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7-8-2024

Meeting of the Executive Committee - Open Session Book 07/08/ 2024

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Executive Committee Meeting

University of California College of the Law, San Francisco
Willkie Farr & Gallagher 333 Bush St. San Francisco, CA 94104
2024-07-08 14:00 - 15:00 PDT

Table of Contents

1. Roll Call

Director Albert Zecher, Chair Director Courtney Greene Power, Vice Chair Director Shashi Deb
Director Andrew Houston Director Chip Robertson

2. Public Comment

(10 minutes) This is an opportunity for members of the public to comment on agenda items. Public comment on any agenda item will be limited to no more than three minutes per speaker and 10 minutes total. Groups or organizations that wish to comment on a particular item are encouraged to have a single representative speak for no more than three minutes. These limits can be varied at the discretion of the Chair. Persons who wish to speak on matters not on the agenda should make their request in writing to the General Counsel and Secretary of the College.

3. Approval of Prior Meeting Minutes.....2

Approval of Minutes from June 17, 2024

Monthly Executive Committee Meeting - June 17, 2024 Open Session Minutes.docx.....2

4. Action Item: Class of 1964 Scholarships

5. Student Success Strategies

6. Approval of Prior Meeting Minutes

Approval of Minutes from June 17, 2024

7. Legal Updates

7.1. AFSCME

7.2. UAW

7.3. Sidewalks litigation

7.4. Name change litigation

8. Real Estate Acquisition: Campus Expansion

9. Adjournment



Monthly Executive Committee Meeting - Open Session Minutes

University of California College of the Law, San Francisco
June 17, 2024

Willkie, Farr & Gallagher, 1 Front St, San Francisco, CA 94111. Participants and members of the public were also able to join the open session via the web link or dial-in numbers listed in the public notice of this meeting linked here: <https://www.uchastings.edu/our-story/board-of-directors/board-meeting-notices-agendas-and-materials/>.

1. Roll Call

The Chair called the open session to order at 9:04 a.m., and the Secretary called the roll.

Committee Members Present

Director Albert Zecher, Chair
Director Courtney Greene Power, Vice Chair
Director Shashi Deb
Director Andrew Houston
Director Chip Robertson

Other Directors Present

Director Simona Agnolucci

Staff Participating

Chancellor & Dean David Faigman
General Counsel & Secretary John DiPaolo
Legal & Executive Assistant Yleana Escalante
Chief Communications Officer John Kepley
Assistant Chancellor & Dean/Chief of Staff to the Chancellor & Dean Jenny Kwon
Provost & Academic Dean Morris Ratner
Chief Financial Officer David Seward
Deputy General Counsel Laura Wilson-Youngblood

2. Public Comment

The Chair invited public comment. No member of the public offered comment.

3. Approval of Prior Meeting Minutes

Motion:

The Chair called for a motion to approve the open session minutes of the Committee's April 15, 2024 meeting.

Motion made and motion seconded. The motion carried.

4. Student Success Strategies

4.1. Introductory remarks

Dean Faigman thanked Dean Ratner, Professor Moscato, Professor Greer and others for their contributions to the report included in the written materials and responses to questions from the Chair and Vice Chair. He noted an ongoing collaboration on this subject with statistician Stephen Goggin. He said he appreciates the Board's engagement and emphasized the hard work done since 2016 to improve bar passage performance. He highlighted that the Board's engagement is consuming considerable staff time, especially for those dedicated to helping the 2024 graduates pass the bar exam. He suggested reevaluating the frequency of summer meetings and conversations, as this period is crucial to ensuring recent graduates' success on this upcoming administration of the bar exam. He reiterated the College administration's commitment to identifying factors predicting bar success and acknowledged the Board's concerns. He also stressed that new interventions would not have an immediate affect on U.S. news rankings, bar performance or employment. He urged the Board to consider how best to organize their engagement to avoid overburdening staff. He expressed confidence that the College is moving in the right direction over the coming months and years, noting that the data required for full evaluation will be ready by the faculty and Board retreat in September.

Vice Chair Power acknowledged the Dean's points and emphasized her willingness to be referred to previous materials when asking questions of other Directors or staff, rather than having staff create new content. She said she understands the workload concerns and reiterated the importance of having necessary information.

Dean Kwon suggested that the Board collect and summarize the questions it would like answered at the retreat so that the administration can prepare both thoroughly and efficiently. Dean Ratner and his team have already been conducting extensive research this summer, so including these questions in their considerations would be beneficial.

Chair Zecher acknowledged the issues raised and emphasized the need for the Board to fully comprehend the situation. He explained that the Board asks questions in order to gain understanding, and that receiving new information leads to more questions. This makes it almost impossible to list every question at once in advance of the faculty and Board retreat. He assured the administration that the Board will work hard towards that goal, stressing the importance of a partnership between the Board and administration. The

process should not be unduly burdensome or oppressive. He concluded by encouraging enjoyment of the process, continued dialogue, and the hope of reaching good resolutions as this moves forward.

4.2. Discussion Items

Dean Ratner provided background and explanation highlighting the benefits of recent dialogues between the Board and administrators, which is setting the stage for further analysis and review by the full faculty.

Dean Ratner noted that an aggregate study of determinants of bar success that his team has identified since they began rigorous analyses in 2016 will be published in the Journal of Legal Education later this year. That study provides a comprehensive overview of assessment and reform to date, building on work Dean Ratner did in partnership with statistician Stephen Goggin, Professor Stefano Moscato, Dean Faigman, and other administrators and faculty to understand the challenges the law school has faced. Using the IT department and Registrar's office to gather data, they subjected this data to statistical analyses, which in turn generated new reforms to be analyzed by the same process, supporting a dynamic, iterative process. The College has used this process of continuous assessment and improvement to improve outcomes since 2016.

Dean Ratner will work with the Registrar, bar success team, and statistician to answer as many additional questions as possible before the fall retreat and to provide the Academic Standards Committee with a supplemental charge. Once confident in the full range of academic policy issues to be considered and addressed, he intends to survey faculty for additional questions. He aims to create a comprehensive snapshot of the current status. The report Dean Ratner prepared for this meeting is a snapshot of the issues and factual questions currently on the table. Dean Ratner invited questions on his written report.

Chair Zecher thanked Dean Ratner for preparing the report and said he hoped they could address it at their next scheduled meeting on the issue so that the Board has time to review in depth. Vice Chair Power asked about the process for developing materials effectively before the fall retreat. Knowing Dean Ratner and Dean Faigman's extensive involvement with faculty and the executive committee, she asked how they planned to solicit questions beyond those presented over the summer. She noted the diverse faculty viewpoints on core academic issues like grading, as outlined in the memo, and wanted to ensure all opinions and debate points were surfaced well in advance. She emphasized the need to avoid last-minute issues during the retreat and sought insights into their strategy for maximizing input and identifying differing views ahead of the critical fall meetings.

Dean Ratner said that the Academic Standards Committee, a faculty committee responsible for changes to the law school's Academic Regulations, included persons with existing expertise on the topics currently under discussion. They include two former Associate Academic Deans, Heather Field and Jeff Lefstin, who developed and contributed extensive insights on student success long before his tenure. He highlighted the Academic Standards Committee's role in vetting ideas before formal submission. Dean Ratner has been in touch with some of these faculty, already, informally. Such discussions prompted prioritizing grading reforms due to widespread faculty concerns over grading practices. He said he plans to continue these informal conversations and will also distribute a faculty-wide Qualtrics survey in the coming weeks once there is a final date for the retreat detailing agenda items and soliciting additional questions to preempt surprises and ensure thorough preparation. He aims to avoid last-minute issues that might necessitate revisiting data collection efforts, emphasizing proactive preparation to facilitate smooth discussions at the retreat.

Vice Chair Power thanked Dean Ratner for the explanation. She emphasized the importance of answering questions comprehensively, noting that it allows for inclusion of valuable suggestions and strategies that might otherwise be missed. She highlighted the need to address strongly held viewpoints and be prepared to discuss and counter them with data or other evidence. She appreciated the insight into the process and looks forward to a productive retreat.

The Committee entered closed session at 9:21 a.m. pursuant to Education Code Section 92032(b)(5) &(7).

The Chair reconvened the open session at 9:46 a.m.

Mr. DiPaolo reported that in closed session the Committee approved minutes from its April 15, 2024 closed session meeting.

5. Adjournment

The Chair adjourned the open session at 9:47 a.m.

Respectfully submitted,

Laura M. Wilson-Youngblood, Deputy General Counsel