

MINUTES

BOARD OF REGENTS COMMITTEE ON INTERCOLLEGIATE ATHLETICS MEETING

APRIL 6, 2023

I. CALL TO ORDER

Chair William Haning called the meeting to order at 9:47 a.m. on Thursday, April 6, 2023, at the University of Hawai'i (UH) at Mānoa, Information Technology Building, 1st Floor Conference Room 105A/B, 2520 Correa Road, Honolulu, Hawai'i 96822, with regents participating from various locations.

Committee members in attendance: Chair William Haning; Vice-Chair Laurie Tochiki; Regent Abigail Mawae; and Regent Ernest Wilson.

Committee members excused: Regent Eugene Bal

Others in attendance: Board Chair Randy Moore; Regent Wayne Higaki; Regent Alapaki Nahale-a; Regent Diane Paloma (ex officio committee members); Vice President (VP) for Administration Jan Gouveia; VP for Academic Strategy Debora Halbert; VP for Legal Affairs/University General Counsel Carrie Okinaga; VP for Research and Innovation Vassilis Syrmos; VP for Budget and Finance/Chief Financial Officer Kalbert Young; UH Mānoa (UHM) Provost Michael Bruno; UH Hilo Chancellor Bonnie Irwin; UH West O'ahu Chancellor Maenette Benham; Interim Executive Administrator and Secretary of the Board of Regents (Interim Board Secretary) Jamie Go; and others as noted.

II. APPROVAL OF MINUTES

Chair Haning inquired if there were any corrections to the minutes of the October 6, 2022, committee meeting which had been distributed. Hearing none, the minutes were approved.

III. PUBLIC COMMENT PERIOD

Interim Board Secretary Go announced that the Board Office did not receive any written testimony but that two individuals signed up to provide oral testimony.

Cindy Rote and Jill Nunokawa provided oral comments expressing their concerns about the Independent Assessment of UHM Athletics Department (UHM Athletics) Operations Relating to Student-Athlete Welfare and Communications, particularly with respect to the process used to interview student-athletes and athletic department personnel.

IV. AGENDA ITEMS

A. Discussions and Possible Action on Recommendations Contained Within the Independent Assessment of UHM Athletics Operations Relating to Student-

Athlete Welfare and Communications (Independent Assessment) Report and Athletic Department Response

UHM Athletic Director (AD) David Matlin provided background information about the Independent Assessment, reviewing a timeline of events that have occurred since a joint informational briefing was held by the Higher Education and Ways and Means Committees of the Hawai'i State Senate on January 7, 2022. He went over the scope of the assessment, noting its specificity; spoke about UHM Athletics overall role with respect to the performance of the assessment which, among other things, was to respond in a timely, open, and thorough manner to any requests made by College Sports Solutions (CSS), the third-party entity commissioned to carry out the assessment; and discussed UHM Athletics involvement in the interviews of student-athletes and athletic department staff that were conducted during the assessment, as well as the rationale for this involvement, underscoring that interviewees were given the option of speaking to the CSS representative without additional individuals being present in the room. He also summarized the findings of the report, emphasizing that UHM Athletics was found to be in compliance with all applicable policies and procedures and to have appropriately handled the matters that were brought forth; talked about the recommendations made by CSS, the majority of which related to student-athlete welfare, along with UHM Athletics response to, and proposed actions for addressing, each recommendation; and went over the steps that are currently being taken to initiate the proposed actions.

Given the concerns raised about the interview process, the narrow scope of the Independent Assessment, and the fairness and accuracy of the report submitted by CSS, Vice-Chair Tochiki expressed her belief that a deeper examination of the issues surrounding UHM Athletics operations with respect to student-athlete welfare and communications was needed but stated that this type of analysis could not be conducted within the confines of a single committee meeting. As such, she made a motion to recommend that the board establish an ad hoc committee to further delve into issues related to student-athlete welfare and communications identified by, as well as the concerns raised with respect to, the Independent Assessment. The motion was seconded by Regent Mawae.

Discussions ensued on the motion with several regents commenting that, among other things, the complex nature of this issue, the volume of information contained within the CSS report, the seriousness of allegations made concerning the interview process and the suppression of student-athletes voices, and the importance of ensuring the health, safety, and well-being of not only student-athletes but all of the students of the university, warranted the creation of an ad hoc committee to further scrutinize this matter.

Regent Higaki opined that the establishment of a permitted interaction group would be a more efficient way of dealing with this issue as opposed to the creation of an ad hoc committee.

Board Chair Moore concurred with Regent Higaki and spoke about the distinctions between a permitted interaction group and an ad hoc committee highlighting that the

former offered greater flexibility in the scheduling and conducting of meetings since the latter was similar to the other board committees in that it would be subject to meeting requirements contained within Hawai'i's Sunshine Law. He also explained that the duties of a permitted interaction group are prescribed by the board pursuant to the Bylaws of the Board of Regents.

Vice-Chair Nahale-a echoed the remarks of Board Chair Moore and Regent Higaki stating that the establishment of a permitted interaction group would allow for this matter to be addressed in a timely fashion. He also suggested that the committee regularly place discussions on some of the issues that were raised, such as addressing student-athlete mental health, on its agenda.

Further discussions occurred on the tasks that a permitted interaction group would be charged with undertaking should one be established including how to address student-athlete, and more generally, student mental health issues, and the manner in which student-athletes could provide feedback to UHM Athletics without fear of retribution. Regents questioned the necessity of specifying these parameters at this committee meeting.

Board Chair Moore suggested that the specific duties of the permitted interaction group could be presented, reviewed, and discussed at the next board meeting. Chair Haning concurred with this suggestion.

Based upon the deliberations that occurred, Vice-Chair Tochiki amended her original motion by recommending that a permitted interaction group rather than an ad hoc committee be established by the board with the specific duties of the permitted interaction group being discussed at the next board meeting. Regent Mawae seconded the amended motion.

There having been a motion that was moved and seconded, a roll call vote was conducted, and noting the excused absence of Regent Bal, the motion passed with all members present voting in the affirmative.

V. ADJOURNMENT

There being no further business, Chair Haning adjourned the meeting at 10:51 a.m.

Respectfully Submitted,

/S/

Jamie Go
Interim Executive Administrator and
Secretary of the Board of Regents