

MINUTES

BOARD OF REGENTS SPECIAL MEETING

DECEMBER 7, 2023

A video recording of this meeting may be viewed at the Board of Regents website as follows:

[Meeting Video #1](#)

[Meeting Video #2](#)

I. CALL TO ORDER

Chair Alapaki Nahale-a called the meeting to order at 9:03 a.m. on Thursday, December 7, 2023 at the Board of Regents Building, 1st Floor Conference Room 105A/B, 2520 Correa Road, Honolulu, Hawaii 96822, with regents participating from various locations.

Quorum (11): Chair Alapaki Nahale-a; Vice-Chair Gabriel Lee; Vice-Chair Ernest Wilson; Regent Neil Abercrombie; Regent Lauren Akitake; Regent William Haning;

Regent Abercrombie asked if the administration would be able to determine a more concrete figure for the amount of funds needed to address the SHS's priority projects by the time the university's next proposed biennium capital improvement project (CIP) budget is presented to the board for approval. He also inquired as to whether oversight and responsibility for SHS facilities could be permanently placed under the auspices of the Director of Campus Operations and Facilities at UHM. VP Gouveia replied that the administration is expecting to establish more definitive figures regarding the fiscal resources needed to contend with SHS's prioritized projects list. She also stated that consideration is being given to placing oversight responsibility for SHS facilities under the Director of Campus Operations and Facilities at UHM.

Citing a notation within the presentation which indicates that the ability of SHS to implement its priority investments is contingent upon funding availability, Regent Tochiki questioned if this alluded to the administration continuing to envision SHS as a financially self-sustaining enterprise. VP Gouveia replied that sources of revenue for student housing facilities at UHM other than CIP requests submitted to the Legislature and existing student housing fees have yet to be identified and are currently nonexistent. President Lassner remarked that a number of factors have impacted and continue to impact funding for student housing including the lack of adjustments to bed rates commensurate with rising operational costs and the need to maintain and improve facilities as well as the fringe benefit rates being paid by the university which is over 60 cents for every dollar paid in salary to employees of self-funded operations such as

report containing the PSPPIG's findings and recommendations on November 16, 2023. He stated that, in accordance with statutory requirements governing permitted interaction groups, discussions on the contents of the PSPPIG's final report and decisions on its recommendations could not take place until today's meeting. As such, the purpose of this agenda item was to proceed with discussions on this matter. He then invited Vice-Chair Lee, who served as Chair of the PSPPIG, to talk about the PSPPIG's final report and recommendations.

Vice-Chair Lee reported on the work undertaken by the PSPPIG, drew attention to a few of its recommendations, and provided the rationale for establishing an aggressive timeline with respect to the selection of the next university president as proposed in the PSPPIG's final report noting concerns raised about leadership continuity for the 2024-2025 Academic Year and the involvement of the incoming president in crafting the university's ensuing biennium budget request.

Barring any objections, Chair Nahale-a proposed taking up discussion on the various recommendations made by the PSPPIG separately. No objections were raised by any regent.

1. Sections II.A. - II.e.: Using a Search Firm

Deliberations occurred on the benefits and disadvantages of utilizing a search firm in the presidential selection process; the desirable qualifications of any search firm chosen including having an understanding of Hawai'i's culture and the uniqueness of the university as an indigenous serving institution; the necessity of selecting a search firm with Hawai'i expertise, as was suggested by the PSPPIG; the importance of choosing a search firm with the ability to meet all of the service expectations outlined within the PSPPIG's final report; and the processes a selected entity would use in conducting its search for qualified candidates.

Regent Tochiki suggested the possibility of fashioning a more generic request for proposal (RFP) based upon the guidance provided in the PSPPIG's final report to solicit the services of a search firm and allow the process to screen out the most qualified organizations for consideration by the board. Several regents agreed with Regent Tochiki's suggestion.

Regent Abercrombie sought confirmation that decisions with respect to the presidential selection and its associated processes going forward will be made by whatever entity is charged with this task by the board. Chair Nahale-a replied in the affirmative.

Regent Tochiki moved that a more generic RFP be developed to procure the services of a search or recruitment firm with access to Hawaii expertise and R U D + D Z D L L focus to conduct a national search to assist the Board in its hiring of the next President of UH, with the recommendations contained in Section II.B. of the PSPPIG report to serve as guidance for the scope of services to be rendered. The motion was seconded by Regent Haning.

Regent Loo proposed amending the motion to be less restrictive by stipulating that the search firm simply have access to + D Z D L L H [S H U W L V H D Q G R E G E N T D + D Z D L L Tochiki and Regent Haning were both amenable to this change.

There having been an amended motion that was moved and seconded, a voice vote was taken, and the amended motion carried with all members present voting in the affirmative.

2. Sections II.F. and II.G.: Separation of System President and Manoa Chancellor

PSPPIG members provided their rationale for the recommendation to divest the positions of President of UH and UHM Chancellor as currently designed which included, among other things, the belief that separating these positions would expand the pool of candidates for the next university president. While a number of regents voiced their support for this proposition, with several stating that doing so would also allow the next president to focus more attention on the overall needs of the university system, some regents expressed concerns with the manner in which this detachment was trying to be

Vice-Chair Wilson moved to accept Chair Nahale-a's compromise proposal and the motion was seconded by Regent Abercrombie. A voice vote was taken and the motion carried with all members present voting in the affirmative.

3. Sections II.H. and II.I.: Listening Phase

Regents shared their thoughts on the PSPPIG proposal that the board engage in a listening phase to provide opportunities for university stakeholders to share their views on a new university president through the use of a survey and open community forums.

Although agreeing with the approach to the engagement of university constituencies as presented in the PSPPIG report, Chair Nahale-a opined that this methodology should serve as a guideline for whatever presidential search committee the board eventually establishes to use for determining the manner in which the listening phase is conducted.

Regent Akitake spoke about the reasons behind the suggestion for conducting a survey emphasizing that the majority of PSPPIG members believed utilizing this approach would allow feedback on this issue to be gathered as efficiently and expeditiously as possible. She also expressed her belief that delaying engagement with university stakeholders until a search committee was formed would be less than ideal in light of the proposed timeframe for selecting a new university president.

Taking into consideration earlier discussions about the separation of the duties of the President of UH from those of the Chancellor of UHM and the concerns raised about due process for receiving comments on this matter, Regent Tochiki recommended that a question regarding the separation of these two positions be included in the list of proposed survey questions contained within the PSPPIG report.

Chair Nahale-a asked if any regents were opposed to the idea of commencing with a survey comprised of the survey questions contained within the PSPPIG report as part of the presidential selection process's listening phase to gather input from and the views of various stakeholders to share on a new President of UH and deferring further details regarding the listening process to whatever search committee is established by the board. He also inquired if there were any objections to including a query regarding the separation of the positions of UH System President and UHM Chancellor, as was advocated for by Regent Tochiki, in the survey. Hearing no opposition or objections from regents, Chair Nahale-a announced that such a survey would be initiated as expeditiously as possible.

4. Sections II.J. - II.M.: Presidential Search Permitted Interaction Group (PIG2)

Regents debated the PSPPIG's recommendation regarding the establishment of a permitted interaction group (PIG2) to serve as the presidential search committee and charging this group with the responsibilities of developing and screening a pool of candidates for the position of university president and recommending a list of three finalists for consideration by the full board. Although a few regents offered their support for this proposal contending that the creation of a PIG2 affords greater flexibility, urgency, and efficiency to the presidential selection process, a majority of regents voiced their opposition to this concept advocating for more openness, transparency, and

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Regent Mawae sought clarification as to whether the finalists for the position of university president would be interviewed by the board in an executive session. Chair Nahale-a replied in the affirmative.

Should a decision be made to establish a PIG2 and include non-regent members on this entity, Vice-Chair Lee remarked that it ought to be done in such a way so as to ensure only regents would have a vote on the pool of candidate finalists to be recommended to the full board.

Referencing applicable appointment process and financial disclosure requirements, Regent Akitake added that regents must remain cognizant of their being held to a higher standard than what may be expected of non-regents when considering whether or not to include non-regent members on a PIG2 or committee of the whole .

Regent Abercrombie moved to form a committee of the whole to serve as the presidential search committee and the motion was seconded by Vice-Chair Wilson.

Regent Akitake sought clarification as to whether a committee of the whole would encompass participation from all regents in the presidential selection process communicating her preference for this to be the case. Chair Nahale-a stated that, in his opinion, the board should not compel a regent to serve on a committee if the regent was unwilling to do so. He then asked if any regent wanted to opt out of participating on a committee of the whole that would serve as the presidential search committee. No regent chose to withdraw. As such, Chair Nahale-a announced that the committee of the whole would consist of all regents.

There having been a motion that was moved and seconded, a voice vote was taken and the motion carried with all members present voting in the affirmative.

5. Section II.K.1.: Selection of Advisory Committee Members

Chair Nahale-a verbalized his concern about the lack of clarity regarding the advisory group's role noting perceptions about this entity among the various university constituencies that were contained within some of the public testimony in the 27(42)(20)3(e) TJ)4(e)

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- Adopting the proposed timeline with the understanding that adjustments to the timeline can be made as needed going forward

V. EXECUTIVE SESSION (closed to the public)

Chair Nahale-a announced that it would not be necessary to meet in executive session.

VI. ANNOUNCEMENTS

Chair Nahale-a announced that a special meeting of the committee of the whole would take place on January 4, 2024, at UHM and that the next regular board meeting was scheduled for January 18, 2024, at UHWO.

Prior to adjournment, Regent Akitake requested a moment of silence in honor and remembrance of the heroes and victims of December 7, 1941, the day of the attack on Pearl Harbor.

VII. ADJOURNMENT

There being no further business, Chair Nahale-a adjourned the meeting at 4:32 p.m.

Respectfully Submitted,

/S/

Yvonne Lau
Executive Administrator and Secretary
of the Board of Regents