

BOARD OF REGENTS

I. REFERENCES

By-Laws and Standing Orders of The Regents of the University of California

II. RELATED POLICIES

A. University of California Academic Personnel Manual (APM)

B. UCSD Policy and Procedure Manual (PPM)

20-3 Coordination of Regents' Agenda Items

III. COMPOSITION AND POWERS

The Regents of the University of California constitute a public corporation. The form and composition of this corporation, its duties, and its powers are prescribed by the provisions of Section 9 of Article IX of the Constitution of the State of California, as follows:

"(a) The University of California shall constitute a public trust to be administered by the existing corporation known as "The Regents of the University of California," with full powers of organization and government, subject only to such legislative control as may be necessary to the security of its funds and insure compliance with the terms of the endowments of the University and such competitive bidding procedures as may be made for the letting of construction contracts, sales of real property, and purchasing of materials, goods and services. Said corporation shall be in form of a board composed of seven ex-officio members, which shall be the Governor, the Lieutenant Governor, the Speaker of the Assembly, the Superintendent of Public Instruction, the president and vice president of the alumni association of the University and the acting president of the University, and 18 appointive members appointed by the Governor and approved by the Senate, a majority of the membership concurring; provided, however that the present appointive members shall hold office until the expiration of their present terms.

"(b) The terms of the members appointed prior to November 5, 1974, shall be 16 years; the terms of two appointive members to expire as heretofore on March 1st of every even-numbered calendar year, and two members shall be appointed for terms commencing on March 1, 1976, and on March 1 of each year thereafter; provided that no such appointment shall be made for terms to commence on March 1

of each fourth year thereafter, to the end that no appointment to the Regents for a newly commencing term shall be made during the first year of any gubernatorial term of office. The terms of the members appointed for terms commencing on and after March 1, 1976, shall be 12 years. During the period of transition until the time when the appointive membership is comprised exclusively of persons serving for terms of 12 years, the total number of appointive members may exceed the numbers specified in the preceding paragraph.

"In case of any vacancy, the term of office of the appointee to fill such vacancy, who shall be appointed by the Governor and approved by the Senate, a majority of the membership concurring, shall be for the balance of the term for which such vacancy exists.

"(c) The members of the board may, in their discretion, following procedures established by them and after consultation with representatives of faculty and students of the university, including appropriate officers of the academic senate and student governments, appoint to the board either or both of the following persons as members with all rights of participation: a member of the faculty at a campus of the university or of another institution of higher education; a person enrolled as a student at a campus of the university for each regular academic term during his service as a member of the board. Any person so appointed shall serve for not less than one year commencing on July 1.

"(d) Regents shall be able persons broadly reflective of the economic, cultural, and social diversity of the state, including ethnic minorities and women. However, it is not intended that formulas or specific ratios be applied in the selection of regents.

"(e) In the selection of the Regents, the Governor shall consult an advisory committee composed as follows: The Speaker of the Assembly and two public members appointed by the Speaker, the President Pro Tempore of the Senate and two public members appointed by the Rules Committee of the Senate, two public members appointed by the Governor, the chairman of the Regents of the university, an alumnus of the university chosen by the alumni association of the university, a student of the university chosen by the Council of Student Body Presidents, and a member of the faculty of the university chosen by the academic senate of the university. Public members shall serve for four years, except that one each of the initially appointed members selected by the Speaker of the Assembly, the

President Pro Tempore of the Senate, and the Governor shall be appointed to serve for two years; student, alumni, and faculty members shall serve for one year and may not be Regents of the University at the time of their service on the advisory committee.

"(f) The Regents of the University of California shall be vested with the legal title and the management and disposition of the property of the University and of property held for its benefit and shall have the power to take and hold, either by purchase or by donation, or gift, testamentary or otherwise, or in any other manner, without restriction, all real and personal property for the benefit of the University or incidentally to its conduct provided, however, that sales of University real property shall be subject to such competitive bidding procedures as may be provided by statute. Said corporation shall also have all powers necessary or convenient for the effective administration of its trust, including the power to sue and be sued, to use a seal, and delegate to its committees or to the faculty of the University, or to others, such authority or functions as it may deem wise; The Regents shall receive all funds derived from the sale of lands pursuant to the act of Congress of July 2, 1862, and any subsequent acts amendatory thereof. The University shall be entirely independent of all political or sectarian influence and kept free therefrom in the appointment of its Regents and in the administration of its affairs, and no person shall be debarred admission to any department of the University on account of race, religion, ethnic heritage, or sex."

"(g) Meetings of the Regents of the University of California shall be public, with exceptions and notice requirements as may be provided by statutes."

IV. STANDING COMMITTEES

To facilitate consideration of the business and management of the Corporation and of the University, Standing Committees have been established. Unless otherwise specifically delegated the duty of each Standing Committee shall be only to consider and to make recommendations to the Board upon matters referred to it. Each Committee is charged with the immediate care and supervision of the subject matters respectively indicated by and properly relating to their titles which are:

- Committee on Audit
- Committee on Educational Policy
- Committee on Finance
- Committee on Grounds and Buildings
- Committee on Investments
- Committee on Special Research Projects

V. MEETINGS OF THE BOARD

Meetings of The Regents shall be held in accordance with California Education Code Section 23101 which provides in relevant part that:

"All meetings of The Regents of the University of California shall, except as otherwise provided in this section, be open to the public

The Regents of the University of California may also hold executive sessions when it meets to consider or discuss: (a) matters relating to or affecting the national security; (b) the conferring of honorary degrees or other honors or commemorations; (c) those matters involving gifts, devises and bequests; (d) matters involving purchase and sale of investments for endowment and pension funds; (e) matters involving litigation when discussion in open session concerning such matters would adversely affect or be detrimental to the public interest; (f) matters involving acquisition and disposition of property; (g) matters relating to the appointment, employment, performance, compensation, or dismissal of officers and employees, excluding individual Regents other than the President of the University; and (h) matters relating to complaints or charges brought against officers or employees of the University, excluding individual Regents other than the President of the University, unless such officer or employee requests a public hearing. There also may be excluded from any such public or private meeting during the examination of a witness, any or all other witnesses in the matter being investigated."

A. Regular Meetings

Regular meetings of the Board are to be held once each month at such time and place as the Board by resolution from time to time may direct unless dispensed with by the Board.

B. Special Meetings of the Board

"The President or Chairman of the Board, or any four (4) members thereof, may call special meetings of the Board at any time, and notice of the time, place, and purpose thereof shall be given by letter or telegram addressed to each Regent at the last known place of business or residence in time to reach the Regent at least twenty-four (24) hours before the time appointed for such meeting. In addition, public notice shall be given for such meetings. Such notice shall be given by notifying any newspaper of general circulation or any television or radio station and shall be delivered personally or by mail so that the notice may be published or broadcast at least twenty-four (24) hours before the time of such meeting.

twenty-four (24) hours before the time of such meeting. No business other than that mentioned in the notice of a special meeting shall be considered thereat. A record of the service of notice required to be given as aforesaid shall be entered upon the minutes of the Board, and the said minutes when read and approved at the subsequent meeting of the Board shall be conclusive of the fact that notice was given as required."

C. Meetings of Committees

"Meetings of Committees shall be called by the Secretary at the direction of the Chairman of the Board, the Chairman of the particular Committee concerned, the President of the University, or any three (3) members of the Committee of which a meeting is to be called. Notice of the time and place of a meeting of a Committee shall be given to all members of the Board by letter or telegram addressed to them at their last known place of business or residence in time to reach them at least twelve (12) hours before the time appointed for the meeting."

VI. THE AGENDA

"At least five (5) days prior to each regular meeting of the Board, the Secretary shall mail to each member thereof an Agenda setting forth all substantive matters upon which action is to be requested at the meeting. The Agenda shall set forth by name any Officer of the Corporation or of the University whose appointment or dismissal is to be requested at the meeting. No action shall be taken on any substantive matter which is not on the Agenda of the Board except with the consent of two-thirds (2/3) of the members present, but in no event by an affirmative vote of less than a majority of the members of the Board, provided, however, that action may be taken on matters considered by Committees after the mailing of said Agenda."

VII. APPEARANCE BEFORE THE BOARD AND COMMITTEES

Section 16.10 of the By-Laws and Standing Order of The Regents states as follows:

"(a) Individuals or organizations may appear before the Board only with its permission, provided that at public meetings of the Board, the Chairman of the Committee on Educational Policy, the Committee on Finance or the Committee on Grounds and Buildings, or the President of the University,

may request that specific members of the Student Body Presidents Council and/or members of the Academic Council of the Academic Senate be allowed to speak on those items being considered by the Board in which students and/or faculty, in previous committee meetings, have indicated an interest and on those items being considered by the Board which have not been discussed in previous public committee meetings."

"The Board may grant permission for individuals and organizations to appear before it, provided that a written request for any such appearance, specifying the matters to be presented to the Board, the time necessary for such presentation, and the reason why a personal appearance is necessary, is made at a regular meeting of the Board held prior to the meeting at which permission is sought to make such presentation. Prior written request to appear before the Board may be waived in extraordinary circumstances by an affirmative vote of not less than two-thirds (2/3) of the members of the Board."

"(b) No Officer, faculty member, or other employee, or student of the University or any group of Officers, faculty members, or other employees, or students of the University shall submit any matter to the Board or its Committees for official consideration, including requests for permission to appear before the Board or its Committee except through the President of the University."

"(c) The President of the University shall invite to attend and appear before meetings of the Board and on Committees thereof such Officers of the University and such other persons as may be needed in the best interest of the University."

"(d) At all public meetings of the Committee on Educational Policy, the Committee on Finance, or the Committee on Grounds and Buildings, members of the Student Body Presidents Council and members of the Academic Council of the Academic Senate may be granted permission by the respective Committee Chairman to speak on agenda items."

"(e) Persons other than those specified in 16.10(c) and 16.10(d) may appear before a Standing Committee only in the extraordinary circumstances with the approval of that Committee, and upon such conditions as the Committee may prescribe."

VIII. RELEASE OF INFORMATION--EXECUTIVE SESSIONS

"All matters discussed and all actions taken in executive sessions are confidential and shall be released to the public only as the Board shall direct, or in the event an executive session of a Standing Committee is involved, only as that Standing Committee shall direct except that:

- (a) Executive session items which require release from confidentiality in order that the ordinary business of the University might be conducted may be so released at the discretion of the President or of the Secretary, Treasurer, or General Council of The Regents as to matters within their respective areas of responsibility..
- (b) "When it is deemed necessary or appropriate in the best interest of the University to correct inaccurate public reports between meetings of the Board or between meetings of any Standing Committee, the Chairman of the Board, in consultation with the President of the University, and, in the event an executive session of a Standing Committee is involved, in consultation also with the Chairman of that Standing Committee may speak for The Regents on Board or Standing Committee executive session matters."
- (c) "The President, in consultation with the Chairman of the Board and General Counsel of The Regents, is authorized to release for scholarly purposes executive session minutes of Regents' meetings, when the substance of such minutes would not now be considered in executive session or when the minutes are twenty-five years or more old, it being understood that the President shall refer any questionable cases to The Regents for decision."

