



# **UNIVERSITY OF HAWAII SYSTEM**

## **Legislative Testimony**

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Testimony Presented Before the  
House Committee on Higher Education  
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by  
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### **HB 451 – RELATING TO AFFIRMATIVE CONSENT**

Chair Choy, Vice Chair Ichiyama, and Members of the Committee:

Thank you for the opportunity to submit testimony on HB 451. The University of Hawai'i (University) applauds the legislature for opening the dialogue on gender and sexual violence. We further appreciate the acknowledgement that the University of Hawai'i is a key player in making advancement in these areas across the state. The University is in the process of updating its sexual violence policy and rolling out a training and implementation plan at this time. As such, we believe the measure is not necessary at this time. Additionally, we believe that from a governance and implementability standpoint, policies of this nature are more appropriately developed through the internal process and procedures of the University.

The University of Hawai'i is comprised of 10 campuses, which supports varying programs and student populations, as well as delivering diverse services and amenities to local, national, and international students. Additionally, the University employs approximately 10,000 faculty, staff and administrators that fall under collective bargaining agreements with the HGEA, UHPA, UPW, or under other board policies. To that end, any systemwide policies must follow the processes and procedures of the respective collective bargaining agreements and associative state law. Additionally, the University has a responsibility for ensuring that its policies are fair in both form and application, with regards to all stakeholders that have an interest in an affirmative consent policy.

At this time, the University is in the process of issuing an updated policy that includes guidelines for the University of Hawai'i system regarding sexual harassment, sexual assault, domestic violence, dating violence, and stalking. These guidelines are intended to address the requirements of VAWA. The policy was carefully crafted, involving months of research and systemwide committee work, to achieve a policy with guidelines that would support the University's broad mission of promoting safe, healthy campus environments while at the same time addressing the complex and interrelated requirements of state and federal sex discrimination and sexual violence laws and regulations that cover students, employees, and third parties.

In closing, we appreciate and value the legislature's interest in setting the standard against sexual violence at the University of Hawai'i. However, we are in the final stages of

deploying an updated policy on sexual harassment and sexual violence that has received approval from all applicable unions and, therefore, House Bill 451 is unnecessary and duplicative at this time. Additionally, we believe that from a governance and implementability standpoint, policies of this nature are more appropriately developed through the internal process and procedures of the University.

Thank you for the opportunity to testify on House Bill 451.