

## THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

September 21, 2022

The Regents of the University of California met on the above date at the Price Center, San Diego campus and by teleconference meeting conducted in accordance with California Government Code §§ 11133.

Members present: Regents Batchlor, Blas Pedral, Chu, Cohen, Drake, Elliott, Hernandez, Leib, Makarechian, Matosantos, Ortiz Oakley, Park, Pérez, Pouchot, Reilly, Robinson, Sherman, Sures, 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 Investment Officer Bachher, 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 Block, Christ, Gillman, Hawgood, Khosla, Larive, May, Muñoz, Wilcox, and Yang, and Recording Secretary Li

The meeting convened at 8:50 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. Ken Yew, physician, called on the Regents to suspend COVID-19 vaccine mandates and mandatory medical interventions such as masking or weekly testing. He stated his view that the risks associated with receiving the vaccine, such as developing myocarditis, were greater than the risks associated with contracting COVID-19 and that the vaccine did not prevent infection.
- B. Ellen Switkes, parent of a UC graduate, urged Regents and UC administrators to visit Israel. She disagreed with some professors' statements about Israel as an apartheid state, citing the country's multiculturalism. She stated that the land has been contested for thousands of years; it was part of the Ottoman empire and then the British empire before it became Israel in 1948.
- C. Adam Cooper, UC San Diego graduate student and climate justice organizer, called on the Regents to heed the thousands of Academic Senate faculty who petitioned to set a new goal of reducing UC carbon emissions by 95 percent by 2035 and to make meaningful progress within this decade. He stated that the power plant at

UCSD burned fracked methane gas to generate electricity and that the University has made no plans and set no target date to reduce carbon emissions.

- D. Arianne Huffman, UC Merced student, expressed opposition to the University's involvement in the Thirty Meter Telescope (TMT) project. Due to delays, the estimated project cost has increased from \$1.4 billion to \$2.4 billion. Ms. Huffman stated that the harmfulness and unsoundness of this investment was exacerbated by poor planning, strong opposition in Hawaii, and the expiration of the master lease in 2033. She called on UC to end its relationship with the TMT and invest funding in diversity, equity, and inclusion efforts.
- E. Abeeha Hussain, UCLA student and UC Student Association (UCSA) Transfer Student Affairs Officer, stated that the CCC-UC Transfer Task Force report failed to outline how the Office of the President (UCOP) would realize the Task Force recommendations, which students and transfer advocates hoped would be more actionable than further research of what was already known. She asked that the Regents urge UCOP to take action, support legislation that helps students transfer into four-year institutions, and recognize nontraditional transfer students, such as those who were formerly incarcerated, of nontraditional age, veterans, and parents.
- F. Valeria Caverogusquiza, UC Santa Barbara student, spoke in opposition to the TMT project. She stated that building on Mauna Kea would further colonialization instead of adhering to University values. UC could act on behalf of ethical research practices by withdrawing support for the project or working to move it out of Hawaii. She stated that students would continue to protest against the TMT project.
- G. Abraham Hernandez, UCLA student and an undocumented student organizer, shared that 44,000 of the 94,000 undocumented postsecondary students in California were not eligible for the Deferred Action for Childhood Arrivals (DACA) program, and that this number was expected to rise, given the 27,000 undocumented students graduating from California high schools every year. Mr. Hernandez stated that the federal prohibition on employing undocumented people did not bind State government entities. He asked that UC seek ways to expand employment opportunities to non-DACA undocumented students.
- H. Adam Aron, UCSD professor, called on the University to accelerate its renewable energy transition and noted that UC was still releasing over one million tons of carbon dioxide every year. He stated that UC spent \$100 million on fossil fuels, which strengthened fossil fuel companies. Recent flooding in Pakistan, a sign of climate change, left one-quarter of the country under water, displaced 33 million people, and had a significant impact on the country's gross domestic product. If earth reaches 1.5 degrees Celsius above pre-industrial levels by 2030, this would lead to "tipping points" such as the release of large amounts of methane from the permafrost and the collapse of the Amazon rainforest.

- I. Jessica Corrales, UCLA staff member and member of Teamsters Local 2010, called on the University to provide pay increases that keep pace with inflation. She stated that healthcare staff were essential workers and asked the Regents to urge President Drake to ensure that essential workers receive fair wages.
- J. Jovanna Barrera, UCLA staff member and member of Teamsters Local 2010, implored Regents to provide fair pay to staff. During this period of high inflation, she has had to decide between paying bills or for childcare. UCLA staff have kept the campus operational and generated revenue during the pandemic.
- K. Patricia Vargas, UCLA staff member and member of Teamsters Local 2010, called for better compensation for staff. She shared that she was struggling to pay her bills and worked as a food delivery driver to supplement her income during the pandemic. Staff were incurring more expenses, working more with fewer resources, and experiencing more stress.
- L. Eduardo Rosales, UCSD staff member and member of Teamsters Local 2010, asked the Regents to use their influence to promote fair labor contracts. He shared that union members were subjected to long delays during contract negotiations and that the union filed an unfair labor practice complaint during negotiations. He stated that stagnant wages affected retention and recruitment, and he attributed the University's greatness to the efforts of its faculty and staff.
- M. Vincent Rasso, UC Riverside alumnus and representative from the Campaign for College Opportunity, encouraged the CCC-UC Transfer Task Force to implement the eighth recommendation of its report, creating an intersegmental memorandum of understanding (MOU). He asked that benchmarks be set to measure progress made on the implementation of recommendations. There was no need for study in the seventh recommendation, as data on transfer outcomes were already available. Instead, the Campaign called on UC to create a systemwide transfer guarantee, to align the Associate Degree for Transfer, and build a transfer-ready system.
- N. Baltazar Moreno addressed the Regents in Spanish and was accompanied by a translator. Mr. Moreno, a staff member of Palomar Medical Center and member of the Caregivers and Healthcare Employees Union (CHEU), asked that the University support Senate Bill (SB) 1334 and called for meal and rest break times for hospital workers, some of whom worked 12-hour shifts. Palomar workers were members of CHEU and had a labor contract, but many hospital workers were not, so SB 1334 could help many in the public sector.
- O. Elizabeth Jones, UCSD Health nurse and member of the California Nurses Association (CNA), asked that Regents demand that Governor Newsom sign SB 1334 into law. Nurses and healthcare workers, who campaigned for the Governor's reelection and against his recall election, sought the basic right to meal and rest breaks. Nurses who were able to rest, hydrate, eat, and use the bathroom

were better able to provide the highest level of care to patients. She stated that UC managers opposed SB 1334.

- P. Anna Sindelar, UCSD Health nurse and CNA member, called on the Regents and Governor Newsom to support SB 1334, which would close a loophole that has allowed public sector hospitals to have lower standards for meal and rest breaks. One UCSD nurse has not had a covered lunch break since 2017 and recently resigned. Ms. Sindelar stated that UC administrators opposed providing their healthcare staff—predominantly female and people of color—rest and meal breaks. She noted that CNA had a letter of support from elected representatives.
- Q. Jayden Wood, UCSD student and climate advocate, demanded that the Regents adopt the Academic Senate memorial to reduce on-campus fossil fuel combustion; expedite transition to a University free of fossil fuels; prioritize funding this year for campus electrification plans; and create actionable milestones for the next decade for reducing carbon emissions without the use of carbon offsets.
- R. Pacita Balcom, retired nursing assistant and former CHEU President, called on UC to support SB 1334 and called on Governor Newsom to sign the bill into law. She recalled that she negotiated the first labor contract with Palomar Medical Center that gave workers meal and rest breaks, and then spent the following 20 years filing grievances to ensure those breaks. She stated that healthcare workers were the backbone of patient care, and, without breaks, mistakes in care would be made.
- S. Eric Halgren, UCSD professor, urged Regents to adopt the goals set forth in the Academic Senate memorial to reduce carbon emissions. He shared that, in 1896, Swedish scientist Svante Arrhenius predicted that carbon pollution would cause global warming. In 1957, UCSD scholar Roger Revelle determined that oceans did not buffer carbon emissions, and, in 1958, Charles David Keeling began monitoring carbon dioxide levels on mountain peaks in Hawaii, which have continued to rise. In Mr. Halgren's view, zero-carbon goals have not been effective. UCSD did not follow the climate action plan that it adopted in 2008, because it was superseded by a systemwide plan that has focused on carbon offsets, which do not work.
- T. Leslie Lewis, UCSD faculty member and climate justice advocate, called for immediate and definitive action against climate change. She expressed concern for her children, students, future generations, and those disproportionately harmed by the climate crisis. Since 2019, the number of those experiencing extreme food insecurity worldwide has doubled. In Ms. Lewis' view, inquiry was not enough if not coupled with action, and decades of research was already available.
- U. Leo Ho, UCSD student, called on the University to adopt the Academic Senate memorial to reduce carbon emissions. He stated that UC was still releasing one million tons of carbon dioxide every year and needed to take responsibility for its contribution to the climate crisis.

- V. Kristin Turner, Executive Director of Pro-Life San Francisco, asked Chancellor Hawgood to meet with Pro-Life San Francisco, community members, and alumni to discuss the use of fetal organs in research. She claimed that UCSF's collection of fetal organs without the use of feticidal injection increased the rate of born-alive infants by up to 50 percent. She stated that reproductive organs were being taken from fetuses that could not consent to organ donation.
- W. Tim Clement, representative of Survivors of the Abortion Holocaust, stated that unethical research was taking place at UCSF and other UC locations. He stated that, like Socrates, who likened himself to a gadfly pushing political leaders in Ancient Greece, pro-life activists were also gadflies. He also stated that UCSF research countered the rules of cosmology. He asked that Chancellor Hawgood meet with pro-life activists.
- X. Ali Brieske, UC Santa Barbara staff member and member of Teamsters Local 2010, asked UC not to suppress wages and to bargain fairly with the union. She stated that increased rent and inflated food and gas prices made living in her hometown to be close to her aging mother very difficult. She stated that the campus should use its influential position as the largest employer in Santa Barbara County to ensure that its work force is adequately paid.
- Y. Rosie Kuo, UC Berkeley alumna, called on the University to incorporate integrative pest management strategies and eliminate the use of pesticides and herbicides that are toxic for groundkeepers, landscaping staff, and the ecosystem. UC could be the first to create a plan to transition to organic land care.
- Z. Honu Nichols, UCSB alumna and *Kānaka Maoli*, or Native Hawaiian, spoke in opposition to the TMT project on Mauna Kea. For 20 years, Native Hawaiians have protested every telescope built on Mauna Kea. *Kānaka Maoli* regarded themselves as part of the environment and Mauna Kea as their elder. Ms. Nichols stated that constructing on Mauna Kea risked damaging an aquifer and native plants. She also stated that 38 Native Hawaiian elders were arrested protesting the TMT and that many have died providing testimony. She equated the project with genocide.

## 2. REMARKS OF THE CHAIR OF THE BOARD

Chair Leib began his remarks by noting that he spoke at the new student orientation at his alma mater, UC Santa Barbara. He introduced four newly appointed Regents: Elaine Batchlor, Chief Executive Officer of MLK Community Healthcare; Carmen Chu, San Francisco City Administrator; Ana Matosantos, former cabinet secretary to Governor Newsom; and Mark Robinson, strategic advisor of healthcare companies. Chair Leib welcomed Faculty Representative James Steintrager, professor of English, Comparative Literature and European Languages and Studies at UC Irvine. He announced that Regent Ortiz Oakley was taking a new role as President and Chief Executive Officer of the College Futures Foundation and acknowledged his eight years of service as Regent.

Chair Leib highlighted several items from this meeting's agenda. The Board would hear an update on the implementation of the UC Community Safety Plan, as well as an overview of UC delegations of authority. He made clear that the latter discussion was related to future decision-making, not UCLA's intention to move to the Big Ten conference. The Board would also meet in closed session to discuss legal and financial issues related to UCLA's potential Big Ten membership. Inaugural recipients of the Regents Foster Youth Award would be honored, and State Assemblymember Christopher Ward would be speaking at the Public Engagement and Development meeting.

Chair Leib was heartened to learn that his priorities as Chair overlapped with those of President Drake. His first priority was continuing efforts to increase capacity. He noted that UCLA and UC San Diego were exploring additional sites, and that UCSD's presence in Chula Vista could increase access to the underserved in the South County area. His second priority was improving access for first-generation and lower-income students. He shared that about forty percent of UC undergraduate students were first-generation students, and 35 percent were Pell Grant recipients. Chair Leib's third priority was increasing efforts to address climate change. He noted that the State has provided new funding for climate research and expressed pride in the UC-affiliated companies being established to combat climate change. His fourth priority was implementing recommendations set forth by the Special Committee on Innovation Transfer and Entrepreneurship, particularly to tackle carbon emissions and global warming.

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

President Drake welcomed students, faculty, and staff to a new academic year. He briefly introduced State Assemblymember Christopher Ward, who represented the 78th Assembly District and would be speaking at the Public Engagement and Development Committee meeting. President Drake noted that he was beginning his third year in this position and highlighted the areas he believed needed additional focus: expanding opportunity and excellence; leading with regard to addressing climate change; strengthening an inclusive, respectful, and safe University community; and promoting health across the state, particularly in its most vulnerable communities. UC was ready to begin bold new phases of its work in capacity and degree attainment, campus safety, climate research collaborations, increasing access to UC Health, and creating debt-free education pathways. The University was also working to mitigate bias and discrimination, grow and diversify the UC community, and improve the cultural competency of leadership. UC aimed to improve the screening and management of cancer, diabetes, hypertension, and long COVID, and to become an industry leader in low-carbon construction and transition away from the use of fossil fuels in operations. The Regents would continue to be critical partners in addressing these issues.

The University released its first Community Safety Plan last August and much work has gone toward its implementation. President Drake noted, in particular, the development of a tiered response model for safety services, the launch of six public data dashboards, the creation of consistent vehicle, uniform, and equipment standards, and the hiring of UC's

first Systemwide Director of Community Safety, Jody Stiger. UC wished to be forward-thinking in its approach, and President Drake highlighted UC's progress and trajectory.

President Drake stated that Executive Vice President Byington would continue to provide updates on COVID-19 during Health Services Committee meetings. In California, case rates have fallen below 4,000 per week. Infection reporting has resumed on campuses, where testing was widely available, and preparations were made for isolating positive cases. There were now fewer than 150 COVID-19 inpatient cases at UC Health, and UC was monitoring seasonal flu outbreaks. With a high level of infection still present, President Drake cautioned that the pandemic was in a better state but not over. A spike in cases was expected with the mass migration of students back to campuses, but President Drake expressed pride in the UC community's success in keeping case numbers low and in the example that various campuses have set nationally. He urged individuals to receive a booster dose of the COVID-19 vaccine to protect against the next wave of infection, and an influenza vaccine in light of the difficult flu season in the Southern Hemisphere.

President Drake closed his remarks by acknowledging Regent Ortiz Oakley's service and congratulating him on his new position as President of the College Futures Foundation.

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

Faculty Representative Cochran began her remarks by introducing Faculty Representative James Steintrager. She recalled the early days of the COVID-19 pandemic, noting the faculty's capacity to pivot to remote instruction and mentoring, sometimes at the cost of their own research. The reopening of campuses last academic year revealed the struggles of first-generation, lower-income, and underrepresented minority students, staff departures, and the loss of underrepresented faculty at a rate that would affect the University's goals of diversifying its faculty. In an Academic Senate survey of faculty conducted last spring, respondents reported that students needed help learning or relearning how to excel as UC students. Accommodating pandemic-related instructional demands affected faculty's capacity to conduct research, mentor students, and provide service. Nearly three-quarters of faculty reported that their sense of connection to their campus was affected by the pandemic. Physical environment is a catalyst for new knowledge, where innovation and entrepreneurship, mentoring, and networking occur. In response to these harms experienced by faculty, the Academic Senate and UC administration have decided to create a joint work group that would devise recommendations to remedy these issues. UC needed an inclusive, supportive culture for both instruction and research. Drawing from her experience as an epidemiologist, Ms. Cochran projected that the following academic year should be better than the last, and she hoped that there would be an opportunity to reflect on lessons and practices from the pandemic. The language of the State Constitution provided a structure with which a public research university would benefit the people of California, and Regental Bylaws recognized the importance of shared governance. For example, the Academic Senate and Systemwide Human Resources worked together to inform faculty and staff of a limited opportunity to participate in the newly revised Public Service Loan Forgiveness Program. Ms. Cochran would update the Board regarding Senate activities at future meetings.

The meeting adjourned at 10:10 a.m.

Attest:

The Secretary and Chief of Staff