

NOTICE OF BOARD OF REGENTS MEETING

Board business not completed on this day will be taken up on another day and time announced at the conclusion of the meeting.

Date: Thursday, November 16, 2017

Time: 9:30 a.m.

Place: Windward Community College
45-720 Kea'ahala Road
Hale Akoakoa 101 & 103
Kaneohe, Hawai'i 96744

AGENDA

- I. Call Meeting to Order**
- II. Public Comment Period:** All written testimony on agenda items received after posting of this agenda and up to 24 hours in advance of the meeting will be distributed to the board. Late testimony on agenda items will be distributed to the board within 24 hours of receipt. Written testimony may be submitted via US mail, email at bor@hawaii.edu, or facsimile at 956-5156. Individuals submitting written testimony are not automatically signed up for oral testimony. Registration for oral testimony on agenda items will be provided at the meeting location 15 minutes prior to the meeting and closed once the meeting begins. Oral testimony is limited to three (3) minutes. All written testimony submitted are public documents. Therefore, any testimony that is submitted verbally or in writing, electronically or in person, for use in the public meeting process is public information.
- III. Report of the President**
- IV. Update from University of Hawai'i Student Caucus**
- V. Committee & Affiliate Reports**
 - A. Report from the Committee on Budget and Finance
 - B. Report from the Committee on Personnel Affairs & Board Governance
 - C. Report from the Committee on Planning and Facilities
 - D. Report from the Committee on Research and Innovation
 - E. Affiliate Reports
- VI. Items for Discussion and/or Approval**
 - A. For Action
 1. Consent Agenda:
 - a. Minutes of the October 19, 2017 Meeting
 - b. Minutes of the October 31, 2017 Retreat
 - c. ASUH selected Investment Managers and Fund Investments for the ASUH stadium stock fund

Accommodation required by law for Persons with Disabilities requires at least (5) five days prior notice to the board office at 956-8213 or bor@hawaii.edu.

- d. FY19 Supplemental Budget Request
[Link to FY19 Supplemental Budget Request](#)
- e. Supplemental FY 2019 CIP Budget Request
[Link to Supplemental FY 2019 CIP Budget Request](#)
- f. Tax Exempt Lease-to-Purchase (TELP) Resolution
- g. 2017-18 UH Revenue Bond Resolution
- 2. Request the Governor's final approval to simultaneously repeal Hawaii Administrative Rules ("HAR") Title 20, Chapter 1, "Rules of Practice and Procedure", and adopt HAR Chapter 20-1.1, "Rules of Practice and Procedure"
- 3. Request the Governor's final approval to amend 3 other chapters in HAR Title 20: (1) Chapter 8, "State Higher Education Loan Fund"; (2) Chapter 10, "Delinquent Financial Obligations" and (3) Chapter 12, "Parking and Operation of Motor Vehicles"
- 4. Revisions to Regents Policy 9.218, Delegation of Personnel Actions
- 5. Request for Action to Approve the Establishment of the Endowed Professorship at the John A. Burns School of Medicine
- 6. Approval to Indemnify Geisinger Clinic from Claims Arising from University of Hawai'i's Use of Patient Data and Biological Tissue Specimens Provided by Geisinger Clinic for UH Research Purposes

VII. Executive Session (closed to the public):

- A. Personnel: *(To consider the hire, evaluation, dismissal, or discipline or an officer or employee, where consideration of matters affecting privacy will be involved, pursuant to HRS §92-5(a)(2))*
 - 1. Discussion of Personnel Actions (A-1 for approval)

VIII. Items for Discussion and/or Approval

A. Items for Approval (continued)

- 1. Personnel Actions (A-1 for approval)

IX. Announcements

- A. Next Meeting: January 25, 2018 at University of Hawai'i Maui College

X. Adjournment

ATTACHMENTS

- A1 – Personnel actions posted for action
- A2 – Personnel actions posted for information only
- A3 – Pursuant to § 89C-4, Hawai'i Revised Statutes, and the reporting requirements of Regents Policy 9.212, the following includes all Executive/Managerial positions with their respective compensation for the period January 1, 2018 – December 31, 2018

Agenda Item	Discussion	Follow Up/Action
Minutes	None	Approved
Testimony	None	
For Information & Discussion: IV.A.1. Report to the Board of Regents on Guidelines Used for Executive Managerial Salary Adjustments	<p>The committee clarified that the guidelines are being presented for information only as required under Regents Policy 9.212, Executive & Managerial Personnel Policies, no board approval or action is required. The only salaries the board approves are the president and his direct reports, which will be done at a future meeting.</p> <p>Administration reported on the methodology applied by the president for Executive & Managerial (EM) salary adjustments. The methodology is based on performance ratings as outlined in the action memo, and can be a combination of an adjustment to base salary and/or one-time payments. To be eligible for an adjustment, EM employees must be in their positions as of October 1, 2016, and any adjustment would go into effect January 1, 2018. EM employees not in their position as of the effective date or who do not meet expectations will not be eligible to receive a salary adjustment. Currently 175 of the approximately 198 EM employees are eligible to participate in salary adjustments, which may decrease depending on separations that occur before then. This is the first time salary adjustments in the form of a one-time payment are being offered, which is primarily in response to regent requests for a more diversified method of applying EM salary adjustments. As required by Hawai'i Revised Statutes (HRS) §89C-4, a list of all EM salary adjustments will be posted with a future agenda. The funds for these salary adjustments were appropriated by the Legislature.</p>	
IV.A.2. Board of Regents Policy Reviews (Chapters 1 to 4)	<p>It was noted the board is required to review Regents Policies regularly, and the Personnel Affairs & Board Governance Committee is responsible for ensuring that happens. Chapters 1 to 4 were scheduled for review during the 2017-2018 Academic Year, and VP Morton is leading the effort.</p>	

	<p>Administration explained that the 28 policies in Chapters 1 to 4 were assessed and placed into one of four categories: (1) policy should remain unchanged; (2) policy should be modified for editorial clarity or consistency with the previous board actions or policy changes not accurately reflected in the policy; (3) policy should undergo a substantive review and modification; (4) policy should be repealed. Recommended actions were contained in the action memo and the policy review summary. Only six or seven policies are being recommended for substantive review, and one new policy is being suggested.</p> <p>Discussions held regarding the consultation process. Administration explained that policies impacting employee working conditions will require consultation under HRS §89, Collective Bargaining in Public Employment, before the policy can be adopted. Other policies will not require formal consultation. Proposed policy revisions will come before the appropriate board committee(s).</p> <p>The committee commended administration for the thoroughness of the process and procedure.</p>	
IV.A.3. Review of Association of Governing Board publication entitled, "Consequential Boards – Adding Value Where It Matters Most"	<p>The committee discussed the AGB "Consequential Boards" publications. The next step is to prepare a matrix of the AGB's best practices for consequential governance adding value with where the board is currently, and see if there are any practices the board wants to change as a result.</p> <p>Discussions held regarding the underlying definition of what shared governance means. Shared governance for a single campus board is different from a system board. It would be useful to have a commonly understood meaning of shared governance and governance elements, so the committee has a way to discuss how to engage others to come up with these. It was noted that AGB recently came out with a publication entitled "Consequential Board</p>	