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**Notice of Meeting
UNIVERSITY OF HAWAI'I
BOARD OF REGENTS**

Board business not completed on this day will be taken up on another day and time announced at the conclusion of the meeting.

Date: Thursday, November 18, 2021

Time: 9:00 a.m.

Place: Virtual Meeting

In light of the evolving COVID-19 situation, protecting the health and welfare of the community is of utmost concern. As such, this will be a virtual meeting and written testimony and oral testimony will be accepted in lieu of in-person testimony. Meetings may be monitored remotely via the livestream pilot project. See the Board of Regents website to access the live broadcast of the meeting via livestream: www.hawaii.edu/bor. Mahalo for your consideration.

AGENDA

- I. Call Meeting to Order**
- II. Approval of the Minutes of the October 21, 2021 Meeting**
- III. Public Comment Period for Agenda Items:**

All written testimony on agenda items received after posting of this agenda and up to 24 hours in advance of the meeting will be distributed to the board. Late testimony on agenda items will be distributed to the board within 24 hours of receipt. Written testimony may be submitted via the board's website through the testimony link provided on the [Meeting Agendas, Minutes and Materials](#) page. Testimony may also be submitted via email at bor.testimony@hawaii.edu, U.S. mail, or facsimile at (808) 956-5156. All written testimony submitted are public documents. Therefore, any testimony that is submitted for use in the public meeting process is public information and will be posted on the board's website.

Those wishing to provide oral testimony for the virtual meeting may register [here](#). Given constraints with the online format of our meetings, individuals wishing to orally testify must register no later than 7:00 a.m. on the day of the meeting in order to be accommodated. It is highly recommended that written testimony be submitted in addition to registering to provide oral testimony. Oral testimony will be limited to three (3) minutes per testifier.

- IV. Report of the President**
 - A. COVID-19 Update
 - B. Senate Concurrent Resolution No. 201 (2021) Task Force
 - C. Update on Legislative Inquiries
 - D. Decadal Survey on Astronomy and Astrophysics 2020
 - E. Impact of Federal Infrastructure Legislation on the University of Hawai'i
 - F. Status of Comprehensive Plan to Achieve a Reimagined University of Hawaii

For disability accommodations, contact the Board Office at (808) 956-8213 or bor@hawaii.edu.
Advance notice requested five (5) days prior to the meeting.

- G. Other
- H. Windward Community College Campus Presentation

V. Committee and Affiliate Reports

- A. Report from the Committee on Budget and Finance
- B. Report from the Committee on Planning and Facilities
- C. Affiliate Reports
 - 1. All Campus Council of Faculty Senate Chairs
 - 2. University of Hawai'i Student Caucus
 - 3. University Health Partners of Hawai'i
 - 4. Hawai'i P-20 Council

VI. Agenda Items

- A. Consent Agenda
 - 1. Approval of Fiscal Year (FY) 2022-2023 Supplemental Operating Budget Request for the University of Hawaii
[Link to FY 2022-2023 Supplemental Budget Request](#)
 - 2. Approval of the FY 2022-2023 Capital Improvement Project (CIP) Supplemental Budget Request
[Link to FY22-23 CIP Supplemental Budget Request](#)
 - 3. Approval of Indemnification Provision in a Grant Agreement between the V Foundation for Cancer Research and the University of Hawai'i
 - 4. Approval of Indemnification Provision in Anticipation of Renewal of a Cooperative Agreement with the Department of Defense to Support the Pacific Disaster Center
- B. Approval to Request the Governor's Approval to Hold a Public Hearing Regarding Amendments to Hawai'i Administrative Rules Title 20:
 - 1. Chapter 4, "Determination of Residency as Applied to Tuition Payments and Admission"; and
 - 2. Chapter 10, "Delinquent Financial Obligations"
- C. Legislative Proposals Concerning the Board of Regents
- D. Enrollment Update and Multi-Year Enrollment Plan

VII. Announcements

- A. Next Meeting: January 20, 2022, at a location to be determined

VIII. Adjournment

ATTACHMENTS

Attachment A – Personnel actions posted for information only, pursuant to Section 89C-4, Hawai'i Revised Statutes, and Regents Policy 9.212. These actions are not subject to approval by the Board of Regents.

Executive/Managerial

Campus	Last Name	First Name & Middle Initial	Proposed Title	Unit	Nature of Action	Monthly Salary	Effective Date
System	Jim On	Shelton	University Associate General Counsel	Office of the Vice President for Legal Affairs & University General Counsel	Appointment	\$10,667	January 3, 2022
Mānoa	Nakamura	Trisha	Interim Associate Dean	William S Richardson School of Law	Appointment	\$10,834	January 1, 2022 - December 31, 2022

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UNIVERSITY OF HAWAII
BOARD OF REGENTS

LAST NAME	FIRST NAME	TITLE	CAMPUS	FILLED DATE	COMPENSATION	REASON FOR CHANGE SINCE LAST REPORT (NOVEMBER 5, 2020)
ANDAYA	JUANITA	DIRECTOR OF ADMIN SERVICES	MA	10/1/07	\$ 143,124	RESTORATION OF SALARY TO 10/31/2020 RATES
ANZAI	LAUREN	DIRECTOR OF ADMIN SERVICES	MA	8/22/15	\$ 138,420	RESTORATION OF SALARY TO 10/31/2020 RATES
ARNADE	PETER	DEAN	MA	6/28/12	\$ 255,564	RESTORATION OF SALARY TO 10/31/2020 RATES
AUERBACH	STEVEN	INTERIM DIRECTOR OF INNOVATION & COMMERCIALIZATION	SW	10/1/19	\$ 160,008	RESTORATION OF SALARY TO 10/31/2020 RATES
AUNE	KRISTYNA	DEAN	MA	3/31/14	\$ 199,656	RESTORATION OF SALARY TO 10/31/2020 RATES
BALDEMOR	VINCENT	ASSOCIATE ATHLETIC DIRECTOR	MA	10/29/18	\$ 140,004	RESTORATION OF SALARY TO 10/31/2020 RATES
BARKO	VALERIE	DIRECTOR OF UNIVERSITY OF HAWAII CENTER	KU	8/1/07	\$ 108,024	RESTORATION OF SALARY TO 10/31/2020 RATES
BAUTISTA	MARIA	INTERIM VICE CHANCELLOR	KA	6/17/19	\$ 120,000	RESTORATION OF SALARY TO 10/31/2020 RATES
BENDINER	EZRA	UNIVERSITY ASSISTANT GENERAL COUNSEL	SW	2/1/18	\$ 106,800	RESTORATION OF SALARY TO 10/31/2020 RATES
BENHAM	MAENETTE	CHANCELLOR	WO	1/1/17	\$ 245,148	RESTORATION OF SALARY TO 10/31/2020 RATES
BITTER	MICHAEL	INTERIM DEAN	HI	6/2/17	\$ 150,828	RESTORATION OF SALARY TO 10/31/2020 RATES
BOWEN	WALTER	ASSOCIATE DEAN	MA	2/19/19	\$ 170,004	RESTORATION OF SALARY TO 10/31/2020 RATES
BRANDVOLD	KELLI	INTERIM VICE CHANCELLOR	WI	8/19/19	\$ 111,504	RESTORATION OF SALARY TO 10/31/2020 RATES
BROWN	JENNIFER	INTERIM VICE CHANCELLOR, STUDENT SERVICES	WI	10/1/21	\$ 110,016	INITIAL APPOINTMENT
BRUNO	MICHAEL	PROVOST	MA	4/1/19	\$ 350,016	RESTORATION OF SALARY TO 10/31/2020 RATES
BUENCONSEJO-LUM	LEE	ASSOCIATE DEAN	MA	4/1/20	\$ 225,000	RESTORATION OF SALARY TO 10/31/2020 RATES
CERF	KEILIN	PROGRAM DIRECTOR	HA	3/12/18	\$ 105,840	RESTORATION OF SALARY TO 10/31/2020 RATES
CERIA-ULEP	CLEMENTINA	INTERIM DEAN	MA	11/1/21	\$ 196,008	INITIAL APPOINTMENT
CHAN	GAYE	INTERIM ASSOCIATE DEAN	MA	8/1/21	\$ 150,000	INITIAL APPOINTMENT
CHAPMAN	WILLIAM	INTERIM DEAN	MA	8/1/18	\$ 198,756	RESTORATION OF SALARY TO 10/31/2020 RATES
CHING	CARLETON	ADMINISTRATIVE PROGRAM OFFICER	SW	11/30/15	\$ 146,808	RESTORATION OF SALARY TO 10/31/2020 RATES
CHISMAR	WILLIAM	DEAN	MA	10/1/10	\$ 250,260	RESTORATION OF SALARY TO 10/31/2020 RATES
CHOCK	KASEY	VICE CHANCELLOR	LE	7/15/21	\$ 140,400	INITIAL APPOINTMENT
CHOI	SONG	ASSISTANT DEAN FOR STUDENT SERVICES	MA	9/1/04	\$ 136,248	RESTORATION OF SALARY TO 10/31/2020 RATES
CHUN	GREGORY	EXECUTIVE DIRECTOR, MAUNAKEA STEWARDSHIP	HI	7/19/19	\$ 155,040	RESTORATION OF SALARY TO 10/31/2020 RATES
CHUN	NIKKI	VICE PROVOST	MA	9/1/21	\$ 210,000	INITIAL APPOINTMENT
CHUNG	SILVAN	INTERIM DEAN	HO	8/23/21	\$ 112,512	INITIAL APPOINTMENT
CLAPP	CARL	ASSOCIATE ATHLETIC DIRECTOR	MA	4/5/06	\$ 162,012	RESTORATION OF SALARY TO 10/31/2020 RATES
COMERFORD	NICHOLAS	DEAN/DIRECTOR FOR RESEARCH & COOPERATIVE EXTENSION	MA	9/1/17	\$ 260,532	RESTORATION OF SALARY TO 10/31/2020 RATES
CONTRADES	ELISABETH	UNIVERSITY ASSOCIATE GENERAL COUNSEL	SW	10/6/16	\$ 131,772	RESTORATION OF SALARY TO 10/31/2020 RATES
CORTEZ	DORINNA	VICE CHANCELLOR	HA	2/1/17	\$ 115,008	RESTORATION OF SALARY TO 10/31/2020 RATES
COSEBOOM	JOEL	INTERIM DIRECTOR & PUBLISHER OF THE UNIVERSITY PRESS	MA	3/25/16	\$ 137,904	RESTORATION OF SALARY TO 10/31/2020 RATES
DAISY	JOSEPH	CHANCELLOR	KU	2/3/20	\$ 167,016	RESTORATION OF SALARY TO 10/31/2020 RATES
DAVIDSON	ELIZABETH	INTERIM ASSOCIATE DEAN	MA	10/22/21	\$ 300,000	INITIAL APPOINTMENT
DIAZ	MARIA-ELENA	INTERIM DIRECTOR OF CONTINUING EDUCATION & TRAINING	WI	10/1/19	\$ 93,660	RESTORATION OF SALARY TO 10/31/2020 RATES
DUKELOW	KAHELEONOLANI	DEAN	MU	9/3/19	\$ 109,080	RESTORATION OF SALARY TO 10/31/2020 RATES
EDWARDS	MARGARET	DIRECTOR OF APPLIED RESEARCH LABORATORY	SW	2/1/18	\$ 197,748	RESTORATION OF SALARY TO 10/31/2020 RATES
ESCHENBERG	ARDIS	CHANCELLOR	WI	1/2/19	\$ 167,016	RESTORATION OF SALARY TO 10/31/2020 RATES
EVANS	GLENN	COUNTY ADMINISTRATOR, KAUAI	MA	6/1/20	\$ 140,004	RESTORATION OF SALARY TO 10/31/2020 RATES
FLETCHER III	CHARLES	ASSOCIATE DEAN	MA	10/1/10	\$ 211,392	RESTORATION OF SALARY TO 10/31/2020 RATES
FOSTER	NANCY	CHIEF FINANCIAL OFFCR	MA	9/27/08	\$ 237,720	RESTORATION OF SALARY TO 10/31/2020 RATES
FRENCH	ALEXANDRA	CHIEF BUSINESS OFFICER	MA	7/16/21	\$ 210,000	INITIAL APPOINTMENT
FURUTANI	LAURIE	INTERIM DIRECTOR OF STUDENT AFFAIRS	MA	1/27/17	\$ 110,976	RESTORATION OF SALARY TO 10/31/2020 RATES
FURUTO	BRIAN	VICE CHANCELLOR	KA	12/5/14	\$ 127,824	RESTORATION OF SALARY TO 10/31/2020 RATES
GERSCHENSON	MARIANA	ASSOCIATE DEAN	MA	10/1/18	\$ 229,056	RESTORATION OF SALARY TO 10/31/2020 RATES
GO	JAMIE	EXECUTIVE ASSISTANT TO THE BOR	SW	10/16/19	\$ 96,000	RESTORATION OF SALARY TO 10/31/2020 RATES
GOMES	FARRAHMARIE	VICE CHANCELLOR	HI	12/1/16	\$ 175,956	RESTORATION OF SALARY TO 10/31/2020 RATES
GOMEZ	LARA	ASSOCIATE DEAN	HI	8/1/19	\$ 175,008	RESTORATION OF SALARY TO 10/31/2020 RATES
GOODMAN	JAMES	DEAN	LE	7/1/15	\$ 125,220	RESTORATION OF SALARY TO 10/31/2020 RATES

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GOODWIN	JEFF	INTERIM ASSOCIATE DEAN & DIRECTOR	MA	9/2/19	\$ 152,508	RESTORATION OF SALARY TO 10/31/2020 RATES
GOODYEAR-KAOPUA	JENNIFER	INTERIM ASSISTANT VICE CHANCELLOR	MA	8/1/21	\$ 160,008	INITIAL APPOINTMENT
GOUVEIA	JAN	VP FOR ADMINISTRATION	SW	8/15/14	\$ 272,040	RESTORATION OF SALARY TO 10/31/2020 RATES
GUILLEN	PATRICK	DIRECTOR OF ATHLETICS	HI	8/24/15	\$ 139,476	RESTORATION OF SALARY TO 10/31/2020 RATES
GUILLOZ	JULIANN	DIRECTOR OF STEWARDSHIP	HI	10/22/21	\$ 132,000	INITIAL APPOINTMENT
GUTHRO	CLEMENT	UNIVERSITY LIBRARIAN	MA	1/2/20	\$ 200,004	RESTORATION OF SALARY TO 10/31/2020 RATES
HADWICK	ROBIN	INTERIM ASSISTANT DEAN OF STUDENT SERVICES	MA	6/1/12	\$ 107,652	RESTORATION OF SALARY TO 10/31/2020 RATES
HALBERT	DEBORA	ASSOCIATE VICE PRESIDENT	SW	1/2/19	\$ 180,000	RESTORATION OF SALARY TO 10/31/2020 RATES
HALEMAU-KAM	RAYNETTE	INTERIM DIRECTOR OF UNIVERSITY OF HAWAII CENTER	HA	8/17/18	\$ 104,388	RESTORATION OF SALARY TO 10/31/2020 RATES
HANADA	TOMONE	DIRECTOR OF UNIVERSITY OF HAWAII CENTER	MU	7/1/98	\$ 105,096	RESTORATION OF SALARY TO 10/31/2020 RATES
HARRISS	FRANKIE	VICE CHANCELLOR	KU	7/20/18	\$ 116,808	RESTORATION OF SALARY TO 10/31/2020 RATES
HAYASHI	LORI LEI	INTERIM VICE CHANCELLOR	LE	1/2/21	\$ 122,136	RESTORATION OF SALARY TO 10/31/2020 RATES
HEDGES	JERRIS	DEAN	MA	3/1/08	\$ 554,988	RESTORATION OF SALARY TO 10/31/2020 RATES
HELMINCK	ALOYSIUS	DEAN	MA	12/1/16	\$ 275,916	RESTORATION OF SALARY TO 10/31/2020 RATES
HIGA-KING	JENNIFER	DEAN	HO	7/1/19	\$ 113,640	RESTORATION OF SALARY TO 10/31/2020 RATES
HIGGINS	COLETTE	DEAN	WI	8/1/16	\$ 114,900	RESTORATION OF SALARY TO 10/31/2020 RATES
HIRAKAMI	SARAH	ADMINISTRATIVE PROGRAM OFFICER	SW	2/23/18	\$ 132,696	RESTORATION OF SALARY TO 10/31/2020 RATES
HOKOANA	LUI	CHANCELLOR	MU	12/1/14	\$ 171,048	RESTORATION OF SALARY TO 10/31/2020 RATES
HOLLAND	CHRISTOPHER	ASSOCIATE VICE CHANCELLOR	HI	9/9/20	\$ 118,200	RESTORATION OF SALARY TO 10/31/2020 RATES
HOSHIKO	CAROL	ASSISTANT DEAN	KA	7/1/04	\$ 105,252	RESTORATION OF SALARY TO 10/31/2020 RATES
IBOSHI	PEARL	DIRECTOR OF INSTITUTIONAL RESEARCH & ANALYSIS	SW	2/1/11	\$ 170,904	RESTORATION OF SALARY TO 10/31/2020 RATES
IDETA	LORI	VICE PROVOST	MA	7/16/21	\$ 247,500	INITIAL APPOINTMENT
INAFUKU	DEREK	VICE CHANCELLOR	HO	1/23/15	\$ 124,596	RESTORATION OF SALARY TO 10/31/2020 RATES
IRWIN	BONNIE	CHANCELLOR	HI	7/1/19	\$ 280,008	RESTORATION OF SALARY TO 10/31/2020 RATES
ISHIDA	KEVIN	INTERIM DIRECTOR OF CAMPUS SERVICES	MA	7/19/21	\$ 136,896	INITIAL APPOINTMENT
ISHII	DEBRA ANN	ASSISTANT TO SENIOR EXECUTIVE	MA	3/1/17	\$ 158,004	RESTORATION OF SALARY TO 10/31/2020 RATES
JACOBS	GWEN	DIRECTOR OF INFORMATION TECHNOLOGY	SW	7/1/13	\$ 207,168	RESTORATION OF SALARY TO 10/31/2020 RATES
JAVINAR	JAN	INTERIM VICE CHANCELLOR FOR STUDENT AFFAIRS	WO	2/21/20	\$ 155,496	RESTORATION OF SALARY TO 10/31/2020 RATES
JENKINS	AMELIA	INTERIM ASSOCIATE DEAN	MA	12/6/07	\$ 156,552	RESTORATION OF SALARY TO 10/31/2020 RATES
KAAKUA	JOSHUA	INTERIM ACADEMIC & STUDENT AFFAIRS PROGRAM OFFICER	CC	7/1/18	\$ 114,936	RESTORATION OF SALARY TO 10/31/2020 RATES
KAHUMOKU III	WALTER	ASSISTANT TO SENIOR EXECUTIVE	WO	8/31/18	\$ 123,600	RESTORATION OF SALARY TO 10/31/2020 RATES
KAKUGAWA-LEONG	ALYSON	INTERIM DIRECTOR OF UNIVERSITY RELATIONS	HI	2/1/19	\$ 108,000	RESTORATION OF SALARY TO 10/31/2020 RATES
KALEIWAHEA	KENNETH	VICE CHANCELLOR	HA	11/22/19	\$ 115,008	RESTORATION OF SALARY TO 10/31/2020 RATES
KAMEOKA	VELMA	INTERIM VICE PROVOST	MA	6/1/19	\$ 247,500	RESTORATION OF SALARY TO 10/31/2020 RATES
KAPONO	DONNETTE	INTERIM ASSISTANT TO SENIOR EXECUTIVE	HI	8/1/19	\$ 100,008	RESTORATION OF SALARY TO 10/31/2020 RATES
KATO	KAMI	INTERIM DEAN OF STUDENT SERVICES	LE	6/1/19	\$ 115,008	RESTORATION OF SALARY TO 10/31/2020 RATES
KEOPUHIWA	THOMAS	VICE CHANCELLOR	KA	6/17/19	\$ 115,008	RESTORATION OF SALARY TO 10/31/2020 RATES
KIMURA	LESLIE	PROGRAM DIRECTOR	HI	8/1/10	\$ 110,484	RESTORATION OF SALARY TO 10/31/2020 RATES
KIMURA	TRISHA	UNIVERSITY ASSOCIATE GENERAL COUNSEL	SW	10/1/06	\$ 134,844	RESTORATION OF SALARY TO 10/31/2020 RATES
KONAN	DENISE	DEAN	MA	1/1/12	\$ 254,268	RESTORATION OF SALARY TO 10/31/2020 RATES
KONDO-BROWN	KIMI	ASSOCIATE DEAN	MA	10/1/11	\$ 152,748	RESTORATION OF SALARY TO 10/31/2020 RATES
KONO	TERESA	INTERIM ACADEMIC PROGRAM OFFICER	MA	9/1/18	\$ 108,876	RESTORATION OF SALARY TO 10/31/2020 RATES
KOTOWSKI III	JOSEPH	UNIVERSITY ASSOCIATE GENERAL COUNSEL	SW	12/3/19	\$ 128,004	RESTORATION OF SALARY TO 10/31/2020 RATES
KRUPP	DAVID	INTERIM DEAN, ACADEMIC AFFAIRS	WI	2/1/19	\$ 113,928	RESTORATION OF SALARY TO 10/31/2020 RATES
KUNZ	AMY	ASSOCIATE VICE PRESIDENT	SW	8/1/19	\$ 180,000	RESTORATION OF SALARY TO 10/31/2020 RATES
LACRO	ERIKA	VP FOR COMMUNITY COLLEGES	CC	1/17/20	\$ 255,000	RESTORATION OF SALARY TO 10/31/2020 RATES
LASSNER	DAVID	PRESIDENT	SW	9/1/13	\$ 395,004	RESTORATION OF SALARY TO 10/31/2020 RATES
LAU	SHANNON	UNIVERSITY ASSOCIATE GENERAL COUNSEL	SW	4/16/20	\$ 130,008	RESTORATION OF SALARY TO 10/31/2020 RATES

LAST NAME	FIRST NAME	TITLE	CAMPUS	FILLED DATE	COMPENSATION	REASON FOR CHANGE SINCE LAST REPORT (NOVEMBER 5, 2020)
LEBBIN	VICKERY	INTERIM ASSOCIATE UNIVERSITY LIBRARIAN	MA	10/20/17	\$ 143,208	RESTORATION OF SALARY TO 10/31/2020 RATES
LEE	ADRIENNE	DIRECTOR OF ADMIN SERVICES	MA	12/1/15	\$ 135,816	RESTORATION OF SALARY TO 10/31/2020 RATES
LEE	CHRISTOPHER	ADMINISTRATIVE PROGRAM OFFICER	SW	12/1/16	\$ 234,024	RESTORATION OF SALARY TO 10/31/2020 RATES
LEE	KAREN	INTERIM CHANCELLOR	HO	6/1/19	\$ 167,016	RESTORATION OF SALARY TO 10/31/2020 RATES
LEE	NELSON	DIRECTOR OF PROJECT DELIVERY	SW	10/16/17	\$ 151,800	RESTORATION OF SALARY TO 10/31/2020 RATES
LERNER	DARREN	DIRECTOR OF RESEARCH INSTITUTE	MA	10/17/14	\$ 161,256	RESTORATION OF SALARY TO 10/31/2020 RATES
LIPE	KAIWIPUNIKAIKAW	ACADEMIC PROGRAM OFFICER	MA	8/1/17	\$ 109,332	RESTORATION OF SALARY TO 10/31/2020 RATES
LONBORG	DAVID	ASSOCIATE DIRECTOR RESEARCH INSTITUTE	MA	3/1/19	\$ 190,008	RESTORATION OF SALARY TO 10/31/2020 RATES
LONG	JEFFERY	INTERIM SYSTEM DIRECTOR OF HUMAN RESOURCES	SW	4/16/21	\$ 130,008	INITIAL APPOINTMENT
LOS BANOS	AEDWARD	ASSOCIATE VICE PRESIDENT	SW	2/3/20	\$ 147,420	RESTORATION OF SALARY TO 10/31/2020 RATES
LUKE	AMY	ASSISTANT TO SENIOR EXECUTIVE	SW	5/17/19	\$ 135,000	RESTORATION OF SALARY TO 10/31/2020 RATES
LYONS	LAURA	INTERIM ASSOCIATE VICE PROVOST	MA	1/18/19	\$ 195,000	RESTORATION OF SALARY TO 10/31/2020 RATES
MA	CAROLYN	DEAN	HI	8/21/15	\$ 252,732	RESTORATION OF SALARY TO 10/31/2020 RATES
MA	TIANWEI	INTERIM ASSOCIATE DEAN	MA	1/27/17	\$ 170,316	RESTORATION OF SALARY TO 10/31/2020 RATES
MAEDA	JULIENNE	ACTING DEAN	MA	7/16/21	\$ 140,112	INITIAL APPOINTMENT
MANIN	LOIS	ASSOCIATE ATHLETIC DIRECTOR	MA	4/22/19	\$ 130,008	RESTORATION OF SALARY TO 10/31/2020 RATES
MARTIN	CLIFFORD	ASSOCIATE DIRECTOR RESEARCH INSTITUTE	MA	7/16/17	\$ 214,404	RESTORATION OF SALARY TO 10/31/2020 RATES
MATHEWS	BRUCE	DEAN	HI	7/1/12	\$ 163,128	RESTORATION OF SALARY TO 10/31/2020 RATES
MATLIN	DAVID	DIRECTOR OF ATHLETICS	MA	4/27/15	\$ 313,548	RESTORATION OF SALARY TO 10/31/2020 RATES
MATSUI	BRUCE	UNIVERSITY ASSOCIATE GENERAL COUNSEL	SW	3/9/06	\$ 145,212	RESTORATION OF SALARY TO 10/31/2020 RATES
MCCREARY	BEVERLY	ASSISTANT VICE CHANCELLOR	MA	7/1/10	\$ 164,256	RESTORATION OF SALARY TO 10/31/2020 RATES
MEISENZAHL	DANIEL	DIRECTOR OF COMMUNICATIONS	SW	4/19/12	\$ 148,260	RESTORATION OF SALARY TO 10/31/2020 RATES
MIKE	JAMES	DEAN	HI	12/14/20	\$ 170,004	RESTORATION OF SALARY TO 10/31/2020 RATES
MIRKAY III	NICHOLAS	ASSOCIATE DEAN, UHM	MA	6/1/21	\$ 215,544	INITIAL APPOINTMENT
MITCHELL	LESLIE	INTERIM DIRECTOR OF STUDENT AFFAIRS	MA	2/24/17	\$ 81,516	RESTORATION OF SALARY TO 10/31/2020 RATES
MONACO	LYNNE	ASSISTANT TO SENIOR EXECUTIVE	SW	6/1/14	\$ 135,000	RESTORATION OF SALARY TO 10/31/2020 RATES
MONIZ	JEFFREY	VICE CHANCELLOR	WO	6/6/16	\$ 156,792	RESTORATION OF SALARY TO 10/31/2020 RATES
MORIOKA	BRENNON	DEAN	MA	4/1/19	\$ 260,004	RESTORATION OF SALARY TO 10/31/2020 RATES
MOTO	BRIAN	INTERIM ASSISTANT TO SENIOR EXECUTIVE	MU	9/1/14	\$ 100,920	RESTORATION OF SALARY TO 10/31/2020 RATES
MURATA	NATHAN	DEAN	MA	1/1/18	\$ 183,600	RESTORATION OF SALARY TO 10/31/2020 RATES
NAGLE	LAURA	DEAN	MU	9/3/19	\$ 109,080	RESTORATION OF SALARY TO 10/31/2020 RATES
NAKAGAWA	DEBORAH	ASSISTANT TO SENIOR EXECUTIVE	CC	11/1/06	\$ 131,424	RESTORATION OF SALARY TO 10/31/2020 RATES
NAKAMA	DEBRA	VICE CHANCELLOR	MU	9/1/15	\$ 130,992	RESTORATION OF SALARY TO 10/31/2020 RATES
NAPOLEON	DAVID	DEAN	KA	8/1/16	\$ 114,336	RESTORATION OF SALARY TO 10/31/2020 RATES
NELSON	CAMILLE	DEAN	MA	8/1/20	\$ 420,000	RESTORATION OF SALARY TO 10/31/2020 RATES
NG	MICHAEL	DIRECTOR OF UNIVERSITY BUDGET	SW	3/20/15	\$ 130,476	RESTORATION OF SALARY TO 10/31/2020 RATES
NGO	COURTENAY	DIRECTOR OF INFORMATION TECHNOLOGY	SW	2/3/20	\$ 168,000	RESTORATION OF SALARY TO 10/31/2020 RATES
NISHIDA	SUSAN	INTERIM VICE CHANCELLOR	HO	8/1/21	\$ 131,280	INITIAL APPOINTMENT
OGAWA	NICOLE	INTERIM ASSOCIATE DIRECTOR OF HUMAN RESOURCES	SW	7/1/21	\$ 110,004	INITIAL APPOINTMENT
OHTA	TRACEY	UNIVERSITY ASSOCIATE GENERAL COUNSEL	SW	4/1/20	\$ 118,008	RESTORATION OF SALARY TO 10/31/2020 RATES
OISHI	KENDRA	EXECUTIVE ADMINISTRATOR & SECRETARY OF THE BOR	SW	11/14/17	\$ 114,096	RESTORATION OF SALARY TO 10/31/2020 RATES
OKIMOTO	HAE	ASSOCIATE VICE PRESIDENT & DIRECTOR OF INFORMATION TECHNOLOGY	SW	11/16/2018 4/1/2013	\$ 200,928	RESTORATION OF SALARY TO 10/31/2020 RATES
OKINAGA	CARRIE	VP LEGAL AFFAIRS & UNIVERSITY GENERAL COUNSEL	SW	7/1/15	\$ 272,040	RESTORATION OF SALARY TO 10/31/2020 RATES
OLIVEIRA	JUDY ANN	ACADEMIC & STUDENT AFFAIRS PROGRAM OFFICER	CC	10/1/21	\$ 130,008	INITIAL APPOINTMENT
OLIVEIRA	KATRINA-ANN	INTERIM ASSISTANT VICE CHANCELLOR	MA	2/1/21	\$ 167,304	RESTORATION OF SALARY TO 10/31/2020 RATES
OSORIO	JONATHAN	DEAN, UHM	MA	1/27/17	\$ 193,716	RESTORATION OF SALARY TO 10/31/2020 RATES
OYADOMARI-CHUN	TAMMI	INTERIM ASSOCIATE VICE PRESIDENT	CC	8/1/19	\$ 155,016	RESTORATION OF SALARY TO 10/31/2020 RATES
PAGOTTO	LOUISE	CHANCELLOR	KA	6/3/16	\$ 183,600	RESTORATION OF SALARY TO 10/31/2020 RATES

LAST NAME	FIRST NAME	TITLE	CAMPUS	FILLED DATE	COMPENSATION	REASON FOR CHANGE SINCE LAST REPORT (NOVEMBER 5, 2020)
PANG	PRESLEY	UNIVERSITY ASSOCIATE GENERAL COUNSEL	SW	10/1/15	\$ 137,868	RESTORATION OF SALARY TO 10/31/2020 RATES
PEARSON	WENDY	ASSISTANT TO SENIOR EXECUTIVE	MA	6/16/06	\$ 139,500	RESTORATION OF SALARY TO 10/31/2020 RATES
PEN-ALOZA	CARLOS	CHANCELLOR	LE	7/2/19	\$ 177,000	RESTORATION OF SALARY TO 10/31/2020 RATES
PENALOZA	FIGIELLA	ACADEMIC PROGRAM OFFICER	SW	8/1/19	\$ 118,008	RESTORATION OF SALARY TO 10/31/2020 RATES
QUEMUEL	CHRISTINE	INTERIM ASSISTANT VICE PROVOST	MA	8/1/15	\$ 130,008	RESTORATION SAL TO 10/31/2020 RATES AND SALARY ADJUSTMENT EFFECTIVE 09/17/21
QUINN	APRIL	ACADEMIC PROGRAM OFFICER	MA	1/1/14	\$ 111,468	RESTORATION OF SALARY TO 10/31/2020 RATES
RADAK	LISA	DEAN	KA	8/1/19	\$ 123,096	RESTORATION OF SALARY TO 10/31/2020 RATES
RAMOS	JOE	INTERIM DIRECTOR OF RESEARCH INSTITUTE	MA	8/1/21	\$ 275,004	INITIAL APPOINTMENT
RAPOZA	KALEIHIHIKAPOLI	INTERIM VICE CHANCELLOR	HI	9/1/17	\$ 173,388	RESTORATION OF SALARY TO 10/31/2020 RATES
REEVES	CYNTHIA	COUNTY ADMINISTRATOR, MAUI	MA	9/22/14	\$ 161,256	RESTORATION OF SALARY TO 10/31/2020 RATES
REICHHARDT	LAURA	DIRECTOR HAWAII STATE CENTER FOR NURSING	MA	11/20/15	\$ 124,452	RESTORATION OF SALARY TO 10/31/2020 RATES
RICHARDS JR	JOHN	DEAN	KA	2/2/15	\$ 114,252	RESTORATION OF SALARY TO 10/31/2020 RATES
RISELEY	LEANNE	INTERIM DEAN	LE	1/21/20	\$ 120,000	RESTORATION OF SALARY TO 10/31/2020 RATES
RIVERA	VICTORIA	DIRECTOR OF RESEARCH COMPLIANCE	SW	6/8/18	\$ 183,600	RESTORATION OF SALARY TO 10/31/2020 RATES
ROCHELEAU	RICHARD	DIRECTOR OF RESEARCH INSTITUTE	MA	12/31/99	\$ 218,364	RESTORATION OF SALARY TO 10/31/2020 RATES
ROLEY	VERNON	DEAN	MA	1/1/05	\$ 412,440	RESTORATION OF SALARY TO 10/31/2020 RATES
RONEY	KRISTEN	VICE CHANCELLOR	HI	8/17/20	\$ 210,000	RESTORATION OF SALARY TO 10/31/2020 RATES
ROSE	JENNIFER	DIRECTOR OF INSTITUTIONAL EQUITY	SW	8/21/15	\$ 163,032	RESTORATION OF SALARY TO 10/31/2020 RATES
ROSENFELD	ALAN	ASSOCIATE VICE CHANCELLOR	WO	7/1/18	\$ 140,004	RESTORATION OF SALARY TO 10/31/2020 RATES
ROSSITER	ANDREW	DIRECTOR OF STATE AQUARIUM	MA	4/16/04	\$ 176,496	RESTORATION OF SALARY TO 10/31/2020 RATES
SABINE	CHRISTOPHER	INTERIM DIRECTOR OF RESEARCH INSTITUTE	MA	9/1/21	\$ 194,676	INITIAL APPOINTMENT
SANCHEZ	JOSEPH	UNIVERSITY LIBRARIAN	HI	6/29/18	\$ 143,208	RESTORATION OF SALARY TO 10/31/2020 RATES
SANCHEZ	MARGARET	VICE CHANCELLOR	KU	8/24/17	\$ 122,136	RESTORATION OF SALARY TO 10/31/2020 RATES
SASAKI	CHARLES	VICE CHANCELLOR	WI	2/21/20	\$ 135,000	RESTORATION OF SALARY TO 10/31/2020 RATES
SCHATZ	STEPHEN	DIRECTOR HAWAII P20 PARTNERSHIP FOR EDUCATION	SW	3/1/17	\$ 174,420	RESTORATION OF SALARY TO 10/31/2020 RATES
SENTELL	TETINE	INTERIM DEAN, UHM	MA	8/1/21	\$ 185,004	INITIAL APPOINTMENT
SHERWOOD	ALISON	INTERIM ASSOCIATE DEAN	MA	4/22/19	\$ 175,008	RESTORATION OF SALARY TO 10/31/2020 RATES
SHIBATA	MICHAEL	DIRECTOR STRATEGIC DEVELOPMENT & PARTNERSHIP	SW	3/15/21	\$ 159,996	RESTORATION OF SALARY TO 10/31/2020 RATES
SHINTAKU	MICHAEL	INTERIM COUNTY ADMINISTRATOR, OAHU	MA	10/1/21	\$ 135,000	INITIAL APPOINTMENT
SHIRAI	CALVIN	INTERIM VICE CHANCELLOR	KU	9/3/19	\$ 101,472	RESTORATION OF SALARY TO 10/31/2020 RATES
SHIZUMURA	GLENN	DIRECTOR OF INTERNAL AUDIT	SW	9/1/09	\$ 162,168	RESTORATION OF SALARY TO 10/31/2020 RATES
SIMONS	DOUGLAS	DIRECTOR OF RESEARCH INSTITUTE	MA	9/1/21	\$ 300,000	INITIAL APPOINTMENT
SOLEMSAAS	RACHEL	CHANCELLOR	HA	7/1/16	\$ 178,428	RESTORATION OF SALARY TO 10/31/2020 RATES
SOUKI	JESSE	UNIVERSITY ASSOCIATE GENERAL COUNSEL	SW	12/1/17	\$ 140,700	RESTORATION OF SALARY TO 10/31/2020 RATES
SUGANO	JARI	COUNTY ADMINISTRATOR, OAHU	MA	5/1/20	\$ 140,004	RESTORATION OF SALARY TO 10/31/2020 RATES
SUGII	NELLIE	ACTING DIRECTOR OF LYON ARBORETUM	MA	2/1/21	\$ 95,664	RESTORATION OF SALARY TO 10/31/2020 RATES
SUGIMOTO	LARA	DEAN OF STUDENT SERVICES	HO	5/1/15	\$ 117,960	RESTORATION OF SALARY TO 10/31/2020 RATES
SUNAHARA	WAYNE	INTERIM DEAN, TECH 2	HO	8/23/21	\$ 113,064	INITIAL APPOINTMENT
SUTHERLAND	ROSS	INTERIM ASSOCIATE DEAN	MA	9/1/10	\$ 162,228	RESTORATION OF SALARY TO 10/31/2020 RATES
SUTTON	R.	ASSISTANT VICE CHANCELLOR	MA	8/19/13	\$ 192,972	RESTORATION OF SALARY TO 10/31/2020 RATES
SUZUKI	DARREN	INTERIM DIRECTOR OF RISK MANAGEMENT	SW	3/23/18	\$ 116,808	RESTORATION OF SALARY TO 10/31/2020 RATES
SYRMOS	VASSILIS	VP FOR RESEARCH & INNOVATION	SW	9/1/13	\$ 260,820	RESTORATION OF SALARY TO 10/31/2020 RATES
TAKEUCHI	GARY	ASSOCIATE VICE PRESIDENT	SW	12/1/15	\$ 164,052	RESTORATION OF SALARY TO 10/31/2020 RATES
TAMANAHA	DAVID	VICE CHANCELLOR	MU	7/1/07	\$ 133,212	RESTORATION OF SALARY TO 10/31/2020 RATES
TAYLOR	BRIAN	DEAN	MA	1/1/16	\$ 296,196	RESTORATION OF SALARY TO 10/31/2020 RATES
TERAOKA	DELLA	INTERIM ACADEMIC & STUDENT AFFAIRS PROGRAM OFFICER	CC	1/2/20	\$ 130,008	RESTORATION OF SALARY TO 10/31/2020 RATES
TOPPING	MILES	DIRECTOR OF ENERGY MANAGEMENT	SW	6/13/16	\$ 115,248	RESTORATION OF SALARY TO 10/31/2020 RATES
UMEHIRA	RONNY	DEAN	LE	10/1/09	\$ 137,772	RESTORATION OF SALARY TO 10/31/2020 RATES

LAST NAME	FIRST NAME	TITLE	CAMPUS	FILLED DATE	COMPENSATION	REASON FOR CHANGE SINCE LAST REPORT (NOVEMBER 5, 2020)
UNEBASAMI	MICHAEL	ASSOCIATE VICE PRESIDENT	CC	7/1/09	\$ 205,884	RESTORATION OF SALARY TO 10/31/2020 RATES
UWONO KOIKE	DEETTE	TITLE IX COORDINATOR & INTERIM DIRECTOR OF EEO/AA	MA/SW	5/1/2016 01/08/21	\$ 160,008	RESTORATION OF SALARY TO 10/31/2020 RATES AND SALARY ADJUSTMENT FOR INTERIM APPOINTMENT
VIE	STEPHANIE	ASSOCIATE DEAN, UHM	MA	1/17/20	\$ 150,000	RESTORATION OF SALARY TO 10/31/2020 RATES
WALTON	CHAD	INTERIM ASSISTANT VICE CHANCELLOR	MA	9/1/19	\$ 151,968	RESTORATION OF SALARY TO 10/31/2020 RATES
WHITAKER	JOANNE	ASSISTANT TO SENIOR EXECUTIVE	KA	10/28/13	\$ 118,128	RESTORATION OF SALARY TO 10/31/2020 RATES
WIECZOREK	ANNA	INTERIM ASSOCIATE DEAN	MA	1/1/17	\$ 161,352	RESTORATION OF SALARY TO 10/31/2020 RATES
WILLETS-VAQUILAR	PRESHESH	INTERIM DEAN, TECH I	HO	1/1/21	\$ 112,512	RESTORATION OF SALARY TO 10/31/2020 RATES
WILSON	MELANIE	INTERIM VICE CHANCELLOR	HA	8/1/21	\$ 120,000	INITIAL APPOINTMENT
WILTSE	CATHY	DIRECTOR HAWAII SMALL BUSINESS DEVELOPMENT CENTER	HI	11/1/11	\$ 134,556	RESTORATION OF SALARY TO 10/31/2020 RATES
WONG	LORRIE	INTERIM ASSOCIATE DEAN	MA	11/1/21	\$ 162,768	INITIAL APPOINTMENT
WRIGHT	ROBERT	DIRECTOR OF RESEARCH INSTITUTE	MA	9/18/20	\$ 201,060	RESTORATION OF SALARY TO 10/31/2020 RATES
YAMAMOTO	JESSICA	DEAN	HA	7/19/19	\$ 102,000	RESTORATION OF SALARY TO 10/31/2020 RATES
YOSHIMI	GARRET	VP FOR INFORMATION TECHNOLOGY & CIO	SW	1/5/15	\$ 272,040	RESTORATION OF SALARY TO 10/31/2020 RATES
YOUNG	KALBERT	VP FOR BUDGET & FINANCE/CFO	SW	1/1/15	\$ 272,040	RESTORATION OF SALARY TO 10/31/2020 RATES
ZAHAWI	RAKAN	DIRECTOR OF LYON ARBORETUM	MA	9/8/17	\$ 163,140	RESTORATION OF SALARY TO 10/31/2020 RATES
ZHANG	YANG	ACADEMIC PROGRAM OFFICER	MA	7/16/12	\$ 127,920	RESTORATION OF SALARY TO 10/31/2020 RATES

VACANT POSITIONS

TITLE	CAMPUS	OFFICE	GRADE	COMMENT
DIR OF CONTINUING ED & TRNG	HA	HAWAII CC	CC1	INCUMBENT ON INTERIM APPOINTMENT
DEAN	HA	HAWAII CC	CC2	INCUMBENT ON INTERIM APPOINTMENT
ASSOCIATE VICE CHANCELLOR	HI	ACADEMIC AFF UHH	H2	FILLING ON HOLD DUE TO BUDGET CONSTRAINTS
DEAN	HI	ACADEMIC AFF UHH	H2	PENDING REDESCRIPTION
ASST TO SENIOR EXECUTIVE	HO	HONOLULU CC	CC1	INCUMBENT ON INTERIM APPOINTMENT
DIR PAC CTR FOR ADV TECH TRNG	HO	HONOLULU CC	CC1	INCUMBENT ON INTERIM APPOINTMENT
PROGRAM DIRECTOR	KA	KAPIOLANI CC	CC1	PENDING REDESCRIPTION
DIR OF CONTINUING ED & TRNG	KU	KAUAI CC	CC1	INCUMBENT ON INTERIM APPOINTMENT
DEAN	KU	KAUAI CC	CC2	FILLING ON HOLD DUE TO BUDGET CONSTRAINTS
INST RESRCH & ANLYSIS PRG OFCR	LE	LEEWARD CC	CC1	FILLING ON HOLD DUE TO BUDGET CONSTRAINTS
ACADEMIC PROGRAM OFFICER	MA	EXEC OFF OF THE PRES	SM1	PENDING REDESCRIPTION
DIRECTOR OF CAMPUS SERVICES	MA	ADMINISTRATION	SM2	FILLING ON HOLD DUE TO HIRING FREEZE
ASSOCIATE DEAN	MA	SCH OF NURS & DENTAL HYG	SM2	FILLING PENDING RECRUITMENT OF PERMANENT DEAN
ASST ATHLETIC DIR-SR WMN ADMR	MA	INT ATHLETICS UHM	SM2	PENDING REDESCRIPTION
ASSOCIATE DEAN	MA	JABSOM	SM3	RECRUIT TO FILL ACADEMIC YEAR 2021-2022
ASSISTANT VICE CHANCELLOR	MA	OFF OF THE PROVOST, UHM	SM3	PENDING REDESCRIPTION
DEAN	MA	OFF OF THE PROVOST, UHM	SM3	PENDING REDESCRIPTION
DIR OF RESEARCH INSTITUTE	MA	HIMB	SM3	INCUMBENT TO START EFFECTIVE 01/03/2022
DIR OF RESEARCH INSTITUTE	MA	PBRC	SM3	NO PLANS TO FILL AT THIS TIME
ASSOCIATE VICE CHANCELLOR	MA	STUDENT AFFAIRS	SM3	PENDING REDESCRIPTION
DIRECTOR OF INFO TECH (CC)	MU	MAUI COLLEGE	CC1	PENDING REDESCRIPTION
VICE CHANCELLOR	MU	MAUI COLLEGE	CC3	PENDING APPROVAL TO FILL
UNIV ASSOC GENERAL COUNSEL	SW	OF SVP LG AF-U GN CL	SM1	INCUMBENT TO START EFFECTIVE 01/03/2022
ACADEMIC PROGRAM OFFICER	SW	OF VP FOR RESEARCH AND INNOVATION	SM1	PENDING REDESCRIPTION
DIRECTOR OF PLAN & PROJ DEV	SW	OF VP FOR ADMINISTRATION	SM2	FILLING ON HOLD DUE TO HIRING FREEZE
DIRECTOR OF EEO & AA	SW	OFF OF EEO-AA UHM	SM2	PENDING REDESCRIPTION
DIR OF RESEARCH SERVICES	SW	OF VP FOR RESEARCH AND INNOVATION	SM2	FILLING ON HOLD DUE TO BUDGET CONSTRAINTS
VP FOR ACADEMIC STRATEGY	SW	OF VP FOR ACADEMIC STRATEGY	SM4	IN RECRUITMENT
VICE CHANCELLOR	WO	ADMINISTRATIVE SVC	WO3	IN RECRUITMENT

DISCLAIMER – THE FOLLOWING ARE DRAFT MINUTES AND ARE SUBJECT TO FURTHER REVIEW AND CHANGE UPON APPROVAL BY THE BOARD

MINUTES

BOARD OF REGENTS MEETING

OCTOBER 21, 2021

Note: On October 1, 2021, Governor David Y. Ige issued a proclamation related to the COVID-19 Delta Response that temporarily suspended Chapter 92, Hawai'i Revised Statutes, relating to public meetings and records, "only to the extent necessary to minimize the potential spread of COVID-19 and its variants".

I. CALL TO ORDER

Chair Moore called the meeting to order at 8:38 a.m. on Thursday, October 21, 2021. The meeting was conducted virtually with regents participating from various locations.

Quorum (10): Chair Randy Moore; Vice-Chair Alapaki Nahale-a; Vice-Chair Benjamin Kudo; Regent Simeon Acoba; Regent Eugene Bal; Regent William Haning; Regent Wayne Higaki; Regent Diane Paloma; Regent Robert Westerman; and Regent Ernest Wilson.

Excused (1): Regent Kelli Acopan.

Others in attendance: President David Lassner; Vice President (VP) for Community Colleges (UHCC) Erika Lacro; VP for Legal Affairs/University General Counsel Carrie Okinaga; VP for Research and Innovation Vassilis Syrmos; VP for Information Technology/Chief Information Officer Garret Yoshimi; VP for Budget and Finance/Chief Financial Officer Kalbert Young; VP for Advancement/UH Foundation (UHF) Chief Executive Officer (CEO) Tim Dolan; UH Mānoa (UHM) Provost Michael Bruno; UH Hilo (UHH) Chancellor Bonnie Irwin; UH West O'ahu (UHWO) Chancellor Maenette Benham; Kaua'i Community College (KauCC) Chancellor Joseph Daisy; Executive Administrator and Secretary of the Board of Regents (Board Secretary) Kendra Oishi; and others as noted.

II. APPROVAL OF THE MINUTES

Regent Higaki moved to approve the minutes of the September 16, 2021, meeting, seconded by Vice-Chair Kudo, and noting the excused absence of Regent Acopan, Regent Paloma, and Regent Wilson, the motion carried, with all members present voting in the affirmative.

Regent Paloma arrived at 8:42 a.m.

III. PUBLIC COMMENT PERIOD

Board Secretary Oishi announced that a written recommendation to the board regarding the Tenure Permitted Interaction Group (Tenure Task Group) was received from Chair Moore.

Written testimony, including two resolutions from the Mānoa Faculty Senate, expressing concerns or opposition to the findings and recommendations contained within the Report of the Tenure Task Group was received from numerous individuals and organizations.

A written comment regarding student affairs at UHH was received from Toby Hazel.

A resolution relating to proposed changes to the Mānoa General Education requirements and curriculum was received from the Mānoa Faculty Senate.

Written comments relating to the Curriculum Research and Development Center was received from Jim Shon.

Rex Fujichaku submitted written comments related to faculty workload at the Daniel K. Inouye College of Pharmacy at UHH.

Written comments may be viewed at the Board of Regents website as follows:

[Written Testimony Comment Received](#)

[Written Testimony Comment Received – Tenure Task Group](#)

[Late Written Testimony Comment Received](#)

[Late Written Testimony Comment Received – Tenure Task Group](#)

Regent Wilson arrived at 8:51 a.m.

Jessica Hamad submitted written comments and provided oral testimony in opposition of COVID-19 vaccination and testing policies.

Oral testimony was also received from Christian Fern, on behalf of the University of Hawai'i Professional Assembly (UHPA); Ashley Maynard; Karla Hayashi; Paul McKimmy; Clementina Ceria-Ulep; Sania Fa'amaile Betty Ickes; Ka'iulani Akamine; Eileen Cain, on behalf of the Pūko'a no nā 'Ewa Council at Leeward Community College; Nicholas Comerford; Shannon Sakaue on behalf of UHPA PAU 12 at Kapi'olani Community College; Robyn Tasaka; Brent Sipes, on behalf of the Mānoa Faculty Senate Executive Committee; Noel Kent; Juli Patao; Leslie Opulauoho; Victor Lubecke; Sara Maaria Saastamoinen, on behalf of the Executive Council of the Graduate Student Organization of UHM; Kealani Cook, on behalf of the Nālimakui Council at UHWO; L. Keali'i Gora, on behalf of the UHM Kūali'i Council; Davianna McGregor; Loea Akiona; Rouel Velasco; Nalani Minton; Marina Karides; Erik Guentner, on behalf of the Mānoa Faculty Senate Committee on Administration and Budget; Jonathan Osorio; Lilikala Kame'eleihiwa; and Carolyn Stephenson in opposition to the findings and recommendations contained within the Report of the Tenure Task Group. Comments included concerns that: the Tenure Task Group did not meet its intended

purpose and went beyond its scope; there is a mischaracterization of the purpose of tenure; the proposals would disproportionately impact underrepresented groups of individuals; specialty faculty that provide instruction may not qualify for tenure under the proposals; academic freedom may be in jeopardy; tenure may be eliminated for extension agents; and that there may be an impact on accreditation.

IV. REPORT OF THE PRESIDENT

A. COVID-19 UPDATE

President Lassner provided an update on the university's current state of affairs with regard to the COVID-19 pandemic noting the impacts of the virus' delta variant and concomitant surge in positive cases on both the university and the State. However, case counts, test positivity rates, and hospitalizations due to COVID-19 have declined over the last several weeks and continue to do so. This data, coupled with greater availability of vaccination boosters, increased vaccination rates, and pending emergency use authorization of vaccines for the five-to-11-year-old age category, which will significantly improve community resistance to COVID-19, appears to indicate continued progress on the road to recovery from the pandemic.

Although on-campus presence has increased across the university system during fall 2021, many students continue to engage in online coursework. President Lassner stated that, while online courses will remain an integral mode of instruction, the restoration of in-person classes and services, as well as the return of faculty and staff to campuses, will create more effective learning environments for all students. As such, the university is prioritizing a return to more fully, in-person course instruction during spring 2022 while remaining cognizant of ensuring the health and safety of students, faculty, and staff. To this end, the administration is concentrating its efforts on the implementation of increased safety measures such as a vaccination requirement for all students registering for in-person classes in the spring, continuing to necessitate the wearing of masks while indoors, and maintaining testing protocols for individuals who have received an exemption from the vaccination requirement. The administration is also in discussions with labor unions on the implementation of vaccination requirements for employees.

B. Enrollment Update

Headcount enrollment has increased systemwide for the first time in a decade with a total of 49,773 students enrolled for Fall 2021. President Lassner stated that four university campuses including UHM, UHH, Leeward Community College, and Windward Community College experienced increased headcount enrollment and explained that the large uptick in enrollment of six percent and 2.5 percent witnessed by UHM and UHH were the primary drivers behind the systemwide increase. It was also noted that UHM welcomed its largest first-time freshman class in its history and saw its greatest increase in enrollment since 2003, with headcount enrollment exceeding 19,000 students for the first time since 2014. Bolstered by a significant increase in transfer students, students returning to complete degrees after leaving the university due to the COVID-19 pandemic, and the second largest class of first-time freshmen in its history,

UHH witnessed its first increase in fall enrollment since 2012, reversing eight years of declines. UHWO and the community colleges overall experienced decreased headcount enrollments of 5.1 percent and 3.2 percent respectively, although UHWO is maintaining a stable headcount enrollment of just over 3,000 students and the decrease experienced by the community colleges is less than the 9.5 percent decrease in enrollment being seen by community colleges on a national level.

C. New Affiliation Agreements Among the University of Hawai'i, University Health Partners, and Health System Partners

The university has completed comprehensive academic affiliation agreements with its primary health system partners including The Queen's Health System and Hawaii Pacific Health. Unlike other medical schools across the country, the John A. Burns School of Medicine at the University of Hawai'i (JABSOM) is not affiliated with a university hospital and these agreements define the relationships through which the university makes use of key healthcare facilities to provide clinical learning environments for both JABSOM and other university health science programs such as nursing. President Lassner noted that these agreements will also transition the university's faculty health care providers from their affiliation with University Health Partners of Hawai'i, an organization dedicated to supporting the clinical, educational, research, and community service activities of the university's health sciences programs through partnerships with local hospitals and community organizations, into the medical groups of the partner health system at which they currently practice. These health system-based integrated academic practices will provide essential academic support for faculty positions and joint academic programs with the partner health systems, as well as enhance JABSOM's engagement in health system strategic planning.

D. Senate Concurrent Resolution No. 201 (2021) Task Force

President Lassner summarized the contents of Senate Concurrent Resolution No. 201 (SCR 201) which urged the President of the University of Hawaii and Executive Director of the UHPA to jointly convene a task force to, among other things, examine, compare, and contrast the university's policies and procedures regarding tenure in relation to its peer institutions. SCR 201 appointed the board chair to serve as the chair of the task force and prescribed the contents of the report to the Legislature including information on proposed best practices that can be appropriately implemented at the university. Although their charges differ, it is believed that work conducted by the Tenure Task Group will provide useful information to the SCR 201 task force on overlapping issues.

The task force has been created, met twice thus far, outlined the substantial data being requested by SCR 201 for inclusion in its final report, and has begun efforts to collect this data. The task force has also discussed the importance of consultation with faculty groups prior to the finalizing of its report and has committed to engaging with the All Campus Council of Faculty Senate Chairs (ACCFSC) to continue this dialogue. In addition, President Lassner stated that he has personally spoken to the Chair of the Mānoa Faculty Senate, the full Mānoa Faculty Senate Executive Committee, and the Mānoa Faculty Congress about this issue and will be meeting with the ACCFSC in the

coming days. It was stressed that the task force is awaiting completion of data collection and information gathering and has not yet discussed specific recommendations.

E. Update on Legislative Inquiries

While no formal legislative briefings involving the university have occurred since the September board meeting, the university and Research Corporation of the University of Hawai'i (RCUH) have received a number of additional inquiries from the Senate Committee on Higher Education (HRE). The university has provided information about the recently completed Life Sciences Building to HRE as requested. RCUH continues to work with UHWO on obtaining information about a federally funded Title III renovation project supporting Native Hawaiian students that took place on the UHWO campus but which was administered through RCUH, similar to other federally funded construction projects.

The Hawai'i State Senate adopted a resolution which requested the university to convene a task force to examine and assess its arrangement for services with RCUH and whether changes to the terms and conditions of this internal agreement were warranted. However, President Lassner stated that points of concern raised in the resolution were already being examined by a university working group that was convened in January 2021 to review the internal agreement between the university and RCUH, associated management fees, and RCUH operational costs. He noted that the working group was also tasked with recommending amendments to the internal agreement that would improve the functions of both the university and RCUH. The findings of the working group, including identified sources for operational cost increases, as well as cost-containment recommendations such as reducing the volume of non-extramural grants and contracts service orders to RCUH, were reviewed with President Lassner stating that a full report will be submitted to the Legislature. Although changes may be made to future internal agreements between the university and RCUH based upon the findings of the working group, the report did not propose changes to the current university-RCUH internal agreement at this time.

President Lassner also reported that, in response to an earlier request made by Regent Higaki, who received inquiries from legislators about the University of Hawai'i Cancer Center's new \$13 million Early Phase Clinical Research Center (EPCRC) including its business plan, the Office of the Vice President for Research and Innovation assembled a task force comprised of university and industry professionals to conduct an assessment of the challenges and opportunities facing the EPCRC and review a working version of its business plan. President Lassner summarized the challenges and opportunities that the university faces in the operation of the facility noted in the task force's report stating that, while the challenges identified are significant, the opportunities are also substantial. He also stated that the task force believes that the EPCRC's future is bright and that the leadership of the Cancer Center will be using the insight provided in the report to enhance program plans moving forward.

Vice-Chair Kudo expressed his belief that an assessment of the EPCRC was needed and requested that copies of the task force report be distributed to regents. He

also asked that a briefing on the task force report be provided to the appropriate board committee in the future. President Lassner acknowledged the request stating that copies of the report will be provided and that a briefing on the report can be given in the future.

The university has also met with the Governor, legislators, members of Hawai'i's congressional delegation, and State agencies on the issue of increasing access to broadband in Hawai'i. As a result of these meetings and discussions, the university has been identified as the lead agency for multiple broadband initiatives across the state and bi-weekly meetings with the Governor are currently being held on this matter.

F. Other

Extramural funding continues to exceed last year's excellent performance. President Lassner highlighted the receipt of \$20 million in extramural funding from federal programs that support underrepresented populations, in particular Native Hawaiians and Pacific Islanders. To date, the university has received \$226 million in extramural funding which is \$3 million more than what was received at the same time last year. If this trend continues, the university will achieve its best year for extramural funding in its history.

President Lassner reported that in September the university welcomed South Korean President Moon Jae-in to the UHM campus. At an event in front of the Korean Studies Building, President Moon posthumously honored and recognized two women for their groundbreaking efforts in the Korean independence movement even after they immigrated to Hawai'i.

G. KauCC Campus Presentation

Chancellor Daisy provided an overview of KauCC's demographics and enrollment statistics highlighting that large percentages of students attending KauCC are degree seeking; between the ages of 17 and 24; graduates of Hawai'i's public school system; female; and of Asian and Native Hawaiian ethnicity. KauCC realized a slight increase in the enrollment of part-time students in fall 2021 but also witnessed a decrease of 8.1 percent in overall enrollment as compared to the same period last year. Although KauCC has experienced large percentage-based fluctuations in overall enrollment since 2017, it was stressed that the actual numbers of students represented by these percentages is relatively small. KauCC continues to assess the various factors impacting overall enrollment in an effort to develop approaches to address this issue.

KauCC has met or exceeded a number of UHCC's performance measures, including the awarding of certificates of achievement and associate degrees to Native Hawaiian and Pell Grant students, as well as in the fields of science, technology, engineering, and mathematics, and continues to experience high numbers of students transferring to four-year institutions. The early college program also continues to thrive with 347 high school students participating in the program in fall 2021, which represents a 24 percent increase compared to the same period last year. However, Chancellor Daisy noted that KauCC experienced slightly lower graduation and success rates for first-time, full-time

students, but stated that the development of strategies to support these students to successful completion, as well as engagement with other community colleges in this endeavor, is ongoing.

Issues and challenges facing KauCC, as well as opportunities that have arisen because of these issues and challenges, were reviewed by Chancellor Daisy who noted that a pressing concern was the decline in the number of faculty members since 2017. Fewer instructors and lecturers leads to a decrease in the offering of courses and course sections, which can also impact enrollment. He stated that the decline in faculty can be attributed to factors including attrition, the systemwide hiring freeze, and an organizational and planning resource process implemented by UHCC to achieve efficiency and reduce costs which has resulted in the elimination of programs with habitually low student interest and enrollment. KauCC is developing a staffing plan to address its goals and priorities and continues to work with other campuses in the sharing of resources to provide increased educational opportunities for students.

Chancellor Daisy highlighted the priorities for KauCC over the next academic year which include drafting a midterm accreditation report for the Accrediting Commission for Community and Junior Colleges due in 2022; boosting student enrollment through modernized recruitment efforts such as the use of social media and podcasts; improving rates of completion-to degree, especially among first-time full-time students; and continuing to take action in meeting the critical workforce development needs of the State that were identified in recent surveys conducted among community members and employers. He also summarized several awards received by KauCC including two Title III grants in the amounts of \$1.5 and \$2.6 million to, among other things, create early college partnerships to increase enrollment and success rates for Native Hawaiian students, and the Building Industry Association of Hawai'i's Building Industry Design and Construction Award that was received for the KauCC cultural culinary instructional facility.

Faculty Report

Jonathan Kalk, KauCC Faculty Senate Chair, provided a presentation on the work and success of the faculty at KauCC sharing several faculty accomplishments, as well as student accomplishments achieved with the help of faculty mentoring. Faculty also continue to be involved in securing and implementing grants across a broad range of areas.

Dr. Kalk spoke about the challenges facing faculty members, including staffing shortages and lack of student support services for off-island students; reviewed faculty staffing trends over the past five years noting the dramatic decrease in staffing which began prior to the pandemic and imposition of a hiring freeze; and summarized the university's operating budget data in relation to its fiscal projections stating that both realized and projected reductions in fiscal resources have had a negative impact on faculty through the creation of an uncertain working environment. Faculty priorities included obtaining greater certainty on campus funding, increasing shared governance to support an environment of academic excellence at KauCC, and filling vacant faculty positions in program areas with proven enrollment.

Student Report

John Allen Keikialoha Kaohelauii-Kahokuloa, Associated Students of University of Hawai'i - KauCC (ASUH-KauCC) President, reviewed the priorities of ASUH-KauCC including increasing the recruitment and retention of students through greater use of social media to increase communication with the community at-large, as well as continuing and completing work on an outdoor fitness project that was started last year. He also highlighted a number of ASUH-KauCC's initiatives and accomplishments during the past academic year, stating that many of the projects undertaken attempted to address the negative impacts of the COVID-19 pandemic on student life and included the establishment of a digital platform to facilitate communication among students; providing virtual passes that allowed students to attend workshops on current issues; partnering with organizations to create educational webinars to assist students in navigating higher education and the collegiate life; and hosting several virtual events. While ASUH-KauCC continues to engage with its constituency over a variety of media platforms, it is hopeful that more hybrid and in-person activities will be available in the near future.

Regent Westerman questioned whether an increase in the presence of students on-campus will lead to greater participation in student government activities and clubs at KauCC. Mr. Kaohelauii-Kahokuloa replied that several factors, including limited campus access and concerns with social interaction as a result of the COVID-19 pandemic, negatively impacted participation in both student government and student life activities. ASUH-KauCC is hopeful that an increase in on-campus presence will have a positive effect on participation in both of these areas.

Noting the decrease in on-campus presence and in-person activities, Regent Westerman asked whether this affected KauCC's tutoring program. Dr. Kalk replied that KauCC's tutoring center has provided services to students in both in-person and online modalities throughout the COVID-19 pandemic and that the level of service was comparable to that being provided pre-pandemic. Chancellor Daisy added that, while tutoring services have remained stable from KauCC's perspective, one challenge faced by students residing in the more rural areas of the island that are seeking to utilize these services is the lack of available bandwidth which makes online accessibility difficult. KauCC has addressed this issue by making on-campus facilities accessible to students who are having difficulty with wi-fi access to seek tutoring services online.

Regent Acoba inquired about the decline in enrollment at KauCC, particularly as it related to the decrease in faculty which appeared to impact the curricula offered and thereby enrollment, and questioned whether plans could have been developed to address this issue proactively. Chancellor Daisy replied that KauCC learned about intentions to retire or resign only upon action being taken by the faculty member which made it difficult to plan for the exodus of a large number of faculty. KauCC was aware of the impending departure of two faculty instructors in the nursing program, which directly impacted the size of the cohort in that program due to faculty-to-student ratio requirements. However, difficulties in finding qualified individuals coupled with a hiring freeze has delayed the filling of these vacancies. It was noted that KauCC recently received an exception to the hiring freeze for these faculty positions and is actively

recruiting to fill them. Chancellor Daisy also reiterated that, while the reduction in instructors and lecturers has impacted enrollment due in part to a decrease in the offering of courses and course sections, elimination of programs with consistently low enrollment has also affected faculty attrition and enrollment data. Dr. Kalk added that reviewing trend data across the community college system with respect to enrollment shows that KauCC's decline in enrollment is not as precipitous as the year-to-year comparisons appear to indicate and opined that KauCC's faculty shortage can also be attributed to the actions taken by the administration to strictly adhere to the cost-cutting and budget-limiting directives from UHCC and the university system.

Citing enrollment declines and faculty shortages, Regent Acoba questioned whether these issues would impact KauCC's accreditation. Chancellor Daisy responded that conversations about potential accreditation concerns as a result of declining enrollment and faculty shortages have occurred between the administration and faculty at KauCC and is an issue that requires more in-depth investigation and discussion. Dr. Kalk stated his belief that the decline in faculty did not put KauCC in a position of peril with respect to accreditation.

Regent Acoba asked about the potential for collaboration with the Pacific Missile Range Facility Barking Sands (PMRF) in expanding programs at the KauCC campus. Chancellor Daisy replied that a number of KauCC's graduates have been employed by PMRF and that PMRF has expressed interest in expanding programs at the KauCC campus. However, these efforts have been hindered by faculty shortages and KauCC is presently working on collaborating with the University of Hawai'i Maui College to offer upper-level courses to KauCC students in these program areas.

Stating that it was his understanding that the university had employed an enrollment consulting firm to assist with boosting enrollment, Regent Acoba asked if KauCC could benefit from the assistance of this consultant. Chancellor Daisy stated that he would welcome assistance from an enrollment consultant if that were available.

Regent Acoba commended Mr. Kaohelauii-Kahokulua and ASUH-KauCC for maintaining a positive attitude and continuing to advocate for its constituency and conduct its programs during the difficult times facing the community colleges.

Regent Wilson queried whether the decrease in faculty has impacted the ability of KauCC to meet the general education needs of its students. Chancellor Daisy replied that KauCC has maintained the ability to meet the general education needs of its students throughout the COVID-19 pandemic through the provision of courses in an online modality. Should there be impacts to the provision of general education courses, KauCC would notify students of, and direct them to, similar courses provided at other campuses of the university system. Dr. Kalk concurred with this assessment stating that other avenues are available for KauCC students to complete their general education requirements. Dr. Kalk also added that adequate staffing would improve the survivability of programs at KauCC in situations where there is an unexpected or significant loss of faculty.

As general education is a key component of an educated workforce, Regent Wilson suggested that KauCC include questions about general education requirements in its next workforce development needs survey.

V. REPORT OF THE UNIVERSITY OF HAWAI'I FOUNDATION (UHF)

VP/UHF CEO Dolan provided a report on the work of UHF for the current fiscal year noting the success experienced in FY 2021 with the receipt of \$100.2 million in philanthropic donations and stating that preliminary indications bode well for another successful fundraising year. As of September 30, 2021, UHF has received \$26.8 million in philanthropic donations which is approximately \$10 million more than what was received during the same period last year. VP Dolan noted that the majority of the funds raised to date, approximately \$19.7 million, is being directed to student aid and faculty support and cited several examples of the impact this funding has had on student and faculty success.

UHF continues to prepare for the commencement of a comprehensive capital campaign that will compile the various fundraising efforts occurring across the university system into a single campaign aimed at addressing the needs of the entire university. Although its comprehensive capital campaign is still in the planning stages and UHF has not yet established fundraising goals, he anticipates that the goals will be lofty, in the \$1 billion range, and is confident that the campaign will be successful.

Mr. John Han, Chief Operating Officer for UHF, noted that UHF's endowment fund portfolio assets were \$459.8 million as of September 30, 2021, and presented an overview of the portfolio's performance stating that, while it continues to perform well, macro-economic factors such as the slowdown in global economic recovery due to supply chain issues and the impacts of the delta variant of COVID-19 weighed on performance near the end of the quarter. As a result, the portfolio's performance in September declined by 1.5 percent. However, the portfolio experienced a cumulative performance of 28.5 percent surpassing the established benchmark of 19 percent, although it was noted that the primary drivers for this performance were private investments and investments in inflation-sensitive assets and that UHF expects the portfolio's return on investment to normalize over the next two to three quarters.

Mr. Han also reviewed trend data on UHF funds that were expended by various university programs, highlighting that, while expenditures for student aid appeared to be lower in 2019, this was mainly due to timing issues with respect to payment and expenditure of the funds. It was noted that payment activity is starting to increase and that UHF expects expenditures will begin to normalize and start trending toward pre-COVID-19 levels.

Referencing UHF's statement of operations provided in the materials, Regent Acoba requested clarification on net revenues for FY 2022, which currently appears to be \$20,000 less than the same period last year, and questioned the apparent lack of expenditures for campaign development. Mr. Han explained that net operating revenues reflects the difference between total operating revenues and total operating expenses. While total operating revenues has increased for this fiscal period, total

operating expenditures have also increased which has resulted in the decline of \$20,000 in net operating revenues. He also stated that while funds have been budgeted for campaign development, the figures are preliminary and have not yet been recorded.

VI. COMMITTEE AND AFFILIATE REPORTS

A. Report from the Committee on Academic and Student Affairs

Committee Chair Wilson summarized the committee report.

B. Report from the Committee on Intercollegiate Athletics

Committee Chair Acoba summarized the committee report.

C. Report from the Committee on Planning and Facilities

Committee Chair Nahale-a summarized the committee report.

D. Report from the Committee on Research and Innovation

Committee Chair Bal summarized the committee report.

E. Affiliate Reports

Mauna Kea Management Board (MKMB): Regent Higaki reported that MKMB continues to evaluate the general operations and stewardship of Mauna Kea and has reviewed public comment received on a draft of the Mauna Kea Science Reserve Master Plan (Master Plan). It is likely that the Master Plan will be brought before the full board for review and approval in early 2022. Additionally, conversations continue to be held on the membership of MKMB and have included discussions on expansion.

VII. AGENDA ITEMS

A. Consent Agenda

Prior to the board acting on the consent agenda, Vice-Chair Kudo requested that agenda items VII.A.1.a and VII.A.1.b relating to the approval of the sublease and student housing affiliation agreements between the university and UHF RISE Student Housing LLC with respect to the Atherton Student Housing and Innovation Center Project (Atherton Project) be removed from the consent agenda and placed on the regular agenda for further discussion. Accordingly, this item was removed from the consent agenda and placed on the regular agenda.

2. **Approval to Indemnify the U.S. Department of Commerce, National Oceanic and Atmospheric Administration (NOAA), and other Federal Entities, When Using Federal Confidential Information for Research Projects for the Cooperative Institute for Marine and Atmospheric Research (CIMAR)**

Regent Bal moved to approve the consent agenda with the exception of item VII.A.1 as noted, seconded by Regent Higaki, and noting the excused absence of Regent Acopan and Regent Paloma, the motion carried with all members present voting in the affirmative.

1. **Atherton Student Housing and Innovation Center (Center) Project at Tax Map Key No. (1) 2-8-016-001:**
 - a. **Approval of a Sublease between the University of Hawai'i and UHF RISE Student Housing LLC to allow the University to sublease space in the Center**
 - b. **Approval of a Student Housing Affiliation Agreement between the University of Hawai'i and UHF RISE Student Housing LLC to support the Center**

Vice-Chair Kudo explained that he had several concerns regarding the Atherton Project. First, he believed the present iteration of the Project is centered around high-end dormitories and will neither be a revenue generator for the university nor self-sustaining and that the creation of an innovation center on the Atherton property was not in the best interests of the university especially since a student life innovation center was also planned for Sinclair Library which is in close proximity to the Project. Second, he expressed his doubts about the viability of the proposed business model for the innovation center which will provide rent-free facility space to the Pacific Asian Center for Entrepreneurship and the ability of the university to subsidize these costs through rental fees charged to third-party entities that sublease facility space particularly given earlier discussions which implied that the facility will strive to, at minimum, break even financially. Finally, he noted his qualms regarding the impact the Atherton Project could have on the substantial repair and maintenance (R&M) backlog afflicting the university system, in particular the UHM campus, stating that the addition of more buildings to the university's physical plant will exacerbate this problem and cited the passage of a board resolution in 2013 to address this issue by curtailing new university construction projects that could add to the deferred maintenance balance. For these reasons, Vice-Chair Kudo stated that he could not support the Project and would be voting against approval of the agreements.

Regent Bal asked if UHF performed a market demand study for the student housing portion of the Atherton Project at the rental rates cited by Vice-Chair Kudo of over \$1,000 per month. Mr. Han stated that a market demand study that looked at student housing demand and rental rates at private facilities surrounding the UHM campus, as well as currently existing on-campus housing facilities, was conducted and found strong demand for this type of housing. The study also determined that students renting units in private facilities around the UHM campus were currently paying rents that are comparable to or higher than those that will be charged at the Atherton Project. Mr. Han noted that UHF also contemplated R&M for the Atherton Project and has established a R&M fund which will include fees that are scheduled to increase by three percent annually for the duration of the lease.

Referencing Vice-Chair Kudo's concerns, President Lassner stated that the administration and UHF have been working on reimagining the Atherton Project for several years in an effort to minimize risk to the university. He also noted that the board chair and university president serve as ex officio members of the UHF board. At present, the university faces minimal to no risks for the Atherton Project as it does not own the property and is not responsible for the bond financing or debt service on the Project. UHF is the primary implementer of the Project and while it has assumed some risks, the majority of the liability for the Project has been assumed by the private developer. Additionally, since the university does not own the Atherton property or its facilities, responsibility for R&M of the facility does not lie with the university and it will have no impact on the current deferred maintenance backlog. President Lassner also clarified that the Sinclair Library project is a student success center that will be focused on services needed for students to graduate from the university and is distinct from the Atherton Project, which is a residential program set in a live-learn-work environment.

VP Young echoed the remarks of President Lassner reiterating that the university retains no liability for the Atherton Project since the university's only relationship with the Project lies in the sublease and student housing affiliation agreements. He also referred to the market study mentioned by Mr. Han pointing out that the study, which was completed by the private developer, verified that there is currently a need for student housing above-and-beyond what is presently provided by on-campus housing and that non-university-affiliated private student housing in the Mānoa area that is farther from the UHM campus is presently experiencing 80 percent occupancy rates, with a majority of these occupants being university students, despite rental price-points exceeding those that will be charged for units in the Atherton Project.

With respect to revenue generation for the Atherton Project, VP Young stated that the university does not own the property and is not funding the Project. Therefore, any excess revenues acquired by the Atherton Project, other than sublease rent for the innovation space that will be paid to the university, will become realizations of UHF. However, the university and UHF are currently working to establish a revenue sharing arrangement that will be beneficial to both UHF and the university. Depending upon the final revenue sharing agreement adopted, he opined that there is long-term potential for the Atherton Project to generate revenues for the university.

Vice-Chair Kudo reiterated his concerns with respect to the necessity of establishing another university innovation center given that six innovation centers, none of which appear to generate significant income for the university, are currently in existence. He also opined that, while the market demand study indicated a desire for student housing at the price-points noted, it did not indicate whether this demand was among students who would be actively participating in the innovation center. As such, he believed that the Atherton Project had the potential to become a facility that provided market rate housing rather than its intended purpose of developing a live-learn-work environment.

Regent Haning moved to approve the sublease agreement and student housing affiliation agreement between the University of Hawai'i and UHF RISE Student Housing LLC, for the Atherton Student Housing and Innovation Center at the tax map key identified on the agenda, seconded by Regent Nahale-a, and noting the no votes of

Vice-Chair Kudo and Regent Wilson and the excused absences of Regent Acopan and Regent Paloma, the motion carried with all other members present voting in the affirmative.

B. Final Report and Dissolution of the Tenure Task Group

Prior to proceeding with the presentation on the final report of the Tenure Task Group, Regent Acoba stated that he could not discern the boundaries of this issue given the Tenure Task Group's report, the testimony received on this subject, Board Resolution 21-06 (Reso 21-06), the recommended policy changes, and SCR 201, and would therefore, out of an abundance of caution, be recusing himself from the discussion and vote.

Regent Acoba left at 1:02 p.m.

Regent Emeritus Jan Sullivan reported on the findings and recommendations of the Tenure Task Group expounding upon the reasons for its establishment, reviewing its membership, and detailing the work it conducted over the past seven months. She stated that the Tenure Task Group was tasked with reviewing and investigating the issue of tenure particularly in the areas of its history, original purpose, and intent; modern concepts and practices that are currently in place; and trends and changes that are occurring on a national level. She also noted that the Tenure Task Group held 11 meetings to receive information on tenure and conduct an analysis of this information.

After initial meetings, the Tenure Task Group agreed to fulfill its charge by concentrating its efforts on three areas including the university's current tenure classification system; practices on periodic review; and the alignment of tenure with the mission and priorities of the university. As part of these efforts, the Tenure Task Group also analyzed and discussed Regents Policy (RP) 9.201, RP 9.202, and RP 9.213, all of which include provisions concerning tenure or classification, and suggested that changes be made to those policies. Regent Emeritus Sullivan reviewed each of the amendments, noted their impacts on the current policies, and explained the reasons for each proposal.

While the Tenure Task Group is recommending the approval of Board Resolution 21-06 (Reso 21-06), which supports the adoption of the proposed policy revisions that were suggested and requests the administration to begin formal consultation with faculty and unions on these proposed revisions, Regent Emeritus Sullivan emphasized that the resolution is a statement of board intent and not an approval of the suggested policy revisions. Approval of Reso 21-06 would initiate a lengthy process involving formal consultation, committee meetings to formalize recommendations to the board, board meetings to review the proposed recommendations, and if board approval is received, the initiation of Executive Policy (EP) revisions to detail the implementation of the changes and conform the EP to board policy.

Regent Emeritus Sullivan stated that the Tenure Task Group is also recommending its dissolution and referral of this matter jointly to the Committee on Personnel Affairs and Board Governance (PA&BG) and the Committee on Academic and Student Affairs

(ASA) for further review and discussion since the issue of tenure bridges the subject matter areas of both committees. She also personally requested that, as part of the committee referral, all information and materials that were made available to the Tenure Group be made available to the joint committees and the public.

Regent Westerman noted that he was a member of the Tenure Task Group and provided his assurances that its intent was not to eliminate tenure at the university or dismiss university personnel. Rather, it was an effort to better understand the issue of tenure and initiate a lengthy and involved process to improve and modernize the tenure system. He also addressed concerns raised by some individuals with respect to job security stating that this matter is a separate issue and one that is more appropriately addressed by the unions representing university personnel.

Vice-Chair Kudo thanked the Tenure Task Group for their work in undertaking this difficult and sensitive topic noting that, to his knowledge, this issue has not been studied and vetted in detail since the inception of the university. He also discussed some of the reasons for the establishment of the Tenure Task Group stating that it is healthy for an organization such as the university to periodically conduct self-evaluations to determine whether the goals and objectives of original concepts are being accomplished.

Regent Haning commended the work of the Tenure Task Group and opined that a lack of understanding of the board processes has led to hesitation and fear among university personnel with respect to the possible outcomes regarding this issue. He declared his support for this proposal to be reviewed and discussed by a joint committee as was being requested by the Tenure Task Group.

Referencing SCR 201, Chair Moore expressed his belief that the board should agree to dissolve the Tenure Task Group, as recommended, and refer the Tenure Task Group's report and other recommendations to PA&BG to be discussed in conjunction with matters related to tenure requested by SCR 201 and for PA&BG to make a recommendation to the full board on the issue in its totality. He also stated that another possible way of addressing this issue would be to create an ad hoc committee of the whole and refer the entire matter to this committee for further review and discussion once the SCR 201 task force has completed its work.

Noting that he was also a member of the Tenure Task Group, Regent Wilson commended the group for its work and stated that he has a much better understanding of the issue of tenure and its associated components.

Vice-Chair Kudo moved to approve Reso 21-06 with an amendment that this matter be referred to an ad hoc committee of the whole for further review and discussion rather than jointly to PA&BG and ASA and the motion was seconded by Regent Wilson.

Chair Moore stated that the motion should include the dissolution of the Tenure Group and expressed his concern that adoption of Reso 21-06 would be misconstrued as final action on the resolution without further discussion and review at the committee level. He noted that his preference would be for Reso 21-06 and all related materials to simply be referred to the ad hoc committee.

Regent Bal concurred with Chair Moore's assessment stating that he could not support the motion in its present form.

Discussions ensued on the motion and whether the totality of the issue, including all materials and information received by the Tenure Group, should be referred to an ad hoc committee of the whole.

Stating that Regent Emeritus Sullivan served as the Chair of the Tenure Task Group, Vice-Chair Kudo requested her input on this matter. Regent Emeritus Sullivan stated that she believed the matter should be referred to an ad hoc committee of the whole; that all materials and information on tenure that was provided to the Tenure Task Group be made available to the ad hoc committee; that the matters that were considered by the Tenure Task Group, as well as its report and recommendations, be referred to the ad hoc committee for further consideration; and that the Tenure Task Group be dissolved.

Regent Wilson suggested that the motion should also include a recommendation that the findings and recommendations of the SCR 201 task force be provided to the ad hoc committee for further consideration.

Vice-Chair Nahale-a commended the work of the Tenure Task Group and observed that some of the opinions expressed that policies should not be questioned at all. He noted that this was a difficult issue and that the emotions and passion expressed by all involved shows that there is a tremendous affinity for the university.

Vice-Chair Kudo amended his original motion to incorporate the suggestions of Regent Emeritus Sullivan and Regent Wilson. The amended motion was seconded by Regent Wilson. Board Secretary Oishi reiterated the motion as follows prior to taking the vote on this matter: (1) that the Tenure Task Group be dissolved; (2) that the matter be referred to the committee of the whole; (3) that all of the Tenure Task Group materials be made available to the committee of the whole; (4) that the Tenure Task Group report and recommendations be referred to the committee of the whole; and (5) that the recommendations of the SCR 201 task force be referred to the committee of the whole. Noting the excused absence of Regent Acopan and the recusal of Regent Acoba, the motion carried with all other members present voting in the affirmative.

Regent Acoba returned at 1:59 p.m.

VIII. EXECUTIVE SESSION (closed to the public)

Regent Wilson made a motion to convene in executive session, seconded by Regent Haning, and noting the excused absence of Regent Acopan and with all members present voting in the affirmative, the board approved convening in executive session to consider the hire, evaluation, dismissal, or discipline of an officer or employee, where consideration of matters affecting privacy will be involved, pursuant to Section 92-5(a)(2), Hawai'i Revised Statutes (HRS); to carry out deliberations concerning the authority of persons designated by the board to conduct labor negotiations or to negotiate the acquisition of public property, or during the conduct of such negotiations pursuant to Section 92-5(a)(3), HRS; and to consult with the board's

attorneys on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities, pursuant to Sections 92-5(a)(4), HRS.

The meeting recessed at 2:00 p.m.

Regent Paloma left at 2:28 p.m.

Chair Moore called the meeting back to order at 3:10 p.m. and announced that the board met in executive session to discuss several issues as stated on the agenda.

IX. AGENDA ITEMS (continued)

A. Personnel Actions (A-1 for Approval)

Chair Moore stated that the administration was seeking approval for the appointment of Dr. Elizabeth Davidson as Interim Associate Dean for Academic Affairs at the Shidler College of Business at UHM, at an annual total compensation of \$300,000 which includes \$28,116 in faculty endowment funds from UHF.

Vice-Chair Kudo stated that he would be recusing himself for voting on this matter because he was a graduate of the Shidler College of Business at UHM.

Regent Westerman made a motion to approve the personnel actions on Attachment A-1, seconded by Regent Wilson.

Regent Acoba stated that he would be voting no on the personnel action based upon relative pay scales and not the qualifications of Dr. Davidson.

There having been a motion that was moved and seconded, a vote was conducted, and noting the no vote of Regent Acoba, the excused absences of Regent Acopan and Regent Paloma, and the recusal of Vice-Chair Kudo, the motion carried with all other members present voting in the affirmative.

X. ANNOUNCEMENTS

Chair Moore announced that the next board meeting was scheduled for November 18, 2021, at a location to be determined.

XI. ADJOURNMENT

There being no further business, Regent Wilson moved to adjourn, seconded by Regent Higaki, and noting the excused absences of Regent Acopan and Regent Paloma and with all members present voting in the affirmative, the motion carried and the meeting was adjourned at 3:14 p.m.

Respectfully Submitted,

Kendra Oishi
Executive Administrator and Secretary

DRAFT

of the Board of Regents

Item IV.

Report of the President

A-G

**NO MATERIALS
ORAL REPORT**

Item IV.H.

Report of the President
WinCC Campus Report

MATERIALS

**KŪLIA I KA NU'U
STRIVE HIGH**



UNIVERSITY of HAWAII
WINDWARD
COMMUNITY COLLEGE

Welcome

UH Board of Regents

Chancellor Ardis Eschenberg, PhD

November 18, 2021



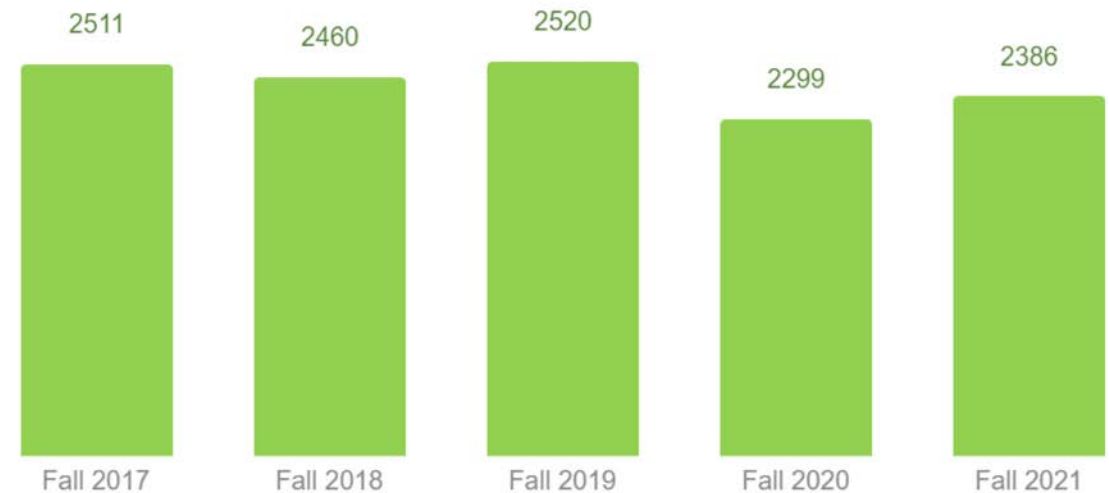
2020 COVID-impacted enrollment decline

- Identified specific populations impacted
- Implemented best practices to support current student enrollment
- Planned programming to target specific populations
- Growth mindset, servant leadership

2021 Increased enrollment

- Early pandemic planning yields clear impact

Overall Headcount Enrollment

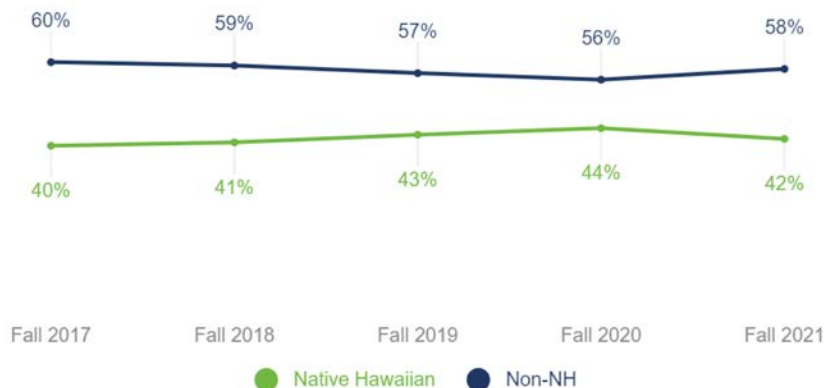


Enrollment: Native Hawaiian

Native Hawaiian Enrollment

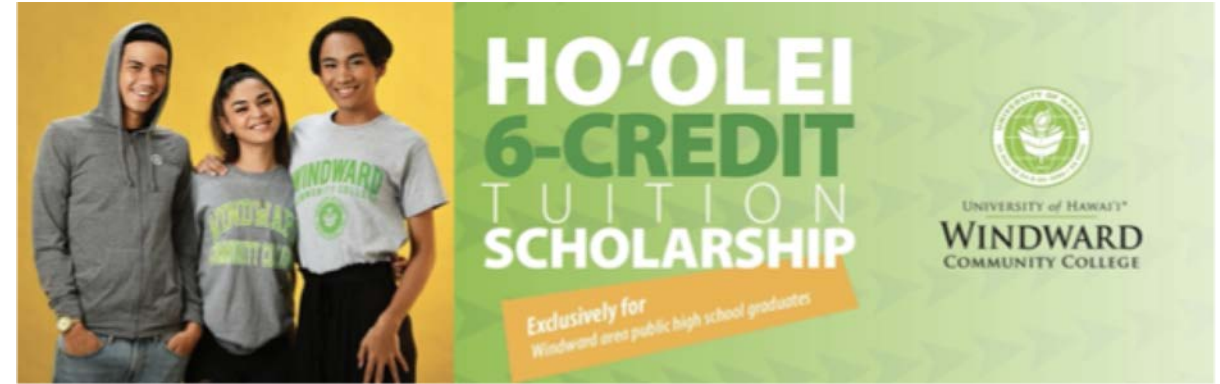
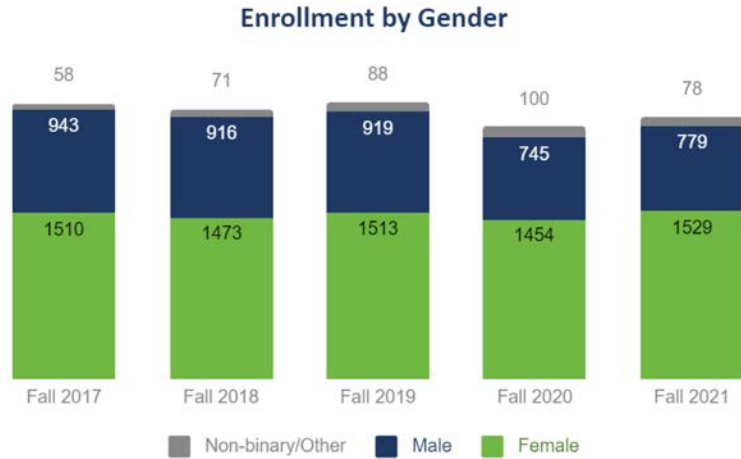


Native Hawaiian Enrollment

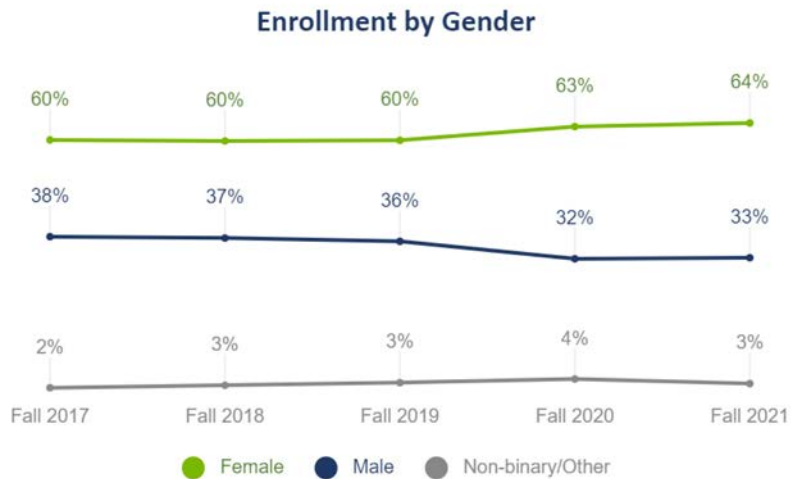


- Fully online AA Hawaiian Studies
- Cohorted, 8-week classes
- Started Fall 2020
- **101** students enrolled
- **29** set to graduate by Spring 2022

Enrollment: Gender



Harold K.L. Castle Foundation Freshman Scholarships



sece

Job Search

On-Campus Off-Campus

Keywords:

Match: Any All

Campus:

Search Results

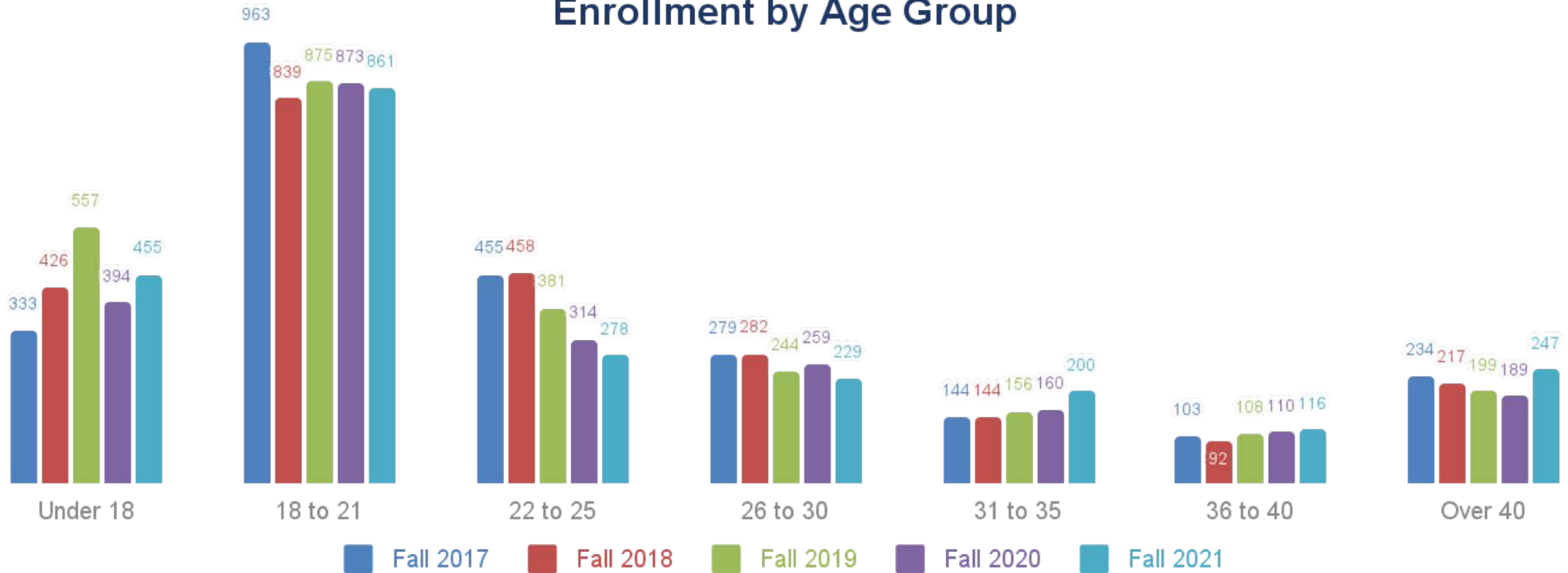
Show 10 records

Position Title	Program	Pay
Student Assistant (Agripharmatech) Narrative of Duties: Assist in the overall maintenance of outdoor gardens under the direction of a faculty member; Work outdoors in the Medicinal Garden and related spaces, clearing and preparing the ...	UH	\$13.05
Student Assistant (E 'Oi Mau) Student employees in this position will be placed with a supervisor to work in an on-campus setting that aligns with their career pathway. Primary duties will include one or more of the following: a...	UH	\$11.65

U.S. Department of Education Title III Projects:
E 'Oi Mau and Nā Pali Hāuliuli: Work-based Learning

Enrollment: Age Groups

Enrollment by Age Group



**Kūkulu ‘Ohana:
Building the Family**
U.S. Department of
Education Native Hawaiian
Education Programs



- 2021–2024: \$1.7 million
- Childcare Scholarships
- Student Parent Advisor
- Hawaiian language resource creation

Enrollment: Academic Programs

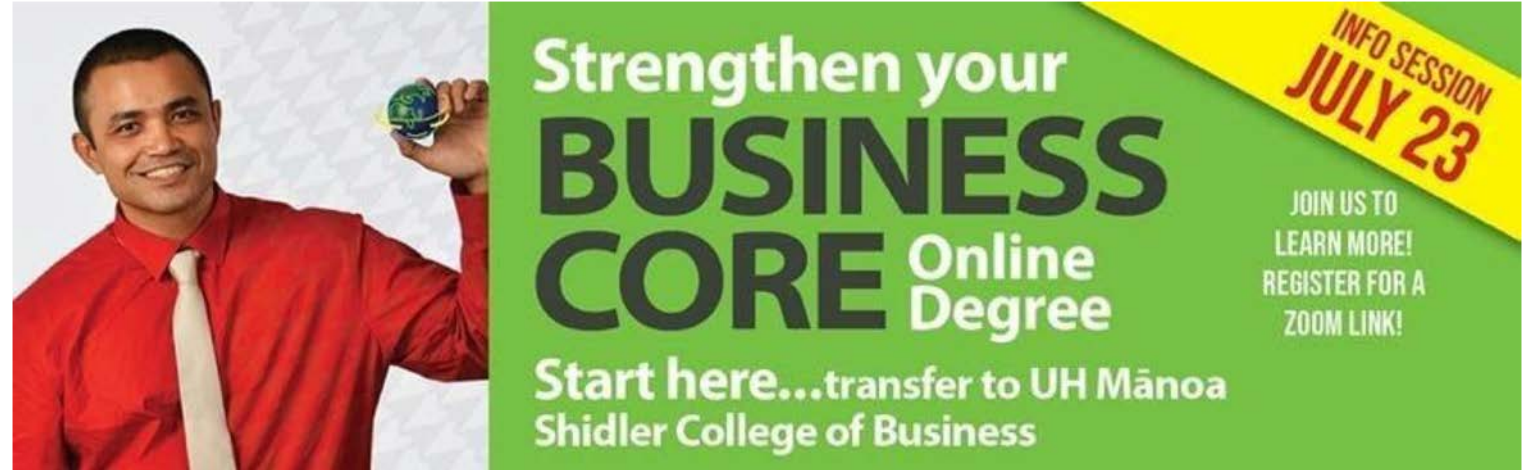


Vet Tech Information Sessions
New hybrid program
(online and in-person labs)
Email us at vettech@hawaii.edu
for link to Zoom
info sessions on
June 25
July 27

HAWAII'S
BEST
2019
Voted one of Hawaii's
Best Career & Technical
Education

UNIVERSITY of HAWAII
WINDWARD
COMMUNITY COLLEGE

- Mostly online
- Low residency
- Serves O'ahu and Neighbor Island students



Strengthen your
BUSINESS CORE Online Degree
Start here...transfer to UH Mānoa
Shidler College of Business

INFO SESSION
JULY 23
JOIN US TO
LEARN MORE!
REGISTER FOR A
ZOOM LINK!



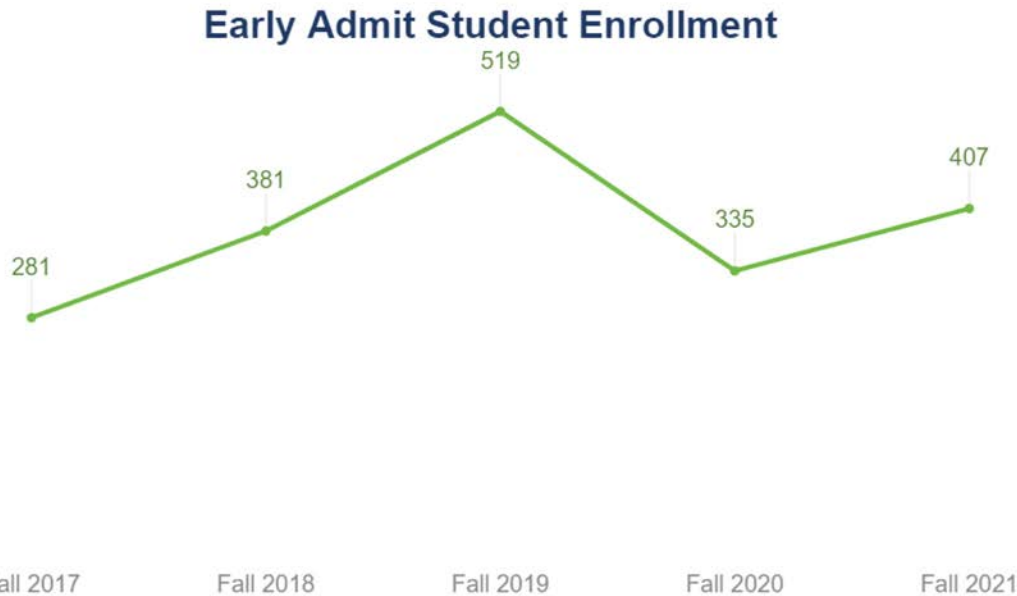
WINDWARD COMMUNITY COLLEGE
Liberal Arts AA for Entrepreneurs
Great ideas need a great foundation.

JOIN US FOR AN INFO SESSION
NOV. 10 @ 6PM

UNIVERSITY of HAWAII
WINDWARD
COMMUNITY COLLEGE

- Fully online
- Cohorted
- 8-week classes
- Accelerated
- Supportive
- Engaging
- Transfer-aligned

Enrollment: Early College



COVID-Impacted Decline

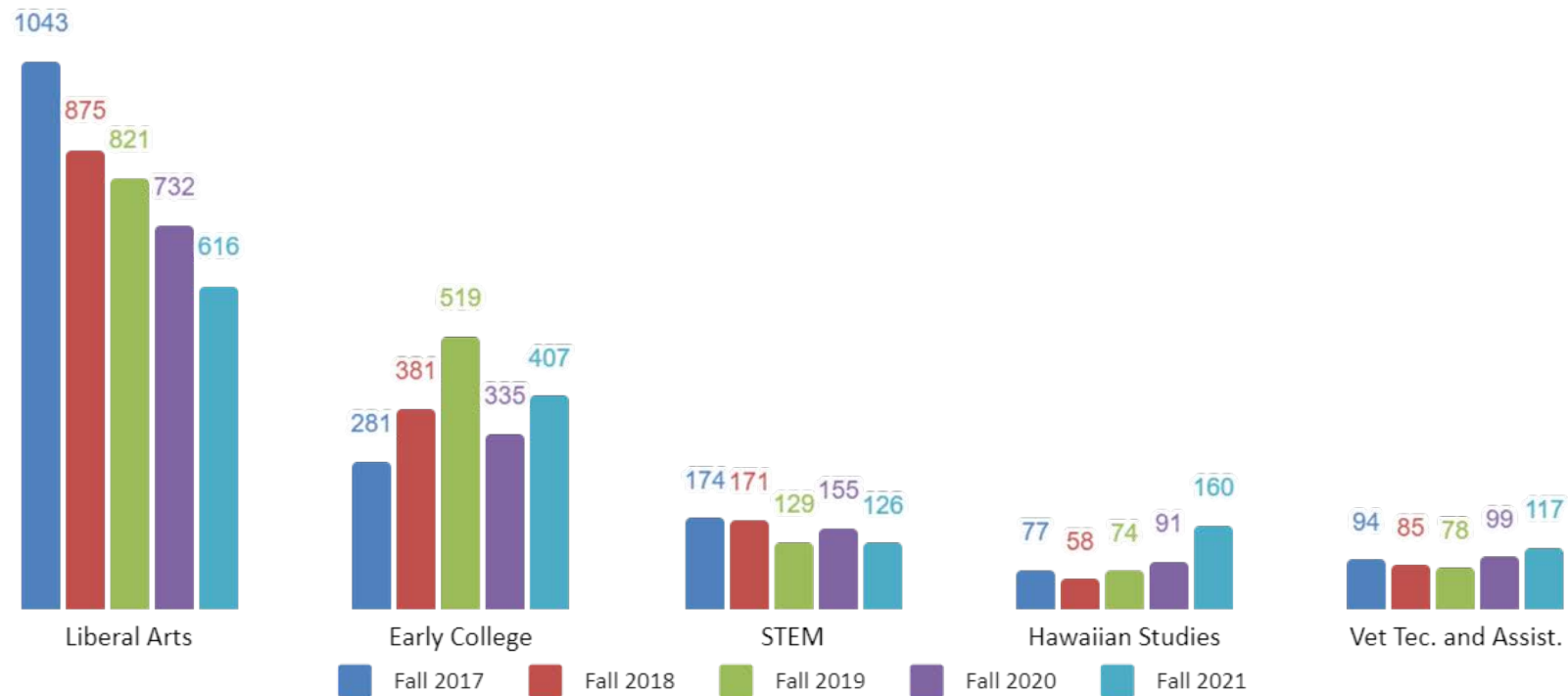
- Difficulty engaging high school students
- Partner school budget uncertainties
- Changing high school models

Resiliency

- New & reinvigorated high school aligned pathways
- Supportive Funding:
 - **Ka 'Ōhā**: Online career-based Early College (\$2,686,766)
 - **Nā Mu'ō Ho'opākela**: Hawaiian medium Early College (\$2,747,444)

WCC Majors

Majors at Windward Community College



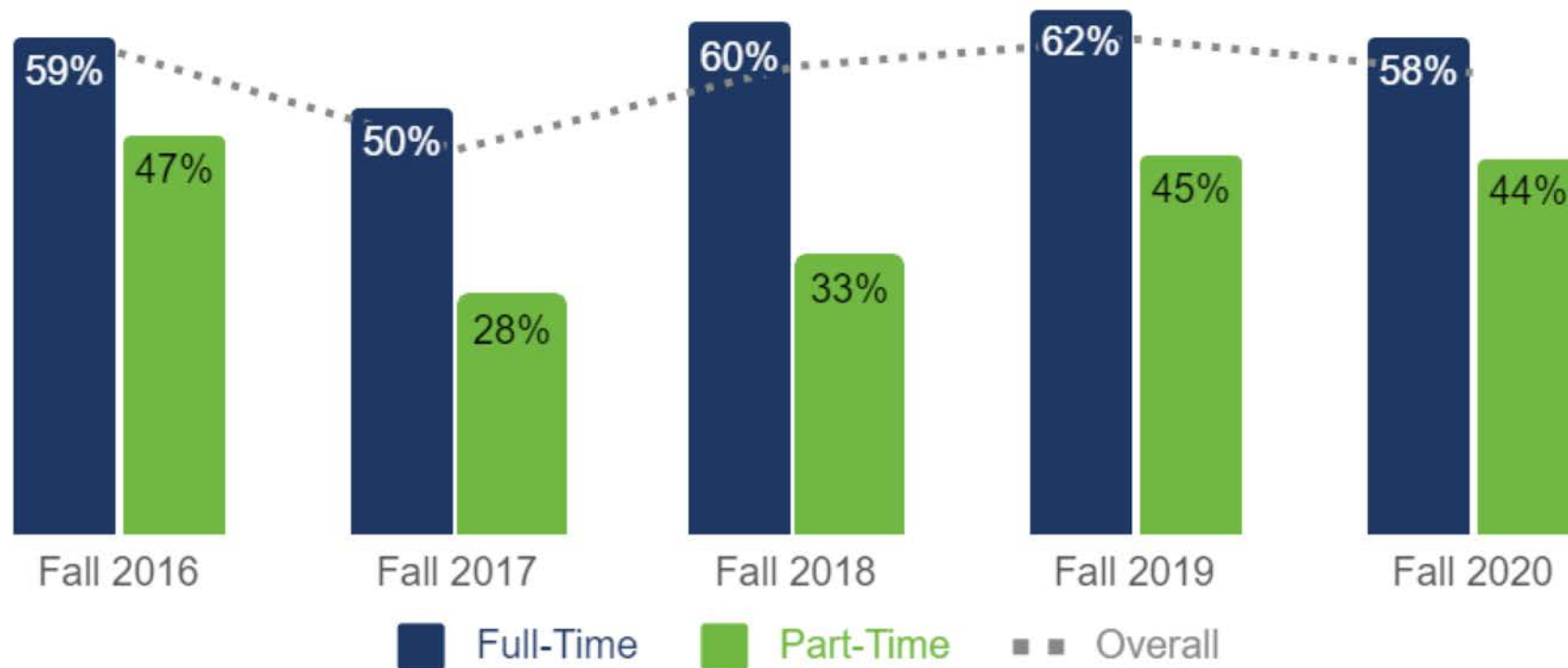
Home Campus Elsewhere



Persistence

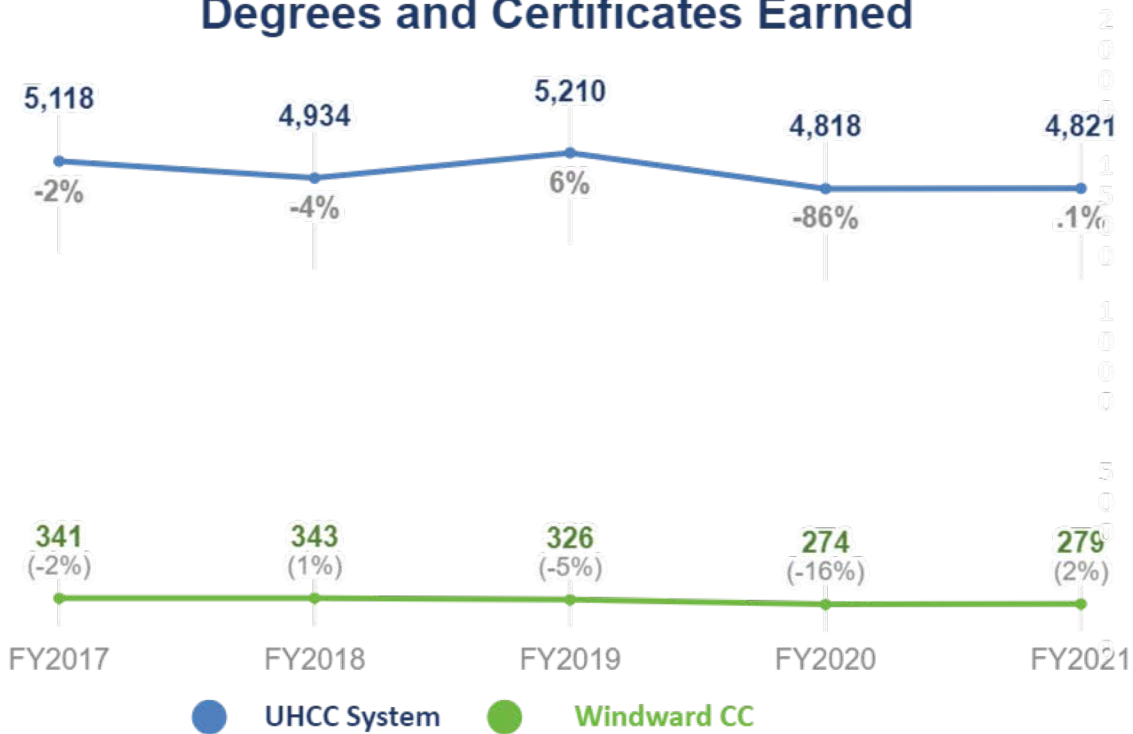


Fall to Fall Persistence for First-Time Students

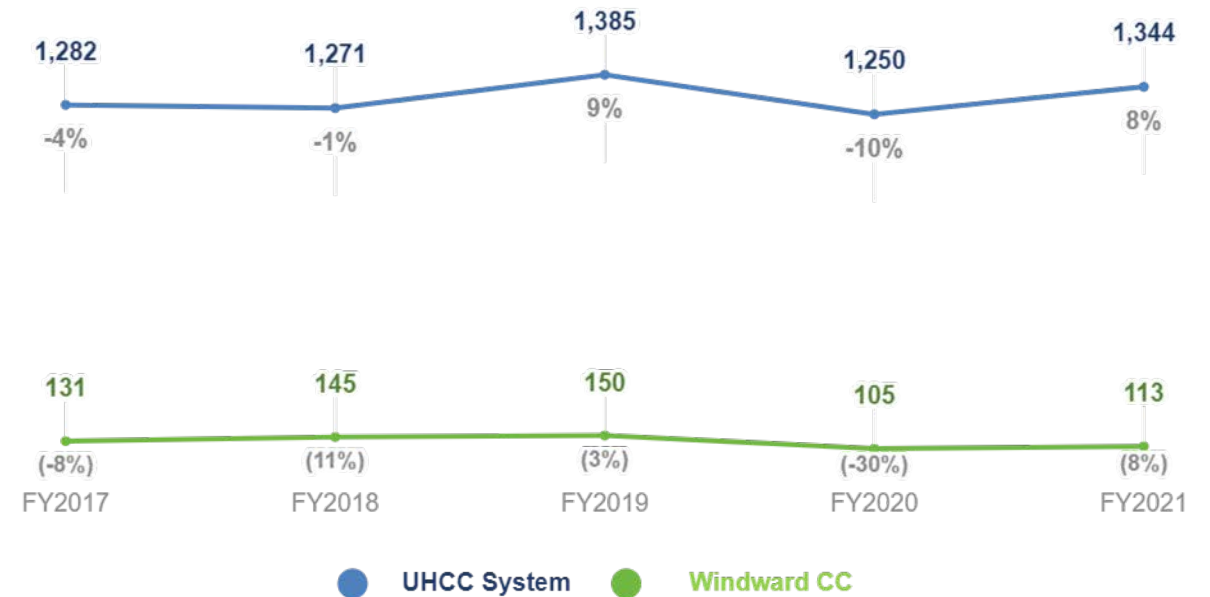


Performance Measures

Degrees and Certificates Earned

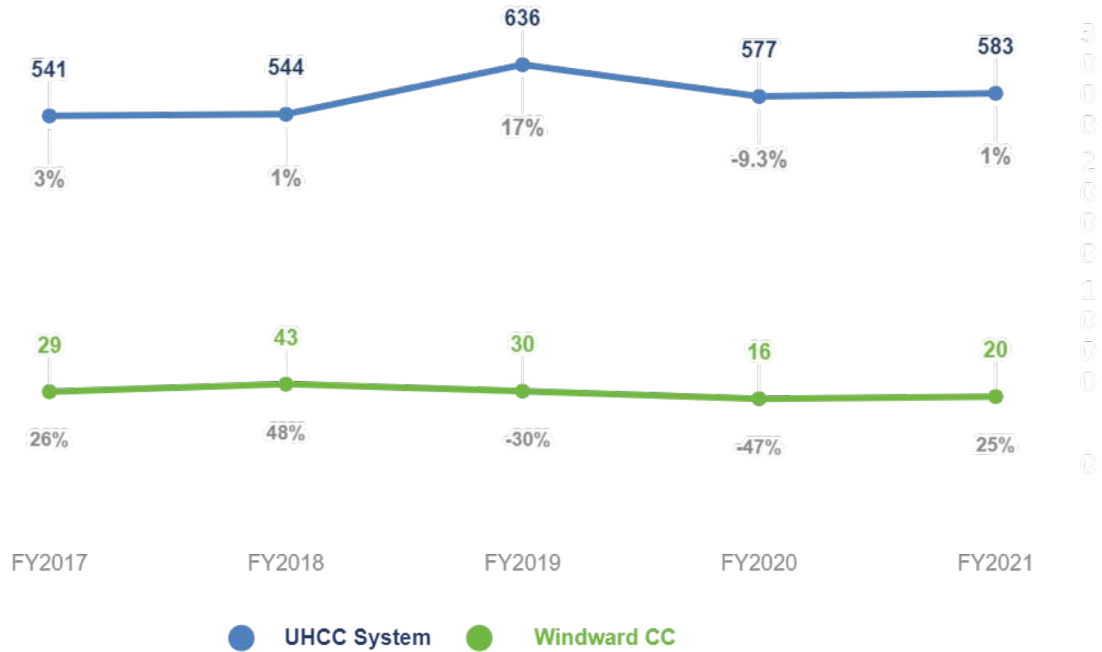


Degrees and Certificates Earned-Native Hawaiian Students

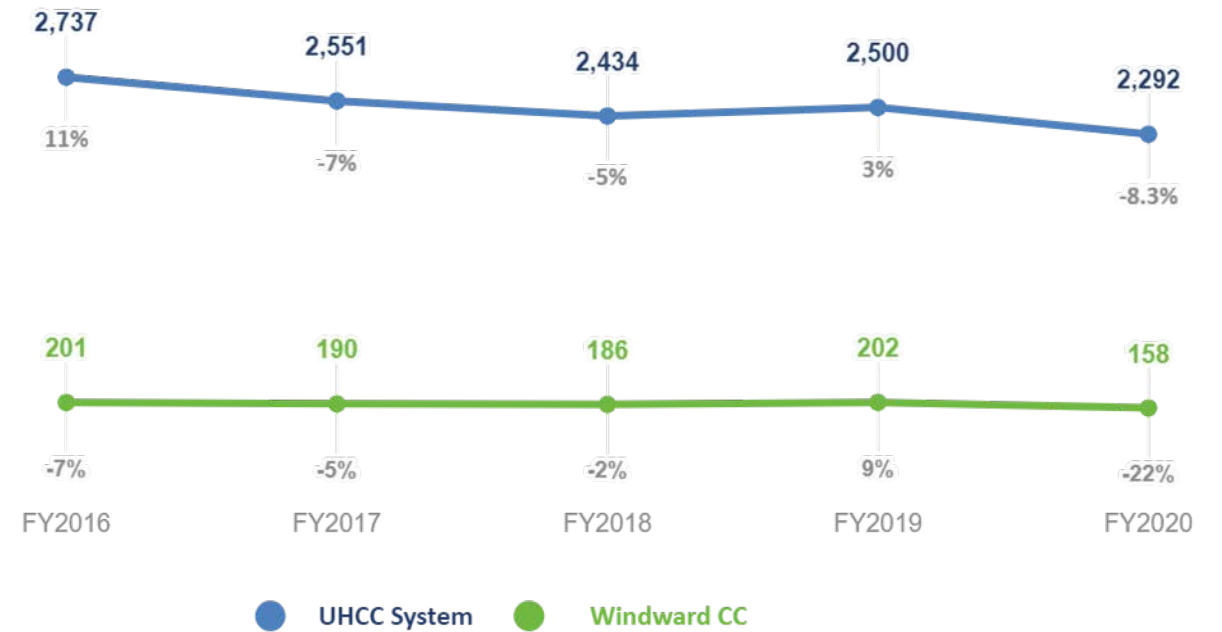


Performance Measures

STEM Degrees and Certificates Earned

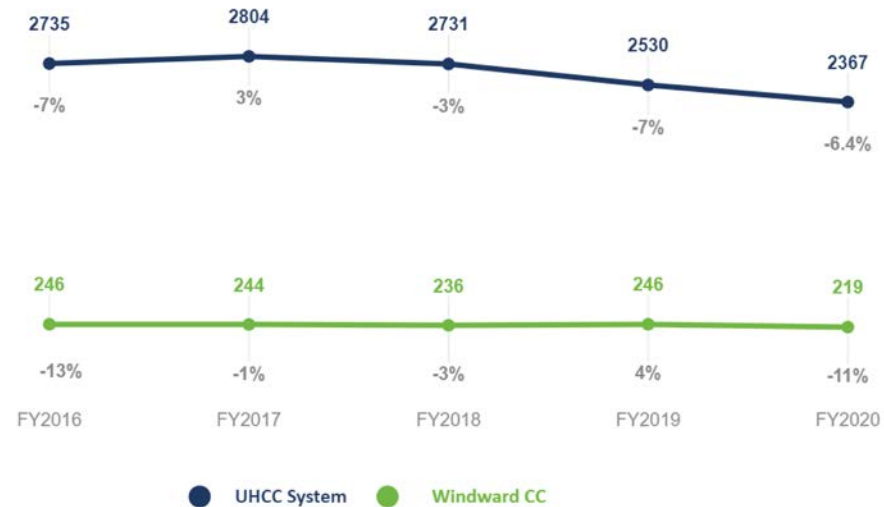


Pell-Degrees and Certificates

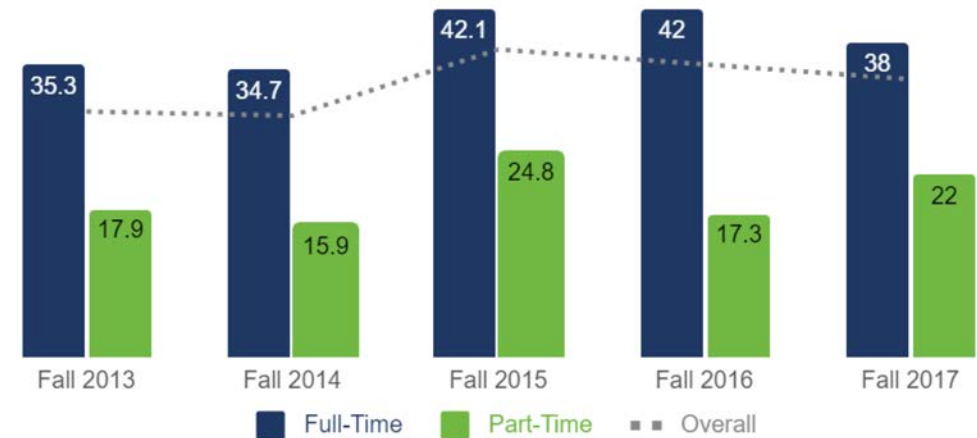


Additional Measures

Transfers into UH 4-Year Institutions



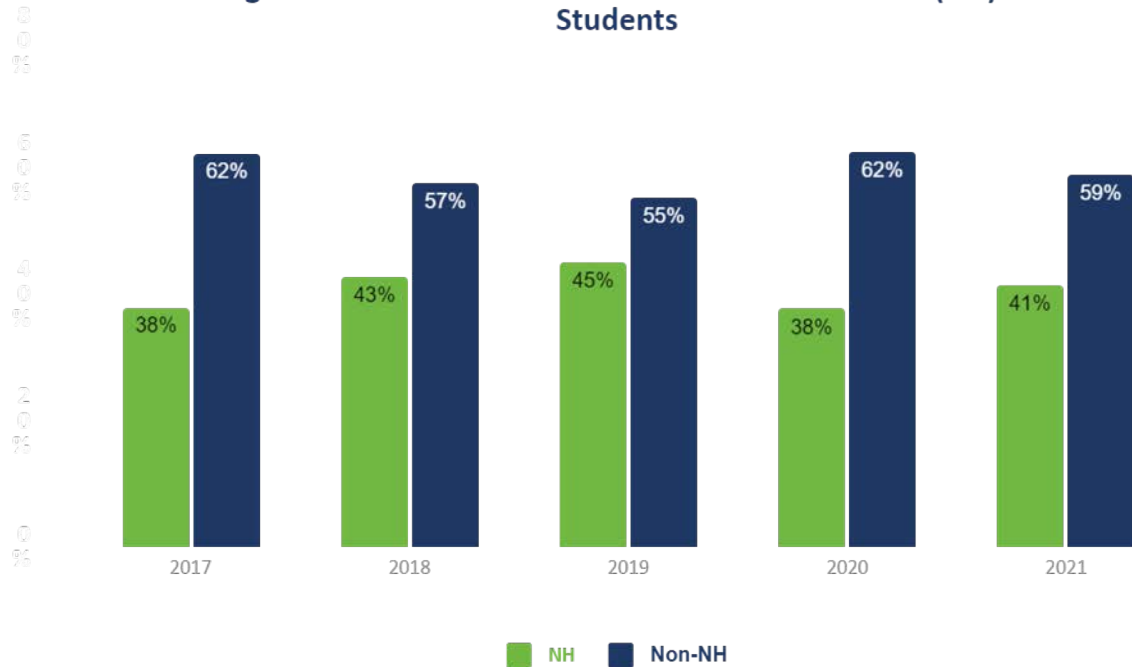
IPEDS Success Rate for First-Time Students



- Fall 2018 First-time, full-time success rate is **43.8%** (part-time not yet available)

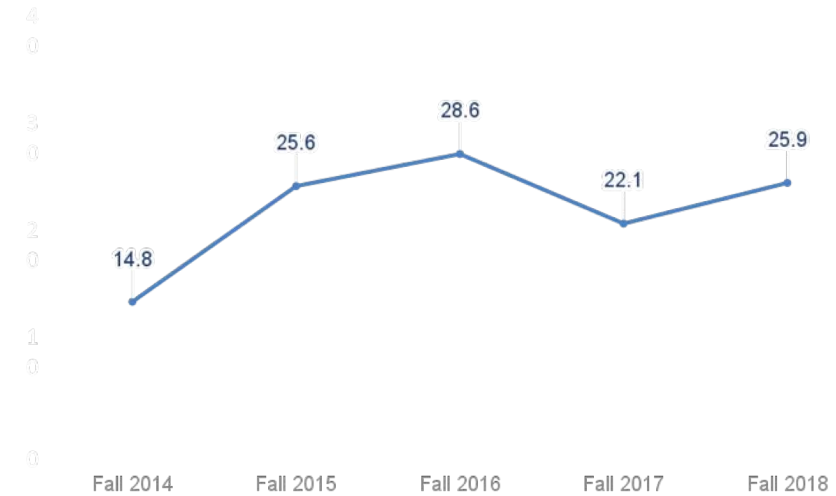
Graduation Measures

Percent of Degrees and Certificates Earned for Native Hawaiian (NH) and Non-NH Students

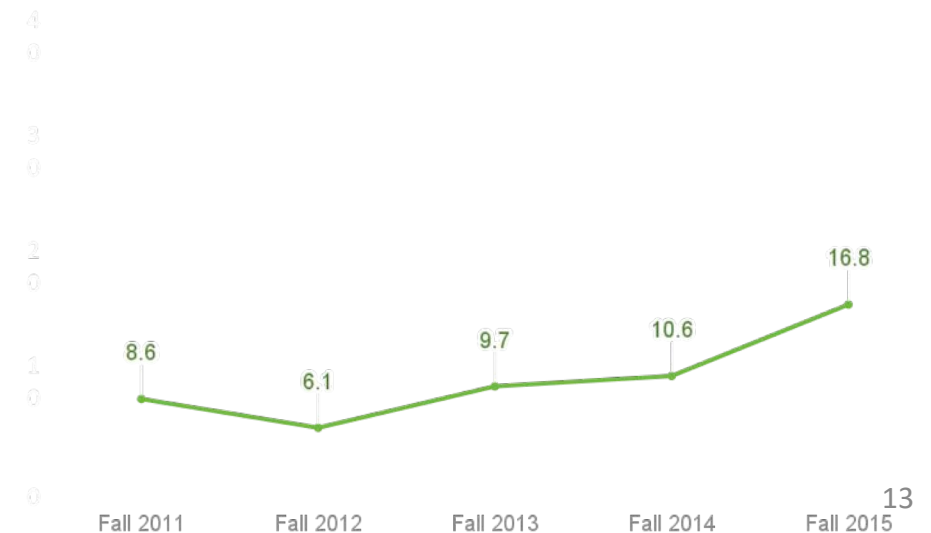


- Native Hawaiian graduation rates at parity
- COVID caused setbacks

3 Year Graduation Rate for First-Time/Full-Time Students



6 Year Graduation Rate for First-Time/Part-Time Students





UNIVERSITY of HAWAII
WINDWARD
COMMUNITY COLLEGE

Laura Sue

*Assistant Professor,
Information & Computer Science
Chair, Faculty Senate*

Innovative Academic Programs



UNIVERSITY of HAWAII
WINDWARD
COMMUNITY COLLEGE



Hawai'iloa

Fun Fact: Native Hawaiians from across the United States have enrolled in our online A.A. in Hawaiian Studies to reconnect with their culture and homeland.



Ka'ohekani

Fun Fact: Students participate from different islands and even multiple states, allowing them to connect to Hawaii while living elsewhere.

Innovative Academic Programs



UNIVERSITY of HAWAII
WINDWARD
COMMUNITY COLLEGE



Business Core

“WCC faculty, staff, and administration really pulled together as a team to create something that would meet our students’ needs. I think that once we are able to establish the four-year business pathway and grow stronger connections, there’s potential to build the pathway out to offer an even more seamless WCC-to-four-year transition and do more creative things.”

Deacon Hanson, Assistant Professor (Accounting)



Entrepreneurship

Fun Fact: Students will develop their business skills as they create an actual food-based product line, interact with real local consumers and reflect upon the experiences of the product life cycle journey.

Supporting Student Needs



Notable **TRiO** support services for Fall 2021:

32 hotspot loans, **40** textbook loans, **52** laptops on long-term loan, **100-150** students per week using the TRiO lab.



Continue to support the **WCC Food Pantry**, the first of its kind in the UH System.



Meals with a Mission served 8,716 meals in 2020-21. The program is on track to serve an equal number in 2021-22.

Faculty Goals

Humanities

Continue collaborating with the community to grow our exciting Humanities programs, such as:

Ahupua'a Systems

Hawaiian Wood Carving

Theater

Natural Sciences

Attract and retain students for the **Marine Option Program**. Assist ASC graduates transition to existing AA or 4-year degrees.

Utilize the **Hybrid Vet Tech program** statewide, allowing students on Neighbor Islands to participate.

Tutoring

Increase number of students in **corequisite support courses** using Ka Piko tutoring services through targeted marketing and outreach efforts.

Disaggregate data to determine impact on **Native Hawaiian students.**



UNIVERSITY of HAWAII
WINDWARD
COMMUNITY COLLEGE

Karl Boland

ASUH-WCC President

Serving in a Pandemic



- **Care package distribution events to address student food insecurity**
- **Campus food pantry access**
- **Monthly workshops with KapCC, LeeCC, UHWO, WCC on student supportive themes**

PACK-ONE-GIVE-ONE
With
WINDWARD COMMUNITY COLLEGE

Need some care or know someone who does?

CREATE A CARE PACKAGE!

Campus-Wide Packing Day!!!

FRIDAY, APRIL 16, 2021

10:00 AM - 12:30 PM

HALE A'O

All Care packages will be filled with materials purchased by or donated to ASUH-WCC

Growing in a New Normal



- Safe, fun events engage and support students
- Changing rules add complexity



Halloween Celebration

IT'S ALL FREE FOR STUDENTS OF WINDWARD COMMUNITY COLLEGE AND THEIR FAMILIES

FREE

MOVIE:
The Conjuring 3
: the devil made me do it

WHEN: Thursday October 28, 2021 @ 6PM
WHERE: HALE AKOAKOA ROOM 105

COSTUME CONTEST

FREEZE DANCE

COOKIE DECORATING

Instagram: [asuhwindwardec](https://www.instagram.com/asuhwindwardec)





UNIVERSITY of HAWAII
WINDWARD
COMMUNITY COLLEGE

Mahalo!

Agenda Items:

A. Fiscal Year (FY) 2021-2022 First Quarter UBS Legacy Endowment Fund (Fund) Investment Performance Report

UBS representatives provided a report on the investment performance of the Fund and its asset allocation and financial outlook. It was noted that asset performance continues to be impacted by federal stimulus funding, as well as increased government spending, and that the first quarter decline in the portfolio's performance was mainly attributable to a lackluster performance in the international markets. Overall, the Fund's portfolio is performing in line with long-term expectations and is on par with, or exceeds, its established benchmarks. UBS noted its concerns with the impacts of increasing inflation and stated that it continues to advocate for keeping the Fund's allocation in equities at present levels. UBS expects muted returns in the future as compared to the last several years and will continue to monitor the financial markets, adjusting its investment strategy accordingly.

Discussions occurred on the portfolio's asset allocation amounts, use of distributions from the Fund, and the impacts of inflation. A request was also made that a more detailed summary of the portfolio's asset allocation be provided in future reports.

B. FY 2021-2022 First Quarter Financial Report

VP Young provided the financial report for the first quarter of FY 2021-2022 stating that the university anticipated a number of challenges, including an overall reduction in State general fund (GF) appropriations and increased expenses for campus operations resulting from a return to in-person instruction. Total revenues through the first quarter were higher than the same period last fiscal year, which was largely attributable to the university already receiving its entire FY 2021-2022 GF allocation. Overall expenditures were lower than the same period last fiscal year, although increased on-campus activity is expected to result in higher expenses. Tuition and fees revenues experienced increased growth due to increased enrollment and the uptick in on-campus activity has boosted revenues for other special and revolving funds, though it was noted that they remained below pre-pandemic levels. GF appropriations have been reduced by approximately \$42 million for FY 2021-2022 which will impact the university's fiscal condition.

Discussions ensued on the receipt and use of federal relief funding to address some of the fiscal concerns facing the university.

C. Recommend Board Approval of FY 2022-2023 Supplemental Operating Budget Request for the University of Hawai'i

VP Young presented the university's supplemental operating budget request for FY 2022-2023 which proposes adjustments to the existing biennium budget, with the majority of requests involving the restoration of reductions made to all campuses last fiscal year. Although GF revenue collections are stronger than expected and anticipated growth appears to indicate that economic recovery has begun, the extent and sustainability of this recovery is still unknown. The State is also expected to prioritize funding for areas of need that were delayed during the pandemic in order to maintain its operations which will impact the overall availability of GF revenues.

Questions were raised regarding specific allocation requests as well as the impact of collective bargaining cost item increases on the supplemental budget request.

Action: The Committee recommended board approval of the university's supplemental operating budget.

D. Annual Report on Short-Term Investments for the FY ended June 30, 2021

VP Young stated that a report on short-term investments for the FY 2020-2021, which details investments of the temporary surplus funds of the university for the last fiscal year, was provided in the committee materials in accordance with annual reporting requirements contained within Section 36-21, Hawai'i Revised Statutes, as well as Regents Policy 8.207.

E. Status of Higher Education Emergency Relief Funds (HEERF)

VP Young provided a report on the status of the expenditure of HEERF funds received by the university from COVID-19 federal relief stimulus packages and briefly reviewed the amounts received, expenditures of funds by campus, and funding restrictions. As of September 30, 2021, the university expended about \$25.4 million of the approximately \$64.7 million received for direct for student aid; approximately \$20.2 million of the \$84.6 million received for institutional expenses related to COVID-19 response; and nearly \$28.8 million of the \$93 million received by virtue of its status as a minority-serving institution.

Agenda Items:

A. Recommend Board Approval of the Fiscal Year (FY) 2022-2023 Capital Improvement Project (CIP) Supplemental Budget Request

B. 6-Year CIP Plan Update

VP Gouveia reviewed the FY 2022-2023 CIP supplemental budget request which was presented in the context of the 6-year CIP plan and explained that the request of \$89 million is supplemental to funding already obtained. She presented a summarized breakdown of the various projects comprising the request noting that a substantial amount was for renew, improve, and modernize projects, as well as capital renewal and deferred maintenance projects.

VP Gouveia noted that the end of the current 6-year CIP Plan is nearing and that a new 6-year plan is being developed. She reported on anticipated future CIP budget needs and estimated that the university will request \$1.586 billion of CIP funding over the next six years and will be subjected to a deferred maintenance backlog of \$979 million in FY 2027.

Discussions occurred on the relationship between RIM funding and the deferred maintenance backlog and the university's strategy for developing the CIP requests submitted to the Governor and Legislature.

Action: The committee recommended board approval of the FB 2021-2023 CIP expenditure plan.

C. FY 2021-2022 First Quarter CIP Status Report as of September 30, 2021

VP Gouveia reported on the status of CIPs through the first quarter of FY 2021-2022, including the recently completed improvements to Ching Field; the Bachman Hall renovation project, which will be experiencing a \$1.5 million change order to address the abatement of hazardous materials discovered during demolition work; and the University Cancer Center's Early Phase Clinical Research Center project, which received bids that were all over budget and is currently in negotiations with the lowest bidder to reduce the project scope to lower costs.

D. University Land-Related Strategic Initiatives and Partnerships Program FY 2021-2022 First Quarter Update

Michael Shibata, Director of the Office of Strategic Planning and Partnerships, presented updates on several projects. Discussions are ongoing with parties interested in acquiring parcels for development of a private film studio on property encompassed by the UH West O'ahu (UHWO) - University District Project. An environmental site assessment has been completed for the Kaimuki/Leahi Hospital project and the administration continues to consider options for the disposition of these parcels. The UH Press project continues to be evaluated for potential disposition. Honolulu Authority for Rapid Transportation related projects are proceeding with a Master Use and Occupancy Agreement recently being finalized and the ongoing evaluation of an alternative UHWO property site to locate a 900-stall interim park-and-ride facility.

All Campus Council of Faculty Senate Chairs
November 18, 2021

Submitted by Regent Ernest Wilson

The All Campus Council of Faculty Senate Chairs has submitted a formal request that we consider creating a position or positions that would allow for faculty representation on or to the Board of Regents.

University of Hawai'i Student Caucus Affiliate Report
November 18, 2021

Submitted by Regent Kelli Acopan

The UHSC continues to meet virtually on the 2nd Saturday of the month for at least the rest of this semester. They've chosen three priorities this year. Two have been focuses of previous years as well, and they are Sustainability and Transparency for Student Voices, but a new one for this semester is Shared Cross Campus Student Resources, looking at cross campus collaborations on initiatives and opportunities as well as academics, and shared resources for students. All Regents are as always, invited and welcomed to attend.

University Health Partners of Hawai'i Affiliate Report, November 18, 2021

University Clinical, Education and Research Associates (UCERA), is an independent nonprofit corporation (and the successor to a similar corporation) with the mission of providing clinical education and training for John A. Burns School of Medicine (JABSOM) students and of managing the clinical practice of faculty engaged in that mission. UCERA adopted University Health Partners (UHP) as its “doing business” name.

Clinical education could be fostered in a teaching hospital. In the absence of a teaching hospital, UHP provided the administrative structure to support the JABSOM clinical programs. Dean Jerris Hedges, Dean of the Medical School is chair of the UHP Board of Directors and also the President of UHP. Generally speaking, the clinical departments of UHP such as internal medicine, OBGYN, psychiatry, and surgery for example, paralleled the same academic clinical departments at the medical school. The heads of UHP clinical departments were also the heads of the same academic departments at the medical school. The clinical faculty had dual status-- being employed in part by the University as faculty and in part by UHP as physicians in the clinical programs. The chief executive officer (CEO) of UHP is hired by the UHP's Board of Directors. The UHP bylaws require that a Regent be an Ex Officio Voting Director of the UHP Board of Directors.

To accomplish its objectives, UHP entered into contracts with health service providers such as Hawaii Pacific Health (HPH), Queens Health Systems (Queen's), and Kuakini and with clinics. Under these agreements faculty and students would provide medical services at the providers' hospitals and in other settings that would advance the medical students' clinical education. UCERA also established some of its own clinics.

As President Lassner has reported to the Regents, UHP and the University entered into separate tripartite agreements with health service providers HPH and Queens. Under the agreements, the major clinical departments at UHP transferred to these providers as of November 1, 2021. Generally, the faculty members have become employees of a provider but still retain their University affiliation. In effect, the providers have been substituted in for UHP's role. As part of the contracts, the providers agreed to provide an annual payment of approximately \$1 million each to the medical school to support the school's programs.

Some clinical programs would remain with and continue at UHP, such as Native Hawaiian Health and the School of Nursing. Under the tripartite agreements UHP would also be the conduit for the providers' annual contributions to the medical school.

The transfer substantially reduced the departments at UHP and the need for administrative staff. Dr. Larry Shapiro, currently the UHP CEO will retire effective Dec. 1, 2021. Pending the appointment of a new CEO, it is anticipated that the Board will designate another person to assume the CEO duties on an interim basis. UHP will also embark on determining its future role in light of the transition and on identifying other business opportunities.

This concludes the report.

Memorandum for the Record, UH System BoR, P-20 Council Meeting, W. Haning (liaison)

Friday, October 8, 2021

8:00 AM – 9:30 AM, Zoom

Agenda 1. Welcome Remarks and Introductions – Stephen Schatz 2. Hawai'i's Attainment Goal – Stephen Schatz 3. Pathways Data Questions and Answers – Nicole Osborne of Education Strategy Group 4. UH Updates 5. DOE Updates 6. EOEL Updates 7. Other Business and Closing Remarks

Presentations by Stephen Schatz, President David Lassner, and Nicole Osborne: emphasized the P-20 functional components and provided trending graphic representations of accomplishments in specific skill areas, degree attainment, certifications, and career progress.

That I was captivated by the presentations reflects one of the major reasons for my asking to join the Board of Regents, the possibility of confluence in moving between levels of education or training. While in this instance clearly more responsibility taken on by secondary schools and community colleges, I believe the engagement with higher levels to produce a continuous stream of education is not so far-fetched; but actually replicates models that are present in other countries. It wouldn't seem to be the business of the University's Board of Regents to directly meddle in secondary education, or for that matter primary education or vocational training, and I freely confess to not being an educator at those very demanding levels. But I believe what will define and protect our children is the sophistication and the extent of the educational opportunities we provide. Consequently, this presentation to the board interested me extremely.

Among the more interesting elements of the presentations was a listing of the 30 members of the advisory Council, many of whom attended the briefing. For those unfamiliar with the P 20 structure, it examines the transition through educational opportunities of the entire state population, and is not limited to those participating in the University of Hawaii system. Consequently some of the Council members included the Chief of Staff to the Governor, the Chair of the Senate Education Committee, the President of Punahou school, the President of the Chamber of Commerce, the Executive Director of the HGEA, others from the private educational sector, armed forces, commerce, the University of Hawai'i system, and the Interim Superintendent of the DOE.

Hawai'i P-20 comprises initiatives in support of a higher prevailing level of education across the Islands, data collection in support of plans and revisions, early childhood interventions, career development & college pathways shaped to the students' aptitudes. The principal distinction between these efforts in P-20 and those characterized by programs elsewhere appears to be a higher sensitivity to cultural origins. There appears to be a shared, intentional encouragement of cultural preservation rather than a retreat to a mean, or a pursuit of externally-imposed career values. An example of this would be exploring careers that are not normally directly-derived from a traditional secondary education – e.g., computer programming & coding, emergency medical services, pre-school educator, training that could either lead toward later upper-level education or provide vocations which would stand on their own. A sample is the **Hawaii Regional Pathway Initiative**, characterized briefly as:

“Through the funding of GEAR UP Hawai'i, the State Office of CTE, and a collaborative of private funders, Hawai'i P-20 provided an opportunity for five regions to design and launch two career pathways that lead to high-demand, living-wage careers in Hawai'i. Support will extend over a three-year period and include technical assistance.

The five regions that were selected from the competitive grant process are:

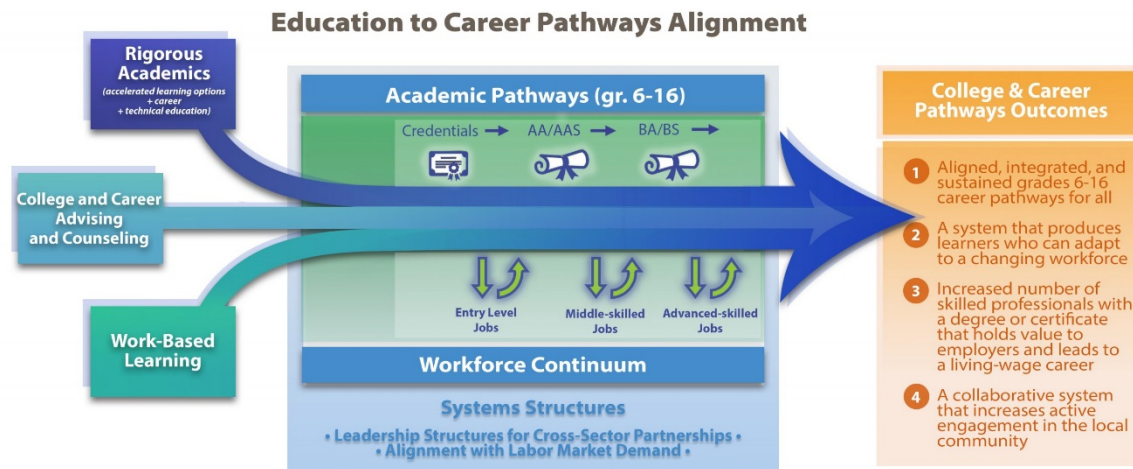
- Castle Regional Team, Campbell Regional Team, Kalaheo Regional Team, Pearl City Regional Team, and Waipahu Regional Team”

The **Career Pathways** concept is briefly described as:

“...a sequence of learning experiences that span secondary and postsecondary systems, blend rigorous core academic and career technical instruction, offer focused career guidance and advisement systems, and include high-quality work-based learning experiences. A career pathway culminates in postsecondary or industry credentials of value to employers.

The goal is to prepare students with the knowledge and skills needed to attain credentials with value in the labor market and to launch meaningful careers. College and career pathways systems include multiple entry and exit points that support students to build additional skills and knowledge, attain additional degrees and credentials, and advance in sector-specific employment.”

A graphical depiction follows, from the website:



Version 2020.02.10



For graduate educator, in this case a graduate medical educator, what is familiar about this dictum is its continuity. It allows and even encourages the development of more evolved skill sets as the student identifies advances in her/his aptitudes, and acquires confidence. ...Rather than a prefabricated domicile, the more suitable metaphor is of Ohana housing, the capability of marked alterations in design and structure as needs change, parents age, children are born, etc.

One component of the presentation was a review of the project’s aspirations and its current achievements: www.hawaiiip20.org

Ambitions/achievements: Over-all, 55 percent of working age adults (25–64 years old) having a two-or four-year degree by the year 2025.

55 by 25: To achieve this important goal, support is needed for students and teachers across the education spectrum—from early childhood through college completion. The 55 by '25 campaign urges businesses, community, parents and students to make education a high priority and to join the thousands of people in Hawai'i who are already working hard to achieve the 55 by '25 goal.

Elements reached/progress: [55 by '25 | Hawaii's goal to have 55% of adults earn a college degree by 2025. \(55by25.org\)](#)

Attainments by goals:

55 BY '25 GOAL Current College Degree Attainment Rate: **46%**

DEGREES AWARDED **11,760** Degrees Awarded in Hawai'i in 2020

CERTIFICATES ATTAINED **14,880** Number of Hawai'i Residents with a Postsecondary Certificate with Economic Value

MEDIAN EARNINGS **\$50,463** Median Earnings for Hawai'i Adult Civilian Workers with a Bachelor's Degree

GRADUATION RATE: HIDOE HS Graduation Rate: **86%**

COLLEGE ENROLLMENT HIDOE College Enrollment Rate: **50%**

55 BY '25 DASHBOARD (link for further information)

The lead in this enterprise has been Mr. Stephen Schatz, whose contact information is provided here from the open-source University directory.

Stephen A Schatz

Email sschatz@hawaii.edu, stephen.schatz@hawaii.edu

Affiliation - Staff

Office Phone (808) 956-3256, Office Fax (808) 956-2431

Office Location BA-6

Job Title Executive Director

Department Name - Hawaii P-20 Partnerships for Education

Campus Affiliation - University of Hawaii System

- Wm. Haning, MD, 16 NOV 2021, haning@hawaii.edu



UNIVERSITY
of HAWAII
SYSTEM

DTS 21963C

UNIVERSITY OF HAWAII
BOARD OF REGENTS

KALBERT K. YOUNG
VICE PRESIDENT FOR BUDGET & FINANCE
CHIEF FINANCIAL OFFICER

21 OCT 29 A9:45

October 26, 2021

TO: Randolph G. Moore
Chairperson, Board of Regents

Robert Westerman
Chair, Committee on Budget and Finance, Board of Regents

VIA: David Lassner
President

FROM: Kalbert K. Young
Vice President for B&F/CFO

SUBJECT: FISCAL YEAR 2022-2023 SUPPLEMENTAL OPERATING BUDGET
REQUEST FOR THE UNIVERSITY OF HAWAII

SPECIFIC ACTION REQUESTED:

In conformance with Regent Policy 8.204, it is recommended that the Board of Regents approve the submission of the Fiscal Year 2022-2023 (FY23) Operating Budget Request of the University of Hawaii'i ("University" or "UH") to the Governor and the Legislature. This request is to include major budget additions (or reductions) to the University's appropriated budget. With approval, this proposed FY23 Operating Budget Request will represent the official request for all operating programs of the UH System. The University will submit the proposal to the State Department of Budget and Finance ("State B&F") for consideration to be included as part of the Governor's budget proposal to the Legislature. The University will also send this budget request directly to the Legislature, in accordance with Chapter 37-68, Hawaii'i Revised Statutes (HRS).

The FY23 budget request for capital improvement projects (CIP) is to be deliberated by the Board of Regents Committee on Planning and Facilities. Both the operating budget request and the capital budget request are anticipated to be approved by the Board of Regents at its November 18, 2021 meeting.

RECOMMENDED EFFECTIVE DATE:

Upon approval of the Board of Regents.

2444 Dole Street, Bachman Hall
Honolulu, Hawaii'i 96822
Telephone: (808) 956-8903
Fax: (808) 956-5286

An Equal Opportunity/Affirmative Action Institution

BACKGROUND:

Annually, State departments submit budget requests to the Executive Branch via State B&F for consideration of inclusion into the proposed Executive Budget of the Governor to the Legislature for the next Legislative Session. The University also submits its Board approved budget request directly to the Legislature. Every two years, the Executive Branch proposes a biennium budget and in the subsequent year proposes a supplemental budget. This year is a supplemental budget year.

The ongoing global COVID-19 pandemic has substantially impacted the public health and economy worldwide. Although there are already signs that recovery has begun, there is also still considerable uncertainty with Hawai'i's near-term economy and state finances. General fund collections for the fiscal year ending June 30, 2021 (FY21) were 8.3% higher than collections for the prior fiscal year. However, it is important to note that \$308 million in income tax collections were deferred from FY20 to FY21 as a result of the filing deadline being pushed back from April to July in 2020. The Council on Revenues is projecting that revenues for FY22 will be 6.3% higher than FY21 collections.

While this growth is generally positive, it is important to note that budget cuts made in the 2021 Legislative Session have proven to be unsustainable and will need to be addressed in the upcoming Session. These include reductions in appropriations for State General Obligation debt service payments in excess of \$300 million and payments for Other Post-Employment Benefits (OPEB) also in excess of \$300 million. Additionally, many departments' general funds appropriations were reduced in FY22 compared to FY21. The University was reduced for more than \$38 million in general funds during FY22 compared to FY21. There are numerous reductions throughout State government that will need to be addressed.

It is important to note that the American Rescue Plan Act (ARPA) included a Maintenance of Effort provision that requires state governments to not disproportionately reduce funding levels for elementary, secondary, and postsecondary education. State governments must determine the proportion of the overall state budget that was spent to support public education in FY17, FY18, and FY19 as a baseline. For FY22 and FY23, the proportion of the state budget spent on support for public education must not be less than the average of those three baseline years.

The effect is that general fund increases in state departments that are not the DOE or UH will have a corresponding affect to trigger budget adjustments of over 40% (of the amount of the increase) to the DOE and UH (approximately 30% for DOE and 10% for UH). While this should provide substantial general fund resources to UH for FY23, it is vital to note that the Maintenance of Effort provision does not extend beyond FY23 and that no expectation for future State support should be made.

BUDGET PROPOSAL:

This FY23 Supplemental Operating Budget request primarily consists of restoration of general fund appropriations to the various campuses. These amounts were reduced in last year's budget bill (FY22) and the following table shows the amounts requested by campus for FY23:

Campus	\$\$\$ FY23
Mānoa	\$ 30,000,000
JABSOM	\$ 1,200,000
Hilo	\$ 2,280,000
West O'ahu	\$ 1,080,000
Community Colleges	\$ 4,600,000
Systemwide Support	\$ 3,391,232
Total	\$ 42,551,232

The following items detail the specifics of the budget initiatives that comprise the Administration's recommendations to the Board of Regents for the FY23 Supplemental Budget request:

1. Additionally, \$4 million in total is requested to restore the general fund subsidy to the Athletics programs at Mānoa and Hilo. General funds have helped to subsidize operations for UH's Athletics programs since FY17. These were eliminated last year and UH is requesting its renewal.
2. Administration of the Pacific International Space Center for Exploration Systems (PISCES) was transferred from the Department of Business, Economic Development and Tourism (DBEDT) to UH Hilo in Act 1, Special Session Laws of Hawai'i 2021. In legislating the transfer of administration, no funds were appropriated within the budget. As such, a request for 4 FTEs and \$550,000 in general funds and \$500,000 in special fund ceiling is included in this proposal to allow UH Hilo to continue to administer the program.
3. To support the operations of the recently opened Creative Media facility at the University of Hawai'i – West O'ahu, 5 FTEs and \$282,000 in general funds is requested for technically skilled employees to assist with the operations of the building as well as support for growing creative media instruction at the campus. These new positions help to foster growth in the UHWO Academy of Creative Media (ACM) curriculum and build resources with the newly constructed ACM facility on campus.

4. Ten temporary position counts are requested for the Small Business Development Center to support its operations. Currently this support is provided by Research Corporation of the University of Hawai'i (RCUH) employees. This request would create positions within the UH system and use funds that already fund RCUH employees to fund the newly created positions.
5. The first transfer reflects the distribution of positions associated with Nā Pua No'eau. In 2012, the Legislature provided six FTE counts and the associated salaries to UOH900 (Systemwide Support). However, these positions work at the campus level, and UOH900 has consistently transferred the associated positions and funds to the appropriate campus. This transfer is a net neutral result on the overall University budget.
6. The second transfer will transfer the Director of Maunakea Stewardship from UOH900 to UOH210 (Hilo). This will be a more appropriate budgetary reflection of the position's duties and responsibilities. This transfer is also net neutral to the overall University budget.
7. Finally, \$25 million in special fund ceiling will be traded off for \$25 million in revolving fund ceiling. This is the result of Act 9, Special Session Laws of Hawai'i 2021, which converted the Community Colleges Special Fund into the Community Colleges Revolving Fund.

ACTION RECOMMENDED:

University Administration recommends the Board of Regents approve the Administration's proposal for a FY22-23 Supplemental Operating Budget Proposal for the University. Upon approval, the proposal will be transmitted to the State B&F as the approved Board of Regents' budget request. The proposal is to be considered for inclusion as part of the Governor's Executive Budget Proposal to the 2022 State Legislature. In accordance with Chapter 37-68, HRS, the University will also submit the approved budget request directly to the Legislature.



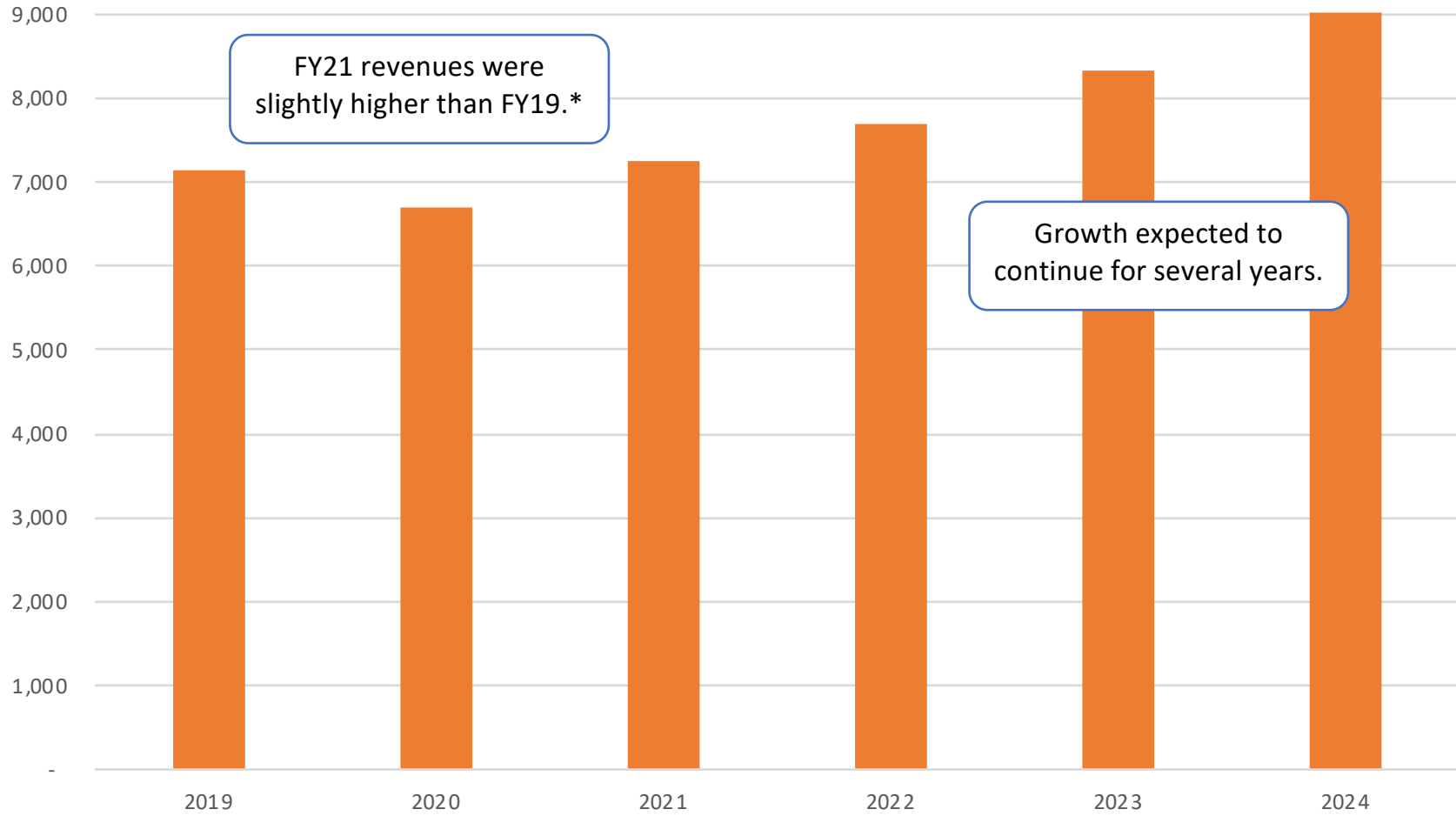
University of Hawai'i Supplemental Operating Budget Request for Fiscal Year 2022-2023

November 4, 2021

Committee on Budget and Finance



State General Fund Revenue ^{* In \$M}



* Income Tax deadline was pushed back from April 2020 to July 2020, resulting in a shift of \$308M from FY20 to FY21

■ General Fund Revenue



General Fund Situation

- Fiscal recovery is underway, but the extent and sustainability is unknown.
- While overall State General Fund revenues look strong, the State is expected to prioritize certain areas of need in the overall State budget that were cut in the past few years:
 - Debt Service (\$300M+)
 - OPEB (\$300M+)
 - Critical positions in public safety
 - Recurring costs funded in FY22 only



ARPA Maintenance of Effort

- The American Rescue Plan Act (ARPA) included a “Maintenance of Effort” provision regarding the Elementary and Secondary School Emergency Relief Fund (ESSER) moneys.
 - Requires State support for elementary, secondary, and postsecondary education in FY22 and FY23 at levels proportionate to overall spending averaged over FY17, FY18, and FY19.
- For FY22, overall State spending was considerably reduced and UH was reduced proportionately.
- For FY23, State appropriations for the DOE and UH should grow in proportion to overall State spending.
- This Maintenance of Effort provision will not apply for FY24 and beyond and no expectation regarding State support should be made.



Budget Request: General Fund Restoration

- Restore General Fund cuts to all campuses
 - \$30.0 million for Mānoa
 - \$1.2 million for JABSOM
 - \$2.28 million for UH-Hilo
 - \$1.08 million for UHWO
 - \$4.6 million for Community Colleges
 - \$3.4 million for Systemwide Support
 - Total of \$42.5 million
- Restore General Fund subsidy for Athletics
 - \$3.6 million for Mānoa and \$400,000 for Hilo



Budget Request: Other Items

- 4 General Funded positions and funds for operational expenses for PISCES (\$550,000)
- Transfer positions associated with Nā Pua Noeau from UOH900 (Systemwide Support) to the various campuses
- Transfer 1 position for Maunakea stewardship from UOH900 to UOH210 (Hilo)
- 5 positions for UHWO Creative Media (\$282,000)
- 10 temporary position counts for Small Business Development Center
- Trade-off ceiling from Community Colleges Special Fund to Community Colleges Revolving Fund (\$25 million in non-General Fund ceiling)



Next Steps

- Recommendation for Committee on Budget and Finance to approve this supplemental operating budget request for subsequent approval by the full Board at its November 18 meeting.
- Following approval by the full Board of Regents, the budget request and associated forms will be transmitted to the Governor and the Legislature, in accord with Chapter 37-68, HRS.



UNIVERSITY
of HAWAII
SYSTEM

UNIVERSITY OF HAWAII
BOARD OF REGENTS

21972B
Jan S. Gouveia
Vice President for Administration

'21 OCT 29 AM 11:52

November 4, 2021

TO: RANDOLPH G. MOORE
Chairperson, Board of Regents

VIA: DAVID LASSNER
President

FROM: JAN GOUVEIA
Vice President for Administration

SUBJECT: APPROVAL OF THE FISCAL YEAR (FY) 2022-2023 CIP
SUPPLEMENTAL BUDGET REQUEST; 6-YEAR CIP PLAN UPDATE

SPECIFIC ACTION REQUESTED

Pursuant to Regent Policy 8.204, the Board of Regents of the University of Hawai'i (the "Board") shall approve an annual capital improvement project budget for the University of Hawai'i (the "University"). The capital improvement budget accounts for all major projects in the planning, design or construction stages for the upcoming fiscal year, and is presented in the context of a rolling 6-Year Capital Improvement Projects Plan ("6-Year CIP Plan") and budget. As more fully detailed below, the Administration recommends the Board approve the proposed FY 2022-2023 Supplemental Capital Improvement Projects Budget ("FY 2023 CIP Supplemental Budget") for the University as follows:

Campus	Project	MOF	FY23 Supplemental Budget Request
M	RIM Projects	C	\$33.5M
M	Waikiki Aquarium	C	\$11.5M
M	Assessment and Feasibility of Hamilton Library	C	\$6M
M	Central Administration Facility with Parking	C	\$4M
WO	RIM Projects	C	\$2.5M
CC	Capital Renewal & Deferred Maintenance	C	\$25M
CC	Leeward CC Fascias	C	\$6.5M
	TOTAL		\$89.0M

With approval, the Administration will submit the FY 2023 CIP Supplemental Budget proposal to the State Department of Budget & Finance for consideration to be included as part of the Governor’s budget proposal to the Legislature for the University of Hawai’i.

Approval by the Board of this FY 2023 CIP Supplemental Budget does not constitute approval of any specific projects identified or anticipated herein. The Administration is still required to obtain all necessary and appropriate Board approvals prior to expenditure as required by applicable law, rules, University policy or University procedure, which includes but is not limited to construction projects exceeding \$5 million, consultant services exceeding \$1 million, and exemptions from the square footage growth moratorium.

RECOMMENDED EFFECTIVE DATE

Upon board approval.

FY 2023 CIP SUPPLEMENTAL BUDGET

The FY 2023 CIP Supplemental Budget is a modest request that reflects the Legislature’s continuous support of the University’s CIP program and the progress that the University has made on various initiatives in the last year. The FY 2023 CIP Supplemental Budget allows the University to continue to address health and safety, modernization and strategic priorities, consistent with the principles of its 6-Year CIP Plan.

In November 2020, the Board approved an Updated 6-Year CIP Plan for FY 2022 – FY 2027 and a CIP biennium budget request for FY 2022 and FY 2023 in amounts totaling \$288 million and \$232.5 million of general obligations bond funds, respectively. In his CIP Budget request to the Legislature, the Governor included \$165 million in FY22 and \$150 million in FY23 for the University. At the conclusion of the 2021 Legislative Session, the University was appropriated the following:

Fiscal Year	BOR Request	Governor’s Request	Legislative Appropriation - G.O. Bonds	Legislative Appropriation - American Rescue Plan Act Funds
2022	\$288,000,000	\$165,000,000	\$203,350,000	\$8,700,000
2023	\$232,500,000	\$150,000,000	\$102,640,000	\$0
2023 (Proposed)	\$89,000,000	TBD	TBD	

Based on the Legislature's appropriation of \$102.64 million for FY23 and progress that the University has made on various initiatives in the last year, the proposed FY 2023 CIP Supplemental Budget of \$89 million has adopted the following priorities:

**Major Capital Improvement
 Projects (Major Projects)**

*No net increase in square footage
 Significantly advance a strategic initiative*

**Renew, Improve, &
 Modernize Projects
 (RIM Projects)**

*Necessary to protect health and safety measures
 Necessary to protect and maintain existing infrastructure and
 system investments
 Increase efficiency and utilization of existing spaces
 Necessary to support current and funded research activities
 Promote flexible, shared and/or adaptive design and furniture*

Systemwide FY23 CIP Supplemental Budget Request by Campus

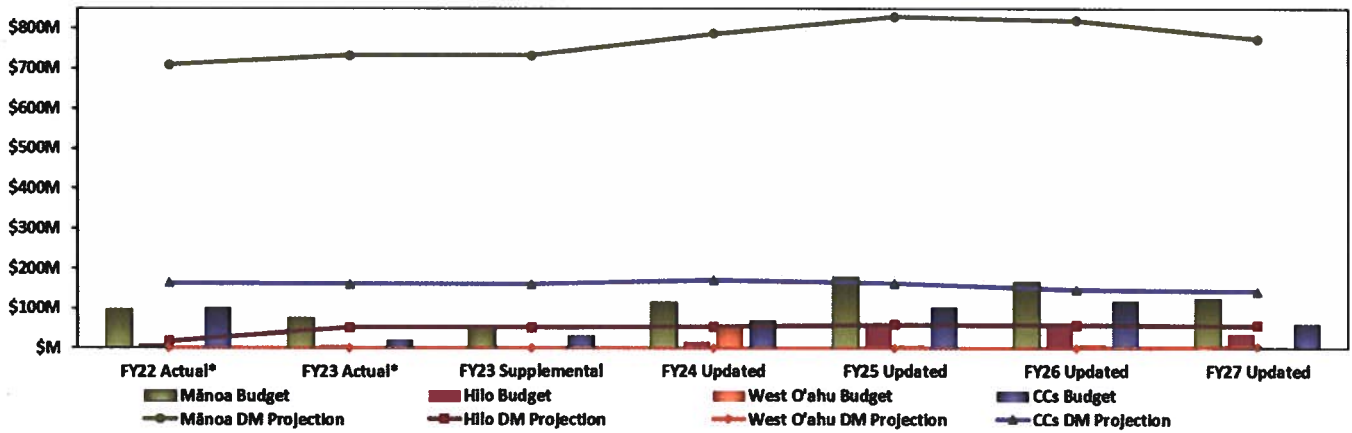
Campus	Project	MOF	FY23 Supplemental Budget Request
M	RIM Projects	C	\$33.5M
M	Waikīkī Aquarium	C	\$11.5M
M	Assessment and Feasibility of Hamilton Library	C	\$6M
M	Central Administration Facility with Parking	C	\$4M
WO	RIM Projects	C	\$2.5M
CC	Capital Renewal & Deferred Maintenance	C	\$25M
CC	Leeward CC Fascias	C	\$6.5M
	TOTAL		\$89.0M

The proposed systemwide FY 2023 CIP Supplemental Budget anticipates a request of \$89 million in FY 2023. For FY 2023, the scheduled capital renewal program is \$110 million. Fully funded, this budget is anticipated to address a total of approximately \$30 million in capital renewal and deferred maintenance.

Updated Systemwide 6-Year CIP Plan (FY 2022-2027)
Total: \$1,585.69M

Campus	Updated 6-Year Plan (Millions of Dollars)							
	FY22 Actual*	FY23 Actual*	FY23 Supplemental	FY24 Updated	FY25 Updated	FY26 Updated	FY27 Updated	6-Year Total
Mānoa	96.65	75.64	55.00	115.50	177.50	166.50	125.50	812.29
Hilo	10.90	7.00	0	16.50	57.50	57.00	35.50	184.40
West O'ahu	3.50	0	2.50	50.50	8.00	10.50	5.50	80.50
Community Colleges	101.00	20.00	31.50	70.00	104.00	120.00	62.00	508.50
Total	212.05	102.64	89.00	252.50	347.00	354.00	228.50	1,585.69

Deferred Maintenance Balance Projection (in Millions of Dollars)							
Mānoa	709	732	786	829	820	774	
Hilo	18	53	54	59	58	57	
West O'ahu	0	0	0	0	0	5	
Community Colleges	164	161	171	162	147	143	
Total	891	946	1,011	1,050	1,025	979	



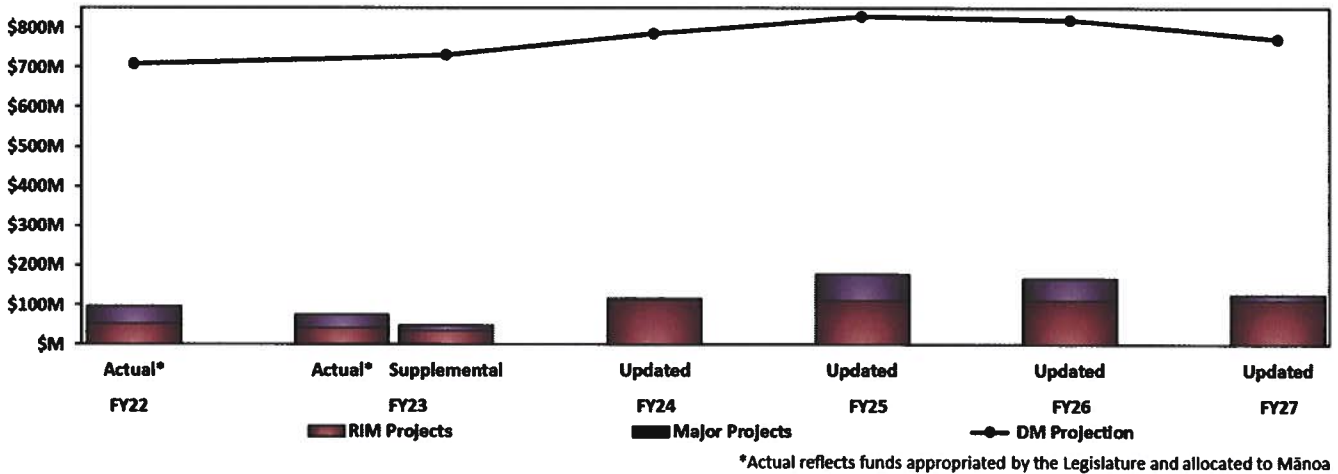
*Reflects actual appropriation by the 2021 Legislative Session and allocation to campuses

UH Mānoa FY 2023 CIP Supplemental Budget Request and Updated 6-Year CIP Plan

**Updated UH Mānoa 6-Year CIP Plan (FY 2022-2027)
 Total: \$812.29M**

Project	Updated 6-Year Plan (Millions of Dollars)							
	FY22 Actual*	FY23 Actual*	FY23 Supplemental	FY24 Updated	FY25 Updated	FY26 Updated	FY27 Updated	6-Year Total
RIM Projects	51.80	40.64	33.50	110.50	110.50	110.5	110.5	567.94
Waikīkī Aquarium	1.50	0	11.5	0	0	0	0	13.00
Central Administration Facility with Parking	0	0	4	0	62.00	0	0	66.00
Assessment and Feasibility of Hamilton Library	0	0	6.00	0	0	0	0	6.00
Mānoa Mini Master Plan, Phase 2	35.00	35.00	0	0	0	0	0	70.00
Kuykendall Hall	0	0	0	4.00	0	54.00	0	58.00
Holmes Hall	0	0	0	1.00	5.00	1.00	5.00	12.00
Portable Demolition	0	0	0	0	0	1.00	10.00	11.00
Additional Initiatives	8.35	0	0	0	0	0	0	8.35
Total	96.65	75.64	55.00	115.50	177.50	166.50	125.50	812.29

Deferred Maintenance Balance Projection (In Millions of Dollars)							
General Funded Facilities	519	530	575	583	568	510	
Special Funded Facilities	190	202	211	246	252	264	
Total	709	732	786	829	820	774	



The Mānoa FY 2023 CIP Supplemental Budget request is a modest one that focuses primarily on RIM projects. The anticipated RIM projects continue the strategy of improving existing facilities and infrastructure to provide modern learning and research spaces. These projects prioritize the upgrade of higher used spaces and converting existing spaces to be more functional. Through data analyses and tracking, the facilities team works closely with the class scheduler and space management committee to ensure CIP funds are invested in spaces that generate a return on investment.

The FY 2023 CIP Supplemental Budget request also seeks planning and design funding for two line-item CIP projects: Central Administration Facility with Parking & Assessment and Feasibility of Hamilton Library. As more fully detailed below, these projects align with the IAFP and the campus's long-term development goals of increasing the utilization of existing space and transforming the campus into a pedestrian-friendly experience by decommissioning interior roadways.

Additionally, last year, the Board approved a budget request of \$10 million for repairs and improvements to the Waikiki Aquarium for a new wastewater discharge system, of which only \$1.5 million was appropriated by the Legislature. This year, the Administration proposes to request an additional \$11.5 million, to address repair and maintenance needs of the facility that is in addition to the wastewater discharge system.

Major Projects

Waikiki Aquarium

UH Mānoa anticipates \$11.5 million in FY23 for design for master planning and construction for repairs to the Waikiki Aquarium and a new wastewater discharge system to comply with NPDES and City Industrial Wastewater Discharge permits and applicable laws and regulations. These funds would supplement \$2.1 million in prior appropriations (\$1.5 million in FY22 and \$600,000 in FY21). The current effluent disposal system must be upgraded to comply with Department of Health discharge permits and City and County of Honolulu regulations for discharge into the city sewer system. Deferral of this project may expose the University to daily fines and could result in the indefinite closure of the aquarium.

Assessment and Feasibility of Hamilton Library

Hamilton Library is the largest facility on the main campus. Constructed in three phases (1956, 1976, and 2001), the library houses the University's book collection, special collections, library offices, several classrooms, and a limited amount of student study space. Hamilton Library has over 411,000 interior square feet of space (for comparison purposes, this is over 5 times larger than Kuykendall Hall). Approximately 45% of this space (175,000 s.f.) is currently used for open stack book storage. Our initial research shows a trend amongst peer institutions who have converted library space from book

storage to people space (study, event, collaboration, office). This CIP request seeks \$6 million for the feasibility study, planning and design of a Hamilton Library renovation that increases the use of people space while contributing towards the overall goal of square footage reductions on campus.

Central Administration Facility with Parking

The FY 2023 CIP Supplemental Budget requests \$4 million in design and programming for a new parking facility immediately adjacent to the current Campus Services building at the intersection of East-West Road and Maile Way. The facility will have over 400 parking stalls on the site of the current surface parking lot. The multi-level parking structure is being planned in conjunction with the Hawaii State Department of Transportation to increase the University's parking inventory such that morning rush hour traffic into town is reduced. Vehicular access to the parking facility will be along Maile Way and East-West Road, which are the current means for accessing the existing surface parking. A traffic study will be completed prior to the initiation of this project; no change is anticipated to overall impact.

RIM Projects

In 2021, the legislature appropriated \$47.64 million for RIM projects systemwide in FY23. Of this appropriation, UH Mānoa was allocated \$40.64 million. This FY 2023 supplemental budget requests an additional \$33.5 million for RIM projects in FY23.

A critical component of Mānoa's 6-Year CIP Plan calls for a steady infusion of RIM funds. RIM funds are used to renovate, improve and modernize classrooms, laboratories, and offices into quality learning, teaching and working spaces. Instead of traditional classrooms lined with rows of single desks, movable and flexible furniture allows for various seating options that encourage small group discussions and hands-on learning configurations. The incorporation of technology is also critical to modern classroom spaces. In many of our current buildings, there is inconsistent access to wireless internet and technology via projectors, laptops or tablets. New spaces will have updated and better access to technology, which is critical to taking the University into the 21st century.

Moreover, when all segments of Mānoa's campus community were surveyed and/or interviewed, a consistent concern over the general pathway and lighting conditions throughout the lower and upper campus areas were expressed. Students, employees, and visitors find crumbling walkways, odd intersects of pedestrian and bike pathways with vehicle thoroughfares, and limited lighting to be uninviting conditions that dissuade them from staying on campus. Additionally, several comments were made on the overall

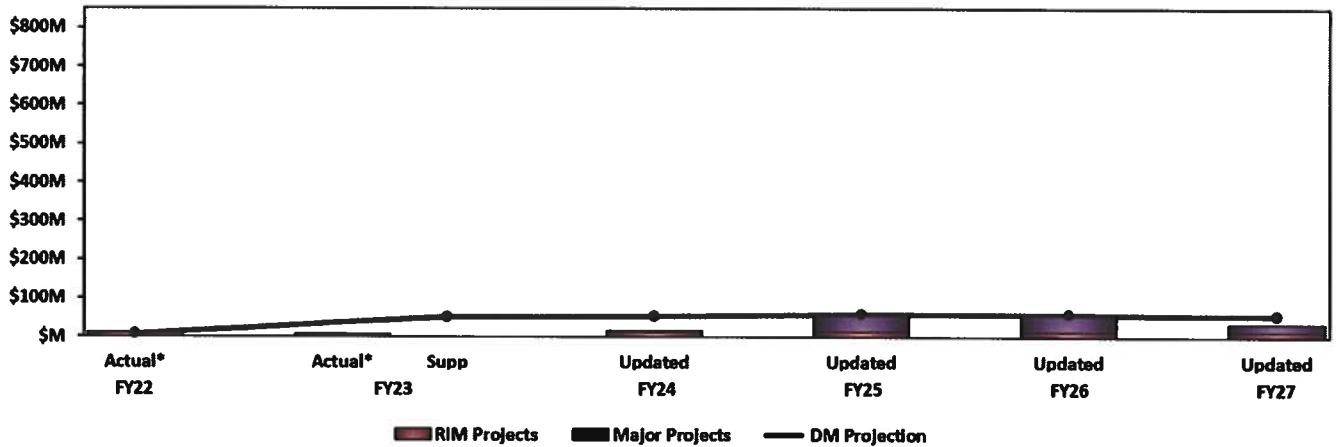
lackluster appearance of the exterior of our buildings. Improvements will be made in these areas under the RIM program.

Project	FY23 Supplemental Budget Request
RIM Projects	\$33.5M
Waikīkī Aquarium	\$11.5M
Assessment and Feasibility of Hamilton Library	\$6M
Central Administration Facility with Parking	\$4M
TOTAL	\$55.0M

UH Hilo FY 2023 CIP Supplemental Budget Request and Updated 6-Year CIP Plan

**Updated UH Hilo 6-Year CIP Plan (FY 2022-2027)
 Total: \$184.4M**

Project	Updated 6-Year CIP Plan (Millions of Dollars)							6-Year Total
	FY22 Actual*	FY23 Actual*	FY23 Supplemental	FY24 Updated	FY25 Updated	FY26 Updated	FY27 Updated	
RIM Projects (MOF C)	1.30	7.00	0	11.50	14.50	15.00	15.50	64.80
RIM Projects (MOF V)	8.70		0	0	0	0	0	8.70
Puako Marine Education & Research Center, Phase 1	0	0	0	1.50	4.00	0	0	5.50
Puako Marine Education & Research Center, Phase 2	0	0	0	0	4.00	40.00	0	44.00
Hale Olelo Complex for Haka'Ula O Ke'elikoolani College of Hawaiian Language Phase 2 & 3	0	0	0	3.50	35.00	0	0	38.50
UH Hilo PV Farm	0	0	0	0	0	2	20.00	22.00
Additional Initiatives	0.90	0	0	0	0	0	0	0.90
Total	10.90	7.00	0.00	16.50	57.50	57.00	35.50	184.40
Deferred Maintenance Balance Projection (In Millions of Dollars)								
General Funded Facilities	18		46	46	45	44	42	
Special Funded Facilities	0		7	8	14	14	15	
Total	18		53	54	59	58	57	



*Actual reflects funds appropriated by the Legislature and allocated to UH Hilo

Hale Olelo Complex for Ka Haka'Ula O Ke'elikoolani College of Hawaiian Language
Phase 2 & 3:

UH Hilo's updated 6-year CIP Plan anticipates \$3.5 million in FY 24 for design and \$35 million in FY25 for construction of the Hale Olelo Complex for the Ka Haka'Ula O Ke'elikoolani College of Hawaiian Language Phase 2 & 3. This project will provide design and construction for two new facilities that, together with one existing facility on the UH Hilo campus, will complete the UH Hilo Ka Haka'Ula O Ke'elikoolani College of Hawaiian Language. Phase 2 includes a new 8,600 square foot facility that includes a production, publication and dissemination facility, curriculum development/media and telecom services (for the Hale Kuamo'o Hawaiian Language Center), and an infant-toddler daycare facility. Phase 3 includes a new 20,000 s.f. Graduate Exchange Program facility.

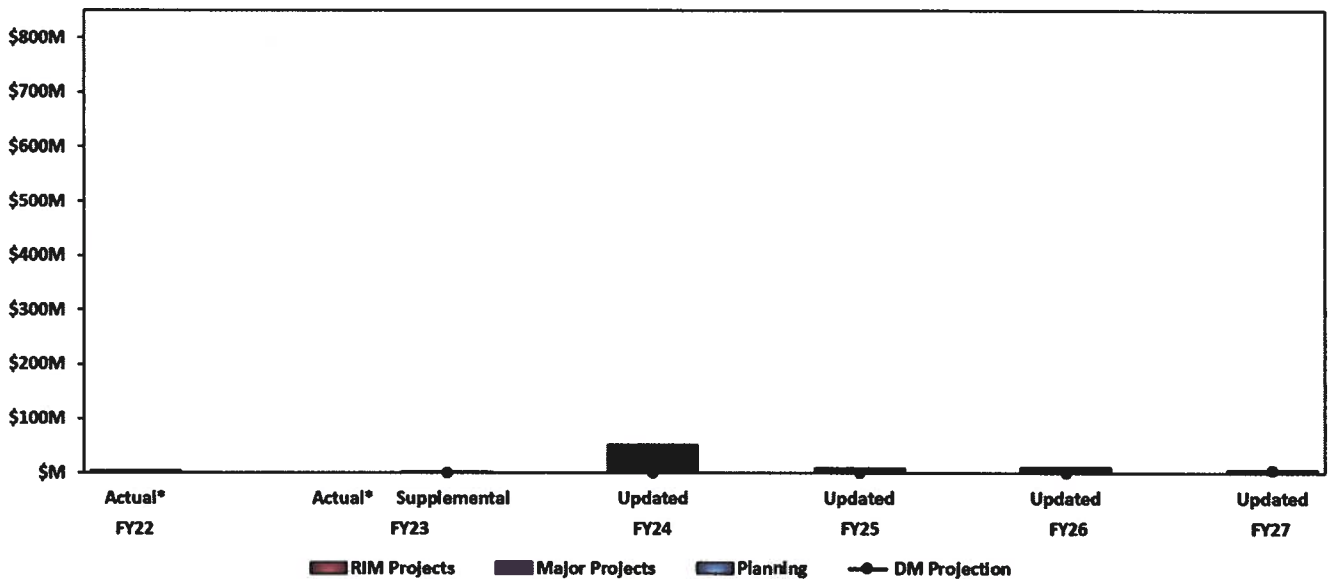
Other than the addition of the Hale Olelo Complex for Ka Haka'Ula O Ke'elikoolani College of Hawaiian Language Phase 2 & 3 project, UH Hilo did not make significant changes to its 6-Year CIP Plan. UH Hilo is not requesting any additional funding in the FY 2023 CIP Supplemental Budget.

Project	FY23 Supplemental Budget Request
N/A	\$0
TOTAL	\$0

UH West O'ahu FY 2023 CIP Supplemental Budget Request and Updated 6-Year CIP Plan

**Updated UH West O'ahu 6-Year CIP Plan (FY 2022-2027)
 Total: \$80.5M**

Project	Updated 6-Year CIP Plan (Millions of Dollars)							6-Year Total
	FY22 Actual*	FY23 Actual*	FY23 Supplemental	FY24 Updated	FY25 Updated	FY26 Updated	FY27 Updated	
RIM Projects	3.50	0	2.50	7.00	3.00	3.00	3.00	22.00
Planning	0	0	0	0.50	0	0	0	0.50
Campus Center Phase 2	0	0	0	38.00	0	0	0	38.00
Development & Infrastructure	0	0	0	5.00	5.00	5.00	0	15.00
General Education Building I	0	0	0	0	0	2.50	0	2.50
General Education Building II	0	0	0	0	0	0	2.50	2.50
Total	3.50	0.00	2.50	50.50	8.00	10.50	5.50	80.50
Deferred Maintenance Balance Projection (in Millions of Dollars)								
Total	0	0	0	0	0	0	5	



*Actual reflects funds appropriated by the Legislature

RIM Projects

UH West Oahu's 6-Year CIP Plan calls for a steady infusion of RIM funds to address unplanned building issues. RIM funds are anticipated to repair and improve campus facilities, including ADA improvements, emergency generator repairs, wayfinding improvements, health and safety upgrades, and lighting upgrades. As of 2021, UH West O'ahu's deferred maintenance backlog is \$0.

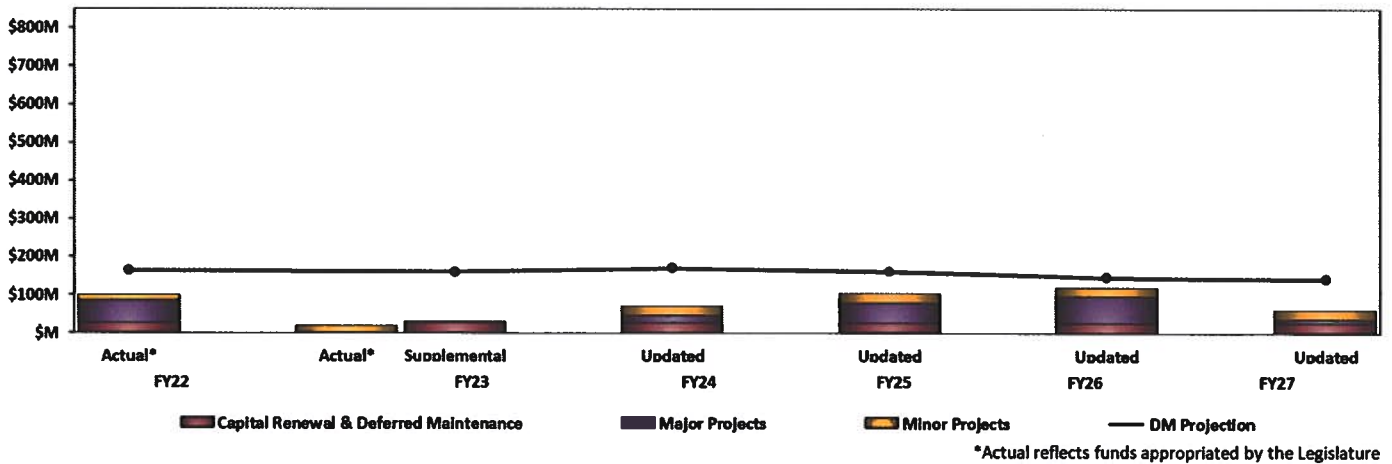
UH West O'ahu did not make significant updates to its 6-Year CIP Plan.

Project	FY23 Supplemental Budget Request
RIM Projects	\$2.5M
TOTAL	\$2.5M

UH Community College System FY 2023 CIP Supplemental Budget Request and Updated 6-Year CIP Plan

**Updated UHCC 6-Year CIP Plan (FY 2022-2027)
 Total: \$508.5M**

Project	Updated 6-Year CIP Plan (Millions of Dollars)							6-Year Total
	FY22 Actual*	FY23 Actual*	FY23 Supplemental	FY24 Updated	FY25 Updated	FY26 Updated	FY27 Updated	
Capital Renewal & Deferred Maintenance	25.00	0	25.00	25.00	25.00	25.00	25.00	150.00
Leeward CC Fascias	0	0	6.50	0	0	0	0	6.50
Minor Projects	15.00	20.00	0	25.00	25.00	25.00	25.00	135.00
Honolulu CC Technology Renovations	15.00	0	0	10.00	10.00	0	0	35.00
Windward CC Agripharmatech Bioprocessing Facility	3.00	0	0	0	0	0	0	3.00
ADA Systemwide Upgrades	0	0	0	10.00	10.00	10.00	10.00	40.00
Kapi'olani CC Koki'o	0	0	0	0	2.00	30.00	0	32.00
Maui College Vocational Tech	0	0	0	0	30.00	0	0	30.00
Hawai'i CC Campus Development	0	0	0	0	2.00	30.00	2.00	34.00
Additional Initiatives	43.00	0	0	0	0	0	0	43.00
Total	101.00	20.00	31.50	70.00	104.00	120.00	62.00	508.50
Deferred Maintenance Balance Projection (in Millions of Dollars)								
Total	164	161		171	162	147	143	



Capital Renewal & Deferred Maintenance (CRDM)

The UH Community College System's (UHCC) FY 2023 CIP Supplemental Budget focuses on a facilities program that minimizes deferred maintenance while enhancing student learning through the creation and implementation of design standards for classrooms and laboratories that reflect modern teaching approaches. The FY 2023 CIP Supplemental Budget seeks \$25 million for CRDM Projects. This is consistent with an annual lump sum request of \$25 million for CRDM projects throughout UHCC's 6-Year CIP Plan.

Leeward CC Fascias

The UHCC also requests \$6.5 million in its FY23 CIP Supplemental Budget for new building fascias on the Leeward CC campus. Previously, all of the original buildings on campus possessed coral-based fascia panels, almost all of which needed repairs. Pieces of the panels were spalling off of the building façades, causing a health and safety issue. While the UHCC attempted to repair the cracked fascias using a previous CRDM allocation, they were determined irreparable and, as such, all fascias with this issue were removed to eliminate the health and safety risk. However, the UHCC was unable to fund new fascias with the original CRDM allocation due to budget constraints. Accordingly, the UHCC is now requesting design and construction funds in FY23 in the amount of \$500K for design and \$6 million for construction of the fascias. This will greatly enhance the appearance of the campus.

Aside from the addition of legislative initiatives and the Leeward CC Fascias project, the Community College System did not make significant changes to its 6-Year CIP Plan.

Project	FY23 Supplemental Budget Request
Capital Renewal & Deferred Maintenance	\$25M
Leeward CC Fascias	\$6.5M
TOTAL	\$31.5M

ACTION RECOMMENDED

In accordance with Regent Policy 8.204, it is recommended that the Board approve the proposed FY 2023 Supplemental Capital Improvement Program Budget for the University:

Campus	Project	MOF	FY23 Supplemental Budget Request
M	RIM Projects	C	\$33.5M
M	Waikīkī Aquarium	C	\$11.5M
M	Assessment and Feasibility of Hamilton Library	C	\$6M
M	Central Administration Facility with Parking	C	\$4M
WO	RIM Projects	C	\$2.5M
CC	Capital Renewal & Deferred Maintenance	C	\$25M
CC	Leeward CC Fascias	C	\$6.5M
	TOTAL		\$89.0M

With approval, the University will submit the FY 2023 CIP Supplemental Budget proposal to the State Department of Budget & Finance for consideration to be included as part of the Governor's budget proposal to the Legislature. Approval by the Board of this FY 2023 CIP Supplemental Budget does not constitute approval of any specific projects identified or anticipated herein. The Administration is still required to obtain all necessary and appropriate Board approvals required by applicable law, rules, University policy or University procedure, which includes but is not limited to construction projects exceeding \$5 million, consultant exceeding \$1 million, and exemptions from the new building moratorium.



UNIVERSITY *of* HAWAII®

FY 2022-2023 CIP SUPPLEMENTAL BUDGET REQUEST

6-YEAR CIP UPDATE

Planning & Facilities
November 4, 2021



FY22 & FY23 CIP Budget and FY23 CIP Supplemental Budget Request

(in millions of dollars)

Campus	Line Item (Add=Leg Initiative)	2020 BOR-Approved Budget		2021 Legislative Appropriation*		2021 BOR Budget Request
		FY22	FY23	FY22 Actual	FY23 Actual	FY23 Supplemental
Mānoa	RIM Projects	110.5	110.5	51.8	40.64	33.5
Mānoa	Waikīkī Aquarium	1.5	9.0	1.5	-	11.5
Mānoa	Central Administration Facility with Parking	4.0	-	-	-	4.0
Mānoa	Assessment and Feasibility of Hamilton Library	-	-	-	-	6.0
Mānoa	Mānoa Mini Master Plan, Phase 2	60.0	-	35.0	35.0	-
Mānoa	CTAHR Waiale'e Research Station (Add)	-	-	1.6	-	-
Mānoa	Lyon Arboretum (Add)	-	-	1.2	-	-
Mānoa	Makai Pier (Add)	-	-	5.55	-	-
Hilo	RIM Projects	24.0	13.5	1.3	7.0	-
Hilo	RIM Projects (MOF V)	-	-	8.7	-	-
Hilo	Mauna Kea Telescope Removal (Hōkū Ke'a) (Add)	-	-	0.9	-	-
WO	RIM Projects	3.0	3.0	3.5	-	2.5
WO	Planning	0.5	0.5	-	-	-
CCs	Capital Renewal & Deferred Maintenance	25.0	25.0	25.0	-	25.0
CCs	Leeward CC Fascias	-	-	-	-	6.5
CCs	Minor Projects	25.0	25.0	15.0	20.0	-
CCs	Honolulu CC Technology Renovations	15.0	-	15.0	-	-
CCs	Windward CC Agripharmatech Bioprocessing Facility	3.0	-	3.0	-	-
CCs	Proof of Concept for Maui Health System (Add)	-	-	0.5	-	-
CCs	Resource and Education Center, Oahu (Add)	-	-	42.5	-	-
CCs	ADA Systemwide Upgrades	14.0	14.0	-	-	-
CCs	Kapi'olani CC Koki'o	2.5	30.0	-	-	-
CCs	Maui College Vocational Tech	-	2.0	-	-	-
	Total	288.0	232.5	212.05	102.64	89.0

*Actual reflects funds allocated to each campus

SYSTEMWIDE UPDATED 6-YEAR CIP PLAN (FY 2022 – 2027)

TOTAL: \$1,585.69 MILLION

Project	Updated 6-Year Plan (Millions of Dollars)							
	FY22 Actual*	FY23 Actual*	FY23 Supplemental	FY24 Updated	FY25 Updated	FY26 Updated	FY27 Updated	6-Year Total
Mānoa	96.65	75.64	55.00	115.50	177.50	166.50	125.50	812.29
Hilo	10.90	7.00	0	16.50	57.50	57.00	35.50	184.40
West O'ahu	3.50	0	2.50	50.50	8.00	10.50	5.50	80.50
Community Colleges	101.00	20.00	31.50	70.00	104.00	120.00	62.00	508.50
Total	212.05	102.64	89.00	252.50	347.00	354.00	228.50	1,585.69
	Deferred Maintenance Balance Projection (in Millions of Dollars)							
Mānoa	709	732		786	829	820	774	
Hilo	18	53		54	59	58	57	
West O'ahu	0	0		0	0	0	5	
Community Colleges	164	161		171	162	147	143	
Total	891	946		1,011	1,050	1,025	979	

*Actual reflects funds allocated to each campus

MĀNOA UPDATED 6-YEAR CIP PLAN (FY 2022 – 2027)

TOTAL: \$812.29 MILLION

Project	Updated 6-Year Plan (Millions of Dollars)							
	FY22 Actual*	FY23 Actual*	FY23 Supplemental	FY24 Updated	FY25 Updated	FY26 Updated	FY27 Updated	6-Year Total
RIM Projects	51.80	40.64	33.50	110.50	110.50	110.5	110.5	567.94
Waikīkī Aquarium	1.50	0	11.50	0	0	0	0	13.00
Central Administration Facility with Parking	0	0	4.00	0	62.00	0	0	66.00
Assessment and Feasibility of Hamilton Library	0	0	6.00	0	0	0	0	6.00
Mānoa Mini Master Plan, Phase 2	35.00	35.00	0	0	0	0	0	70.00
Kuykendall Hall	0	0	0	4.00	0	54.00	0	58.00
Holmes Hall	0	0	0	1.00	5.00	1.00	5.00	12.00
Portable Demolition	0	0	0	0	0	1.00	10.00	11.00
Additional Initiatives	8.35	0	0	0	0	0	0	8.35
Total	96.65	75.64	55.00	115.50	177.50	166.50	125.50	812.29
	Deferred Maintenance Balance Projection (in Millions of Dollars)							
General Funded Facilities	519	530		575	583	568	510	
Special Funded Facilities	190	202		211	246	252	264	
Total	709	732		786	829	820	774	

*Reflects funds allocated to the Mānoa campus

HILO UPDATED 6-YEAR CIP PLAN (FY 2022 – 2027)

TOTAL: \$184.40 MILLION

Project	Updated 6-Year Plan (Millions of Dollars)							
	FY22 Actual*	FY23 Actual*	FY23 Supplemental	FY24 Updated	FY25 Updated	FY26 Updated	FY27 Updated	6-Year Total
RIM Projects (MOF C)	1.30	7.00	0	11.50	14.50	15.00	15.50	64.80
RIM Projects (MOF V)	8.70		0	0	0	0	0	8.70
Puako Marine Education & Research Center, Phase 1	0	0	0	1.50	4.00	0	0	5.50
Puako Marine Education & Research Center, Phase 2	0	0	0	0	4.00	40.00	0	44.00
Hale Olelo Complex for Haka'Ula O Ke'elikoalani College of Hawaiian Language Phase 2 & 3	0	0	0	3.50	35.00	0	0	38.50
UH Hilo PV Farm	0	0	0	0	0	2	20.00	22.00
Additional Initiatives	0.90	0	0	0	0	0	0	0.90
Total	10.90	7.00	0.00	16.50	57.50	57.00	35.50	184.40
	Deferred Maintenance Balance Projection (in Millions of Dollars)							
General Funded Facilities	18	46		46	45	44	42	
Special Funded Facilities	0	7		8	14	14	15	
Total	18	53		54	59	58	57	

*Reflects funds allocated to the Hilo campus

WEST O'AHU UPDATED 6-YEAR CIP PLAN (FY 2022 – 2027)

TOTAL: \$80.5 MILLION

Project	Updated 6-Year Plan (Millions of Dollars)							
	FY22 Actual	FY23 Actual	FY23 Supplemental	FY24 Updated	FY25 Updated	FY26 Updated	FY27 Updated	6-Year Total
RIM Projects	3.50	0	2.50	7.00	3.00	3.00	3.00	22.00
Planning	0	0	0	0.50	0	0	0	0.50
Campus Center Phase 2	0	0	0	38.00	0	0	0	38.00
Development & Infrastructure	0	0	0	5.00	5.00	5.00	0	15.00
General Education Building I	0	0	0	0	0	2.50	0	2.50
General Education Building II	0	0	0	0	0	0	2.50	2.50
Total	3.50	0	2.50	50.50	8.00	10.50	5.50	80.50
	Deferred Maintenance Balance Projection (in Millions of Dollars)							
Total	0	0	0	0	0	0	5	

COMMUNITY COLLEGES UPDATED 6-YEAR CIP PLAN (FY 2022 – 2027)

TOTAL: \$508.5 MILLION

Project	Updated 6-Year Plan (Millions of Dollars)							
	FY22 Actual	FY23 Actual	FY23 Supplemental	FY24 Updated	FY25 Updated	FY26 Updated	FY27 Updated	6-Year Total
Capital Renewal & Deferred Maintenance	25.00	0	25.00	25.00	25.00	25.00	25.00	150.00
Leeward CC Fascias	0	0	6.50	0	0	0	0	6.50
Minor Projects	15.00	20.00	0	25.00	25.00	25.00	25.00	135.00
Honolulu CC Technology Renovations	15.00	0	0	10.00	10.00	0	0	35.00
Windward CC Agripharmatech Bioprocessing Facility	3.00	0	0	0	0	0	0	3.00
ADA Systemwide Upgrades	0	0	0	10.00	10.00	10.00	10.00	40.00
Kapi'olani CC Koki'o	0	0	0	0	2.00	30.00	0	32.00
Maui College Vocational Tech	0	0	0	0	30.00	0	0	30.00
Hawai'i CC Campus Development	0	0	0	0	2.00	30.00	2.00	34.00
Additional Initiatives	43.00	0	0	0	0	0	0	43.00
Total	101.00	20.00	31.50	70.00	104.00	120.00	62.00	508.50
	Deferred Maintenance Balance Projection (in Millions of Dollars)							
Total	164	161		171	162	147	143	

FY 2023 CIP Supplemental Budget

Total: \$89 Million

Campus	Project	MOF	FY23 Supplemental Budget Request
Mānoa	RIM Projects	C	\$33.5M
Mānoa	Waikīkī Aquarium	C	\$11.5M
Mānoa	Assessment and Feasibility of Hamilton Library	C	\$6M
Mānoa	Central Administration Facility with Parking	C	\$4M
West O'ahu	RIM Projects	C	\$2.5M
Community Colleges	Capital Renewal & Deferred Maintenance	C	\$25M
Community Colleges	Leeward CC Fascias	C	\$6.5M
	TOTAL		\$89.0M



Makalo!





UNIVERSITY
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Office of the Vice President for Research and Innovation
UNIVERSITY OF HAWAII
BOARD OF REGENTS

'21 NOV 10 AM 10:11

UH DTS #21988

November 3, 2021

MEMORANDUM

TO: Randolph G. Moore
Chairperson, Board of Regents

VIA: David Lassner *David Lassner*
President

VIA: Kalbert K. Young *Kalbert K. Young*
Vice President for Budget and Finance/Chief Financial Officer

VIA: Carrie K. S. Okinaga *Carrie K. S. Okinaga*
Vice President for Legal Affairs and University General Counsel

FROM: Vassilis L. Syrmos *Vassilis L. Syrmos*
Vice President for Research and Innovation

SUBJECT: Request Approval of Indemnification Provision in a Grant Agreement between the V Foundation for Cancer Research and the University of Hawai'i

SPECIFIC ACTION REQUESTED:

It is respectfully requested that the Board of Regents ("Board") authorize the University of Hawai'i ("University") to indemnify the V Foundation for Cancer Research ("TVF") as a condition of receiving a \$200,000.00 grant to conduct research relating to pancreatic cancer. This request is made pursuant to Hawai'i Revised Statutes Section 304A-110, appended as "Attachment 1" to this memorandum.

RECOMMENDED EFFECTIVE DATE:

The University is authorized to execute the Agreement with the TVF and accept the obligation to indemnify set forth therein, immediately upon Board approval.

ADDITIONAL COST:

There are no additional costs associated with this request.

PURPOSE:

Board approval is requested so that the University may enter into a sponsored research agreement with TVF.

BACKGROUND:

The Project

Pancreatic cancer is the third leading cause of cancer mortality in the United States. More research is needed to better understand its etiology, including causally related protein and metabolites biomarkers in blood. The University proposes an innovative study to improve these knowledge gaps. The University will 1) develop genetic prediction models of protein and metabolite levels in blood; and 2) identify putative causal protein and metabolite biomarkers for pancreatic cancer risk. It is expected that this study will significantly improve the etiology understanding of pancreatic cancer.

In Aim 1, data from European descendant from the INTERVAL study and Framingham Offspring Study will be used for blood protein expression prediction model building and validation. Data from the TwinsUK study and Framingham Offspring Study will be analyzed for blood metabolite genetic prediction model building and validation. In Aim 2, data from the PanScan/PanC4 consortia and from the UK Biobank will be used for the association analyses.

The University's principal investigator is Lang Wu, PhD. The grant amount is \$200,000, and the term of the Agreement is from November 1, 2021 to November 1, 2023.

The Agreement and the Indemnification Provision

As a condition to the grant, TVF requires that the University indemnify TVF and its members, directors, employees, and agents. Specifically, the Agreement provides that:

11) Liability

TVF does not assume responsibility for activities supported by the grant and shall not be liable for any activities conducted by the grantee upon receipt of the grant funds. The Grantee Institution agrees to indemnify and hold harmless, to the extent permitted by state law, TVF and its members, directors, employees, and agents against and from all liabilities and expenses (including reasonable attorneys' fees and court costs) which are threatened, may be imposed upon,

incurred by, or asserted against such persons relating to the grant funds and any research project conducted by the Grant Recipient or research results developed by the Grant Recipient.

The University's attempts to negotiate the deletion or modification of this indemnification obligation in the Agreement were not successful.

RISK ANALYSIS:

All participants of the PanScan/PanC4 consortia participating studies, the UK Biobank, INTERVAL, Framingham Offspring Study, and the TwinsUK study have consented to and provided baseline (and follow-up when applicable) information. Information on demographics, medical history, lifestyle factors, occupational history, and family history of cancer etc. were collected through survey or interview in the parent studies when applicable (for some of the studies the collected information may be less). All materials and data that have been collected are specifically for research purposes with minimal risks posed to participants. Original documents and all biological specimens are stored in each participating study or group. The link with participant identification information is limited to specific staff of the original studies. None of the University's investigator team members have access to the identifying information. For this project, only de-identified data will be released to the investigative team and used.

The questionnaire completion, survey interview, and blood draw and tissue collection are all completed in the parent/original studies when applicable. The University will not recruit new participants in the current project. Also, the project will ensure the confidentiality of participants.

Study participants could face unintended breaches of confidentiality regarding their questionnaire or laboratory data. The confidentiality of study data will be maintained as follows: The data used by the University's investigative team to fulfill the aims of this research will not require the use of data with any personal identifiers. All datasets required for analyses will be provided to the investigative team after they have been stripped of personal identifiers. The access to identifying information is strictly limited to the specific staff in the individual participating studies. No one in the University's investigator team has access to the identifying information. Only de-identified data will be used in the project and shared with the scientific research community. The University's investigator team will not try to re-identify subjects or contact the subjects.

Chairperson Randolph G. Moore
November 4, 2021
Page 4

For the foregoing reasons, the risks of indemnifying the TVF and its members, directors, employees, and agents are acceptable. The benefits to the community and the University outweigh the indemnification risks which are being evaluated, mitigated and managed.

ACTION RECOMMENDED:

It is recommended that the Board approve and authorize the University to accept the Grant Agreement between the V Foundation for Cancer Research and the University of Hawai'i for pancreatic cancer research which includes the indemnification clause discussed above.

Attachment (HRS § 304A-110)

c: Executive Administrator and Secretary to the Board of Regents

[\$304A-110] Indemnification.

- (a) Notwithstanding any other law to the contrary, the board of regents may agree in writing to an indemnity provision by which the university agrees to indemnify, defend, and hold harmless any person, corporation, or entity that sponsors research at the university when all of the following conditions are satisfied:
 - (1) The person, corporation, or entity requires an indemnity in writing as a condition for providing a grant, benefit, service, or interest in or right to use property;
 - (2) The president, or the president's designee, following a favorable review by the university general counsel or the counsel's designee, approves the proposed indemnification; and
 - (3) The chief financial officer, pursuant to section 304A-108, has obtained an insurance policy or policies in an amount sufficient to cover the liability of the university that may be reasonably anticipated to arise under the indemnity provision or has determined that it is not in the best interest of the university to obtain insurance.
- (b) Nothing in this section shall be construed to expand the scope of liability of the university beyond that set forth in chapters 661 and 662.
- (c) Nothing in this section shall be construed to waive the immunity of the university from suit in federal courts guaranteed by the Eleventh Amendment to the United States Constitution. An indemnity provision not in strict compliance with this section shall not give rise to a claim against the university under this chapter or chapter 661 or otherwise waive the university's sovereign immunity.



UNIVERSITY
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UNIVERSITY OF HAWAII
BOARD OF REGENTS

'21 NOV 10 P3:06

UH DTS #22000

November 10, 2021

MEMORANDUM

TO: Randolph G. Moore
Chairperson, Board of Regents

VIA: David Lassner 
President

VIA: Kalbert K. Young 
Vice President for Budget and Finance/Chief Financial Officer

VIA: Carrie K.S. Okinaga 
Vice President for Legal Affairs and University General Counsel

FROM: Vassilis L. Syrmos 
Vice President for Research and Innovation

SUBJECT: Requesting Authorization to Indemnify U. S. Department of Defense Pursuant to an Anticipated Renewal of a Cooperative Agreement to Support the Pacific Disaster Center

SPECIFIC ACTION REQUESTED:

It is requested that the Board of Regents authorize the University of Hawai'i ("University") to indemnify the U. S. Department of Defense ("DoD") pursuant to an anticipated renewal of a Cooperative Agreement to manage the Pacific Disaster Center ("PDC"). It is anticipated that the renewed indemnification will be substantially similar to the current indemnification that the Board had approved in December 2015.

RECOMMENDED EFFECTIVE DATE:

The authorization is effective upon Board of Regents approval.

ADDITIONAL COST:

There are no additional costs associated with this request.

PURPOSE:

This Memorandum seeks authorization to indemnify the DoD in the manner expected to be required in the anticipated renewal of the current Cooperative Agreement, which is set to expire on December 15, 2021. If the Cooperative Agreement is renewed, the University may receive up to \$100 million over the next five-year renewal term to support the Pacific Disaster Center on Maui.

Summary of Request:

Since December 2006, the University has provided management and administrative support services to the Pacific Disaster Center pursuant to a cooperative agreement with the DoD. The cooperative agreement has been renewed several times since its inception, most recently in December 2015.

In that 2015 renewal, the DoD required an indemnification by the University. The Board of Regents approved the indemnification at a special meeting of the Board convened on December 9, 2015.

The current Cooperative Agreement will expire in mid-December 2021. It is highly probable that for the upcoming 2021 renewal, the DoD will require the University to indemnify the DoD in the same manner and substance as the Board of Regents had authorized for the 2015 renewal.

Because the services provided by the University under the anticipated Cooperative Agreement will be similar to current services the risk exposure profile is expected to be substantially similar, which is quite low. The indemnification protection has not been invoked by the DoD over the past 15 years, so an authorization of indemnification to enable the anticipated renewal is cost-benefit justified.

The DoD has historically renewed this agreement on a "just-in-time" basis; our last renewal was executed on the very last day of the preceeding agreement. To avoid to discontinuity of the PDC operations caused by possible delays in obtaining indemnification approval and executing the renewal of the Cooperative Agreement, this authorization is sought in advance of receiving the specific DoD indemnification language. If upon receipt of the actual Cooperative Agreement renewal, the indemnification required therein differs substantially from the indemnification this Board had approved in 2015 and as set forth in this memorandum, below, the President may preliminarily agree to the indemnification but will seek supplemental authorization as necessary to accept fully the required indemnification.

An indemnification may be approved pursuant to Hawai'i Revised Statutes § 304A-110 (Indemnification of Research Sponsor), for convenience reprinted as Attachment 1 to this Memorandum.

Project Background:

Mission of the Pacific Disaster Center

The overarching mission of the PDC is to foster disaster-resilience and risk reduction through the use of science, information, and technology. The PDC provides applied information research, data analysis, and advanced software tools and applications to help communities of the Asia Pacific regions better anticipate and respond to natural disasters, more effectively deliver humanitarian assistance and relief in the aftermath of natural disasters, and quickly transition to recovery. The PDC builds systems to monitor multi-hazard disasters, to provide early warning, and to support decisions based on information sharing. PDC uses historical disaster data and several predictive models to visualize the potential impacts of disasters and identify mitigation measures. PDC assists decision makers identify the most vulnerable communities, set realistic risk reduction goals, and effectively deploy resources.

A central goal of PDC is to expand the partner network of first responders, data providers, academic communities of interests and international and non-governmental organizations. To this end, the PDC works collaboratively with a wide range of clients, including military and civilian response teams, academic research units, tactical operations, foreign governments and nonprofit organizations.

Indemnification Provisions in favor of the Federal Government

The DoD will most likely require the following commitment from the University, denoted as the "Recipient", (emphasis regarding indemnification added in bold):

LIABILITY AND INDEMNITY. Each party hereto shall be responsible for its own activities and those of its agents and employees in carrying out its responsibilities under this Cooperative Agreement. The Government will not be responsible for, **and the Recipient will assume, all liability to persons which may be attributable or incident to the Recipient's negligence or breach of this Cooperative Agreement, or by the negligence or breach of the Cooperative Agreement by any of the Recipient's agents and employees.** The Recipient further agrees to indemnify, save, hold harmless, and defend the Government, its officers, agents and employees, from and against all suits, claims, demands or actions, liabilities, judgments, prices and attorneys' fees arising out of, or in any manner predicated upon personal injury or death resulting from, related to, caused by or incident to the Recipient's negligence in the carrying out of the terms of this Cooperative Agreement, or breach thereof, or any and all other activities conducted by the Recipient, its agents, employees and contractors incident to this Cooperative Agreement. Any claim against the Government or its employees for damages arising out of negligence, wrongful acts, or wrongful omissions shall be pursued under the Federal Tort Claims Act.

Research Sponsor requires indemnity as a condition of awarding the Cooperative Agreement.

The DoD will most likely assert, as it did during the 2015 renewal, that the indemnification provision is not negotiable and that a waiver from the Secretary of Defense will not be pursued.

Risks Analysis

Authorizing the University to indemnify the Government is reasonable and appropriate for the following reasons:

- 1) Indemnification Risks are relatively remote. The University services envisioned by the Cooperative Agreement involve gauging the impact of natural disasters, responding during the event, and providing community assistance and humanitarian relief in the aftermath. The University/PDC itself does not directly deliver these “first responder” disaster relief services. The University manages the administrative support of the PDC, and assists the PDC with developing and deploying data analytic tools and applications to better equip incident command groups that are established during natural disasters. The incident command groups coordinate the delivery of services to the affected communities by first responders, such as emergency medical, civil defense, and disaster relief agencies. The PDC is under no direct or indirect contractual obligation to guarantee the quality of its products or models. The DOD is involved because it provides the funds to support PDC. Based on actual experience it is not likely that any third party claim for personal injury or death would be successfully asserted against the research sponsor DoD, as a result of the University or PDC’s asserted negligent performance of the Cooperative Agreement. Finally, the indemnity clause acknowledges that claims against the Government might be pursued under the Federal Tort Claims Act. The risks that the University will be called upon to indemnify the research sponsor DoD for third party injuries alleged caused by the University’s negligence are deemed remote.
- 2) Benefits are Significant. In order to renew the Cooperative Agreement, the University must agree to indemnify DoD. The benefits of renewing the Cooperative Agreement are significant. PDC has provided innovative, global multi-hazard disaster monitoring, early warning, and decision support systems, as well as risk and vulnerability assessment, modeling and visualization, and capacity enhancement services to the DoD. The PDC Cooperative Agreement is one of the University’s largest extramural contracts. The PDC is one of the major science and technology cornerstones, as well as a substantial contributor, to the economy and technical community on Maui.
- 3) University has demonstrated its capacity and ability to perform successfully for the upcoming period. Over the 15 years since its inception in 2006, the University has not been called upon to indemnify the DoD. This history demonstrates that the University and PDC have the capacity, know-how, and experience to responsibly implement the tasks required by the Cooperative Agreement.

Chairperson Randolph G. Moore
November 10, 2021
Page 5

ACTION RECOMMENDED:

It is recommended that the Board of Regents authorize the University to indemnify the federal government in the manner likely to be required by the expected renewal of the current Cooperative Agreement. To avoid to discontinuity of the PDC operations caused by possible delays in obtaining the requisite indemnity approvals, this authorization is sought in advance of the specific indemnification language. If upon receipt of the actual Cooperative Agreement renewal, the indemnification required therein differs substantially from the indemnification the Board had approved in 2015 and as anticipated in this memorandum, the President may preliminarily agree to the indemnification but will seek supplemental authorization as appropriate.

Attachment

c: Executive Administrator and Secretary to the Board of Regents

[§304A-110] Indemnification.

- (a) Notwithstanding any other law to the contrary, the board of regents may agree in writing to an indemnity provision by which the university agrees to indemnify, defend, and hold harmless any person, corporation, or entity that sponsors research at the university when all of the following conditions are satisfied:
 - (1) The person, corporation, or entity requires an indemnity in writing as a condition for providing a grant, benefit, service, or interest in or right to use property;
 - (2) The president, or the president's designee, following a favorable review by the university general counsel or the counsel's designee, approves the proposed indemnification; and
 - (3) The chief financial officer, pursuant to section 304A-108, has obtained an insurance policy or policies in an amount sufficient to cover the liability of the university that may be reasonably anticipated to arise under the indemnity provision or has determined that it is not in the best interest of the university to obtain insurance.
- (b) Nothing in this section shall be construed to expand the scope of liability of the university beyond that set forth in chapters 661 and 662.
- (c) Nothing in this section shall be construed to waive the immunity of the university from suit in federal courts guaranteed by the Eleventh Amendment to the United States Constitution. An indemnity provision not in strict compliance with this section shall not give rise to a claim against the university under this chapter or chapter 661 or otherwise waive the university's sovereign immunity.



'21 NOV 12 P1:33

November 4, 2021

MEMORANDUM

TO: Randolph G. Moore, Chair
Board of Regents

VIA: David Lassner
President *David Lassner*

VIA: Carrie K.S. Okinaga *Carrie Okinaga*
Gary Y. Takeuchi *Gary Takeuchi*
Office of the Vice President for Legal Affairs and
University General Counsel

FROM: Hae K. Okimoto *Hae K. Okimoto*
Associate Vice President of Student Affairs

SUBJECT: RECOMMEND APPROVAL TO REQUEST THE GOVERNOR'S
APPROVAL TO HOLD A PUBLIC HEARING REGARDING
AMENDMENTS TO HAWAII ADMINISTRATIVE RULES TITLE 20:

- (A) CHAPTER 4, "DETERMINATION OF RESIDENCY AS APPLIED TO TUITION PAYMENTS AND ADMISSION"; AND
- (B) CHAPTER 10, "DELINQUENT FINANCIAL OBLIGATIONS"

I. SPECIFIC ACTION REQUESTED

The Board of Regents ("BOR") is requested to approve the recommendation for the University to request the Governor's approval to hold a public hearing regarding amendments to Hawaii Administrative Rules ("HAR") Title 20, Chapter 4 ("Chapter 20-4") and Chapter 10 ("Chapter 20-10"), pursuant to Hawaii Revised Statutes ("HRS") § 91-3(a).

II. RECOMMENDED EFFECTIVE DATE

Upon approval by the BOR.

III. BACKGROUND INFORMATION

Article X, Section 6 of the Hawai'i Constitution specifically affords the BOR the "power to formulate policy, and to exercise control over the [U]niversity" and the "exclusive jurisdiction over the internal structure, management, and operation of the [U]niversity." Consistent with Article X, Section 6, the Hawai'i Legislature conferred upon the BOR the power to manage and control the University's general affairs, and the "exclusive jurisdiction over the internal structure, management, and operation of the [U]niversity." HRS § 304A-105. To this end, if the University is not statutorily required to promulgate rules governing certain operations of the University, the University has the discretion to establish and has indeed historically established BOR policies and executive and administrative policies and procedures instead of administrative rules. Even when the University is statutorily required to promulgate rules, the rules may allow for certain provisions to be established by policy. The BOR adopts its policies at its open meetings conducted in accordance with HRS Chapter 92, with its strict requirements for public notice and transparency. Adopting BOR policies via HRS Chapter 92 instead of going through formal rulemaking via HRS Chapter 91, is consistent with the autonomy provided in Article X, Section 6 of the Hawai'i Constitution and HRS § 304A-105, and permits a governance structure more appropriate and responsive to the unique needs and configuration of the University, while maintaining transparency with the public as well as the University community.

The University has been engaged in an effort to govern itself through University policies and procedures where allowed, instead of by HARs. Consistent with this larger effort, the BOR has previously approved the repeal or amendment of various chapters in Title 20 of the HAR, the title containing the rules of the University. Chapters required by statute have been amended to update and clarify the provisions and conform to current practices.

Chapter 20-4, entitled "Determination of Residency as Applied to Tuition Payments and Admission," is required by statute – see HRS § 304A-402. It has not been amended since 2006. Amendments are now being proposed to update and streamline the provisions of the chapter, as explained below.

Chapter 20-10, entitled "Delinquent Financial Obligations," is authorized by statute – see HRS § 304A-604 and HRS § 231-58. It was amended in 2018 to update the chapter and clarify which office is responsible for handling delinquent financial obligation appeals. Further amendments are now being proposed to streamline the process of applying sanctions, as explained below.

Bearing the foregoing in mind, the below discussion focuses on the specific HAR chapters and the reasons for the requested actions.

A. Holding of Public Hearing to Amend Chapter 20-4

Chapter 20-4, entitled “Determination of Residency as Applied to Tuition Payments and Admission,” provides the rules and procedures to determine the residency status of University students for tuition purposes, as required by HRS § 304A-402. The current version of Chapter 20-4 requires prospective students to answer many questions and attest to multiple forms of evidence in the process of determining residency for tuition purposes. This can make the process cumbersome and time-consuming, and is observed to discourage some prospective students from completing their applications for admission. Additionally, the current rules require that both subjective intent and objective fact be considered in the residency determination which has created confusion for some applicants. The proposed amendments to Chapter 20-4, attached hereto in Ramseyer and standard format as Exhibits 1 and 2, respectively, are intended to simplify the application and review processes while ensuring that the basic criteria to qualify for resident tuition, as set forth in HRS §304A-402, are met. Various non-substantive amendments are also proposed for clarity and consistency with other HAR chapters.

The proposed changes have been vetted by the Council of Senior Student Affairs Officers (“CSSAO”) and the campus residency officers who have primary responsibility for administering Chapter 20-4.

Specifically, the following substantive adjustments are proposed:

Subchapter 1

Section 20-4-2 – Definitions: A definition of “chancellor” has been added to make clear that any reference to chancellor refers to the chief executive officer of the respective campus; and the definitions of “employee” and “domicile” have been deleted since they are no longer referenced in the proposed revision.

Section 20-4-6 – Residence criteria: The section is revised to reference the criteria established in the HRS rather than including the statutory language in the HAR.

Section 20-4-7 – Evidence of residence: Proposed changes simplify and streamline the criteria for residency determination. The revisions no longer require “finding of subjective fact... as well as of objective fact” or multiple sources of evidence. The determination of residence is based on evidence of being a “bona fide resident,” as required by statute, rather than evidence of “intent to establish domicile in Hawaii.” The proposed rules identify various types of evidence that a prospective student may use to demonstrate that they have been a Hawai’i resident for at least 12 months prior to enrolling.

Section 20-4-8 – Rules of construction: Changes are consistent in referencing criteria of being a “bona fide resident” rather than “domicile in Hawaii.” Also, revisions clarify the types of evidence that a nonresident student may use to be considered a

resident. One criterion is that a student must be self-supporting through employment in Hawai'i rather than simply having financial means.

Subchapter 2:

Section 20-4-10 – Determination of residence: Evidence necessary for a residency determination is still required and may continue to be provided by responding to a questionnaire. However, the proposed amendments no longer mandate use of a questionnaire. The proposed amendments allow sources of evidence other than the questionnaire. For example, student enrollment data provided by the State of Hawai'i Department of Education may satisfy evidence of residence as "any other clear and compelling evidence of bona fide residence" described in Section 20-4-7(6).

B. Holding of Public Hearing to Amend Chapter 20-10

Chapter 20-10, entitled "Delinquent Financial Obligations," provides rules of general applicability (Subchapter 1), rules for appeals from notices of delinquent financial obligations and imposition of sanctions (Subchapter 2), and rules for setoff of a person's delinquent financial obligations against their Hawai'i State income tax refund or other sums due to the person from the State (Subchapter 3). The proposed amendments to Chapter 20-10, attached hereto in Ramseyer and standard format as Exhibits 3 and 4, respectively, are intended to remove the categories of delinquent financial obligations upon which a hierarchical structure, prioritizing certain obligations for purposes of applying sanctions, was established. For example, loans and tuition are in a separate category from fines and fees like library fines and dishonored check fees. Delinquent loan and tuition obligations are prioritized by being given greater flexibility in the application of sanctions, leaving some units within the University able to collect those financial obligations more easily than others. The proposed revisions would instead establish a process to collect any outstanding balance, regardless of financial obligation category, and apply sanctions based on a dollar limit threshold. With the new dollar limit threshold in place, the University's collection of total balances will be streamlined and sanctions applied equally, regardless of the type of financial obligation owed to the University. Some technical corrections and clarifying edits are also proposed.

This streamlined approach has been vetted by the Blue Ribbon Committee formed to evaluate process improvements, the Vice Chancellors for Administration and the CSSAO. Related proposed updates to Regents Policy 6.210, for consideration if and when the amendments to Chapter 20-10 take effect, are attached for your information. The University is also intending to update AP 8.731 to provide detailed procedures as authorized by the draft Regents Policy when the updates to Chapter 20-10 take effect, to ensure alignment across HAR, RP and AP.

Specifically, the following substantive adjustments are proposed:

Subchapter 1

- Section 20-10-3 – Definitions: A definition of “chancellor” has been added to make clear that any reference to chancellor refers to the chief executive officer of the respective campus; the definition of “delinquent” has been adjusted to more clearly include any past due financial obligation owed to the University and recognize that payment plans may be established; and a definition of “financial obligation” has been added to make clear that this includes any amount owed to the University.
- Section 20-10-4 – Delinquent financial obligations: This section has been updated to replace a list of financial obligation types with a requirement that sanctions will be based on dollar limit threshold amounts that will be established by the BOR in a Regents Policy, and be applied to any financial obligation.
- Section 20-10-5 – Collection of delinquent financial obligations: The specific steps of the collection process have been removed from the section, and those steps that do not remain in other sections of Chapter 20-10 will be established via Administrative Procedure.
- Section 20-10-6 – Application of sanctions: The subsection providing that registration will be cancelled during the semester as an imposed sanction has been removed to conform to current practice.

Subchapter 2

- The units specified to assist with appeals have been expanded to include not only the system financial management office but also the appropriate campus business office since many of these matters are handled at the campus level.

Subchapter 3

- The unit specified to assist with the setoff hearing process has been amended to be the appropriate business office since these matters are handled at the campus level.
- Section 20-10-15 – Rules of evidence; official notice: A new subsection (e) has been added regarding burden of proof to be consistent with HRS § 91-10(5).
- Section 20-10-16 – Final decisionmaking for the university in a contested case hearing: The provision designating where exceptions to a decision are to be filed has been changed to designate the President or the President’s designee, as the oral arguments on such exceptions are to be made to those officials pursuant to the rule.

IV. ACTION RECOMMENDED

It is recommended that the BOR approve requesting the Governor’s approval to hold public hearings, pursuant to HRS § 91-3(a), regarding amendments to Chapter 20-4 and Chapter 20-10. Upon approval by the BOR, the administration will seek the Governor’s approval to hold the public hearings pursuant to Administrative Directive 18-02 setting forth rule-making procedures. This will involve review by the Attorney General and Small Business Regulatory Review Board, then submission to the Governor for approval to hold a public hearing. Following 30-day public notice, the public hearing can be held and the BOR can vote to approve the rule amendments.

(If substantive amendments result from the public hearing process, a further public hearing on the rules will be required.) After BOR approval, the rule amendments will be submitted to the Attorney General for final review, and then to the Governor for final approval.

APPROVED/DISAPPROVED

RANDOLPH G. MOORE
Chair, Board of Regents
University of Hawai'i

Attachments:

- Exhibit 1 Ramseyer Format of the Proposed Amendments to HAR Chapter 20-4
- Exhibit 2 Standard Format of the Proposed Amendments to HAR Chapter 20-4
- Exhibit 3 Ramseyer Format of the Proposed Amendments to HAR Chapter 20-10
- Exhibit 4 Standard Format of the Proposed Amendments to HAR Chapter 20-10
- Exhibit 5 RP 6.210 (Payment of Tuition, Fees and Charges) (draft amendments)

c: Kalbert Young, Vice President for Budget & Finance/CFO

UNIVERSITY OF HAWAII

Amendments and Compilation of Chapter 20-4
Hawaii Administrative Rules

(_____)

Summary

1. Chapter 20-4, Hawaii Administrative Rules, entitled "Determination of Residency as Applied to Tuition Payments and Admission" is amended and compiled to read as follows:

"HAWAII ADMINISTRATIVE RULES

TITLE 20

UNIVERSITY OF HAWAII

BOARD OF REGENTS

CHAPTER 4

DETERMINATION OF RESIDENCY AS APPLIED TO

TUITION PAYMENTS AND ADMISSION

Subchapter 1 General Provisions

§20-4-1 Statement of purpose
§20-4-2 Definitions

§20-4-1

§20-4-3 Delegation of authority
§20-4-4 Repealed
§20-4-5 Board exemptions
§20-4-6 Residence criteria
§20-4-7 Evidence of residence
§20-4-8 Rules of construction
§20-4-9 [~~Particular categories~~] Special
Circumstances

Subchapter 2 Procedure

§20-4-10 Determination of residence
§20-4-11 Notification of change of residence
§20-4-12 Repealed
§20-4-12.1 Residency appeals board
§20-4-13 Repealed
§20-4-14 Appeals
§20-4-15 Repealed
§20-4-16 Repealed
§20-4-17 Providing incorrect information

Historical Note: This chapter is based substantially upon "Rules and Regulations Governing Determination of Residency as Applied to Tuition Payments and Admission at All Institutions under the Jurisdiction of the Board of Regents of the University of Hawaii" promulgated by the University of Hawaii board of regents. [Eff 10/19/74; am 12/16/76; R 6/22/81]

SUBCHAPTER 1

GENERAL PROVISIONS

§20-4-1 **Statement of purpose.** The purpose of these rules is to define the term "residence" to provide a procedure whereby the determination of residence status shall be made for all prospective

students; to provide appeal mechanisms for those students who feel that their residency classification is in error; and to provide sanctions for misrepresentation. [Eff 6/22/81; comp 07/15/06; comp] (Auth: HRS §304A-402) (Imp: HRS §304A-402)

§20-4-2 **Definitions.** As used in this chapter:

"Adult" means a person who has reached majority.

"Board" means the board of regents of the University of Hawaii.

"Chancellor" refers to the chief executive officer of the respective campus, and shall include their authorized designee.

"Dependent" means those persons who are defined as dependents by law, e.g., spouse, minor child, those who are defined as dependents under Internal Revenue Service rules, and those who are defined as authorized dependents by the Armed Forces of the United States provided that the dependents other than the spouse are no more than twenty-three years of age.

~~["Employee" means and includes the full-time faculty, staff, and line members, and also graduate teaching and research assistants (though not full-time), employed at the university.]~~

"Guardian" means a person invested by a court of law with the power, and charged with the duty, of taking care of the person and managing the property and other rights of a minor.

"Hanai" means a child taken permanently to be reared, educated and loved by someone other than natural parents - traditionally a grandparent or other relative. The child is given outright; natural parents renounce all claims to the child. Usually the child is given at infancy.

"Majority" means the age specified under section 577-1, HRS. That age is presently eighteen years.

"Minor" means a person who has not reached majority.

"Parents" includes legal guardian and legal adoptive parent, except where the guardianship or adoption was acquired primarily to obtain resident status for the ward or adopted child. It shall also include a person who can legally claim an unmarried minor as a dependent for federal income tax purposes, but only when such person has been in loco parentis to the minor for the twelve-month period immediately preceding the residency determination date.

"President" means the president of the University of Hawaii and shall include authorized subordinates.

~~["Domicile" means the place where an individual has a true, fixed, and permanent home and to where, whenever absent, the individual has the intention of returning. No individual can claim more than one domicile at any given time.]~~

"Residence" as used in this chapter for tuition purposes, shall have the meaning set forth in section ~~[304-4(c),]~~ 304A-402, HRS, as amended from time to time, and as more particularly described in this chapter.

"Residency determination date" means the first day of officially scheduled instruction for any semester or term in which the student is enrolling at the particular college or campus ~~[involved.]~~ as established by the approved university academic calendar.

"Residency officer" means the registrar, director of admissions or other staff member designated ~~[by]~~ for each campus to determine the residency status of students. Only the residency officer's determination represents the university's official ~~[university's]~~ determination of residency.

"Student" means every full-time and part-time graduate and undergraduate student enrolled at the university.

"University" means ~~[the several institutions and each of them that fall under the jurisdiction of the board.]~~ the University of Hawaii. Any of the provisions in this chapter which affect the standing of a person at any one campus also affect the standing or potential standing at all other campuses. [Eff

6/22/81; am 3/12/84; am 4/04/88; am and comp 07/15/06;
am and comp] (Auth: HRS §304A-402)
(Imp: HRS §304A-402)

§20-4-3 **Delegation of authority.** The board hereby delegates its authority to administer and manage the [~~out-of-state~~] tuition program at the university to the president. [Eff 6/22/81; comp 07/15/06; am and comp] (Auth: HRS §304A-402)

§20-4-4 **REPEALED.** [Eff 6/22/81; R 3/12/84]

§20-4-5 **Board exemptions.** The board may exempt certain nonresidents from payment of the nonresident tuition differential. Students may consult [~~campus~~] residency officers for further information on these exemptions. [Eff 6/22/81; am 3/12/84; am 4/04/88; am and comp 07/15/06; am and comp]
(Auth: HRS §304A-402) (Imp. HRS §304A-402)

§20-4-6 **Residence criteria.** The university's definition of "resident" for tuition purposes may be different from the definitions developed by other non-university agencies. The university does not necessarily recognize declarations of resident status made by other agencies. Thus, a person who is a Hawaii resident for tax or voting purposes, for example, is not necessarily a resident for University of Hawaii tuition and admission purposes. To qualify for the resident tuition fee, [~~the following criteria shall be met:~~

- ~~(1) The adult student, or in the case of a minor student, the student's parents or~~

~~guardians, has been a bona fide resident of this state for at least twelve consecutive months next preceding the student's residence determination date; and~~

- ~~(2) The adult or minor student has not been claimed as a dependent for tax purposes for at least twelve months next preceding the residency determination date by his parents or guardians who are not legal residents of the State; provided that this provision shall not apply in cases where the parent claiming the student as a dependent is entitled to do so under a child support order or agreement issued or entered into in conjunction with a divorce proceeding or legal separation agreement, and the other parent and the student meet the criteria set forth in paragraph (1);]~~

the criteria established by §304A-402, HRS, must be met. [Eff 6/22/81; am 3/12/84 am 6/08/89; am and comp 07/15/06; am and comp] (Auth: HRS §304A-402) (Imp: HRS §304A-402)

§20-4-7 **Evidence of residence.** The determination of residence for tuition purposes requires ~~[a finding of subjective fact (intent to establish domicile in Hawaii while relinquishing any prior domicile) as well as of objective fact (physical presence)].~~ The following evidences of a person's intent to establish domicile in Hawaii shall be considered. No single evidence shall be decisive. ~~The residency officer will look primarily at the following evidences:~~

- ~~(1) Voting, or voter registration, or both, in Hawaii.~~
- ~~(2) Filing of Hawaii resident personal income tax return.~~

~~In addition, the residency officer may consider other evidence, such as:~~

- ~~(1) Ownership of residential property or continuous rental of a dwelling on a lease basis in Hawaii.~~
- ~~(2) Carrying on of a business or the holding of an employment position in Hawaii.~~
- ~~(3) Presence of parent(s), spouse, children, and other close relatives in Hawaii.~~
- ~~(4) Any other clear and compelling evidence, as determined by the residency officer.]~~

that the adult student or in the case of a minor student, the student's parent or guardian, has been a bona fide resident of this state for at least twelve consecutive months immediately prior to the residency determination date. Evidence of residence requires:

- (1) Filing of the Hawaii resident personal income tax return by the:
 - (A) Adult student who is not claimed as a dependent for tax purposes; or
 - (B) Minor student who is declared an emancipated minor; or
 - (C) Parent or guardian of the student if the student is declared as a dependent;
- (2) A Hawaii State driver's license or Hawaii State identification card issued at least twelve months preceding the residency determination date;
- (3) Voting, or voter registration, in Hawaii at least twelve months preceding the residency determination date;
- (4) Ownership or continuous rental in Hawaii of the principal residence beginning at least twelve months immediately preceding the residency determination date;
- (5) Carrying on of a business or the holding of an employment position in Hawaii for at least twelve consecutive months immediately preceding the residency determination date;
or
- (6) Any other clear and compelling evidence of bona fide residence for at least twelve consecutive months immediately preceding the residency determination date, as determined

by the residency officer. [Eff 6/22/81; am
3/12/84; am and comp 07/15/06; am and comp
] (Auth: HRS §304A-402)
(Imp: HRS §304A-402)

§20-4-8 **Rules of construction.** The following rules of construction shall be applied in all cases:

- (1) The twelve months begin on the date upon which the first overt action (see evidences in section 20-4-7) is taken to make Hawaii the permanent residence. While residence shall be lost if it is interrupted during the twelve months immediately preceding the [~~residence~~] residency determination date, resident status derived from two or more successive sources may be tacked together to compute the twelve-month period.
- (2) Residence in Hawaii and residence in another place cannot be held simultaneously.
- (3) Presence in Hawaii primarily to attend an institution of higher learning shall not create resident status. A nonresident student enrolled for six credits or more per term shall be presumed to be in Hawaii primarily for educational purposes. Such period of enrollment shall not be counted toward the establishment of [~~a~~] bona fide [~~domicile of one year in Hawaii.~~] residence in Hawaii for twelve consecutive months immediately preceding the residency determination date. A student may rebut this presumption of [~~nonresidence~~] nonresident status if clear and convincing evidence is provided that the student has abandoned the student's previous residence and has established a bona fide residence in Hawaii primarily for purposes other than educational. The following evidences, in addition to the evidences of residence cited in section 20-4-7, [~~shall~~] may be considered

in determining bona fide [~~domicile~~]
residence in Hawaii. No single evidence is
 decisive.

- (A) Location and duration of driver's license for the previous year.
 - (B) Resident status in all postsecondary schools attended outside of Hawaii.
 - (C) [~~Location~~] Evidence of ability to be self-supporting (e.g., proof of full-time employment), and location and duration of any [~~checking accounts, saving~~] locally based bank accounts [~~and safety deposit boxes~~] for the previous year [~~that documents financial independence~~]. Reliance upon non-Hawaii, non-federal resources for financial support infers [~~domicile~~]
residence in a state other than Hawaii. This includes trust funds, college savings funds, or other accounts available to the student.
 - (D) Continuous presence in Hawaii during periods when not enrolled in school.
- (4) Resident status, once acquired, shall be lost by future voluntary actions of the resident inconsistent with that status. However, Hawaii residence shall not be lost solely because of the absence from the State while serving in the United States armed forces, while engaged in navigation, or while a student at any institution of learning, provided Hawaii is claimed and maintained as the student's residence.
- (5) Time spent incarcerated in city, state, or federal jails or prisons shall not be counted [~~toward the physical presence requirement for~~] in determining Hawaii residency for tuition purposes. [Eff 6/22/81; am 3/12/84; am and comp 07/15/06; am and comp] (Auth: HRS §304A-402) (Imp: HRS §304A-402)

Historical Note: Section 20-4 8(1) is based substantially on section 20-4-4. [Eff 6/22/81; R 3/12/84] (Auth: HRS §304A-402) (Imp: HRS §304A-402)

§20-4-9 [~~Particular categories.~~] Special Circumstances. (a) The resident status of every adult shall be established by the person's own acts and intentions and shall not be derived from any other person, except as specifically provided otherwise in this chapter.

(b) The residence of an unemancipated minor shall be the residence of the parent who claims the minor as a dependent for tax purposes, regardless of the minor's primary abode. If both parents are deceased, the residence of the unemancipated minor remains that of the last parent to die until changed by court order. Upon court appointment of a guardian for the minor, the residence of the minor shall become that of the guardian.

(c) A nonresident unemancipated minor attending an institution of higher learning outside of Hawaii or on active duty with the United States armed forces, whose parents become residents of Hawaii and who reaches majority before the minor would derive residency in Hawaii from the parents' new status, may be classified as a resident for tuition purposes when the parents have completed twelve consecutive months of residence; provided that the classification shall be lost if actions inconsistent with resident status are taken after leaving the institution or discharge from the military (e.g., failure to promptly make a home in Hawaii).

(d) If an unemancipated minor's parents lose their Hawaii residence, the minor shall be classified as a nonresident at the next [~~residence~~] residency determination date; provided if the parents' change of residence is due to obedience to active-duty military orders, the minor student shall continue to pay resident tuition as long as the minor continuously attends the University full time.

(e) An emancipated minor shall be considered an adult for purposes of residence under this section. The following shall constitute evidence of emancipation, no one of which shall be controlling:

- (1) [~~Financially independent or self supporting.~~] Self-supporting.
- (2) Subsistence not provided by parents or legal guardian.
- (3) Prior military service.
- (4) Other evidence of residence enumerated under section 20-4-7.
- (5) Any other conduct inconsistent with parental control and custody.

(f) A student shall be allowed to base residency on that of someone other than the parent or legal guardian, provided the relationship between the student and the person or persons other than the parent or legal guardian is that of hanai.

(g) An alien may establish residence [~~unless prohibited by~~] to the extent permitted by the Immigration & Nationality Act [~~from establishing domicile in the U.S.~~]. The date of approval of such status shall be the earliest date upon which the twelve-month residency requirement may begin to accrue.

(h) Service in the armed forces of the United States shall not of itself negate establishment of residence in Hawaii. For instance, a nonresident [~~serviceman~~] servicemember whose last duty station is in Hawaii and who does all other things necessary to establish bona fide [~~domicile~~] residence in Hawaii, may be classified as a resident. In addition, a person who establishes [~~domicile~~] residence in Hawaii but who enters the military service prior to the expiration of the twelve months from the date of establishment may tack the period of military service onto the former period to satisfy the twelve-month criteria. [Eff 6/22/81; am 3/12/84; am and comp 07/15/06; am and comp] (Auth: HRS §304A-402) (Imp: HRS §304A-402)

SUBCHAPTER 2

PROCEDURE

§20-4-10 **Determination of residence.** (a) The residency officer ~~[at]~~ for each campus shall determine the resident or nonresident status of every student matriculating at that campus. ~~[A questionnaire shall be prepared to elicit facts upon which to make the residency determination and the questionnaire shall be transmitted to each prospective student. The prospective student shall answer all pertinent questions and shall attest to the truth of all answers by signing the questionnaire.]~~ Evidence shall be collected to elicit facts upon which to make the residency determination. Evidence may be provided by the student responding to a questionnaire used to determine residency and attesting to the truth of the information provided to the university. The residency officer may also require the production by the prospective student of certified copies of documents relevant to the determination of resident status.

(b) A nonresident student, having met the criteria for bona fide legal Hawaii residency, may request a change of status from nonresident to resident by completing ~~[the residency questionnaire]~~ a residency conversion form and attaching certified copies of the student's, parents', or guardians' personal income tax form. The residency officer may also require the production by the student of certified copies of other documents relevant to the determination of resident status consistent with sections 20-4-6, 20-4-7, and 20-4-8. [Eff 6/22/81; am 3/12/84; am and comp 07/15/06; am and comp

] (Auth: HRS §304A-402) (Imp: HRS §304A-402)

§20-4-11 **Notification of change of residence.** A resident student who subsequently takes up residence

outside of Hawaii and who continues to attend the university shall promptly advise the residency officer of the change of residence. In such a case, the nonresident tuition differential shall be payable commencing from the [~~residence~~] residency determination date following the change of residence. [Eff 6/22/81; am 3/12/84; comp 07/15/06; am and comp] (Auth: HRS §304A-402) (Imp: HRS §304A-402)

§20-4-12 **REPEALED.** [R 07/15/06]

§20-4-12.1 **Residency appeals board.** (a) The residency appeals board shall be composed of the residency officer [~~from~~] for each campus of the university.

(b) A minimum of three residency appeals board members shall decide each appeal.

(c) Residency officers shall recuse themselves from hearing appeals of students enrolled at their campuses.

(d) In general, the residency appeals board will affirm a determination of nonresident status unless the student produces new information or there has been a change in legal standards.

(e) The decision of the residency appeals board shall be the final university determination. [Eff and comp 07/15/06; am and comp] (Auth: HRS §304A-402) (Imp: HRS §304A-402)

Historical Note: Section 20-4-12.1 is based substantially on section 20-4-12 [Eff 06/22/81; R 07/15/06] (Auth: HRS §304A-402) (Imp: HRS §304A-402)

§20-4-13 **REPEALED.** [R 07/15/06]

§20-4-14 **Appeals.** (a) Classification as a nonresident by a residency officer may be appealed by the student to the residency appeals board.

(b) Notification of appeal shall be made in writing upon the form available at the admissions office on each campus. Notification of appeal shall be received by the residency appeals board on or before the thirtieth day following the mailing (or personal delivery, as the case may be) of written notification of nonresident determination or on or before ten days after the [~~residence~~] residency determination date, whichever is later. Failure to file an appeal within the time prescribed constitutes a waiver of the right to file such an appeal for that semester or term.

(c) Appeals shall be heard only after payment of the nonresident tuition. Appeal hearings shall be held within three weeks of the request for an appeal unless continued by the residency appeals board. If the student fails to appear at the scheduled hearing, except for good cause shown, the appeal shall be dismissed.

(d) The residency appeals board shall promptly notify the student of the time, date, and place of the hearing upon the appeal. The hearing shall be held between seven and twenty days after notification by the residency appeals board, but the residency appeals board may extend this period a reasonable length of time if its hearing calendar so requires.

(e) The hearing shall be private unless the student requests a public hearing in the notice of appeal.

(f) The student may be represented by legal counsel if so desired.

(g) Formal rules of evidence need not be followed in an appellate hearing. The residency appeals board may require that the student provide it with certified copies of the pertinent documents. The residency appeals board may call the residency officer to explain the basis of the determination of student's nonresidence. A record of the oral testimony adduced at the hearing need not be kept.

(h) The residency appeals board shall issue its findings of fact, conclusions of law, and decision within thirty days after the hearing and a copy shall be transmitted to the student, to the president, and to the chancellor of the campus concerned. The decision of the residency appeals board shall be final.

(i) If the residency appeals board determines that the student is a resident, the campus will refund the nonresident tuition differential to the student. [Eff 6/22/81; am 3/12/84; am and comp 07/15/06; am and comp] (Auth: HRS §304A-402) (Imp: HRS §304A-402)

§20-4-15 **REPEALED.** [R 07/15/06]

§20-4-16 **REPEALED.** [R 3/12/84]

§20-4-17 **Providing incorrect information.** A student or prospective student who provides incorrect information upon any form or document intended for use in the determination of residency status for tuition or admission purposes, or relative to any appeal hearing thereof, and who is admitted to the university on the basis of the incorrect information shall be subject to the following:

- (1) The student shall be required to pay the difference between the resident and nonresident tuition retroactive to the student's initial residency determination date. The student shall be notified by registered letter of any discovery of incorrect information and the requirement of any additional payment due the university. Payment of the difference in tuition shall be made within ten days of the mailing of

the notice or before the last day of instruction for the semester or term in which the student is enrolled, whichever is sooner. Should the student not pay the difference in tuition, and upon the expiration of the period for payment, the student shall be removed from the official enrollment list of the university and be refunded the full tuition paid for the current semester or term less a prorata amount due the university to cover the cost of all instruction provided, as shall be prescribed by the president. The denial of further enrollment and the withdrawal of service connected with the evidences of instruction such as transcripts or diplomas shall be imposed in accordance with ~~[section]~~ chapter [20-10-2,] 20-10, Hawaii Administrative Rules.

- (2) Any student or prospective student who intentionally or willfully misrepresents any fact relative to the determination of residency or any appeal thereof, and who is admitted to the university on the basis of the misrepresentation, in addition to the requirements prescribed in this section, may also be charged with a violation of the campus conduct code, penalties under which may include warning, probation, suspension, or expulsion." [Eff 6/22/81; am 3/12/84; comp 07/15/06; am and comp]
(Auth: HRS §304A-402) (Imp: HRS §304A-402)

2. These amendments to and compilation of chapter 20-4 shall take effect ten days after filing with the Office of the Lieutenant Governor.

I certify that the foregoing are copies of the rules drafted in Ramseyer format, pursuant to the requirements of section 91-4.1, Hawaii Revised

Statutes, which were adopted on _____
and filed with the Office of the Lieutenant Governor.

RANDOLPH G. MOORE
Chairperson, Board of Regents
University of Hawaii

APPROVED AS TO FORM:

University of Hawaii

Carrie K. S. Okinaga, Esq.
Vice President for Legal Affairs and
University General Counsel

Department of the Attorney General

Lori Tanigawa, Esq.
Deputy Attorney General

UNIVERSITY OF HAWAII

Amendments and Compilation of Chapter 20-4
Hawaii Administrative Rules

(_____)

Summary

1. §§20-4-2 to 20-4-3 are amended.
2. §§20-4-5 to 20-4-11 are amended.
3. §20-4-12.1 is amended.
4. §20-4-14 is amended.
5. §20-4-17 is amended.
6. Chapter 20-4 is compiled.

HAWAII ADMINISTRATIVE RULES

TITLE 20

UNIVERSITY OF HAWAII

BOARD OF REGENTS

CHAPTER 4

DETERMINATION OF RESIDENCY AS APPLIED TO
TUITION PAYMENTS AND ADMISSION

Subchapter 1 General Provisions

§20-4-1	Statement of purpose
§20-4-2	Definitions
§20-4-3	Delegation of authority
§20-4-4	Repealed
§20-4-5	Board exemptions
§20-4-6	Residence criteria
§20-4-7	Evidence of residence
§20-4-8	Rules of construction
§20-4-9	Special Circumstances

Subchapter 2 Procedure

§20-4-10	Determination of residence
§20-4-11	Notification of change of residence
§20-4-12	Repealed
§20-4-12.1	Residency appeals board
§20-4-13	Repealed
§20-4-14	Appeals
§20-4-15	Repealed
§20-4-16	Repealed

§20-4-17 Providing incorrect information

Historical Note: This chapter is based substantially upon "Rules and Regulations Governing Determination of Residency as Applied to Tuition Payments and Admission at All Institutions under the Jurisdiction of the Board of Regents of the University of Hawaii" promulgated by the University of Hawaii board of regents. [Eff 10/19/74; am 12/16/76; R 6/22/81]

SUBCHAPTER 1

GENERAL PROVISIONS

§20-4-1 **Statement of purpose.** The purpose of these rules is to define the term "residence" to provide a procedure whereby the determination of residence status shall be made for all prospective students; to provide appeal mechanisms for those students who feel that their residency classification is in error; and to provide sanctions for misrepresentation. [Eff 6/22/81; comp 07/15/06; comp] (Auth: HRS §304A-402) (Imp: HRS §304A-402)

§20-4-2 **Definitions.** As used in this chapter:
"Adult" means a person who has reached majority.
"Board" means the board of regents of the University of Hawaii.
"Chancellor" refers to the chief executive officer of the respective campus, and shall include their authorized designee.
"Dependent" means those persons who are defined as dependents by law, e.g., spouse, minor child, those who are defined as dependents under Internal Revenue Service rules, and those who are defined as authorized

dependents by the Armed Forces of the United States provided that the dependents other than the spouse are no more than twenty-three years of age.

"Guardian" means a person invested by a court of law with the power, and charged with the duty, of taking care of the person and managing the property and other rights of a minor.

"Hanai" means a child taken permanently to be reared, educated and loved by someone other than natural parents - traditionally a grandparent or other relative. The child is given outright; natural parents renounce all claims to the child. Usually the child is given at infancy.

"Majority" means the age specified under section 577-1, HRS. That age is presently eighteen years.

"Minor" means a person who has not reached majority.

"Parents" includes legal guardian and legal adoptive parent, except where the guardianship or adoption was acquired primarily to obtain resident status for the ward or adopted child. It shall also include a person who can legally claim an unmarried minor as a dependent for federal income tax purposes, but only when such person has been in loco parentis to the minor for the twelve-month period immediately preceding the residency determination date.

"President" means the president of the University of Hawaii and shall include authorized subordinates.

"Residence" as used in this chapter for tuition purposes, shall have the meaning set forth in section 304A-402, HRS, as amended from time to time, and as more particularly described in this chapter.

"Residency determination date" means the first day of officially scheduled instruction for any semester or term in which the student is enrolling at the particular college or campus as established by the approved university academic calendar.

"Residency officer" means the registrar, director of admissions or other staff member designated for each campus to determine the residency status of students. Only the residency officer's determination

represents the university's official determination of residency.

"Student" means every full-time and part-time graduate and undergraduate student enrolled at the university.

"University" means the University of Hawaii. Any of the provisions in this chapter which affect the standing of a person at any one campus also affect the standing or potential standing at all other campuses. [Eff 6/22/81; am 3/12/84; am 4/04/88; am and comp 07/15/06; am and comp] (Auth: HRS §304A-402) (Imp: HRS §304A-402)

§20-4-3 **Delegation of authority.** The board hereby delegates its authority to administer and manage the tuition program at the university to the president. [Eff 6/22/81; comp 07/15/06; am and comp] (Auth: HRS §304A-402)

§20-4-4 **REPEALED.** [Eff 6/22/81; R 3/12/84]

§20-4-5 **Board exemptions.** The board may exempt certain nonresidents from payment of the nonresident tuition differential. Students may consult residency officers for further information on these exemptions. [Eff 6/22/81; am 3/12/84; am 4/04/88; am and comp 07/15/06; am and comp] (Auth: HRS §304A-402) (Imp. HRS §304A-402)

§20-4-6 **Residence criteria.** The university's definition of "resident" for tuition purposes may be different from the definitions developed by other non-university agencies. The university does not necessarily recognize declarations of resident

status made by other agencies. Thus, a person who is a Hawaii resident for tax or voting purposes, for example, is not necessarily a resident for University of Hawaii tuition and admission purposes. To qualify for the resident tuition fee, the criteria established by §304A-402, HRS, must be met. [Eff 6/22/81; am 3/12/84 am 6/08/89; am and comp 07/15/06; am and comp] (Auth: HRS §304A-402) (Imp: HRS §304A-402)

§20-4-7 **Evidence of residence.** The determination of residence for tuition purposes requires that the adult student or in the case of a minor student, the student's parent or guardian, has been a bona fide resident of this state for at least twelve consecutive months immediately prior to the residency determination date. Evidence of residence requires:

- (1) Filing of the Hawaii resident personal income tax return by the:
 - (A) Adult student who is not claimed as a dependent for tax purposes; or
 - (B) Minor student who is declared an emancipated minor; or
 - (C) Parent or guardian of the student if the student is declared as a dependent;
- (2) A Hawaii State driver's license or Hawaii State identification card issued at least twelve months preceding the residency determination date;
- (3) Voting, or voter registration, in Hawaii at least twelve months preceding the residency determination date;
- (4) Ownership or continuous rental in Hawaii of the principal residence beginning at least twelve months immediately preceding the residency determination date;
- (5) Carrying on of a business or the holding of an employment position in Hawaii for at least twelve consecutive months immediately

preceding the residency determination date;
or

- (6) Any other clear and compelling evidence of bona fide residence for at least twelve consecutive months immediately preceding the residency determination date, as determined by the residency officer. [Eff 6/22/81; am 3/12/84; am and comp 07/15/06; am and comp] (Auth: HRS §304A-402)
(Imp: HRS §304A-402)

§20-4-8 **Rules of construction.** The following rules of construction shall be applied in all cases:

- (1) The twelve months begin on the date upon which the first overt action (see evidences in section 20-4-7) is taken to make Hawaii the permanent residence. While residence shall be lost if it is interrupted during the twelve months immediately preceding the residency determination date, resident status derived from two or more successive sources may be tacked together to compute the twelve-month period.
- (2) Residence in Hawaii and residence in another place cannot be held simultaneously.
- (3) Presence in Hawaii primarily to attend an institution of higher learning shall not create resident status. A nonresident student enrolled for six credits or more per term shall be presumed to be in Hawaii primarily for educational purposes. Such period of enrollment shall not be counted toward the establishment of bona fide residence in Hawaii for twelve consecutive months immediately preceding the residency determination date. A student may rebut this presumption of nonresident status if clear and convincing evidence is provided that the student has abandoned the student's previous residence and has established a

bona fide residence in Hawaii primarily for purposes other than educational. The following evidences, in addition to the evidences of residence cited in section 20-4-7, may be considered in determining bona fide residence in Hawaii. No single evidence is decisive.

- (A) Location and duration of driver's license for the previous year.
 - (B) Resident status in all postsecondary schools attended outside of Hawaii.
 - (C) Evidence of ability to be self-supporting (e.g., proof of full-time employment), and location and duration of any locally based bank accounts for the previous year. Reliance upon non-Hawaii, non-federal resources for financial support infers residence in a state other than Hawaii. This includes trust funds, college savings funds, or other accounts available to the student.
 - (D) Continuous presence in Hawaii during periods when not enrolled in school.
- (4) Resident status, once acquired, shall be lost by future voluntary actions of the resident inconsistent with that status. However, Hawaii residence shall not be lost solely because of the absence from the State while serving in the United States armed forces, while engaged in navigation, or while a student at any institution of learning, provided Hawaii is claimed and maintained as the student's residence.
- (5) Time spent incarcerated in city, state, or federal jails or prisons shall not be counted in determining Hawaii residency for tuition purposes. [Eff 6/22/81; am 3/12/84; am and comp 07/15/06; am and comp
] (Auth: HRS §304A-402)
 (Imp: HRS §304A-402)

Historical Note: Section 20-4 8(1) is based substantially on section 20-4-4. [Eff 6/22/81; R 3/12/84] (Auth: HRS §304A-402) (Imp: HRS §304A-402)

§20-4-9 **Special Circumstances.** (a) The resident status of every adult shall be established by the person's own acts and intentions and shall not be derived from any other person, except as specifically provided otherwise in this chapter.

(b) The residence of an unemancipated minor shall be the residence of the parent who claims the minor as a dependent for tax purposes, regardless of the minor's primary abode. If both parents are deceased, the residence of the unemancipated minor remains that of the last parent to die until changed by court order. Upon court appointment of a guardian for the minor, the residence of the minor shall become that of the guardian.

(c) A nonresident unemancipated minor attending an institution of higher learning outside of Hawaii or on active duty with the United States armed forces, whose parents become residents of Hawaii and who reaches majority before the minor would derive residency in Hawaii from the parents' new status, may be classified as a resident for tuition purposes when the parents have completed twelve consecutive months of residence; provided that the classification shall be lost if actions inconsistent with resident status are taken after leaving the institution or discharge from the military (e.g., failure to promptly make a home in Hawaii).

(d) If an unemancipated minor's parents lose their Hawaii residence, the minor shall be classified as a nonresident at the next residency determination date; provided if the parents' change of residence is due to obedience to active-duty military orders, the minor student shall continue to pay resident tuition as long as the minor continuously attends the University full time.

(e) An emancipated minor shall be considered an adult for purposes of residence under this section. The following shall constitute evidence of emancipation, no one of which shall be controlling:

- (1) Self-supporting.
- (2) Subsistence not provided by parents or legal guardian.
- (3) Prior military service.
- (4) Other evidence of residence enumerated under section 20-4-7.
- (5) Any other conduct inconsistent with parental control and custody.

(f) A student shall be allowed to base residency on that of someone other than the parent or legal guardian, provided the relationship between the student and the person or persons other than the parent or legal guardian is that of hanai.

(g) An alien may establish residence to the extent permitted by the Immigration & Nationality Act. The date of approval of such status shall be the earliest date upon which the twelve-month residency requirement may begin to accrue.

(h) Service in the armed forces of the United States shall not of itself negate establishment of residence in Hawaii. For instance, a nonresident servicemember whose last duty station is in Hawaii and who does all other things necessary to establish bona fide residence in Hawaii, may be classified as a resident. In addition, a person who establishes residence in Hawaii but who enters the military service prior to the expiration of the twelve months from the date of establishment may tack the period of military service onto the former period to satisfy the twelve-month criteria. [Eff 6/22/81; am 3/12/84; am and comp 07/15/06; am and comp]
(Auth: HRS §304A-402) (Imp: HRS §304A-402)

SUBCHAPTER 2

PROCEDURE

§20-4-10 **Determination of residence.** (a) The residency officer for each campus shall determine the resident or nonresident status of every student matriculating at that campus. Evidence shall be collected to elicit facts upon which to make the residency determination. Evidence may be provided by the student responding to a questionnaire used to determine residency and attesting to the truth of the information provided to the university. The residency officer may also require the production by the prospective student of certified copies of documents relevant to the determination of resident status.

(b) A nonresident student, having met the criteria for bona fide legal Hawaii residency, may request a change of status from nonresident to resident by completing a residency conversion form and attaching certified copies of the student's, parents', or guardians' personal income tax form. The residency officer may also require the production by the student of certified copies of other documents relevant to the determination of resident status consistent with sections 20-4-6, 20-4-7, and 20-4-8. [Eff 6/22/81; am 3/12/84; am and comp 07/15/06; am and comp

] (Auth: HRS §304A-402) (Imp: HRS §304A-402)

§20-4-11 **Notification of change of residence.** A resident student who subsequently takes up residence outside of Hawaii and who continues to attend the university shall promptly advise the residency officer of the change of residence. In such a case, the nonresident tuition differential shall be payable commencing from the residency determination date following the change of residence. [Eff 6/22/81; am

3/12/84; comp 07/15/06; am and comp]
(Auth: HRS §304A-402) (Imp: HRS §304A-402)

§20-4-12 **REPEALED.** [R 07/15/06]

§20-4-12.1 **Residency appeals board.** (a) The residency appeals board shall be composed of the residency officer for each campus of the university.

(b) A minimum of three residency appeals board members shall decide each appeal.

(c) Residency officers shall recuse themselves from hearing appeals of students enrolled at their campuses.

(d) In general, the residency appeals board will affirm a determination of nonresident status unless the student produces new information or there has been a change in legal standards.

(e) The decision of the residency appeals board shall be the final university determination. [Eff and comp 07/15/06; am and comp] (Auth: HRS §304A-402) (Imp: HRS §304A-402)

Historical Note: Section 20-4-12.1 is based substantially on section 20-4-12 [Eff 06/22/81; R 07/15/06] (Auth: HRS §304A-402) (Imp: HRS §304A-402)

§20-4-13 **REPEALED.** [R 07/15/06]

§20-4-14 **Appeals.** (a) Classification as a nonresident by a residency officer may be appealed by the student to the residency appeals board.

(b) Notification of appeal shall be made in writing upon the form available at the admissions office on each campus. Notification of appeal shall

be received by the residency appeals board on or before the thirtieth day following the mailing (or personal delivery, as the case may be) of written notification of nonresident determination or on or before ten days after the residency determination date, whichever is later. Failure to file an appeal within the time prescribed constitutes a waiver of the right to file such an appeal for that semester or term.

(c) Appeals shall be heard only after payment of the nonresident tuition. Appeal hearings shall be held within three weeks of the request for an appeal unless continued by the residency appeals board. If the student fails to appear at the scheduled hearing, except for good cause shown, the appeal shall be dismissed.

(d) The residency appeals board shall promptly notify the student of the time, date, and place of the hearing upon the appeal. The hearing shall be held between seven and twenty days after notification by the residency appeals board, but the residency appeals board may extend this period a reasonable length of time if its hearing calendar so requires.

(e) The hearing shall be private unless the student requests a public hearing in the notice of appeal.

(f) The student may be represented by legal counsel if so desired.

(g) Formal rules of evidence need not be followed in an appellate hearing. The residency appeals board may require that the student provide it with certified copies of the pertinent documents. The residency appeals board may call the residency officer to explain the basis of the determination of student's nonresidence. A record of the oral testimony adduced at the hearing need not be kept.

(h) The residency appeals board shall issue its findings of fact, conclusions of law, and decision within thirty days after the hearing and a copy shall be transmitted to the student, to the president, and to the chancellor of the campus concerned. The

decision of the residency appeals board shall be final.

(i) If the residency appeals board determines that the student is a resident, the campus will refund the nonresident tuition differential to the student. [Eff 6/22/81; am 3/12/84; am and comp 07/15/06; am and comp] (Auth: HRS §304A-402) (Imp: HRS §304A-402)

§20-4-15 **REPEALED.** [R 07/15/06]

§20-4-16 **REPEALED.** [R 3/12/84]

§20-4-17 **Providing incorrect information.** A student or prospective student who provides incorrect information upon any form or document intended for use in the determination of residency status for tuition or admission purposes, or relative to any appeal hearing thereof, and who is admitted to the university on the basis of the incorrect information shall be subject to the following:

- (1) The student shall be required to pay the difference between the resident and nonresident tuition retroactive to the student's initial residency determination date. The student shall be notified by registered letter of any discovery of incorrect information and the requirement of any additional payment due the university. Payment of the difference in tuition shall be made within ten days of the mailing of the notice or before the last day of instruction for the semester or term in which the student is enrolled, whichever is sooner. Should the student not pay the difference in tuition, and upon the

expiration of the period for payment, the student shall be removed from the official enrollment list of the university and be refunded the full tuition paid for the current semester or term less a prorata amount due the university to cover the cost of all instruction provided, as shall be prescribed by the president. The denial of further enrollment and the withdrawal of service connected with the evidences of instruction such as transcripts or diplomas shall be imposed in accordance with chapter 20-10, Hawaii Administrative Rules.

- (2) Any student or prospective student who intentionally or willfully misrepresents any fact relative to the determination of residency or any appeal thereof, and who is admitted to the university on the basis of the misrepresentation, in addition to the requirements prescribed in this section, may also be charged with a violation of the campus conduct code, penalties under which may include warning, probation, suspension, or expulsion. [Eff 6/22/81; am 3/12/84; comp 07/15/06; am and comp]
(Auth: HRS §304A-402) (Imp: HRS §304A-402)

UNIVERSITY OF HAWAII

Amendments to and compilation of chapter 20-10, Hawaii Administrative Rules, on the Summary Page dated _____, were adopted on _____, following a public hearing held on _____, after public notice was given in the Honolulu Star-Advertiser on _____.

These rules shall take effect ten days after filing with the Office of the Lieutenant Governor.

RANDOLPH G. MOORE
Chairperson, Board of Regents
University of Hawaii

APPROVED:

DAVID Y. IGE
Governor
State of Hawaii

Dated: _____

Filed

APPROVED AS TO FORM:

University of Hawaii

Carrie K. S. Okinaga, Esq.
Vice President for Legal Affairs and
University General Counsel

Department of the Attorney General

Lori Tanigawa, Esq.
Deputy Attorney General

UNIVERSITY OF HAWAII

Amendments and Compilation of Chapter 20-10
Hawaii Administrative Rules

(_____)

SUMMARY

1. Chapter 20-10, Hawai'i Administrative Rules, entitled "Delinquent Financial Obligations", is amended and compiled to read as follows:

"HAWAII ADMINISTRATIVE RULES

TITLE 20

UNIVERSITY OF HAWAII

SUBTITLE 1

UNIVERSITY OF HAWAII

BOARD OF REGENTS

CHAPTER 10

DELINQUENT FINANCIAL OBLIGATIONS

Subchapter 1 Rules of General Applicability

§20-10-1	Purpose
§20-10-2	General statement of policy
§20-10-3	Definitions
§20-10-4	[Categories of delinquent] <u>Delinquent</u> financial obligations
§20-10-5	[Notification] Collection of delinquent financial obligations
§20-10-6	Application of sanctions

Subchapter 2 Appeals from Notices of Delinquent
Financial Obligations or
Imposition of Sanctions

§20-10-7	Hearing officers
§20-10-8	Appeals from a notification of delinquent financial obligation or imposition of a sanction under this chapter
§20-10-9	Repealed
§20-10-10	Repealed

Subchapter 3 Setoff of a Person's Delinquent
Financial Obligation Against the
Person's Hawaii State Income Tax
Refund or Any Other Sum Due to the
Person from the State

§20-10-11	Purpose of subchapter
§20-10-12	Procedure for setoff
§20-10-13	Hearings to contest the setoff
§20-10-14	Procedures for the administrative hearing on the setoff
§20-10-15	Rules of evidence; official notice
§20-10-16	Final decisionmaking for the University in a contested case hearing
§20-10-17	Consultation by decisionmaking officials; ex parte communication prohibited

§20-10-18 Appeals from the final decision

SUBCHAPTER 1

RULES OF GENERAL APPLICABILITY

§20-10-1 **Purpose.** This chapter provides the university with a procedure which provides clear and fair methods in collecting delinquent financial obligations owed to the university. [Eff 6/22/81; am and comp 5/9/98; comp 12/12/02; am and comp 3/18/18; comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-13, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-2 **General statement of policy.** (a) If a person has assumed a financial obligation to the university and payment is [~~overdue,~~] past due, the university shall have the right to impose sanctions under this chapter as it may deem appropriate.

(b) To implement this chapter, the president or the president's designee may issue guidelines consistent with this chapter and as may be appropriate. [Eff 6/22/81; am 4/4/88; am and comp 5/9/98; comp 12/12/02; am and comp 3/18/18; am and comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-13, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-3 **Definitions.** (a) As used in this chapter:

"Appeal" means a timely filed petition disputing the university's notification of delinquent financial obligation, including a request for hearing under subchapter 2 filed on the appropriate form.

"Board" means the board of regents of the university.

"Business office" means the primary business office which receives payments for tuition, fees, and other official charges on the campus at which the delinquent financial obligation occurred.

"Campus" refers to each of the following major organizational units of the University:

- (1) University of Hawaii at Manoa, including the East-West Center and the Kakaako Campus;
- (2) University of Hawaii at Hilo;
- (3) University of Hawaii - West Oahu;
- (4) Honolulu Community College;
- (5) Kapiolani Community College;
- (6) Leeward Community College;
- (7) Windward Community College;
- (8) Kauai Community College;
- (9) University of Hawaii - Maui College; ~~[and]~~
- (10) Hawaii Community College; and
- (11) Any other major organizational unit of the university identified as a campus by the board.

"Chancellor" refers to the chief executive officer of the respective campus, and shall include their authorized designee.

"Claimant" means the university program which initiates the utilization of the setoff procedure provided in subchapter 3.

"Contested case" means the administrative case initiated by a person to contest the setoff under subchapter 3.

"Debtor" means any person who owes a debt to the university.

"Defaulted" means failure to make a scheduled installment payment on a promissory note or failure to comply with other terms of a promissory note.

"Delinquent" means being past due on student loan payments or ~~[other financial obligations, or failing to pay for tuition and fees by a published deadline.]~~ failing to pay or establish a payment plan for other types of financial obligations by the established deadlines.

"Financial obligation" means any amount owed to the university.

"Hearing officer" means a person duly designated by the university to preside over a hearing under this chapter.

"Party" means any person that participates in an appeal hearing or a contested case hearing as a person filing the appeal, a business office, a debtor, or a claimant.

"Person" includes any individual, corporation, partnership, association, or any trustee, assignee, receiver, or legal successor thereof.

"President" means the president of the university.

"Review" means an informal proceeding which affords a person an opportunity to present the person's case to a university staff member duly authorized under this chapter.

"Sanctions" means the range of penalties which the university may invoke in cases of delinquent financial obligations.

"Setoff" means the application of a person's income tax refund or any other sums due to the person from the State, to a valid debt due and owing the university pursuant to the authority granted by sections 231-51 to 231-59, [~~Hawaii Revised Statutes.~~] HRS.

"University" means the University of Hawaii. Any of the provisions in this chapter which affect the standing of a person at any one campus also affect the standing or potential standing at all other campuses.

(b) Words of the masculine gender include the feminine and neuter, and when the sense so indicates, words of the neuter gender may refer to any gender. Words in the singular number include the plural, and words in the plural number include the singular. [Eff 6/22/81; am 4/4/88; am and comp 5/9/98; am and comp 12/12/02; am and comp 3/18/18; am and comp

] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-13, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-4 [~~Categories of delinquent~~] Delinquent financial obligations. A delinquent financial obligation shall be deemed to exist, provided that notice of the financial obligation has been sent to the person, with the exception of those contracts in which notice is not required. [~~Delinquent~~] Sanctions on delinquent financial obligations shall [~~include but are not limited to:~~

- ~~(1) Overdue payment of a contractual obligation, such as but not limited to the following:
 - ~~(A) Loan payments;~~
 - ~~(B) Payments on promissory notes, which include payments on short-term loan and long-term loan promissory notes. Long-term promissory note payments include the loan principal and accrued interest as stated on the promissory note. The applicable collection fees, court costs, attorneys' fees, and any other costs incurred to recover the amount owed may be added to the loan obligation;~~
 - ~~(C) Payments for tuition or other mandatory fees, or both;~~
 - ~~(D) Payments for rent, which include dormitory or university student housing rents, board payments, if required or contracted for, and payments for rental of facilities and equipment for which the person acted for oneself or as an agent for a registered campus organization; and~~
 - ~~(E) Payments for any tuition assistance where the person did not or does not fulfill any eligibility criteria, term, condition, or obligation made pursuant to section 304A-701, Hawaii Revised Statutes, or any term and condition of any other agreement;~~~~
- ~~(2) Overdue payment of fines, fees, and charges, or overdue payment for goods and services~~

~~provided, such as but not limited to the following:~~

- ~~(A) Library fines;~~
- ~~(B) Parking and traffic fines;~~
- ~~(C) Dishonored check fees; and~~
- ~~(D) Other non-tuitional charges;~~
- ~~(3) Overdue payment of restitution for unreturned, lost, damaged, or misused university property, such as but not limited to the following:~~
 - ~~(A) Charges for laboratory losses or breakage;~~
 - ~~(B) Charges for locker or dormitory keys;~~
 - ~~(C) Charges for library books;~~
 - ~~(D) Charges for destruction or damage to property; and~~
- ~~(4) Overdue payment for financial aid where the person fails to meet any eligibility criteria, term, or condition of the financial aid.]~~

be based on dollar limit threshold amounts. The dollar limit threshold amounts shall be established by the board at an open meeting subject to the requirements of Chapter 92, HRS. [Eff 6/22/81; am 4/4/88; am and comp 5/9/98; am and comp 12/12/02; am and comp 3/18/18; am and comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-13, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-5 **[Notification] Collection of delinquent financial obligations.** ~~[(a)]~~ When any payment on an outstanding financial obligation is ~~overdue,~~ past due, and the university has made reasonable efforts to collect the delinquent financial obligation, the university shall ~~forward~~ commence collection of the outstanding financial obligation ~~[to the appropriate business office.]~~ pursuant to procedures established by the university.

~~[(b) If the amount of the outstanding financial~~

~~obligation is \$25 or more, the university shall send a letter to the last known address of the debtor. Notice shall be presumed to have been received three business days after mailing. The rights of the university to collect outstanding financial obligations and to apply any sanction listed in this chapter are not waived by the failure of the debtor to receive the notification letter.~~

~~(c) The notification letter shall include the following information:~~

- ~~(1) The sanctions the university may impose if the obligation is not paid or arrangements acceptable to the university are not made within fifteen days from the date of the notice;~~
- ~~(2) Notice that any person who deems an alleged financial obligation to have been improperly assessed or who deems a sanction imposed is excessive or unfair may file an appeal with the financial management office at the university;~~
- ~~(3) The place where copies of the applicable appeals procedure and form requesting a hearing may be obtained; and~~
- ~~(4) Statement that in addition to all other sanctions, the university may seek redress under the law to recover moneys owed to it.~~

~~(d) Prior to each registration, the university shall withhold registration materials from any person with a delinquent financial obligation. Any person requesting withheld registration material shall be given the financial obligation statement and shall be directed to the appropriate business office. The business office shall inform the person of the nature and amount of the financial obligation and provide the person with the following information:~~

- ~~(1) The sanctions the university may impose if the obligation is not paid or arrangements acceptable to the university are not made;~~
- ~~(2) If the person requests, the business office shall provide the person with a copy of the applicable appeals procedure and form~~

~~requesting a hearing, or direct the person to the appropriate place where a copy of the applicable appeals procedure and request form can be obtained; and~~

- ~~(3) If the person settles the delinquent financial obligation to the satisfaction of the university, or if the person files the appropriate form requesting a hearing, the university shall release the registration materials to the person.] [Eff 6/22/81; am 4/4/88; am and comp 5/9/98; comp 12/12/02; am and comp 3/18/18; am and comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-13, 231-53, 304A-105, 304A-602, 304A-604)~~

§20-10-6 **Application of sanctions.** ~~[(a)~~

~~Cancellation of registration during the semester or academic session shall be imposed as a sanction; provided that no properly filed appeal is in process and:~~

- ~~(1) Tuition or mandatory fee payments are delinquent and no arrangement acceptable to the university has been made for payment; or~~
~~(2) The hearing officer has determined that the debt is owed and sanctions are proper.~~

~~(b)] (a) Denial of further registration may be imposed as a sanction [in all other cases of] for delinquent financial obligations which occur prior to registration and for which no appeal has been filed.~~

~~[(e)] (b) Revocation of all rights and privileges which were conferred by registration or enrollment may be imposed as a sanction [in all cases of] for delinquent financial obligations. These sanctions shall remain in force during the appeals and contested case processes.~~

~~[(d)] (c) Denial of transcripts, diplomas, and other entitlements may be imposed as a sanction [in all cases of] for delinquent financial obligations.~~

These sanctions shall remain in force during the appeals and contested case processes.

~~[(e)]~~ (d) In all cases of delinquent financial obligations, the university reserves the right to use any procedure to recover moneys which are owed to it, including the following:

- (1) Report delinquent and defaulted amounts, along with other relevant information to credit bureau organizations;
- (2) Setoff against a person's Hawaii state income tax refund or any other sums due to the person from the State, any amount which is due and owing to the university, exceeding the amount of \$25;
- (3) Commence legal action to recover the amount which is owed, including appropriate interest, collection fees, court costs, and attorneys' fees;
- (4) Contract the services of a collection agency to recover moneys owed to it, including applicable court costs and attorneys' fees. The collection agency may collect the applicable collection fees as authorized in a written contract with the university pursuant to federal or state law; and
- (5) Use the services of university personnel to recover moneys owed to it, including applicable collection fees.

~~[(f)]~~ (e) In addition to all other sanctions, the university may seek redress under the law to recover moneys owed to it.

~~[(g)]~~ (f) Costs of implementing the sanctions imposed under this chapter may be assessed to the person owing the delinquent financial obligation.

~~[(h)]~~ (g) Sanctions imposed under this chapter at any campus shall apply to all other campuses.

~~[(i)]~~ (h) No sanction shall be imposed upon a person who has filed a petition for relief under Chapter 7, 11, 12, or 13 of the United States Bankruptcy Code.

~~[(j)]~~ (i) The expiration of the statute of limitations for cases of delinquent financial

obligations shall not serve as a basis for the issuance of transcripts, diplomas, and other entitlements. [Eff 6/22/81; am 4/4/88; am and comp 5/9/98; am and comp 12/12/02; am and comp 3/18/18; am and comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-13, 231-53, 304A-105, 304A-602, 304A-604, 11 U.S.C. §362)

SUBCHAPTER 2

APPEALS FROM NOTICES OF DELINQUENT FINANCIAL OBLIGATIONS OR IMPOSITION OF SANCTIONS

§20-10-7 **Hearing officers.** (a) The chancellor of each campus as appropriate shall designate a hearing officer to hear appeals under this chapter except for the hearing officers for the setoff hearings under subchapter 3.

(b) In any case that does or could present a conflict of interest, the chancellor shall designate a substitute hearing officer for that case, except as provided in subsection (c).

(c) For those campuses for which the board has adopted rules governing parking and operation of motor vehicles, the appeals procedure and appointment procedure for hearing officers and final board of appeals as contained within those rules remain in effect. [Eff 6/22/81; am and comp 5/9/98; am and comp 12/12/02; am and comp 3/18/18; comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-8 **Appeals from a notification of delinquent financial obligation or an imposition of a sanction under this chapter.** (a) Appeals involving

parking and traffic matters shall be resolved under the procedures provided in chapter 20-12.

(b) Informal review of [~~student loan~~] financial obligations. Any person who is deemed by the university to [~~be~~] have a delinquent financial obligation, [~~in~~] including student loan payments, may file a written request for an informal review with the appropriate business office or director of the university office that handles financial or loan collection, no later than fifteen days after the date of the notification letter of the student financial or loan obligation. After the university has issued a decision on the informal review, any person who still believes that a student financial or loan obligation has been improperly assessed or who believes a sanction imposed is excessive or unfair may file an appeal with the appropriate business office or financial management office at the university within fifteen days from the date of the decision on the informal review. A hearing officer appointed under section 20-10-7 shall hear the case and render a written decision within a reasonable time to each party.

(c) Filing of an appeal. Any person who believes that any alleged financial obligation (other than an obligation involving parking and traffic matters [~~or student loan matters~~]) was improperly assessed or who deems that a sanction imposed under this chapter is excessive or unfair may appeal the matter to the [~~financial management~~] appropriate business office at the university within fifteen days from the date of the official notification of assessment of the obligation or of imposition of a sanction. A hearing officer appointed under section 20-10-7 shall hear the case and render a written decision within a reasonable time to each party.

(d) Appeals procedure. In all appeals where a person has properly filed an appeal (except appeals involving parking and traffic matters covered by chapter 20-12), a hearing officer shall send a written notification of the hearing to the person who filed the appeal by registered or certified mail with return

receipt requested, not less than fifteen days before the date of the hearing.

- (1) The notification letter shall include:
 - (A) The date, time, place, and nature of the hearing;
 - (B) The legal authority under which the hearing is to be held;
 - (C) The particular sections of the statutes and rules involved;
 - (D) A statement in plain language of the issues involved and the facts surrounding the alleged [~~overdue~~] past due financial obligations; and
 - (E) The fact that any party may be accompanied by counsel at the party's own expense;
- (2) The hearing officer shall hear the appeal and render a written decision within a reasonable time and issue a copy of the decision to each party;
- (3) All appeal hearings under this subchapter shall be informal in nature. Either party may be represented by counsel of the party's choice and at the party's own expense, and may summon witnesses as the party may desire. The findings and conclusions of the hearing officer shall be confined to the facts and equities of the case. The person requesting the hearing need not be present at the hearing. The evidence and arguments may be presented in writing;
- (4) The hearing officer shall make a finding in each appeal as to whether the alleged financial obligation exists and all parties shall be bound by the hearing officer's finding;
- (5) The hearing officer, except as provided in subsection (f), may confirm, modify, or cancel any sanction imposed under subchapters 1 and 2, as may be appropriate under the circumstances, in the sound discretion of the hearing officer

(6) All findings of fact and conclusions of law of the hearing officer shall be in writing and shall be effective upon notification of the parties. The hearing officer's decisions shall be final within the university. The parties to the proceeding shall be notified by delivery or mailing of a certified copy of the decision and order.

(e) The chancellor of each campus may extend the time for both the filing of the appeal and issuance of the decision for good reasons, provided that no sanction in an appealed case shall be effective until after the hearing officer's decision is rendered, except as provided in section [~~20-10-6(e)~~] 20-10-6(b) and [~~(d)~~] (c).

(f) If the hearing officer finds that a delinquency of a tuition or mandatory fee charge exists, the hearing officer shall authorize the cancellation of the individual's registration. If the delinquency of a tuition or mandatory fee charge exists for any previous registration, the hearing officer shall authorize the denial of further registration. In both cases additional sanctions may be imposed. [Eff 4/4/88; am and comp 5/9/98; am and comp 12/12/02; am and comp 3/18/18; am and comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-9 REPEALED. [R 5/9/98]

§20-10-10 REPEALED. [R 5/9/98]

SUBCHAPTER 3

SETOFF OF A PERSON'S DELINQUENT FINANCIAL

OBLIGATION AGAINST THE PERSON'S HAWAII STATE
INCOME TAX REFUND OR ANY OTHER SUM DUE TO THE
PERSON FROM THE STATE

§20-10-11 **Purpose of subchapter.** This subchapter provides guidelines for the university's utilization of the authority granted under sections 231-51 to 231-59, [~~Hawaii Revised Statutes,~~] HRS, to retain the state income tax refund or any other sum due from the State of Hawaii to a person who owes a debt to the university. [Eff 5/9/98; am and comp 12/12/02; comp 3/18/18; am and comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-13, 92-16, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-12 **Procedure for setoff.** (a) When a university claimant decides to utilize the authority granted under sections 231-51 to 231-59, [~~Hawaii Revised Statutes,~~] HRS, to request a setoff of a person's debt to the university against the person's state income tax refund or any other sum due to the person from the State, the claimant shall submit the request for setoff to the appropriate business office.

(b) The business office shall submit the setoff request to the Comptroller of the State Department of Accounting and General Services.

(c) The Comptroller shall issue a written notice to the debtor of the State's intention to apply the debtor's debt to the university against the debtor's state income tax refund or any other sum due the debtor from the State. The Comptroller's written notice shall state that the debtor, within thirty days of the date of the notice, may request an administrative hearing before the university to contest the setoff.

(d) The request for an administrative hearing shall be submitted to the [~~financial management~~] appropriate business office at the university in

writing not more than thirty days from the date of the Comptroller's notice described in subsection (c). The ~~[director of the financial management]~~ appropriate business office at the university may extend the time for the submission of the request for hearing upon a showing of good cause, as determined at the sole discretion of the director of the ~~[financial management]~~ appropriate business office at the university. [Eff 5/9/98; am and comp 12/12/02; am and comp 3/18/18; am and comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-13, 92-16, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-13 **Hearings to contest the setoff.** (a)

The administrative hearings under this subchapter shall be treated as a contested case hearing under the Hawaii Administrative Procedure Act (chapter 91, ~~[Hawaii Revised Statutes]~~ HRS) and shall be conducted in accordance with the statutory requirements for contested case hearings.

(b) The administrative hearings under this subchapter shall be presided by a hearing officer designated by the president or the president's designee.

(c) Upon receipt of a written request for a contested case hearing, the ~~[financial management]~~ appropriate business office at the university shall direct the duly designated hearing officer to issue a written notice to both the debtor and the claimant, which notice shall include a statement of:

- (1) The date, time, place, and nature of the hearing;
- (2) The legal authority under which the hearing is to be held;
- (3) The particular sections of the statutes and rules involved;
- (4) An explicit statement in plain language of the issues involved and the facts alleged by the claimant in support thereof; provided

- that if the claimant is unable to state the issues and facts in detail at the time the notice is served, the initial notice may be limited to a statement of the issues involved, and thereafter upon application a bill of particulars shall be furnished;
- (5) That the contested case is limited to issues not previously contested by the debtor; and
 - (6) The fact that any party may retain counsel if so desired, and the fact that an individual may appear on the individual's own behalf.

The written notice of hearing shall be provided to all parties to the administrative proceeding at least fifteen days before the hearing. [Eff 5/9/98; comp 12/12/02; am and comp 3/18/18; am and comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-13, 92-16, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-14 **Procedures for the administrative hearing on the setoff.** (a) Opportunities shall be afforded all parties in a contested case to present evidence and argument on all issues involved.

(b) Any procedure in a contested case may be modified or waived by stipulation of the parties and informal disposition may be made of any contested case by stipulation, agreed settlement, consent order, or default.

(c) For the purpose of decisions, the record of the contested case shall include:

- (1) All pleadings, motions, and intermediate rulings;
- (2) Evidence received or considered, including oral testimony, exhibits, and a statement of matters officially noticed;
- (3) Offers of proof and rulings thereon;
- (4) Proposed findings and exceptions;
- (5) Report of the hearing officer who presided at the hearing; and

(6) Staff memoranda submitted to the hearing officer in connection with the hearing officer's consideration of the case.

(d) For the purpose of preserving a record of the proceedings before the hearing officer, the proceedings shall be recorded. It shall not be necessary to transcribe the record unless requested for purposes of rehearing, review by the president or the president's designee, or court review.

(e) Within a reasonable time following the closure of the hearing on the contested case, the hearing officer shall prepare a proposed decision on the case as a recommendation for the president or the president's designee.

(f) No matters outside the record shall be considered by the hearing officer in making a proposed decision, except as provided in this chapter.

(g) Every decision and order rendered by the hearing officer shall be in writing and shall contain a statement of reasons for the decision and shall include a determination of each issue of fact or law necessary to the proposed decision. If any party to the contested case proceeding has filed proposed findings of fact, the hearing officer shall incorporate in the proposed decision a ruling upon each proposed finding so presented.

(h) A copy of the proposed decision shall be served upon both the debtor and the claimant by delivering or mailing a copy of the proposed decision and accompanying findings and conclusions to each party or to the party's attorney of record.

(i) If the debtor is adversely affected by the proposed decision, the debtor shall be afforded an opportunity to file exceptions to the proposed decision and present argument to the president or the president's designee before a final decision on the contested case is rendered by the president or the president's designee. Exceptions shall be filed in the manner set forth in section 20-10-16(b). [Eff 5/9/98; am and comp 12/12/02; am and comp 3/18/18; comp] (Auth: HRS §§26-38, 91-2, 231-

58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-13, 92-16, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-15 **Rules of evidence; official notice.**

(a) Any oral or documentary evidence may be received by the hearing officer. The hearing officer, as a matter of policy, shall provide for the exclusion of irrelevant, immaterial, or unduly repetitious evidence. No sanction shall be imposed or order be issued except upon consideration of the whole record or the portions thereof as may be cited by any party and as supported by and in accordance with the reliable, probative, and substantial evidence. The hearing officer shall give effect to the rules of privilege recognized by law.

(b) Documentary evidence may be received in the form of copies or excerpts, if the original is not readily available; provided that upon request, parties shall be given an opportunity to compare the copy with the original.

(c) Every party shall have the right to conduct a cross-examination as may be required for a full and true disclosure of the facts, and shall have the right to submit rebuttal evidence.

(d) The hearing officer may take notice of judicially recognizable facts. In addition, the hearing officer may take notice of generally recognized technical or scientific facts within the hearing officer's specialized knowledge; but parties shall be notified either before or during the hearing, or by reference in preliminary reports or otherwise, of the material so noticed, and they shall be afforded an opportunity to contest the facts so noticed.

(e) Except as otherwise provided by law, the debtor contesting the setoff shall have the burden of proof, including the burden of producing evidence as well as the burden of persuasion. The degree or quantum of proof shall be a preponderance of the evidence.

~~[(e)]~~ (f) Any document filed in a contested case, other than evidence, shall conform to the requirements of ~~[chapter 20-1, as amended.]~~ section 20-1.1-11. In addition, all the documents shall be written in ink, typewritten, or printed, shall be plainly legible, shall be on strong durable paper, not larger than 8-1/2" x 14" in size except that tables, charts, and other documents may be larger, folded to the size of the documents to which they are attached. [Eff 5/9/98; am and comp 12/12/02; am and comp 3/18/18; am and comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-13, 92-16, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-16 **Final decisionmaking for the university in a contested case hearing.** (a) Since the administrative hearing is not presided over by the president or the president's designee but rather delegated to a hearing officer, and the president or the president's designee would not have heard and examined all of the evidence, the final decision for the university shall not be made by the president or the president's designee until the hearing officer's proposed decision containing a statement of reasons and including a determination of each issue of fact or law necessary to the proposed decision has been served upon the debtor and the claimant.

(b) If the debtor is adversely affected by the proposed decision, the debtor shall be afforded an opportunity to file exceptions to the proposed decision and to present written and oral arguments to the president or the president's designee. The exceptions shall be in writing and filed with the ~~[financial management office at the university]~~ president or the president's designee not more than fifteen days from the date of the proposed decision. The president or the president's designee shall provide the aggrieved debtor with an opportunity to

present oral arguments at an adjudicatory meeting with the president or the president's designee.

(c) In rendering the final decision for the university, the president or the president's designee shall personally consider the whole record of the contested case or the portions thereof as may be cited by the parties. No matters outside the record shall be considered by the president or the president's designee in making a decision, except as provided in this chapter.

(d) Every decision and order rendered by the president or the president's designee shall be in writing and shall be accompanied by separate findings of fact and conclusions of law.

(e) Both the debtor and the claimant shall be notified of the president's or the president's designee's final decision by delivering or mailing a copy of the president's or the president's designee's final decision and order and accompanying findings and conclusions to each party or to the party's attorney of record. [Eff 5/9/98; comp 12/12/02; am and comp 3/18/18; am and comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-13, 92-6(a)(2), 92-16, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-17 Consultation by decisionmaking officials; ex parte communication prohibited. At no time after the filing of the written request for a contested case hearing shall any hearing officer, the president or the president's designee who renders a decision in an administrative contested case, or any other person who is likely to advise these officials in the decision on the contested case, discuss ex parte any issue of fact or the merits of the contested case with any interested person not performing a decisionmaking function, except by giving notice to both the debtor and claimant providing an opportunity for all parties to participate in the discussion. This prohibition shall not apply to consultations

required for the disposition of ex parte matters authorized by law or to consultations with the decisionmakers' legal counsel covered by the attorney-client privilege. [Eff 5/9/98; comp 12/12/02; am and comp 3/18/18; comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-13, 92-16, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-18 **Appeals from the final decision.**

Appeals from the final decision of the president or the president's designee rendered in a contested case under this subchapter shall be in accordance with chapter 91, [~~Hawaii Revised Statutes.~~] HRS." [Eff 5/9/98; comp 12/12/02; am and comp 3/18/18; am and comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-13, 92-16, 231-53, 304A-105, 304A-602, 304A-604)

2. These amendments to and compilation of chapter 20-10 shall take effect ten days after filing with the Office of the Lieutenant Governor.

I certify that the foregoing are copies of the rules drafted in Ramseyer format, pursuant to the requirements of section 91-4.1, Hawaii Revised Statutes, which were adopted on _____ and filed with the Office of the Lieutenant Governor.

RANDOLPH G. MOORE
Chairperson, Board of Regents
University of Hawaii

APPROVED AS TO FORM:

University of Hawaii

Carrie K. S. Okinaga, Esq.
Vice President for Legal Affairs and
University General Counsel

Department of the Attorney General

Lori Tanigawa, Esq.
Deputy Attorney General

UNIVERSITY OF HAWAII

Amendments and Compilation of Chapter 20-10
Hawaii Administrative Rules

(_____)

SUMMARY

1. §§20-10-2 to 20-10-6 are amended.
2. §20-10-8 is amended.
3. §§20-10-11 to 20-10-13 are amended.
4. §§20-10-15 to 20-10-16 are amended.
5. §20-10-18 is amended.
6. Chapter 20-10 is compiled.

HAWAII ADMINISTRATIVE RULES

TITLE 20

UNIVERSITY OF HAWAII

SUBTITLE 1

UNIVERSITY OF HAWAII

BOARD OF REGENTS

CHAPTER 10

DELINQUENT FINANCIAL OBLIGATIONS

Subchapter 1 Rules of General Applicability

§20-10-1	Purpose
§20-10-2	General statement of policy
§20-10-3	Definitions
§20-10-4	Delinquent financial obligations
§20-10-5	Collection of delinquent financial obligations
§20-10-6	Application of sanctions

Subchapter 2 Appeals from Notices of Delinquent Financial Obligations or Imposition of Sanctions

§20-10-7	Hearing officers
§20-10-8	Appeals from a notification of

§20-10-1

delinquent financial obligation or
imposition of a sanction under
this chapter

§20-10-9 Repealed

§20-10-10 Repealed

Subchapter 3 Setoff of a Person's Delinquent
Financial Obligation Against the
Person's Hawaii State Income Tax
Refund or Any Other Sum Due to the
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§20-10-11 Purpose of subchapter

§20-10-12 Procedure for setoff

§20-10-13 Hearings to contest the setoff

§20-10-14 Procedures for the administrative
hearing on the setoff

§20-10-15 Rules of evidence; official notice

§20-10-16 Final decisionmaking for the University
in a contested case hearing

§20-10-17 Consultation by decisionmaking
officials; ex parte communication
prohibited

§20-10-18 Appeals from the final decision

SUBCHAPTER 1

RULES OF GENERAL APPLICABILITY

§20-10-1 **Purpose.** This chapter provides the
university with a procedure which provides clear and
fair methods in collecting delinquent financial
obligations owed to the university. [Eff 6/22/81; am
and comp 5/9/98; comp 12/12/02; am and comp 3/18/18;
comp] (Auth: HRS §§26-38, 91-2, 231-
58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-
13, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-2 **General statement of policy.** (a) If a person has assumed a financial obligation to the university and payment is past due, the university shall have the right to impose sanctions under this chapter as it may deem appropriate.

(b) To implement this chapter, the president or the president's designee may issue guidelines consistent with this chapter and as may be appropriate. [Eff 6/22/81; am 4/4/88; am and comp 5/9/98; comp 12/12/02; am and comp 3/18/18; am and comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-13, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-3 **Definitions.** (a) As used in this chapter:

"Appeal" means a timely filed petition disputing the university's notification of delinquent financial obligation, including a request for hearing under subchapter 2 filed on the appropriate form.

"Board" means the board of regents of the university.

"Business office" means the primary business office which receives payments for tuition, fees, and other official charges on the campus at which the delinquent financial obligation occurred.

"Campus" refers to each of the following major organizational units of the University:

- (1) University of Hawaii at Manoa, including the East-West Center and the Kakaako Campus;
- (2) University of Hawaii at Hilo;
- (3) University of Hawaii - West Oahu;
- (4) Honolulu Community College;
- (5) Kapiolani Community College;
- (6) Leeward Community College;
- (7) Windward Community College;
- (8) Kauai Community College;
- (9) University of Hawaii - Maui College;
- (10) Hawaii Community College; and

(11) Any other major organizational unit of the university identified as a campus by the board.

"Chancellor" refers to the chief executive officer of the respective campus, and shall include their authorized designee.

"Claimant" means the university program which initiates the utilization of the setoff procedure provided in subchapter 3.

"Contested case" means the administrative case initiated by a person to contest the setoff under subchapter 3.

"Debtor" means any person who owes a debt to the university.

"Defaulted" means failure to make a scheduled installment payment on a promissory note or failure to comply with other terms of a promissory note.

"Delinquent" means being past due on student loan payments or failing to pay or establish a payment plan for other types of financial obligations by the established deadlines.

"Financial obligation" means any amount owed to the university.

"Hearing officer" means a person duly designated by the university to preside over a hearing under this chapter.

"Party" means any person that participates in an appeal hearing or a contested case hearing as a person filing the appeal, a business office, a debtor, or a claimant.

"Person" includes any individual, corporation, partnership, association, or any trustee, assignee, receiver, or legal successor thereof.

"President" means the president of the university.

"Review" means an informal proceeding which affords a person an opportunity to present the person's case to a university staff member duly authorized under this chapter.

"Sanctions" means the range of penalties which the university may invoke in cases of delinquent financial obligations.

"Setoff" means the application of a person's income tax refund or any other sums due to the person from the State, to a valid debt due and owing the university pursuant to the authority granted by sections 231-51 to 231-59, HRS.

"University" means the University of Hawaii. Any of the provisions in this chapter which affect the standing of a person at any one campus also affect the standing or potential standing at all other campuses.

(b) Words of the masculine gender include the feminine and neuter, and when the sense so indicates, words of the neuter gender may refer to any gender. Words in the singular number include the plural, and words in the plural number include the singular. [Eff 6/22/81; am 4/4/88; am and comp 5/9/98; am and comp 12/12/02; am and comp 3/18/18; am and comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-13, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-4 **Delinquent financial obligations.** A delinquent financial obligation shall be deemed to exist, provided that notice of the financial obligation has been sent to the person, with the exception of those contracts in which notice is not required. Sanctions on delinquent financial obligations shall be based on dollar limit threshold amounts. The dollar limit threshold amounts shall be established by the board at an open meeting subject to the requirements of Chapter 92, HRS. [Eff 6/22/81; am 4/4/88; am and comp 5/9/98; am and comp 12/12/02; am and comp 3/18/18; am and comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-13, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-5 **Collection of delinquent financial obligations.** When any payment on an outstanding

financial obligation is past due, and the university has made reasonable efforts to collect the delinquent financial obligation, the university shall commence collection of the outstanding financial obligation pursuant to procedures established by the university. [Eff 6/22/81; am 4/4/88; am and comp 5/9/98; comp 12/12/02; am and comp 3/18/18; am and comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-13, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-6 **Application of sanctions.** (a) Denial of further registration may be imposed as a sanction for delinquent financial obligations which occur prior to registration and for which no appeal has been filed.

(b) Revocation of all rights and privileges which were conferred by registration or enrollment may be imposed as a sanction for delinquent financial obligations. These sanctions shall remain in force during the appeals and contested case processes.

(c) Denial of transcripts, diplomas, and other entitlements may be imposed as a sanction for delinquent financial obligations. These sanctions shall remain in force during the appeals and contested case processes.

(d) In all cases of delinquent financial obligations, the university reserves the right to use any procedure to recover moneys which are owed to it, including the following:

- (1) Report delinquent and defaulted amounts, along with other relevant information to credit bureau organizations;
- (2) Setoff against a person's Hawaii state income tax refund or any other sums due to the person from the State, any amount which is due and owing to the university, exceeding the amount of \$25;
- (3) Commence legal action to recover the amount which is owed, including appropriate

interest, collection fees, court costs, and attorneys' fees;

- (4) Contract the services of a collection agency to recover moneys owed to it, including applicable court costs and attorneys' fees. The collection agency may collect the applicable collection fees as authorized in a written contract with the university pursuant to federal or state law; and
- (5) Use the services of university personnel to recover moneys owed to it, including applicable collection fees.

(e) In addition to all other sanctions, the university may seek redress under the law to recover moneys owed to it.

(f) Costs of implementing the sanctions imposed under this chapter may be assessed to the person owing the delinquent financial obligation.

(g) Sanctions imposed under this chapter at any campus shall apply to all other campuses.

(h) No sanction shall be imposed upon a person who has filed a petition for relief under Chapter 7, 11, 12, or 13 of the United States Bankruptcy Code.

(i) The expiration of the statute of limitations for cases of delinquent financial obligations shall not serve as a basis for the issuance of transcripts, diplomas, and other entitlements. [Eff 6/22/81; am 4/4/88; am and comp 5/9/98; am and comp 12/12/02; am and comp 3/18/18; am and comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-13, 231-53, 304A-105, 304A-602, 304A-604, 11 U.S.C. §362)

SUBCHAPTER 2

APPEALS FROM NOTICES OF DELINQUENT FINANCIAL OBLIGATIONS OR IMPOSITION OF SANCTIONS

§20-10-7 **Hearing officers.** (a) The chancellor

of each campus as appropriate shall designate a hearing officer to hear appeals under this chapter except for the hearing officers for the setoff hearings under subchapter 3.

(b) In any case that does or could present a conflict of interest, the chancellor shall designate a substitute hearing officer for that case, except as provided in subsection (c).

(c) For those campuses for which the board has adopted rules governing parking and operation of motor vehicles, the appeals procedure and appointment procedure for hearing officers and final board of appeals as contained within those rules remain in effect. [Eff 6/22/81; am and comp 5/9/98; am and comp 12/12/02; am and comp 3/18/18; comp]
(Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604)
(Imp: HRS §§91-2, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-8 Appeals from a notification of delinquent financial obligation or an imposition of a sanction under this chapter.

(a) Appeals involving parking and traffic matters shall be resolved under the procedures provided in chapter 20-12.

(b) Informal review of financial obligations. Any person who is deemed by the university to have a delinquent financial obligation, including student loan payments, may file a written request for an informal review with the appropriate business office or director of the university office that handles financial or loan collection, no later than fifteen days after the date of the notification letter of the student financial or loan obligation. After the university has issued a decision on the informal review, any person who still believes that a student financial or loan obligation has been improperly assessed or who believes a sanction imposed is excessive or unfair may file an appeal with the appropriate business office or financial management office at the university within fifteen days from the

date of the decision on the informal review. A hearing officer appointed under section 20-10-7 shall hear the case and render a written decision within a reasonable time to each party.

(c) Filing of an appeal. Any person who believes that any alleged financial obligation (other than an obligation involving parking and traffic matters) was improperly assessed or who deems that a sanction imposed under this chapter is excessive or unfair may appeal the matter to the appropriate business office at the university within fifteen days from the date of the official notification of assessment of the obligation or of imposition of a sanction. A hearing officer appointed under section 20-10-7 shall hear the case and render a written decision within a reasonable time to each party.

(d) Appeals procedure. In all appeals where a person has properly filed an appeal (except appeals involving parking and traffic matters covered by chapter 20-12), a hearing officer shall send a written notification of the hearing to the person who filed the appeal by registered or certified mail with return receipt requested, not less than fifteen days before the date of the hearing.

- (1) The notification letter shall include:
 - (A) The date, time, place, and nature of the hearing;
 - (B) The legal authority under which the hearing is to be held;
 - (C) The particular sections of the statutes and rules involved;
 - (D) A statement in plain language of the issues involved and the facts surrounding the alleged past due financial obligations; and
 - (E) The fact that any party may be accompanied by counsel at the party's own expense;
- (2) The hearing officer shall hear the appeal and render a written decision within a reasonable time and issue a copy of the decision to each party;

- (3) All appeal hearings under this subchapter shall be informal in nature. Either party may be represented by counsel of the party's choice and at the party's own expense, and may summon witnesses as the party may desire. The findings and conclusions of the hearing officer shall be confined to the facts and equities of the case. The person requesting the hearing need not be present at the hearing. The evidence and arguments may be presented in writing;
- (4) The hearing officer shall make a finding in each appeal as to whether the alleged financial obligation exists and all parties shall be bound by the hearing officer's finding;
- (5) The hearing officer, except as provided in subsection (f), may confirm, modify, or cancel any sanction imposed under subchapters 1 and 2, as may be appropriate under the circumstances, in the sound discretion of the hearing officer
- (6) All findings of fact and conclusions of law of the hearing officer shall be in writing and shall be effective upon notification of the parties. The hearing officer's decisions shall be final within the university. The parties to the proceeding shall be notified by delivery or mailing of a certified copy of the decision and order.

(e) The chancellor of each campus may extend the time for both the filing of the appeal and issuance of the decision for good reasons, provided that no sanction in an appealed case shall be effective until after the hearing officer's decision is rendered, except as provided in section 20-10-6(b) and (c).

(f) If the hearing officer finds that a delinquency of a tuition or mandatory fee charge exists, the hearing officer shall authorize the cancellation of the individual's registration. If the delinquency of a tuition or mandatory fee charge exists for any previous registration, the hearing

officer shall authorize the denial of further registration. In both cases additional sanctions may be imposed. [Eff 4/4/88; am and comp 5/9/98; am and comp 12/12/02; am and comp 3/18/18; am and comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-9 REPEALED. [R 5/9/98]

§20-10-10 REPEALED. [R 5/9/98]

SUBCHAPTER 3

SETOFF OF A PERSON'S DELINQUENT FINANCIAL OBLIGATION AGAINST THE PERSON'S HAWAII STATE INCOME TAX REFUND OR ANY OTHER SUM DUE TO THE PERSON FROM THE STATE

§20-10-11 **Purpose of subchapter.** This subchapter provides guidelines for the university's utilization of the authority granted under sections 231-51 to 231-59, HRS, to retain the state income tax refund or any other sum due from the State of Hawaii to a person who owes a debt to the university. [Eff 5/9/98; am and comp 12/12/02; comp 3/18/18; am and comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-13, 92-16, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-12 **Procedure for setoff.** (a) When a university claimant decides to utilize the authority granted under sections 231-51 to 231-59, HRS, to

request a setoff of a person's debt to the university against the person's state income tax refund or any other sum due to the person from the State, the claimant shall submit the request for setoff to the appropriate business office.

(b) The business office shall submit the setoff request to the Comptroller of the State Department of Accounting and General Services.

(c) The Comptroller shall issue a written notice to the debtor of the State's intention to apply the debtor's debt to the university against the debtor's state income tax refund or any other sum due the debtor from the State. The Comptroller's written notice shall state that the debtor, within thirty days of the date of the notice, may request an administrative hearing before the university to contest the setoff.

(d) The request for an administrative hearing shall be submitted to the appropriate business office at the university in writing not more than thirty days from the date of the Comptroller's notice described in subsection (c). The appropriate business office at the university may extend the time for the submission of the request for hearing upon a showing of good cause, as determined at the sole discretion of the director of the appropriate business office at the university. [Eff 5/9/98; am and comp 12/12/02; am and comp 3/18/18; am and comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-13, 92-16, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-13 **Hearings to contest the setoff.** (a) The administrative hearings under this subchapter shall be treated as a contested case hearing under the Hawaii Administrative Procedure Act (chapter 91, HRS) and shall be conducted in accordance with the statutory requirements for contested case hearings.

(b) The administrative hearings under this subchapter shall be presided by a hearing officer

designated by the president or the president's designee.

(c) Upon receipt of a written request for a contested case hearing, the appropriate business office at the university shall direct the duly designated hearing officer to issue a written notice to both the debtor and the claimant, which notice shall include a statement of:

- (1) The date, time, place, and nature of the hearing;
- (2) The legal authority under which the hearing is to be held;
- (3) The particular sections of the statutes and rules involved;
- (4) An explicit statement in plain language of the issues involved and the facts alleged by the claimant in support thereof; provided that if the claimant is unable to state the issues and facts in detail at the time the notice is served, the initial notice may be limited to a statement of the issues involved, and thereafter upon application a bill of particulars shall be furnished;
- (5) That the contested case is limited to issues not previously contested by the debtor; and
- (6) The fact that any party may retain counsel if so desired, and the fact that an individual may appear on the individual's own behalf.

The written notice of hearing shall be provided to all parties to the administrative proceeding at least fifteen days before the hearing. [Eff 5/9/98; comp 12/12/02; am and comp 3/18/18; am and comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-13, 92-16, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-14 **Procedures for the administrative hearing on the setoff.** (a) Opportunities shall be afforded all parties in a contested case to present

evidence and argument on all issues involved.

(b) Any procedure in a contested case may be modified or waived by stipulation of the parties and informal disposition may be made of any contested case by stipulation, agreed settlement, consent order, or default.

(c) For the purpose of decisions, the record of the contested case shall include:

- (1) All pleadings, motions, and intermediate rulings;
- (2) Evidence received or considered, including oral testimony, exhibits, and a statement of matters officially noticed;
- (3) Offers of proof and rulings thereon;
- (4) Proposed findings and exceptions;
- (5) Report of the hearing officer who presided at the hearing; and
- (6) Staff memoranda submitted to the hearing officer in connection with the hearing officer's consideration of the case.

(d) For the purpose of preserving a record of the proceedings before the hearing officer, the proceedings shall be recorded. It shall not be necessary to transcribe the record unless requested for purposes of rehearing, review by the president or the president's designee, or court review.

(e) Within a reasonable time following the closure of the hearing on the contested case, the hearing officer shall prepare a proposed decision on the case as a recommendation for the president or the president's designee.

(f) No matters outside the record shall be considered by the hearing officer in making a proposed decision, except as provided in this chapter.

(g) Every decision and order rendered by the hearing officer shall be in writing and shall contain a statement of reasons for the decision and shall include a determination of each issue of fact or law necessary to the proposed decision. If any party to the contested case proceeding has filed proposed findings of fact, the hearing officer shall

incorporate in the proposed decision a ruling upon each proposed finding so presented.

(h) A copy of the proposed decision shall be served upon both the debtor and the claimant by delivering or mailing a copy of the proposed decision and accompanying findings and conclusions to each party or to the party's attorney of record.

(i) If the debtor is adversely affected by the proposed decision, the debtor shall be afforded an opportunity to file exceptions to the proposed decision and present argument to the president or the president's designee before a final decision on the contested case is rendered by the president or the president's designee. Exceptions shall be filed in the manner set forth in section 20-10-16(b). [Eff 5/9/98; am and comp 12/12/02; am and comp 3/18/18; comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-13, 92-16, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-15 **Rules of evidence; official notice.**

(a) Any oral or documentary evidence may be received by the hearing officer. The hearing officer, as a matter of policy, shall provide for the exclusion of irrelevant, immaterial, or unduly repetitious evidence. No sanction shall be imposed or order be issued except upon consideration of the whole record or the portions thereof as may be cited by any party and as supported by and in accordance with the reliable, probative, and substantial evidence. The hearing officer shall give effect to the rules of privilege recognized by law.

(b) Documentary evidence may be received in the form of copies or excerpts, if the original is not readily available; provided that upon request, parties shall be given an opportunity to compare the copy with the original.

(c) Every party shall have the right to conduct a cross-examination as may be required for a full and

true disclosure of the facts, and shall have the right to submit rebuttal evidence.

(d) The hearing officer may take notice of judicially recognizable facts. In addition, the hearing officer may take notice of generally recognized technical or scientific facts within the hearing officer's specialized knowledge; but parties shall be notified either before or during the hearing, or by reference in preliminary reports or otherwise, of the material so noticed, and they shall be afforded an opportunity to contest the facts so noticed.

(e) Except as otherwise provided by law, the debtor contesting the setoff shall have the burden of proof, including the burden of producing evidence as well as the burden of persuasion. The degree or quantum of proof shall be a preponderance of the evidence.

(f) Any document filed in a contested case, other than evidence, shall conform to the requirements of section 20-1.1-11. In addition, all the documents shall be written in ink, typewritten, or printed, shall be plainly legible, shall be on strong durable paper, not larger than 8-1/2" x 14" in size except that tables, charts, and other documents may be larger, folded to the size of the documents to which they are attached. [Eff 5/9/98; am and comp 12/12/02; am and comp 3/18/18; am and comp]
(Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604)
(Imp: HRS §§91-2, 91-9 to 91-13, 92-16, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-16 **Final decisionmaking for the university in a contested case hearing.** (a) Since the administrative hearing is not presided over by the president or the president's designee but rather delegated to a hearing officer, and the president or the president's designee would not have heard and examined all of the evidence, the final decision for the university shall not be made by the president or the president's designee until the hearing officer's

proposed decision containing a statement of reasons and including a determination of each issue of fact or law necessary to the proposed decision has been served upon the debtor and the claimant.

(b) If the debtor is adversely affected by the proposed decision, the debtor shall be afforded an opportunity to file exceptions to the proposed decision and to present written and oral arguments to the president or the president's designee. The exceptions shall be in writing and filed with the president or the president's designee not more than fifteen days from the date of the proposed decision. The president or the president's designee shall provide the aggrieved debtor with an opportunity to present oral arguments at an adjudicatory meeting with the president or the president's designee.

(c) In rendering the final decision for the university, the president or the president's designee shall personally consider the whole record of the contested case or the portions thereof as may be cited by the parties. No matters outside the record shall be considered by the president or the president's designee in making a decision, except as provided in this chapter.

(d) Every decision and order rendered by the president or the president's designee shall be in writing and shall be accompanied by separate findings of fact and conclusions of law.

(e) Both the debtor and the claimant shall be notified of the president's or the president's designee's final decision by delivering or mailing a copy of the president's or the president's designee's final decision and order and accompanying findings and conclusions to each party or to the party's attorney of record. [Eff 5/9/98; comp 12/12/02; am and comp 3/18/18; am and comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-13, 92-6(a)(2), 92-16, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-17 **Consultation by decisionmaking officials; ex parte communication prohibited.** At no time after the filing of the written request for a contested case hearing shall any hearing officer, the president or the president's designee who renders a decision in an administrative contested case, or any other person who is likely to advise these officials in the decision on the contested case, discuss ex parte any issue of fact or the merits of the contested case with any interested person not performing a decisionmaking function, except by giving notice to both the debtor and claimant providing an opportunity for all parties to participate in the discussion. This prohibition shall not apply to consultations required for the disposition of ex parte matters authorized by law or to consultations with the decisionmakers' legal counsel covered by the attorney-client privilege. [Eff 5/9/98; comp 12/12/02; am and comp 3/18/18; comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-13, 92-16, 231-53, 304A-105, 304A-602, 304A-604)

§20-10-18 **Appeals from the final decision.** Appeals from the final decision of the president or the president's designee rendered in a contested case under this subchapter shall be in accordance with chapter 91, HRS. [Eff 5/9/98; comp 12/12/02; am and comp 3/18/18; am and comp] (Auth: HRS §§26-38, 91-2, 231-58, 304A-105, 304A-604) (Imp: HRS §§91-2, 91-9 to 91-13, 92-16, 231-53, 304A-105, 304A-602, 304A-604)

UNIVERSITY OF HAWAII

Amendments to and compilation of chapter 20-10, Hawaii Administrative Rules, on the Summary Page dated _____, were adopted on _____, following a public hearing held on _____, after public notice was given in the Honolulu Star-Advertiser on _____.

These rules shall take effect ten days after filing with the Office of the Lieutenant Governor.

RANDOLPH G. MOORE
Chairperson, Board of Regents
University of Hawaii

APPROVED:

DAVID Y. IGE
Governor
State of Hawaii

Dated: _____

Filed

APPROVED AS TO FORM:

University of Hawaii

Carrie K. S. Okinaga, Esq.
Vice President for Legal Affairs and
University General Counsel

Department of the Attorney General

Lori Tanigawa, Esq.
Deputy Attorney General

Board of Regents Policy 6.210

Title

Payment of Tuition, Fees and ~~Charges~~Other Financial Obligations

Header

Regents Policy Chapter 6, Tuition, Financial Assistance, and Fees

Regents Policy [RP 6.210](#), Payment of Tuition, Fees and ~~Charges~~Other Financial Obligations

Effective Date: Nov. 16, 2006

Prior Dates Amended: Oct. 31, 2014 (recodified)

Review Date: August 2018

I. Purpose

To set forth policy regarding payment of tuition and fees ~~and~~ and collection of delinquent financial obligations.

II. Definitions

No policy specific or unique definitions apply.

III. Board of Regents Policy

A. Except as provided hereinafter, tuition, ~~and~~ fees and other financial obligations shall be paid on a semester/session by semester/session basis and are due and payable in full on or before the date stipulated; except under the following circumstances:

1. Financial aid and scholarship awards have not been completely processed;
2. Third-party student support contracts have not been awarded and or received by the campus from the awarding entity; or
3. Payments ~~shall be~~ before the current term are made in accordance with an installment payment plan as provided in written procedures ~~approved~~ established by the ~~appropriate~~ chancellor University.

B. ~~Other authorized fees are due and payable on or before the date stipulated or upon application. The president or president's designee(s) shall establish procedures to collect delinquent obligations.~~

C. The chancellors are authorized to collect advance tuition and deposits ~~as necessary to confirm and predict the enrollment of students.~~

D. The University shall apply sanctions based on a dollar limit threshold. All sanctions as outlined in HAR § 20-10-6 shall apply to delinquent financial obligations at or above \$200. Denial of transcripts and diplomas shall apply to delinquent financial obligations under \$200.

IV. Delegation of Authority

The chancellors are authorized to collect advance tuition and deposits as necessary to confirm and predict the enrollment of students. See RP 6.210(C).

The board delegates to the president or president's designee the authority to establish procedures to collect delinquent financial obligations and apply sanctions to any current or former student for any delinquent financial obligations, based on a dollar limit threshold. See RP 6.210(B) and (D).

V. Contact Information

Office of the Vice President for Academic AffairsStrategy, 956-7075, ovpas@hawaii.edu
Office of the Vice President for Budget and Finance/CFO, 956-8903, kalbert@hawaii.edu

VI. References

A. <http://www.hawaii.edu/offices/bor/>

VII. Exhibits and Appendices

No Exhibits and Appendices found

Approved

approved as to Form: _____ Date —

~~—Cynthia Quinn—Kendra Oishi~~

~~—October 31, 2014—~~

~~—Date—~~

Executive Administrator and Secretary of the Board of Regents

Topics

No Topics found.

Attachments

None



November 12, 2021

DTS-1128

MEMORANDUM

TO: Randolph G. Moore
Chair, Board of Regents

FROM: Kendra T. Oishi *KTO*
Executive Administrator and Secretary of the Board of Regents

SUBJECT: Legislative Proposals Concerning the Board of Regents

SPECIFIC ACTION REQUESTED:

It is requested that the Board of Regents (Board) review the concepts for three legislative proposals that relate to the Board and if the Board concurs with introducing these bills during the upcoming 2022 legislative session, that it approve them in concept.

BACKGROUND:

The introduction of proposed legislation relating to the University of Hawai'i and its programs and functions are typically managed by the University Administration who keeps the Board apprised through the legislative session. However, several issues have recently been raised that relate specifically to the Board, or boards and commissions as a whole. As such, the Board is being requested to review the concepts of potential legislative proposals prior to requesting introduction in the upcoming 2022 legislative session.

There are three concepts for legislative proposals for your consideration:

1. Alignment of Regent Terms and Student Regent Clarification

Act 172, Session Laws of Hawai'i (SLH) 2019, reduced the number of members of the Board from 15 to 11. Given that each member serves a term of up to five years, except for the student member, there should be approximately two terms expiring each year to allow for continuity.

A separate issue relates to the student member. Student members of the Board often also seek employment at the University as a form of financial assistance or stipend enabling them to pursue their education. Recently, State Ethics Commission staff

identified the potential for conflict of interest of such University-employed members given regent oversight over the management of the university.

As such, the concept for this legislative proposal would entail:

- *Amending section 26-11, Hawai'i Revised Statutes, to provide for the expiration of two terms each year instead of three;*
- *Requiring the Governor to adjust the terms of members appointed to the Board until the number of terms set to expire each year is two, not including the student member; and*
- *Clarifying that the student member of the Board may also be a student employee.*

2. Financial Disclosure

All state board and commission members are required to submit financial disclosure statements to the State Ethics Commission. Act 230, SLH 2014, required those statements to be made public. As a direct result, at the time of the enactment of Act 230, four regents employed in the private sector resigned, and the pool of qualified individuals who are willing to serve on the Board has been reduced.

The University of Hawai'i annual budget, which is reviewed and approved by the Board, is approximately \$1 billion and consists of a complex mix of revenues. Community members who have experience in managing budgets of this magnitude and complexity are often not willing to pursue a seat on the Board because of the requirement that financial disclosures be made public, as individuals and their businesses often value privacy concerning compensation. Additionally, the Board bylaws include detailed conflicts of interest provisions, including disclosure requirements, and Regents have been exemplary in voluntarily disclosing potential or perceived conflicts and recusing themselves.

As such, the concept for this legislative proposal would entail:

- *Removing the requirement that the financial disclosure statements of members of the Board be made public, while retaining the requirement that such statements be filed with the State Ethics Commission; and*
- *Requiring that a copy of the financial disclosure statement be submitted to the University General Counsel and Executive Administrator and Secretary of the Board.*

3. Board Retreats

Currently, the statutes severely restrict and limit any opportunity for members of a board or commission to gather other than during a public board meeting. This poses a challenge for board members to get acquainted with each other in an informal setting, and unnecessarily restricts informal engagement in situations such as education sessions and organizational retreats.

As such, the concept for this legislative proposal would entail:

- *Allowing for one private retreat per calendar year that cannot span over more than one calendar day;*
- *Requiring the board to announce the date the retreat was held and member attendance at the next board meeting following the retreat; and*
- *Prohibiting votes, decision-making, and deliberation from occurring at a retreat on matters currently pending or likely to arise before the board.*

ACTION RECOMMENDED:

It is requested that the Board approve the concepts of the proposed legislation, for which legislation will be drafted and presented during the January 2022 Board meeting, pending introduction.



Enrollment Update and Multi-Year Enrollment Plan, Fall 2021

Pearl Iboshi, System IRAPO

Michael Bruno, Provost, UH Mānoa

Bonnie Irwin, Chancellor, UH Hilo

Maenette Benham, Chancellor, UH West Oʻahu

Erika Lacro, Vice President, UH Community Colleges

Board of Regents, November 18, 2021



UH System Enrollment Goals

- Provide all qualified Hawai‘i residents an equal opportunity for quality college and university education
- Increase enrollment and graduation of target populations:
 - e.g. First-time students; transfers; underserved groups and regions; good balance of non-residents
- Align fiscal and facilities planning with enrollment and retention projections
- Develop data and tools for enrollment planning, tuition forecasting, and decision making




Enrollment Management Roles

System

- Policy framework, data resources and tools to support campus planning and management
- Ensure coordination among campuses
- Leverage economies of scale in recruitment
- Lead state-wide initiatives to enhance completion

Unit / Campus

- Set campus priorities and multi-year enrollment projections
 - Manage the unit / campus action plan to achieve projected enrollment and revenue
 - Monitor and adjust strategies, as needed
- 



Annual Enrollment Update

Definitions

- Projection (Forecast): Conservative enrollment numbers used to generate revenue expectations to which we manage in a specific timeframe; Developed for the system as a whole based on historical demographic trends.
- Target: Aspirational enrollment goal each unit aims to achieve. Given the current fluid situation, targets have not been set.

Linking Enrollment Projections to Tuition Revenue Projections

- Project enrollment in student categories with different tuition rates and consider full-time/part-time mix to enable more accurate projections of revenue than from gross headcount alone
- Budget conservatively based on projections; strive to meet targets but prepare to live within actual campus revenues



External Factors Affecting Enrollment in 2021

- COVID-19 continues to affect Hawai'i's economy, although the situation has improved compared with 2020.
- The number of Hawai'i's COVID-19 cases surged explosively in July and August 2021, but has since flattened at relatively high rates as compared to the pre-Delta period.
- Instruction at UH continues to be primarily online.
- The number of high school graduates from Hawai'i high schools remains stable and is expected to be stable for the next few years.
- It continues to be a difficult environment for international recruitment, but much improved from 2020.

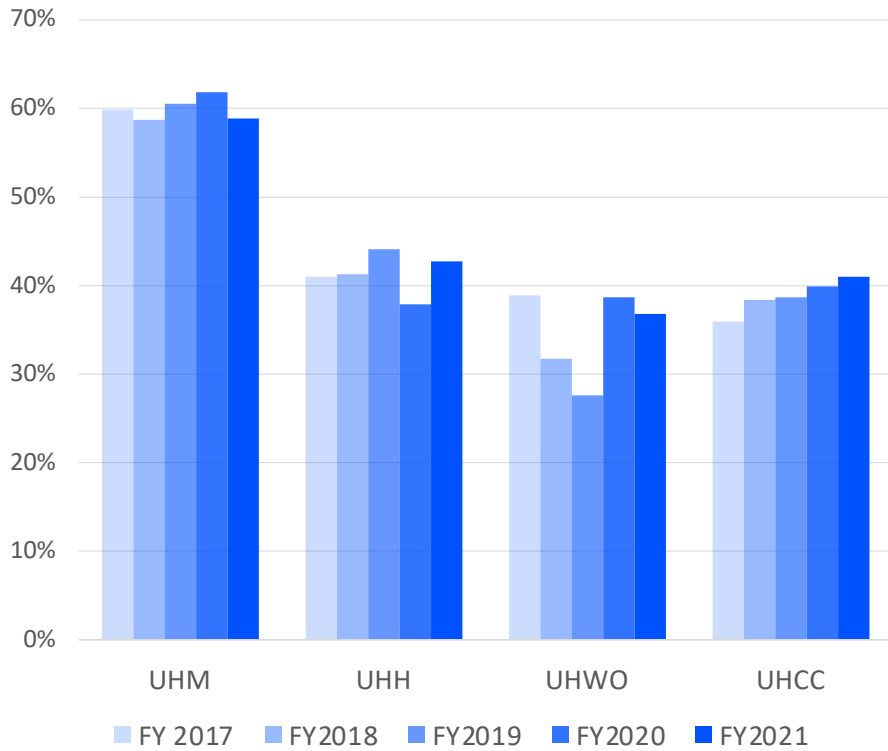
Fall 2021 UH System Enrollment Headcount Performance

Despite the pandemic, enrollment projections were surpassed overall for the system due to increases at UHM and UHH.

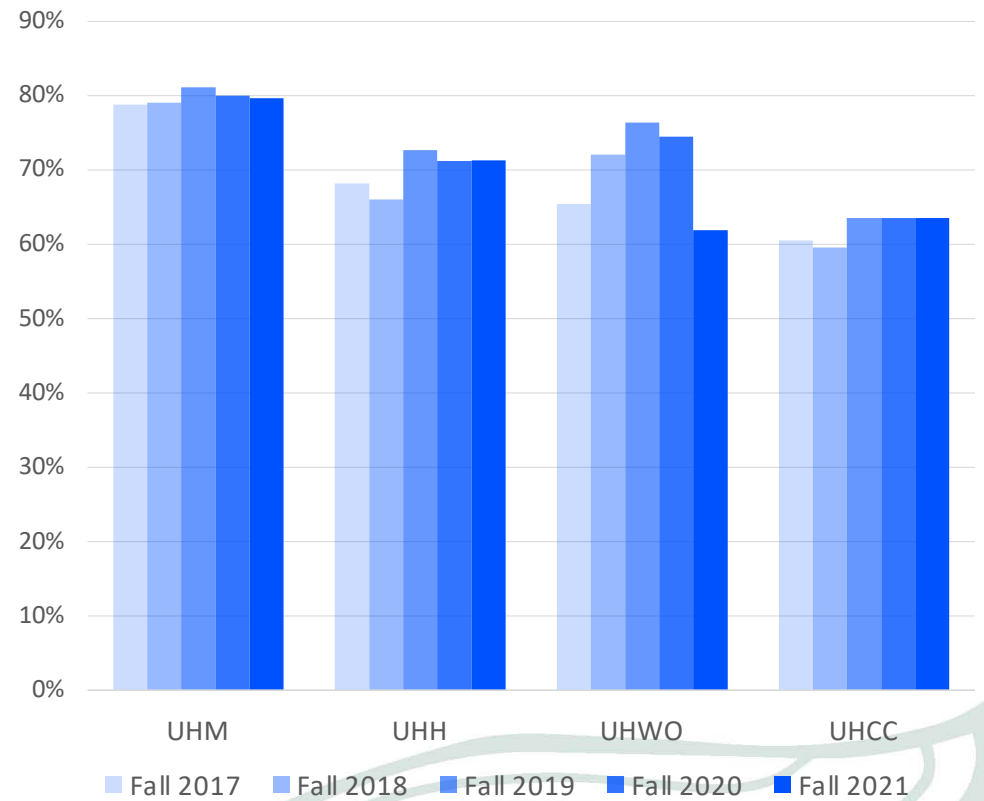
UH Unit	Fall 2017	Fall 2018	Fall 2019	Fall 2020	Fall 2021	Percent Change 2020 to 2021	Fall 2021 Projected	Actual Less Projected (Variance)	Variance as a Percent of Projected
UH System	51,674	51,063	49,977	49,594	49,773	0.4%	49,407	336	0.7%
UH Mānoa	17,612	17,710	17,490	18,025	19,098	6.0%	18,149	949	5.2%
UH Hilo	3,539	3,406	3,372	3,165	3,243	2.5%	3,103	140	4.5%
UH West O'ahu	3,082	3,128	3,049	3,168	3,008	-5.1%	3,189	-181	-5.7%
UH Community Colleges	27,441	26,819	26,066	25,236	24,424	-3.2%	24,966	-542	-2.2%
Unduplicated System	47,850	47,263	46,181	45,427	45,054	-0.8%			

Graduation rates improved in 2021 at some campuses

150% Graduation and UHCC
Graduation and Success Rates



Retention Rates



National Enrollment Trends from the National Student Clearinghouse Research Center

Type	Fall 2020		Fall 2021	
	Nat'l	UH	Nat'l	UH
UG enrollment change at 4-Year Institutions				
Highly Selective Public (Mānoa)	0.2%	4.5%	1.0%	6.9%
Competitive Public (Hilo)	-0.6%	-5.2%	-2.8%	3.4%
Less Selective Public (West O'ahu)	-2.8%	3.9%	-5.2%	-5.1%
Public 2-Year change (UHCC)	-9.0%	-3.2%	-5.6%	-3.2%
Graduate Public 4-Year change (Mānoa)	3.8%	-0.8%	4.3%	3.2%



Enhancing Reporting of Enrollment:

Classified Enrollment

Student Semester Hours (SSH)

Distance Learning

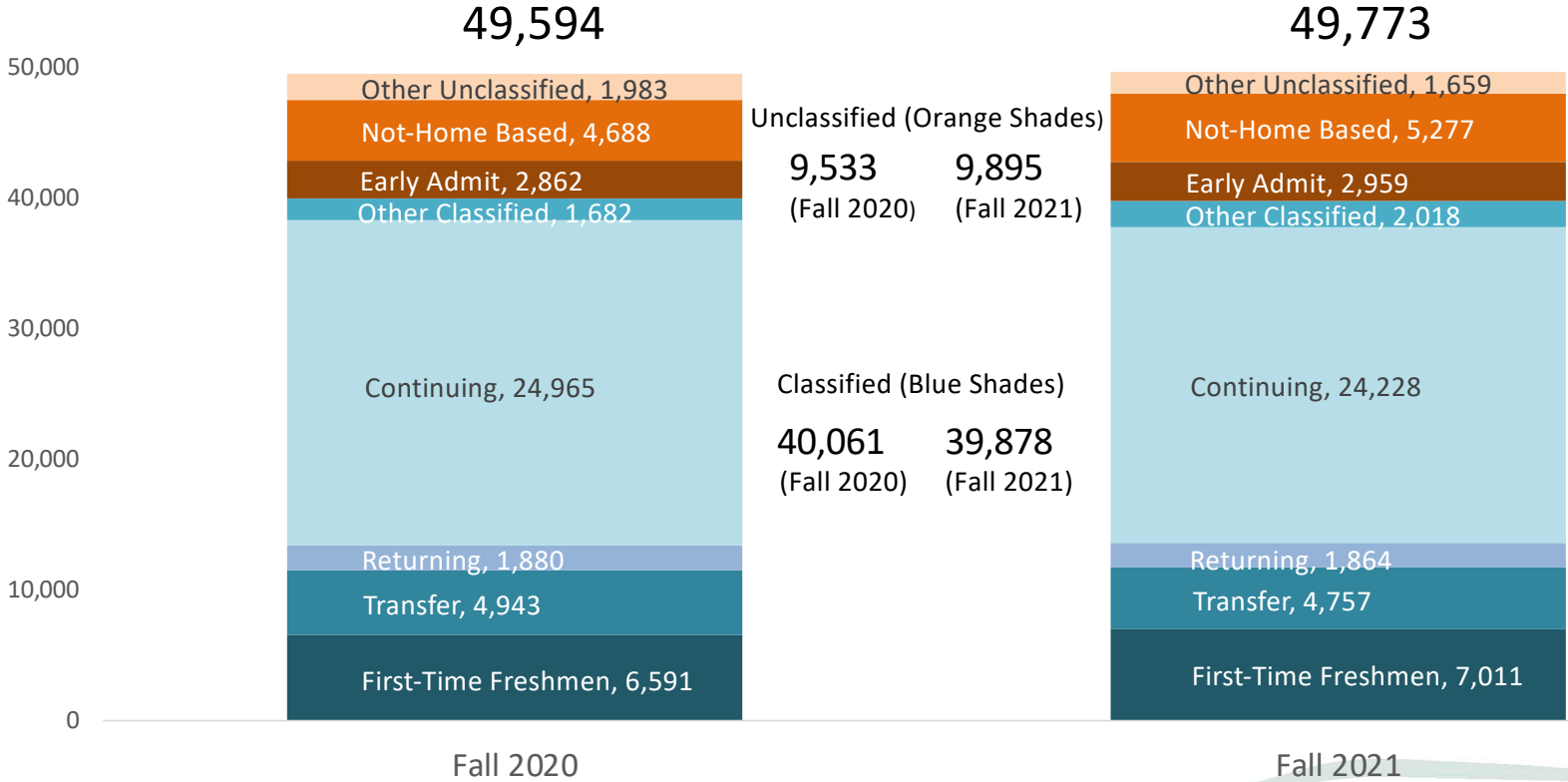
Non-Credit Registrations

On line classes

Under-represented populations

Enrollment Types

60,000



Definitions available in Appendix 1

Fall 2021 UH System Enrollment Performance – Classified Students (All)

The number of classified students (seeking degrees) declined at UH West O‘ahu and UHCC in the past year.

UH Unit	Fall 2017	Fall 2018	Fall 2019	Fall 2020	Fall 2021	Percent Change 2020 to 2021
UH System	43,030	41,585	40,529	40,061	39,878	-0.5%
UH Mānoa	16,905	16,939	16,711	17,326	18,523	6.9%
UH Hilo	3,391	3,243	3,173	3,039	3,087	1.6%
UH West O‘ahu	2,747	2,743	2,636	2,755	2,651	-3.8%
UH Community Colleges	19,987	18,660	18,009	16,941	15,617	-7.8%

Fall 2021 UH System Enrollment Performance – Classified Students (UG)

The number of classified UG students declined at UH West Oahu and UHCC in the past year.

UH Unit	Fall 2017	Fall 2018	Fall 2019	Fall 2020	Fall 2021	Percent Change 2020 to 2021
UH System	38,172	36,693	35,546	35,123	34,737	-1.1%
UH Mānoa	12,583	12,609	12,255	12,864	13,839	7.6%
UH Hilo	2,855	2,681	2,646	2,563	2,630	2.6%
UH West O'ahu	2,747	2,743	2,636	2,755	2,651	-3.8%
UH Community Colleges	19,987	18,660	18,009	16,941	15,617	-7.8%

Fall 2021 UH System Enrollment Performance – Classified Students (GR)

The number of classified GR students increased by about 4% overall in Fall 2021 due to the increase at Mānoa.

UH Unit	Fall 2017	Fall 2018	Fall 2019	Fall 2020	Fall 2021	Percent Change 2020 to 2021
UH System	4,858	4,892	4,983	4,938	5,141	4.1%
UH Mānoa	4,322	4,330	4,456	4,462	4,684	5.0%
UH Hilo	536	562	527	476	457	-4.0%

Counting Students by Headcount and SSH

Definitions

- Headcount: Number of students. Part-time students count the same as full time students. Students enrolled at more than one campus show up in each.
- SSH: Student Semester Hours. Total credits taken by students is a better measure than headcount for impact on tuition revenues and level of instructional activity.

Number of Classified students also shows the intensity of engagement by degree-seeking students at a campus.

Fall 2021 UH System Enrollment Performance – SSH

Student semester hours (SSH) declined slightly overall in 2021, though UH Mānoa had an increase over 2020.

UH Unit	Classified SSH						Total SSH					
	Fall 2017	Fall 2018	Fall 2019	Fall 2020	Fall 2021	Percent Change 2020 to 2021	Fall 2017	Fall 2018	Fall 2019	Fall 2020	Fall 2021	Percent Change 2020 to 2021
UH System	483,150	467,413	455,867	449,161	435,771	-3.0%	522,195	509,649	497,792	491,293	477,608	-2.8%
UH Mānoa	207,943	206,891	204,772	212,220	221,497	4.4%	212,941	212,292	210,310	216,751	225,541	4.1%
UH Hilo	44,588	42,891	41,906	39,789	38,377	-3.5%	45,197	43,636	42,706	40,335	39,034	-3.2%
UH West O'ahu	29,992	30,471	29,675	31,265	29,522	-5.6%	31,234	31,942	31,208	33,066	30,812	-6.8%
UH Comm. Colleges	200,627	187,160	179,514	165,887	146,375	-11.8%	232,823	221,779	213,568	201,141	182,221	-9.4%

Non-Credit Enrollment AY 2020 and AY 2021

Campus	AY 2019-20 ¹	AY 2020-21	% Change
UH System	31,354	27,649	-11.0%
UH Mānoa – Outreach College	8,765	4,466	-49.0%
COVID-19 Courses / Training	6,875	2,474	-64.0%
UH Hilo – Continuing Education ^{2 3}	185	0	-100.0%
UH Community Colleges ^{4 5}	22,404	23,572	5.2%

¹ Courses that were partially or completely cancelled due to COVID-19 and its associated lockdowns are not included in the AY 2019-20 totals.

² In Summer 2018, College of Continuing Education and Community Service (CCECS) was reorganized into The Center for Community Engagement (CCE) with significantly reduced staff, which greatly reduced course offerings.

³ UH Hilo - Center for Community Engagement (CCE) did not run any non-credit programs between September 1, 2020 and August 3, 2021 due to COVID-19.

⁴ Beginning AY 2018-19, Honolulu CC's Apprenticeship enrollment added to the Non-Credit Enrollment totals.

⁵ UHCC data for AY 2020-21 enrollment is based off of preliminary data as of September 30, 2021.

Online classes decreased in Fall 2021 as pandemic impacts decreased

In Fall 2021, 61.5% to 80.9% were taught online, fewer than in Fall 2020.

Number of classes exclude courses for individualized instruction, Aerospace Studies and Military Science classes, and Early College classes.

Online classes include C19 (for UH Mānoa and UH Hilo only), DCO, or classes where all meeting locations (buildings) are WWW/Online and Schedule is not HTI.

	Number of Online Classes		
UH Unit	Fall 2020	Fall 2021	Percent Chg
UH System	6,252	5,299	-15.2%
% Online	80.0%	68.6%	-14.3%
UH Mānoa	2,541	2,006	-21.1%
% Online	81.5%	65.3%	-19.9%
UH Hilo	581	413	-28.9%
% Online	83%	61.5%	-25.9%
UH West O'ahu	463	427	-7.8%
% Online	89.2%	80.9%	-9.3%
UHCC	2,564	2,440	-4.8%
% Online	73.7%	70.5%	-4.3%

Fall 2021 UH System Underrepresented Populations (URP)

Systemwide, URP total enrollment decreased slightly in Fall 2021.

Pell recipient enrollment declined, while first generation enrollment increased by over 6%.

Group	Fall 2020 Actual	Fall 2021 Actual	Percent Change
Total Headcount Enrollment	49,594	49,773	0.4%
URP Total	21,999	21,733	-1.2%
Native Hawaiian	12,063	11,688	-3.1%
Pacific Islander	1,095	1,166	6.5%
Filipino	7,002	6,917	-1.2%
Other	1,839	1,962	6.7%
Pell Recipient	9,751	9,484	-2.7%
First Generation	11,041	11,749	6.4%

Fall 2021 UH System Underrepresented Populations (URP), By Unit

URP total enrollment at Mānoa increased by over 5% in Fall 2021, while the UHCC's had a decrease of about 4%.

Pell recipients increased at Mānoa but declined elsewhere.

First generation enrollment increased by over 21% at the UHCC's. ¹

Group	Manoa	% Chg Prior Yr	Hilo	% Chg Prior Yr	West Oahu	% Chg Prior Yr	UHCC	% Chg Prior Yr
Total Headcount Enrollment	19,098	6.0%	3,243	2.5%	3,008	-5.1%	24,424	-3.2%
URP Total	5,775	5.4%	1,593	-0.6%	1,722	-1.0%	12,643	-4.1%
Native Hawaiian	2,770	2.3%	1,066	0.4%	822	-5.1%	7,030	-5.2%
Pacific Islander	397	3.1%	169	-2.3%	69	13.1%	531	11.6%
Filipino	1,767	4.6%	231	4.5%	720	1.8%	4,199	-4.2%
Other	841	20.8%	127	-8.0%	111	4.7%	883	-1.8%
Pell Recipient	3,387	7.8%	1,033	-6.7%	870	-4.8%	4,194	-8.6%
First Generation	2,803	-13.8%	576	-11.4%	690	-16.5%	7,680	21.6%

¹ The question regarding a student's first-generation status varies by which application was used, and may affect the counts.

Highlights of Enrollment Changes for Fall 2021

- Classified undergraduate students dropped by 1.1% in Fall 2021 as compared to Fall 2020, slightly more than total enrollment.
- This difference was largely due to a small increase in unclassified students: “Not at home campus” students increased due to more online classes available.
- Non-resident first-time freshmen increased from 1,379 in Fall 2020 to 2,074 in Fall 2021.
- Transfer students decreased from 4,943 in Fall 2020 to 4,757 in Fall 2021.
- Continuing students saw a small decline at the undergraduate level and a larger decline at the graduate level.
- The number of online classes offered in Fall 2021 decreased compared to Fall 2020 as pandemic impacts decreased.
- Non-credit enrollment decreased systemwide from the prior year.
- Classified graduate level enrollments increased.
- Graduation and retention rates showed mixed results, with about half of the campuses showing gains.

Systemwide Actions taken to strengthen enrollment for Fall 2021

Recruitment and enrollment for new students

- Expanded **recruitment and outreach** to remote and online activities: virtual tours, virtual program fairs, online information sessions, as well as resuming some in-person activities
- Increased high touch electronic communication and virtual access for prospective students.
- Increased participation in **first year experience and peer mentoring**.
- **Targeted outreach** to stopped out students to encourage their return.
- Strengthened regional recruitment efforts working with partners, including Hawaii P-20.
- Pushed to increase **FAFSA** completion by high school and UH students
- **Fast Pass** initiative sent letters to public high school seniors for easier entry to UH for Fall 2021.
- Offered **more fully online degree programs**, targeting working adults

Financial assistance for students

- Federal HEERF funding was directly distributed to students by all 10 campuses
- \$1.3 million in **Urgent Student Relief Funding** set up by UH Foundation to provide help students with unexpected financial needs
- Outreach to financial aid applicants about possible adjustment in financial aid due to the recent unemployment of a family member or independent student
- Using federal HEERF funds, **forgave financial obligations** for current students which allowed them to register of Fall 2021

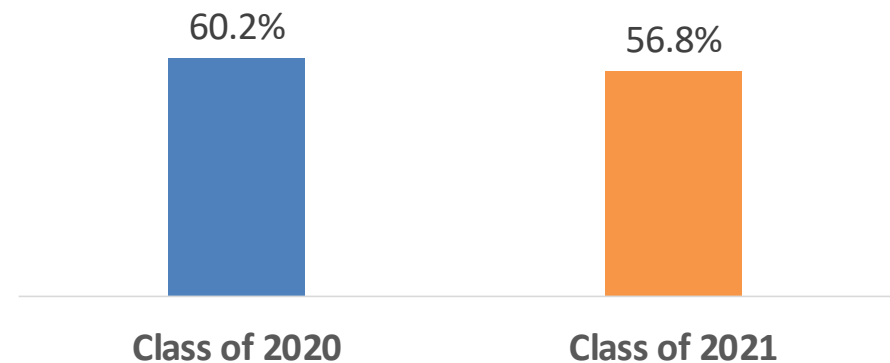
Continuing enrollment for current students

- Provided technology support for students' distance learning (e.g., laptop loaners, mobile hotspot loaners, boosted wifi signals on campus to reach parking lots, outfitted classrooms with technology to broadcast for hybrid classes)
- Focused on students **completing classes remotely** to make progress toward educational goals and degrees.
- Moved **tutoring programs on-line**
- Provided **professional development for faculty** to support quality online instruction.
- Moved to **online appointments and services** for faculty office hours and student support

Increased FAFSA Outreach and Support for HS Students

- FAFSA Completion rates for Class of 2021 declined by **3.4** percentage points to **56.8%**.
- Fall FAFSA outreach efforts for **Class of 2022** include:
 - 99+ virtual financial aid and FAFSA completion workshops.
 - 5 virtual scholarship events with partnering organizations (Hawaii Community Foundation, UH System and Sallie Mae Foundation).
 - Individualized support to students via FAFSA@hawaii.edu.
 - Weekly virtual UH College application events.

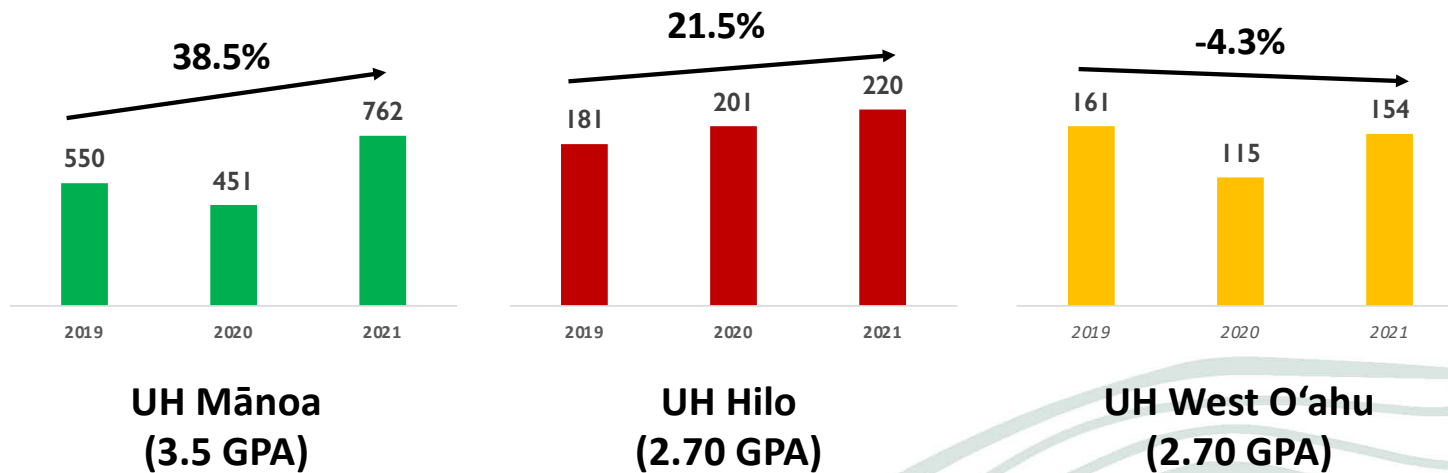
Statewide FAFSA Completion Rate
(as of July 2, 2021).



UH Fast Pass Initiative

Support the successful transition of Hawai'i public high school seniors to enroll at UH 4-year campuses for Fall 2021.

% of Fast Pass eligible Class of 2021 students who ENROLLED
(As of 7/13/21)





Campus Plans





University of Hawai‘i Mānoa

ENROLLMENT MANAGEMENT PROGRESS REPORT
Fall 2021



UNIVERSITY *of* HAWAI‘I®
MĀNOA

UH Mānoa Enrollment Projections and Actual Fall 2021

Measure	Historical Enrollment Count			Projected Enrollment Count	
	Fall 2019	Fall 2020	Fall 2021	Fall 2021	Difference
Total Enrollment (headcount of all students)	17,490	18,025	19,098	18,149	+949
% Change	-1.2%	3.1%	6.0%		
SSH of Classified Students	204,772	212,220	221,497	213,389	+8,108
% Change	-1.0%	3.6%	4.4%		
Enrollment (headcount) of UG Classified Students	12,255	12,864	13,839	12,817	+1,022
% Change	-2.8%	5.0%	7.6%		
1 First-Time Freshmen	2,020	2,184	2,939	2,164	+775
% Change	-8.6%	8.1%	34.6%		
2 Transfer	1,510	1,714	1,828	1,590	+238
% Change	-10.7%	13.5%	6.7%		
3 Continuing / Returning	8,706	8,876	8,979	9,063	-84
% Change	0.2%	2.0%	1.2%		
4 Non-Traditional (Age 25 to 44)	1,706	1,751	1,802		
% Change	-8.8%	2.6%	2.9%		
5 Retention Rate – First-Time, Full-Time	81.1%	80.0%	79.7%		
6 Retention Rate – Transfer Full-Time	74.6%	78.2%	77.7%		
7 International	1,195	1,108	1,273		
8 Classified Graduate Enrollment	4,456	4,462	4,684	4,592	+92
% Change	2.9%	0.1%	5.0%		

Fall 2021 Assessment

- ***Largest increase in overall enrollment since 2003***
 - First time enrollment exceeded 19,000 since 2014. A key areas of growth was the enrollment of a record high number of first-time freshmen (34.6% increase over fall 2020). Average freshman GPA increased from 3.65 to 3.68.
 - Transfer enrollment increased 5% over fall 2020.
 - Graduate enrollment increased by 5%, the largest numerical increase since 2004. Research doctoral enrollment increased 7.5% while masters enrollment was up 5.3%.
- ***Continued and sustained recruitment strategies while remote***
 - Pandemic curtailed Admission Office recruitment travel, so the Admissions and Financial Aid Offices deepened their prospective student relationships through a variety of online events and outreach.
 - Continued to ensure consistency across campus by providing recruitment and marketing support for campus departments

Fall 2022 Action Strategies

- ***Integration of recruitment strategies across undergraduate and graduate programs***
 - Enabled by the Phase 2 reorganization, Office of Admissions is integrating and collaborating with Graduate Division to maximize reach and impact across all prospective/future students
 - Engage in deep-dive data analyses with enrollment and financial aid trends to identify enrollment patterns across undergraduate and graduate programs
 - Seek more opportunities to utilize merit and need-based aid for Hawai'i residents to recruit and retain more Hawai'i excellence to undergraduate and graduate programs
- ***Further expansion of student retention and student success initiatives***
 - Develop and implement next strategic retention plan to continue to increase retention and improve graduation rates
 - Enhance AI-enabled and virtual communication to connect and communicate with students
 - Expand alumni engagement to include mentoring, career advising and recruitment



University of Hawai'i at Hilo

ENROLLMENT MANAGEMENT PROGRESS REPORT
Fall 2021



UNIVERSITY of HAWAII®
HILO

UH Hilo Enrollment Projections and Actual Fall 2021

	Measure	Historical Enrollment Count			Projected Enrollment Count	
		Fall 2019	Fall 2020	Fall 2021	Fall 2021	Difference
	Total Enrollment (headcount of all students)	3,372	3,165	3,243	3,103	+140
	% Change	-1.0%	-6.1%	2.5%		
	SSH of Classified Students	41,906	39,789	38,377	38,870	-493
	% Change	-2.3%	-5.1%	-3.5%		
	Enrollment (headcount) of Classified Undergraduate Students	2,646	2,563	2,630	2,505	+125
	% Change	-1.3%	-3.1%	2.6%		
1	First-time Freshmen	449	462	459	469	-10
	% Change	8.7%	2.9%	-0.6%		
2	Transfer	464	313	378	297	+81
	% Change	11.8%	-32.5%	20.8%		
3	Continuing / Returning	1,732	1,786	1,789	1,739	+50
	% Change	-6.5%	3.1%	0.2%		
4	Non-Traditional (Age 25 to 44)	511	481	485		
	% Change	-5.5%	-5.9%	0.8%		
5	Retention Rate – First-Time, Full-Time	72.7%	71.2%	71.3%		
6	Retention Rate – Transfer Full-Time	75.4%	79.8%	75.4%		
7	International	259	195	217		
8	Classified Graduate Enrollment	527	476	457	465	-8
	% Change	-6.2%	-9.7%	-4.0%		

Fall 2021 Assessment & Action Items

Fall 2021 Assessment

- ***Maintained increased reach for undergraduate student recruitment***
 - 459 in entering class of first-time freshmen, second highest in last 8 years
 - 20.7% increase in transfer students from Fall 2020 to Fall 2021
- ***Continued success in retention and graduation rates***
 - Freshman-to-Sophomore retention of 71.27%, second highest retention rate in past 13 years
 - 12.66% increase in 6-year graduation rate, second highest 6-year graduation rate in past 11 years

Fall 2021 Action Items

- ***Provided newly accepted students with early awareness and connection to campus offerings via online engagement platform***
- ***Increased electronic communications and virtual access for prospective students***
- ***Secured hires for Admissions Transfer Counselor and Transfer Evaluation Specialist positions***
- ***Modified prior online orientations and started shift back to in-person components***
- ***Increased participation in First Year Experience and Kipuka Native Hawaiian Student Center peer mentoring programs***

2021-2022 Action Strategies

Enhance recruiting activities at undergraduate and graduate levels

- Refine Fast Pass initiative in partnership with DOE and P-20
- Continue temporary admissions criteria
- Remove application fee requirement for Hawaii public high school seniors
- Guarantee Hawaii Scholars scholarship for all Hawaii high school seniors with 3.8 GPA or higher applying before December 31, 2021
- Improve digital and print communication to prospective students
- Increase number of 2+2 pathways for UHCC transfer students

Further expansion of student retention and student success initiatives

- Evaluate academic advising and implement integration recommendations
- Complete formation of Transfer Center to assist with orientation, onboarding and first year experiences
- Participate in AASCU's Transformation Accelerator Project to reduce equity gaps in completion
- Develop support programming for students on Academic Warning
- Strategize personalized outreach to continuing students



University of Hawai'i – West O'ahu

ENROLLMENT MANAGEMENT PROGRESS REPORT

Fall 2021



UNIVERSITY
of HAWAII®

WEST O'AHU

UH West O'ahu Enrollment Projections and Actual Fall 2021

Measure	Historical Enrollment Count			Projected Enrollment Count	
	Fall 2019	Fall 2020	Fall 2021	Fall 2021	Difference
Total Enrollment (headcount of all students)	3,049	3,168	3,008	3,189	-181
% Change	-2.5%	3.9%	-5.1%		
SSH of Classified Students	29,675	31,265	29,522	31,475	-1,953
% Change	-2.6%	5.4%	-5.6%		
Total Classified Enrollment	2,636	2,755	2,651	2,776	-125
% Change	-3.9%	4.5%	-3.8%		
1 First-time Freshmen	217	232	224	234	-10
% Change	-10.3%	6.9%	-3.4%		
2 Transfer	506	600	513	579	-66
% Change	-10.0%	18.6%	-14.5%		
3 Non-Traditional (Age 25 to 44)	938	998	958		
% Change	-3.0%	6.4%	-4.0%		
4 Continuing / Returning ¹	1,913	1,921	1,910	1,963	-53
% Change	-1.4%	0.4%	-0.6%		
5 Retention Rate First-Time, Full-Time	76.4%	74.5%	61.9%		
6 Retention Rate Transfer, Full-Time	73.1%	79.9%	79.9%		
7 International	17	20	26		

Recruitment and retention actions taken in 2020-2021

- Strengthened our regional high school recruitment: Early College pathways, collaborative grants (e.g., TIII, Kamehameha Schools, NSF-TCUP), P-20 outreach (e.g., career programs, FAFSA Informational presentations), and EAB traditional freshman recruitment & application effort.
- Advanced partnerships with our UH Community Colleges: strengthen academic degree and certificate pathway articulation, collaborative grants, and partner on co-curricular activities.
- Increased goal-driven, high touch, personalized interactions--admissions, advising, mentoring, others--delivered through virtual platforms to increase sense of belonging, persistence, and acculturation to higher education in relation to the pandemic.
- Increased communications and website to improve (a) ADA accessibility, (b) clear, consistent information regarding resources available to students & information about the pandemic, and (c) increased availability of counselors and academic advisers via interactive virtual platforms (Virtual Front Desk and Explore Us Virtually).

Action Strategies 2021-2023

- Support more collaborative efforts across all campus units to engage in re-enrollment of continuing students to maximize their retention devoid of financial debt and institutional barriers which impede their matriculation progress. For example, connect with continuing students who did not persist term-to-term to encourage their re-enrollment for spring 2022/fall 2022.
- Strengthen and implement more aggressive and creative promotional strategies, e.g., social media, direct mail, bookstore marketing, regional business and school visibility, that messages our strengths within a highly competitive environment.
- Grow enrollment through a concerted effort to enroll new market segments by meeting our community & industry demands with our applied academic programs, i.e., degrees & certificates, signature programs, etc. This requires campus-wide collaborative efforts to attract and enroll new student markets.
- Revisit & innovate, in partnership with the region's K-12 leadership, to increase the yield rate of incoming first-time freshmen accepted into UHWO.
- Foster different models of course delivery that serve lifestyle demands of targeted market segments (e.g., online, hybrid platform, short courses, evenings and/or weekends).
- Continue efforts toward constructing on-campus housing that open access to neighbor island, national, Pasifika and other international students.
- Advance collaborative efforts, particularly those dealing with financial and institutional barriers, across all campus units to engage in re-enrollment and retention efforts that support their matriculation progress.
- Continue to develop strategies to increase yield rates for applicants of all student types/target populations.



University of Hawai'i Community Colleges

ENROLLMENT MANAGEMENT PROGRESS REPORT
Fall 2021



UNIVERSITY *of* HAWAII®
COMMUNITY COLLEGES

UHCC Enrollments

Measure	Actual Enrollment Counts			Projected Enrollment Counts	
	Fall 2019	Fall 2020	Fall 2021	Fall 2021	Difference from Actual
Total Enrollment (headcount of all students)	26,066	25,236	24,424	24,966	-542
% Change	-2.8%	-3.2%	-3.2%		
SSH of <i>Classified</i> Students	179,514	165,887	146,375	161,850	-15,475
% Change	-4.1%	-7.6%	-11.8%		
Enrollment (headcount) of <i>Classified</i> Students	18,009	16,941	15,617	16,519	-902
% Change	-3.5%	-5.9%	-7.8%		
1 First-time Freshmen (First Year)	4,160	3,713	3,389		
% Change	1.7%	-10.7%	-8.7%		
2 Transfers to UH 4YR	1,213	1,292	1,170		
% Change	-12.2%	6.5%	-9.4%		
3 Non-Traditional (Age 25 to 44)	5,455	5,183	4,891		
% Change	-2.1%	-5.0%	-5.6%		
4 Continuing / Returning ¹	11,467	10,985	10,271	10,574	-303
% Change	-6.9%	-4.2%	-6.5%		
5 Retention Rate of First-Time, Full-Time Students	63.5%	63.5%	63.5%		
6 Retention Rate of Transfer, Full-Time Students	48.9%	52.2%	50.6%		
7 International	920	693	696		

UHCC Enrollment, by Priority Population



	Fall 2017	Fall 2018	Fall 2019	Fall 2020	Fall 2021	5 Year Change
FIRST TIME STUDENTS (new)						
All	11,391 (-2%)	11,655 (+2%)	11,709 (+1%)	11,627 (-1%)	11,234 (-3%)	-1%
High School Direct Entry (Fall following HS graduation)	2,596 (-5%)	2,637 (+2%)	2,570 (-3%)	2,738 (+7%)	2,452 (-5%)	+2%
Working Age Adults (ages 25-44)	2,077 (-10%)	1,995 (-4%)	2,301 (+15%)	2,383 (+4%)	2,119 (-11%)	+18%
Non-High School Graduates (e.g., GED)	466 (-8%)	389 (-17%)	334 (-14%)	331 (-1%)	438 (32%)	-6%
International	390 (-4%)	337 (-14%)	313 (-7%)	155 (-51%)	260 (67%)	-33%
All Other (e.g., ages 19-24, early college)	5,862 (+4%)	6,297 (+7%)	6,190 (-2%)	6,020 (-3%)	5,813 (-3%)	-1%
CONTINUING STUDENTS						
All (including retained students)	16,050 (-7%)	15,164 (-6%)	14,358 (-5%)	13,609 (-5%)	13,190 (-3%)	-18%
TOTAL ENROLLMENT	27,441 (-5%)	26,819 (-2%)	26,066 (-3%)	25,236 (-3%)	24,424 (-3%)	-11%



2021 Assessment

- **Enrollment declined**, though not as severely as community colleges nationally.
 - Pandemic disproportionately impacted vulnerable populations who experienced challenges with childcare, finances, navigating online learning environment, unclear job opportunities and overall stress and uncertainty.
 - High school Class of 2021 graduates' journeys to college were very disrupted.
- **Enrollments in online classes skyrocketed.** Many students—CC and 4 year--cross-registered for UHCCs' online classes; campuses' cross-registration counts range from 8-34% of enrollment.
- **Student outcomes are better.** 3 year graduation rates of first time full-time freshmen grew 36% over the last 5 years. Four campuses' rates are at historic highs.
- **Non-credit workforce training** reached many looking to upskill or reskill.



2021-2022 Action Strategies

- **Support current students to persist and attain their educational goals:** Implementing new tools to connect students with resources including supporting students' basic needs with federal student emergency aid.
- **Offer online education strategically:** Adding more fully online degree programs and 8-week online classes, targeting working adults.
- **Prioritize certain student groups for enrollment:**
 - **Students who stopped out during COVID**
 - **High school graduates**
 - **High school students via early college**
 - **Unemployed and underemployed**
- **Implement operational and service improvements:** Centralizing admissions and financial aid for strategic enrollment management.
- **Adjust academic offerings and student supports:** Continuing to address budget objectives through changes in programs and staffing based on reduced enrollments.

UHCC Non-Credit Programs

Course registrations, 2020-21

Type of Training	Course Registrations
Career Readiness	2,780
Community Education	4,796
Workforce Training	15,996
Total	23,572

Students served: 13,408

including 3,517 Registered Apprentices

2021-22 Action Strategies:

- Connecting non-credit and credit programs for workforce innovation and supporting advancement to family sustaining jobs.
- Training residents for immediate return to work.



\$4.5 M of contracts to support job training (Fall 2020 & 2021)



\$13.3 M federal workforce grant (2020-23) to support job training



Appendices





Appendix 1. Enrollment Types

TOTAL ENROLLMENT

1. **Classified Students** (undergraduate and graduate): Students that are seeking a degree at a particular campus
 - a. First Time Freshmen: Students with no previous academic history (except for early college, or previous summer)
 - b. Transfer Students: Students who attended classes at another campus (does not include summer, requires a change in home campus for UH students)
 - c. Returning Students: Students returning to the same campus without attending another campus.
 - d. Continuing: Students continuing at the same campus without a break (does not include summer)
2. **Unclassified Students**: Students not seeking a degree at a particular campus
 - a. Early Admit: High school students taking college credit
 - b. Not home based
 - c. Other non-classified

Appendix 2.

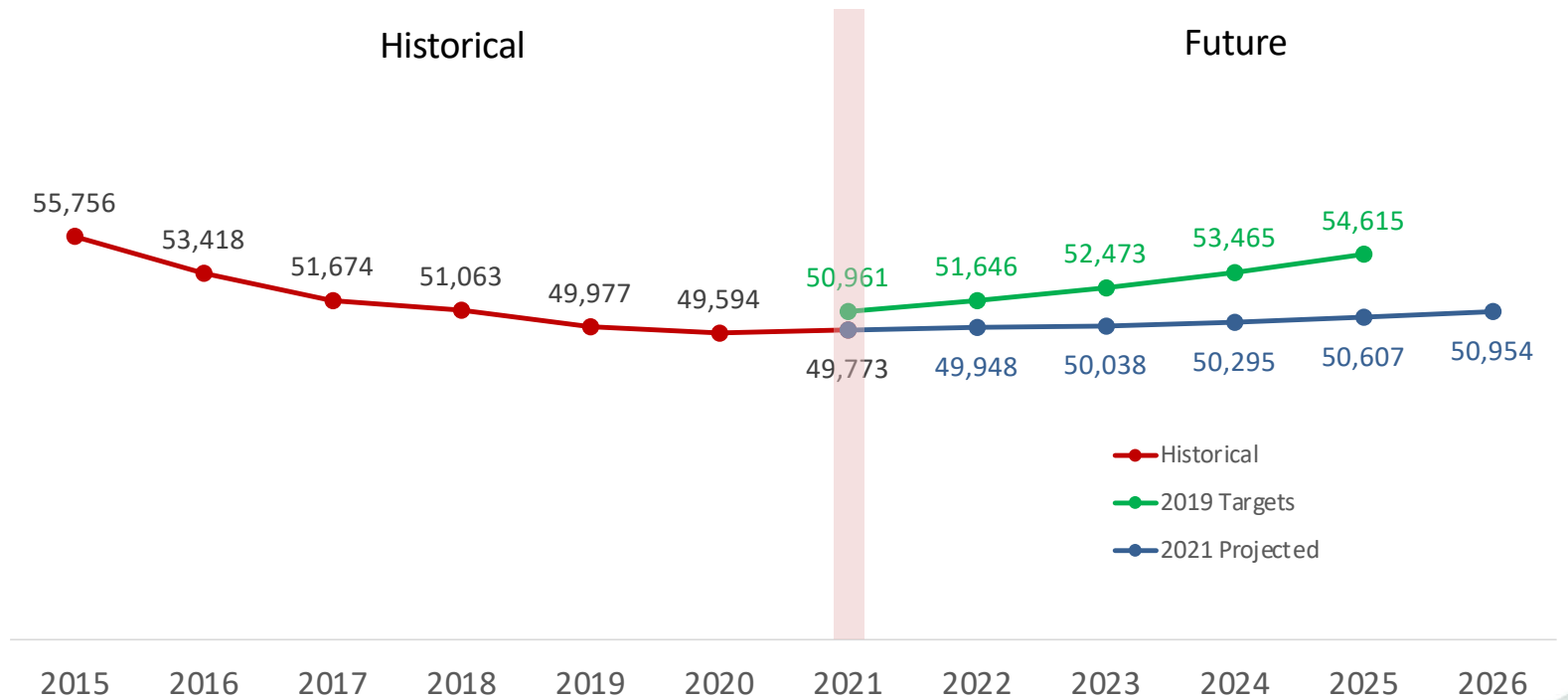
University of Hawai'i System – Classified and Unclassified Headcount Enrollment

	Fall 2020	Fall 2021	% Change
Total	49,594	49,773	-0.4
Classified	40,061	39,878	-0.5
Undergraduate	35,123	34,737	-1.1
First-Time Students: Freshmen	6,591	7,011	6.4
Resident	5,212	4,937	-5.3
Non-Resident	1,379	2,074	50.4
First-Time Students: Other Undergraduates	151	142	-6.0
Returning	1,795	1,786	-0.5
Transfer	4,776	2,636	-44.8
Hawai'i Institution	3,078	1,374	-55.4
Non-Hawai'i Institution	1,617	1,217	-24.7
Unknown	81	45	-44.4
Continuing	21,773	21,163	-2.8
Graduate	4,938	5,141	4.1
First-Time Students: Graduate	1,494	1,802	20.6
Returning	85	78	-8.2
Transfer	167	196	17.4
Continuing	3,192	3,065	-4.0
Unclassified	9,533	9,895	3.8
Home-Based at Other UH Campus	4,688	5,277	12.6
Early Admit	2,862	2,959	3.4
Other	1,983	1,659	-16.3

Enrollment Plan

UH System Fall Headcount

Enrollment is expected to remain near current levels to slightly increasing, as we recover from the pandemic.



Tuition Forecast Based Upon Enrollment Plan

UH System TFSF Tuition Revenue (\$1,000)

Enrollment gains at the four-year campuses should yield higher tuition revenues over the next few years.

