

Date of Hearing: April 28, 2026

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Mike Fong, Chair

ACA 18 (Caloza) – As Introduced February 20, 2026

SUBJECT: University of California: regents: student members

SUMMARY: Amends the California State Constitution to include additional voting Student Regent positions and creates nonvoting Student Regent-Designate positions for the University of California Board of Regents. Specifically, **this bill:**

- 1) Requires the Regents of the University of California Board of Regents (Board of Regents) to establish procedures, consult with the representatives of students at the University of California (UC), and appoint two students from a UC campus to serve as a full member of the Board of Regents. The Student Regents selected will be as follows:
 - a) One voting undergraduate student regent appointed to serve two years beginning on July 1 in an even-numbered year and expiring in June two years later. In the year prior to the student's official term, the student will serve as a nonvoting student regent-designate (designate); and,
 - b) One voting graduate student regent appointed to serve two years beginning on July 1 in an odd-numbered year and expiring in June two years later. In the year prior to the student's official term, the student will serve as a nonvoting student regent-designate (designate).
- 2) Clarifies a Student Regent appointed by the UC Board of Regents will serve no more than one year as the designate and no more than two years as a voting student regent; for a total of three years of service on the UC Board of Regents.
- 3) Defines representatives of students to include the UC Student Association (UCSA) and the UC Graduate and Professional Counsel, or their successor organization.
- 4) Makes technical and confirming language.

EXISTING LAW:

- 1) Establishes the UC as a public trust administered by the UC Board of Regents and endows the Regents with full powers of organization and government. Clarifies the UC is only beholden to legislative control as necessary to ensure the security of funds, compliance with the terms of the endowments of the university, and competitive bidding procedures where applicable to the university by statute for construction contracts, sales of property, and purchasing of materials, goods and services (Subdivision a, Section 9, Article IX of the California Constitution).
- 2) Authorizes the UC Board of Regents to be comprised of seven ex-officio members, 18 members of the public appointed by the Governor, one student appointed by the Regents, and one faculty appointed by the Regents.

- a) The seven ex-officio members on the Board are the Governor, the Lieutenant Governor, the Speaker of the Assembly, the Superintendent of Public Instruction, the president and vice president of the UC alumni association, and the acting president of the UC system.
 - b) The 18 public members are appointed by the Governor and approved by the California State Senate. The appointed members serve 12 year terms and shall have a majority of membership concurring. In the case of a vacancy, the Governor shall appoint and the California State Senate shall approve a replacement who shall remain in office for the remainder of the term.
 - c) The aforementioned public appointed members of the board and the ex officio members may at their discretion appoint after conferring with representatives of faculty and students, one faculty member from a higher education institution and one student member who attends a UC campus. The faculty and student members are permitted to serve for at least one year and have the same privilege as any other Regent (Subdivision a and c, Section 9, Article IX of the California Constitution).
- 3) Clarifies the Regents are to be a reflection of the economic, cultural, and social diversity of the State and will include ethnic minorities and women (Subdivision d, Section 9, Article IX of the California Constitution).
 - 4) Requires the Governor, when selecting the appointed Regents, to consult with an advisory committee. The advisory committee membership includes the Speaker of the Assembly, two members of the public appointed by the Speaker, the President pro Tempore of the Senate, two members of the public appointed by the Senate Rules Committee, Two public members appointed by the Governor, the chairperson of the Board, an alumni of the UC chosen by the alumni association, a student selected by the Council of Student Body Presidents, and a member of the faculty of the University chosen by the academic senate of the UC. Public members will serve on the advisory committee for four years except for those initially appointed by the Speaker, the President pro Tempore, and the Governor who will serve two years. Student, alumni, and faculty members will serve for one year. Members of the public, the student, alumni, and faculty members selected may not be members of the Board of Regents when they serve on the advisory committee (Subdivision e, Section 9, Article IX of the California Constitution).

FISCAL EFFECT: Unknown

COMMENTS: *Author's intent.* As explained by the author, “sixteen years ago, I came to the State Capitol as a UC San Diego student to protest tuition hikes by the UC Regents. Today, students are facing those same challenges—only worse: rising tuition, unaffordable housing, and growing uncertainty that impacts their ability to succeed. Yet on the 26-member UC Board of Regents, only one student has a vote. Students deserve more than a seat in the room—they deserve a vote that counts. ACA 18 is about fairness, accountability, and meaningful representation. By expanding student voting power on the UC Board of Regents, we ensure that the voices of those most impacted by decisions on tuition, housing, and student life are heard loud and clear. Now more than ever, it’s time to put students first and give them a real say in the decisions that shape their education and future.”

The author further indicates the need for the measure as, “UC enrollment has grown exponentially since the creation of the Student Regent position with over 300,000 students

enrolled at the undergraduate, graduate, and doctoral levels. It is imperative that student voices are meaningfully amplified on decision-making tables. With only one voting Student Regent and one non-voting Student Regent, students are not adequately heard or represented.”

University of California. In 1862, the federal government enacted the federal Morrill Act; which, authorized each state to receive federal land which could be sold to fund a state college. California used this to establish the first UC campus near the city of Oakland.¹ The UC would operate for 10 years before it was codified in the California Constitution as a public higher education system. In 1879, a proposal was considered by California’s second constitutional convention to remove the pre-1879 legislative authority over the UC and to instead promote the UC to a “public trust.”² The intention of the constitutional framers was to insulate the UC from any politics which may infringe upon the system’s ability to perform the public services of education and research.³ The existing governance structure of the UC as a public trust overseen by the UC Regents was codified and ratified in 1897 as part of the California Constitution.

Since its inception in 1879, the UC system has provided a public service to the people of California and the citizens of the world by providing world-class educational opportunities, empirical research, top-rated health care, and agricultural expertise. The UC system has expanded in size and scope from a single campus with 151 students to 10 campuses with 301,098 students.⁴ The UC Board of Regents oversees the operations of the UC system and is endowed with full autonomy from the Legislature by the California Constitution.

The courts have interpreted the autonomy of the UC Board of Regents to mean the Regents have “full autonomy over ‘exclusively university affairs.’”⁴ The scope of this autonomy extends to the business decision, operational decisions, and truly any decision affecting the UC system. In practice the UC is immune from many laws executed by the Legislature that apply to public higher education institutions. For a portion of the Education Code to apply to the UC, the UC Regents must adopt a policy to comply with the law. The Legislature has very little authority over the UC and is limited in methods to hold the UC accountable:

- 1) The Legislature can withhold funding until action is taken by the UC or condition the receipt of specific funding for a specific task or the implementation of a specific program;
- 2) The UC is bound to uphold state laws that regulate private persons and corporations; and,
- 3) The UC is bound to uphold state laws that regulate statewide concerns and do not regulate university affairs.⁴

The autonomy from the Legislature and the authority to govern UC affairs, is bestowed upon the UC Board of Regents.

The UC Board of Regents. The UC Board of Regents is the governing body of the UC system, whose authority and structure is established in the California Constitution. As mentioned in the

¹ <https://www.library.ca.gov/crb/quick-hits/uc-history/origin/>

² <https://www.library.ca.gov/crb/quick-hits/uc-history/origin/>

³ Veronica Gray, *A Government Branch of Its Own: Reining in the Power of the Regents of the University of California*, 51 UC Law SF Const. Q. 503 (2024).

Available at: https://repository.uclawsf.edu/hastings_constitutional_law_quarterly/vol51/iss4/4

⁴ https://ucop.edu/institutional-research-academic-planning/_files/uc-facts-at-a-glance.pdf

existing law section of this analysis, Section 9 of Article IX in the California Constitution outlines the membership of the UC Board to include: 18 Governor appointed positions, 7 ex officio members, one student representative, and one faculty representative. The California Constitution, while detailed on the number of Governor appointed Regents and who may participate as ex officio, neither prohibits nor authorizes the UC Board of Regents to add additional member as either voting members or as non-voting member of the UC Board of Regents.

Despite this lack of specific authority in the California Constitution to establish additional membership to the UC Board of Regents, the current composition of the UC Board of Regents has been expanded beyond the language contained in the California Constitution. The current membership of the UC Board of Regents includes:

- 18 Regents appointed by the Governor and approved by the California State Senate;
- Seven ex officio Regents – the Governor, the Lieutenant Governor, Speaker of the Assembly, State Superintendent of Public Instruction, the President of the UC, and the President and Vice-President of the UC alumni association;
- Two Alumni Regent-designates – appointed by the alumni associations and are the incoming president and vice-president of the alumni associations;
- Two faculty representatives to the Regents – the current president and vice-president of the UC Academic Senate; and
- A Student Regent (voting) and a Student Regent-designate (not voting) – are the student representatives appointed by the UC Board through a consultation process.⁵

The UC Governance Bylaw 20 identifies the active members of the UC Board of Regents – those with authority to vote and participate in discussion – as the following members:

“The Board consists of the following members: The Governor, the Lieutenant Governor, the Speaker of the Assembly, the Superintendent of Public Instruction, the President and the Vice President of the University’s alumni associations and the President of the University; eighteen Regents appointed by the Governor; and one Student Regent.”⁶

The Alumni Regent-designates were established by Regents Policy 1200 on June 14, 1984; which, enables the incoming president and vice-president of the UC Alumni Associations to serve for one year as a non-voting members of the UC Board of Regents before assuming their position as a voting ex officio Regents.⁷ The Student Regent-designate was established by Regents Policy 1202 on March 19, 1993, and is a student selected to eventually become the Student Regent. The Student Regent-designate serves for one year as a non-voting member on the UC Board of Regents before becoming a voting member of the UC Board of Regents.⁸

⁵ <https://regents.universityofcalifornia.edu/about/members-and-advisors/#ex-officio>

⁶ <https://regents.universityofcalifornia.edu/governance/bylaws/bl20.html>

⁷ <https://regents.universityofcalifornia.edu/governance/policies/1200.html>

⁸ <https://regents.universityofcalifornia.edu/governance/policies/1202.html>

The position of faculty representative to the UC Board of Regents was established on September 16, 1977, by Regents Policy 1201. The two faculty who serve as non-voting members of the UC Board of Regents are the chair and vice-chair of the UC Academic Senate. Upon confirmation by the faculty groups, the chair and vice-chair are permitted to participate in UC Board of Regents meetings but are not permitted to vote on any action before the UC Board of Regents.⁹

Process of selecting a Student Regent. As mentioned previously, the California Constitution authorizes the UC Board of Regents to appoint, at their discretion, a Student Regent as a voting member for a one-year term beginning on July 1 of the given year. Regents Policy 1202 depicts exactly how the UC Board of Regents selects a student and what the student is permitted to do as a Regent.

To select a Student Regent, applications are submitted by qualifying students by March 22 each year. Applicants are then put through an application process that includes three phases in which the pool of candidates is whittled down until the new Student Regent emerges. First, the Student Body Presidents of all the UC Campuses review the applications and select a subset of applications to begin the interview process. The first round of interviews for applicants, who make it past the initial phase, is with the UC Student Association (USCA) and Graduate Professional Councils. These student groups select a subset of applicants to interview and select three to four students to advance to the final interview. The final interview is with the UC Board of Regents Selection Committee, which is composed of a smaller subset of Regents. From here the Selection Committee, which recommends a student to the full UC Board of Regents. The final candidate recommended is confirmed as the Student Regent-designate for one year and then subsequently becomes the Student Regent.

The student selected serves for two years on the UC Board of Regents, first as the Student Regent-designate and then as the Student Regent. During their two years as a Regent, the student receives a tuition fee waiver, a parking pass, and peridium for travel to meetings. The student may also receive a stipend or scholarship depending on financial need. Essentially by having a Student Regent-designate, the UC Board of Regents has parity with the California State University (CSU) Board of Trustees and the California Community Colleges (CCC) Board of Governors who both have two student representatives. However, unlike the CSU Board of Trustees and the CCC Board of Governors, the UC Board of Regents does not have two students with full voting authority.

ACA 18 (Caloza) would remedy this inequity by proposing a ballot proposition to expand the UC Board of Regents to include two voting Student Regents. ACA 18 (Caloza) also honors the existing UC Regent Policy of having a designee by amending the California Constitution to recognize the inclusion of a Student Regent-designate. Furthermore, ACA 18 (Caloza) removes the discretion of the UC Regents to determine whether a Student Regent should be appointed each year. Instead, the constitutional amendment would remove the discretion and require two students to be appointed as voting Regents in perpetuity.

The need for a constitutional amendment. In 2021, then-Senator Glazer authored a constitutional amendment to expand the UC Board of Regents to include two Student Regents with full voting authority. SCA 5 (Glazer) of 2021, was held under submission in the Assembly Appropriations Committee. In the Assembly Committee on Higher Education's analysis for SCA 5, Committee

⁹ <https://regents.universityofcalifornia.edu/governance/policies/1201.html>

staff asserted the constitutional amendment was not necessary as the UC Regents had already expanded the membership of the board with non-voting faculty representatives and non-voting student representatives. A suggestion was made in the analysis that the UC Board of Regents already contained the authority to establish another Student Regent with full voting authority.¹⁰

While this may have been the interpretation of the Committee at the time, history contradicts this interpretation. In 1974, the voting population of California voted to implement Proposition 04. Among other things, Proposition 04 of 1974 expanded the UC Board of Regents to include: the Vice President of the Alumni Association as an ex officio member, two additional Governor-appointed Regents, and the opportunity for the Regents to appoint one faculty member and one student to the UC Board of Regents.¹¹ According to the original ballot pamphlet provided by UC Law San Francisco Scholarship Repository, the changes to composition of the UC Board of Regents was to “insure that the University will be more responsive and reflective of the interests of a rapidly changing California.”¹¹ According to Ballotpedia, Proposition 04 was a legislatively referred constitutional amendment, meaning the legal interpretation at the time was a constitutional amendment was required to reorganize the UC Board of Regents.¹² While the UC Board of Regents has expanded their membership since 1974 to include additional non-voting members, history would suggest in order to expand voting authority to additional members, a constitutional amendment is required.

The authority delegated to the UC Board of Regents by the California Constitution render the UC as “a branch of state government equal and coordinate with the legislative, judiciary, and the executive branches.”¹³ If the understanding of a previous Attorney General of California is that the UC Board of Regents is a fourth branch of government, than the language of the California Constitution establishing the UC Board of Regents should be interpreted in the same manner as the language establishing the California State Assembly (Assembly) and California State Senate (Senate). To expand the voting membership of the Assembly or the Senate, it would require a constitutional amendment as the number of elected officials, 80 for the Assembly, and 40 for the Senate, as enshrined in the California Constitution. The members of both houses simply could not vote to expand their membership without the authorization of the people of California. Therefore, so too is the UC Board of Regents prohibited from expanding their voting membership since “the courts and the Attorney General [of California] recognize the Regents as a separate branch of government because of its incredible power and autonomy over the UC system.”¹⁴

ACA 18 (Caloza) takes the necessary step of authorizing a constitutional amendment and subsequent ballot proposition to expand the UC Board of Regents membership to include two Student Regents.

Arguments in support. As the sponsors of the measure, the UC Student Association (UCSA) emphasizes the need for the expansion of the UC Board of Regents because “the UC serves as a

¹⁰ https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202120220SCA5#

¹¹ Voter Information Guide for 1974, General Election (1974).
http://repository.uchastings.edu/ca_ballot_props/804

¹² https://ballotpedia.org/California_1974_ballot_propositions

¹³ 30 Ops. Cal. Atty. Gen., 162, 166 (1957).

¹⁴ Veronica Gray, *A Government Branch of Its Own: Reining in the Power of the Regents of the University of California*, 51 UC Law SF Const. Q. 503 (2024).

Available at: https://repository.uclawsf.edu/hastings_constitutional_law_quaterly/vol51/iss4/4

cornerstone for the state's economic growth, research innovation, and workforce development, and given the UC's scale and impact, it is essential that students, who are at the heart of our mission, have meaningful representation in the decisions that directly impact them and their futures. Student Regents have historically played a critical role in shaping policies that directly affect students. For example, in 2021, the UC Board of Regents were considering a cohort-based tuition increase proposal, which increased rates for incoming freshmen and transfers by upwards of five percent. In response, the UC Student Regent, Alexis Zaragoza, championed student-led negotiations which ultimately secured an amendment to the tuition plan that increased the return to financial aid from 33% to 45% of every tuition dollar charged. This has contributed towards the UC Blue and Gold opportunity plan becoming one of the most robust financial aid packages that support our low-income students with financing their education."

Additionally, UCSA notes, "as it stands, there are 26 members on the UC Board of Regents.¹ Since the passage of Proposition 4 in 1974, students have been represented by only one voting Student Regent. UC enrollment has grown exponentially since the creation of the Student Regent position, with over 300,000 students enrolled at the undergraduate, graduate, and doctoral levels. With rising attacks on higher education nationally and increasing cost pressures at a state and campus level, it is imperative that student voices are meaningfully consulted and amplified at the decision-making table. ACA 18 will double the voting membership on the UC Board of Regents and allow for increased representation, engagement and participation from students in the nation's premiere public research university."

Finally, UCSA states, "with more student voices on the UC Board of Regents, ACA 18 demonstrates our value in university shared governance and the possibilities when students can lead by example. When stakeholders of any institution are meaningfully included, they bring urgently needed perspectives to the forefront. ACA 18 will propel generations of students and future leaders by ensuring that there is one undergraduate representative and one graduate or professional candidate on the Regents to compel their case and voice support for the UC's systemwide priorities on affordability, student well-being, and the lived experiences of those the university ultimately serves. ACA 18 ensures that those most directly impacted by decisions made by the Board of Regents, the students, have more consistent and representative voices among the University's highest governing body."

Committee amendments. Committee staff understand from the author's office and the sponsors that the preference is to have ACA 18 (Caloza) qualify for the November 03, 2026 ballot. In order to accomplish this goal, the measure would need to pass both legislative house with a 2/3 majority on or before June 25, 2026.¹⁵

Moving forward the author may wish to amend ACA 18 to state, "this measure shall appear on the ballot at the November 3, 2026, statewide general election."

The language of ACA 18 (Caloza) would establish two voting Student Regents and one Student-designate Regent and eliminates the discretion of the UC Regents over the inclusion of those positions as part of the membership of the UC Board of Regents. Committee staff understand the intention of the author and sponsors was to ensure there are two voting Student Regents and two Student-designate Regents positions.

¹⁵ Elections Code Section 9040

To align the language with the author's intentions, the Committee has suggested, and the author has accepted the following amendments:

- 1) Repeals the existing language of ACA.
- 2) Restores and amends the existing language of subdivision (c) of Section 09 of Article IX of the California Constitution to read as follows:

(c) (1) 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. This section shall sunset on June 30, 2027.

- 3) Adds paragraph (2) to subdivision (c) of Section 09 of Article IX of the California Constitution to read as follows:

(2) Beginning on July 1, 2027 and each July 1 thereafter, the members of the board, following procedures established by them and after consultation with representatives of faculty of the university, including appropriate officers of the academic senate, may, in their discretion, appoint to the board a member of the faculty at a campus of the university or of another institution of higher education. Any faculty appointed pursuant to this subdivision shall serve for not less than one year commencing on July 1 and shall be a member of the board with all rights of participation as regular members of the board.

- 4) Adds subdivision (d) to Section 09 of Article IX of the California Constitution to read as follows:

(d)(1) Beginning on July 1, 2027 and each July 1 thereafter the members of the board, following procedures established by them and after consultation with representatives of undergraduate students of the university, including the University of California Student Association, or their successor organizations, shall appoint to the board two students enrolled at a campus of the university for each regular academic term during their service as a member of the board with all powers, duties, voting authority, rights, and responsibilities as regular members of the board as follows:

(A) One student member appointed pursuant to this paragraph shall serve a term of two years beginning on July 1 of an even-numbered year and expiring on June 30 two years thereafter. During the first year of the two-year term, the student shall be a nonvoting student regent-designate. A student member appointed to the board pursuant to this subparagraph shall be enrolled as an undergraduate student at the time of appointment to the nonvoting student regent-designate position.

(B) The second student member appointed pursuant to this paragraph shall serve a term of two years beginning on July 1 of an odd-numbered year and expiring on June 30 two years thereafter. During the first year of the two-year term, the student shall be a nonvoting student

regent-designate. A student member appointed to the board pursuant to this subparagraph shall be enrolled as an undergraduate student at the time of appointment to the nonvoting student regent-designate position.

(2) Beginning on July 1, 2027 and each July 1 thereafter the members of the board, following procedures established by them and after consultation with representatives of undergraduate students of the university, including the University of California Graduate and Professional Council, or their successor organizations, shall appoint to the board two students enrolled at a campus of the university for each regular academic term during their service as a member of the board with all powers, duties, voting authority, rights, and responsibilities as regular members of the board as follows:

(A) One student member appointed pursuant to this paragraph shall serve a term of two years beginning on July 1 of an even-numbered year and expiring on June 30 two years thereafter. During the first year of the two-year term, the student shall be a nonvoting student regent-designate. A student member appointed to the board pursuant to this subparagraph shall be enrolled as a graduate student at the time of appointment to the nonvoting student regent-designate position.

(B) The second student member appointed pursuant to this paragraph shall serve a term of two years beginning on July 1 of an odd-numbered year and expiring on June 30 two years thereafter. During the first year of the two-year term, the student shall be a nonvoting student regent-designate. A student member appointed to the board pursuant to this subparagraph shall be enrolled as a graduate student at the time of appointment to the nonvoting student regent-designate position.

(3) A student appointed pursuant to this subdivision who graduates from the university on or after January 1 of the second year of the student member's term of office may serve the remainder of the term.

REGISTERED SUPPORT / OPPOSITION:

Support

Alliance for a Better Community (UNREG)
John Burton Advocates for Youth
Michelson Center for Public Policy
University of California Student Association
Young Invincibles

Opposition

None on file.

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