

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

November 15, 2023

The Regents of the University of California met on the above date at the UCLA Luskin Conference Center, Los Angeles campus and by teleconference at 455 Golden Gate Avenue, San Francisco and Corral del Risco, 63727 Nayarit, Mexico.

Members present: Regents Batchlor, Cohen, Drake, Elliott, Ellis, Guber, Hernandez, Leib, Makarechian, Park, Pérez, Raznick, Reilly, Robinson, Sherman, Sures, and Tesfai

In attendance: Regents-designate Beharry, Pack, and Salazar, Faculty Representatives Cheung and Steintrager, Staff Advisors Emiru and Mackness, Secretary and Chief of Staff Lyall, General Counsel Robinson, Provost Newman, Chief Compliance and Audit Officer Bustamante, Executive Vice President and Chief Financial Officer Brostrom, Executive Vice President and Chief Operating Officer Nava, Executive Vice President Rubin, Interim Senior Vice President Reese, Vice Presidents Brown, Leasure, and Lloyd, Chancellors Block, 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 began his remarks by noting that he shared the strong emotions others have felt in light of recent world events. Those attending this meeting came from different backgrounds, but all cared deeply about the University. He called on all to be respectful during the public comment period.

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. Mia Terry, UC Santa Cruz student and UC Student Association (UCSA) Disability Justice Officer, called attention to issues with policies regarding “incomplete” grades. She noted that, on multiple campuses, incomplete grades were not resolved after students completed their work. She regarded this as a form of “flagging,” in which scores are annotated to reflect that a student received accommodations. The time provided to resolve an incomplete grade also varied by campus. Ms. Terry hoped to work with Regents Park and Sures to address this issue.
- B. Teesha Sreeram, UC Riverside student and peer educator at the UCR Campus Advocacy, Resources and Education (CARE) office, noted the lack of institutional support for CARE offices and the lack of a permanent allocation to close staffing and programming gaps. Ms. Sreeram stated that survivors of sexual assault should

not be prioritized by the number of days since their assault, and that consistent access to CARE advocates was essential since every survivor's experience was different. She called on the Regents to allocate \$2.50 per student toward advocacy, prevention, and education efforts.

- C. Jeanie Kaufman Cerceo, UC Davis alumna and parent of UC alumni, expressed strong dismay about antisemitism on UC campuses. She stated that UC was not enforcing its anti-racism, diversity, equity, and inclusion policies and was allowing hate groups to express their desire for the elimination of Jewish people from Israel. She asked if UC would allow hate groups to hold demonstrations. Ms. Kaufman Cerceo stated that protestors at UCLA were chanting hateful messages while beating a piñata of Israeli Prime Minister Benjamin Netanyahu.
- D. Vero Caverogusquiza, UC Santa Barbara student, highlighted issues that Student Advocates to the Regents (STARS) would raise at this meeting. These included creating a systemwide standard for resolving incomplete courses; addressing flagging; the Opportunity for All campaign; and the lack of permanent funding for CARE offices. She stated that UC commissioned a third-party needs assessment in 2020 but ignored the findings and called on UC to acknowledge the report and allocate \$2.50 per student for CARE services.
- E. Diana Ortiz, UC Berkeley student, urged the University to implement the proposed strategy of the Opportunity for All campaign, adding that UC had the power and an obligation to improve the lives of UC students, especially undocumented students. She wished that she had employment opportunities as an undergraduate student and that she did not have to advocate for her rights.
- F. Chris Tilly, UCLA professor, expressed strong support for the Opportunity for All campaign. He observed that undocumented graduate students without Deferred Action for Childhood Arrivals (DACA) status were intelligent, motivated, and hardworking, but many faced financial difficulty and were compelled to seek low-wage, unreported employment. A positive decision about the Opportunity for All campaign would signal that UC is a place of tolerance, diversity, and inclusion.
- G. Elisabeth Koch, UCLA graduate student, stated that, following the academic workers' strike one year ago, the Regents have not allocated money for the United Auto Workers (UAW) contract. She stated that teaching assistants were given larger workloads and had less time to work with undergraduate students, and that UC was delaying the implementation of the Opportunity for All campaign. Ms. Koch claimed that the Regents were supporting genocide in Gaza, suppressing on-campus protests, and funding weapons manufacturing. She called on UC to divest from war and genocide and to cut ties with Israel.
- H. Aurora Reyes, UCLA staff member and member of American Federation of State, County and Municipal Employees (AFSCME) 3299, stated that individual staff members were doing the work of multiple people because of UC's inability to retain

employees. She called for a \$25 per hour minimum wage and a five percent increase for AFSCME members who earn at least \$25 per hour. She shared that she was living with roommates due to the high cost of living.

- I. Peter Ross, UCLA student, alleged that Chancellor Block falsely accused student protesters of using hateful and antisemitic language. Mr. Ross stated that all four pro-Palestine protests at UCLA were peaceful and that no hateful or antisemitic language was used. Thousands of students were calling for an end to genocide in Palestine, where over 10,000 people have died and over one million were displaced. He stated that the recent statement issued by the chancellors was an attempt to smear and discredit student organizations.
- J. Laurel Lucia, UC Berkeley academic researcher, expressed concern about high increases to health plan premiums, sharing that she would be paying an additional \$120 more per month next year, a 58 percent increase. These increases would cause financial strain and reduce access to care for many staff. Ms. Lucia expressed disappointment that UC failed to notify or consult any union about these changes, leaving workers little time to prepare. Unions demanded that Regents stop passing costs to employees, involve unions in health plan negotiations, and be transparent about negotiations between UC and UC Health.
- K. Cristian Vargas, UC Merced alumnus and UCM Alumni Association board member, passionately urged the Regents to approve item F5, *Budget; Scope Amendment; External, Standby, and Interim Financing; and Design Amendment Following Consideration of an Addendum to the UC Merced Medical Education Building Environmental Impact Report Pursuant to the California Environmental Quality Act, UC Merced Medical Education Building, Merced Campus*. Mr. Vargas noted the long wait time for medical services in the Central Valley, and that supporting this project would enable UC Merced to develop a pipeline of physicians and healthcare providers who could address the needs of the region.
- L. Jeffry Umaña Muñoz, UCLA student, called for the swift implementation of the proposed strategy of the Opportunity for All campaign. He shared that the campaign's legal team has provided the Regents with a 13-page implementation plan. He stated that the Regents and chancellors were protecting the status quo.
- M. Nataly Villaseñor, UCLA student, shared that UC chapters of the California Public Interest Research Group (CALPIRG) ran volunteer and leadership programs for students and advocated for UC's leadership in combating climate change. In the last month, CALPIRG has added over 8,000 dues-paying members who were eager to see UC campuses transition to 100 percent clean energy.
- N. Jelani Nelson, UC Berkeley professor, addressed item A4, *Math Preparation and Undergraduate Admissions*. Mr. Nelson stated that the Academic Senate's Board of Admissions and Relations with Schools (BOARS) did not approve of substituting data science courses for Algebra 2, and that the California State

University (CSU) accused UC of approving coursework that does not meet Common Core standards and does not prepare students. He noted that only three UC staff, none of whom have a science, technology, engineering, and mathematics (STEM) degree, were tasked with reviewing up to 35,000 courses per year, and that UC sought guidance from curriculum creators regarding approval of their courses. Mr. Nelson provided a website with more information.

- O. Heather Willoughby, UCSC alumna, implored the Regents to build better bridges to social services, adding that the California Work Opportunity and Responsibility to Kids (CalWORKs) program and low-income housing helped her as a re-entry student and single parent. The funding timeline for CalWORKs has been extended, and State capital investment in housing expansion provided UC with an opportunity to increase the number of Section 8 housing vouchers.
- P. David Pan, UC Irvine professor, asked the University to investigate and eliminate diversity, equity, and inclusion (DEI) programs at UC. He recalled an experience in which the equity advisor of a search committee insisted that a less qualified candidate from an underrepresented group be included for consideration. Mr. Pan stated that this was discriminatory and undermined academic excellence and merit, and that there was no way for faculty to protest these policies.
- Q. Connor Chang, a volunteer with Students Demand Action at UC Davis, asked the University to amend its investment policy to restrict gun investments. He stated that gun violence, a leading cause of death among children to college-age youth in the U.S., killed an average of 40,000 people annually. The gun industry generated an estimated \$9 billion each year while gun violence cost the nation \$557 billion. Mr. Chang stated that UC never changed its policy despite promising to stop investing in the gun industry following the Isla Vista mass shooting in 2014.
- R. Michael Aguirre, UC Berkeley alumnus, alleged that UCLA's agreement with the Big Ten Conference might have violated California Government Code Section 1090. He stated that Regents Elliott, Sherman, Leib, Pérez, President Drake, and legal counsel knew about this agreement and did not stop it. Mr. Aguirre called for an independent investigation into whether the statute was violated and whether the agreement should be set aside.
- S. Susan Orlofsky, UCSD staff retiree, asked the University to provide oversight for a clean energy transition in California. She stated that adherence to these three pillars of clean hydrogen production—a clean supply of electricity, grid connection, and hourly matching—is necessary if hydrogen is to be the solution to the climate crisis. She stated that the Alliance for Renewable Clean Hydrogen Energy Systems (ARCHES) and UC rejected the three pillars in recent letters to the federal government. Ms. Orlofsky also noted that ARCHES was partnering with fossil fuel companies to mix hydrogen with methane gas.

- T. Dan Gold, Executive Director of Hillel at UCLA, called attention to rising antisemitism in the U.S. and on college campuses. The Jewish community at UCLA stood against all forms of hate and discrimination. He observed that, in recent instances of antisemitism, students were attacked for their Jewish identity. Mr. Gold asked the Regents to equip UC leaders with tools to address anti-Zionism and offered to discuss what these tools could be.
- U. James Chang, UC Berkeley graduate student and representative of the UCB Graduate Assembly, addressed the proposed graduate student enrollment increase in the funding Compact with Governor Newsom. The UCB Graduate Assembly was concerned about food and housing security, high tuition costs, student workers not being paid, and contracts not being honored.
- V. Hiroshi Motomura, UCLA School of Law professor and Faculty Co-Director at the UCLA Center for Immigration Law and Policy, spoke in support of the Opportunity for All campaign. He stated that the Center spent months devising an implementation plan, worked with outside legal experts, and consulted with UC staff. He expressed appreciation for the Office of the General Counsel's willingness to speak to the campaign, which has shared a 15-page implementation plan with the Regents. Mr. Motomura remarked that nothing barred UC from hiring students by January 2024, as many human resources processes were already in place and any risk to the University was minimal.
- W. Zoe Moskowitz, Jewish student at UCLA, asked the Regents for continued support and resources toward combating antisemitism in light of the conflict between Hamas and Israel. She did not wish to hear chants of "beat that Jew" or "from the river to the sea," which she regarded as calling for genocide of the Jewish people.
- X. Karely Amaya Rios, UCLA graduate student, appealed to the Regents Working Group on Equitable Student Employment Opportunities to see her humanity as an undocumented student. She shared that she was struggling financially and was unable to work on campus. She demanded that UC stop stalling and implement the proposed strategy of the Opportunity for All campaign.
- Y. Vicente Sanchez, UCLA staff member and member of AFSCME 3299, addressed the Board in Spanish. Union members had worked during the COVID-19 pandemic and called for a minimum wage of \$25 per hour. Salaries were insufficient to cover the cost of living; the cost of food, rent, and gasoline has increased, but salaries have decreased when adjusted for inflation. He shared that he worked for UCLA and the City of Los Angeles but working two jobs could not cover his expenses.
- Z. Enrique Rosas, UCLA staff member and member of AFSCME 3299, shared the financial difficulty he has experienced with his current pay. The price of household items has risen, and he has had to choose what to buy with every paycheck, ration the use of household items, and limit his daughter's extracurricular activities. In addition to increases to healthcare premiums and parking rates, UC was considering

increasing employee pension contributions. He stated that UC was responsible for the current state of the pension, not workers who could not afford another pay cut. He called for a \$25 per hour minimum wage and a five percent increase for AFSCME members who earn at least \$25 per hour.

- AA. Ruth Zolayvar, UC San Diego staff member and member of AFSCME 3299, expressed deep opposition to increasing employee contributions to the UC pension and called for a \$25 per hour minimum wage and a five percent increase for its members who earn at least \$25 per hour. She stated that UC was struggling with recruitment and retention because pay was not competitive and remarked that the Regents' decision to decrease the employer contribution to the pension two years ago was short-sighted.
- BB. Karli Oppenheimer, UCLA student and representative of IGNITE at UCLA, asked UC to allocate more funding to campus assault resources and education programs. She stated that the University's goal of becoming a national leader in combatting and preventing sexual violence was unattainable without adequate funding to CARE offices. Without this funding, CARE offices could not provide safe transportation from campuses to rape treatment centers. UC students traveled an average of ten to 16 miles to access rape test kits and up to 44 miles in rural areas. Ms. Oppenheimer stated that there was a correlation between a lack of service and the number of students who choose not to disclose their assault.
- CC. Michael Avant, UCSD Health staff member and President of AFSCME 3299, spoke in opposition to increasing employee contributions to the UC pension. He stated that inflation served as a pay cut, noting the increased cost of living and health insurance premiums. AFSCME called for a \$25 per hour minimum wage and a five percent increase for its members who earn at least \$25 per hour.

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

Chair Leib began his remarks by highlighting items that Regents would discuss in open and closed session. The U.S. Department of Energy awarded \$1.2 billion to the Alliance for Renewable Clean Hydrogen Energy Systems (ARCHES), the largest renewable energy award in California history, and, in 2022–23, the University received over \$3 billion in philanthropic gifts. Chair Leib congratulated UC professors who were recently honored with National Medals at the White House: UC Riverside Distinguished Professor of Physics Barry Barish, UCLA Distinguished Professor Emerita of Psychology Shelley Taylor, and UC Berkeley Distinguished Professor Emeritus of Civil and Environmental Engineering Ashok Gadgil.

Chair Leib acknowledged the tension, anger, and frustration on UC campuses over the past several weeks. He met with students to hear their perspectives, and many Jewish, Arab, and Muslim students have expressed that they did not feel safe. He was appalled by hostile speech and behavior directed toward students and emphasized that this was not acceptable. UC must do more to support all of its students. Nationwide, there has been a 400 percent

increase in antisemitic incidents since Hamas' attack in Israel on October 7. Jewish students reported hearing these attacks being praised by students and faculty, seeing these attacks justified on University websites, and experiencing academic abuse by faculty in violation of the Faculty Code of Conduct and UC Policy. Chair Leib decried these instances. In the final report of the Regents Working Group on Principles Against Intolerance, which was formed in 2015 in response to a wave of antisemitism, the Regents concluded that harassment, threats, and assaults would not be tolerated within the University system. Governor Newsom and legislators have called on UC to do better, and Chair Leib urged the chancellors to take three actions. First, chancellors must ensure that campuses are safe for all students and staff. Second, violations must be met with swift condemnation and enforcement. Credible allegations must be investigated, and discipline must be enforced. He encouraged students to report incidents so that University leadership could take action. Third, while the University was committed to protecting the right of free speech, it was incumbent upon UC and campus leadership to call out hate speech. When hate speech crosses into true threats, incitement, and harassment, UC must also take disciplinary action. The Regents would not stand silent when members of the University community are made to feel unsafe, when faculty willfully violate policy, and when actions take away from students, faculty, and staff because of race, religion, ethnic origin, sexual orientation, disability, or gender.

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

President Drake acknowledged that the intense violence in the Middle East has affected people around the world and spread to communities like UC campuses. He expressed appreciation for those who spoke about this topic during the public comment period. Over the past several weeks, many have expressed to him, the chancellors, and other UC leaders their feelings about the effect of this conflict on UC campuses. Despite his and chancellors' appeals to the UC community to approach each other with empathy and tolerance, to listen and try to understand each other, and uphold community values of free and nonviolent discussion, some students, faculty, and staff felt unsafe. Some were unsure about how to navigate this situation in class or at work, have had personal information revealed for speaking out, or faced outright violence, and they have asked UC for help. University leaders could not solve the deep and long-lasting issues that resulted in the violence in Israel and the devastation in Gaza, but UC had an important role to play as an educational institution. UC must do what it can to create a safe and welcoming living, learning, and working environment, and to create educational spaces with factual information, guidance, and support, and tools to understand and respond to events. Last week, he and the chancellors released a joint statement condemning recent acts of bigotry, intolerance, and intimidation on UC campuses. President Drake recognized that words were not enough and announced the following steps that the University would be taking. First, he asked Systemwide Director of Community Safety Jody Stiger to convene his campus counterparts to ensure that UC is responding appropriately to instances of violence on campus. Second, a Systemwide Office of Civil Rights would be established at the Office of the President and would provide guidance and support on issues related to protecting civil rights at UC locations. It would encompass the systemwide Title IX, anti-discrimination, and disability rights offices and would be launched in the spring. Members of the UC community who

wish to report instances of antisemitism, Islamophobia, and other forms of hate could do so through campus channels or the systemwide whistleblower hotline. Third, the University would dedicate \$7 million from the Office of the President (UCOP) budget to the following: \$3 million for emergency mental health resources; \$2 million to develop educational programs at each campus that would improve understanding of antisemitism and Islamophobia, help individuals recognize and combat extremism, and provide a viewpoint-neutral history of the Middle East; and \$2 million to train UC leaders, staff, and faculty to respond when issues arise and ensure that UC policies are supportive, preventive, and viewpoint-neutral. UCOP would keep the Board updated on its progress.

President Drake provided an update regarding concerns raised by UC Graduate and Professional Council President Ryan Manriquez, who shared during a previous meeting that he had difficulty evacuating his apartment building after a fire alarm sounded. UCOP Capital Programs has since convened a work group to evaluate campus evacuation plans, with a focus on accessibility, and to create systemwide guidance on emergency procedures. The work group affirmed that all campuses had building evacuation plans in place, but the plans and their implementation could be improved. Communication about these plans to the disabled community should be expanded. The work group was determining how to strategically distribute evacuation chairs and ensure the necessary training of responsible individuals. President Drake has asked chancellors to support the development and implementation of systemwide guidelines for accessible emergency evacuation. UCOP was monitoring this effort and would keep the Board informed. He thanked Mr. Manriquez for sharing his personal experience.

President Drake concluded his remarks by welcoming Executive Vice President Rubin to his first Regents meeting in his new position as Executive Vice President of UC Health.

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

Faculty Representative Steintrager, recalling the remarks he made during the September meeting regarding competitive total remuneration, noted the competitive nature of all UC campuses. Faculty were dedicated to and took great pride in the UC mission but were not institutional loyalists, instead seeking recognition from comparing themselves to colleagues in their fields rather than those on their own campuses. Faculty and policy-covered staff have taken note of percentage gains in salaries of represented employees, felt the effects of inflation, and seen a substantial increase to the cost of health benefits. The UC Retirement Plan did not retain employees as it once did. Mr. Steintrager remarked that it was in the interest of the University to provide competitive faculty remuneration. Otherwise, UC could lose or fail to attract the best researchers and most imaginative creators, and it could fail to retain faculty who contribute to the University's diversity efforts. He underscored that quality and diversity were overlapping categories. Failure to provide competitive remuneration could significantly affect campus climate. He stated that now was a good time to support faculty salary increases but not a good time to increase employee contributions to the pension.

In light of university leaders attempting address the conflict in Israel and Palestine, given its effect on campuses across the country, Mr. Steintrager shared the following quote from “An Essay on Criticism” by poet Alexander Pope (1688–1744): “For fools rush in where angels fear to tread.” In 2017, in response to controversial speakers on campuses, use of the heckler’s veto, and calls for deplatforming, the Academic Senate’s University Committee on Academic Freedom (UCAF) released a statement on the free exchange of information, which rebutted the notion that suppression was an appropriate response to discomfiting, offensive, or inconvenient arguments. The statement explained that it is vital to the mission of the University, an institution dedicated to the pursuit of truth, knowledge, and understanding, to allow all viewpoints and opinions to be expressed and considered so long as they do not constitute harassment or rise to the level of incitement of illegal activity. In 2018, UCAF responded to a UC Student Association letter on free speech and hate speech, taking the position that hateful speech can cause real harm, particularly when it is amplified by social media, but emphasizing UCAF’s support for academic freedom and constitutionally protected freedom of speech, thereby rejecting the heckler’s veto and deplatforming. There was a balancing act between asserting rights and freedoms crucial to the academy and challenging views that were hateful or stigmatized scientific methods and humanistic modes of inquiry. In the 2018 documents, the Academic Senate noted that UC campus administrations had an obligation to condemn in explicit terms any hateful speech expressed on campus. The Senate’s emphatic assertion of freedom of expression has sometimes been conflated with academic freedom and other times been treated as a potential constraint to academic freedom. Mr. Steintrager noted a trend among students in which assessments of harm are reduced to invocations of the need for safe learning and living spaces, lasting psychological impacts, and historical trauma. Voices that reject robust defenses of free expression on UC campuses appeared to be growing within the Senate, but the majority within the Senate still espoused a “rights versus responsibilities” model, in which one strives to speak reasonably, challenge bias, eschew hatred, and aim for civil engagement while loudly protesting. This model informs the Academic Senate’s guidelines on departmental political statements, which did not encourage departments to make statements but explains that they may do so responsibly and in a way that mitigates harm, such as with the use of disclaimers. The model also underpinned the recent statement by President Drake and the chancellors against bigotry, intolerance, and intimidation, as well as Regents Policy 4403: Statement of Principles Against Intolerance, which states, “Freedom of expression and freedom of inquiry are paramount in a public research university and form the bedrock on which our mission of discovery is founded. The University will vigorously defend the principles of the First Amendment and academic freedom against any efforts to subvert or abridge them.” The policy also rejected bias, listed the types of discrimination the University prohibits, and called for mutual respect and civility within debate and dialogue. While this balancing act would not please everyone, Mr. Steintrager believed that it was the best option for the institution.

The meeting adjourned at 10:00 a.m.

Attest:

The Secretary and Chief of Staff