

## THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

November 16, 2022

The Regents of the University of California 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, Chu, Cohen, Drake, Hernandez, Leib, Makarechian, Park, Pérez, Pouchot, Reilly, Robinson, and Timmons

In attendance: Regents-designate Ellis, Raznick, and Tesfai, Faculty Representatives Cochran and Steintrager, Interim Secretary and Chief of Staff Lyall, General Counsel Robinson, Chief Compliance and Audit Officer Bustamante, Provost Brown, Executive Vice President and Chief Financial Officer Brostrom, Executive Vice President Byington, Executive Vice President and Chief Operating Officer Nava, Senior Vice President Colburn, Vice Presidents Brown and Lloyd, 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 Leib presiding.

### 1. PUBLIC COMMENT

Chair Leib 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. Dennis McIver, Chair of the Council of the UC Staff Assemblies (CUCSA), called on the Regents to support a ten percent pay increase for all policy-covered staff in good standing. Policy-covered staff were not represented by a union and therefore not guaranteed pay increases, which meant 40 percent of UC employees experienced pay inequity. Job vacancies at the University were double the average, which has slowed UC operations. He added that understaffing, underpaying, and overworking staff created a retention risk.
- B. Alyssa Thoburn claimed that UCSF engaged in fetal organ harvesting and did not use fetical injections during the abortion procedure, which resulted in painful dismemberment in utero or being born alive. Ms. Thoburn remarked that fetuses were human beings deserving of protection, and she asked Chancellor Hawgood to meet with Pro-Life San Francisco to discuss ethical research alternatives.
- C. Ailene Estalilla, former UCSF CUCSA chair, underscored the many staff vacancies and asked that the Regents support a ten percent pay increase for all policy-covered staff in good standing.

- D. Neal Sweeney, President of the United Automobile, Aerospace and Agricultural Implement Workers of America (UAW) Local 5810, stated that, since June 2021, the union has been negotiating with UC issues including compensation to address the housing crisis, public transit passes to address the climate crisis, full remission of nonresidential student tuition for international student workers, and increased job security. Mr. Sweeney called on the Regents to direct President Drake and UC negotiators to cease unfair labor practices reach a fair agreement.
- E. Jeffry Muñoz, UCLA student and representative of the Opportunity for All campaign, shared that the campaign has collected nearly 3,000 signatures from campus community members, enjoyed a positive reception from organizations, unions, and publications, and had the support of 29 of the nation's leading constitutional and immigration scholars. He requested a meeting with President Drake and Chair Leib to discuss the campaign's proposals.
- F. David Witzling, UC alumnus, spoke in support of UCLA joining the Big Ten conference, an opportunity to expand the reach of UC athletics nationwide. He stated that former UCLA basketball coach John Wooden (1910–2010) brought his Big Ten experience to UCLA and turned the campus into a global brand. He believed that UCLA and UC Berkeley could both belong to premier conferences and be collaborative and competitive.
- G. Mitra Zarinebaf, UC Santa Cruz student and UC Student Association (UCSA) Vice President of External Affairs, shared that UAW Local 2965 was currently part of a strike of nearly 50,000 student workers, and asked the Regents to use their influence to help student workers. At UCSC, nine percent of students were homeless in the second most expensive rental market in the U.S. UAW members sought a living wage and better working conditions and did not wish to strike.
- H. Lauren Byrnes, UCSF postdoctoral researcher, called on the Regents to bring academic workers' contract negotiation to a fair resolution. She observed that many of her colleagues did not stay at UCSF because they felt undervalued or could not afford the high cost of living. Ms. Byrnes was on strike because she wanted UC to attract and retain the most talented researchers, and because she believed that investing in researchers fulfills UC's commitment to public science.
- I. Maura McDonagh, UCSF graduate student researcher, called on the University to agree to union demands. She shared that she experienced severe bullying in her first thesis laboratory and spent much time and money commuting to UCSF.
- J. Elizabeth Milos, UCSF staff member and member of University Professional and Technical Employees (UPTE), expressed the union's solidarity with UAW. She asked the University not to staff with UPTE workers during the UAW strike.
- K. Wenqi Shen, UCSF student, urged the University to bargain in good faith and to support international students. She asked that UC remit Nonresident Supplemental

Tuition for international students and to help supplement the cost of visa applications. Many international students have not returned home for many years. Ms. Shen stated that international students were essential workers who generated billions of dollars in federal funding for the University.

- L. Sanjai Parikh, UC Davis faculty member, expressed concern about how UC handles reports of sexual violence and harassment. He stated that private information about the complainant and respondent in a Title IX investigation has been shared with departmental faculty, which was contrary to federal regulation that required that identities of all witnesses be kept confidential. He called on the Regents to review Title IX procedures to ensure a fair and less harmful process for all parties involved.
- M. Bailey Henderson, UC Berkeley student and External Affairs Vice President of the Associated Students of the University of California (ASUC), called on UC to extend work authorization to undocumented students. A growing number of undocumented students did not participate the Deferred Action for Childhood Arrivals (DACA) program, lacked legal protection, and were not able to secure jobs on campus.
- N. Alex Edgar, UC Berkeley student and member of ASUC and UCSA, shared a testimonial of the challenges one student faced when voting this year. Voting by mail did not necessarily improve access for minority, lower-income, and full-time working students. He urged the Regents to support youth voting rights and to implement a non-penalized election day.
- O. Daniel Gonzalez, UCLA medical resident and member of the Committee of Interns and Residents (CIR), urged the Regents to call on UC hospital chief executive officers (CEOs) to agree to a fair contract, with minimum standards of pay and benefits, working conditions, and care. CIR called on UC to do the same for academic workers on strike. Dr. Gonzalez was supporting his family with his salary, but this was increasingly difficult given the high cost of living in Los Angeles.
- P. Shruti Adusumilli, UC Davis student and UCSA University Affairs Chair, shared UCSA's advocacy of a non-penalizing election day as many students still did not have the time or means to vote. The Opportunity for All campaign called for expanding campus employment to undocumented students. Students also asked that the University reimagine community safety outside a traditional paradigm.
- Q. Gwen Chodur, former UC Graduate and Professional Council President, addressed the strike by UC academic workers. In November 2020, the Regents pledged to reduce graduate student food and housing insecurity by 50 percent by 2025. She stated that negotiating a fair contract with a living wage was one way to achieve this, and she urged the Regents to direct the Office of the President to cease unfair labor practices and to negotiate a fair contract.

- R. Leonardo Rodriguez, UCB student, called on the University to extend employment opportunities to all students regardless of their immigration status. While his DACA status enabled him to have a successful educational experience, the program was likely to end and incoming freshman students would not have access to the benefits of the program.
- S. Ava Brennan, UCSC student representative of Universities Allied for Essential Medicines (UAEM), called for the systemwide adoption of the Affordable Access Plan (AAP), a set of intellectual property provisions meant to increase access to university-developed therapies in low- and middle-income nations. The AAP was adopted by UCLA in July 2020, and has yielded promising conversations with Chancellor Christ and other UC Berkeley administrators.
- T. Agnes Suarez, UCSF staff member and Recording Secretary for the American Federation of State, County and Municipal Employees (AFSCME) 3299, shared that her unit was understaffed and lacked adequate safety equipment. She demanded that UC match the full amount of healthcare retention payments from the State budget. AFSCME 3299 stood in solidarity with UAW members on strike.
- U. Donna McKindley-Rolling, UCSF staff member and member of AFSCME 3299, recalled being a frontline worker during the height of the COVID-19 pandemic and demanded that UC match the full amount of healthcare retention payments from the State budget for all UC workers. She stated that failure to do so would disproportionately affect staff of color, women, and low-paid staff.
- V. Tom Lent, parent of a UCSF postdoctoral researcher, expressed concern about academic workers' low pay and housing burden. He urged UC to bargain in good faith, pay a living wage, and support demands for sustainable transit, childcare, job security, international scholar equity, and disabled student support. He stated that those on strike would rather be helping their students and engaging in research.
- W. Rebecca Lee, UCSF postdoctoral researcher, called for living wages for academic workers commensurate with their contributions. Research conducted by academic researchers, graduate students, and postdoctoral scholars generated \$5.5 billion in grant contracts to the University last year. While pursuing her Ph.D. at UC Berkeley, Ms. Lee worked 60 hours per week but made \$27,000 per year. Postdoctoral researchers could not afford childcare expenses or even consider starting a family. She asked the Regents to bring contract negotiations to a fair resolution.
- X. Nicola Gruen, CUCSA delegate at the Office of the President, called on the Regents to support a ten percent pay increase for all policy-covered staff in good standing. She reiterated comments made by Mr. McIver.
- Y. Marvia Cunanan, UC Santa Barbara student and UCSB External Vice President of Statewide Affairs, addressed item A3, *Statements Describing Faculty*

*Contributions to Inclusive Excellence*, and she asked the Regents to heed the demands of the Opportunity for All campaign and consider the legal analysis shared by the campaign's legal experts. Undocumented students without DACA status were denied opportunities that other students had. According to the UCLA Center for Immigration Law and Policy, UC was not bound by the Immigration Reform and Control Act (IRCA) and could legally employ undocumented students.

- Z. Mallory Blackwood, UCLA medical resident and member of CIR, asked the Regents to call on UC hospital CEOs to agree to a fair contract, as well as improved pay, benefits, and working conditions. She expressed solidarity with UAW members currently on strike. Physician wellness was essential to providing better quality health care, and UC had an opportunity to set a standard for all residents across the state and country. A fair contract would mean that residents would not have to skip meals while working up to 16 hours per day.
- AA. Tim Clement, representative of Survivors of the Abortion Holocaust, asked Chancellor Hawgood to meet with Pro-Life San Francisco over the organization's concerns about fetal tissue used in research at UCSF.
- BB. Paul Wallace, UCSF fellow and member of CIR, urged the Regents to call on UC hospital CEOs to agree to a fair contract. Physician burnout jeopardizes the health of the community, and a fair contract that allows physicians to keep pace with increased cost of living, provides essential healthcare benefits, and ensures workplace safety would help physicians care for Californians. The University could set a higher standard for physician wellness throughout the country. CIR also asked the Regents to support the UAW members on strike.
- CC. John Bodenschatz, CUCSA Chair-Elect, called on the Regents to ensure a ten percent pay increase for all policy-covered staff, noting that last year's 4.5 percent increase was not enough. In the last five years, inflation has risen 25.3 percent while policy-covered staff have received 13.5 percent in increases. This shortfall has led to poor recruitment and retention, and left many staff struggling financially.
- DD. Nat Alvarez, UCSB student and UCSA Racial Justice Now Campaign Vice Chair, addressed item A3, *Statements Describing Faculty Contributions to Inclusive Excellence*, and asked that the Regents stand with the Opportunity for All campaign in its advocacy of employment equity for undocumented students. The campaign's letter had thousands of student and staff signatures.
- EE. Lucine Torosian, UCLA CUCSA delegate, requested a ten percent increase for all policy-covered staff in good standing. She asked the Regents to consider the impact that inflation, the high cost of living, and taking on the work of vacant roles without additional compensation has had on staff. Ms. Torosian stated that compensation was essential to retaining talent and protecting a dedicated workforce.

FF. Bianca Murray, UCB student and ASUC Federal Government Affairs Associate, demanded that the Regents support undocumented students and that they be allowed to seek employment at UC. She stated that IRCA did not explicitly prohibit the State or UC from providing employment opportunities to undocumented individuals.

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

Chair Leib began his remarks by recognizing that California students were completing their UC applications and expressed his hope that the University admits the largest and most diverse class in its history. He was proud that 40 percent of UC undergraduate students were first-generation college students, and 35 percent were Pell Grant recipients. In his view, some prospective students might be asking whether they would be welcomed at UC or if they should be worried about whether they would be welcomed. Recently, Asian American students were physically attacked at the University of Cincinnati, students at Grinnell College found their cars vandalized with racist slurs, and some student groups at UC Berkeley School of Law changed their bylaws to prohibit Zionists from speaking at their events. He emphasized that excluding people because of their belief in the right of the State of Israel to exist was inconsistent with the UC mission; the system was committed to being a place where all ideas and views could be expressed. He and other UC leaders, including Chancellor Christ, Dean Erwin Chemerinsky of the UCB School of Law, and Regents Sures and Pérez had made statements reinforcing this view. Antisemitism, racism, sexism, and homophobia had no place in this University. UC leadership were working to ensure that UC is a place of freedom. Chair Leib highlighted efforts to promote student safety, well-being, and inclusion. The Associated Students of the University of California Senate at UC Berkeley passed a measure denouncing hatred against the Jewish community, and UCLA launched the Initiative to Study Hate, a three-year, multidisciplinary effort. All campuses had resource centers, such as the Fannie Lou Hamer Black Resource Center at UC Berkeley and the new Black Bruin Resource Center at UCLA. In Chair Leib's view, the University would improve diversity when students who feel welcome then serve as ambassadors, promoting UC to their family and friends. He reassured prospective students that all were welcome at UC and that different viewpoints would be respected.

Chair Leib announced that this was the last full Board meeting for Provost Brown and recognized his leadership in transitioning the University to remote education in response to the COVID-19 pandemic, enacting UC's Native American Cultural Affiliation and Repatriation Policy, as well as his guidance when the University was deciding whether to eliminate standardized testing from admissions requirements.

Chair Leib highlighted agenda items from this meeting. He congratulated Governor Newsom and Regents Kounalakis, Thurmond, and Rendon for their reelections, as well as Staff Advisor Lakireddy, who was elected to the Merced City Board of Education. He thanked Governor Newsom for providing State support in alignment with goals shared by the State, the University, and the Board, including increasing capacity, increasing access and affordability, being a driver economic mobility, addressing climate change, and implementing the recommendations of the Special Committee on Innovation Transfer and

Entrepreneurship. Chair Leib concluded his remarks by thanking Regent Elliott for his partnership as Vice Chair.

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

President Drake began his remarks by underscoring the importance of voting within a healthy democracy and recognizing the UC students, faculty, staff, and alumni who voted this year. Later in the meeting, the Public Engagement and Development Committee would hear about the outcomes of recent elections, safeguarding American democracy, and systemwide civic engagement activities. The Board would hear an update about the implementation of the UC Community Safety Plan. Since the last update, the University hired Jody Stiger as the first Systemwide Director of Community Safety. The Finance and Capital Strategies Committee would take action on the 2023–24 UC budget.

President Drake shared that UC has reached contract agreements with four unions—Teamsters, the California Nurses Association, the American Federation of Teachers, and the Federated University Police Officers Association. The University has continued to negotiate in good faith the United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), which represented graduate students and academic employees. UC respected the right to engage in lawful strike activity and has made offers that were generous and fair. If the current offer is accepted, UC graduate student support would exceed what is available in other top public research universities and be on par with what is offered in the top private universities. The University wished to continue to attract and retain the top students to its graduate programs and was committed to listening to UAW with an open mind and willingness to compromise.

President Drake announced that UC Santa Cruz and UC Merced would join UC Berkeley, UC Davis, and UC Riverside as Agricultural Experimental Station (AES) campuses. These Stations were research centers that investigated improvements to food production and agribusiness. With the AES designation, these campuses could receive additional research funding from the UC budget and be more competitive for agricultural grants. President Drake concluded his remarks by noting that this was Provost Brown's last full Board meeting as Systemwide Provost. He highlighted several of Mr. Brown's many achievements during his tenure at UC, including serving as Chair of the Academic Senate; supporting students, faculty, and academic staff; and expanding access and opportunity. Mr. Brown would continue to advise the University in limited capacity regarding issues related to the Native American Graves Protection and Repatriation Act. President Drake expressed his gratitude and underscored Mr. Brown's lasting legacy.

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

Faculty Representative Cochran stated that, unlike colleges and universities across the country, the University was not struggling to fill its entering class. UC was an attractive choice due to its reputation as a premier but accessible and relatively affordable public research institution, and many applicants wished to participate in UC's excellence in research and creative scholarship. At each campus, faculty, academic researchers, and

trainees shared ideas, methods, and approaches, and found humor in their frustrations. Research and creative scholarship required a large, interconnected, and expensive social and physical infrastructure. In the Academic and Student Affairs Committee meeting, Regents would learn that, according to the Academic Senate's survey of faculty, the COVID-19 pandemic has done the greatest damage to the sense of community, institutional support for the research mission, and access to resources. Faculty were again facing similar challenges in the midst of UC labor issues. More than 80 percent of undergraduate students wished to participate in research. Students come upon research through undergraduate support services, cold-calling, and networking with faculty inside and outside of the classroom. Through research, which is laborious with few eureka moments, students learn to be patient, persistent, and to manage failure. At a research institution, the same concepts are woven into instruction differently; for instance, professors might use examples from their own yet-to-be-published studies and test research ideas, which exposes students to the process of discovery. Also at the Committee meeting, Regents would learn how research has been used to develop new lectures, classes, programs, and majors. Another aspect of the University's excellence was its unique faculty review system; a UC career had three significant barrier steps instead of one, and advancement was not ensured. In the Academic Senate survey, faculty reported being overwhelmed by the pandemic-related workload and feared that they did not achieve enough research productivity for merit or promotion. In response, the Systemwide Provost and the Academic Senate have advised campuses to use the new Achievement Relative to Opportunities standard. As the University commits to greater access for students, Ms. Cochran asked whether it commits to proportionate growth of research faculty, who catalyze innovation and entrepreneurship on campuses and are a critical reason why applicants choose UC. In Ms. Cochran's view, a commitment to excellence was easy to state but difficult to measure, and faculty were motivated to improve and achieve. Ms. Cochran concluded her remarks by quoting coach Vince Lombardi (1913–1970), who stated that "Perfection is not attainable, but if we chase perfection we can catch excellence." UC faculty aimed to pursue perfection and achieve excellence.

The meeting adjourned at 9:50 a.m.

Attest:

Secretary and Chief of Staff