

The Regents of the University of California

ACADEMIC AND STUDENT AFFAIRS COMMITTEE

November 16, 2022

The Academic and Student Affairs Committee met on the above date at UCSF-Mission Bay Conference Center, San Francisco campus and by teleconference meeting conducted in accordance with California Government Code §§ 11133.

Members present: Regents Anguiano, Batchlor, Blas Pedral, Elliott, Hernandez, Park, and Timmons; Advisory members Steintrager and Tesfai; Chancellors Christ, Larive, and Wilcox; Staff Advisor Lakireddy

In attendance: Faculty Representative Cochran, Regents Analyst Sheridan, General Counsel Robinson, Provost Brown, Vice Presidents Brown and Gullatt, and Recording Secretary Li

The meeting convened at 1:40 p.m. with Committee Chair Park presiding.

Committee Chair Park acknowledged that this was the last Committee meeting for Provost Brown.

1. APPROVAL OF MINUTES OF PREVIOUS MEETING

Upon motion duly made and seconded, the minutes of the meeting of September 21, 2022 were approved, Regents Anguiano, Batchlor, Blas Pedral, Elliott, Hernandez, Park, and Timmons voting “aye.”¹

2. AMENDMENT OF REGENTS POLICY 3105: REGENTS POLICY ON RESIDENCY AND PAYMENT OR WAIVER OF TUITION, NON-RESIDENT SUPPLEMENTAL TUITION AND MANDATORY SYSTEMWIDE FEES

The President of the University recommended that the Regents amend Regents Policy 3105: Regents Policy on Residency and Payment or Waiver of Tuition, Non-Resident Supplemental Tuition and Mandatory Systemwide Fees as shown in Attachment 1.

[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.]

Provost Brown stated that this action would amend Regents Policy 3105, Regents Policy on Residency and Payment or Waiver of Tuition, Non-Resident Supplemental Tuition and Mandatory Systemwide Fees, to align with new State and federal law. The amendment also sought to clarify policy intent.

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

Executive Director of Student Financial Support Shawn Brick explained that only California resident students received the benefits of State investment in the University and were therefore not charged with Nonresident Supplemental Tuition (NRST). Residents alone qualified for the State's and UC's need-based financial aid programs, and only residents qualified for guaranteed admission to UC under the California Master Plan for Higher Education. Current UC residence policy required a demonstration of physical presence in California and the intent to make the state one's permanent home and was consistent with State requirements. For most undergraduate students, presence and intent of both student and parents were considered. Special circumstances and exemptions in Regents policy also matched those of State law. The UC Resident Policy and Guidelines, issued by the Office of the President (UCOP) every year, included deadlines and other details. Regents Policy 3105 was revised and renamed in 2018; changes included updating the definition of "independent student," to match that of federal financial aid rules. UCOP convened residence deputies on a monthly basis to answer questions and ensure that campus practices were aligned.

To align Regents Policy 3105 with State law, the proposed changes would no longer permit UC to hold student records for nonpayment, would remove the term "active duty" from the policy, and would add to the list of students exempted from tuition and the Student Services Fee those students who were survivors of healthcare workers who died from COVID-19. To align with the 2022 National Defense Authorization Act, benefits afforded to military veterans would be extended to those in the Foreign Service. Although the relevant federal law would not take effect until 2024, UCOP believed that the University could implement this change sooner and was recommending that it be effective in the next academic year. Advocates had asked UC to make this change in the past, arguing that Foreign Service officers did not have a "home state" while performing their service, but UC felt it was more appropriate for the U.S. Congress to determine such qualifications.

The University has seen a rise in one parent moving to California while retaining out-of-state residence and paying no California income taxes, a trend observed among a number of selective public universities across the country. The proposed amendment would clarify UC's existing policy of deeming families as nonresident when one of two married parents resides out of state. UC wished to convey its expectation that both parents reside in California to demonstrate intent. It would not change the residency determination for students with single, legally separated, or divorced parents. The proposed amendment would also correct a drafting error from the 2018 revision of Regents Policy 3105 so that out-of-state and National Laboratories employees would be subject to the same standards.

Provost Brown noted that, if approved, UCOP would work with the campuses to ensure that current and future students would be notified about the changes to Regents policy.

Regent Hernandez asked if the amendment had a fiscal impact. Mr. Brick replied that most of the changes being recommended would not have a fiscal impact. The only change that might have a fiscal impact is the early implementation of extending benefits to Foreign Service officers. According to the campuses, there might be several current students who

would fall under this category. Mr. Brick estimated that, with five students, there could be an expense of under \$200,000 in one year.

Regent Blas Pedral asked for the estimated number of students who were survivors of healthcare workers who died of COVID-19. Mr. Brick replied that UC did not have an estimate of the number of survivors of healthcare workers who died of COVID-19. The University did offer the Alan Pattee Scholarship to students whose parents died in the line of duty as firefighters and police officers.

Regent Blas Pedral asked how these potential changes were being communicated to students. Mr. Brick responded that UCOP would update its materials online and would work with campus colleagues to spread this information to current students.

Regent-designate Tesfai asked if the student records that could no longer be held for nonpayment included transcripts and diplomas, and if there were types of debt exempt from this policy change. Mr. Brick stated that he would return to the Regents regarding diplomas after reviewing the legislation. He believed that the University would not be able to withhold transcripts for any form of debt.

Chair Park asked if the amendment would subject any current students who enrolled as resident students to nonresident tuition. Mr. Brick responded in the negative. UC was presently denying California residency status to those students who had not severed ties with their previous states of residence. The change was not meant to result in different decisions, but rather to better convey UC's current practice to new students.

Chair Park asked if the campuses applied this policy. Mr. Brick responded in the affirmative. Chair Park asked if there would be uniform application of the policy. Mr. Brick responded in the affirmative. UCOP was meeting monthly with residence deputies and had begun centralizing some decision making so that information could be disseminated to students earlier.

Upon motion duly made and seconded, the Committee approved the President's recommendation and voted to present it to the Board, Regents Anguiano, Batchlor, Blas Pedral, Hernandez, Park, and Timmons voting "aye."

3. **ACHIEVING THE ACADEMIC MISSION: ACADEMIC SENATE SURVEY OF UNIVERSITY OF CALIFORNIA FACULTY AND INSTRUCTORS AND THE CONTINUING IMPACT OF THE PANDEMIC IN THE 2021-22 ACADEMIC YEAR**

[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.]

Provost Brown introduced the item. The effects of the COVID-19 pandemic on students, faculty, and staff were likely to persist for an unknown period of time. To track the effects

of the pandemic on teaching, learning, and research environment at UC, the Academic Senate conducted a third systemwide survey of faculty and instructors in spring 2022.

Faculty Representative Cochran began her remarks by noting how much change occurred in the 2021–22 academic year. Campus attempts to return to in-person instruction were truncated in the fall term as COVID-19 cases rose, and the winter term began remotely but later transitioned to in-person instruction. This third survey focused on how faculty, instructors, and students were coping with the pandemic and what lessons faculty learned from the remote teaching experience. How the survey link was shared was not tracked to protect the anonymity of respondents, so the response rate was not known. The more than 2,300 faculty and instructors who participated in the survey came from all nine undergraduate campuses and represented all ranks. The survey's low number of responses could be attributed to faculty exhaustion at the end of the spring quarter and the number of surveys being sent to faculty by researchers nationwide.

Last year, 71 percent of instructors taught both in-person and remote courses. Courses could also be taught in a hybrid modality; in true hybrid modality, the course is taught in person and remotely at the same time, and, in sequential hybrid modality, the course is taught in person or remotely at different times. Thirty-seven percent of instructors reported teaching at least one true hybrid course last year. Remote instruction was time-consuming for instructors, who conducted and recorded the classes by themselves. When asked about their perceptions about students, a majority of faculty reported that students were more disconnected than usual and that COVID-related factors affected student performance. More than one-third of faculty reported that they were providing informal mental health support for students.

Faculty Representative Cochran reported that faculty overwhelmingly perceived that in-person instruction was more effective for achieving key outcomes. In the three years that the Academic Senate has surveyed faculty on the effects of the pandemic, faculty have reported that remote instruction escalated their workload. Of the four categories of faculty responsibility—research, mentoring, teaching, and service—faculty felt most positive about teaching and service, but 55 percent felt that they fared worse in meeting their research obligations. With a greater workload from remote teaching and greater student demands, there was less time left for research. Ms. Cochran stated that faculty could only be successful at UC if they engage in all four categories. The University was a research institution in which faculty also teach. Faculty were losing productivity and the ability to innovate. As a result, faculty and instructors reported that they have seriously considered changing jobs and professions, leaving higher education, and retiring. Many of these were assistant and associate professors and lecturers. The University was also more than ten percent below its hiring targets. In Ms. Cochran's view, junior faculty were the key to UC's long-term excellence and its efforts to diversify the professoriate. In response to the survey results, the Academic Senate made three recommendations: the University needed to provide students with more institutional support, rebalance the faculty workload, and rebuild campus culture and sense of connectedness to foster excellence.

Regent Timmons asked if the Academic Senate reviewed the other surveys that were sent to faculty and if those responses were aggregated. Ms. Cochran replied that questions about meeting responsibilities came from a national survey. Except for gender differences observed in other surveys, the Academic Senate survey had similar results. That national survey also asked about the desire to change jobs, and the results were similar. Other UC surveys have not been published.

Regent Anguiano cautioned against drawing conclusions about the effectiveness of remote instruction using data that demonstrate the impact of the pandemic. Faculty lacked technical infrastructure and other factors that contribute to effective remote learning. She suggested that future surveys explore practices that were effective during the pandemic. Ms. Cochran raised the issue of whether UC has the resources to create and regularly update professionalized courses. With regard to remote instruction, it was difficult to write a letter of recommendation for a student she had not interacted with or observed as she would have done in person. Regent Anguiano contrasted a 20-person online course teleconference with a 300-student in-person lecture and called for nuance when discussing this issue.

Regent Hernandez shared his belief that remote learning was part of the solution, and that the University would have to be open-minded about instruction delivery in light of President Drake's enrollment growth goals and present capacity. In his view, changing teaching methodology took multiple years, and the survey results might reflect faculty frustration. Ms. Cochran replied that faculty were highly innovative, engaged, and had pivoted to remote instruction immediately. She disagreed with the stereotype that faculty are resistant to change. Faculty reported that students were less engaged with remote instruction and that their workload expanded dramatically. She opined that doubling the size of the faculty to deliver remote instruction was a costly option.

Committee Chair Park asked about the ongoing workload of remote teaching. Ms. Cochran replied that remote teaching was cumbersome and failed, and students encountered problems with technology as well. Some things could not be achieved in an online environment. Some students were developmentally more ready for remote learning, while others would benefit more from learning in a classroom. One must listen to those who have had the experience of remote teaching.

Regent-designate Tesfai recalled one professor in his department who tried to provide a remote option but abandoned the endeavor because it was so difficult. Regent-designate Tesfai stated that the University should determine how to support faculty and students instead of saying that it is too difficult.

Chancellor Christ stated that she could not comment on the survey results due to low participation and wondered if those who were more burdened by the pandemic were more motivated to complete the survey. At a recent meeting of the UC Berkeley Division of the Academic Senate, a panel on hybrid or remote teaching in different disciplines expressed consensus that this type of instruction offered a wonderful set of tools for instruction. There was excitement about what the pandemic had taught about new teaching modalities.

Chancellor Wilcox expressed appreciation for the faculty perspective, as much more has been written about the student perspective. It was difficult to calibrate the effectiveness of remote instruction given the global disruption. Chancellor Wilcox remarked that UC's approach to distance instruction during the pandemic was not incorrect; pivoting to teleconference was not enough. Chancellor Wilcox recalled his own experience moving from one institution to another as an assistant professor and was not surprised that more assistant professors considered leaving than any other group. He knew of very few faculty colleagues who planned to stay in one institution for their whole careers.

Committee Chair Park stated that she found the survey results disconcerting but not surprising. She remarked that both remote and in-person instruction were here to stay and both needed to be improved. Committee Chair Park expressed hope that the University would find ways to address these challenges over the next few years.

Faculty Representative Steintrager stated that faculty's attempts to better engage students was time-consuming, which meant more time taken away from research. He called for careful tracking of faculty workload in the future.

Staff Advisor Lakireddy stated that the lack of staff working on campus was challenging for faculty. UC Merced, for instance, recently changed its financial system, which has been adding administrative burden for faculty. When changing systems, UC must consider the support students and faculty need. Extra staffing might be needed to ensure success.

4. **STATEMENTS DESCRIBING FACULTY CONTRIBUTIONS TO INCLUSIVE EXCELLENCE**

[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.]

Vice Provost Douglas Haynes provided an overview of the policy concerning faculty contributions to inclusive excellence. Academic Personnel Manual (APM)-210-1-d, which governed faculty appointments, appraisal, and promotions, did not allow consideration of the faculty member's race or gender, but rather contributions to diversity, equity, and inclusion (DEI). He presented a table of key milestones. In 2002, then President Richard Atkinson asked the Academic Senate to encourage faculty contributions in DEI, and APM-210-1-d was revised in 2005. The revised policy encouraged but did not mandate or prescribe faculty contributions and the recognition of teaching, research, and service that advance UC's commitment to diversity. Mr. Haynes clarified that faculty evaluate contributions of their departmental colleagues, which those colleagues voluntarily submit as part of their scheduled merit and promotion reviews. With questions arising about the meaning of diversity, eligible disciplines, and the nature of evaluating contributions, an Academic Senate-led review of the policy in 2013 led to another revision in 2015. Between 2015 and 2022, the Academic Senate produced guidance documents for faculty, and the Office of the General Counsel (OGC) generated its own guidance underscoring the State's prohibition on the consideration of race, gender, or national origins in admissions. Campuses adopted the use of contributions to inclusive excellence statements in faculty

searches in 2009. The University now had a decade of experience with the way these statements of inclusive excellence have contributed to innovative practices and ongoing evaluation. Since 2016–17, the UC Advancing Faculty Diversity Program (AFD) has funded faculty-led projects that promote faculty diversity using novel recruitment, retention, and climate strategies, such as the use of inclusive excellence statements early in the evaluation process, targeting faculty early in their careers by supporting postdoctoral work, faculty outreach to recruit candidates, and revising evaluation practices.

UC Davis Professor of Law Brian Soucek explained the role of faculty in developing policy on the use DEI statements, as well as their role within the policy. In 2017, the Vice Provost's office released guidance with 24 examples of what counted as DEI contributions. In 2019, the Academic Senate issued recommendations that DEI statements be required, that candidates be given guidance on the statements, and that rubrics be developed for evaluating them. The Academic Senate's University Committee on Academic Freedom clarified that DEI statements and rubrics should focus on faculty actions, not beliefs. Further refinement released in May stated that faculty appointment committees should develop rubrics that are tailored to disciplines and searches being conducted.

UC Berkeley Associate Dean Khatharya Um provided an overview of the campus' AFD initiative in the Social Science division. The initiative aimed to support efforts to better align faculty recruitment and the academic mission with the need to serve the diverse population of California, respond to emergent global issues, and foster a divisional culture in which values of diversity, equity, inclusion, belonging, and justice (DEIBJ) are integral to faculty research, teaching, and service. Through the AFD initiative, the division sought to improve values of DEIBJ in its outreach and search process and supported new junior faculty through cross-disciplinary mentorship and the funding of DEIBJ projects. All search committees in the division required a diversity statement as part of a holistic assessment of candidates. This gave faculty the opportunity to discuss and achieve consensus regarding the definition of diversity. The candidate's commitment to DEIBJ was also assessed during the teaching and research presentation.

Provost Brown praised this Board's dedication to advancing DEI. He stated that the UC community has responded to this Board's leadership. The DEI statement was one of many tools that faculty, administrators, and staff employed to advance goals of DEI and of achieving greater excellence in performing UC's mission.

Regent Timmons asked if there was a correlation between the use of DEI statements and the number of diverse faculty. Ms. Um replied that it was difficult to establish a correlation to any one factor, but the emphasis on the statement of values of DEIBJ as criteria has yielded positive results. Last year's pool of applicants and recruits had a higher number of women and underrepresented scholars, and similar trends were observed this year as well. Mr. Haynes stated that DEI statements gave future colleagues the opportunity to describe how their choices align with the UC mission. This raised the expectation of all faculty.

Committee Chair Park stated that UC should continually reflect on the impact of this tool and how to prevent it from becoming performative. She related this to issues of academic freedom and affirmative action.

5. **ACCOUNTABILITY SUB-REPORT ON DIVERSITY**

[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.]

Provost Brown stated that this report resulted from a 2007 recommendation made by the Committee on Educational Policy. This year's report focused on opportunities to diversify the pathway to the professoriate. He introduced the speakers.

Vice President Gullatt stated that the path to the professoriate began in the K–12 system. About 60 percent of California public high school ninth grade students were from historically underrepresented groups, but fewer than 40 percent of freshman enrollees at UC who persisted beyond their first year were from those groups, but steady progress has been made. In fall 2022, UC admitted its largest and most diverse class of freshman and transfer students; underrepresented students accounted for nearly 44 percent of admitted California freshman students. An infusion of \$25 million in ongoing Student Academic Preparation and Educational Partnerships (SAPEP) funding would help UC expand its efforts in the Inland Empire, Northern California, and the Central Valley, expand UC Scout online courses, and fund efforts to increase transfer rates from low-sending California Community College campuses. The State has allocated \$15 million in ongoing funding to support foster youth, undocumented students, and students affected by the carceral system. Underrepresented domestic students made up 16 percent of UC doctoral students compared with international students making up 33 percent. The Growing Our Own initiative aimed to attract potential doctoral students by drawing from institutions such as Historically Black Colleges and Universities (HBCUs) and Hispanic-Serving Institutions (HSIs), and by encouraging UC undergraduate students to pursue doctoral degrees at the University. Since 2012, the UC-HBCU Initiative has hosted over 700 undergraduate interns. Ninety fellows were Ph.D. candidates at UC, seven of 19 Ph.D. graduates have secured tenure-track positions, and four were UC President's Postdoctoral Fellows. Since 2019, the UC-HSI Doctoral Diversity Initiative has had 35 fellows, and three were UC President's Postdoctoral Fellows. An amount of \$3.5 million in SAPEP funding has been allocated to the Growing Our Own initiative and to campus innovation grants.

Vice Provost Douglas Haynes stated that, from 2011 to 2021, the share of Black faculty at UC rose from 2.6 to 3.5 percent, and the share of Hispanic faculty rose from 5.5 to eight percent. From 2016–17 to 2019–20, faculty hiring was approximating or exceeding the national availability of Black and Hispanic scholars; UC was outperforming its public and private and public Association of American Universities peers. Still, overall representation of Black and Hispanic faculty remained relatively small, and change was slow. The talent pathway was constrained by supply and available positions. In the life sciences, for instance, UC produced fewer Black doctoral recipients than the national average but hired above national availability. UC produced more Hispanic doctoral recipients than the

national average and hired above national availability. Black faculty accounted for 1.6 percent of the total number of life sciences faculty, and Hispanic faculty accounted for 6.2 percent. Through the Growing Our Own initiative, UC aimed to be a major contributor to the national pool of doctoral recipients and an employer of future faculty. This year, UC Irvine, UC Riverside, UC Santa Barbara, and UC Santa Cruz joined 16 other HSIs to form the Alliance of Hispanic Research Universities. Member campuses pledged to double the number of doctoral students and increase by 20 percent the number of Hispanic faculty by 2030. The UC President's Postdoctoral Fellowship Program, which received \$15 million from the Andrew W. Mellon Foundation to grow the number of fellows and provide startup support to humanities faculty hired from UC HSIs, has supported 309 fellows, 121 of whom have been hired to tenure-track positions. The Advancing Faculty Diversity Program, which received one-time funding from the State and ongoing support from the Office of the President has awarded \$20 million in competitive grants over seven years, which has contributed to nearly 150 faculty hires.

Shirley Malcom, Director of the Science, Technology, Engineering, Mathematics, and Medicine (STEMM) Equity Achievement (SEA) Change program, part of the American Association for the Advancement of Science (AAAS), stated that AAAS has worked to change the face of STEMM for over 50 years. SEA Change aimed to help colleges and universities make diversity, equity, and inclusion (DEI) in STEMM the norm. UC was the only university system that was a member; UC Davis and UC Irvine were SEA Change Bronze awardees. SEA Change supported campuses' assessment process, whereby outcomes and the policies, programs, practices, culture, and traditions that create those outcomes are analyzed, and the resultant actions. SEA Change provided a community in which members could learn from each other and engage in difficult conversations, as well as professional development for building capacity to manage change. Within the SEA Change awards process, metrics and timelines were required in action planning, which was also subject to peer review. Awards were good for five years, and reapplication was required to remain at the same level or advance to the next one.

Committee Chair Park asked how the UC became a system member. Ms. Malcom replied that, while at UC Irvine, Mr. Haynes championed SEA Change, which helped bring about changes for the entire Irvine campus. Mr. Haynes stated that SEA Change provided UCI with the tools to become a learning institution that serves a diverse population. The campus learned to make decisions grounded in data instead of anecdotes and to hold itself accountable. Mr. Brown credited President Drake with the University's membership as a system, as well as Ms. Gullatt and Associate Vice Provost Elizabeth Halimah. Ms. Gullatt stated that UC Irvine, UC Davis, and UCSC, who were already SEA Change members, helped lend credibility to the remaining UC campuses.

Committee Chair Park asked how much funding was going toward the Growing Our Own initiative. Ms. Gullatt replied that Growing Our Own was funded by campus resources, systemwide resources, and State funds, for a total of about \$35 million. However, not all allocations were ongoing funds.

Committee Chair Park remarked that this amount did not seem enough for all ten campuses. She asked how UC could more robustly underwrite this initiative. Ms. Gullatt responded that diversifying the professoriate was a \$200 million challenge for the University, but it was also a statewide, intersegmental issue. She called for collective action and building an intersegmental coalition that would approach the State together.

Regent Batchlor asked if the potential impacts of the U.S. Supreme Court dismantling affirmative action should be cause for concern. Ms. Malcom replied that AAAS recently released a handbook on diversity and the law, which included 20 relevant resources. AAAS was law-attentive and had never and would never ask anyone to act in violation of the law. AAAS had experience with other Supreme Court decisions and was working with its legal team to ensure that its work was race-neutral and would not be prohibited.

Regent Batchlor expressed concern that the law was going to change. Ms. Gullatt responded that California has not had affirmative action for over 20 years. If the Supreme Court eliminates affirmative action at the federal level, institutions would likely look to UC as guide. UC was already receiving such queries.

In response to a question from Regent Batchlor, Ms. Gullatt replied that UC has done what it could within the confines of State law to achieve some levels of diversity. She acknowledged how challenging this effort has been. Soon after affirmative action was eliminated in California, the University saw diversity decline sharply, but UC was making steady progress. Diversity challenges existed beyond UC admission, hence the University's investment in academic preparation at the K–12 and community college levels.

Regent-designate Tesfai, referring to the written materials, asked about each campus' role in the goal to increase the percentage of underrepresented doctoral students from 27 to 40 percent by 2030. He also asked if there were barriers to achieving this goal. Ms. Gullatt stated that every campus has submitted its own plan, which she could share with the Regents. Campuses needed resources for programs that prepared undergraduate students for graduate education, such as the UC Leadership Excellence through Advanced Degrees (UC LEADS) initiative and Cal-Bridge. Ms. Gullatt reiterated the need to appeal to the State as a coalition. Mr. Brown added that a challenge noted by former Regent Cecilia Estolano was that affirmative action prevented UC from articulating its diversity goals.

Regent-designate Tesfai asked if outreach was more focused on outside institutions that were more diverse. Ms. Gullatt replied that outreach included faculty partnerships, as faculty were better able to observe how talent manifests. For instance, an atmospheric science program at UC Davis asked the UC-HBCU Initiative for more funding so that parents could accompany students. In some populations, these were familial decisions.

Regent Hernandez asked that the chart showing the racial/ethnic distribution of UC undergraduate pathways include the actual number of students. The percentages did not demonstrate the success of the program. He asked about plans to scale the program. Ms. Gullatt replied that the data would be provided to the Regents.

Faculty Representative Steintrager asked if UC had data regarding retention. In the Academic Senate survey regarding the impact of the COVID-19 pandemic, respondents expressed concern that the erosion of the research mission would lead to retention problems, with the largest impact on disciplines that UC has been able to diversify. Mr. Haynes replied in the affirmative. At UCI, for instance, about 40 to 50 faculty members separate each year. Of those, about ten to 15 left for another institution. Anecdotally, there has been concern about the recruitment of UC faculty of color to other institutions, especially in the wake of the killing of George Floyd in 2020. He agreed that overall faculty conditions at UC must continue to draw people and promote success. UC could not afford to lose any faculty; the University had not reached a self-sustaining state of growth.

6. **HOW UC RESEARCH INFORMS ACADEMIC PLANNING**

[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.]

Provost Brown stated that faculty researchers trained students to develop research and analytical skills, and they incorporated new knowledge and questions in their courses. In turn, UC students joined the faculty of other institutions and enriched their programs. At a top research university, faculty were fostering the next generation of visionaries and developing new major, minor, and graduate programs, as well as new fields. The Academic Planning Council created a five-year planning prospectus of new programmatic activity occurring throughout the system, and the Coordinating Committee on Graduate Affairs assessed these new programs. The University also worked with its intersegmental partners to develop courses and programs. As an example, Mr. Brown explained how, through ongoing research and collaboration across disciplines, the UC Berkeley Library School of the 1970s evolved to the Division of Computing, Data Science, and Society in the present day. The Berkeley campus has led an intersegmental group focused on advancing data science, statewide education, and open access to materials.

UC Berkeley Associate Provost and Dean of the School of Information Jennifer Chayes stated that the field of data science was developed by colleges and universities in response to the growing use of computing platforms to conduct daily life, perform transactions, and make decisions. She emphasized that all students could be taught to approach data ethically and masterfully. Experiences, perspectives, and expertise should be diverse in order for research and its applications to represent needs of society. The Division of Computing, Data Science, and Society was partnering with the State, other segments, and Historically Black Colleges and Universities (HBCUs), and high schools. Data 8, an introductory data science course, has been taught over in over 100 colleges and universities in California. Ms. Chayes referred to it as a “pull-in” course as opposed to a “weed-out” course, one which was meant to help students find their own aptitude and affinity for data science and become data-driven leaders. The major curriculum had four elements: computing, statistics, human context and ethics, and domain emphasis. Data 8 enrollment included 2,400 transfer students from 102 California Community College campuses. Last year, the division graduated over 700 data science majors, 50 percent of whom were women. In 2020, UC Berkeley co-founded and hosted the California Alliance for Data Science

Education, which included six UC campuses, four California Community College campuses, one private institution, and five California State University campuses. Representatives from 300 institutions convened and helped each other establish data science curricula. She stated that research became more grounded and its purpose more elevated through interaction with professional disciplines like business, law, medicine, and journalism. For instance, the EPIC Data Lab at UC Berkeley has been working with attorneys at the Innocent Project and journalists parse and work with data, creating a movement of platforms for human welfare and social justice.

Regent Hernandez expressed his hope that all UC campuses become involved and noted the earning potential of this field. Ms. Chayes expressed her wish that the remaining four UC campuses join the California Alliance for Data Science Education and that all the segments of higher education be united.

Regent Anguiano asked how more fields could take this intersegmental approach and how campuses could support it. Mr. Brown replied that more opportunities were needed to share and engage regarding these new ideas. The Office of the President could partner with the chancellors to incentivize activities that have multi-campus or systemwide reach.

Regent Timmons asked about the efforts to incorporate ethics into data science. Ms. Chayes stated that human context in ethics was just as important as computing and statistics in UC Berkeley's data science major. UC Berkeley established the first ever augmented graduate group with UCSF in computational precision health and was launching a new Ph.D., and every class would have an ethics component. In her view, ethics could not be an afterthought. People must be trained to think about the ethical use of data. One did not wish to write code for a platform that could be usurped.

Staff Advisor Lakireddy asked how UC could create awareness of these opportunities in more remote regions. Ms. Chayes emphasized the importance of including the Central Valley in these efforts. One out of five UCB students were taking a data science course in any given year. Students who had not previously considered data science discovered their aptitude and affinity for it.

Mr. Brown asked about the societal implications of this "pull-in" approach to data science. Ms. Chayes replied that both good and bad aspects of computing platforms have been observed during the pandemic. Some of the leaders of data science programs had come from arts and humanities backgrounds and understood historical context. She stated that data science needed to be in service of society, and this was not possible without the involvement of a cross-section of society.

Committee Chair Park noted that this was the final Committee meeting for Provost Brown and commended his deep passion for the University.

The meeting adjourned at 4:10 p.m.

Attest:

Secretary and Chief of Staff

Attachment 1: Proposed Amendments to Regents Policy 3105: Regents Policy on Residency and Payment or Waiver of Tuition, Non-Resident Supplemental Tuition and Mandatory Systemwide Fees

*Additions shown by underline; deletions shown by ~~striketrough~~.

Regents Policy 3105: Regents Policy on Residency and Payment or Waiver of Tuition, Non-Resident Supplemental Tuition and Mandatory Systemwide Fees

POLICY SUMMARY/BACKGROUND

As a state-supported institution, the University of California confers on California students the benefit of attending the University at lower cost than students who attend from outside the state. Students classified as California residents are not charged Nonresident Supplemental Tuition (NRST). For most students, determining whether they qualify as a California resident is very straightforward. For a minority of students, the determination requires close examination. State law and University policy authorize some students to be considered California residents based on social policy considerations consistent with the mission of the University even if they don't meet the standard criteria for determining residency. This policy identifies the criteria for being classified as a California Resident (either by meeting standard Residency Requirements or special circumstances residency requirements) or for being classified as otherwise eligible for waiver of NRST. Further details are provided in Residence Policy Guidelines (Guidelines), maintained by the Office of the President (with the assistance of the Office of General Counsel) to facilitate implementation of this policy. Terms that are capitalized in this policy are defined in the Guidelines. This policy is informed by both the California Education Code and financial aid standards issued by the U.S. Department of Education. In light of the combined effect of a Student's Residency Classification and financial aid eligibility on the cost to attend UC and resources available to support attendance, wherever possible, this policy seeks to maximize consistency between University financial aid determinations and Residency Classifications to improve transparency for Students. All references to the California Education Code are for informational purposes only.

POLICY TEXT

- A. **Principles Governing Residency Determinations:** A Student's Classification for purposes of the Student's responsibility for payment of Nonresident Supplemental Tuition ("NRST") as either Resident, Non-Resident or NRST Exempt ("Residency Classification") shall be made based on information provided by the Student before initial Enrollment, upon re-Enrollment, or as may otherwise be required. Each Residency

Classification shall be made by authorized University employees on the basis of this Policy and the implementing Guidelines adopted by the President pursuant to this Policy. Consistent with Regents Policy on Admissions Decisions, Residency Classifications shall not be motivated by development considerations or financial, political or other such benefit to the University. The Board recognizes that correspondence or inquiries received from individual Regents or from elected officials may be appropriate, but efforts to inappropriately influence the outcome of individual residency classifications are not.

- B. The burden is on each Student to demonstrate eligibility for classification as a resident or as NRST Exempt. A Student initially classified as a nonresident will retain that status unless and until the Student is deemed eligible for Resident Classification or an NRST Exempt Classification in a subsequent quarter or semester. A Student initially classified as a Resident who becomes a Non-Resident by virtue of acts of the Student or a Qualifying Individual is required to notify the Student's campus registrar immediately.
- C. The University may request that information submitted by a Student or a Qualifying Individual to support a Resident Classification or NRST Exempt Classification be sworn under penalty of perjury. The University may reconsider a Resident Classification or NRST Exempt Classification upon good cause. Where a Resident Classification or NRST Exempt Classification is found to have been based on inaccurate or incomplete information, the University may:
 - 1. bill the Student for NRST for periods of previous Enrollment in which NRST was not charged;
 - 2. hold a Student's registration until full payment of amounts due has been received;
 - ~~3. hold release of Student records until full payment of amounts due has been received;~~
 - 4. 3. notify appropriate regulatory agencies;
 - ~~5.~~ 4. initiate discipline under the Policy on Student Conduct and Discipline ("PACAOS100");
 - ~~6.~~ 5. impose an administrative penalty no greater than the amount of NRST for each affected quarter or semester where a Student, Parent, or Qualifying Individual intentionally misrepresented or withheld relevant information, and/or
 - ~~7.~~ 6. pursue any civil, criminal or other remedies that may be appropriate under the circumstances.

I. Residency Classifications and Tuition Policy

- A. Each Student shall be charged Nonresident Student Tuition except as provided in this policy. A Student shall not be subject to payment of NRST if the Student and ~~one~~ Parents (or other Qualifying Individual, as applicable):
1. satisfy the Residency Requirements identified in Section B below; or
 2. demonstrate(s) at least one of the special circumstances warranting a Resident Classification identified in Section D below; or
 3. otherwise demonstrate(s) eligibility for exemption from payment of NRST as identified in Section E below.
- B. Residency Requirements. A Resident Classification at the University of California shall be granted where the Student and ~~one~~ Parents, or other Qualifying Individual as applicable, demonstrate that they have established a primary and permanent home in California by providing evidence that they satisfy the following Residency Requirements:
1. Physical Presence: Except as otherwise provided in the Guidelines, ~~C~~ continuous physical presence in California for more than one year immediately before the Residence Determination Date, as further defined and explained in the Guidelines. Physical presence in California solely for educational purposes does not constitute the establishment of California residence, regardless of length of stay. The impact of absences from California on a Student's Residency Classification shall be addressed in the Guidelines.
 2. Intent: Except as otherwise provided in the Guidelines, intent for more than one year immediately before the Residence Determination Date to make a primary and permanent home in California, as demonstrated by indicia of intent identified in the Guidelines.
 3. Evidence to demonstrate satisfaction of Residency Requirements for Students (and, where relevant, Parents or other Qualifying Individuals) who are not U.S. citizens or permanent residents are addressed in the Guidelines.
- C. Who Must Satisfy Residency Requirements:
1. Student and Parents (or Qualifying Individual): Except as provided in Subsection 2, undergraduates who will not reach the age of 24 by December 31 of the academic year for which Resident Classification is sought must demonstrate that the Student and ~~a~~Parents (or other Qualifying Individual as applicable) satisfy the Residency Requirements.

2. Student Alone: The following Students may demonstrate satisfaction of the Residency Requirements on their own without regard to information about a Parent or other Qualifying Individual:
 - a. Graduate Students, regardless of their age;
 - b. Undergraduates who have reached the age of 24 by December 31 of the academic year for which Resident Classification is sought;
 - c. Undergraduates who are married as of the Residence Determination Date, regardless of their age;
 - d. Undergraduates who otherwise meet the independence standard for purposes of eligibility for federal financial aid; and
 - e. Undergraduates who demonstrate that they have been Self-Supporting for at least one year before the Residence Determination Date according to criteria set forth in the Guidelines.
- D. Special circumstances resident classification: A Resident Classification (or Contingent or Limited Duration Resident Classification, as specified below) at the University of California shall be granted where a Student demonstrates any of the following Special Circumstances:
1. Student Member of the U.S. Armed Forces: A Student who is a member of the U.S. Armed Forces stationed in California ~~on active duty~~, except if assigned for educational purposes, is eligible for a Contingent Resident Classification. Such a Student may retain a Contingent Resident Classification if the Student is transferred outside of California pursuant to military orders, so long as the Student remains continuously enrolled at a California public post-secondary institution. See section 68075.
 2. Student Dependent of Member of the U.S. Armed Forces: A Student who is a dependent of a member of the U.S. Armed Forces stationed in California ~~on active duty~~ is eligible for a Contingent Resident Classification. Such a Student may retain a Contingent Resident Classification if the member of the armed forces is transferred outside of California pursuant to military orders, or retires from the armed forces, so long as the Student remains continuously enrolled at a California public post-secondary institution. See section 68074.
 3. Ward of the Court: A Student who resides in California and who is currently a dependent or ward of the state through California's child welfare system, or was a dependent or ward of the state and is no longer being served either due to emancipation or aging out of the California child welfare system, is eligible for a Resident Classification. See section 68085.

4. **Non-Resident Dependent of a California Resident:** A Student who does not satisfy the Residency Requirements but who has a Parent who both satisfies the Residency Requirements and either claimed the Student as a tax dependent or continually contributed court-ordered child support for the Student during the one year immediately before the Residence Determination Date shall be eligible for a limited duration Resident Classification for one academic year. Such a Student may thereafter be eligible to receive a Resident Classification if the Parent continues to satisfy the Residency Requirements and the Student demonstrates timely satisfaction of the Residency Requirements. See section 68076.
5. **Student Under Care of An Adult Qualifying Individual Other than a Parent:** An undergraduate Student who was under the continuous direct care and control of an adult Qualifying Individual other than a Parent for at least two years before reaching the age of 19 is eligible for a Resident Classification when both the Student and Qualifying Individual(s) demonstrate that they met the Residency Requirements for more than one year immediately before the Residence Determination Date. See section 68073.
6. **California Public School Teacher:** A Student who is employed by a California school district in a full-time position requiring certification qualifications shall be eligible for a contingent Resident Classification while completing course work to meet credential requirements according to the additional conditions set forth in the Guidelines. See section 68078.
7. **Graduate of Bureau of Indian Affairs School:** A Student who is a graduate of a school located in California run by the United States Bureau of Indian Affairs is eligible for a Resident Classification. See section 68082.
8. **Amateur Student Athlete Training at a U.S. Olympic Training Center:** A Student who is an amateur student athlete training at a U.S. Olympic Training Center in California is eligible for a limited duration Resident Classification for one academic year. Such a Student may thereafter be eligible to receive a Resident Classification if the Student demonstrates timely satisfaction of the Residency Requirements. See section 68083.
9. **Refugees/Victims of Trafficking, Domestic Violence or Other Crimes:** A Student who has been classified as a refugee, as specified in the Guidelines, or who holds a visa provided for victims of trafficking, domestic violence or other serious crimes (any “T” or “U” visa) is eligible for a limited duration Resident Classification for one academic year. Such a Student may thereafter be eligible to receive a Resident Classification if the Student demonstrates timely satisfaction of the Residency Requirements.

10. University/Laboratory LLC Employees: An individual assigned to work outside the state of California who is a full-time employee of either the University ~~assigned to work outside the state of California~~ or a full-time employee of an LLC holding a contract to manage a university laboratory, as well as the dependent spouse, registered domestic partner or Child of such an individual, shall be eligible for a contingent Resident Classification. The Contingent Resident Classification shall expire at the end of any quarter or semester in which the Qualifying Individual no longer has an employment relationship that qualifies the Student for this contingent Resident Classification.
 11. Dependent of Member of Academic Senate: A Student who is the spouse or registered domestic partner or unmarried dependent Child of a member of the University faculty who is a member of the Academic Senate shall be eligible for a Resident Classification. See section 68078.
- E. Students Exempt from Payment of NRST (“NRST Exempt”): A Student who does not qualify for a Resident Classification under Section B or D above may nonetheless be eligible for exemption from payment of NRST under the following circumstances:
1. “AB 540”: A Student who qualifies under the provisions of section 68130.5 of the California Education Code (commonly known as AB 540) is eligible for an NRST Exempt Classification.
 2. Student Discharged from U.S. Armed Forces: Subject to limitations set forth in the Guidelines, a Student who was a member of the U.S. Armed Forces stationed in California ~~on active duty~~ for more than one year immediately prior to being discharged is eligible for NRST Exempt Classification for one academic year so long as the Student files an affidavit stating the Student’s intent to establish California residence at the time the Student seeks the NRST Exempt Classification. The one year NRST Exemption must be used within two years of being discharged. Such a Student may thereafter be eligible to receive a Resident Classification if the Student demonstrates timely satisfaction of the Residency Requirements. See Education Code section 68075.5.
 3. Federal Law Addressing Veteran or Foreign Service Higher Education Access: A Student who meets the definition of “covered individual” in section 702 of the U.S. Veterans Access, Choice and Accountability Act of 2014 (Public Law 113-146; 38 U.S.C. §3679(c)) or the eligibility requirements of the U.S. Higher Education Opportunity Act (20 U.S.C. §1015d) (or any other federal law addressed in the Guidelines regarding access to higher education for veterans of the U.S. Armed Forces) is eligible for an NRST Exempt Classification, including, effective July 1, 2023, a Student who is a member (or spouse or dependent Child of a member) of the Foreign Service who would otherwise not meet the eligibility

requirements of the U.S. Higher Education Opportunity Act (20 U.S.C. §1015d) until July 1, 2024.

II. Tuition / Mandatory Systemwide Fee Policy

Each Student shall be charged Tuition and other Mandatory Systemwide Fees except where they demonstrate any of the following circumstances, subject to further details in the Guidelines:

1. Recipient of Congressional Medal of Honor: A Student who has a Resident Classification and received or is the Child of someone who received the Congressional Medal of Honor and satisfies all requirements set forth in the Guidelines is eligible for exemption from payment of Tuition and Mandatory Systemwide Fees. See section 66025.3.
2. Student Dependent of Deceased or Disabled Veteran/CA National Guard: A Student who has a Resident Classification and who is the Child or dependent or surviving spouse or registered domestic partner (who has not subsequently married or registered as a domestic partner) of a deceased or disabled veteran or member of the California National Guard who was killed or permanently disabled while in active service of the United States Military or California National Guard, shall be exempt from payment of Tuition and Mandatory Systemwide Fees so long as the Student satisfies all requirements set forth in the Guidelines. See section 66025.3.
3. Student Survivor of Law Enforcement or Fire Suppression Personnel: An undergraduate Student who is the surviving spouse or registered domestic partner or Child of a California resident whose principal duties consisted of active law enforcement service or active fire suppression and prevention and who was killed on active duty shall be exempted from Tuition and Mandatory Systemwide Fees. See section 68120.
4. Student Survivor of Healthcare Workers or First Responders Deceased Due to COVID-19: Student who is a surviving spouse or surviving child of certain healthcare workers and first responders who died from COVID-19 shall be exempted from Tuition and Mandatory Systemwide Fees. See section 68120.3.

COMPLIANCE/DELEGATION

The President or designee, in consultation with the General Counsel, or designee, is authorized to adopt and amend implementing Guidelines consistent with this policy. The President or designee may delegate responsibility for applying and implementing this policy.

NO RIGHT OF ACTION

This policy is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the University of California or its Board of Regents, individual Regents, officers, employees, or agents.