



UNIVERSITY OF HAWAII

BOARD OF REGENTS

Testimony presented before the
House Committee on Higher Education
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By

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Regent and Chair, Committee on Intercollegiate Athletics

HB 539 – RELATING TO THE UNIVERSITY OF HAWAII ATHLETICS

Chair Choy, Vice Chair Ichiyama, and members of the Committee on Higher Education:

My name is Jeffrey Portnoy, and I am the chair of the University of Hawai'i's Board of Regents Committee on Intercollegiate Athletics.

Thank you for the opportunity to testify in opposition to HB 539, would invest in an independent governing board all powers and responsibilities necessary to maintain and operate the Athletics Department. The board would report directly to the Board of Regents. I want to emphasize that although I am the chair of the University of Hawai'i's Board of Regents Committee on Intercollegiate Athletics, I am speaking only for myself. Neither the committee nor board has had the opportunity to discuss the bill and to determine whether it wishes to take a position on the bill or what such a position might be.

I appreciate the Legislature's concern, in particular in its accountability hearings, and I understand the Board created the Intercollegiate Athletics Committee in response to the need for more oversight. It is this committee that is the appropriate place where such oversight should reside.

Secondly, I am aware and concur with Chancellor Bley Vroman that creating such a board of governors would cause our Hawai'i athletics program to be in violation a basic by-law of the National Collegiate Athletics Association (NCAA), the Principle of Institutional Control and Responsibility.

NCAA By-Law 2.1, the Principle of Institutional Control and Responsibility, states: "It is the responsibility of each member institution to control its intercollegiate athletics program in compliance with the rules and regulations of the Association. The institution's president or chancellor is responsible for the administration of all aspects of the athletics program, including approval of the budget and audit of all expenditures." A board of governors is in conflict with this requirement.

I welcome the opportunities to engage in public conversation with the legislature about major policies, directions and priorities. However, I believe that maintaining the current committee is appropriate.