

# THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

December 14, 2022

The Regents of the University of California met on the above date at the Luskin Conference Center, Los Angeles campus and by teleconference meeting conducted in accordance with California Government Code §§ 11133.

Members present: Regents Batchlor, Blas Pedral, Chu, Cohen, Drake, Elliott, Guber, Hernandez, Leib, Matosantos, Park, Pérez, Reilly, Robinson, Sherman, Sures, and Timmons

In attendance: Regents-designate Ellis, Raznick, and Tesfai, Faculty Representatives Cochran and Steintrager, Secretary and Chief of Staff Lyall, General Counsel Robinson, Senior Vice President Colburn, Vice President Brown, Chancellors Block, Christ, Larive, and May, and Recording Secretary Johns

The meeting convened at 4:00 p.m. with Chair Leib presiding.

## UCLA BIG TEN MEMBERSHIP

The Chair of the Board and the President of the University recommended the following implementation of mitigation measures as a condition of endorsing UCLA's decision to become a member of the Big Ten Conference:

1. UCLA may proceed with its planned membership in the Big Ten Conference on condition that it implement the mitigation measures described below;
2. UCLA will adopt and implement annual plans to mitigate the travel impacts of its membership in the Big Ten Conference; such plans will take into account the competition schedule for each athletic team and shall be designed to reduce the burden of travel on student-athletes to levels comparable to the burden they would have experienced had UCLA continued its membership in the Pac-12 Conference; these mitigation strategies shall also include enhanced education for student-athletes and coaches around sleep, mental health, and physiology, which would guide nutrition, practice, and competition schedules during and after travel and will be reviewed for compliance with this provision by the Office of the President;
3. UCLA will increase budgeted student-athlete academic support beyond levels established for the 2023-2024 fiscal year in an amount not less than \$1.5 million; such academic support shall include additional learning specialists, the expansion of summer bridge programming for student-athletes, and direct stipends to student-athletes for investment in learning technology;
4. UCLA will increase budgeted student-athlete nutritional support beyond levels established for the 2023-2024 fiscal year in an amount not less than \$4.3 million; such support shall

- include guaranteed breakfast and lunch availability on campus for all UCLA student-athletes, professional dietician services, and funds not less than \$250,000 set aside for additional nutritious meals while traveling;
5. UCLA will increase budgeted student-athlete mental health services beyond levels established for the 2023-2024 fiscal year in an amount not less than \$562,800; such support shall include additional mental health service providers for student-athletes and education programs around stress management, sleep, disordered eating, and other conditions;
  6. UCLA will work with the UCLA Division of the Academic Senate to request that faculty provide appropriate accommodations and access to remote courses and online materials to student-athletes, and will engage Student Affairs in facilitating conversations between student-athletes and faculty members;
  7. UCLA will collect information on an annual basis from student-athletes concerning their experiences with mental health services provided by UCLA, particularly with regard to wait times;
  8. UCLA will conduct an annual survey of student-athletes to ensure the mitigation measures described in this item are sufficient and to identify any additional areas of support that may be needed. Results of such survey shall be shared with the President of the University;
  9. The requirements of Paragraphs 1 to 8 shall be effective starting July 1, 2024 (the beginning of the University's fiscal year) and shall continue until the expiration or termination of the Big Ten Conference New Member Agreement executed by UCLA on or about July 13, 2022, or earlier, if UCLA ceases to be a member of the Big Ten Conference, in which case these requirements will be reviewed and may be modified, as appropriate, by approval of the Board of Regents;
  10. UCLA will establish a reserve fund with the Office of the President in the amount of \$2.5 million to be used to supplement the amounts specified in this item, if the mitigation measures are determined to be insufficient; such reserve fund shall be established no later than July 1, 2024 and shall remain in place until the earlier of June 30, 2026, or until UCLA ceases to be a member of the Big Ten Conference;
  11. The President will return to the Regents at a future meeting, after Pac-12 media agreements are finalized, with a recommendation for a contribution by UCLA to the Berkeley campus in the range of \$2 million to \$5 million, to be used to enhance student-athlete support at that campus. Such recommendation will be based on the best available information on projected revenues for both campuses.

[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.]

Chair Leib explained that the 11-point recommendation in this item was the result of six months of deliberation and effort. The recommendation outlined mitigation measures to be taken by UCLA

as a condition of the Regents' endorsement of UCLA's decision to become a member of the Big Ten athletic conference.

Regent Sures proposed two separate votes: the first on paragraphs 1 to 10 of the recommendation, and the second on paragraph 11. He also proposed that paragraph 11 be amended such that the contribution by UCLA to the Berkeley campus in the range of \$2 million to \$5 million be changed to a range of \$2 million to \$10 million, and that the Board of Regents will have final approval over the contribution amount.

General Counsel Robinson advised that the Regents must first consider the motion to divide the question and separate the vote.

Upon motion duly made and seconded, Regent Sures' proposal to divide the question was approved, Regents Batchlor, Blas Pedral, Chu, Drake, Elliott, Guber, Hernandez, Leib, Matosantos, Park, Pérez, Reilly, Robinson, Sherman, Sures, and Timmons voting "aye."

Chair Leib stated that the Regents would now consider Regent Sures' proposal to amend paragraph 11 of the recommendation, such that the contribution by UCLA to the Berkeley campus be in the range of \$2 million to \$10 million, and that the Board of Regents will have final approval over the contribution amount.

Regent-designate Ellis noted that the University competes in many other arenas beyond athletics. If the Regents took this action in the realm of athletics, he asked if the Regents would take similar actions in other areas, such as competition for research grants.

Regent Pérez observed that there is ongoing competition at UC in a variety of spaces. The proposed amendment only had to do with a range of support for UC Berkeley. The larger question raised by Regent-designate Ellis concerned the factors that had led to this situation. This was the question of the reserved powers of the Board and the circumstances in which the Board wishes to exert itself to retain previously delegated authority. This was a broader question of governance, not specific to this amendment, and a question that the Regents would continue to discuss.

Upon motion duly made and seconded, paragraph 11 was approved as amended, Regents Batchlor, Blas Pedral, Chu, Drake, Guber, Hernandez, Leib, Matosantos, Park, Pérez, Reilly, Sherman, and Sures voting "aye" and Regents Elliott, Robinson, and Timmons voting "no."

Chair Leib stated that the Regents would now vote on paragraphs 1 to 10 of the recommendation.

Regent-designate Ellis expressed the hope that, in future discussions, the Regents would consider services to students with disabilities along with services to student athletes. In UC's services to students with disabilities, the Americans with Disabilities Act should be a minimum standard. He thanked the public and UC alumni for their input on this matter.

Chair Leib underscored the Regents' concern that the UC student athlete experience be the best possible. The funding outlined in this item was dedicated to that goal.

Upon motion duly made and seconded, paragraphs 1 to 10 were approved, Regents Chu, Drake, Elliott, Guber, Hernandez, Leib, Matosantos, Pérez, Reilly, Sherman, and Sures voting “aye” and Regents Batchlor, Blas Pedral, Park, Robinson, and Timmons voting “no.”

The meeting adjourned at 4:17 p.m.

Attest:

Secretary and Chief of Staff