

MINUTES

STATE POST-SECONDARY EDUCATION COMMISSION MEETING

APRIL 18, 2019

I. CALL MEETING TO ORDER

Chair Lee Putnam called the meeting to order at 9:32 a.m. on Thursday, April 18, 2019, at Leeward Community College, Education Building, Room 201A/B, 96-045 Ala Ike Street, Pearl City, Hawai'i 96782.

Quorum (14): Chair Lee Putnam; Vice Chair Jeffrey Portnoy; Vice Chair Wayne Higaki; Regent Simeon Acoba; Regent Kelli Acopan; Regent Eugene Bal; Regent Ben Kudo; Regent Michael McEnerney; Regent Randy Moore; Regent Alapaki Nahale-a; Regent Jan Sullivan; Regent Robert Westerman; Regent Ernest Wilson Jr.; and Regent Stanford Yuen.

Excused (1): Regent Michelle Tagorda.

Others in attendance: President David Lassner; Vice President for Community Colleges John Morton; Vice President for Legal Affairs/University General Counsel Carrie Okinaga; Vice President for Academic Planning and Policy Donald Straney; Vice President for Research and Innovation Vassilis Syrmos; Vice President for Information Technology/Chief Information Officer Garret Yoshimi; Interim UH-Hilo (UHH) Chancellor Marcia Sakai; UH-West O'ahu (UHWO) Chancellor Maenette Benham; Honolulu Community College (HonCC) Chancellor Erika Lacro; Executive Administrator and Secretary to the Board of Regents (Board Secretary) Kendra Oishi; and others as noted.

II. PUBLIC COMMENT PERIOD

Board Secretary Oishi announced that the Board Office received no written testimony, and no individuals signed up to provide oral testimony.

III. AGENDA ITEMS

A. Approval to Request the Governor's Approval to Hold a Public Hearing Regarding the Simultaneous Repeal of Hawai'i Administrative Rules Title 20, Chapter 40, "Rules of Practice and Procedure", and the Adoption of Chapter 40.1, "Rules of Practice and Procedure" for the State Post-Secondary Education Commission

Chair Putnam explained that the State Post-Secondary Education Commission (SPEC) formally consists of the members of the Board of Regents plus four additional members who have not been appointed and there are a sufficient number of members present to conduct business.

University General Counsel Okinaga explained that the proposed revisions to the Hawai'i Administrative Rules (HAR) is part of an effort to streamline the university's HARs. This specific action was previously approved by the Board in September 2017. However, the Attorney General noted that the SPEC should amend its own HARs, which is why the SPEC was convened today to address this matter.

Regent Moore moved to approve to request the Governor's approval to hold a public hearing regarding the simultaneous repeal of HAR Title 20, Chapter 40, "Rules of Practice and Procedure", and the adoption of Chapter 40.1, "Rules of Practice and Procedure" for the SPEC.

Chair Putnam requested Gary Takeuchi, Associate Vice President for Legal Affairs, to provide comment. AVP Takeuchi noted that the SPEC has not met in over ten years and there is no expectation that it would need to meet in the foreseeable future, but it is in statute and remains in existence in the event it is needed to accept certain federal funds, although such funds have not been provided for many years. There are a number of provisions in the current HAR Title 20, Chapter 40, that no longer apply and the proposed revisions would update and streamline the HARs. AVP Takeuchi noted that there are a few nonsubstantive corrections that need to be made to the proposed draft HAR revisions in Section 20-41.1-2 and Section 20-40.1-6.

Regent Moore agreed to amend his motion to request the Governor's approval to hold a public hearing regarding the simultaneous repeal of HAR Title 20, Chapter 40, "Rules of Practice and Procedure", and the adoption of Chapter 40.1, "Rules of Practice and Procedure" for the SPEC, to include the minor nonsubstantive amendments to the proposed draft HAR revisions, seconded by Regent Bal. The motion was put to a vote and carried unanimously.

Regent Yuen arrived at 9:36 a.m.

IV. ADJOURNMENT

There being no further business, Regent Moore moved to adjourn and Regent Wilson seconded, and with unanimous approval, the meeting was adjourned at 9:37 a.m.

Respectfully Submitted,

/S/

Kendra Oishi
Executive Administrator and Secretary
of the Board of Regents