

## MINUTES

### BOARD OF REGENTS MEETING

SEPTEMBER 22, 2016

#### I. CALL TO ORDER

Chair Jan Sullivan called the meeting to order at 9:32 a.m. on Thursday, September 22, 2016, at the University of Hawai'i Maui College, Ka'a'ike Building, Room 105A/B/C/D, 310 West Ka'ahumanu Avenue, Kahului, HI 96732.

Quorum (13): Chair Jan Sullivan; Vice Chair Benjamin Kudo; Vice Chair Randy Moore; Regent Simeon Acoba; Regent Eugene Bal; Regent Brandon Marc Higa; Regent Wayne Higaki; Regent David Iha; Regent Michael McEnerney; Regent Lee Putnam; Regent Michelle Tagorda; Regent Ernie Wilson; and Regent Stanford Yuen.

Excused (1): Regent Jeff Portnoy.

Others in attendance: President & Interim UH Mānoa (UHM) Chancellor David Lassner; Vice President for Academic Planning & Policy Risa Dickson; Vice President for Administration Jan Gouveia; Vice President for Community Colleges John Morton; Vice President for Legal Affairs & University General Counsel Carrie Okinaga; Vice President for Research & Innovation Vassilis Syrmos; Vice President for Information Technology/Chief Information Officer, Garret Yoshimi; Vice President for Budget & Finance/Chief Financial Officer Kalbert Young; UH-Hilo (UHH) Chancellor Donald Straney; Interim UH - West O'ahu (UHWO) Chancellor Doris Ching; UH Maui College (UHMC) Chancellor Lui Hokoana; Executive Administrator & Secretary to the Board Cynthia Quinn; and others as noted.

#### II. PUBLIC COMMENT PERIOD

The following individual provided testimony:

1. Marguerite Butler, UHM faculty and Chair of the UHM Faculty Senate Executive Committee (UHMFSEC), provided late written testimony and oral testimony regarding the role of shared governance in providing information needed to make informed decisions on policy and management; fiscal sustainability of UHM and advocating for real budget reform; lack of necessary data systems; lack of consultation with stakeholders regarding the health of the enterprise; four UHMFSEC priorities; a copy of the UHM Faculty Senate informational brochure; and in opposition to the proposed policy for executive management salary adjustments.

No other written or oral testimony was received. Chair Sullivan recognized Emeritus Regent Helen Nielsen in the audience.

### III. REPORT OF THE PRESIDENT

President Lassner provided a verbal report on the successful outcomes of the International Union for Conservation of Nature World Conservation Congress, held in the United States for the first time and hosted by the state of Hawai'i; status of the early college and dual credit programs progress; commencement of construction projects for the new College of Pharmacy building at UHH, and the Culinary Institute of the Pacific at Kapi'olani Community College (KapCC); and status of the UHWO and UHM chancellor searches. He then yielded the floor to the host campus Chancellor Lui Hokoana, for an update on the UHMC progress in reaching strategic directions targets.

#### Report of Host Campus

Chancellor Hokoana provided a slide presentation on the status of the UHMC enrollment decrease; measures underway to increase enrollment and retention, including strategies to increase distance learning, scheduling adjustments to meet both traditional and nontraditional students' needs, and new and improved marketing efforts. He shared a copy of the recently completed UHMC 2015-2021 Strategic Directions, which contained five strategic goals. Working groups will be utilized to align planning, assessment, and budget to improve student success in preparation for the Western Association of Colleges & Schools (WASC) mid-term accreditation visit in January 2017. He also highlighted the number of UHMC baccalaureate degrees awarded in Applied Business & Information Technology, Sustainable Science Management, and Engineering Technology provisional programs; successes in philanthropy; increases in extramural funds; and noted recent recognition given to UHMC's culinary program and Leis Family Class Act restaurant.

Chancellor Hokoana introduced Nani Azman, chair of the new UHMC Academic Senate, who explained the unique accreditation and challenges of UHMC as a result of being a community college that offers baccalaureate degrees, and transitioning from the WASC Accrediting Commission for Community & Junior Colleges to WASC Senior College & University Commission purview. She explained the challenges to meet assessment, accreditation, and student needs to maintain a student-centered campus; and requested support for additional resources for these efforts.

Questions and concerns were raised regarding strategies to ensure student success, noting student concern about lack of courses needed to complete a degree, and tailoring offerings to capacity and market needs. Chancellor Hokoana confirmed efforts underway to define and develop excellence in specific program areas, such as consideration of university centers for residents who cannot leave the island to attend classes at UHM, and ensure current and future baccalaureate degree offerings are aligned accordingly. President Lassner added that over 100 degrees and certificates awarded in spring were not from UHMC. He concurred that the work underway is a UH System responsibility to ensure clarity of opportunities to achieve degrees not offered on a particular island's physical campus on a statewide basis. He highlighted that the

Graduation Pathway System (GPS) STAR Registration system guides students on the options available. Vice Chair Moore added that at the student breakfast with regents, the students expressed appreciation for the UHMC faculty.

#### **IV. COMMITTEE REPORTS**

##### **A. Report from the Committee on Budget and Finance**

Committee Vice Chair Higaki summarized the committee report provided in the materials and highlighted the committee's recommendation for approval of the budget policy paper on the consent agenda. He added that the committee also received two information items regarding bond compliance and quarterly financial report. No comments or questions from the board were raised.

##### **B. Report from the Committee on Personnel Affairs**

Committee Chair Wilson summarized the committee report provided in the materials, and explained that the committee recommends approval of the salary adjustment methodology on the consent agenda. He added that regent policy amendments on political activity and employment were discussed, and the committee concurred to proceed to union consultation. He noted that the committee is conferring with board leadership regarding adding governance to the committee charge. Vice Chair Moore clarified and Chair Sullivan concurred that the salary adjustment item would be taken off the consent agenda to discuss and vote on separately. No additional comments or questions from the board were raised.

##### **C. Report from the Committee on Research and Innovation**

Committee Vice Chair Kudo summarized the committee report provided in the materials, noting appreciation for administration's candor in presenting on four areas under review. He highlighted that on the consent agenda is an item to approve administration's proposal to move forward with public processes to repeal unnecessary Hawai'i Administrative Rules under chapter 91, Hawai'i Revised Statutes (HRS), relating to technology transfer to be replaced accordingly with appropriate board policies already subject to public due process under the Sunshine Law codified as part of chapter 92, HRS. Chair Sullivan noted that this item would be taken off the consent agenda to discuss and vote on separately. No additional comments or questions from the board were raised.

#### **V. ITEMS FOR DISCUSSION & APPROVAL**

##### **A. For Approval by Consent**

- 1. Minutes of the August 18, 2016 Board Meeting**
- 2. University of Hawai'i System:**
  - a. Biennium Budget Policy**

The board concurred that item V.A.2.b. regarding Methodology for Executive Management Salary Adjustments, and item V.A.2.c. regarding Approval of Proposal to Repeal University of Hawai'i Administrative Rules and Revise Regents Policies, Executive Policies and Administrative Procedures for Patents and Copyrights, be taken off of the consent agenda for further discussion and separate vote. Regent Wilson moved to approve the consent agenda, as amended, seconded by Regent Yuen, and the motion to approve the consent agenda passed upon unanimous vote.

**b. Methodology for Executive Management Salary Adjustments**

Chair Sullivan explained that, pursuant to board policy, the board authority to approval salary adjustments extends only to those positions that directly report to the board. The president has the sole authority to establish a salary adjustment methodology for all other executive management personnel, and report his decision to the board. As the proposal includes all executive management personnel, Vice Chair Moore moved to amend the action to limit approval only to those positions that directly report to the board in accordance with board policy. Regent Wilson seconded the motion, and the motion passed upon unanimous vote.

**c. Recommend Approval of Proposal to Repeal University of Hawai'i Administrative Rules and Revise Regents Policies, Executive Policies and Administrative Procedures for Patents and Copyrights**

Chair Sullivan explained that the proposal for board approval is to allow administration to move forward with public processes to repeal administrative rules under chapter 91, HRS, that administration deems unnecessary and cumbersome relating to patents and copyrights, and to be replaced accordingly with appropriate board policies already subject to public due process under the chapter 92 Sunshine Law.

Lengthy discussion ensued on balancing the importance of the scrutiny of public due process to decide rights and obligations of intellectual property and values at stake, with the appropriateness, efficiency, and sufficiency of board policies to replace such administrative rules; clarity of processes and approach to effect repeal of administrative rules and policy amendments; sufficiency and effectiveness of proposed language; and roles of internal management versus chapter 92, HRS, public due processes. Administration explained that this and many other administrative rules have become obsolete and do not reflect current systems programs, such as the current processes are set forth under collective bargaining agreements and not subject to internal management control.

Other concerns raised regarded ensuring modernization and preserving public process through a two-step process, and the practicalities of modernizing processes, especially crucial to improving licensing and patents, in order to perform at levels similar to high performing peers.

Regent McEnerney moved to approve the proposal, seconded by Vice Chair Kudo, and the motion passed with 11 ayes, Regent Acoba and Regent Iha voting no, and Regent Portnoy excused.

## **B. For Approval**

### **1. Appointment of Task Group for Academic and Facilities Master Plan**

Chair Sullivan explained that the proposal related to a September 17, 2015 resolution passed by the board which was attached to the memo, and read aloud the following excerpt from the resolution that laid out the goals and charge for the task group:

“That the Administration develop an integrated high-level system-wide academic and facilities master plan that creates a strategic vision to align and leverage each campus' unique mission and resources while reducing unnecessary duplication and increasing collaboration and sharing of academic offerings to make more effective and efficient use of fiscal, human and physical plant resources, modern distance learning technologies, and land assets while advancing the higher education goals of the State.”

She thanked members who were willing to serve, noted that selection was difficult, and to avoid becoming unwieldy, chose a logical approach to appoint the subject matter chairs of the committees on academic and student affairs, budget and finance, planning and facilities, and the board chair. There was a short discussion to clarify and confirm that the intent of the charge as written in the memo implies that the agreed upon result would come to the full board for approval. Having no other concerns raised, upon motion by Regent Tagorda, seconded by Regent Wilson, the motion passed unanimously.

### **2. Resolution Honoring Regent Barry Mizuno**

Chair Sullivan explained that Regent Mizuno chose to resign quietly, due to health reasons, and expressed his best wishes to the board. The resolution was read into the record, and upon motion by Regent Wilson, seconded by Vice Chair Moore, the resolution was approved by unanimous vote.

## **C. For Discussion**

### **1. Board and committee annual agenda calendar**

Chair Sullivan explained the intent of setting an annual agenda calendar of milestones and routine reports that also map to the strategic priorities of the president is to manage workload and focus of board meetings. The drafts present a base of topics for each committee, designed to alternate with three or four committees on one committee day a month. The committee topics align with the respective board agendas.

The board commented that the objective is laudable to provide a road map to stay on track.

## **VI. EXECUTIVE SESSION**

Upon motion by Regent Wilson, seconded by Regent Higaki, the Board unanimously approved convening in executive session, pursuant to HRS §92-5(a)(2) to discuss personnel matters. The board convened in executive session at 11:15 a.m. Following a motion to come out of executive session by Regent McEnerney, seconded by Regent Wilson, and the motion carried unanimously, executive session was adjourned at 12:36 p.m.

The meeting reconvened at 12:37 p.m. Chair Sullivan stated that the board went into executive session to discuss personnel matters as indicated on the agenda.

## **VII. ITEMS FOR APPROVAL (continued)**

### **A. Personnel Actions (Attachment A-1)**

The chair called for a motion to approve the personnel action only for the one position listed that directly reports to the board, pursuant to board policy. Regent McEnerney so moved, as amended, seconded by Regent Wilson, and the motion carried unanimously.

## **VIII. ANNOUNCEMENTS**

Chair Sullivan announced that the next board meeting is scheduled to be held at Kapi'olani Community College on October 20, 2016.

## **IX. ADJOURNMENT**

There being no further business, Vice Chair Moore moved to adjourn, seconded by Regent Wilson, and upon unanimous approval, the meeting was adjourned at 12:37 p.m.

Respectfully Submitted,

/S/

Cynthia Quinn  
Executive Administrator and  
Secretary of the Board of Regents