and urged the Regents to support it as well.
- E. Aidan Arasasingham, UCLA student, quoted a 1986 statement by then UCLA student body president Dean Florez, who reflected on the meaning and nature of merit and how society assesses merit. Mr. Arasasingham urged the Regents to endorse ACA 5.
- F. Kerby Lynch, UC Berkeley graduate student, expressed support for ACA 5 and asked the University to reimagine its future as an institution for the public good, not for the privileged few. Proposition 209 had done damage to a generation of Californians. Enrollment of black students had been decreasing at UC Berkeley. Marginalized students were being blocked from access to a UC education.
- G. Suaad Nour, UC Berkeley Somali-American student activist, stressed that students with marginalized identities face obstacles. It was important to consider race and gender to level the playing field and promote equal opportunity, especially for minorities in the workplace. Restoring affirmative action would ensure that those who most need resources would get them in the areas of public contracting, education, and hiring. She urged the Regents to endorse ACA 5.
- H. Vincent Rasso, UC Riverside student, urged the Regents to endorse ACA 5. Proposition 209 had had a devastating effect on diversity and equity in higher education and public hiring. The Regents had a role in working to uplift marginalized communities. UC chancellors and students, as well as leaders and students of the California State University and the California Community Colleges supported ACA 5.
- I. Zaynab At-Taras, UC Berkeley student, stated that ACA 5 would lead to more opportunities for and prevent discrimination against women and people of color. Proposition 209 had ended almost all programs designed to open doors to equal opportunity for women and people of color in the public sector in California. The admission and enrollment of students of color at UC had declined since Proposition 209 took effect. She urged the Regents to endorse ACA 5.
- J. Ivan Evans, professor of sociology at UC San Diego, urged the Regents to endorse ACA 5. This was a historic opportunity to reset the tone at the University and right wrongs. Over the course of 30 years of teaching at UCSD, Mr. Evans had watched the virtual expulsion of African American students from the University. Proposition 209 had contributed to a worsening of ethnic and race relations on campus and had resulted in numerous other negative consequences for UC.
- K. Jose Venegas, BLU Educational Foundation college preparatory advisor and UC Riverside graduate, stated that he had not been able to attend college directly after high school due to lack of opportunity. He stressed that some high school students

are capable of success at UC but need extra resources and guidance to be able to enter college and receive a higher education. He urged support for ACA 5.

- L. Lilly Irani, associate professor at UC San Diego, urged the Regents to endorse ACA 5. She noted that the work in her undergraduate research group was better when she had students from families of taxi drivers, nurses, and construction workers. Due to tuition increases and the prohibition on affirmative action in admissions, it was difficult to find this kind of diversity of student cultural and life experiences. She asked the Regents to support the overturning of Proposition 209 and actual investment in equity through lower tuition and student housing support.
- M. Elana Zilberg, associate professor at UC San Diego, urged the Regents to endorse ACA 5. She had been born and raised in Rhodesia and had looked to the U.S. as a model of a racially integrated society, but, upon coming to the U.S., found that the country had not resolved its racist legacies. This was reflected in the dismantling of affirmative action in higher education.
- N. Oscar Macias, first-generation Latino UCLA student, stated that he had witnessed the effects of Proposition 209 on communities like his own in the Imperial Valley. Many of his peers had been disenfranchised and were unable to pursue higher education. He urged the Regents to endorse ACA 5 and uphold support for marginalized communities.
- O. Arden Dressner Levy, UCLA student, quoted the American Civil Liberties Union on the need for affirmative action. Affirmative action was one of the most effective tools for addressing injustices caused by historic discrimination against people of color and women in the U.S., and for leveling an uneven playing field. Racism and sexism had not been eradicated, and avenues for opportunity remained far too narrow. She urged the Regents to use the power they had to support equity for people of color and women in California by endorsing ACA 5.
- P. Sadia Khan, UC Berkeley student, commented that Proposition 209 had not only ended race-conscious programs in California, but had unnecessarily ended the collection of data on race, ethnicity, and gender in most California jurisdictions. Pretending to ignore race did not make racial issues disappear. A UC report indicated that Proposition 209 had led to a lower likelihood of admissions of applicants from underrepresented groups at all campuses, and especially at UCLA and UC Berkeley. She urged the Regents to endorse ACA 5.
- Q. Rojina Bozorgnia, UC Santa Cruz student, expressed support for ACA 5 and stressed the importance of the Regents endorsing this measure as well. UC campuses were built mostly on Native American land, yet there were opportunity gaps for and underrepresentation of Native American students in the UC system. The decrease in admissions of black and Latino(a) students after Proposition 209 was a matter of great concern.

- R. Carolina Villegas urged the Regents to endorse ACA 5. California had a long history of discrimination, racism, and violence against black and indigenous people and other minorities. California was one of eight states that banned the consideration of race in university admissions and public employment, leading to a direct impact on minority- and women-owned businesses, which would be less likely to obtain State contracts. The Regents understood the implications of Proposition 209. Their endorsement of ACA 5 would be meaningful and uplift the voices of indigenous, minority, and black students.
- S. Miranda Mosley, UC Berkeley student, stated that, partly because of Proposition 209, she could not find mentors with her experiences in academia. It was nearly impossible to find black women professors who could be mentors to underrepresented students. Repealing Proposition 209 would send the message that underrepresented groups have the opportunity to create new futures. She asked the Regents to endorse ACA 5.
- T. Daniel Widener, associate professor of history at UC San Diego, asked the Regents to support ACA 5, which, if approved by voters, would make a material statement in favor of racial equality. He had seen the limitations that Proposition 209 placed on the University. During his time at UCSD, black faculty, students, and staff had consistently spoken of their isolation. It was not uncommon for large classes of 400 students to have only one or two black students. Many black students admitted to UCSD choose to study elsewhere, convinced that better climates can be found in other institutions. The repeal of Proposition 209 would help UC by allowing it to target fundraising for financial aid.
- U. Nicole Nukpese, UCLA student, member of Beyond the Score, and black woman from South Central Los Angeles, stated that she had seen her peers blocked from accessing higher education. She urged the Regents to support ACA 5 in the interest of accessible and equitable education and to ensure that there are places in higher education institutions for students from low-income communities.
- V. Fernanda Romero, member of Beyond the Score, stated that this student organization was pleased that the University was moving to eliminate standardized testing in admissions. But much remained to be done. She urged the Regents to endorse ACA 5, which would be another step toward equitable admissions and would help the most marginalized students access the education they need to uplift themselves and their communities. The UC system did not reflect the demographics of California. The repeal of Proposition 209 would allow low-income students of color to attain higher education.
- W. Simeon Man, associate professor of history at UC San Diego, urged the Regents to support ACA 5, citing Proposition 209's negative impact on the admission of underrepresented groups. African American students made up only three percent of the student body at UCSD. Black and other underrepresented students at UCSD have often spoken of their feelings of alienation and experiences of being treated

with suspicion by University police. There was now an opportunity to make UC a truly inclusive and diverse institution.

- X. Sarah Schneewind, professor of history at UC San Diego, observed that diversity on campus mattered for knowledge production and academic freedom. There was a very low number of students of color at UCSD. As a result, their academic freedom was impinged upon because, in many situations, they were expected to speak for their race rather than representing their own individual opinions. One of the main purposes of the University was the pursuit of truth and the production of new knowledge. To see new truths and raise new questions required new and diverse points of view, and different points of view derived from different life experiences. Diversity on campus was necessary.
- Y. Brian Goldfarb, associate professor in the Department of Communication at UC San Diego, stated that he had been surprised and dismayed by the restrictions imposed by Proposition 209 when he came to California from New York, and by the limitations it placed on diversity efforts. American society was anything but color-blind. Operating as if it were blind to the inequities in American society, the University would be complicit in the mechanisms which produce inequity. Proposition 209 needed to be repealed, and the Regents needed to serve as leaders in promoting policies that allowed faculty, students, staff, and administrators to confront the lack of proportional diversity at UC.

2. **ENDORSEMENT OF ASSEMBLY CONSTITUTIONAL AMENDMENT 5 AND THE REPEAL OF PROPOSITION 209 (NOVEMBER 2020 BALLOT)**

The Chair of the Board of Regents and the President of the University recommended that the Regents endorse Assembly Constitutional Amendment (ACA) 5 and the repeal of the provisions of Proposition 209 (1996), which prohibits use of race or gender as a factor in UC admissions decisions.

[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.]

President Napolitano began the discussion by recalling that California voters had approved Proposition 209 almost a quarter of a century earlier, thereby barring the consideration of race and gender in public university admissions, among other things. She stated that it was her honor on this day to recommend that the Regents formally support the repeal of Proposition 209 and support Assembly Constitutional Amendment (ACA) 5, which was the State measure aimed at achieving that repeal. In the years since Proposition 209 passed, many had watched with dismay and largely with tied hands as the number of students from underrepresented groups at UC declined and remained flat. This occurred despite continued and creative efforts to attract the best and brightest students from all backgrounds. Because the University did not have the ability to consider race or gender in its admissions decisions and implement other efforts to diversify its student population, UC's student body became one that did not fully represent the rich diversity of the state. This was detrimental to UC

and California. The state now had a chance to take a different path. ACA 5, introduced by State Assemblymember Shirley Weber, presented an opportunity for California voters to decide, knowing what one knew at this time, whether California public universities should be able to consider race and gender in admissions decisions. The proposed amendment came at a critical time for the University, the state, and nation. Across the U.S., there was a growing and long overdue recognition of systemic racism and its harmful effects on people of color and on American society as a whole. The University was reflecting on its own shortcomings and exploring ways to improve, whether by examining potential inequities in standardized testing, scrutinizing UC's policing practices, or continuing to support programs that help UC better understand and address issues of race and inequity. The University would continue to listen, learn, and take action to ensure that it was living up to its values of equity and inclusion. One step that the Board could take immediately was to make clear the University's position on affirmative action and to put its full support behind ACA 5 and the repeal of Proposition 209. President Napolitano supported this measure and had spoken publicly about the ways in which Proposition 209 had hampered UC's ability to diversify its student body. All ten chancellors, the Academic Senate, the UC Student Association, and the UC Graduate and Professional Council had all publicly expressed their support for ACA 5 and the repeal of Proposition 209. Supporting ACA 5 and the repeal of Proposition 209 was an important and practical step forward for the University, to allow UC to consider race and gender as two among the many factors in its admissions decisions. This would serve as a clear statement of UC's institutional values as a leading public research university.

Regent Leib recalled that the Board of Regents in the 1990s had played a role in the development of Proposition 209. Since that time, the Regents had seen how UC's diversity goals had not been met. The proposed action was an important move for the Regents to make, and he asked that the Regents endorse ACA 5.

Regent Um requested clarification of what the Regents would be endorsing. The resolution in the language of ACA 5 was to send this measure to the voters. If the Regents were also supporting the reversal of Proposition 209, they might be getting ahead of the State Senate and legislators, because this measure was not yet before California voters. Regent Um would like the Regents to be able to endorse ACA 5 when the amendment was on the ballot. In any case, the messaging to the public must be clear.

Chair Pérez responded that Regent Um's characterization of ACA 5 was correct. ACA 5 had been adopted by the State Assembly and would be considered by the State Senate. The measure would put the question before the voters on the November ballot. This question was the repeal of Section 31 of Article I of the State Constitution, which was the product of Proposition 209. Chair Pérez commented that the proposed Board action was supporting both ACA 5 as well as the repeal of Proposition 209. He acknowledged that, in some ways, the Regents were getting ahead of the Legislature. As mentioned by Regent Leib, the Regents' 1995 actions on SP-1 (Policy Ensuring Equal Treatment – Admissions) and SP-2 (Policy Ensuring Equal Treatment – Business Practices and Employment) had predated Proposition 209 and had implemented the equivalent of Proposition 209 as

Regents' policies. A former Regent was involved in the development of Proposition 209. In that instance, the Regents were also ahead of the Legislature.

Regent Um suggested that the Regents vote separately (1) to endorse ACA 5 and (2) to endorse the repeal of the provisions of Proposition 209. In his view, these were two different questions, and the Regents' messaging to the public was important. ACA 5 might be defeated in the State Senate and never come to a vote. He moved to bifurcate the question.

Upon motion duly made and seconded, the Regents approved Regent Um's motion, Regents Anguiano, Estolano, Kieffer, Lansing, Makarechian, Park, Pérez, Reilly, Sherman, and Um voting "aye," and Regents Butler, Elliott, Leib, Napolitano, Ortiz Oakley, Simmons, and Weddle voting "no."<sup>1</sup>

Regent Lansing stressed that the Regents must communicate to the public that UC was not lowering its academic standards through this action. There were still basic standards for admission to the University. This action would add factors that can be considered in admissions decisions.

Upon motion duly made and seconded, the Regents voted to endorse ACA 5, Regents Anguiano, Butler, Elliott, Estolano, Kieffer, Kounalakis, Lansing, Leib, Makarechian, Napolitano, Ortiz Oakley, Park, Pérez, Reilly, Sherman, Simmons, Um, and Weddle voting "aye."

Regent Ortiz Oakley recalled that a former Regent and the Board of Regents had played a role in placing Proposition 209 on the ballot. There was now an opportunity for the current Board of Regents to take a positive step forward and to make a mark on history. He urged his colleagues to support this action. Repealing Proposition 209 would not change the fact that only four percent of UC students were African American. The drive to improve diversity within the University would not end with the repeal of Proposition 209. This would give UC additional tools. It would be up to the Regents, working with the chancellors, the Academic Senate, and the Office of the President to make real change. Every Californian should have an equal opportunity to enter and succeed at UC, but this had not been the case. This action would be a step forward in changing that situation.

Regent Estolano stated that she was a student at the time of the passage of Proposition 209 and had seen its harmful effects in real time. During her time at Boalt Hall or UC Berkeley School of Law, she and other students had assembled a student-initiated class to address the question of diversity in UC admissions in a post-Proposition 209 world. This group concluded that, in a society with institutionalized racism at every level of educational and economic attainment, there was no proxy for race. Regent Estolano and her colleagues had not thought that it would take 25 years to change what had been done. She emphasized her support for the repeal of Proposition 209. She had seen the impact of Proposition 209 throughout her entire career in law. As an attorney, she had tried to combat the

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<sup>1</sup> Roll call vote required by the Bagley-Keene Open Meeting Act [Government Code § 11123(b)(1)(D)] for all meetings held by teleconference.

deleterious and pernicious effect of Proposition 209, which was divisive, purely political, and cynical, and which reflected the partisan politics of its time. Being admitted to the University was a life-changing opportunity, whether as an undergraduate or a graduate student. Regent Estolano emphasized her passion for opening up educational and economic opportunities for all Californians. It was appropriate for the Regents, and in fact their responsibility, to address this wrong. A generation of research had documented the harmful impact of Proposition 209 on people of color and low-income people, and how it had created impediments to accessing higher education. The Regents had studied the matter, knew the effects of Proposition 209, and knew how hard it was for the University to achieve its own ideals with Proposition 209 in place. This was an opportunity for the Regents to right a historic wrong. She urged the Regents to vote unanimously and to put the University on record as supporting the repeal of Proposition 209.

Regent Weddle encouraged the Board to view the endorsement of ACA 5 and the repeal of Proposition 209 as the first of many steps needed to better promote equity within UC. There would be considerable work ahead, including cultivating a campus climate that supports students of color, paying particular attention to the sense of belonging of black and indigenous students. These efforts must include re-envisioning UC's relationship with policing and evaluating how budgetary decisions could better support efforts to dismantle systemic racism. Regent Weddle expressed pride in the Board for taking on the endorsement of ACA 5 and the repeal of Proposition 209. She looked forward to seeing continuing action to promote equity at UC.

Regent-designate Muwwakkil raised the questions of the University's identity and mission. The passage of Proposition 209 had been a blow to the black community. The University and the state had endured harm due to the barriers put in place to block access and integration at all levels of the University. Certain initiatives and programs had improved conditions for black students and faculty, and many of these programs had been well-intentioned and creative; however, while Proposition 209 was in place, these programs were a form of harm mitigation. A color-blind approach to admissions was an ahistorical approach. A lack of diversity harmed the intellectual mission of the University and was immoral. The endorsement of ACA 5 and the repeal of Proposition 209 were the first step in the right direction.

Faculty Representative Bhavnani reported that, on June 9, the Academic Council of the Academic Senate voiced its unanimous support for ACA 5, recognizing that Proposition 209 had had a devastating effect on the University's ability to live up to its mandate. The Academic Council wished to express its support for this motion, even though it did not have a voting representative on the Board. The third-largest employer in a state which was the fifth or sixth largest economy in the world must have a diverse workforce and student body. Repealing Proposition 209 and implementing ACA 5 would allow UC to improve its excellence. Excellence, affordability, and accessibility were three pillars of the University. Excellence would mean that UC had a diverse population representing all its constituencies. The Academic Senate supported ACA 5 and hoped to put an end to the proposition that had permitted racism to expand, so that the University could move forward with excellence.



Chair Pérez quoted Desmond Tutu: “If you are neutral in situations of injustice, you have chosen the side of the oppressor.” This matter was properly before the Regents because it had begun with the Board of Regents and the passage of SP-1 and SP-2, which had been an effort to create divisiveness. This effort went on to express itself in the passage of Proposition 209. Chair Pérez noted that Assemblymember Weber received a Ph.D. in history at UCLA. In her remarks, made during the debate on ACA 5, she stated that her decision to move forward now with an attempt to repeal Proposition 209 was influenced by several visits to UC campuses, and, in particular, by a visit to UC Berkeley. That visit was a hearing by the State Assembly’s Select Committee on Campus Climate. Chair Pérez had founded that Committee in 2014, when he was Assembly Speaker, due to incidents at San Jose State University, where a black student was harassed and tormented by his roommates. Ultimately, in that case, it was the District Attorney and not the campus who took action. The founding of the Select Committee on Campus Climate was also motivated by the “Compton Cookout” event at UC San Diego, which then made it impossible for that campus to attract some of the best and brightest African American students who had been admitted. Racism is real. Racism is deadly and pernicious, but it can also be subtle, taking on subtle forms that well-intentioned people might fail to recognize. This more subtle racism could be found in some student admissions and faculty promotion processes. To take a color-blind approach would not mean that the University was color-blind, but mean that it was blind to the effects of structural racism. If the University was serious about truly serving the public interest, the Regents could not be silent or neutral, but must express their view of the best future for the University and the state.

Regent-designate Stegura recalled that many measures had been implemented following Proposition 209 to achieve more balanced admissions. One such measure was holistic review for admissions. Regent-designate Stegura had read applications for admission under holistic review and felt that this was a poor way to achieve a balance in UC’s student body reflecting the demographics of the state. Many students of color were potential first-generation college students. UC’s mission as a public university was to serve all populations of California. This was not about politics but about taking the right action. She asked the Regents to unanimously support the repeal of Proposition 209.

Regent Lansing expressed enthusiastic support for this motion.

Regent Simmons stressed that UC must continue to oppose racism, oppression, misogyny, and homophobia if it truly wanted to be a public university. The Regents had an opportunity to address institutionalized racism, and a unanimous vote by the Board was important. The University had an effect on generational wealth in ways that other organizations did not, and it could change life trajectories and address inequities. It was time for the repeal of Proposition 209.

Regent Park observed that, while American society has made progress, there was no doubt that the U.S. was still a dramatically unequal society, with egregious examples of individual and systemic racism. One should stop pretending that everyone had access to equal opportunity. Pretending that race, gender, and ethnicity did not matter was a fantasy. The importance of race, gender, and ethnicity was sadly reflected in discrimination and in

lives lost to COVID-19 and police brutality; on the positive side, diversity of race, gender, and ethnicity contributed to the vibrancy of U.S. society and democracy. Repealing Proposition 209 would not address all the problems that needed to be addressed, but supporting the repeal was an important action that the University could take.

Regent Um emphasized that it was important for the Regents to support the repeal of Proposition 209 unanimously. He asked that the Regents, in the event that ACA 5 came before the voters, have this conversation again. It would be important to have the Regents' endorsement at that time.

Regent Kounalakis commented that the outpouring of support from the broader UC community for the repeal of Proposition 209 reflected the fact that this community understood the damaging effect of Proposition 209. The Regents had a role at the time of the passage of Proposition 209. The Regents at that time were aware that systemwide affirmative action policies were effective and had increased the systemwide enrollment of Latino(a), black, and Native American students by about 12 percent. A former Regent had used his status as a Regent to advocate for the elimination of affirmative action policies when he must have been aware of the efficacy of those policies. This fact made it even more important that the Board vote unanimously in favor of the repeal of Proposition 209 and in support of ACA 5. Once the Legislature took action, if ACA 5 was placed on the ballot, there would be a campaign. She urged the Regents and the UC community to work to raise awareness and understanding among the voters of California so that Proposition 209 would be repealed. The Regents' vote would be the first step, and the campaign would be the second step.

Faculty Representative Gauvain urged the Regents to vote unanimously to endorse the repeal of Proposition 209.

Regent Anguiano recalled that Proposition 209 went into effect one year after she had graduated from high school. Since that time, a generation of students had not been able to access the same opportunities as Regent Anguiano. This vote by the Regents would only be the first step in dismantling all the ways systemic and institutionalized racism created impediments and kept communities of color from accessing the University as students, faculty, staff, and leaders. The Regents needed to continue to work to ensure that a UC education is more accessible and affordable to Californians, to truthfully deliver on the promise of inclusivity, and to make UC education possible for all deserving students.

Regent Butler raised the question of how the UC system and the Board of Regents saw themselves. The Regents had shown the courage to move away from the use of standardized testing in admissions. She asked if the Regents now had the courage to reject the racism that was intertwined in the history of this very Board. The comments made during this discussion had shown this to be a Board of courage that could meet this moment. The UC system could again be a leader in the state and the nation. California would be a prominent voice in the national conversation on race and injustice. She referred to Regent Um's comments on getting ahead of the State Senate and stated her view that, in this case, it was the job of the Regents to lead the Senate rather than waiting for a decision by the

Senate. The Regents could help to ensure that the Senate understood that the very body that had helped to create Proposition 209 was now prepared to correct it. Regent Butler asked that the Public Engagement and Development Committee consider how the Regents would use their resources to communicate to the public their position on Proposition 209. This would be a profound demonstration of the Regents' commitment at this time. Chair Pérez stated that he would follow up with the Office of the General Counsel and the Chair of the Public Engagement and Development Committee to see what the University could do as an institution to convey UC's position.

Regent Kieffer noted that some members of the public had not seen the impacts of Proposition 209. Proposition 209 arose in a definite historical context and involved a former Regent. Some people might not understand how the wording of Proposition 209 could have such detrimental effects. Lawyers who study constitutional law and spend time on issues of free speech and discrimination might not find Proposition 209 to be problematic, and find that Proposition 209 seemed to restate the law. Yet there was a larger problem in society that needed to be addressed. Regent Kieffer expressed his support for the motion.

Regent Reilly stated that she was honored to serve on the Board and be able to vote for endorsing the repeal of Proposition 209. This would be a significant and meaningful step.

Staff Advisor Klimow expressed UC staff's support for endorsing the repeal of Proposition 209.

Regent Leib referred to Regent Butler's request and stated that, as Chair of the Public Engagement and Development Committee, he would make this matter a priority for the Committee.

Regent Lansing anticipated that actions by the Regents to promote ACA 5 might be limited as a Board, but that, as individuals, the Regents could do a great deal. This had been the case with past initiatives. This vote was just the beginning; the Regents must work for the passage of ACA 5.

Upon motion duly made and seconded, the Regents voted to endorse the repeal of the provisions of Proposition 209, Regents Anguiano, Butler, Elliott, Estolano, Kieffer, Kounalakis, Lansing, Leib, Makarechian, Napolitano, Ortiz Oakley, Park, Pérez, Reilly, Sherman, Simmons, Sures, Um, and Weddle voting "aye."

Chair Pérez concluded that this was an important day and an important message for the University. This action reflected the Regents' role in making UC a public-serving university.

The meeting adjourned at 10:25 a.m.

Attest:

Secretary and Chief of Staff