AMENDED
Notice of Meeting

UNIVERSITY OF HAWAIʻI
BOARD OF REGENTS COMMITTEE ON INTERCOLLEGIATE ATHLETICS
Members: Regents Acoba (Chair), McEnerney (Vice-Chair), Acopan, Bal, and Westerman

Date: Thursday, November 7, 2019
Time: 12:30 p.m.
Place: University of Hawaiʻi at Hilo
ʻImiloa Astronomy Center of Hawaiʻi
Moanahoku Exhibit Hall
600 ʻImiloa Place
Hilo, Hawaiʻi 96720

AGENDA

I. Call Meeting to Order

II. Approval of Minutes of the June 6, 2019 Meeting

III. 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.testimony@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 and will be posted on the board’s website.

IV. Agenda Items
A. Coaches Corner: Chris Leonard, University of Hawaiʻi at Hilo Interim Head Volleyball Coach
B. Update on Health and Wellness for University of Hawaiʻi at Mānoa and UH Hilo
C. Overview of NCAA Compliance
D. Discussion on NCAA Name, Image, and Likeness Policy
E. Committee Goals and Objectives
F. Discussion on Committee Scope and Functions
G. Future Committee Status of the Intercollegiate Athletics Committee

For disability accommodations, contact the Board Office at 956-8213 or bor@hawaii.edu. Advance notice requested five (5) days in advance of the meeting.
V. Executive Session (closed to the public)

A. Private Donations: To consider matters relating to the solicitation and acceptance of private donations, pursuant to Section 92-5(a)(7), Hawai‘i Revised Statutes

1. Acceptance of Private Donations

VI. Adjournment
I. CALL TO ORDER

Committee Chair Jeffrey Portnoy called the meeting to order at 12:30 p.m. on Thursday, June 6, 2019, at the University of Hawai‘i at Mānoa, Information Technology Building, 1st Floor Conference Room 105A/B, 2520 Correa Road, Honolulu, Hawai‘i 96822.

Committee members in attendance: Committee Chair Jeffrey Portnoy; Committee Vice Chair Stanford Yuen; Regent Kelli Acopan; Board Vice Chair Wayne Higaki.

Committee members excused: Regent Robert Westerman.

Others in attendance: Board Chair Lee Putnam; Regent Simeon Acoba; Regent Ben Kudo; Regent Alapaki Nahale-a; Regent Michelle Tagorda; Regent Ernest Wilson Jr. (ex officio committee members); President David Lassner; Vice President for Legal Affairs/University General Counsel Carrie Okinaga; Vice President for Academic Planning and Policy Donald Straney; Interim UH-Hilo (UHH) Chancellor Marcia Sakai; Executive Administrator and Secretary of the Board of Regents (Board Secretary) Kendra Oishi; and others as noted.

II. APPROVAL OF MINUTES OF THE FEBRUARY 19, 2019, AND MARCH 20, 2019 MEETINGS

Committee Vice Chair Yuen moved to approve the minutes of the February 19, 2019 and March 20, 2019, meetings, seconded by Board Vice Chair Higaki, and the motion carried unanimously.

III. PUBLIC COMMENT PERIOD

Board Secretary Oishi announced that the Board Office received late written testimony from Bonnyjean Manini and Landon Li, President of the Associated Students of the University of Hawai‘i (ASUH), offering comments relating to the student athletic fee survey results and status report.

Daniel Flores, President of the UHM Graduate Student Organization (GSO), provided oral testimony in opposition to an athletics fee increase and expressed concerns over the wording of questions and graphics in the survey. He noted that GSO
was unable to offer a formal resolution in opposition because it is in between general assemblies.

IV. AGENDA ITEMS

A. Coaches Corner: Jeff Hall, University of Hawai‘i at Mānoa Women’s Beach Volleyball Head Coach

A talk story session was held with UH-Mānoa’s (UHM) Women’s Beach Volleyball Coach Jeff Hall, former associate coach of both the UHM’s women’s indoor volleyball and men’s volleyball teams. Coach Hall recognized the Nagatani Academic Center for the services they provide student-athletes. Coach Hall highlighted the team’s athletic and academic achievements, including a 3.14 team grade point average, graduating 18 players with undergraduate degrees and 6 players with graduate degrees in five years, having 19 Academic All-Big West players, and 1 Big West Scholar-Athlete of the Year.

Committee Chair Portnoy asked how many schools play beach volleyball. Coach Hall responded that he believes there are approximately 70 beach volleyball teams. He added that the sport started 8 years ago and this is the fourth year of National Collegiate Athletic Association competition.

Committee Chair Portnoy asked how an athlete decides between indoor and beach volleyball. Coach Hall responded that some athletes play both at a young age and realize later that beach volleyball is a different element because players have to coach themselves sometimes, players get to choose their teammates, and the beach lifestyle. Players are gravitating toward beach volleyball, but there are not enough scholarship opportunities.

Regent Nahale-a asked how the coaches determine whether a student-athlete is a good kid. Coach Hall explained the importance of networking and asking friends and fellow coaches about a player’s character. The department focuses on “recruiting smart” and doing the necessary homework on players and asking tough questions. Hawai‘i is a destination and the team is successful, so players want to come to UHM.

Committee Vice Chair Yuen asked if a player uses up their eligibility for volleyball could they still play beach volleyball. Coach Hall explained there is a 5-year limit on NCAA sports, so it is possible that a student could play 4 years of indoor volleyball and have 1 year of eligibility left to play beach volleyball.

Committee Vice Chair Yuen asked how many local players were on the team. Coach Hall responded that the number of local players varies between 5 and 6 players, although this year there are 3 and next year that number will be 4 or 5. He noted that some mainland players have families here and want to come back, but the coaches strive to recruit local players first.

Committee Chair Portnoy asked Coach Hall for his opinion on the value of non-revenue sports. Coach Hall responded that the student-athlete experience for players is the main value. Student-athletes are driven academically and athletically, and sports
programs are an avenue for them. He added that no university has an all revenue-generating sports model.

Regent Acoba asked if there was remuneration for making it to the championships and Coach Hall explained that at this point there was nothing for beach volleyball.

Committee Chair Portnoy thanked the athletic directors and coaches for UHM and UHH for participating in committee meetings, which he found very educational. He hoped the next committee chair would continue to engage with the athletics department in the future.

D. Student Athletic Fee Survey Results and Status Update

Committee Chair Portnoy took this agenda item out of order. There was no objection by the other committee members.

UHM Athletic Director (AD) David Matlin explained that the athletics department has done their best to collaborate with various stakeholders such as the Associated Students of the University of Hawai‘i (ASUH), GSO, and the Mānoa Institutional Research Office (MIRO) who consulted with the athletics department and administered the survey. The process involved analyzing of peers, meeting with student government organizations, and conducting a survey. Feedback from testimony today will be utilized to formulate a formal recommendation to the Campus Fee Advisory Committee (CFAC) in fall 2019.

Dr. Yang Zhang, Director of the Mānoa Institutional Research Office, provided background on types of surveys and survey design, and reviewed survey results. She noted that some of the survey questions came from a previous survey administered by ASUH, with the current survey being designed to have more open-ended questions. The survey also included a link to background information regarding the survey. She explained the survey response time was extended at the request of ASUH, which resulted in a fairly good response rate of 13%.

Committee Chair Portnoy commented that UHM has the lowest student fees in the Big West and Mountain West Conferences, and revenues are dramatically lower than the majority of UHM’s competition, which raises the question of the importance of athletics. According to the survey, the majority of students say athletics is important but they do not want to pay for it. He hoped that the student fee issue would be resolved in the first quarter of the next academic year, even if the recommendation is that there should be no increase.

Regent Acopan expressed appreciation for the work that went into the survey and the outreach. She felt the survey questions could be more straightforward because many students do not understand what the fees are used for, which might lead to a more qualitative answer on whether students support a fee increase. AD Matlin responded that the survey results highlighted the confusion among students regarding the athletic fee, because some students thought the fee went to the Warrior Recreation Center.
Committee Chair Portnoy felt the survey was helpful in pointing out concerns students had with the benefits students receive for the fee. He noted that UH runs a $3 to $4 million annual deficit, and board policy requires the program break even in some way, so there needs to be a determination whether an increase in the student fee is needed to support an athletics program.

Regent Nahale-a agreed that the issue is about the value of the athletics program to student-athletes, the university, and the state, and whether it is worth it to increase the fee. He noted that the athletics program is doing well in terms of the character of student-athletes that are graduating. He felt that the university should invest in excellence and believes it is tied to a strong athletics program.

AD Matlin reiterated that the athletics department will work on a recommendation regarding the athletic fee to be brought to the CFAC in fall 2019.

A question was raised about the CFAC and President Lassner explained that the CFAC is comprised of students, faculty, and administrators, who review all fee proposals and provide recommendations. The CFAC recommendation is not binding, and administration and the athletics department would need to consider any recommendation before bringing it to the board for approval.

E. Proposed Revisions to Regents Policy 7.208, Intercollegiate Athletics

AD Matlin explained that the proposed policy revisions are intended to provide a clearer framework for guiding principles, oversight responsibilities of the board, and responsibilities the board has delegated to the campus chief executive officer. Emphasis was placed on a clear articulation of the guiding principles underlying the athletic program in the areas of health and safety, commitment to academics, equal opportunity, broad and enthusiastic campus and community support, and compliance with NCAA and conference requirements.

Committee Vice Chair Yuen moved to approve the proposed revisions to RP 7.208, seconded by Board Vice Chair Higaki.

Regent Acoba commented that under the policy it appears the board only has authorization to establish or abolish an entire intercollegiate athletics program; but does not explicitly state what the board’s obligations are or who is responsible for notifying the board regarding the state of the athletics program or events that would draw unusual public attention or negatively impact financial performance. He indicated that this seems contrary to the general guidelines for governing boards. He noted that the role of the athletics director versus the faculty athletics representative is unclear and questioned the delegation of authority and it impact on the role of the board.

President Lassner explained that the Faculty Athletics Representative (FAR) is a position identified by the NCAA that helps ensure the academic integrity of the athletic programs, and suggested the title be capitalized in the policy. He noted that the FAR does not replace any of the administrative responsibilities of an athletic director, and reports directly to the campus CEO and not the athletic director, which helps prevent the types of academic fraud that has occurred at other institutions. Regent Acoba
suggested that policy language should clarify that the FAR is responsible for ensuring academic integrity. President Lassner explained that the proposed delegation of authority language is standard in most institution’s board policies and does not mean that authorities the policy assigns to the board are delegated. He shared his philosophy that the board should tell administration what to do and ensure administration is doing its job, but the board should not actively manage intercollegiate athletics.

A suggestion was made to identify the campus CEO for UHM and UHH in the policy.

VP Okinaga explained that the board’s exercise of its responsibilities for management and oversight of intercollegiate athletics is through the passage of this policy, and the priorities and principles elucidated define how administration should manage the athletics department. The board retains the ability to delegate whatever it chooses in this policy. She noted that the wording about notifying the board of events or situations is not prescriptive to allow the board flexibility in responding to individual situations.

Board Chair Putnam agreed with Regent Acoba that delegation of authority may be too broadly worded. She noted that financial management has been an area of great concern and commented that the board might want to consider having further involvement in the extent of efficiencies and remedies that the campus CEO propose rather than being silent and letting it all be handled at the campus level.

Committee Chair Portnoy reminded members that the board passed priorities in October 2018, one of which stated the “board is ultimately responsible for athletics policy and oversight,” and suggested that be included in the policy. He noted that historically there have been some tensions between the regents and administration regarding athletics, and work has been done in the past few years on changing that dynamic and better understanding the respective roles.

Regent Acoba commented that AD Matlin has done an excellent job, but the policy needs to be applicable in the future and not depend on any one person.

AD Matlin indicated that administration could work on updating the policy and send a draft to committee members for review prior to bringing forward the policy as an action item for approval at a future board meeting.

Suggestions were made that guiding principles be reordered to put broad and enthusiastic campus and community support last, and that mission statements require board approval.

B. Academics Progress Report

Dr. David Ericson, UHM FAR, provided an overview of the academic performance rate (APR) by sport, graduate success rate (GSR) by sport and overall, student-athlete origin, academic progress chart, and missed class days. He noted that the men’s basketball team has overcome the APR issues that resulted in NCAA penalties a few years ago, and currently has a perfect APR of 1,000. UHM is improving its APR, and while getting a high APR score can be difficult in a comprehensive university setting, UH
aspires in the future to score high enough to be eligible for the financial awards for APR performance that were recently instituted by the NCAA.

Board Vice Chair Higaki left at 1:54 p.m., quorum was maintained.

Dr. Ericson indicated the GSR rate has consistently exceeded 80%, which is significantly higher than the general student body. He noted that women’s cross-country, soccer, and tennis teams average over a cumulative 3.5 GPA.

Dr. Ericson explained that missing over 20 days of class is a concern, and men’s/women’s golf and women’s tennis all exceeded that threshold. He noted that the lack of a nearby golf course for practice was a contributing factor as it takes time to travel to west O‘ahu. AD Matlin indicated availability and the ability to get good rates at courses in town has been challenging.

Concern was expressed over the women’s tennis team missing class for 1/3 of the semester. AD Matlin explained that the Big West Conference recently adopted legislation that will provide for fewer missed class days and a more competitive schedule, which should help correct the situation. He noted that sports like tennis and golf tend to have more missed class days due to the nature of the sport, which they do their best to mitigate and minimize. He indicated that a golf simulator is part of facility improvements, which will allow players to practice on campus. Dr. Ericson added that the women’s golf team has the highest GPA despite the missed class days.

Courtney Tsumoto, Department Chair, Student-Athlete Academic Services, presented an overview of the Nagatani Academic Center, staff members and resources’ holistic advising model’ existing and planned student-athlete academic support (SAAS) programs; an update on GradesFirst, a web-based early-alert student management system, and STAR Student Balance, an advising, scheduling, and communication tool. Ms. Tsumoto also shared student-athlete academic outcomes, and reviewed status of past, current, and future goals.

AD Guillen provided an update on the academic performance of UHH student-athletes since fall 2013, including the overall GPA measured by semester and cumulative, sport-by-sport GPA comparison, retention of student-athletes, and graduation rates. He noted that this is the first year that the overall GPA for student-athletes is expected to average over a 3.0, and student-athlete retention is higher than the general student population. He added that UHH’s academic success rate is 68%, which is slightly above the NCAA Division II average.

C. Facility Update

UHH Athletics Director Patrick Guillen provided a facility update on completed, ongoing and future priority projects for UHH. He highlighted the Student-Athlete Success Lab and noted that student-athletes previously studied in the library or other areas. He also highlighted the new soccer field project and tennis court improvements.

AD Matlin provided an overview of completed, current, and in design UHM facilities projects.
F. Committee Annual Review

Committee Chair Portnoy noted that the committee annual review was self-explanatory and that the committee did a great job this year. He expressed thanks to Committee Vice Chair Yuen and Board Chair Putnam for their service to the committee and the board over the past years. President Lassner and AD Matlin were also thanked for their efforts toward making great strides in athletics.

V. ADJOURNMENT

There being no further business, Committee Vice Chair Yuen moved to adjourn and Board Vice Chair Higaki seconded, and with unanimous approval, the meeting was adjourned at 2:28 p.m.

Respectfully Submitted,

Kendra Oishi
Executive Administrator and Secretary
of the Board of Regents
Item IV.A.
Coaches Corner –
Chris Leonard

NO MATERIALS
Health and Wellness

- Physicals and EKG screening
- Concussion tracking
- Mental Health
EKG screening update

- EKG screening was first instituted about 4 years ago, screening only incoming athletes
- All UH athletes are now screened at the beginning of UH career (admission / transfer) by EKG as part of PPE
- Additional cardiology work-up and counseling (as needed) aids in prevention of cardiac complications and ensures the health of our student athletes
Concussion Update

- Our concussion management plan is updated at least yearly
- This year our protocol once again met NCAA certification for Concussion Safety Protocols
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Notes: There is an observed phenomenon that more concussions are being diagnosed now that awareness and training are so prevalent for concussions.
Mental Health

• This semester we added two licensed clinical psychologists who provide seven hours of mental health appointments solely for athletics, working in conjunction with our team physicians within athletics.

• We are actively working with the CSDC (Counseling and Student Development Center) on implementing training programs for coaches and athletics staff, expected to begin during Spring 2020.
Thank You!
University of Hawai‘i Hilo Athletics

Presentation to
University of Hawai‘i
Board of Regents
Committee on Intercollegiate Athletics

Health & Wellness

November 7, 2019
Health and Wellness

• Concussion
  • Updates from last year
  • Baseline Testing

• Mental Health
  • Health & Wellness on campus
  • Counseling services on campus

• NCAA Annual Health Survey
• Taylor Hooton Foundation (Fall ‘19)
• EKG Testing/Physicals
Health and Wellness (cont’d)

• Student Health & Wellness Programs
  • Suicide Prevention
  • Raise Awareness of resources on campus
• Gender based violence prevention
• “Hunting Ground” screening
• Fostering a safer and healthier campus
2018-19 Concussions by sport

W. Volleyball: 0
M. Soccer: 0
W. Soccer: 0
W. Cross Country: 0
W. Basketball: 0

Baseball: 0
Softball: 1
M. Golf: 0
W. Golf: 0
M. Basketball: 0
M. Tennis: 0
W. Golf: 0
W. Tennis: 0

Yearly Trend Data (last 3 years by gender)

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Mahalo Nui Loa!
**VIOLATION STRUCTURE AND LEVELS**

**LEVEL I**

**SEvere Breach of Conduct**

Violations that:
- Seriously undermine or threaten the integrity of college sports.
- Provide or are intended to provide a substantial or extensive recruiting, competitive or other advantage.
- Are a substantial or extensive impermissible benefit.

**Can include:**
- Lack of institutional control.
- Academic misconduct.
- Failure to cooperate with an NCAA investigation.
- Unethical conduct.
- Violation of head coach responsibility rules.
- Payment to recruits.
- Booster involvement in recruiting with member knowledge.
- Intentional violations.
- Collective Level II and/or Level III violations.

**LEVEL II**

**Significant Breach of Conduct**

Violations that:
- Provide or are intended to provide more than a minimal but less than a substantial or extensive recruiting, competitive or other advantage.
- Include more than a minimal but less than a substantial or extensive impermissible benefit.
- Involve conduct that may compromise the integrity of college sports.

**Can include:**
- Failure to monitor.
- Systemic violations that do not amount to lack of institutional control.
- Multiple recruiting, financial aid or eligibility violations.
- Violation of head coach responsibility rules.
- Impermissible contact with a student-athlete or prospect.
- Collective Level III violations.

**LEVEL III**

**Breach of Conduct**

Violations that:
- Are isolated or limited in nature.
- Provide no more than a minimal recruiting, competitive or other advantage.
- Provide no more than a minimal impermissible benefit.

**Can include:**
- Inadvertent violations that are limited in nature.
- Extra benefit, financial aid, academic eligibility and recruiting violations, provided they do not create more than minimal advantages.
Dear colleagues:

Our Association has taken an important step to enhance opportunities for student-athletes while affirming the college athlete model of sports — in which students compete against other students and not professionals.

The Board of Governors today adopted a new policy that sets in motion the process to allow name, image and likeness opportunities for student-athletes. The board directed the three divisions to immediately consider modifying and modernizing relevant bylaws and policies consistent with our values and principles.

Here are the key takeaways you need to know from today’s board meeting:

- The NCAA has taken a major step today by committing to allow name, image and likeness opportunities for student-athletes consistent with the college athlete model.
- The college athlete model is not the professional model, meaning students will compete against other students, not professionals or employees.
- The NCAA is best positioned to provide a uniform and fair name, image and likeness approach for all student-athletes on a national scale.

You can read the full press release here and the Board of Governors charge here.

As we move forward in our enduring mission to support student-athletes, we are calling upon our members to provide additional feedback and participate in designing the new bylaws and policies. That process begins now and will continue through the NCAA Convention in January and extend to the April governance meetings.

Thank you for all you do for student-athletes.

Sincerely,

Michael V. Drake
Chair, NCAA Board of Governors
President, The Ohio State University

Mark A. Emmert
NCAA President
This email was sent to NCAA presidents/chancellors, director of athletics, conference commissioners, senior woman administrators, faculty athletic representatives, compliance directors and sports information directors based on contact information in the NCAA Directory.
COMMITTEE JURISDICTION

The scope of the Intercollegiate Athletics (ICA) Committee per the Board of Regents (BOR) Bylaws as of February 28, 2019, is as follows:

f. Committee on Intercollegiate Athletics

   (1) Serve as liaison between Board and the respective campuses and their athletic departments.

   (2) Advise the Board regarding its responsibility to oversee:

       (a) the health, safety and academic progress of student-athletes;

       (b) fiscal integrity and budgetary concerns;

       (c) compliance with NCAA and conference requirements; and

       (d) any event or situation that may draw public interest to the athletics program, a particular team, student athlete, or department employee.

   (3) Review annual reports on the academic standing and progress of student athletes, including, but not limited to, the Academic Progress Rate report.

   (4) Recommend policies governing all aspects of Intercollegiate Athletics at the University.

LAWS RELATED TO THE COMMITTEE’S JURISDICTION

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<tr>
<th>Hawaii Revised Statutes</th>
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<tr>
<td>Chapter 304A</td>
<td>UNIVERSITY OF HAWAII SYSTEM</td>
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<td>Part V. Subpart C.</td>
<td>Special Funds</td>
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<tr>
<td>Section 304A-2176</td>
<td>University of Hawaii at Manoa intercollegiate athletics special fund and University of Hawaii at Hilo intercollegiate athletics special fund</td>
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REGENT POLICIES WITHIN THE COMMITTEE’S JURISDICTION

<table>
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<tr>
<td>RP 7.208</td>
<td>Intercollegiate Athletics</td>
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<tr>
<td>RP 9.202</td>
<td>Classification Plans and Compensation Schedules (specifically, section III.H.2.)</td>
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§304A-2176 University of Hawaii at Manoa intercollegiate athletics special fund and University of Hawaii at Hilo intercollegiate athletics special fund. Notwithstanding any other law to the contrary, there are established the University of Hawaii at Manoa intercollegiate athletics special fund and the University of Hawaii at Hilo intercollegiate athletics special fund for the intercollegiate athletic programs of the University of Hawaii at Manoa and the University of Hawaii at Hilo, which shall be used to receive, deposit, disburse, and account for funds from the activities of the intercollegiate athletic programs. The university may establish appropriate charges for activities related to its athletic programs and the use of its athletic facilities, the proceeds from which shall be deposited into these special funds.

The university shall maintain the financial integrity and viability of these special funds, including the maintenance of an adequate reserve to cope with the various factors that impact the revenue structure of an intercollegiate athletic program. [L 2006, c 75, pt of §2; am L 2011, c 124, §8]

Revision Note

Section was renumbered from §304A-2261 pursuant to §23G-15.
Board of Regents Policy, RP 7.208
Intercollegiate Athletics

I. Purpose:
To set forth policy regarding intercollegiate athletics.

II. Definitions:
No policy specific or unique definitions apply.

III. Policy:
A. Well-managed intercollegiate athletics competition, conducted under the fundamental principles of fair play and amateurism, can be of educational value to student-athletes as well as a source of pride and unity to the wider student body, faculty, staff, and all those in our community who cherish and support the University of Hawai‘i.

The board shall establish or abolish intercollegiate athletic programs and authorize membership in intercollegiate athletic conferences or associations upon recommendation of the chancellor of the concerned campus and with the endorsement of the president.

B. Responsibilities of the Chancellor

1. Responsible administration and oversight by the chancellor are fundamental to the management of intercollegiate athletics. Each campus that participates in intercollegiate athletics must have in place written procedures which provide careful and thorough scrutiny of its sports programs and deliver required information to the chancellor and, as appropriate, to the president and the board. Management of intercollegiate athletics will be taken into account in the president’s evaluations of chancellors. The chancellor shall establish standards and benchmarks against which the success of the campus’ intercollegiate athletics program may be assessed. Among the program’s priorities should be:

a. The health, safety and academic progress of student-athletes
1. The health and safety of student athletes shall be the athletics department’s highest priority.

2. Student-athletes are first and foremost students. Student-athletes shall be admitted under the same standards as applied to other students and their academic performance and progress shall be comparable to non-athletes. Contacts for coaches and other athletics department staff will include objectives and minimum expectations for academic as well as athletic success of student-athletes.

b. Equal opportunity

1. Equal opportunity is a value the university and the State of Hawai‘i hold dear. The chancellor will ensure that gender equity in athletics is respected and honored, and that the athletics program is in full compliance with Title IX, the Patsy T. Mink Equal Opportunity in Education Act.

c. Broad and enthusiastic campus and community support

1. Enthusiastic campus-wide support, especially that of students, is a powerful indicator of a successful athletics program. The chancellor, coaches and athletics department staff should proactively reach out to students, faculty, and the administration, as well as to the wider community to encourage interest in and support for intercollegiate athletics.

d. Financial integrity

1. Transparency in financial reporting is mandatory. The board shall be informed in advance of any long-term financial commitment or change that may affect the budget in future years.

e. Compliance with NCAA and conference requirements

2. The chancellor is responsible for compliance with all National Collegiate Athletic Association (NCAA) and conference rules and regulations, and he or she will promptly notify the president, who shall inform the chairperson of the board, of all major NCAA infractions, potential or actual, and of all NCAA or conference investigations.

3. The use of performance enhancing drugs or prohibited substances undermines the integrity of intercollegiate athletics and may harm the individual student-athlete. The board authorizes the chancellor to institute testing of student-athletes at his or her discretion for the presence or use of performance enhancing drugs or prohibited substances in accordance with NCAA rules or applicable state and federal laws. Performance enhancing drugs and prohibited substances
include but are not limited to the classes of drugs and related substances banned by the NCAA or prohibited by law.

C. Reports to the Board

1. The chancellor will ensure that the athletics department develops a mission statement that reflects the values of the University of Hawai‘i and that the department’s annual plan and budget contain realistic and measurable goals. The chancellor will inform the board through the president on progress in achieving those goals. The chancellor will furnish the board through the president with regular reports on academic and financial issues.

2. The chancellor will furnish the board through the president with an annual report on the academic standing and progress of student-athletes overall and by sport, including comparisons to the campus’s own undergraduates and student-athletes at other peer institutions. The report shall include as appropriate data on the academic progress rate and the academic success rate of student-athletes.

3. The chancellor shall promptly inform the president, who may inform the board, of any events or situations that might draw unusual public interest to the athletics program, a particular team, student-athlete, or department employee. The report should provide sufficient detail to permit the president and/or the board to respond appropriately.

D. Financial Matters and Management

1. The athletics department will prepare an annual budget that balances expected revenues and expenses. Should the athletics department end a fiscal year in deficit, meaning that total expenses exceed revenues, including institutional support and student fees, the chancellor will report to the Board of Regents on plans to reconcile the deficit and to account for its costs. The chancellor may eliminate a deficit of the athletics department by providing funds from other sources, as permitted by law, to offset such deficit.

2. To the extent allowable under NCAA regulations, the chancellor may exempt the nonresident portion of tuition for nonresident student-athletes in accordance with RP 6.208.

3. All funds or gifts, either monetary or in-kind, generated by 501(c)(3) booster organizations or contributed by individuals, corporations or other entities to support an intercollegiate athletics program shall be channeled through the University of Hawai‘i Foundation. Funds or gifts shall be used in accordance with the donor’s intent, and as assets of the foundation shall be subject to its policies and procedures.

4. An annual external audit of the financial statements of the athletics department will be conducted and the auditor’s report will be presented to the
board. An external audit of “Agreed-Upon Procedures and Internal Controls and Business Issues” will also be conducted and furnished to the board.

5. The chancellor may convene an Athletic Advisory Board in accordance with NCAA bylaws to advise the chancellor and athletic director on policies and matters relating to the conduct of intercollegiate athletics on campus, to help resolve conflicts that may arise with the intercollegiate athletic program, and to perform other functions as may be stipulated by the NCAA, by the conference to which the institution belongs, or by the chancellor.

6. The chancellor shall appoint a faculty athletics representative to perform such functions as may be assigned by the NCAA, by the conference to which the institution belongs, or by the chancellor.

7. The chancellor shall ensure that a senior women administrator (SWA) has been designated to perform such functions as may be assigned by the NCAA, by the conference to which the institution belongs, or by the chancellor.

IV. Delegation of Authority:

The board authorizes the chancellor to institute testing of student-athletes. See RP 7.208(B)(1)(e)(2).

To the extent allowable under NCAA regulations, the chancellor may exempt the nonresident portion of tuition for nonresident student-athletes in accordance with RP 6.208. See RP 7.208(D)(2).

The chancellor may convene an Athletic Advisory Board. See RP 7.208(D)(5).

The chancellor shall appoint a faculty athletics representative. See RP 7.208(D)(6).

The chancellor shall designate a senior woman administrator (SWA). See RP 7.208(D)(7).

V. Contact Information:

Office of the Board of Regents, 956-8213, bor@hawaii.edu

VI. References:

- http://www.hawaii.edu/offices/bor/
- http://www.ncaa.org
- RP 6.208
- EP 7.205

Approved as to Form:
Cynthia Quinn
Executive Administrator and
Secretary of the Board of Regents
Regents Policy Chapter 9, Personnel  
Effective Date: June 7, 2018  
Review Date: August 2020

I. **Purpose:**

To set forth policy on classification plans and compensation schedules.

II. **Definitions:**

No policy specific or unique definitions apply.

III. **Policy:**

A. Except for civil service positions, the board shall classify all positions in the university and establish compensation schedules as appropriate.

B. The president, with the exception of select undelegated executive managerial personnel, is authorized, consistent with existing statutes and board policies, to grant special salary adjustments in situations where funds are available and the adjustments are warranted on the basis of retention, market, equity, and/or merit.

C. Executive and managerial positions are classified and compensated in accordance with the executive and managerial personnel policies in RP 9.212.

D. Compensation shall be in accordance with provisions reflected in the most current collective bargaining agreement negotiated between the university and the exclusive collective bargaining representative. In the event that the faculty member is not subject to collective bargaining, the president shall have the authority to establish compensation guides.
E. The classifications of faculty positions in the university shall be as provided below.

1. Section 304A-1002, Hawai‘i Revised Statutes, provides that “The board of regents shall classify all members of the faculty of the university including research workers, extension agents, and all personnel engaged in instructional work….”

2. The president is delegated the authority to establish a faculty classification plan, administer the plan, and make amendments to the plan, provided that any new faculty categories or permissible campus faculty groups shall be subject to prior approval of the board.

   a. The plan may include the following faculty categories: Instruction ('I' for all faculty excluding law and clinical medicine faculty; J for law; M for clinical medicine; and C for community colleges); Researcher (R), Specialist (S), Librarian (B), Extension Agent (A), Graduate Teaching Assistant, Lecturer, Visiting and Other Faculty and Non-compensated Faculty.

   b. At a minimum, the faculty classification plan shall include general statements of duties and responsibilities and minimum qualification requirements.

      (1) When the situation warrants, and especially in those fields where advanced degrees are not commonly held by faculty members, other evidences of scholarly, artistic or professional attainment may be accepted in lieu of advanced degrees. In general, “equivalents” will be used sparingly and only when there is clear evidence that the substituted items of training and experience are in fact equivalent in qualifying the faculty member for the individual’s duties and responsibilities.

3. Titles of positions are determined by the board, and no faculty member may use any title not specifically authorized. Members of the faculty in divisions other than instruction, when engaged in teaching, shall bear the instructional title appropriate to their grade.

4. University of Hawai‘i at Mānoa classification schedules.

   a. The board faculty classification system includes seven general categories for the University of Hawai‘i at Mānoa with grades within each category.

      (1) Instruction ('I' for all faculty excluding law and clinical medicine faculty; J for law; M for clinical medicine), includes graduate teaching assistants, instructors, assistant professors, associate professors, and professors.
(2) Researcher (R), includes junior researchers, assistant researchers, associate researchers, and researchers. When applicable, the R series title substitutes the special area for the word “researcher,” for example, “assistant agronomist,” “associate meteorologist,” or “plant pathologist.”

(3) Specialist (S), includes junior specialists, assistant specialists, associate specialists, and specialists. The S series is used for specialties not primarily involved with research, for example, “associate specialist in student personnel.”

(4) Librarian (B), includes ranks II to V.

(5) Extension agent (A), includes junior extension agents, assistant extension agents, associate extension agents, and county extension agents.

(6) Graduate teaching assistant.

(7) Lecturer includes persons employed for short-term teaching assignments, usually on a part-time basis.

b. Clinical titles for non-compensated faculty appointments in Health Science and Social Welfare.

(1) The titles clinical professor, associate clinical professor, assistant clinical professor, clinical instructor and clinical teaching assistant are non-compensated appointments in the Colleges of Health Sciences and Social Welfare (medicine, nursing and dental hygiene, and social work) for practitioners with professional qualifications in the health and welfare sciences who take an active role in formal teaching, tutorials, clinical instruction, hospital practice, or field guidance of students.

5. University of Hawai‘i at Hilo and University of Hawai‘i, West O‘ahu

a. The faculty classification system includes three categories for the University of Hawai‘i at Hilo and the University of Hawai‘i, West O‘ahu, with grades within each category:

(1) Instruction (‘I’ for all faculty), includes graduates teaching assistants, instructors, assistant professors, associate professors, and professors.

(2) Lecturers include persons employed for short-term teaching assignments, usually on a part-time basis.
(3) Affiliate faculty is a non-compensated appointment usually to professional personnel with a particular interest or capability which may contribute to the teaching or research program of the campus; except for occasional lectures or consulting with individual students, affiliate faculty do no teaching. Authority to appoint affiliate faculty is delegated to the president who shall promulgate policies and procedures relating to the selection and appointment of affiliated faculty.

6. Community College and Maui College classification schedule

   a. The faculty classification system includes one category for the community colleges and Maui College with grades within each category:

      (1) Instruction includes lecturers, instructors, assistant professors, associate professors, and professors.

   b. The plan may include statements of classification principles for use in the classification of community college faculty.

F. High Demand Disciplines.

   1. The president is delegated the authority to establish high demand academic disciplines for which recruitment and/or retention of faculty of quality desired by the university exceed the maximum of the appropriate salary schedule.

   2. The president is authorized to recruit faculty in the recognized high demand disciplines at salaries that exceed the maximum of the appropriate salary schedule.

G. Graduate Assistants.

   1. The president shall have the authority to establish, amend, and administer a classification and compensation plan for graduate assistants.

H. Administrative, Professional and Technical (APT) Positions.

   1. APT classification and pay system.

      a. For all APT positions, including athletic coaches and related administrators, the board delegates to the president the authority to:

         (1) Adopt, revise, and abolish career group standards and bands.

         (2) Assign positions to career groups and bands.
(3) Determine designated new hire rates for career groups and bands.

(4) Promulgate policies and procedures relating to the classification, compensation, and appointment terms of coaches and related administrators, including a salary schedule, in accordance with this policy.

b. The APT Appeals Board shall adjudicate appeals filed on the banding of individual positions. The Appeals Board shall support its decisions by findings based on fact.

The APT Appeals Board shall consist of three members serving staggered terms of three years. One member shall be recommended by the university and one by the exclusive representative of APT employees, in accordance with Chapter 89, Hawai‘i Revised Statutes. The third member shall be recommended by the university and exclusive representative. The appointment of all three members shall be referred by the president to the board for approval. If there is no agreement as to the third member, the board shall appoint such member.

Members of the APT Appeals Board shall be familiar with state organization and personnel functions and preferably have knowledge of university organization and functions and position classification. Such members may be excluded personnel or members of other governmental or private firms. However, they shall not be employees or officers of the university or of any state bargaining unit or employee organization which represents state bargaining unit members unless mutually agreed to by the parties concerned.

The members of the APT Appeals Board shall select a chairperson.

(Note: For amended listing of the APT career groups and pay bands, refer to Administrative Procedure 9.210 of the University of Hawai‘i Systemwide Administrative Procedures Manual.)

2. Athletic Coaches and Related Administrators

a. Definitions

Original Term: The term of the initial contract at the time the contract is entered into. Where there is an Original Term with no extension, the Original Term shall be the Existing Term.

Existing Term: The remaining time period for any contract term at any point in time.
Amended Term: The time period that is established as a result of a contract extension that combines (1) that portion of an Original or Existing Term that remains to be completed; and (2) the term of the extension beyond that Original or Existing Term. Any years that have already been completed shall not be included for purposes of calculating the Amended Term.

b. Approval

i. Board of Regents

Upon recommendation of the chancellor and the president, the approval of the chair or vice chair of the Board of Regents and the chair or vice chair of the Committee on Intercollegiate Athletics shall be required for:

(1) Original Terms of head coaches of more than 5 years;

(2) Amended Terms of head coaches of more than 5 years; or

(3) Appointments, extensions and salary adjustments for head coaches, non-head coaches, and administrators exceeding the salary schedule by more than twenty-five percent (25%) and/or exceeding $500,000 annually.

ii. Delegation to the president

I. The authority to approve all other appointments and compensation of head coaches, non-head coaches, and administrators is delegated to the president, which may be further delegated. Civil service employees in positions in the university subject to Chapter 76, Hawai‘i Revised Statutes, shall be appointed, compensated, and otherwise governed by the provisions of law applicable to such positions.

J. Special Compensation – University of Hawai‘i at Mānoa and University of Hawai‘i at Hilo faculty.

1. Visiting summer session faculty. Visiting summer session faculty members receive a travel differential in addition to salary. The differential is incorporated in the salary of such faculty members and is as follows:

- Pacific Coast  $300.00
- Midwest        $400.00
- East Coast     $500.00
- Asia or Europe $700.00
2. “Occasional” lecturers. “Occasional” lecturers in summer session courses approved with provision for guest lecturers are paid honoraria based on a rate of $25.00 per hour. Such lecturers are paid by voucher on a requisition signed by the instructor in charge of the course and the dean of the summer session.

3. A faculty member who prepares and grades a comprehensive examination for students who wish to obtain credit for a course by taking such an examination is paid a stipend of $5.00 per credit hour plus $5.00 for each additional student.

IV. Delegation of Authority:

The president, with the exception of select undelegated executive and managerial personnel, is authorized, consistent with existing statutes and board policies, to grant special salary adjustments; establish compensation guidelines; establish, plan, administer, and amend faculty and graduate assistant classifications; establish high demand academic disciplines; and recruit. See RP 9.202(B),(D),(E)(2),(F), and (G).

V. Contact Information:

Office of the Vice President for Administration, 956-6405, vpadmin@hawaii.edu

VI. References:

- http://www.hawaii.edu/offices/bor/

Approved as to Form:

______________________________  06/07/2018
/S/ Kendra Oishi Date
Executive Administrator and
Secretary to the Board of Regents
### Committee on Intercollegiate Athletics
Annual Review for the 2019-2020 Academic Year

<table>
<thead>
<tr>
<th>Committee duties per bylaws</th>
<th>2019-2020 Committee Goals and Objectives</th>
<th>Projected 2019-2020 Accomplishments</th>
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</table>
| 1. Serve as a liaison between the Board and the respective campuses and their athletic departments. | | • Hilo Coaches Corner (11/7/19)  
• Mānoa Coaches Corner (2/6/20)  
• Mānoa Coaches Corner (3/5/20)  
• Mānoa Coaches Corner (6/4/20) |
| 2. Advise the Board regarding its responsibility to oversee:  
(a) The health, safety and academic progress of student-athletes;  
(b) Fiscal integrity and budgetary concerns;  
(c) Compliance with NCAA and conference requirements; and  
(d) Any event or situation that may draw unusual public interest to the athletics program, a particular team, student athlete, or department employee. | | • Student Athlete Health and Wellness (11/7/19)  
• NCAA Compliance (Level 1, 2, and 3) (11/7/19)  
• California SB 206, which allows athletes to be compensated for the use of their name, image, or likeness beginning in 2023 (11/7/19)  
• Financial – Sponsors Update (2/6/20)  
• Title IX Compliance (3/5/20)  
• Booster Club Updates (3/5/20)  
• Athletic Facilities (6/4/20)  
• Stadium Update (6/4/20 or possibly) |
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<tr>
<td>3</td>
<td>Review annual reports on the academic standing and progress of student athletes, including, but not limited to, the Academic Progress Rate report.</td>
<td>• Student Athlete Academics <em>(6/4/20)</em></td>
</tr>
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<td>4</td>
<td>Recommend policies governing all aspects of Intercollegiate Athletics at the University.</td>
<td>• Revisions to RP 7.208, Intercollegiate Athletics <em>(2/6/20)</em></td>
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Item IV.F.
Discussion on Committee Scope and Functions

NO MATERIALS
Item IV.G.
Future Committee
Status of the ICA

NO MATERIALS
Item V. Executive Session

ITEM TO BE DISCUSSED IN EXECUTIVE SESSION