



Berkeley City Council

REVISED
ACTION CALENDAR
December 15, 2009

To: Honorable Mayor and Members of the City Council

From: Councilmembers Jesse Arreguin **and Max Anderson**

Subject: Resolution supporting SCA 21/**ACA 24, requiring that the University of California system be subject to statutory law**, ~~granting legislative authority over UC policy~~

RECOMMENDATION:

Adopt a resolution supporting Senate Constitutional Amendment (SCA) 21/**Assembly Constitutional Amendment (ACA) 24**, authored by State Senators Leland Yee (D-San Francisco) and Roy Ashburn (R-Bakersfield), **which would place on the ballot a constitutional amendment to require that the University of California system be subject to statutory law**. ~~to amend the state constitution to remove the autonomy of the UC Regents from legislative authority helping bring greater transparency and accountability to the UC system.~~

BACKGROUND:

~~In 1879, the Regents of the University of California were granted autonomy on all issues related to the management of the institution and thus subject to legislative control only on fiduciary matters.~~ **Article 9, Section 9 (a) of the California State Constitution, which was ratified in 1879, specifically grants the University of California an exemption from legislative control except for fiduciary matters.** Thus, **statutory laws related to issues other than the financial management of the UC system are not binding.** ~~are generally not binding over the University.~~

However, the State Constitution does not grant the same exemption for other post secondary public institutions such as the California State University system. The requirement that the CSU system follow statutory laws has not put the control of the CSU system in the hands of the legislature. The CSU President and Board of Trustees still have autonomy in decisions regarding the administration of the CSU system. The requirement has also not affected the academic freedom of its students and faculty.

SCA 21/ACA 24 would place on the ballot an amendment to the California State Constitution to remove the University's exemption from following statutory laws. This amendment is in response to a lack of accountability and transparency in recent decisions by the UC administration.

Despite continuing cuts in state funding, the UC Board of Regents has approved, sometimes in closed door meetings huge increases in administrators salaries. It has also approved severance packages in the hundreds of thousands of dollars, while failing to disclose public contracts or audits.

This has resulted in a number of bills passed over the years including:

- SB 190 to require that approval of executive compensation packages take place in open session
- SB 217 to address the large number of pay hikes for top executives
- SB 219 to provide whistle blower protections for UC employees.

All of these bills seek to require the UC system to become more accountable and transparent and are not intended to seize control of the UC system. Nevertheless, the UC system would not have to follow some of these laws because of its constitutional exemption.

Despite these decisions to provide favorable benefits to administrators and to contract out to private consultants, the UC administration has primarily placed the burden of balancing it's budget on the backs of students, faculty and employees.

Not only has the UC administration increased student fees by 32%, which results in an almost three-fold increase in a decade, it has also instituted furloughs and layoffs of UC employees.

This has resulted in thousands of students, faculty and staff protesting on many UC campuses over the past few months. These decisions have not only hurt some of the lowest paid workers but also make a UC education even more unaffordable.

Given that the University of California is a research institution, some concerns have been raised over the impact that SCA 21/ACA 24 may have on the academic freedom of UC students and faculty. State Senator Leland Yee, the author of the bill, is committed to protecting academic freedom and research and has agreed to introduce language to ensure that SCA 21/ACA 24 will not compromise academic freedom. Additionally, the proposed resolution also urges the authors of the legislation to include language to ensure that SCA 21/ACA 24 does not affect academic freedom.

Over the past few years there has been a lack of accountability in the decisions of the Regents and UC administration from closed-door executive compensation deals to golden parachutes for administrators, there is a greater need for transparency in University decisions and accountability to the people of California.

SCA 21 is a constitutional amendment that would remove the University of



Berkeley City Council

~~California Board of Regents' autonomy and allow the Legislature to enact statutes effecting UC policy, similar to the authority granted over the California State University system. If approved by two-thirds of the Legislature, the measure would be put before the voters for final approval.~~

~~SCA 21 is supported by a bi-partisan coalition including legislators from both parties, labor unions, UC student and other organizations.~~

SCA 21/ACA 24 is supported by a bi-partisan coalition of state legislators as well as students and labor unions including the California Labor Federation, AFL-CIO; the State Building and Construction Trades Council; the American Federation of State, County and Municipal Employees (AFSCME) and the University Council-American Federation of Teachers (AFT).

SCA 21/ACA 24 is necessary to bring much-needed public oversight, access, transparency, and accountability to the University of California system.

FINANCIAL IMPLICATIONS:

None

CONTACT PERSON:

Jesse Arreguín, Councilmember, District 4 981-7140
Max Anderson, Councilmember, District 3 981-7130

Attachments:

1. Resolution
2. Copy of SCA 21
3. Letters of Support from various labor unions

RESOLUTION NO. – N.S.

~~RESOLUTION TO SUPPORT SUPPORTING SENATE CONSTITUTIONAL AMENDMENT (SCA) 21/ASSEMBLY CONSTITUTIONAL AMENDMENT (ACA) 24 REQUIRING THAT THE UNIVERSITY OF CALIFORNIA SYSTEM BE SUBJECT TO LAWS PASSED BY THE STATE LEGISLATURE RELATING TO THE AUTONOMY OF THE UNIVERSITY OF CALIFORNIA~~

WHEREAS, Article 9, Section 9 (a) of the California State Constitution, which was ratified in 1879, specifically grants the University of California an exemption from legislative control except for fiduciary matters; and

~~In 1879, the Regents of the University of California were granted autonomy on all issues related to the management of the institution and thus subject to legislative control only on fiduciary issues; and,~~

WHEREAS, Statutory laws related to issues other than the financial management of the UC system are generally not binding ~~over the University; and,~~

WHEREAS, The State Constitution does not grant the same exemption for other post secondary public institutions such as the California State University system. The requirement that the CSU system follow statutory laws has not put the control of the CSU system in the hands of the legislature and has not compromised the academic freedom of students and faculty; and

WHEREAS, SCA 21/ACA 24 would place on the ballot an amendment to the California State Constitution to remove the University's exemption from following statutory laws. This amendment is in response to a lack of accountability and transparency in recent decisions by the UC administration; and

WHEREAS, Despite continuing cuts in state funding, the UC Board of Regents has approved, sometimes in closed door meetings huge increases in administrators salaries. It has also approved severance packages in the hundreds of thousands of dollars, while failing to disclose public contracts or audits; and

WHEREAS, In response to these decisions, the State Legislature over the past few years have passed a number of bills to require the UC system to become more accountable and transparent. Nevertheless, the UC system would not have to follow some of these laws because of its constitutional exemption; and

WHEREAS, Despite these decisions to provide favorable benefits to administrators and to contract out to private consultants, the UC administration has placed the burden of balancing the budget on the backs of students, faculty and employees. Not only has the UC administration increased student fees by 32%, which results in an almost three-fold increase in a decade, it has also

instituted furloughs and layoffs of UC employees; and

WHEREAS, This has resulted in thousands of students, faculty and staff protesting on many UC campuses over the past few months. These decisions not only hurt some of the lowest paid workers but also make a UC education even more unaffordable; and

~~WHEREAS, SCA 21/ACA 24 could provide the State Legislature the authority to pass laws requiring UC Berkeley and other campuses to address some of the impacts the University creates on local infrastructure and city services; and from new University growth, including compensation for fiscal impacts on our public works infrastructure~~

~~WHEREAS, SCA 21/ACA 24 is supported by a bi-partisan coalition including legislators from both parties, UC students and labor unions including the California Labor Federation, AFL-CIO; the State Building and Construction Trades Council; the American Federation of State, County and Municipal Employees (AFSCME) and the University Council-American Federation of Teachers (AFT); and~~

~~WHEREAS, Over the past few years there has been a lack of accountability in the decisions of the Regents and UC administration from closed-door executive compensation deals to golden parachutes for administrators, there is a greater need for transparency in University decisions and accountability to the people of California; and,~~

~~WHEREAS, Senate Constitutional Amendment (SCA) 21 is a constitutional amendment that would remove the University of California Board of Regents' autonomy and allow the Legislature to enact statutes effecting UC policy; and,~~

~~WHEREAS, SCA 21 will grant the Legislature authority over the University similar to their existing authority over the California State University system; and,~~

~~WHEREAS, If approved by two-thirds of the Legislature, the measure would be put before the voters for final approval; and,~~

~~WHEREAS, SCA 21/ACA 24 is necessary to bring much-needed public oversight, access, transparency, and accountability to the University of California system; and~~

~~NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Berkeley that it hereby supports Senate Constitutional Amendment 21/Assembly Constitutional Amendment (ACA) 24, authored by State Senators Leland Yee and Roy Ashburn, which would place on the ballot a constitutional amendment to require that the University of California system be subject to laws passed by the State Legislature; and put before California voters an amendment to the state~~

~~constitution to remove the autonomy of the UC Regents from legislative authority helping bring greater transparency and accountability to the UC system~~

BE IT FURTHER RESOLVED, that the Council urges the authors of SCA 21/ACA 24 to amend the legislation to clarify that it will not affect research or the academic freedom of the students and faculty of the University of California; and

BE IT FURTHER RESOLVED, that the City Clerk shall transmit copies of this resolution to Governor Arnold Schwarzenegger, State Senate President Pro Tem Darrell Steinberg, Assembly Speaker Karen Bass, Senator Loni Hancock and Assemblymember Nancy Skinner.

Senate Constitutional Amendment

No. 21

Introduced by Senators Yee and Ashburn

(Principal coauthors: Assembly Members Nestande and Portantino)

(Coauthor: Senator Romero)

May 26, 2009

Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending, repealing, and adding Section 9 of Article IX thereof, relating to the University of California.

LEGISLATIVE COUNSEL'S DIGEST

SCA 21, as introduced, Yee. University of California.

Existing provisions of the California Constitution provide that the University of California constitutes a public trust and requires the university to be administered by the Regents of the University of California, a corporation in the form of a board, with full powers of organization and government, subject to legislative control only for specified purposes. These provisions require that corporation to have all powers necessary or convenient for the effective administration of its trust.

This measure would repeal on January 1, 2011, the constitutional provisions relating to the university and the regents and would require the university and the regents to be continued in existence subject to legislative control as may be provided by statute. The measure would require the Legislature to enact legislation to implement these provisions.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

- 1 *Resolved by the Senate, the Assembly concurring,* That the
- 2 Legislature of the State of California at its 2009–10 Regular

1 Session commencing on the first day of December 2008, two-thirds
2 of the membership of each house concurring, hereby proposes to
3 the people of the State of California, that the Constitution of the
4 State be amended as follows:

5 First—That Section 9 of Article IX thereof is amended to read:

6 SEC. 9. (a) The University of California shall constitute a
7 public trust, to be administered by the existing corporation known
8 as “The Regents of the University of California,” with full powers
9 of organization and government, subject only to ~~such that~~ *ensure* the security
10 legislative control as may be necessary to ~~insure~~ *ensure* the security
11 of its funds and compliance with the terms of the endowments of
12 the university and ~~such~~ competitive bidding procedures as may be
13 made applicable to the university by statute for the letting of
14 construction contracts, sales of real property, and purchasing of
15 materials, goods, and services. ~~Said~~ *The* corporation shall be in
16 form a board composed of seven ex officio members, which shall
17 be: the Governor, the Lieutenant Governor, the Speaker of the
18 Assembly, the Superintendent of Public Instruction, the president
19 and the vice president of the alumni association of the university
20 and the acting president of the university, and 18 appointive
21 members appointed by the Governor and approved by the Senate,
22 a majority of the membership concurring; ~~provided, however that~~
23 ~~the present appointive members shall hold office until the~~
24 ~~expiration of their present terms.~~

25 (b) The terms of the members appointed prior to November 5,
26 1974, shall be 16 years; the terms of two appointive members to
27 expire as heretofore on March ~~1st~~ *1* of every even-numbered
28 calendar year, and two members shall be appointed for terms
29 commencing on March 1, 1976, and on March 1 of each year
30 thereafter; provided that no such appointments shall be made for
31 terms to commence on March 1, 1979, or on March 1 of each
32 fourth year thereafter, to the end that no appointment to the regents
33 for a newly commencing term shall be made during the first year
34 of any gubernatorial term of office. The terms of the members
35 appointed for terms commencing on and after March 1, 1976, shall
36 be 12 years. ~~During the period of transition until the time when~~
37 ~~the appointive membership is comprised exclusively of persons~~
38 ~~serving for terms of 12 years, the total number of appointive~~
39 ~~members may exceed the numbers specified in the preceeding~~
40 ~~paragraph.~~

1 In case of any vacancy, the term of office of the appointee to fill
2 such vacancy, who shall be appointed by the Governor and
3 approved by the Senate, a majority of the membership concurring,
4 shall be for the balance of the term for which ~~such~~ *that* vacancy
5 exists.

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

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

21 (e) In the selection of the ~~Regents~~ *regents*, the Governor shall
22 consult an advisory committee composed as follows: The Speaker
23 of the Assembly and two public members appointed by the
24 Speaker, the President ~~Pro~~ *pro* Tempore of the Senate and two
25 public members appointed by ~~the Rules Committee~~ of the Senate
26 *Committee on Rules*, two public members appointed by the
27 Governor, the ~~chairman~~ *chairperson* of the regents of the
28 university, an alumnus of the university chosen by the alumni
29 association of the university, a student of the university chosen by
30 the Council of Student Body Presidents, and a member of the
31 faculty of the university chosen by the academic senate of the
32 university. Public members shall serve for four years, except that
33 one each of the initially appointed members selected by the Speaker
34 of the Assembly, the President ~~Pro~~ *pro* Tempore of the Senate,
35 and the Governor shall be appointed to serve for two years; student,
36 alumni, and faculty members shall serve for one year and may not
37 be regents of the university at the time of their service on the
38 advisory committee.

39 (f) The Regents of the University of California shall be vested
40 with the legal title and the management and disposition of the

1 property of the university and of property held for its benefit and
2 shall have the power to take and hold, either by purchase or by
3 donation, or gift, testamentary or otherwise, or in any other manner,
4 without restriction, all real and personal property for the benefit
5 of the university or incidentally to its conduct; ~~provided, however,~~
6 ~~that. However,~~ sales of university real property shall be subject to
7 ~~such~~ competitive bidding procedures as may be provided by statute.
8 ~~Said~~ The corporation shall also have all the powers necessary or
9 convenient for the effective administration of its trust, including
10 the power to sue and to be sued, to use a seal, and to delegate to
11 its committees or to the faculty of the university, or to others, ~~such~~
12 ~~the~~ authority or functions as it may deem wise. ~~The Regents~~ *regents*
13 shall receive all funds derived from the sale of lands pursuant to
14 the act of Congress of July 2, 1862, and any subsequent acts
15 amendatory thereof. The university shall be entirely independent
16 of all political or sectarian influence and kept free therefrom in
17 the appointment of its regents and in the administration of its
18 affairs, and no person shall be debarred admission to any
19 department of the university on account of race, religion, ethnic
20 heritage, or sex.

21 (g) Meetings of the Regents of the University of California shall
22 be public, with exceptions and notice requirements as may be
23 provided by statute.

24 (h) *This section shall become inoperative on January 1, 2011,*
25 *and as of that date is repealed.*

26 Second—That Section 9 is added to Article IX thereof, to read:
27 SEC. 9. (a) The University of California is hereby continued
28 in existence in the state government, and is subject to legislative
29 control as may be provided by statute.

30 (b) The University of California shall be administered by the
31 existing corporation known as “The Regents of the University of
32 California,” which is hereby continued in existence in the state
33 government, and is subject to legislative control as may be provided
34 by statute.

35 (c) The Legislature shall enact legislation to implement this
36 section.

37 (d) This section shall become operative on January 1, 2011.

O

SUPPORT for SCA 21

American Federation of State, County, and Municipal Employees
(AFSCME)

California Labor Federation

University Professional and Technical Employees (UPTE)

University Council of the American Federation of Teachers (UC-AFT)

California Nurses Association (CNA)

Phoenix Project for UC Democracy

Service Employees Trades Council (SETC)

State Building and Construction Trades Council of California



AK

May 27, 2009

- AFSCME Council 36
- AFSCME Council 57
- AFSCME/MWD Local 1902
Metropolitan Water District
- AFSCME/UAPD Local 206
Union Of American
Physicians And Dentists
- AFSCME/UC Local 3299
University of California
- AFSCME/UDWA Local 3930
United Domestic Workers
Of America
- AFSCME/UNAC NUHCE
United Nurses Associations
Of California
Union of Health Care
Professionals

The Honorable Leland Yee
California State Senate
State Capitol, Room 4074
Sacramento, CA 95814

RE: Senate Constitutional Amendment 21 (Yee) – AFSCME SUPPORT

The American Federation of State, County and Municipal Employees (AFSCME), AFL-CIO, would like to inform you of our **strong support for SCA 21**, as introduced.

SCA 21 would repeal the constitutional provisions relating to the University of California and the regents and would require the university and the regents to be continued in existence subject to legislative control as may be provided by statute.

Many egregious acts have been committed by the university during a time when students are facing increased tuition fees and the State's budget is in dire condition. AFSCME feels the time has come for increased oversight and accountability of the UC system. In 1879, UC Regents were granted autonomy on all issues related to the management of the institution and thus subject to legislative control only on fiduciary regulations. Thus, statutory laws are generally not binding over the university.

SCA 21 will stop the UC administration from acting like a private institution. Only five other public universities in the country have a similar status, with UC receiving the greatest level of autonomy. This completely outdated model results in the Regents thinking they are above the law while continually violating the public's trust and disrespecting students and taxpayers.

Most recently, the Regents approved double digit compensation hikes earlier this month to two new chancellors earning over \$400,000 each. In the same meeting, they significantly raised student fees and squelched public comment by holding the meeting via teleconference.

The purpose of the UC is to provide valuable education and research to the public. With yearly approval for double digit student fee increases and research on teen smoking cessation funding by the tobacco industry, it seems that the availability of education and research to the public is becoming limited. If tuition prices

American Federation of State, County and Municipal Employees, AFL-CIO

TEL (916) 441-1570 FAX (916) 441-3426 WEB www.calafscme.org 1121 L Street, Suite 904 • Sacramento, California 95814-3926




California Labor Federation
AFL-CIO
www.workingcalifornia.org

Headquarters: 600 Grand Ave
Suite 410
Oakland, CA 94610-3561

510.863.4000 tel
510.863.4089 fax

1127 11th Street
Suite 425
Sacramento, CA 95814-3809

916.444.3676 tel
916.444.7693 fax

3303 Wilshire Boulevard
Suite 415
Los Angeles, CA 90010-1798

213.736.1770 tel
213.736.1777 fax

June 5, 2009

Senator Leland Yee
State Capitol, Room 4074
Sacramento, CA. 95814

RE: **SCA 21 (Yee) - SUPPORT**

Dear Senator Yee:

On behalf of the California Labor Federation, I write in support of SCA 21, which will remove the autonomy of the University of California Board of Regents and allow the Legislature to enact statutes effecting UC policy. This authority is similar to that granted over the California State University (CSU). Under these Constitutional changes, the Board of Regents will no longer be above the law, allowed to act like a private institution, or ignore the will of the people.

In 1879, the University of California Board of Regents was granted autonomy on all issues related to the management of the institution, subject to legislative control only on fiduciary regulations. Thus, statutory laws are generally not binding over the University. As a result of a number of egregious actions by the Regents, including exorbitant executive pay hikes, we believe that SCA 21 is needed to allow greater public oversight, transparency, and accountability of the institution.

Over the past several years, the legislature has made several attempts to reign in UC's lack of transparency and accountability to almost no avail. However, with bipartisan support, the legislature has passed legislation regarding executive compensation, open meetings, public records, worker protections, and student speech rights, resulting in important changes at California State University. Unfortunately, due to the constitutionally granted autonomy granted to the UC Board of Regents, these laws were only able to urge that UC follow suit. The University of California has continuously ignored the legislature and these much needed good government reforms.

The University of California has been plagued by several scandals over the years, most recently when the Regents approved double digit compensation hikes in May of 2009 for two new chancellors earning over \$400,000 each. In the same meeting, they significantly raised student fees and squelched public comment by holding the meeting via teleconference. With the latest executive pay hikes, the UC Regents yet again demonstrated that they are completely out of touch with reality. We can no longer allow the Regents to violate the public trust and disrespect students and taxpayers.

For the reasons stated above the California Labor Federation supports SCA 21 and asks for your support as well.

Sincerely,

Jeremy Smith
Legislative Advocate
JS: sm
OPEIU 3 AFL CIO (31)



UNIVERSITY
PROFESSIONAL
AND TECHNICAL
EMPLOYEES

CWA Local 9119
AFL-CIO

■
representing
employees at the
University of
California

■
2510 Channing Way
Suite 11
Berkeley, CA
94704

phone (510) 704-8783
fax (510) 704-8065
info@upte-cwa.org

■
www.upte.org

Support Letter

SCA 21 (Yee, Ashburn, and Romero) and ACA 24 (Nestande and Portantino)

June 3, 2009

In 1879, the University of California (UC) Board of Regents was granted autonomy on all issues related to the management of the institution, subject to legislative control only on fiduciary regulations. Thus, statutory laws are generally not binding over the University.

As a result of a number of egregious actions by the Regents, including exorbitant executive pay hikes, the above mentioned Senators and Assembly Members have introduced Constitutional Amendments to allow greater public oversight, transparency, and accountability of the institution.

In essence, SCA 21 and ACA 24 would remove the Regents' autonomy and allow the Legislature to enact statutes effecting UC policy, similar to authority granted over the California State University (CSU). If approved by two-thirds of the Legislature, the measure would be put before the voters for final approval. Under these Constitutional changes, Regents would no longer be above the law, allowed to act like a private institution, or ignore the will of the people.

Over the past several years, the Legislature has made several attempts to reign in UC's lack of transparency and accountability. With bipartisan support, the Legislature has passed legislation regarding executive compensation, open meetings, public records, worker protections, and student speech rights, resulting in important changes to CSU. However, these laws only urged or requested that UC follow suit. The UC has continuously ignored the Legislature and these much needed good government reforms.

UC has been plagued by several scandals over the years, most recently when the Regents approved double digit compensation hikes in May of 2009 for two new chancellors earning over \$400,000 each. In the same meeting, they significantly raised student fees and squelched public comment by holding the meeting via teleconference.

With the latest executive pay hikes, UC Regents yet again demonstrated that they are completely out of touch with reality. We can no longer allow the Regents to violate the public trust and disrespect students and taxpayers.

Therefore, the California Labor Federation, AFL-CIO supports SCA 21 and ACA 24 and asks for your support as well.

For more information or to support, please contact Rodney Orr, UPTE-CWA Local 9119's Legislative Director at 805-455-2813.



University Council-American Federation of Teachers

Representing Faculty, Librarians & Academic Researchers of the University of California

Senator Romero,

I am writing on behalf of the University Council--American Federation of Teachers in support of support SCA 21 and strongly urge the Senate Committee on Education to recommend its passage by the Senate.

The University of California is truly one of California's greatest assets, its contributions to the state's culture, politics, arts, and economy acknowledged by all. As non-senate academic employees of the UC, our members work every day as faculty and librarians to promote the missions of the University of California and support its role as a state institution. We are dedicated to its success in research, innovation, and, most important to us, education. We will never support a move to weaken the UC or diminish its ability to develop California's economy or people.

We support SCA 21 because it is vital that we keep the UC a public institution in deed as well as in name. Currently, the Regents and the UC Office of the President seem to make decisions without consultation, explanation, rhyme or reason. For example, the UC has announced that a cut to employee salary will yield only \$195 million toward closing a budget deficit, when in fact the proposed cut will lead to over \$600 million in savings.. It has also used the recent swine flu outbreak as a reason to cancel a public Regents meeting. Both of these decisions come on the back of years of executive salary scandals that have been all too well documented. In addition, the Regents have badly mismanaged the UC pension plan, at the cost of billions of dollars to UC employees who are not allowed any formal voice in decisions about their own retirement fund.

We believe the problem stems from a lack of accountability. In fact, it is easier to remove a sitting governor or senator than it is to remove an appointed UC Regent. This absolute freedom from oversight has resulted in a state agency with a \$20 billion annual budget and no checks or balances.

We are not requesting that the legislature control the UC; we only want to allow the same oversight that is currently given to the California State University system, and other public universities across the United States. In no way is it the intent of this amendment that the State Legislature would be "running" the UC.

SCA 21 is necessary to clarify that the University of California is first and foremost a public institution of the State of California. The amendment will also allow a check on currently unchecked University power and a balance in favor of the will of the people of California. We urge the adoption of SCA 21 as the best means to protect California's interest in the University of California.

Sincerely,

Benjamin Harder
Vice President for Legislative Affairs
University Council-American Federation of Teachers

Karen Sawislak, Executive Director • (510) 740-0145 • ksawislak@cft.org
274 14th Street, Oakland, CA 94612

Berkeley/San Francisco Davis Irvine Los Angeles Merced Riverside San Diego Santa Barbara Santa Cruz



**CALIFORNIA
NURSES
ASSOCIATION**



**NATIONAL NURSES
ORGANIZING COMMITTEE**

A Voice for Nurses. A Vision for Healthcare.
www.calnurses.org / www.nnoc.net

June 23, 2009

The Honorable Gloria Romero
Senate Education Committee
State Capitol, Room 2083
Sacramento, CA 95814

RE: SCA 21 (Yee) - SUPPORT

Dear Senator Romero:

On behalf of the 85,000 registered nurses of the California Nurses Association/National Nurses Organizing Committee we are proud to support SCA 21 (Yee) which establishes greater public oversight and accountability of the University of California.

SCA 21 is a constitutional amendment that uses commonsense to restore oversight and accountability to the UC system. SCA 21 would remove the UC Regents authority and allow the Legislature to enact statutes affecting the UC policy - similar to authority the Legislature has over the California State University system.

CNA/NNOC has a long tenuous relationship with the UC and their employment practices. Across the state at various campuses of the UC, the registered nurses have struggled with the UC on various issues from financial transparency, to inadequate staffing, disciplining pro-union RNs and unit closures. By enacting SCA 21 - the Legislature would have the much needed oversight of this public institution.

In the communities where the UC hospitals are located they function as a safety-net hospital and provide care to the insured/underinsured. CNA/NNOC is committed to protecting patient needs and stopping the UC's practice of cutting patient care dollars, while providing UC executives with salary increases - SCA 21 can help stop these unfair practices. During these tough economic times, nurses do not want their capacity to care for the poor to be limited by the fact that UC executives are still receiving pay raises. Additionally, being able to advocate for patients is an essential part of nursing, and having the UC retaliate against nurses and other staff who speak out against the UC is unacceptable. We believe that ACA 24 will help restore the UC's mission and to function as a public institution.

OAKLAND Headquarters
2000 Franklin St.
Oakland CA 94612
Tel: 510/273-2200
Fax: 510/663-1625

SACRAMENTO
1107 9th St. Ste. 900
Sacramento CA 95814
Tel: 916/446-5021
Fax: 916/446-6319

GLENDALE
425 W. Broadway Ste. 111
Glendale CA 91204
Tel: 818/240-1900
Fax: 818/240-8336

CHICAGO
850 W. Jackson #750
Chicago IL 60607
Tel: 312/491-4902
Fax: 312/491-9614

MAINE
160 Capitol St. #1
Augusta ME 04330
Tel: 207/622-1057
Fax: 207/623-4072

State Building and Construction Trades Council of California

ROBERT L. BALGENORTH
PRESIDENT

JAMES W. KELLOGG
SECRETARY-TREASURER

Chartered by
BUILDING AND CONSTRUCTION TRADES
DEPARTMENT
AFL - CIO

July 23, 2009

The Honorable Leland Yee
California State Senate
State Capitol, Room 4074
Sacramento, CA 95814

RE: SCA 21 (Yee) — SUPPORT

Dear Senator Yee:

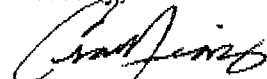
I write on behalf of the State Building and Construction Trades Council, AFL-CIO, to express our support for your SCA 21, which would allow the California State Legislature to enact statutes effecting policy at the University of California system.

The University of California Board of Regents was granted autonomy on all issues relating to the management of the institution in 1879. The Legislature retained control on the fiduciary matters and regulations. However, the longstanding protection from statutory laws has allowed for many egregious actions by the Regents, including exorbitant executive pay hikes while increasing student tuition during a most difficult economic downturn.

We strongly believe that SCA 21 is needed to allow greater public oversight, transparency, and accountability from this taxpayer subsidized public institution. Bipartisan legislative reform efforts have attempted to address the lack of transparency and accountability. Issues such as executive compensation, open meetings, public records, worker protections, and student speech rights haven't been adhered to as these legislative measures can only urge the UC to follow suit.

The UC system has continuously resisted and ignored the Legislature's efforts to address the aforementioned issues. California's taxpayers can no longer afford to wait for the UC to reform itself. Thank you for introducing this important measure and we look forward to working with you and your staff during the legislative process.

Sincerely,



CESAR DIAZ

Deputy Legislative Director

CD:tg
opeiu#29/afl-cio

1225-8th Street, Suite 375 • Sacramento, CA 95814 • (916) 443-3302 • FAX (916) 443-8204