I. CALL TO ORDER

Committee Chair, Coralie Matayoshi, called the meeting to order at 9:04 a.m. on Thursday, April 2, 2015, at the University of Hawai'i at Mānoa, Information Technology Building, 1st Floor Conference Room 105A, 2420 Correa Road, Honolulu, Hawai'i 96822.

Committee members in attendance: Committee Chair Coralie Matayoshi; Committee Vice Chair Chuck Gee; Regent's Vice Chair Eugene Bal III; Regent Putnam.

Committee members excused: Regent Helen Nielsen.

Others in attendance: Regent's Chair Randy Moore, Regent Michelle Tagorda, Regent Stanford Yuen, Regent Dileep G. Bal (ex officio committee members); President David Lassner; Vice President for Academic Affairs Risa Dickson; Vice President for Administration Jan Gouveia; Vice President for Legal Affairs and University General Counsel Darolyn H. Lendio; Vice President for Community Colleges John Morton; UH Mānoa Interim Chancellor Robert Bley-Vroman; UH Hilo Chancellor Donald Straney; Executive Administrator and Secretary of the Board of Regents Cynthia Quinn; and others as noted.

II. APPROVAL OF THE MINUTES OF THE MARCH 4, 2015 MEETING

Committee Vice Chair Gee moved and Regent Putnam seconded the motion to approve the minutes of the March 4, 2015 meeting, which was unanimously approved.

III. PUBLIC COMMENT PERIOD

Executive Administrator and Secretary of the Board Cynthia Quinn announced that the Board Office received one piece of written testimony from J.N. Musto, and he was also present to provide oral testimony.

1. Dr. J.N. Musto, Executive Director of the University of Hawai'i Professional Assembly (UHPA) provided a summary of his written testimony that provided a historical perspective on the issue of faculty workload and evaluation policies that impact on working conditions, workload, and other aspects of faculty employment pursuant to Chapter 89; recounted the work towards implementing policies to date, and urged clarity for board policies specific to classifications and teaching equivalencies. He offered to review policies and answer any questions.

IV. AGENDA ITEMS
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A. For Action: Recommendation for Amendments to Board Policy Regarding Termination of Executive Management Personnel, Faculty Workload and Periodic Faculty Review

VP Gouveia provided an update and proposal amending board policy to include a provision for termination for cause for E/M employees. The termination would be effective immediately and final. The expectation is for administration to develop procedures to implement the policy. The policy is in response to concerns raised by the Board that the policies were void of termination for cause, and it is written so that the board policy speaks from a broad sense and administration will take up the challenge of defining cause in executive policy. She noted that nothing will eliminate litigation but hopefully this for cause provision could mitigate it.

The comments raised by the committee highlighted that E/M employees are at will, and that there is still the need to continue to work on the provision to treat executive management employees more akin to gubernatorial appointments, and executive management in government, nonprofit and private sectors that do not typically offer three or six month prior notice for termination nor severance packages, and to provide more clarity in executive policies on the specific types of behavior that are deemed for cause, such as anything involving health, safety, and security, while also acknowledging campus differences.

Regent Putnam moved the committee recommend that the board approve the amendment to Board Policy 9.212 as presented. Committee Vice Chair Gee seconded the motion, and the motion carried by unanimous vote.

VP Gouveia gave an update on the ongoing work on proposed policy language regarding faculty workload and periodic faculty review, but explained that it is still in infant stages and at a very high level intended to address matters of uniformity and reporting guidelines that still need to go through union consultation. There is nothing to present at this time, but she was confident they will get to a place where issues of uniformity and reporting at the administrative level will be addressed.

The committee raised concerns about the disparate levels of implementation across campuses, noting that it appeared that only the community colleges have a policy in place. Administration acknowledged that more work needs to be done, explaining that there are significant complexities in research versus teaching institutions, and the process is complex. Colleges do have policies in place describing departmental expectations and subset of teaching equivalencies, and have been tasked to update the policies in light of the new contract to make things more uniform and accountability clearer, and to address any inconsistencies in tenure and promotion and workload documents. Similar to University of California Systems, providing executive summaries of the policies and tracking workload with periodic accountability reports once or twice a year would be a very large but elegant project, utilizing technology such as class schedules. Professional development, research, and teaching can be tracked with an accountability report. In addition, requiring and uploading bio bibliographies could be useful in motivating performance, setting expectations, and provide transparency of workload. On the other hand, annual workload plans are not as helpful as yearly expectations because teaching
assignments are dependent on enrollment and may not be set until only a few months ahead.

Chancellor Bley-Vroman added that the UH Mānoa English department has a large data collection on workload and the policies are used to determine course workloads annually. However, he noted that the documentation needs to be improved to increase accountability and transparency. Having a high level agreement with the unions would help in encouraging implementation and enforcement across the departments, with fair metrics. Chancellor Straney stated that UH Hilo is an instructional institution, and utilizes a well articulated campus policy using course credits as the metrics, and the deans document any alternative work assigned to faculty outside of the classroom. He acknowledged there are areas that can be improved and made consistent.

The committee raised concerns that from a board perspective and board policy, instruction is the university’s highest priority and that teaching remains the most important duty of its faculty. The board needs to see productivity, consistency, fairness, and accountability, utilizing a summary report, workload rules or metrics that are appropriate, nondiscriminatory teaching assignments and procedures to monitor the effectiveness of teaching reductions for noninstructional duties, and all enforceable by chairs, deans and directors. Administration explained that credit hours are a better measure of faculty workload than student semester hours (SSH) which measures the student workload. Teaching equivalencies refer to differences among courses and nonteaching equivalencies in lieu of instruction. The department chairs monitor workload, approve reductions and assign teaching. Moving to a bio-bibliography would document workload in a transparent way.

In a research institution, credit hour minimum is 30% of faculty workload, with additional requirements in professional development and service to the institution, which often equate to working more than fulltime, especially if working towards tenure and promotion. For teaching institutions that do not have a professional development requirement such as the community colleges, the teaching is 75% of faculty workload. In a comprehensive university system, teaching is a key piece of the larger role of preservation, transmission and discovery of new knowledge.

It was agreed that administration would report back to the committee in July on the progress of putting a version of the bio bibliographies online and creating an executive summary. Work continues regarding proposed policy language and periodic faculty review as it was tied to workload.

Chair Moore and Committee Chair Matayoshi thanked Dr. Musto for his written and oral testimony, noting it was very enlightening and informative for the committee.

V. EXECUTIVE SESSION

Upon motion by Chair Moore and seconded by Regent Bal, the committee unanimously approved convening in executive session, pursuant to HRS §92-5(a)(2). The committee convened in executive session at 10:04 a.m. Following a motion to come
Committee Chair Matayoshi said that the committee discussed in executive session a Personnel Action for the salary range for the Director of Capital Projects, pursuant to HRS §92-5(a)(2). She clarified that the executive summary on teaching equivalencies that Chancellor Bley-Vroman and VC Dasenbrock will be working should include all campuses, and should come from the president’s office to the board, since the board’s oversight is through the president and system.

VI. ADJOURNMENT

There being no further business, on the motion of Committee Vice Chair Gee and seconded by Regent Putnam and with unanimous approval, the meeting was adjourned at 10:26 a.m.

Respectfully Submitted,

/S/

Cynthia Quinn
Executive Administrator and
Secretary of the Board of Regents