

The Regents of the University of California

PUBLIC ENGAGEMENT AND DEVELOPMENT COMMITTEE

November 16, 2022

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

Members present: Regents Hernandez, Reilly, and Timmons; Ex officio members Drake and Leib; Advisory members Ellis, Raznick, Steintrager, and Tesfai; Chancellors Larive, Muñoz, and Wilcox; Staff Advisor Lakireddy

In attendance: Regents Analyst Sheridan, Deputy General Counsel Woodall, Provost Brown, Senior Vice President Colburn, and Recording Secretary Li

The meeting convened at 10:10 a.m. with Committee Chair Reilly presiding.

Committee Chair Reilly acknowledged that this was the final meeting for Associate Vice President Kieran Flaherty. She thanked him for his 20 years of service to the University.

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 Drake, Hernandez, Leib, Reilly, and Timmons voting “aye.”¹

2. NOVEMBER 2022 ELECTION: OUTCOMES AND INSIGHTS FOR THE YEAR AHEAD

[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.]

Senior Vice President Colburn stated that Regents were provided with a table of the newly elected State and federal legislators. Also included was a map indicating the legislators representing a particular campus or location.

Dan Schnur, UC Berkeley faculty member and political strategist, began his remarks by congratulating his former students who recently won elections. He stated that one of his greatest sources of frustration in higher education was instructors misusing their privilege and inflicting personal ideologies on students. He kept his personal views out of the classroom because he did not want his students to feel uncomfortable sharing their beliefs.

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

Mr. Schnur remarked that the 2022 midterm elections had an unusual outcome and an unusual reason for that outcome. In 100 years, there have been three midterm elections in the U.S. president's first term in which the president's party did not suffer major losses: in 2002, 1962, and 1934. Despite U.S. President Biden's low approval ratings and voter concerns on inflation, the Republican party did not make major gains during the midterm election. Mr. Schnur attributed this outcome to the U.S. Supreme Court decision in *Dobbs v. Jackson Women's Health Organization* and to former President Donald Trump. He observed that the Supreme Court had never made a major decision so close to a national election prior to the overturning of *Roe v. Wade* in June. In his view, the party not in power tended to be more motivated during a midterm election, but loyal Democratic voters were motivated by the loss of reproductive rights, more so than by President Biden. Mr. Trump's presence on the campaign trail, the January 6 congressional hearings, and the U.S. Department of Justice's investigation into confidential documents Mr. Trump took from the White House enabled Democrats to frame the election as a choice between two alternatives. Democrats performed well despite President Biden's low approval ratings because voters liked the alternative less. Presidential campaigns focused on persuading undecided voters, while midterm campaigns focused on motivating a party's base. In this election, there was no surge of support among the most loyal Democratic voters. Instead, more independent and loosely aligned Republican voters, primarily Republican women, voted Democrat. The Democratic party had an opportunity to bring back these swing voters in the next presidential election.

With the House of Representatives narrowly controlled by Republicans and the Senate narrowly controlled by the Democrats, Mr. Schnur projected that nothing significant would happen through federal legislation between this time and January 2025, citing student loan debt relief and Title IX as examples. Issues of concern to UC and higher education would most likely be addressed through executive action or judicial decision, or at the State level. However, given the fact that fewer than 40 percent of voters had a college degree, it was becoming easier for opponents of expanded student debt relief to make their case. Mr. Schnur believed that the California State Legislature would continue to take a leadership role in these issues. He urged Regents to redouble their efforts at the State level, as action in California could send strong messages to elected officials in other states. Citing Florida Governor Ron DeSantis as an example, he cautioned that populist resentment toward government and business was now focusing on higher education and existed on the political right and left.

Since the Supreme Court ruled five-to-four in favor of maintaining race and ethnicity as a consideration in college admissions, three new Justices have joined the Court, and a similar case was likely to be decided differently. He praised the University's recruitment and outreach efforts as exemplary and noble, noting UC's opportunity to educate colleges and universities across the country about other ways to diversify a student body. Mr. Schnur recalled that, prior to teaching at UC Berkeley in 1996, he had been a prominent spokesperson for Proposition 187, which prohibited undocumented individuals from accessing health care, public education, and other services in California, but his experience of meeting undocumented students changed his perspective over time. In his view, undocumented students added both to the university experience and the state's future, and

he believed that, in order for these students to have the full UC experience, they deserved the opportunity to work. There was significant debate about whether federal prohibitions applied to States and State universities, but UC could provide employment opportunities to undocumented students through nonprofit organizations. Mr. Schnur offered to work with the University on this endeavor.

Regent-designate Raznick asked about the tenor of the classroom and if it was a safe space for open dialogue. Mr. Schnur replied that he encouraged his students to be analysts instead of advocates in the classroom. Over the course of a semester, he helped his students learn to put aside their strong political and ideological views so they could consider how to fashion an argument that garners public and political support. Mr. Schnur did not prefer the term “safe space;” he wanted his students to speak out strongly, but he acknowledged that they came from a wide range of backgrounds and perspectives. If conversations skewed toward being harmful, he would try to redirect and expand the conversation to include other perspectives.

Regent Leib asked Mr. Schnur about his changing views about Proposition 187. Mr. Schnur responded that he had publicly admitted to being wrong about the proposition and that his experience at UC had caused him to reconsider. He spoke in his classes about why he developed his previous opinions and why he changed them.

Regent Leib asked for Mr. Schnur’s opinion on the decision by some student groups at UC Berkeley School of Law to prohibit those with Zionist views from speaking at those groups’ events. Mr. Schnur stated that there was no such thing as a “Jewish-free zone” at UC Berkeley, yet college campuses were now the battle lines in a debate over Zionism. He found it reprehensible that a student organization would set this type of parameter and expressed serious concern that UC Berkeley was producing lawyers who found this view acceptable. Mr. Schnur commended Regents for the stance they have taken. Regent Leib noted that there had been false accusations of the existence of “Jewish-free zones” and that certain groups were inflaming the community.

Regent-designate Ellis expressed support for instructors giving students critical thinking and analysis skills rather than sharing their personal political view. He emphasized the importance of advocacy and the ability to articulate viewpoints even where there is agreement. Mr. Schnur added that, in his classes, he also discussed government participation ranging from attending rallies to legislative internships.

Regent Hernandez asked about the probability of an executive order that would give work authorization to undocumented students. In his view, an undocumented student should be able to work to afford college and improve their future earning ability. Mr. Schnur expressed agreement and noted that not everyone had the same understanding of the issue. He saw three ways that UC could advocate for work opportunities for undocumented students. First, UC could force the legal argument of whether a State government or university system was bound by federal rules that governed private sector businesses. Second, UC could take a vocal role in pushing for an executive order. Third, the University

could explore California nonprofit organizations that would employ undocumented students and direct them to work on UC campuses.

Regent-designate Tesfai expressed hope that, with Mr. Schnur's involvement, there would be more attention to and more progress made on the issue of employment opportunities for undocumented students. Mr. Schnur recalled that, by offering employment to a student last fall, he inadvertently compelled the student to reveal her immigration status.

Regent-designate Tesfai also asked what other factors aside from race and ethnicity could be considered to promote diversity in admissions. Mr. Schnur commended the University on its outreach and recruitment efforts; UC representatives were meeting with high school students in their freshman and sophomore years. UC could play a national role and help other university systems overcome hurdles it experienced. He believed that the University needed to provide more institutional support to UC students who benefited from its diversity and outreach programs.

Committee Chair Reilly asked about the future of the Republican Party in California. Mr. Schnur observed that Republican parties in other states tailored their approach to their state, and that California Republicans needed to do the same in order to regrow the two-party system. In his view, the political system benefitted from two strong parties; a loyal and competitive minority could hold the majority to account for its excesses. Instead of seeking "quick fix" candidates from the entertainment and business sectors as other minority parties have done, Mr. Schnur believed that the California Republican party needed to rebuild from the ground up and in different way. He predicted that it would be some time before that happens in California.

3. **SAFEGUARDING AMERICAN DEMOCRACY: WHAT TO DO AND HOW TO DO IT**

[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.]

Richard Hasen, UCLA Professor of Law and Director of the Safeguarding Democracy Project stated that millions of people believed that this country could not conduct free and fair elections, and he attributed much of this to former U.S. President Donald Trump's unsupported claim that the 2020 presidential election was stolen. Mr. Hasen called attention to the danger of subversion, noting that people were more likely to accept non-democratic means to change power if they believed that the previous election was not fair. Many election deniers on the ballot lost in the November 2022 election, but election deniers were elected as secretaries of state, who served as chief election officers, in four states. He expressed concern about elections at the county level as well. A functioning democracy required "loser's consent," in which the losing side in an election concedes and accepts that the results are fair. However, events after the 2020 presidential election revealed problems with the U.S. election system, and federal and State laws have not been updated for clarity. For instance, the U.S. Congress was currently considering an amendment to the Electoral Count Act of 1887, which could address some of the risks in the election system.

Mr. Hasen had co-founded UC Irvine School of Law's Fair Elections and Free Speech Center, which had both a domestic and global focus. At UCLA School of Law, he founded the Safeguarding Democracy Project, which had a solely domestic focus. The Project focused on the continuation of free and fair elections in the U.S., covering issues such as campaign finance, partisan gerrymandering, and voting rights. This was a bipartisan and multidisciplinary effort. The Project has hosted video webinars on various issues and conversations with journalists and political scientists. In March, the Project planned to host a conference on the 2024 election. He had hosted a similar event at UC Irvine in 2020, after which an ad hoc committee produced report recommendations for the 2020 elections, and he hoped to do the same for the 2024 elections. The Project was working with other organizations and centers, both at UCLA and other campuses, which were concerned with voting rights and democracy. The Project planned to issue reports on different states and to file court briefs and briefs with election administrators.

Regent Timmons asked how one would address the assertion that there is a problem with an election. Mr. Hasen replied that the 2020 report of the ad hoc committee recommended that election officials explain the electoral process before an election, use websites with ".gov" suffixes to convey the official nature of pronouncements, and acquire official status on social media. He underscored the importance of voters' access to accurate information. Larger jurisdictions needed to respond to assertions proactively. For instance, officials in Maricopa County, Arizona, released a video explaining why a problem with the tabulating machines was not the result of fraud, and what was being done to address it. Journalists should have good understanding of election processes and should know whom to call if they had questions. Mr. Hasen expressed great concern about the demise of integrity checks with the sale of Twitter, which could become a new pathway for disinformation. These interventions might not convince everyone, but they could convince those with serious questions about the election process that safeguards are in place to ensure a fair and transparent way.

Regent-designate Raznick asked if free and fair elections were a bipartisan concern. Mr. Hasen responded in the affirmative; there was bipartisan concern about whether elections have been free and fair, as well as interest in ensuring that they are free and fair. He was heartened by the midterm election results, in which Republican voters rejected candidates who believed that the 2020 election was stolen. He believed that there was a consensus that free and fair elections are essential and that questioning the integrity of elections was a losing proposition. He stressed the importance of educating the public on how systems work and what safeguards are in place, and involving more people as poll workers or observers.

Regent-designate Raznick asked if the Project's multidisciplinary approach included working with various academic departments. Mr. Hasen replied that the Project had four groups: law, politics, media, and technology. The Project has drawn from the expertise of computer scientists, the former chief security officer at Facebook, think tanks, professors from the journalism, communications, and philosophy departments, law professors and other legal professionals, and political scientists and sociologists. There was no panacea;

trust in institutions was declining across the country, and each segment of society had a role to play in addressing this problem.

Regent-designate Ellis, noting concerns about student voting that were voiced during the public comment session, asked how the University could support the ability of students, faculty, and staff to access the polls. Mr. Hasen responded that, while it was easy to vote in California, students who were voting for the first time were not necessarily proactive. Those living in the dormitories might not receive a vote-by-mail ballot, and the number of students who wished to participate in same-day voter registration caused a backlog on or near campuses on Election Day. Mr. Hasen suggested early voting centers or early voting opportunities for students, as well as adequate staffing on campus. The UCLA School of Law designated Election Day a non-instructional day of service during which students could volunteer at the polls or provide other service related to the democratic process. This could be expanded systemwide.

Staff Advisor Lakireddy asked if the Project distinguished between rural and urban regions, and how the Project engaged rural regions in dialogue. She noted that she did not receive many invitations to participate in polling or large university studies in Merced. Mr. Hasen replied that rural communities have been less trusting of the election process than urban communities. He attributed this to increased polarization and partisanship, and the fact that those who were addressing election issues were primarily in cities. For example, some Nevada rural counties decided to count ballots by hand, which was slower and less accurate, because they did not trust tabulating machines. Litigation has resulted from these hand counts. One must recognize the rural-urban divide when forming cross-partisan, multidisciplinary coalitions to restore faith in the election process.

4. **UC SYSTEMWIDE 2022 CIVIC ENGAGEMENT EFFORTS**

[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.]

Deputy Director of Executive Communications Stephanie Beechem provided an update on the University's 2022 systemwide civic engagement efforts. From April to November, the Office of the President (UCOP) partnered with all ten campuses, the California Secretary of State, State leaders, and student groups in a nonpartisan effort to encourage UC students and community members to register and vote, using both digital and in-person outreach. UCOP launched and updated a centralized civic engagement website, "UC Votes," with links to nonpartisan resources, a timeline of important dates, and an online voter registration tool from Rock the Vote, a nonprofit civic engagement organization. UCOP designed eye-catching graphics and raised awareness on social media platforms. These efforts resulted in 5.3 million impressions, 150,000 engagements online, and 73,000 clicks on the UC Votes website; UCOP social media content was also shared by high-profile accounts. UCOP also reached out to the UC Advocacy network to encourage members to share resources with friends and family. Articles explaining the election process were hosted on UC's homepage, social media accounts, and in internal newsletters. In June, President Drake, Chair Leib, Chancellor May, student representatives, and Secretary of

State Shirley Weber signed a joint resolution that affirmed the shared commitment to increase access to voting at UC. Campuses participated in the Secretary of State's Ballot Bowl, a competition among college campuses to register the most voters, and some 4,300 UC students registered this year. Every campus now had a vote center, polling station, or ballot drop box. UCOP grants enabled campuses to host vote centers, distribute flyers, register voters, and hold election day events. Government relations teams shared civic engagement efforts with State and federal lawmakers. UC distributed branded posters and pins to all California legislators' offices, and UCOP shared its civic engagement tools with student leaders. Researchers at Tufts University estimated that the 2022 general election had the second highest youth turnout for a midterm election in the past 30 years. UC students were becoming more engaged; in 2020, 76 percent of eligible students voted, up from 50 percent in 2016. UC students voted at a much higher rate than eligible voters in California and in the U.S, as well as students in four-year public universities in the U.S.

UCLA Professor of Chicano Studies Veronica Terriquez stated that California Freedom Summer, inspired by Freedom Summer in 1964, in which college students registered voters in Mississippi, was a nonpartisan voter education and outreach program in communities with lower rates of voter engagement among young people. In 2014, the State Legislature passed Senate Bill 113, which lowered the pre-registration age to 16 years. Students had an opportunity to return to their own communities to pre-register young voters and register voters their own age. The program, co-sponsored by UCLA's Chicano Studies Research Center, the Ralph J. Bunche Center for African American Studies, the American Indian Studies Center, and the Asian American Studies Center, was available to students systemwide, to community college students, and high school students. Coursework, which focused on the history of voting, voter registration, and linking voter registration to local issues, was offered online. Prior to this program, Ms. Terriquez developed the Central Valley Freedom Summer in partnership with UC Santa Cruz and UC Merced. In some communities, voter pre-registration was not encouraged or welcomed, which was documented by students. Between the 2014 and 2018 midterm elections, voter turnout in the Central Valley increased by 285 percent. UC contributed to that increase with peer-to-peer outreach. This year, the program has hosted conferences at various UC campuses and smaller events around the state and has registered or pre-registered over 5,000 individuals. Students participating in this program were helping to underscore that UC is accessible. Nonprofit organizations and community partners provided scholarships to undocumented student participants. Ms. Terriquez stated that the UC system could do more to connect with community colleges and high schools. She stressed the importance of stipends, without which students would be seeking other employment over the summer.

UC Santa Cruz alumnus Jose Orellana shared that, prior to participating in Central Valley Freedom Summer, he had never considered participating in activism or organizing. He was born in Delano, California, was raised by Salvadorian refugee parents, and pursued the goal of higher education so that he could find a high-paying job and support his family. Experiencing culture shock in his first two years at UCSC, Mr. Orellana found this internship by chance and was initially attracted by the stipend, which meant he would not have to do farm or restaurant work. Through Central Valley Freedom Summer, he learned about the history of Delano, grassroots community organizing, and how to understand what

was happening in his community. For his internship, Mr. Orellana was placed at the Center for Race, Poverty and the Environment, and he learned about local environmental justice issues such as air pollution and cancerous water wells. Identifying as a queer Latino in the Central Valley was very difficult, and, that summer, he felt acknowledged and a sense of belonging, and he was able to contribute to the LGBTQ+ community in the Central Valley. As part of his internship, he registered voters, trained high school students, and cofounded LOUD for Tomorrow, a youth-led grassroots civic engagement organization for young people of color in the Central Valley. The organization has reached over 50,000 voters in Kern, Tulare, and Kings Counties. The youth he had met through Central Valley Freedom Summer would not be able to participate in California Freedom Summer. Mr. Orellana was confident that data would indicate the impact of investment in this program, and he expressed hope that a new cohort of students would speak to the Regents in the future.

UCLA student Kennedy McIntyre stated that she was not civically engaged prior to taking Ms. Terriquez's class on racial justice and youth civic engagement in January. She learned how to analyze sociopolitical issues, such as racism being rooted in laws and institutions, and how youth could make a difference in their communities. Ms. McIntyre helped plan a regional conference at UC Berkeley that convened Northern California high school and community college students for a day of workshops on nonpartisan voter education and labor rights. She also spoke about youth civic engagement at three regional conferences. As a participant of California Freedom Summer, Ms. McIntyre was placed at Sac Kids First, where she educated voters on a municipal ballot measure that would provide services and funding for youth mental health, substance abuse prevention, and homelessness. She worked with elected officials and answered questions from diverse community members, and she voted for the first time this election. Ms. McIntyre was currently writing a case study on what was needed to motivate young voters to build diverse coalitions.

Regent-designate Ellis recalled his own experience as a gay man in the Central Valley when he was an undergraduate student at UC Merced. He believed that views evolved through this work and praised Mr. Orellana for his efforts. In his own career, he has assisted students with disabilities with voter registration, but some declined. He suggested that the University insert the option of voter registration in various administrative processes. Senior Vice President Colburn stated that California Freedom Summer was an example of the Office of the President (UCOP) enabling and empowering these campus efforts so that there would not be a concern about materials and resources.

Regent Hernandez recalled that, when he ran for U.S. Congress, he observed a hunger and interest from youth who wished to enter the political arena. He asked if there were plans to train youth for public life. Ms. Terriquez responded that the program has given youth an opportunity to meet with local elected officials. Training youth to run for office seemed like the next step, and one program alumna had run for office. Mr. Orellana stated that the vision was to enable young people to represent their communities, and this required resources and institutional support. Ms. Terriquez stated that one participant's voter registration and education efforts in Avenal, California inspired young people to consider becoming an elected representative.

Chancellor Muñoz recalled his own experience as a fellow in the Chicano Studies Center at UCLA. He stated that, with funding from UCOP to the UC Merced Center for Analytic Political Engagement, the campus was now able to recommit to this program. He asked how these efforts could be elevated across the San Joaquin Valley. Chancellor Larive stated that she was also glad to continue this effort. The Pajaro Valley and Salinas Valley also needed this engagement. One UCSC student was elected to the Salinas City Council while still a senior.

Regent Timmons asked the student presenters how their coursework inspired their engagement. Mr. Orellana replied that the California Freedom Summer coursework helped him reflect on his identity, his community, as well as institutionalized challenges he faced. Not only did he learn about the farm labor movement and LGBTQ+ history and identity, but he also acquired skills like communication and organizing to help his community address those challenges. Ms. McIntyre replied that the coursework covered a range of topics and all aspects of organizing. At the end of the course, students created and led a workshop based on the topic of their choosing.

Regent-designate Raznick stated that the Alumni Associations of the University of California (AAUC) was working with UCOP to create a voter block out of the two million UC alumni. He asked Ms. Terriquez to consult with AAUC regarding her experience and insights. Ms. Terriquez replied that she would do so. Mr. Colburn remarked that UCOP staff were passionate about voter engagement.

The meeting adjourned at 12:05 p.m.

Attest:

Secretary and Chief of Staff