

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

September 20, 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 1200 Taraval Street, San Francisco and 106 E. Babcock Street, Bozeman, Montana.

Members present: Regents Anguiano, Batchlor, Chu, Cohen, Drake, Ellis, Hernandez, Kounalakis, Lee, Leib, Makarechian Matosantos, 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, Interim Executive Vice President King, Interim Senior Vice President Reese, 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 8:35 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. Clara Castronovo, UCLA student and State Board Chair of the California Public Interest Research Group (CALPIRG) Students, expressed excitement about the University's clean electricity goals and planned systemwide decarbonization studies. CALPIRG Students encouraged UC to adopt ambitious policies to move away from campuses reliance on fossil fuels and to enable UC to fulfill all energy needs from clean sources by 2035 or sooner. UC could be a leader among university systems.
- B. Fred Akkad, UC Irvine student, stated that he was facing dismissal and was being deprived of his rights, and that those managing the case against him were violating UC policy. He shared that he was unable to attend his hearing because he was receiving emergency medical treatment outside of the U.S. and that the University refused to delay the hearing for two weeks. He traveled to Oakland to ask the Office of the President to investigate his situation but no one spoke to him, and that he attempted to contact the Regents.

- C. Loretta Gaffney, UCLA lecturer and University Council-American Federation of Teachers (UC-AFT) Unit 18 Co-Chair, called on UC to fund the United Auto Workers (UAW) contract without pushing the costs to individual campuses and departments. Ms. Gaffney stated that these costs were borne disproportionately by lecturers, who were either laid off, given extra students, or denied teaching assistants. She noted that the University's 2030 enrollment growth goals further constrained lecturers' ability to teach. Ms. Gaffney indicated that lecturers teach and advise students and provide recommendations for their applications to graduate and professional programs, and that these students were as worthy of investment as Blackstone.
- D. Kaija Gahm, UCLA graduate student and member of UAW 2865, asked UC to drop criminal charges against three UC San Diego academic workers who were arrested in June and to enforce the UAW contract. She reported that one colleague was in credit card debt due to over \$6,000 in unpaid wages, and that another colleague has not received over \$2,700 in childcare reimbursements. Ms. Gahm stated that contract violations threatened academic workers' ability to pay rent while they teach undergraduate students and conduct research. She added that every grievance filed by UAW academic workers has been denied by UC Labor Relations.
- E. Evelyn Muñoz, UC Irvine Health staff member and member of Teamsters Local 2010, asked the University to consider pay specifically for translation services provided by bilingual staff. Ms. Muñoz shared that she translated for visitors and patients, and that her office received a digital device with translation capability after being berated by visitors. She remarked that services should be provided regardless of the language spoken and that UC should not rely on translations from a device.
- F. Javier Duran, UC Irvine Health staff member, called for pay for translation services provided by bilingual hospital workers. He stated that staff have not been compensated for their translation services and that these staff helped facilitate clear and accurate communication by bridging language gaps for patients and visitors. He added that pay for translation services would also motivate more staff to develop language skills.
- G. Stacie McConnell, UCLA Health staff member and member of American Federation of State, County and Municipal Employees (AFSCME) 3299, demanded a \$25 per hour minimum wage or a five percent increase for members who make at least \$25 per hour. Ms. McConnell suggested that inflation and the high cost of living drove UC administrators to give themselves a 34 percent raise over the last two years, free housing to chancellors, and low-interest loan programs to UC executives. She stated the University's operations relied on staff.
- H. Walter Larios, UCLA Health staff member and member of AFSCME 3299, addressed the Board in Spanish. Mr. Larios, a senior custodian for 15 years, asked why UC workers did not have a minimum wage of \$25 per hour or a five percent increase. He noted the high cost of living and shared that his first paycheck of the

month went toward rent and the second paycheck covered family expenses. He added that he could not afford to buy coffee at Starbucks.

- I. Tabetha Jones, UCLA Health staff member and member of AFSCME 3299, shared that she was living paycheck to paycheck and that her expenses exceeded her income. She stated that 50 percent of UC patient care workers could not afford a one-bedroom apartment near a UC location, and that the average cost of living in counties with a UC campus was 47 percent higher than the national average. Ms. Jones asked that the Regents each receive a copy of “Priced Out,” a report released by AFSCME 3299.
- J. Thyra Cobbs, UCLA student and a coordinator for the UC Student Association (UCSA) Racial Justice Now campaign, called on the Office of the President (UCOP) to establish a \$1 billion endowment for Black student recruitment and retention. She stated that, in 2015, UCOP worked with Black student leaders to draft a strategic plan to improve the recruitment and retention of Black students, but there have been no updates about this effort. Ms. Cobbs alleged that UCOP has perpetuated white supremacy and anti-Black racism and stated that the Regents were obligated to address this issue.
- K. Mercedes Limon, UC San Diego student, asked that rape test kits be accessible on every UC campus. She stated that a survivor of sexual assault at UCSD who wished to report to law enforcement could receive a forensic examination within five days of the assault and that available biological evidence decreases by 50 percent 72 hours after an assault. At UC Merced, for instance, students had to drive over an hour to access test kits. Ms. Limon asked that forensic examination professionals be available on campus at no cost to students and regardless of whether students have coverage under the UC Student Health Insurance Plan.
- L. Jeffrey Muñoz, UCLA student, called for the full implementation of the proposed strategy of the Opportunity for All campaign and urged the Regents working group to collaborate with legal experts and students from the campaign ahead of the November 30 deadline to develop a strategy. He stated that undocumented students were hopeful that UC would embrace them as professionals and observed that nearly all of the undocumented students entering the University did not have Deferred Action for Childhood Arrivals (DACA) status.
- M. Mohit Saraswat, UC Merced graduate student and Treasurer of the UC Graduate and Professional Council (UCGPC) called attention to the financial struggles of international students. Mr. Saraswat shared that he lived in his car for over six weeks because he could not afford housing near campus. He asked the Regents to acknowledge the hardships international students faced and to consider support such as providing affordable housing, tailored financial aid, and a more inclusive environment.
- N. Gwenevere Frank, UCSD graduate student, alleged that the University was trying to avoid honoring its contract with UAW by underpayment or late payment of

wages, adding that UC owed her \$9,000 in late wages. Ms. Frank shared that she and others have been threatened with expulsion for protesting contract violations in May, and that police arrested three protesters for writing slogans in sidewalk chalk. She added that the California Public Employment Relations Board issued a complaint against UC for retaliation against workers.

- O. Eduardo Tapia Jr-Urbieta, UCSD student and Vice President of External Affairs of the Associated Students of UCSD, spoke in support of the proposed Science Research Park at UCSD. The project would have a profound impact on the campus community, create an environment where private-academic partnership can flourish, and offer students experience with real-world challenges, preparing them to be future workforce leaders.
- P. Miriam Burnett, UC Santa Barbara student and Vice President of External Affairs of the UCSB Graduate Student Association, called for more childcare resources, housing for parenting students, and more support for nontraditional students. She shared that her son was not able to enroll in UCSB childcare until he was two years old. She also requested that there be places to study that are available after normal business hours.
- Q. Michael Sanderson, alumnus of the New College of Florida, asked the Regents to examine the University's involvement with the National Association of Intercollegiate Athletics (NAIA), of which UC Merced was a member. He regarded the NAIA as ethically compromised and shared that New College of Florida's new administration was seeking to join the NAIA. Mr. Sanderson offered to provide more information in writing.
- R. Joyce Chan, UCSD postdoctoral researcher, called for higher wages and holding abusive faculty accountable to address the low number of academic workers who were women, low-income, disabled, immigrants, people of color, and otherwise marginalized in academia. Ms. Chan declared that she stood in solidarity with graduate workers and the three protesters who were arrested at UCSD. She stated that the lack of accountability and transparency, workplace abuse, sexual harassment, and discrimination have prevented highly qualified individuals from achieving their dreams.
- S. Karely Amaya Rios, undocumented UCLA student, called for the full implementation of the proposed strategy of the Opportunity for All campaign by November 30, noting the recent federal court decision regarding the Deferred Action for Childhood Arrivals (DACA) program. Over the summer, Ms. Amaya studied the effect of the political climate and access to opportunities with fair compensation on undocumented students, and indicated that a report of findings would be available in October. The students interviewed for the research project called for equitable student employment opportunities regardless of immigration status.

- T. Parker Shea, representative of UNITE HERE Local 11, raised concern about the management of the Laguna Cliffs Marriott Resort and Spa. He stated that Aimbridge Hospitality hired temporary workers via third-party work agency Instawork to break the strike. Among those were Black temporary workers although the hotel had employed few Black workers among its permanent unionized staff. UNITE HERE Local 11 advocated for these temporary workers to be hired full time and recently named Pastor Willam Smart as its diversity ombudsman to study staffing practices at the hotel. Mr. Shea added that elected leaders have written letters, contacted the Chief Investment Officer, met with Regents, and spoken at Regents meetings. He noted the high-profile media coverage of the labor dispute and strikes, the Unfair Labor Practices (ULP) charge that UNITE HERE Local 11 has filed against Instawork, a scandal involving the hotel restaurant, and the six ULP charges against the hotel that the National Labor Relations Board was investigating.
- U. Jordan Fein, representative of UNITE HERE Local 11, alleged that the Regents failed to manage systemic risks to their investment portfolio and to negotiate fair contracts for workers associated with the portfolio, and he demanded that Regent Pérez take a leadership role in resolving the labor dispute at the Laguna Cliffs Marriott Resort and Spa. Mr. Fein stated that workers have been attacked, that the hotel faced six ULP charges, and that the Regents have received thousands of letters from the UC community. He called on the Regents to be good stewards of public investment dollars and the community.
- Regent Pérez offered to mediate talks between the union and the management at the Laguna Cliffs Marriott Resort and Spa to resolve the labor dispute.
- V. Jen Stock shared that she worked with Jewish high school students and expressed deep concern about UC's proposed ethnic studies admissions requirement. She stated her view that writers of this curriculum have openly expressed anti-Jewish beliefs and that anti-Zionism is a core element of ethnic studies. Ms. Stock noted that antisemitism in the classroom makes Jewish teenagers feel threatened, unsafe, and marginalized, and that Regents have the power to stop this from happening.
- W. Jacob Creer, UCLA staff member and member of AFSCME 3299, stated that the University has failed to provide societal benefits to employees and the community. He stated that UC invested over \$4.5 billion in Blackstone, a corporation known for displacement, and provided housing assistance to UC's upper echelon while employees had long commutes to work, students were living in cars, and the University housed only 21 percent of the student population. Mr. Creer added that workers at the Laguna Cliffs Marriott Resort and Spa did not have a fair labor contract. He called on UC to raise the minimum wage to \$25 per hour and give a five percent increase to AFSCME members making at least \$25 per hour, divest from Blackstone, and resolve the labor dispute with UNITE HERE Local 11.

- X. Samantha Jensen, UCLA graduate student and UAW member, shared that graduate student researchers have not received their pay increases and were informed that they would not receive them in the fall quarter. She added that UCLA Labor Relations was refusing to meet with students regarding the grievances they filed, resulting in hundreds of UCLA graduate students missing up to \$5,000 in pay until the end of the arbitration process. This placed UC students' futures at risk. Ms. Jensen stated that Regents have the power to direct UCLA Labor Relations to stop delaying the grievance process.
- Y. Christina Huber, UCLA graduate student, called on the Regents to demand that UCLA Labor Relations honor student worker promotions. She shared that student workers experienced chronic stress from trying to afford to live in Los Angeles and that she herself had relied on food stamps. Ms. Huber stated that her department planned to withhold raises from some 26 student researchers, resulting in the cumulative loss of \$20,000 in the fall quarter. As a result, some students have foregone paid research roles in pursuit of greater financial stability, which could harm the University's reputation as top-tier research institution.
- Z. Kien Le, UC Irvine graduate student and teaching assistant, stated that, according to "Free Speech on Campus," a book co-written by Chancellor Gillman and UC Berkeley School of Law Dean Erwin Chemerinsky, current undergraduate students often regarded free speech as a safeguard for hate speech and internet vitriol without acknowledging that freedom of speech has always been a vanguard for civil rights. Mr. Le noted that, despite Chancellor Gillman's pride in his upbringing during the civil rights movement, three UCSD academic workers were arrested on charges of felony vandalism and conspiracy and the police were directed to search their homes for evidence of participating in union activity. He urged the Regents to reconsider these actions by Chancellor Khosla.

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

This item was not presented.

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

President Drake welcomed incoming students to the new academic year and Faculty Representatives Steintrager and Cheung, the new Chair and Vice Chair of the Academic Senate, and he shared new national rankings of UC campuses. In the 2024 *U.S. News and World Report's* "Best Colleges" rankings, six UC campuses ranked among the top 20 public universities in the country, with UC Berkeley and UCLA tying for first place and all nine undergraduate campuses in the top 40. All nine UC undergraduate campuses also ranked in the top 100 of all universities in the nation, both public and private. UC Merced ranked 28th among public universities, up 11 places, and 60th among all universities in the country. All nine undergraduate campuses were named in *The Princeton Review's* "Best Colleges 2024," which was based on student reports of their experiences, and eight undergraduate campuses were named in *Forbes'* "America's Top Colleges 2023," with

four among the top 25 colleges in the country. According to the *Washington Monthly's* annual rankings, four UC campuses were among the top 25 colleges, and UC Berkeley was ranked the top university in the nation. President Drake congratulated all UC campuses for these well-deserved recognitions.

President Drake provided updates regarding his Presidential priorities, which were informed by conversations with various stakeholders and a desire to further align UC's work with the needs of the state and to provide the world with solutions and innovations. The University was on track to add 20,000 more students and award an additional 200,000 degrees by 2030. This last year, UC added more than 84,000 graduate and undergraduate degrees. In fall 2022, UC awarded 6,000 debt-free financial aid packages and aimed to grow this number to 15,000 this fall. The four-year graduation rate for freshmen enrollees grew from 66 percent in 2016 to 73 percent currently, and the two-year graduation for transfer students grew from 57 percent in 2016 to 60 percent currently. Five of the nine undergraduate campuses achieved Hispanic-Serving Institution status, and the remaining four campuses were expected to obtain this designation by 2030.

The University's new climate protection policy prioritized direct emissions reduction, limited the use of carbon offsets, and included transportation emissions in reduction targets. Out of the \$185 million from the State for climate research collaborations, UC has awarded \$15 million in climate innovation grants and \$80 million in climate action grants that would fund 38 projects. UC Irvine was slated to open an all-electric hospital by 2025, and UC Berkeley planned to shut down its cogeneration plant in 2028. All campuses and medical centers have begun to implement the UC Community Safety Plan.

In 2022–23, the University awarded \$2.7 million to 276 students through the Native American Opportunity Plan and Federated Indians of Graton Rancheria Scholarship. This covered tuition and Student Services Fees for California students enrolled in federally recognized Native American, American Indian, and Alaska Native tribes.

UC Health was improving access to screening and chronic disease management in vulnerable populations; expanding healthcare resources for students, faculty, and staff; and improving UC's approach to managing healthcare affiliation relationships. Over the next year, efforts would continue to decarbonize UC; expand health care for vulnerable populations; improve student-faculty ratios, transfer student support and success, and operational processes; and conduct chancellor searches. President Drake has asked Office of the President leaders to monitor this work, establish milestones, and report back to him. He thanked those who have contributed to these accomplishments and congratulated Regent Hernandez on the release of "A Million Miles Away," a film about his journey to becoming a National Aeronautics and Space Administration astronaut.

4. PUBLIC COMMENT, CONTINUED

Regent Pérez asked that five additional speakers be allowed to give public comment. He explained that, due to confusion at the security entrance point, individuals who had signed up to speak and were called on were unable to enter the meeting room.

- AA. Ada Briceño, Co-President of UNITE HERE Local 11, expressed outrage that there has been little to no action in response to workers' allegations of assault at the Laguna Cliffs Marriott Resort and Spa. She noted that academic workers were arrested for writing slogans in chalk and that American Federation of State, County and Municipal Employees (AFSCME) 3299 were asking for a \$25 per hour minimum wage while proposed housing for President Drake was valued at \$12 million. Ms. Briceño stated that UC boasts excellent pension plans while workers at the Laguna Cliffs Marriott Resort and Spa were worried that they would never be able to retire. She added that elected officials, thousands from Orange County, members of unions, student leaders, and members of the faith community have written to the Regents about this labor dispute, and hotel workers have been working without a contract for two months. Ms. Briceño stated that the cost of living would continue to be high next year and asked the Regents to ensure that Aimbridge Hospitality settles the labor dispute.
- BB. Maria Hernandez, staff member at the Laguna Cliffs Marriott Resort and Spa, addressed the Board in Spanish. Ms. Hernandez shared that she had worked in the hotel's restaurant for 13 years. This labor dispute has lasted for months, and it would not be easy to return to work after striking and facing individuals who had assaulted workers. She stated that workers sought dignified wages with a pension to take care of their families.
- CC. Antonio Alzati, staff member at the Laguna Cliffs Marriott Resort and Spa, shared that he and his colleagues have been fighting for a fair and dignified labor contract since June. Striking union members have encountered violence from hotel management and guests. Mr. Alzati shared that he was exhausted from working two jobs and that he spent days off sleeping. Workers knew their worth and what the hotel could afford. He asked the University to compel the hotel to agree to the union's demands and to end its terrible treatment of its workers.
- DD. Jose Preciado, staff member at the Laguna Cliffs Marriott Resort and Spa, addressed the Board in Spanish. Mr. Preciado explained why UNITE HERE Local 11 voted to authorize a strike. Despite working in hotels for decades, workers were still earning only \$22 per hour while the cost of living in Orange County was rising quickly, and rent was already extremely high before the COVID-19 pandemic. Workers did not have time for themselves or their families with commutes as long as two hours each way from as far as Riverside and Apple Valley. Mr. Preciado shared that he wished to be able to retire; he understood that the hotel was held by the UC pension. He stated that the hotel was hiring replacement workers who were not properly trained, and that the hotel restaurant's head chef was insulting striking workers. Mr. Preciado asked UC to tell Aimbridge Hospitality to negotiate a

contract that gives workers dignity and a living wage and makes up for the damage done by hotel management.

- EE. Antonia Braulio addressed the Board in Spanish and stated that she worked in hotel housekeeping through an agency. Ms. Braulio shared that she was discharged when the agency learned that she was speaking to the union. She earned \$18 per hour and paid \$3,000 per month to rent a one-bedroom apartment. Ms. Braulio stated that the work she did was very difficult and expressed hope that a labor contract would be signed.

5. REMARKS OF THE CHAIR OF THE ACADEMIC SENATE

Faculty Representative Steintrager began his remarks by noting that summer was a time for faculty to accelerate research projects, write grants, plan new courses, consider pedagogical innovations, and more. He thanked former Faculty Representative Cochran for her service and introduced Faculty Representative Steven Cheung as the new Vice President of the Academic Senate. Both researched sound and hearing—Mr. Steintrager from a literary perspective and Dr. Cheung from a medical one. Dr. Cheung, an otologist-neurotologist, joined UCSF in 1993 as a medical resident and joined the faculty in 1994. His research focused on hearing loss and the brain's changes in response to disease, and he has been deeply involved in both the systemwide and campus Academic Senates.

The Academic Planning Council, a joint Academic Senate and UC administration advisory group, has launched a work group to address the effects of recent labor actions and their settlement. The work group would determine how to better distinguish academic training and progress from paid employment, how to maintain valuable aspects of the mentor-mentee relationship in graduate studies while respecting differences between training and employment, and how to consider funding impacts on and new funding models for graduate studies. During the public comment period, represented staff raised concern about the cost of housing, commutes, and the impact of inflation, and policy-covered staff raised concern about increases to retirement contributions. High inflation, housing costs, and lagging salaries were all significant concerns for faculty, who were not represented by a union but relied on the Academic Senate to voice their interests. Mr. Steintrager emphasized that competitive total remuneration should be an institutional priority. Faculty shared the University's mission of research, teaching, and service. Research included creative output or cultural innovation, and faculty tended to identify most closely with their creative output. Research at UC informs teaching, but the inverse is also true; classrooms are laboratories where hypotheses are tried and tested. Mr. Steintrager regarded this dialectical feature of teaching at UC a strength that should be preserved in the face of increasingly lopsided faculty-student ratios, new teaching modalities, and new technologies such as generative artificial intelligence and large language models. Faculty service ranged from clinical practice to professional duties such as serving on editorial boards and search committees, reviewing manuscripts, writing grant applications, and public engagement. As faculty were determining how to teach remotely and engage students in new modalities during the COVID-19 pandemic, research was curtailed or became impossible. The flexibility from pandemic-era teaching that students have expected came with costs for instructors, and

faculty-student ratios still lagged UC institutional goals. However, research has resumed; it is the most important factor of career advancement and remuneration for faculty, and it makes those seeking employment more competitive. The Academic Planning Council has launched another work group to address the imbalance in research and teaching. Mr. Steintrager expressed concern about the risk of treating service as an afterthought to teaching and research, and he remarked that Senate service was essential to UC excellence and distinctiveness. He quoted the following from Regents Bylaw 40.1: “The Regents recognize that faculty participation in the shared governance of the University of California through the agency of the Academic Senate ensures the quality of instruction, research and public service at the University and protects academic freedom.” Service is not the clear path to career advancement that research is, and the Senate has occasionally had difficulty filling key roles in Senate committees. Most faculty who served in the Senate celebrated the intrinsic rewards of service and tended to continue their service, but satisfaction, pride, and enjoyment come from service only if work is being done and faculty voices are heard. The Academic Senate understood that shared governance entailed cooperation, collaboration, and compromise, but not compromise of core principles such as academic freedom. As Faculty Representative, Mr. Steintrager looked forward to a year of voicing the concerns, aspirations, experiences, and insights of his colleagues.

The meeting adjourned at 10:20 a.m.

Attest:

Secretary and Chief of Staff