

## THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

May 12, 2021

The Regents of the University of California met 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, Cohen, Drake, Elliott, Estolano, Guber, Kounalakis, Lansing, Leib, Mart, Muwwakkil, Ortiz Oakley, Park, Pérez, Reilly, Sherman, Stegura, and Sures

In attendance: Regents-designate Lott, Torres, and Zaragoza, Faculty Representatives Gauvain and Horwitz, Secretary and Chief of Staff Shaw, General Counsel Robinson, Provost Brown, Executive Vice President and Chief Financial Officer Brostrom, Executive Vice President Byington, Executive Vice President and Chief Operating Officer Nava, Chancellors Christ, Gillman, Hawgood, Khosla, Larive, May, Muñoz, Wilcox, and Yang, and Recording Secretary Li

The meeting convened at 8:40 a.m. with Chair Pérez presiding.

Chair Pérez shared a message from Regent Makarechian, who stated that, on March 19, he severely injured his spinal cord in an accidental fall. He underwent an emergency operation at Santa Barbara Cottage Hospital and was transferred to Craig Hospital in Englewood, Colorado, where he hoped to recover some of his body functions that he had lost. Regent Makarechian thanked the Regents, UC leadership, and staff for their well wishes; Vice Chancellor and Chief Executive Officer of UCLA Health John Mazziotta, M.D. and his team for consulting with his family; and Chancellor Hawgood and UCSF Professor and Vice Chairman of Neurological Surgery Geoffrey Manley, M.D. for their recommendations. He hoped to attend meetings in the future and looked forward to continuing his commitment to Governor Newsom, the Board, and the public as he recovered.

### 1. **REMARKS OF THE PRESIDENT OF THE UNIVERSITY**

President Drake began his remarks by acknowledging those graduating from UC this year and praising their resilience. Campuses were considering a more robust return to operations, and California was slowly and safely emerging from the COVID-19 pandemic as well. Among the critical issues that the Regents would discuss at this meeting was a proposed tuition stability plan, which was supposed to be presented in March 2020 but was postponed due to the pandemic. President Drake underscored that no increases were being contemplated or proposed for students entering in fall 2021 or current students. With the proposed plan, UC aimed to ensure that cost is not an obstacle to student success, to help students graduate with as little debt as possible or no debt, and expand UC financial aid. Currently, 56 percent of undergraduate students graduated from UC with no student loans, and the average debt at graduation for those with student loans was significantly below the national average. The proposed plan would also help UC preserve academic excellence and critical support services.

At a time when the nation continued to grapple with police violence, mass shootings, and anti-Asian violence, reimagining campus safety and security remained one of UC's toughest challenges. This summer, the University expected to release its plan, which was developed with input from campus safety task forces, participants of the Campus Safety Symposium, and conversations with staff, faculty, students, and other stakeholders. UC's goal was to create a culture in which all members of the UC community feel safe and respected and are engaged in defining, promoting, and overseeing public safety. Beyond law enforcement, the new approach must be a service-oriented, community-centered model that includes mental health professionals, social service providers, police accountability boards, and others. UC was sharing preliminary drafts with stakeholders and seeking input, and the guidelines released in the summer would be part of an ongoing effort. This year, 2,200 new statutes related to this complex issue were passed across the country.

President Drake addressed the recent Accellion cybersecurity attack on UC, one of approximately 100 organizations that were victims. UC data, including personal information of UC community members, were accessed and stolen, some of which were posted on the internet. He stressed that the University took the privacy and security of its members very seriously. The Accellion system was taken offline when the issue was discovered, the vulnerability was patched, and UC has since decommissioned the system and was transitioning to a more secure solution. The University was offering one year of free credit monitoring to students, faculty, and staff, and was notifying retirees, beneficiaries, student applicants, and participants in UC programs. UC was working internally and with law enforcement to understand the ramifications of the breach and the ways to respond. UC would keep the Board and the UC community informed as the situation evolves.

President Drake shared that this was the last Board meeting for Senior Vice President Holmes, who was retiring, as well as Regents Mart, Muwwakkil, and Stegura, and Staff Advisor Jeffrey, thanking them for their commitment to the University.

## 2. 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. Livia Solari, UC Berkeley student, spoke about item P2, *Advancing Student Mental Health and Well-being with Equity and Inclusion*, and stated that the Thirty Meter Telescope (TMT) project proposed the desecration of a religious site and led to the arrest of 38 Native Hawaiian elders, which had a direct impact on students. When UC uses its influence and resources to colonize indigenous land, a UC degree becomes associated with white supremacy and colonial violence. Funding from the National Science Foundation would not validate the TMT. She called on UC to withdraw from the project immediately.

- B. Alexander Kristoffersen, UC Berkeley student and member of Space Technologies at Cal, expressed support for the development of UC Berkeley's proposed project at Moffett Field, which would drive new innovations in the University's aerospace research. UC students would greatly benefit from this partnership with the NASA's Ames Research Center. He urged the Regents' approval of the project.
- C. Manu Agni, UC San Diego student and Student Body President, spoke in support of item F2(X), *Land Acquisition, Ground Lease, and Space Lease Business Terms for the Public-Private Partnership Development of La Jolla Innovation Center, San Diego Campus*. UCSD Extension provided educational and professional training to the broader San Diego community and would be located at the Center, bringing it closer to campus and making it more accessible.
- D. David Nelson, Director of Public Policy for the Sacramento Asian Pacific Chamber of Commerce, spoke in strong support of UC Davis' Aggie Square project, which would benefit students, be a boon to small business, and support minority communities.
- E. Natalie Logusch, Berkeley resident and tenant of 1921 Walnut Street, urged the Regents to vote against UC Berkeley's 2021 Long Range Development Plan (LRDP) due to the proposed demolition of 1921 Walnut Street, a 112-year-old, rent-controlled apartment building. Ms. Logusch has lived there for over 11 years, and many other tenants have lived there for over 20 years. Instead of evicting tenants and demolishing the building, UC could adhere to its original plan to build student housing around the building or select an alternative site. She invited the Regents to read statements supporting the tenants on the Save 1921 website. Tenants also called for the preservation of People's Park.
- F. Patricia Lock Dawson, Mayor of the City of Riverside, spoke in support of UC Riverside's 2021 LRDP. The campus' growth coincided with the growth of Riverside and the surrounding region. Riverside was proud to see UCR grow in prominence and to see that its students, staff, and faculty reflected the region's diversity. This LRDP could bring an additional 10,000 of the state's best students and attract more renowned faculty to Riverside, creating new opportunities for the city. Riverside was very proud of its long-standing, solid, and storied partnership with UCR.
- G. Mary Walshok, Dean of UCSD Extension, spoke in support of the La Jolla Innovation Center project. UCSD Extension helped build pipeline programs for first-generation and underrepresented pre-college youth, worked with teachers in the surrounding region, and was very active in the San Diego Workforce Partnership. The Center would allow UCSD Extension to expand its work and would serve both academic purposes and the public.
- H. Scott Powell, Executive Vice President of the Greater Sacramento Economic Council, spoke in support of the Aggie Square project. Aggie Square would anchor

the life sciences industry in the Greater Sacramento region; interest from life sciences companies has increased by over 40 percent since the announcement of the project. Aggie Square would diversify and strengthen the regional economy, create more jobs and opportunities, and reduce the region's dependence on government jobs. Phase 1 and Phase 2 of the project had an estimated economic impact of nearly \$5 billion annually and would create and support over 25,000 jobs. Wexford Science + Technology has entered into similar partnerships with the University of Pennsylvania, Brown University, and Duke University.

- I. Giovanni Vassallo, UCSF staff member, commended UC leadership for planning to host an event with the Dalai Lama. He underscored the importance of administrative professionals, who performed essential services and helped UC fulfill its teaching mission. He called on the Regents to end the salary and hiring freezes, and to continue merit increases and review equity for policy-covered staff.
- J. Graci Bebeau, UCLA Santa Monica Medical Center nurse, spoke about staffing issues in the emergency department, which had a high turnover rate and was short-staffed. Longer wait times meant delays in care and treatment, and unnecessary time spent in the emergency room was unsafe for patients. Emergency room nurses and staff were exhausted, and experienced nurses were leaving the department. Aside from patient care, this also affected nurses' ability to improve hospital operations through staff-led committees and Magnet councils. Nurses have experienced retaliation by management for raising concerns about patient care.
- K. Burgundy Fletcher, UCSD graduate student, called on UC San Diego to review its LRDP. Ms. Fletcher's on-campus monthly housing rent was increasing from \$20 to \$40 every year, and 78 percent of her teaching assistant income went toward rent, so she needed to work more. UCSD has disregarded its LRDP, and affordable on-campus student family housing has disappeared. This affected disabled students, student parents and caregivers, student veterans, and students with medical issues.
- L. Tonda Allen, UCI nurse and member of the California Nurses Association (CNA), stated that UC management regarded nurses as heroes while cutting their staffing and resources. Nurses fought for access to personal protective equipment (PPE), access to testing, and safe staffing, and they have seen an increase in unnecessary discipline and contract violations. Nurses demanded safe staffing, workplace protections, and an end to union-busting tactics by UC management.
- M. Todd Schiavo, representative of United Association (UA) Local 447 and the Sacramento-Sierra's Building and Construction Trades Council, expressed strong support for the Aggie Square project, which would cultivate career opportunities and have a positive, life-changing impact on the community. The project's innovative and comprehensive workforce training programs would give workers the skills needed to work on the project, and Aggie Square would create industry partners on-site. He urged the Regents to approve the project.

- N. Sara Cosgrove, UC Davis Medical Center nurse, spoke about safe staffing issues across the hospital that she observed as a float nurse. Nurses were working without break relief, given assignments with an unsafe level of acuity, and denied COVID-19 leave. The burden has been on nurses to address staffing concerns and patient safety. She asked the Regents to push UC leadership to take more accountability regarding proper staffing, which included consistent break coverage, mental health workers, and support on high-acuity floors.
- O. Mitchell Bechtel, representative of Iron Workers Local 118 and the Sacramento-Sierra's Building and Construction Trades Council, urged the Regents to approve the additional funding for the Aggie Square project, which would provide about 7,000 construction jobs and \$3 billion to \$5 billion annually to the regional economy. Continued and open discourse among UC Davis and the City of Sacramento, developers, and community participants has resulted in community input and tangible changes. The housing component of the project was a product of the partnership. The project would create a workforce training program and be an economic boon to the region while serving as a vehicle for upward mobility.
- P. Paul Wallace, Berkeley resident and tenant of 1921 Walnut Street, spoke in opposition to the demolition of the 112-year-old building, the eviction of its tenants, some of whom have lived there for over 25 years, and the elimination of rent-controlled housing stock. The tenants' supporters included Berkeley Mayor Jesse Arreguin, the Berkeley City Council, the Berkeley Rent Stabilization Board, the Berkeley Heritage Association, the Associated Students of UC, the Sierra Club, and many others. Instead of demolishing 1921 Walnut Street, UC could add another floor to an existing building, move 1921 Walnut Street to another site, or build housing elsewhere.
- Q. Jeffrey Chau, UCSC student, spoke in opposition to the TMT project, which harmed indigenous people, the mental health of indigenous students, and UC's reputation. The Board was financially contradicting its responsibility for the education and well-being of UC students and actively destroying indigenous cultures. The project's estimated construction costs increased from \$1.4 billion to \$2.4 billion because of delays. UC refused to acknowledge the sunk cost fallacy and must withdraw from the project.
- R. Kymberley Chu, UC Davis student, spoke in opposition to the proposed cohort tuition model. Tuition increases could worsen social, economic, and racial inequities and might drive students away from UC to other institutions, disproportionately affecting students of color and low-income students. Some students were excluded from financial aid because of Cal Grant and Pell Grant eligibility. She urged the Regents to review and amend UC's residency policy before enacting a tuition model.
- S. Lisa Teague, disabled Berkeley resident, urged the Regents to preserve People's Park. Ms. Teague became homeless in 2009 and found affordable housing in

2011 near People's Park, a City of Berkeley–designated landmark since 1984 that should not be razed for for-profit student housing. People's Park was 2.8 acres of biodiverse land.

- T. Gillian Bogart, UCSC graduate student and student parent, shared the importance of Early Education Services (EES) for herself and her child. The subsidized care and Title V program at EES made it possible for student parents to afford high-quality childcare with well-trained staff. A privatized childcare program would be more expensive, make UC less available to student parents, and create a difficult situation for students and their children, who would be confused and overwhelmed by the new childcare program.
- U. Alejandra Muñoz, UCSD Health staff member and member of Teamsters Local 2010, shared that she received a below-median salary for her Administrative Officer 2 (AO2) position despite many years of service and the nature of the work. More than 80 percent of AO2 staff were paid below the median of their salary ranges, which were well below market pay rates. AO2 staff sought fair pay and respect at the bargaining table.
- V. Paulette Carney, UCSC EES staff member, stated that the private, for-profit childcare provider Bright Horizons would not be required to meet Title V requirements of stricter adult-child ratios and staff qualifications. Bright Horizons charged an average of \$2,000 per month; student parents currently received childcare subsidies, which allowed them to focus on their education. EES staff would be eliminated. She asked that UCSC childcare be added to the next agenda to reconsider the operational fees of the Bright Horizons contract.
- W. Simelia Rogers, UCSC student, shared that there was widespread student opposition to recent revisions of the University Police Policies and Administrative Procedures (Gold Book). Conversations with President Drake and other UC administrators showed an opposite reaction to policing reform strategy. These revisions were a systemwide attempt to penalize students for political behavior.
- X. Audrey Dow, Senior Vice President of the Campaign for College Opportunity, urged UC to adopt an admissions guarantee that included a geographic preference. Eligibility in the Local Context (ELC) defined eligibility but was not an admissions guarantee. Most ELC students admitted to UC were not admitted to their campus of choice. When the ELC requirement had been for the top four percent of students, more UC campuses admitted ELC students. The Campaign for College Opportunity recommended that UC guarantee that the top four percent of students from every California high school be admitted to their UC campus of choice, require all campuses to participate in ELC, and give students in the top nine percent a guarantee or preference for the campus closest to them.
- Y. James Tur, UC Davis Medical Center resident, stated that UC Davis residents have been in labor contract negotiations for over one year. UC Davis residents worked

80 hours per week or more, and it was grossly negligent that UC Davis administrators and management ignored residents' requests for parity with other UC colleagues and have not addressed rising housing costs. He asked that the Regents push UC Davis to provide its residents with a fair contract.

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

Chair Pérez announced that this was his last meeting as Chair of the Board and thanked the Regents, President Emerita Napolitano, President Drake, and the staff at the Office of the President (UCOP). He commended the inclusive and transparent nature of the UC Presidential search process, as well as the smooth transition despite the COVID-19 pandemic. He thanked Secretary and Chief of Staff Shaw and her staff for keeping the Board and the public informed, and for ensuring that the public's voices were heard in light of the transition to online Regents meetings. Chair Pérez thanked UC faculty, staff, students, and alumni, who generously answered his questions and shared information and opinions. He thanked the chancellors, campus leadership, Executive Vice President Byington, and medical staff. At beginning of his term, Chair Pérez asked how UC, a system of such excellence, could be even better, and he was proud of UC's forward movement. During his time on the Board, UC hired people of color and women to fill various leadership positions, some for the first time in the University's history. UC made sure that any bias against race or gender did not become an obstacle to making the best hiring choice that also reflected the diversity of the state. Noting his past experience in the labor movement, Chair Pérez acknowledged the hard work of unions and management in resolving several long-standing labor disputes. As the second openly LGBTQ Regent appointed by the Governor, he praised UC for providing gender and lived name options on UC documents. He would continue working to ensure that no one would have to surrender their dignity to receive health care. Chair Pérez also believed that the proposed cohort-based tuition model, in conjunction with Pell Grant and Cal Grant reform, should make UC more affordable and allow a pathway to debt-free education. He also called attention to UC's elimination of the SAT in admissions; its strong defense of the Deferred Action for Childhood Arrivals program and push for further immigration reform; and efforts to repeal Proposition 209. Becoming a more perfect UC must be a constant aspiration. It ensures greater demographic, geographic, and economic representation on all campuses; strengthens its partnership with the Capitol and campus communities; builds on shared governance and empowers its ten distinct campuses and their chancellors; and is an elite university without elitist barriers. He committed his strong support for the incoming Chair.

Later in the meeting, the Public Engagement and Development Committee would be speaking with State Senator Monique Limon, a UC alumna, former staff member, and champion of student basic needs. The Governance Committee would be considering actions recommended by the Regents Working Group on Innovation Transfer and Entrepreneurship. A cohort-based tuition model would be presented for the Regents' consideration and discussion. Tuition models had been discussed in November 2019 and January 2020, but action had been deferred due to the onset of the pandemic. No action would be taken at this meeting. Senior Vice President Holmes was retiring, and this was the last full Regents meeting for Staff Advisor Ann Jeffrey and Regents Mart, Muwakkil,

and Stegura. He thanked Ms. Holmes, Ms. Jeffrey, and these Regents for their service. Chair Pérez noted the passing of Regent Emeritus Bruce Varner and Chancellor Emerita Maryanne Fox of UC San Diego. He asked that the meeting be adjourned in the memory of California Supreme Court Justice Cruz Reynoso.

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

Faculty Representative Gauvain stated that she and Faculty Representative Horwitz developed recommendations for campus reopening after consulting faculty, students, and staff. These recommendations were based on the principle of shared governance, whereby faculty should be consulted regarding education decisions, and they were flexible, given differences among the campuses. First, faculty, students, and staff should remain involved in fall term planning. Second, given the substantial time and effort by faculty and instructors to adapt courses for remote instruction, options for mode of instruction should be limited in the fall, and the default mode of instruction should be in-person, since UC was an in-person institution and returning to normal operations. Flexibility was necessary, as in-person instruction could not always be accommodated, but the use of multiple modes of instruction was time-consuming and stressful for instructors. Latitude should be given to faculty, students, and staff who were hesitant to return to campus, but such latitude should not be extended beyond the fall term without serious discussion. Removing faculty and instructors' ability to choose the mode of instruction, their lectures, and their assignments would be a violation of academic freedom. Students or administrators might request flexibility in terms of mode of instruction, but UC must not make a decision that would lower stress for one group while increasing stress for others. Third, laboratories, performance spaces, and other research areas should be reopened sooner than the fall. Research suffered dramatically during the pandemic, and full recovery would take years. UC must not prioritize some types of research over others. Vaccines and the poetry of Amanda Gorman were the products of different but important types of research. Fourth, in light of classroom disruptions that might hamper a successful campus reopening, there ought to be campus-wide policies that included a code of conduct, clear expectations about the use of non-pharmaceutical interventions, and the consequences of non-adherence. Enforcement should not fall on faculty, staff, and students. The Academic Senate was conducting a survey on remote instruction among faculty and instructors and would report on its findings. With regard to student mental health, professional help was critical, but many students did not seek help, instead reaching out to their community, family, and friends. Faculty reported that requests for more time or extra help increased over the last year. Students were confiding in or appealing for help from their instructors, who found resources or sought out professionals, but they were concerned that their support was insufficient. This high level of ongoing need has been overwhelming. Ms. Gauvain reiterated the need for careful planning that included faculty, students, and staff.



The meeting adjourned at 9:55 p.m.

Attest:

The Secretary and Chief of Staff