MINUTES

BOARD OF REGENTS COMMITTEE ON PERSONNEL AFFAIRS & BOARD GOVERNANCE MEETING

APRIL 5, 2018

I. CALL TO ORDER

Committee Chair Randy Moore called the meeting to order at 9:30 a.m. on Thursday, April 5, 2018, 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 Randy Moore; Committee Vice Chair Eugene Bal; Regent Ernest Wilson Jr.; Regent Stanford Yuen.

Committee members excused: Regent Michael McEnerney; Regent Jeffrey Portnoy

Others in attendance: Board Chair Jan Sullivan; Board Vice Chair Ben Kudo; Regent Simeon Acoba; Regent Brandon Marc Higa; Regent Wayne Higaki; Regent Lee Putnam; Regent Douglas Shinsato; Regent Michelle Tagorda (ex officio committee members); President/Interim UH-Mānoa (UHM) Chancellor David Lassner; 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 Academic Planning & Policy Donald Straney; Vice President for Information Technology/Chief Information Officer Garret Yoshimi; Vice President for Budget & Finance/Chief Financial Officer Kalbert Young; Interim UH-Hilo (UHH) Chancellor Marcia Sakai; UH-West O‘ahu (UHWO) Chancellor Maenette Benham; UHM Vice Chancellor for Research/Interim Vice Chancellor for Academic Affairs Michael Bruno; Leeward Community College (LCC) Chancellor Manual Cabral; Executive Administrator and Secretary to the Board of Regents Kendra Oishi; and others as noted.

II. APPROVAL OF MINUTES OF THE JANUARY 11, 2018 MEETING

Regent Wilson, moved to approve the minutes of the January 11, 2018 meeting, seconded by Committee Vice Chair Bal, and the motion carried unanimously.

III. PUBLIC COMMENT PERIOD

Executive Administrator and Secretary to the Board Kendra Oishi announced that the Board Office received no written testimony, and no individuals had signed up to give oral testimony.

Board Chair Sullivan arrived at 9:34 a.m.

IV. AGENDA ITEMS

A. For Information & Discussion

1. Shared Governance
Committee Chair Moore indicated that he had invited Christine Sorensen Irvine and Nani Azman, Co-Chairs of the All Campus Council of Faculty Senate Chairs (ACCFSC) and Jannah Lyn Dela Cruz, Chair of UH Student Caucus (UHSC), to join the committee for a discussion on issues related to shared governance. He noted he wanted to include Native Hawaiian groups in a governance discussion at a future committee meeting and explained that non-faculty staff members had yet to form an official governance group.

Committee members and ACCFSC Co-Chair Sorensen Irvine were asked to summarize sections of the American Association of University Professors (AAUP) “Statement on Government of Colleges and Universities” article and give feedback on whether regents, administration, faculty, and students view the responsibilities as being appropriate for UH governance and how the board is doing against the measures in the statement.

Committee Vice Chair Bal presented the joint effort portion of the AAUP article. His assessment was that the board takes its responsibility for governance most seriously and is doing fairly well on communication practices between the board and other entities, resource allocation, budgeting, presidential selection, and faculty status related to tenure & promotion, but there is always room for improvement. He noted there was greater appetite for faculty and students in decision-making, and that the board has evolved in its efforts (e.g., accepting invitations from faculty or student groups; taking testimony at board and committee meetings; and meeting with student leadership groups from each campus before board meetings).

Discussions were held regarding the desire for more engagement between faculty and regents. Committee Chair Moore raised the issue of how the Sunshine Law presents challenges in managing the process of interaction. Board Chair Sullivan suggested that the committee and/or board consider assigning up to two regents to serve as liaison(s) to faculty, similar to how the student regent serves as a liaison to students.

Regent Wilson presented the governing board portion of the AAUP article. He stated that members of the board should represent a broad background. He indicated that the board is doing well in ensuring that the history of the university serves as a prelude and inspiration to the future, especially as it relates to UH being a Hawaiian place of learning and the community colleges serving the educational needs of a defined population or group. He noted the importance of the board undertaking appropriate self-limitation and avoiding getting “into the weeds.” ACCFSC Co-Chair Sorensen Irvine reiterated the importance of the board’s role being at a higher level and not getting involved in individual campus issues.

Committee Chair Moore presented the president portion of the AAUP article. He indicated that in UH’s multi-campus system, the president needs to delegate to the chancellors and the vice president for community colleges some of the interaction with campus faculty, and noted that historically the UHM faculty in particular had wanted more input at the board level. One of the board’s roles is to ensure that the faculty governance component is robust. Further discussion is needed on how to systematize that engagement.
ACCFSC Co-Chair Sorensen Irvine presented the faculty portion of the AAUP article covering the primary responsibilities of faculty. Her assessment was that UH does an “ok” job of conforming with this section of the article, but that there is always room for improvement. She provided some recent examples when faculty had to point out to administration that an issue was faculty-related and that faculty should have been consulted before issuing a memo or announcement. These types of misunderstandings have happened at both the system and campus level, but more frequently at the system level. Issues seem to occur more frequently when administrators do not have an academic background, and may not fully understand shared governance or how higher education institutions differ from other types of organizations.

Improved communication with faculty is especially important when faculty advice or recommendations on matters is overruled, and there is a need to provide feedback regarding the rationale for decisions and to allow time for additional discussion. It was noted that there is a distance between the board and faculty, and that the public comment periods and faculty senate presentations at board meetings are insufficient. ACCFSC Co-Chair Sorensen Irvine expressed her hope that additional opportunities for communication could be developed between the board and faculty.

A question was raised as to whether the ACCFSC has asked board members to attend their meetings. It was noted that the board chair and student regent were invited and attended the ACCFSC retreat this year, which is something ACCFSC hopes to do going forward. The chairs of both the House and Senate Higher Education Committees were invited, but were unable to attend.

Regent Higa presented the student status portion of the AAUP article. The article stressed the importance of student involvement in the formal and informal educational experience and the affairs of the university. The UHSC represents all 10 campuses, and every campus except Honolulu Community College has an active student government organization that maintains frequent communication at campus and system levels. Students at most campuses also have formal representation in major decisions including strategic planning, recruitment of campus and system administrators, and maintaining certain high-profile projects. He noted that UH students advocated for a voting student regent on the board. His overall assessment was that UH is doing an excellent job providing students with the opportunities mentioned in the article. UHSC Chair Dela Cruz explained that UHSC communicates with the board via testimony and keeps apprised of meetings and issues that pertain to students. She noted the importance of including other student organizations besides student government in policy discussions.

Discussions were held regarding the need for increased frequency and intensity of communications; and the pressures for change in higher education, specifically relating to the continued shortfall of financial resources and changes in course delivery.

Regent Yuen presented on The Chronicle of Higher Education article “Exactly What is ‘Shared Governance’?” He noted that “shared governance” can have many different interpretations. This article was similar to the AAUP article, with the emphasis being that the items in the article were guidelines regarding shared governance, and there is no one blueprint for universities. Every campus is different, so UH needs to be flexible and
consider the specific needs of the system and campuses, and clarify or modify shared governance policies as appropriate. Accountability is also important, and the board needs to learn from experiences on the best way to hold groups and individuals accountable for decisions. He highlighted a point that "[t]he key to genuine shared governance is broad and unending communication," and stressed that it is important for the board to recognize this.

ACCFSC Co-Chair Azman agreed that communication was key, and flexibility and accountability were important. In her experience, when all parties recognize their role things run more smoothly. Sometimes responsibilities overlap and there needs to be civil and open discussion; not everyone will get what they want, but there is better understanding and acceptance when there is transparency. ACCFSC Co-Chair Sorensen Irvine agreed there was a lot of misinterpretation regarding shared governance, but it is about communicating and coming to agreement on shared goals because everyone wants the university and students to succeed. True shared governance is balancing maximum participation in decision-making with clear accountability, and communicating authentically.

Questions and comments were raised regarding whether the board and university have done a good job on creating a culture of trust, collaboration, and honesty. ACCFSC Co-Chairs commented that the culture and level of transparency varies by campus. The culture also varies when there are new chancellors or faculty senate chairs. The ACCFSC recently revised its charter and bylaws to clarify that the consulting bodies are the campus senates; the ACCFSC serves as a mechanism for the various senates to communicate with one another and does not have authority, but can organize the campuses on various issues. It was noted that trust needs to be rebuilt with UHM, which will take work on everyone’s part.

Discussions were held regarding the relationship of unions, other than the UH Professional Assembly (UHPA), to the university, and the communication channels aside from the collective bargaining process. It was noted that communication varies by campus, but UHPA often sends out regular announcements to members and provides updates at some of the campus senate meetings. UHPA Executive Director Kris Hanselman referred to the R-20, Roles & Consultation Protocols Involving UH Administration, UHPA, and UH Faculty Senates. This document is enforceable under the collective bargaining agreement and drives a great deal of the relationship between the three entities.

Committee Chair Moore explained that the Board of Regents Policy 1.210, Regents’ Policy on Faculty Involvement in Academic Decision-Making and Academic Policy Development relates to this discussion and was put on the agenda to remind everyone what is in the policy. Committee leadership will work with the board secretary on proposed revisions to policy and practices to improve performance in shared governance.

Regent Acoba requested a copy of the collective bargaining agreement on consultation.

2. Review Board of Regents Policy 2.204, Policy on Board Self-Evaluation
Regent Wilson gave a presentation regarding Board of Regents Policy 2.204, Board Self-Evaluation: why the board should engage in self-evaluation; expectations and results of the self-evaluation process; how the board should evaluate itself and the challenges presented by the Sunshine Law; and who is involved in the process. Proposed revisions to the policy will be brought to the committee at future meeting.

3. Review of “Statement of Expectations for Members of the Board of Trustees of Ohio University”

Due to time constraints, Committee Chair Moore encouraged committee members to review this statement on their own. The committee will make a determination at the next meeting if the committee should consider recommending something similar to the board.

4. Status of Board of Regents Policy Reviews (Chapters 1 to 4)

VP Morton provided a status update of the reviews of Board of Regents policies, chapters 1 through 4. It was noted that it is the purview of the Personnel Affairs & Board Governance Committee to ensure that policy reviews are done. Any proposed revisions to policies will be taken up by the appropriate committee. Proposed revisions to chapters 1, 2, and 3 will likely be ready for board consideration by May 2018. The academic and facilities planning policies need to be amended to reflect the Integrated Academic & Facilities Plan (IAFP), and proposed revisions to these policies will be ready for board consideration during late summer of 2018, after the policies have been developed and vetted through the appropriate consultation process.

V. ADJOURNMENT

There being no further business, Regent Wilson moved to adjourn, and Regent Yuen seconded, and with unanimous approval, the meeting was adjourned at 11:05 a.m.

Respectfully Submitted,

/S/

Kendra Oishi
Executive Administrator and Secretary to the Board of Regents