

Davis Prepares to Reshape UC Board — Appointments Could Prompt New Look at Old Controversies

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On this 26-member board charged with leading one of the nation's most prestigious university systems, 18 appointed members wield considerable power and serve longer terms than the governors who appoint them.

The current appointees on the University of California Board of Regents are perhaps best known for straying from academe into the political realm, banning affirmative action in university hiring and admissions, and debating whether to offer health benefits to UC employees' same-sex domestic partners.

And they're about to be shaken up - violently.

Democratic Gov.-elect Gray Davis will have several appointments to make after he takes office, and the board's most controversial decisions could soon resurface for debate.

"Gray Davis probably has a greater opportunity than any governor in his first year to shape the character of the board by having this many appointments," said Patrick Callan, president of the National Center for Public Policy and Higher Education in San Jose.

By the time Davis takes over next month, three spots will be vacant, with up to two more expected soon. By 2002, five more spots should open.

As rumors circulate about potential appointees, some members say there's a good possibility the board could soon revisit - and perhaps overturn - its decision to end affirmative action on campuses.

Right now, all of the 18 were appointed or reappointed to 12-year terms by Republican governors over the past 16 years.

At an average age of 60, they are generations older than most college students. The majority are wealthy lawyers, consultants and entrepreneurs. Five are women, six are minorities.

"The board is collectively out of touch with the reality of what California is," Callan said. "It hasn't had the kind of independence and stature of a board that has Constitutional status."

Davis' appointments will change the personality of a board that is endowed with considerable autonomy and power, a board that sets policy for nine UC campuses that graduate about 42,000

students a year and has an \$11 billion annual budget.

As the board deals with weighty issues - from affirmative action to student fees to how best to add a 10th campus in the San Joaquin Valley - the state constitution mandates it be independent of all "political or sectarian" influence.

But critics charge that some of the 18 appointed regents were handpicked by outgoing Gov. Pete Wilson to push his own agenda. In November 1997, Wilson made three controversial appointments, naming Ralph Ochoa, John Hotchkis and Carol Chandler in time to support him in denying health benefits to UC employees' same-sex domestic partners. Wilson lost his bid and the three appointments were never confirmed, so their terms expire before the end of the year.

Two other recent appointees, Russell Gould and Joanne Kozberg, can serve without confirmation until July 1999, or Davis may choose to withdraw their nominations before that.

That makes up to five quick appointments for Davis, although there's talk that Gould - senior vice president of the J. Paul Getty Trust - might receive Davis' blessing.

Right now, names of possible appointees are swirling as hopefuls start lobbying for spots.

Barry Munitz, president of the Getty trust and former California State University chancellor, is one of those names, but won't confirm he's interested. He also is chairman of Davis' transition team and says that he hasn't discussed the appointments in detail with the governor-elect.

At this point, he said, everything is speculation.

"I don't think there's any question that there's going to be a substantial change in personality" on the board, he said. "The question is, is that accompanied by a change in policy? That you don't know until you know who is named."

Perhaps the most obvious indication that the flavor of the board might shift is the rumblings over affirmative action. In July 1995, the board voted to ban the use of affirmative action in university hiring and admissions.

Ochoa, one of the regents on the way out, said he thinks the issue could reappear within a year.

If the board overturns the ban, the move would be largely symbolic in light of Proposition 209, which eliminates race and gender preferences in state hiring, contracting and education. But that isn't stopping some regents from mulling the possibility.

"Even though Proposition 209 passed, you might see some of the UC regents talking about what kind of message they're sending," said Warren Fox, executive director of the California Postsecondary Education Commission.

Regent William Bagley believes overturning the ban would redeem the university's reputation.

"We obviously engaged in gross political action and caused the university to be known for adversity rather than diversity," he said. "A rescission of our July 1995 resolution would tell students and parents and the world that we welcome diversity."n 209. Villaraigosa said he would have to see the wording of the motion before he decided whether to support it.

Both say they will concentrate instead on reaching out to students throughout the state, developing partnerships with high schools and elementary schools to help students of all backgrounds meet the criteria for UC admission.

One proposal they support would require UC to accept the top 4 percent of graduates at each state high school, a proposal championed by Davis. Current admissions criteria aim at eligibility for the top 12.5 percent of high school students statewide.

Bustamante said the 4 percent proposal could boost the number of minorities entering the system.

"It would take the top students (at each school) and give them all a UC education," he said. "I think it would help with diversity, with extending admission to the lower-income child - who doesn't have to be of color - who did well in school."

Regent Ward Connerly, who spearheaded the drive against UC's affirmative action programs and led the winning campaign for Proposition 209, said he also wants to focus on outreach.

But he has misgivings about the 4 percent proposal.

"I'm not sure at this stage whether it's going to result in the displacement of students who are more academically qualified or prepared, with no result in the way of diversity," he said.

He added that reconsideration of affirmative action by the board would be tantamount to a broken campaign promise by Davis.

"If I were Gov. Davis, I would stay away from it," he said. "He made it clear during his campaign that he would not do anything to thwart the will of the people with regard to 209."