

## THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

September 29, 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 Cohen, Drake, Elliott, Estolano, Guber, Hernandez, Kounalakis, Lansing, Leib, Lott, Makarechian, Park, Reilly, Sherman, Torres, and Zaragoza

In attendance: Regents-designate Blas Pedral, Pouchot, and Timmons, Faculty Representatives Horwitz and Cochran, Secretary and Chief of Staff Shaw, General Counsel Robinson, Executive Vice President and Chief Financial Officer Brostrom, Executive Vice President Byington, Executive Vice President and Chief Operating Officer Nava, Chancellors Block, Christ, Gillman, Hawgood, Khosla, Larive, May, Muñoz, Wilcox, and Yang, and Recording Secretary Li

The meeting convened at 8:35 a.m. with Chair Estolano presiding.

### 1. PUBLIC COMMENT

Chair Estolano 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. Jesse Arreguin, Mayor of the City of Berkeley, urged the Regents' support of Housing Project #2. People's Park needed a vision that would honor its rich history, address current challenges, and preserve what the community had created. UC Berkeley had the fewest beds per student at UC, and Housing Project #2 would add 1,100 beds within blocks of campus. Mr. Arreguin was particularly excited about housing for those sheltering at People's Park. He thanked Chancellor Christ for her commitment to working with Berkeley to address the housing needs of students and the unhoused, such as hiring a social worker to connect the unhoused to services. The project had broad support from elected officials and residents.
- B. Rigel Robinson, UC Berkeley alumnus and Berkeley City Councilmember, urged approval of Housing Project #2. Neighbors, students, parents, alumni, and the Telegraph Business Improvement District supported the plan, which provided an opportunity to right past wrongs, provide meaningful assistance to vulnerable populations, and honor the legacy of People's Park. The shortage of student housing was contributing to gentrification in Berkeley, and the proposed state-of-the-art center would help the City meet its goal of housing over 1,000 unhoused residents.
- C. Kristen Barneich, parent of a UC Berkeley student, urged approval of Housing Project #2. Ms. Barneich's daughter lived near People's Park, and she was worried

about her safety. She shared her experience as Arroyo Grande City Councilmember and homeless advocate and volunteer. UC Berkeley has committed publicly that it would proceed with construction only after a plan to provide shelter and services was in place, and UC Berkeley's social worker has already found housing for 80 people living at People's Park.

- D. Ryan Coonerty, Santa Cruz County Supervisor, former Mayor of the City of Santa Cruz, and UCSC lecturer, urged Regents not to approve the UCSC 2021 Long Range Development Plan (LRDP) unless enrollment growth was tied to providing necessary infrastructure, particularly housing, while mitigating impacts to water and traffic. Housing and infrastructure projects proposed in previous LRDPs never materialized, putting students in one of most expensive housing markets in the world. Many of his students experienced food and housing insecurity. He called for a plan that would foster student success, reduce community impact, and create a viable place for faculty and staff to raise the next generation of UCSC students.
- E. Joaquina Scott Kankam cautioned that policies created by universities and other youth-serving organizations that only focus what the law mandates would lead to litigation and negative publicity. She stated that there was currently one federal law related to child abuse and neglect that required adults without criminal records to report abuse. She cited the USA Gymnastics abuse case, as well as a \$2 million settlement in 2020 for the family of a student kidnapped and killed by a college security officer, as examples. Ms. Scott Kankam shared her experience in youth protection compliance at a land grant university and the limits of existing policies.
- F. Ethan Moos, UC Santa Barbara student, called for robust investment in faculty and infrastructure. Between 2014 and 2020, undergraduate enrollment at UC grew by 18,882 students, but the University did not have the capacity to meet the needs of current students, let alone new students. Infrastructure and faculty have not been expanded to keep pace with the growth of the student body. One survey found that 22 percent of new generation students were dissatisfied with their experience, and 36 percent did not have professors from whom they could request letters of recommendation. These issues reflected a much broader capacity issue systemwide.
- G. Jade Francis, UC Irvine Medical Center nurse and union representative for the California Nurses Association (CNA), called for better treatment of nurses, who had difficulty providing adequate care to patients due to time constraints, workload, and unexpected changes in patient condition. Nurses sought better staffing, break and meal relief coverage, and relief from other deficiencies. They were often overextended and had difficulty maintaining their own physical and emotional well-being while maintaining the energy to champion the health of their patients.
- H. Catherine Cobb, President of Teamsters Local 2010, called on the University to fairly bargain a successor contract for CX-Unit workers. She stated that, despite receiving federal stimulus and having reserves, UC chose to lay off some of its lowest-paid staff and to raise tuition during a pandemic. The University has long

imposed austerity and costs on those least able to afford them. The union sought fair raises, benefits, and working conditions for CX-Unit workers.

- I. Martin Hernandez, UC Irvine central plant staff member and member of Teamsters Local 2010, called for an increase in wages for skilled trades workers, which he stated were so low that five staff members and one supervisor quit. His department was so short-staffed that evening shifts were staffed by two workers instead of the required three, which has caused issues like flooding in one building on campus. Mr. Hernandez stated that UCI paid lowest for skilled trades jobs of any UC campus.
- J. Kathryn Lybarger, President of American Federation of State, County and Municipal Employees (AFSCME) 3299, called on UC to hire outsourced workers as employees. She stated that it took State legislative action to compel UC to negotiate an end to outsourcing. There were 400 outsourced medical center workers who qualified for UC employment after working much more than the minimum of 1,000 hours caring for patients, cooking, cleaning, and sanitizing medical facilities in the last year. They worked without health care or wage and benefit parity.
- K. Matthew Waxman, former UCSC Alumni Councilmember, spoke against approval of the UCSC 2021 LRDP and urged that it be revised. He stated that the LRDP did not evaluate how the campus could grow incrementally and that the ratio of faculty and staff to students would change. Under the LRDP, transfer students would be separated from the rest of the colleges, there would be no habitat conservation plan, and a road would run through the Great Meadow to a parking lot.
- L. Crystal Petrini, Chair of the Council of UC Staff Assemblies (CUCSA), asked that staff be allowed to work remotely if their job duties did not require them to be on site and called for a mediation process regarding remote work. Despite leadership public support of work-from-home flexibility, employees were reporting that their requests for flexibility were being rejected, which affected retention. According to the last staff engagement survey, almost half of staff were already considering leaving UC. Flexible work improved staff productivity and benefitted the environment, but some managers wished to return to a pre-pandemic norm, leaving staff feeling unvalued and disposable.
- M. Ailyn Palancares, UC Merced student and External Vice President of the Associated Students of UC Merced, expressed concerns about the UCM campus reopening plan. COVID-19 cases were rising, but there was no mitigation plan. She called for stricter systemwide regulations regarding COVID-19.
- N. Lou Pambianco, Chair and Chief Executive Officer of Startup Sandbox, shared Startup Sandbox's efforts to support innovation and entrepreneurship at UCSC. So far, Startup Sandbox has taken ten companies from technical validation to the commercial markets, and nine chose to be headquartered in Santa Cruz, which was driving economic growth in the region.

- O. Morgan Bostic, representative from the Santa Cruz City-County Task Force on UCSC Growth Plans, expressed disappointment in and concerns about the 2021 LRDP and Environmental Impact Report (EIR). She stated that the proposed 44 percent enrollment increase has not been tied to an increase in on-campus housing and that UCSC has not adequately studied the resulting environmental impacts. Given the severity of the housing crisis, scarcity of natural resources, and potential for significant environmental degradation, the Task Force urged the Regents not to approve the LRDP and EIR, and asked for thorough review of environmental impacts identified in a letter submitted to the Regents.
- P. Jennifer Block, representative of the First Church of Christ, Scientist in Berkeley, joined other faith communities in support of Housing Project #2. The church was located across the street from People's Park. The proposed 1,100 housing units for students and 110 supportive housing units for low-income and formerly homeless people would help address the serious lack of housing for these groups. Transforming People's Park would lead to a reduction in vandalism, the destruction of property, and assaults, and the needs of the homeless would be met.
- Q. Joe Liesner spoke in opposition to Housing Project #2. He stated that attorney Thomas Lippe submitted a document indicating new environmental impacts that challenged the UCB 2021 LRDP's EIR. He stated that the project would destroy an important cultural resource and endanger architecturally significant properties, and that there was no assurance that those sheltering at People's Park would be housed. Mr. Liesner added that \$23 million would be available for clearing the area and litigation costs and that the project would total more than \$1 billion.
- R. Sandy Brown, Santa Cruz City Councilmember, spoke in opposition to the UCSC 2021 LRDP and the certification of the EIR. She and other members of the Santa Cruz City-County Task Force on UCSC Growth Plans submitted their concerns in a separate document to the Regents. A 44 percent growth in enrollment without legally binding commitments to house additional students or mitigate impacts on water, traffic, wildfire risk, greenhouse gas emissions, and other resources would have a profound effect on Santa Cruz residents and additional students.
- S. Elise Bell, UCLA lecturer and member of University Council-American Federation of Teachers (AFT), called on President Drake and the Regents to settle the labor contract with UC-AFT. The uncertainty of the rehiring process at UCLA nearly prompted her to leave academia, but her union membership helped her stay. Ms. Bell stated that she had to reapply for her job every year and that black and brown women faculty were disadvantaged by this system. She called for performance reviews and merit-based retention from the first year of employment, adding that it was her intention to strike.
- T. Manuel Buenrostro, UC Berkeley alumnus and former Student Body President, spoke in strong support of Housing Project #2, which he stated would provide housing and services to both students and the unhoused community while

preserving the spirit of People's Park. In line with UC Berkeley's spirit of community service, students would be able to interact with community members. He thanked Chancellor Christ, Mr. Arreguin, the Berkeley City Council, and other leaders, and he asked the Regents to approve the project.

- U. Michael Castello, UC San Diego resident physician, spoke about contract negotiations between UC and the Committee of Interns and Residents/Service Employee International Union (CIR/SEIU). Resident physicians, who worked tirelessly during the COVID-19 pandemic with few resources and little support, were being told that their contract could not be competitive like those at UCLA or UCI because San Diego was in a rural area, but the cost of living in San Diego was not reflective of a rural city. In order to recruit and retain the best physicians, he asked that the Regents work with the San Diego campus in order to bring forth a fair offer for resident physicians.
- V. Elizabeth Jones, UCSD Nurse and CNA member, spoke about working conditions for nurses. She stated that nurses were exhausted, suffered abuse from their employer, and received no stimulus or hazard pay despite the ongoing threat of COVID-19. The hospital was trying to return to normal surgery scheduling with fewer resources and staffing shortages, and nurses were being asked to return to work during days off or to work overtime. Nurses were not being provided with the group of float nurses that they were promised, and patients were being downgraded quickly to maintain ratios while their true acuity was not being considered.
- W. Max Ventura, representative of the People's Park Council, spoke in opposition to Housing Project #2. Ms. Ventura stated that demolition of People's Park was reckless and would face continued resistance. She added that UC was being irresponsible with money from students, parents, the State, and the federal government. People's Park was 2.8 acres of greenery that provided a calming effect in an increasingly dense neighborhood and a habitat for wildlife.
- X. Justin Cummings, Santa Cruz City Councilmember, spoke in opposition to the approval of the UCSC 2021 LRDP and asked that the EIR be revised. He and other members of the Santa Cruz City-County Task Force on UCSC Growth Plans submitted their concerns in a separate document to the Regents. A 44 percent growth in enrollment without legally binding commitments to house additional students or mitigate impacts on water, traffic, wildlife, wildfire risk, greenhouse gas emissions, and other resources would have a profound effect on Santa Cruz residents and additional students. He stated that the EIR did not propose all feasible mitigation measures to reduce impacts to a less significant level.
- Y. Colleen Jaurretche, UCLA lecturer, spoke about merit-based pay for lecturers. She had taught at UCLA for a total of nearly 15 years and was paid about \$67,000 per year. In order to live in the Los Angeles metropolitan area, Ms. Jaurretche needed a second job, which had taken a toll on her health and teaching ability. She was

astounded by the disjunction between her training, publications, and teaching record and how UCLA chose to recognize her labor.

- Z. Kiran Favre, UCSC student, spoke in opposition to the UCSC 2021 LRDP. She stated that the plan lacked innovation that would ensure the campus' sustainability. UCSC had failed to reach UC's zero waste goals by 2020. She called on the Regents to hold each campus accountable for its sustainability goals, and that the LRDP be revised to reflect the current climate reality.
- AA. Dennis McIver, Chair-Elect of CUCSA, asked that staff be allowed to work remotely if their job duties did not require them to be on site and called for a mediation process regarding remote work. Despite leadership public support of work-from-home flexibility, employees were reporting that their requests for flexibility were being rejected, which affected retention. According to the last staff engagement survey, almost half of staff were already considering leaving UC. Flexible work improved staff productivity and benefitted the environment, but some managers wished to return to a pre-pandemic norm, leaving staff feeling frustrated, unvalued, and disposable.
- BB. Carrie Kilfoil, UCSD lecturer, called on President Drake and the Regents to settle the contract with UC-AFT lecturers and agree to standards of employment common to higher education throughout the state. She stated that courses like hers provided an intellectual foundation for at-risk students and were important to retention. Students deserved experienced teachers who were compensated fairly and who could dedicate themselves to their campus communities because they felt secure in their position, but UC was treating teaching faculty like temporary workers. Ms. Kilfoil called for performance reviews and reemployment preferences for lecturers, adding that she would strike if she did not see a contract that provided true job stability.

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

Chair Estolano began her remarks by thanking all who participated in the recent Regents meeting on the state of the University, which she stated was very strong. Information and interest generated by the 2021 Wildfire Symposium Series, which was attended by U.S. Representative Zoe Lofgren, State Assemblymember Richard Bloom, State Insurance Commissioner Ricardo Lara, and Secretary of the California Department of Food and Agriculture Karen Ross, demonstrated the importance of UC scholarship and leadership when addressing climate change. In October, UC Merced would be hosting the Global Climate Leadership Council, which aimed to integrate carbon neutrality and sustainability goals into UC's teaching, research, and public service mission. These activities represented the University's strengths and helped expand excellence, promote equity, and maintain a sense of urgency in order to develop innovative solutions to challenges.

Chair Estolano welcomed Regent Hernandez, who earned his master's degree in Electronics Engineering, Signals and Systems from UC Santa Barbara and held several

positions at Lawrence Livermore National Laboratory. Regent Hernandez was committed to helping students in science, technology, engineering, and mathematics (STEM) disciplines. Chair Estolano welcomed Faculty Representative Cochran, Professor of Epidemiology at UCLA. She looked forward to working with Ms. Cochran. Regent Butler was departing from her role on the Board, having accepted a new position in Washington, D.C. Chair Estolano praised Regent Butler's advocacy of students and staff, particularly with regard to basic needs.

At this meeting, State Senate Majority Leader Robert Hertzberg would be speaking at the Public Engagement and Development Committee meeting, and Regent Emerita Monica Lozano would be addressing the Board on the Governor's Recovery with Equity Taskforce report. Chancellors Muñoz and Christ would be reporting to the Board on the campus reopening experience at UC Merced and UC Berkeley, respectively.

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

President Drake began his remarks by welcoming students, faculty, and staff who were physically returning to the campuses. He recalled the positivity of in-person engagement he felt during recent visits to UCLA and the UC Davis Health campus in Sacramento, where he met with leadership and frontline healthcare workers. Although the COVID-19 pandemic was not over, he was encouraged by and proud of how the UC community cared for each other. Masks, vaccines, physical distancing, testing, and other steps were well worth the outcome. President Drake joined Chair Estolano in welcoming Regent Hernandez, former National Aeronautics and Space Administration (NASA) astronaut and legislative analyst. He also bade farewell and expressed his gratitude to Regent Butler, who had left the Board to serve as the next president of Emily's List. President Drake recognized Regent Butler's advocacy of equity and student success. He also welcomed Faculty Representative Cochran and the value and experience she would bring.

State Senate Majority Leader Robert Hertzberg would be speaking at the Public Engagement and Development Committee meeting. Mr. Hertzberg was a long-time public servant since 1996 and both a steadfast supporter of the University and a champion for education. The Board would hear a presentation on growing student capacity. Over the years, the demand for and value of a UC education has grown, and enrollment growth was a key priority and essential to the future of the University and the state. He and the chancellors were creating plans for strategic, organic growth that was appropriate for each location and maintained UC's academic and research excellence. This included growing and diversifying the University's faculty ranks.

President Drake congratulated the UC community on recent honors. *Forbes* named UC Berkeley the best university overall in the U.S., the first time a public university has been ranked at the top of this list. Five other campuses ranked in the top 50. *U.S. News and World Report* ranked UCLA the number one public university in the country, with UC Berkeley ranked number two. Six campuses were among the top ten, and all nine undergraduate campuses were within the top 50. *INSIGHT into Diversity* awarded UC with a 2021 Higher Education Excellence in Diversity Award, which recognized UC's focus on

recruiting and retaining diverse students and staff and support for diversity and inclusion efforts by UC leaders. UC was one of five winners of a Green Power Leadership Award from the U.S. Environmental Protection Agency for accelerating its transition to clean energy. UC Irvine, UC Berkeley, and UC Merced were among the campuses that made the Sierra Club's 2021 "Cool Schools" list. Professor Safiya Noble of UCLA, whose scholarship focused on digital technology and race, gender, culture, and power, was awarded a MacArthur Fellowship. These recognitions demonstrated UC's dedication to being the best in academic quality, access, diversity, and sustainability.

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

Faculty Representative Horwitz welcomed Faculty Representative Cochran and shared that Ms. Cochran was a professor in the Department of Statistics at UCLA. He noted the positive impact that returning to campus had on both students and faculty. He commended the Regents for approving the cohort-based tuition model, and he hoped that the steeply progressive nature of the plan would alleviate some Regents' concerns. The plan would provide certainty to families and much-needed funds to campuses, which were still recovering from the Great Recession. UC must remain excellent to continue to have an impact on socioeconomic mobility, the state, and the world, but its success had fragile underpinnings. It was becoming more difficult to be a UC professor. Fewer staff directly supported the academic mission, and increased workloads were exacerbated by the COVID-19 pandemic. Faculty salaries were not competitive, making it more difficult for younger faculty, who were often more diverse, to join the University. UC's financial accounting software made accessing grant data difficult, taking time away from research, and affected retirees as well. External websites facilitating academic dishonesty, which has worsened during the pandemic, undermined the integrity of a UC degree, and unprepared graduates affected California industry. He cautioned those who supported remote instruction to consider these issues seriously. Problems that affect the relationship between teaching and research could pose a long-term threat to UC if they result in faculty departures, which have grown modestly in recent years. Money, support, and wisdom were needed to maintain a great research university. Mr. Horwitz praised Chair Estolano for calling for safeguarding the excellence of UC and for stressing the importance of graduate education in her inaugural remarks. Graduate students, central to UC's mission and increasingly diverse, would become professionals in California and throughout the country. UC was working to diversify its faculty through faculty recruitment and supporting graduate education and programs such as the President's Postdoctoral Fellowship Program. The Academic Senate would work to ensure the excellence of the University through shared governance.

The meeting adjourned at 9:40 a.m.

Attest:

The Secretary and Chief of Staff