

MINUTES
BOARD OF REGENTS MEETING
NOVEMBER 16, 2023

A video recording of this meeting may be viewed at the Board of Regents website as follows:

[Meeting Video](#)

I. CALL TO ORDER

Chair Alapaki Nahale-a called the meeting to order at 9:31 a.m. on Thursday, November 16, 2023, at Windward Community College, Hale 'Ākoakoa 101-105, 45-720 Keaahala Road, Kāne'ohe, HI 96744, with regents participating from various locations.

Quorum (11): Chair Alapaki Nahale-a; Vice-Chair Gabriel Lee; Vice-Chair Ernest Wilson; Regent Neil Abercrombie; Regent Lauren Akitake; Regent William Haning; Regent Wayne Higaki; Regent Laurel Loo; Regent Abigail Mawae; Regent Diane Paloma; and Regent Laurie Tochiki.

Others in attendance: President David Lassner; Vice President (VP) for Administration Jan Gouveia; VP for Academic Strategy Debora Halbert; VP for Legal Affairs/University of Hawai'i (UH) General Counsel Carrie Okinaga; VP for Research and Innovation Vassilis Syrmos; VP for Budget and Finance/Chief Financial Officer Kalbert Young; UH-Mānoa (UHM) Provost Michael Bruno; UH-Hilo (UHH) Chancellor Bonnie Irwin; UH-West O'ahu (UHWO) Chancellor Maenette Benham; Windward Community College (WinCC) Chancellor Ardis Eschenberg; Executive Administrator and Secretary of the Board of Regents (Board Secretary) Yvonne Lau; and others as noted.

II. APPROVAL OF THE MINUTES OF THE OCTOBER 19, 2023 MEETING

Chair Nahale-a inquired if there were any corrections to the minutes of the October 19, 2023, meeting which had been distributed. Hearing none, the minutes were approved.

Regent Abercrombie sought clarification about the process for receiving information on inquiries made of the administration during previous meetings. Chair Nahale-a replied that regents can contact the board office to follow up with the administration on informational and other queries made at a meeting. He also asked the board office to keep track of and routinely monitor the fulfillment of any such requests going forward.

III. PUBLIC COMMENT PERIOD

Board Secretary Lau announced that the Board Office received written comments from Peter H. Hoffenberg and Daphne Desser regarding the situation in the Middle East as it relates to UH.

Jaret KC Leong, UH Staff Council Chair, and the Staff Council at Kapi'olani Community College provided written comments regarding staff participation in the executive search for the next President of UH.

Hannah Manshel, Sarah Yap, S. Shankar, Monisha Das Gupta, Cynthia Franklin, Teresa Bill, and Heather Greenwood provided written comments in opposition to the proposed amendments to Board of Regents Policy (RP) 9.202 Classification Plans and Compensation (RP 9.202), RP 9.213 Evaluation of Board of Regents' Appointees (RP 9.213), and RP 9.214 Teaching Assignments for Instructional Faculty (RP 9.214).

Late written comments regarding the situation in the Middle East as in relation to UH were received from Naava Simckes.

Late written comments in opposition to the proposed amendments to RP 9.202, RP 9.213, and RP 9.214 were received from Kyle Kajihiro and Jan Minoru Javinar.

Kaiulani Akamine provided oral comments in opposition to the proposed amendments to RP 9.202, RP 9.213, and RP 9.214.

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

[Written Testimony Received](#)

[Late Written Testimony Received](#)

IV. REPORT OF THE PRESIDENT

A. Middle East Situation and UH

Speaking about events occurring in the Middle East, President Lassner stated that his singular concern was the health, safety, and well-being of the UH community and the excellence of the educational opportunities offered by the university to elevate the lives of its students. He expressed pride in the fact that the university's campuses have not been roiled by the kinds of physical violence and injury taking place at many other great universities around the world, attributing much of this to Hawai'i's unique culture of aloha; offered his rationale for deciding not to condemn the actions of Hamas or the Israeli response to these acts despite calls to do so; spoke about the inherent challenges faced in protecting the lawful free speech and academic freedom of some within the university community even in situations where statements are upsetting or mean-spirited; touched upon the deep connections many in the university 'ohana have with the complex and intertwined history of Israel, Gaza, Jews, and Palestinians, as well as the incidents unfolding in the region, and its relation to multiple reports of situations in which individuals, including students, have felt unsafe as the direct result of the words and sometimes actions of others; noted efforts to assist the university community in feeling supported and safe in a complex environment involving the expression of opposing viewpoints in ways that may be hurtful; discussed the need for the development of approaches to discourse that are kinder, more respectful, more strategic, and perhaps even more effective; and urged all students, faculty, and staff to maintain a commitment to use words, not physical force, to express positions or disagreements, and to

demonstrate compassion for those around them who have different backgrounds, perspectives and views.

Regent Abercrombie voiced his support for the approach taken by President Lassner with respect to the situation in the Middle East referencing existing policies regarding speech and other expressive activity on UH campuses. He also cited a University of Chicago report published in 1967, entitled, *Kalven Committee: Report on the University's Role in Political and Social Action (Kalven Report)* the premise of which was the need for institutional neutrality on political and social issues thus affirming a commitment to the academic freedom of faculty and students in the face of suppression from internal and external entities; requested that copies of the *Kalven Report* be distributed to regents; and opined that the issuance of a statement from the board validating the position of the university as conveyed by President Lassner would be in order.

Although she understood President Lassner's position on this matter, Regent Mawae verbalized her disappointment with his decision not to condemn the actions of Hamas, which she stated was a known terrorist organization, contending that doing so would not infringe upon an individual's constitutionally protected right to free speech or the academic freedoms afforded by the university.

B. Outside Review of Structure

In light of post-pandemic changes to the landscape of higher education both locally and nationally, President Lassner reported that university leadership is looking to engage with a third-party to help evaluate the structure of the 10-campus system in order to assist the board and administration in determining whether the university's current structure, which was established via a series of piecemeal decisions over several decades, is optimally configured to provide needed and desired services to students, as well as the entire population of Hawai'i, in an efficient and cost-effective manner. He briefly reviewed several alterations made to the university's organizational structure since the 1990s; went over examples of questions raised internally by university officers and others concerning, among other things, academic capacity, support services, facility utilization, and the provision of online modalities of instruction; discussed some of the work the external consultant would be tasked with such as background research, the objective review of data, and the conducting of interviews with internal and external stakeholders to understand needs, opportunities, and any concerns with change; noted that the external consultant would leverage the information obtained through this work with its knowledge of the manner in which other university systems across the country address statewide demands to develop a set of options, along with their benefits and drawbacks, for the board and next university president to consider when thinking about how the university system can best serve the entire state; emphasized that all major decisions involving modifications to the university's organizational structure would be under the complete purview of the board; and stated that the external consultant would be retained through the University of Hawai'i Foundation with the goal of compensating the selected entity solely through the use of private funds.

C. Windward Community College Report

Jennifer Brown, Vice Chancellor (VC) for Student Affairs at WinCC, presented information on the campus's mission and values stating that the college has been dedicated to the advancement of the people of Hawai'i for the last 50 years. She reviewed fall-to-fall enrollment statistics, highlighting relevant data trends experienced over the last five years and recent enrollment successes; provided an overview of student population demographics, pointing out that large percentages of individuals attending WinCC were of Native Hawaiian ethnicity and from high schools within the Windward O'ahu region; spoke about the number of students taking part in WinCC's early college program, partnerships with other community college campuses within the university system in the provision of courses for early college programs, and ventures to increase engagement with potential early college students; mentioned actions being taken to address social and economic challenges that continue to impede the pursuit of higher education including the designation of institutional scholarship funds specifically for foster youth; and discussed longer-term initiatives undertaken to assist in-need populations in gaining a post-secondary education, such as the Ho'olei Scholarship Program (Ho'olei Program), Hānaikāiaulu College Friendly Workplace Initiative (Hānaikāiaulu Initiative), and Pu'uhonua Program, the first ever program within the university system to provide opportunities for incarcerated individuals to earn credit bearing certificates and degrees. She also went over efforts to improve upon the institution's connection with the community it serves through the development of relevant academic and research programming partnerships; expounded upon innovative career and technical education training initiatives unique to WinCC that are aligned with workforce demands; and talked about cross-disciplinary programs created for the purpose of promoting access to, and meeting the educational needs of, Native Hawaiians both locally and nationally.

Regent Abercrombie requested an update on the status of WinCC's Veterinary Technician (Vet Tech) Program, including enrollment figures, and inquired as to whether the Program had good working relationships with veterinarians and the veterinary community. VC Brown replied that the two-year Vet Tech Program is conducted via either fully in-person or hybrid instructional modalities with the hybrid version consisting of online lecture courses and in-person labs. As such, the hybrid version of the Vet Tech Program provides greater educational access to students residing on the neighbor islands seeking to enter into this field of study which helps with efforts to meet the workforce demand for veterinary technicians throughout the state. Students in the Vet Tech Program have access to what is essentially an on-campus veterinary hospital with a surgical suite and take part in internships at clinics and shelters where skills are evaluated and critiqued by industry professionals. The Vet Tech Program also has good working relationships with veterinarians and the veterinary community as evidenced by Program participants frequently receiving offers of employment immediately upon completion of their studies. Graduates of the Vet Tech Program have also gone on to further their educational pursuits including attending veterinary schools on the mainland. Although enrollment data for the Vet Tech Program was not readily available, VC Brown stated that this information would be provided to Regent Abercrombie.

Regent Akitake sought additional information about the Pu'uhonua Program, including enrollment data. VC Brown responded that WinCC's Pu'uhonua Program was established in 2017 at the Women's Community Correctional Center and the Hawai'i Youth Correctional Facility through a United States Department of Education Title III Native Hawaiian Serving Institutions grant. The Pu'uhonua Program, which actively engages incarcerated students through rigorous coursework, skill building, and proactive counseling and support services provided by way of educational centers located within the correctional facility, has since been expanded to the Halawa Correctional Facility. VC Brown spoke about the work involved in establishing educational programming at the correctional facilities, touched upon Pu'uhonua Program coursework requirements, noted general Program cohort sizes as well as the number of courses taught at each facility, and mentioned some of the Program's accomplishments. Although she did not have immediate access to precise enrollment and course data for each facility, VC Brown stated that she would provide this information to Regent Akitake.

Regent Tochiki asked about efforts being undertaken to address mental health, as well as the basic needs of students. VC Brown replied that WinCC has one full-time equivalent mental health counselor and a behavioral intervention team to address the mental health needs of students at WinCC which tend to be more anxiety related. She noted that many of WinCC's academic counselors have a background in social work, which allows them to recognize a student's needs and direct that student to seek appropriate services, and emphasized that both the mental health counselor and behavioral intervention team have access to additional mental health resources should they be needed. She also remarked that WinCC hosts on-campus workshops to promote wellness in general, including mental health wellness. In terms of basic student needs, the campus provides a myriad of services including, among other things, a food pantry, daily free lunches for students, basic needs counseling, and a free loan system for laptops and other educational electronic devices. Chancellor Eschenberg added that, as part of its efforts to meet basic student needs, WinCC reserves half of the spots in its childcare program for WinCC students with children and has secured grants to afford these individuals with free tuition for the program.

Regent Mawae applauded the work of WinCC's Ho'olei Program and Hānaikaiaulu Initiative particularly with respect to their focus on addressing the root causes for declining enrollment in the male student demographic. VC Brown expressed her belief that these programs were a major contributing factor in WinCC's 2023 freshman class being the largest freshman class the institution has witnessed in 13 years.

V. COMMITTEE AND AFFILIATE REPORTS

- A. Report from the Committee on Governance**
- B. Report from the Committee on Student Success**
- C. Report from the Committee on Institutional Success**
- D. Affiliate Reports**

1. **All Campus Council of Faculty Senate Chairs (ACCFSC)**
2. **Maunakea Management Board (MKMB)**
3. **Pūko'a Council**
4. **Research Corporation of the University of Hawai'i (RCUH)**
5. **University Health Partners (UHP formerly UCERA)**

Chair Nahale-a referred regents to the respective standing committee reports from the November 2, 2023, committee meetings, as well as the ACCFSC, MKMB, Pūko'a Council, RCUH, and UHP affiliate reports, which were contained in the materials packet.

Regent Abercrombie asked whether there were additional updates on MKMB activities in addition to what was contained in the MKMB affiliate report. Chair Nahale-a replied that the framework for the creation of a working group to provide a forum for discussions on joint management issues related to Maunakea has been approved by the Mauna Kea Stewardship and Oversight Authority (MKSOA) and that MKSOA will be considering the working group concept at its next meeting. Regent Abercrombie stressed the importance of clarifying responsibilities for the oversight of Maunakea as quickly as possible. Chair Nahale-a stated that the board and university have held the position that management and stewardship of Maunakea will continue to be the kuleana of the university until such time that the MKSOA is prepared to assume this responsibility. President Lassner confirmed Chair Nahale-a's assessment.

VI. AGENDA ITEMS

A. Consent Agenda

1. **Approval to Change the Associate of Science Degree in Creative Media from Provisional Status to Established Status at Hawai'i Community College, Kaua'i Community College, and University of Hawai'i Maui College.**
2. **Fiscal Years Biennium (FYB) 2023-25, Supplemental Operating Budget Request for the University of Hawai'i (UH) to be submitted to the Governor and the State Legislature**
3. **FYB 2023-25, Supplemental Capital Improvement Projects (CIP) Budget Request for the University of Hawai'i (UH) to be submitted to the Governor and the State Legislature & 6-Year CIP Plan Update.**
4. **Requesting Approval to Indemnify National Aeronautics and Space Administration ("NASA") and the federal government when using U.S. Government Property for Sponsored Research awards received from NASA during Calendar Years 2024 and 2025**

Regent Abercrombie moved to approve the consent agenda, seconded by Vice-Chair Wilson.

Regent Abercrombie asked that the record specifically note the inclusion of amendments made to Agenda Item VI.A.3, the CIP Supplemental Budget request, during the meeting of the Committee on Institutional Success (IS Committee) held on November 2, 2023, involving the addition of \$40 and \$80 million in Renew, Improve, and Modernize funding for student housing and for renovations to the Hale Noelani residence hall respectively. He also commended the work and responsiveness of the new team formed to address student housing issues.

Regent Mawae inquired about the status of the housing audit being conducted by the Office of the Internal Auditor (OIA). Chair Nahale-a explained that the internal audit of student housing at UHM is on the list of projects currently being undertaken by OIA per a directive from the Committee on Independent Audit (IA Committee). Regent Akitake, IA Committee Chair, stated that, while the IA Committee approved charging OIA with conducting an internal audit of student housing at UHM, a presentation on student housing and the KMH LLP work plan relative to this issue was taken up at the IS Committee meeting held on November 2, 2023, which led to some jurisdictional confusion. However, she noted that the presentation to the IS Committee was never completed due to time constraints and despite her efforts to schedule another meeting on this topic, board leadership has not set a firm date as to when it will be taken up anew. Since this subject matter has not been included on the IA Committee's December meeting agenda, it was her understanding that the earliest this issue could be addressed again was at the IA Committee meeting presently scheduled to be held in February 2024, which would mean the next time the board would be allowed to discuss student housing would be three months from now.

Board Chair Nahale-a reiterated that OIA's audit of student housing at UHM is in progress. He also provided the basis for board leadership's decision not to place this issue on a committee or board agenda at this time.

Regents discussed board leadership's rationale for not agendizing this matter at the moment, the process used to formulate board and committee agendas, the administration's response to student housing concerns raised by regents, and the various options available for receiving regular updates on the issues facing student housing at UHM.

Vice-Chair Wilson moved to amend Regent Abercrombie's original motion by adding a requirement that the administration, through VP Gouveia's office, provide monthly updates to the board on the status of student housing issues at UHM. Regent Abercrombie replied that he was amenable to the suggested amendment.

Regent Akitake asked whether the unfinished presentation on student housing at UHM from VP Gouveia was to be included in the initial monthly student housing report as requested by Vice-Chair Wilson. She also sought clarification as to whether board leadership will allow discussions on the recent tour of UHM student housing to be placed on an IA Committee agenda in the near future. Chair Nahale-a and Vice-Chair Wilson confirmed that an intent of the requested amendment was to have the administration, via VP Gouveia's office, finish the student housing presentation initiated at the last IS Committee meeting. Chair Nahale-a also went over some of the considerations taken

into account by board leadership when developing committee and board agendas including the urgency of a matter, whether there are items requiring board action, time constraints, and scheduling conflicts. In light of these responses, Regent Akitake suggested that the motion be further amended to explicitly request the administration to complete its presentation on student housing as noted above and provide a summary of the recent UHM student housing tours given to regents. Vice-Chair Wilson and Regent Abercrombie were agreeable with these additional amendments.

Given the various amendments made to the original motion, Chair Nahale-a clarified that the motion currently before the board was to approve the consent agenda with the addition of a request directing the administration to provide monthly updates on the status of student housing issues at UHM with its first report to include the completion of the presentation on student housing that was initially taken up at the IS Committee meeting held on November 2, 2023, and a summary of the recent UHM student housing tours given to regents.

There having been an amended motion that was moved and seconded, a roll call vote was taken, and the motion carried with all members present voting in the affirmative.

B. Enrollment Update and Multi-Year Enrollment Plan, Fall 2023

Kara Wagoner, Director of the Institutional Research and Analysis Office, provided a report on the university's systemwide enrollment strategy reviewing both internal and external influences on student recruitment, student retention, and student success, which are the three target areas of enrollment management. She highlighted several notable systemwide enrollment achievements for the fall 2023 semester; spoke about the work of the university's enrollment management working group; commented on enrollment challenges being faced by the university; went over trend data related to, among other things, recruitment, credit and non-credit enrollment, early college programs, retention rates, student demographics, and student success metrics, on a more granular level; noted past initiatives geared toward improving student success that were embarked upon by the university; and discussed potential strategies for strengthening institutional performance in the three target areas of enrollment management cited above.

Provost Bruno, Chancellor Irwin, Chancellor Benham, and Judy Oliveira, Director of Academic & Student Support for the UH Community College System, presented enrollment management progress reports for UHM, UHH, UHWO, and the community colleges drawing attention to successes attained for fall 2023 including steady increases in a number of enrollment categories at UHM, the establishment of stronger student recruitment pipelines at UHH, increases in first-time freshman at UHWO, and the stabilization of enrollment and general improvement in student outcomes at the community colleges. They also reviewed various action strategies for increasing student admissions, retention, and success at their respective academic units such as enhancing the provision of financial aid, waiving academic fees, expanding educational and career pathways, engaging enrollment management consultants, bolstering marketing campaigns, and strengthening and creating more community and intra-institutional

academic partnerships; noted areas of enrollment management where improvement was needed; and discussed hurdles faced by several institutions in attaining overall enrollment goals and objectives. Director Oliveira also mentioned enrollment in the non-credit programs at the community colleges, particularly in short-term workforce training programs, as well as the creation of degree pathways for these individuals.

Regent Tochiki inquired as to whether a single student application system was utilized across all university campuses. Director Wagoner replied that, while the community colleges and four-year campuses use the same student application system, UHM, UHH, and UHWO each have their own application process.

Regent Mawae asked if the university utilized Common App, and if not, whether efforts were being undertaken to use this college application system. VP Halbert replied that the university does not presently use Common App although there is always the possibility that this system could be used in the future.

Citing the elimination of application fees at UHM and UHH, Regent Akitake raised a question about the actual dollar amount of the application fee and asked whether this amount varied by campus. Director Wagoner replied that, while non-resident applicants are charged a standard application fee of \$25 across all campuses, Hawai'i residents applying to any university campus are not charged an application fee.

Regent Haning requested Regent Mawae to enlighten him about Common App. Regent Mawae replied that Common App was a platform developed to simplify the college admissions process by connecting numerous colleges to a single application system.

Referencing UHM's new artificial intelligence (AI) chat tool to engage students and provide immediate support as needed, Vice-Chair Wilson asked if this type of tool was available at the other university campuses. Provost Bruno replied that the chat tool referred to by Regent Wilson was a recently launched initiative undertaken by UHM. Once the system has been fully evaluated, it can be shared with other campuses if desired. Chancellor Irwin added that UHH also has a chat bot to engage with students. Regent Wilson opined that it would be more beneficial for the university to engage with students through a common system rather than as individual campuses. Director Oliveira responded that the university is currently exploring options to use Client Relationship Manager, which is already being utilized on some campuses, as a systemwide student engagement and interaction tool. Additionally, she stated that a chat bot contract was recently consolidated for all 10 campuses of the university system which will allow for further engagement with students.

Chair Nahale-a voiced his appreciation for the more nuanced approach used by the administration to present the university's enrollment report which focused on actions being taken to address the needs of the population each campus serves rather than simply providing details about enrollment statistics.

**C. Report of the Presidential Selection Process Permitted Interaction Group
Established on October 19, 2023 Pursuant to Section 92-2.5(b), Hawai'i**

Revised Statutes (HRS) (For Information Only – No Board Deliberation or action will occur at this meeting pursuant to Section 92-2.5(b), HRS. Deliberation and decision-making will occur at the December 7, 2023 Special Board Meeting.)

Chair Nahale-a stated that the final report of the Presidential Selection Process Permitted Interaction Group (Permitted Interaction Group) containing its findings and recommendations has been provided in the board materials packet, with discussion and potential action scheduled to occur at a special board meeting to be held on December 7, 2023. He emphasized that, in accordance with statutory requirements governing permitted interaction groups, discussions on the contents of the Permitted Interaction Group's report were prohibited at this meeting.

Regent Abercrombie asked about the publication of the Permitted Interaction Group's report for public consumption, the means by which testimony or comments on the report will be received, and the process for providing remarks received on the report to regents. Board Secretary Lau replied that the Permitted Interaction Group's report has been posted on the board's website where it can be viewed by the public. The board office will also compile any remarks made on the report and will afford these comments to regents in a manner consistent with how testimony for board meeting agenda items is currently provided. Regent Abercrombie submitted that providing regents with as much time as possible to review public comments on the report prior to the board's meeting in December would be appropriate given the importance of this matter and suggested that the board office be directed to provide regents with testimony on the report as soon as feasible. Chair Nahale-a requested that the board office make its best effort to provide testimony on the report to regents as it is received. Board Secretary Lau acknowledged Chair Nahale-a's request.

In light of questions raised during deliberations on the establishment of the Permitted Interaction Group at the board meeting on October 19, 2023, including limitations placed on board actions due to an agenda's title, Regent Akitake inquired about the possibility of amending the recommended presidential selection process at the board meeting in December. Chair Nahale-a and VP Okinaga explained that regents will be discussing the contents of the Permitted Interaction Group's report at the special board meeting scheduled for December 7, 2023, during which time amendments to the recommended presidential selection process can be made and adopted by the board.

Discussions ensued on possible deliberations that could occur at the board's December meeting.

Regent Paloma questioned when the Permitted Interaction Group would be dissolved. Chair Nahale-a replied that dissolution of the Permitted Interaction Group would occur after the December 7th meeting when its final report is accepted by the board.

Assuming that discussions at the December board meeting result in the adoption of a recommendation to establish another permitted interaction group to select a president, Regent Tochiki asked if the new permitted interaction group would then be established

at the January board meeting. Chair Nahale-a replied that the establishment of another permitted interaction group and the timeframe for forming this group would be up for discussion at the December meeting.

Regent Akitake sought clarification as to whether the Permitted Interaction Group continues to exist. Chair Nahale-a reiterated that, to the best of his knowledge, a permitted interaction group remains in existence until its report is accepted by the board. VP Okinaga clarified that a permitted interaction group ceases to exist upon publication of its report in accordance with Office of Information Practices guidance.

Regent Mawae lamented the fact that the Permitted Interaction Group's report could not be acted upon until December in view of the magnitude of this decision.

D. Recommendation to Approve Amendments to Board of RP 9.202 Classification Plans and Compensation Schedules, RP 9.213 Evaluation of Board of Regents' Appointees, and RP 9.214 Teaching Assignments for Instructional Faculty to Address the Administration's Recommendations in Response to Hawai'i State Legislature's Senate Concurrent Resolution 201 SD1 HD1 (SCR 201)

VP Halbert reviewed a series of significant events leading up to the development of appropriate policies and procedures for implementing the recommendations of the SCR 201 Task Force, which was established by the Legislature in 2021 to examine and evaluate a number of issues relating to university faculty, including tenure, faculty classification, and faculty buyout for research. She discussed the approach used to consult with appropriate entities on the proposed policy revisions; went over the timeline and scope of these consultation efforts; spoke about the process used to solicit feedback and gather input on the proposals; noted comments received and major concerns raised during the consultation process; and provided examples of changes made to initial policy revision proposals based upon insights obtained through consultation. She also gave an overview of the three recommendations for policy changes that were formulated on the basis of work conducted by the SCR 201 Task Force and subsequent working group established by the board to develop a plan for implementing these recommendations; offered details on each recommendation in conjunction with the major changes to corresponding RPs and Executive Policies noting the implications of these policy amendments; and talked about the next steps that will be taken with respect to formalizing and implementing the policy changes.

Acknowledging the problematic nature of intrinsic hierarchies within institutions of higher education, Regent Tochiki verbalized her concerns about the possible repercussions the recommended policy changes will have on people who are influential in the success of students but might not be considered traditional instructors such as those individuals in the current S faculty classification. She went on to ask VP Halbert to expound upon the ramifications these policy changes will have on those individuals. VP Halbert replied that language referring to faculty work as an activity encompassing a range of actions performed beyond the classroom included within the proposed classification plan tries to address the concerns raised by Regent Tochiki. She also explained that the aforementioned proposed classification plan is not included within the RPs since the RPs set the basic parameters for the faculty classification system.

Discussions ensued on the history of the current faculty classification system; the comparative benefits of having a consolidated faculty classification system as opposed to the multi-faceted system currently in place; attempts to address some of the concerns raised by faculty including flexibility within the new classification system; differences between work assignments and academic equivalencies; the capacity for non-traditional faculty who are prospectively reclassified as F faculty under this proposal to join faculty governance bodies; and the concepts behind the Professor of Practice designation.

Regent Abercrombie questioned whether major concerns about the Librarian and Extension Agent classifications raised during consultation were resolved; sought confirmation that faculty performance evaluations would be under the purview of their respective divisions and departments; asked if there were plans to consolidate Administrative, Professional, and Technical (APT) employees under the new faculty classification system; inquired about pushback received on the newly created Professor of Practice and whether this designation was available to all departments; and asked if all comments received during consultation on this issue were taken into account. VP Halbert replied that the administration returned the language in the classification attachment for Librarian and Extension Agent back to the original language and only made minor editorial changes to those classifications. She also stated that the revised version of RP 9.203 explicitly says “the foundation of assessment of faculty performance shall be in accordance with guidelines for faculty teaching and scholarship developed by divisions and departments”; there were no present plans to reclassify APTs; to her knowledge, no pushback has been received on the issue of creating a Professor of Practice, which was a designation available to all departments; and the administration attempted to take into account all relevant comments received on the policy changes.

Citing the change in terminology for semester credit hours to equivalencies in the proposed version of RP 9.214, Vice-Chair Lee inquired about the methodology the administration will be using to monitor faculty productivity. VP Halbert explained that equivalencies are used as a mechanism for quantifying the range of work faculty complete inclusive of both instructional and non-instructional duties. To ensure that the board is informed about faculty work assignments, the proposed version of RP 9.214 requires the president to present an annual systemwide report on tenured and tenure-track faculty work assignments that delineates the work assignment of tenured and tenure-track faculty by college, school, or division and at minimum, includes the percentage of the work assignment that is instruction and the percentage of faculty who meet established work assignment for their unit. Vice-Chair Lee continued by asking if the administration would be performing a comparative analysis of trend data regarding annual faculty workload. VP Halbert replied that much of this work will be performed at the department level noting the existence of current policy requirements and a process for the periodic review of faculty workloads across multiple years.

Despite all of the preceding discussions, Regent Tochiki verbalized that she still had concerns about the adequacy of consultation and the impacts this could have on trust issues between the administration and faculty. Although she understood Regent Tochiki’s concerns, VP Halbert pointed out that a dilemma of the consultation process

on this matter was that it involved direct communication between the administration and faculty senates rather than individual employees which does not ensure the proper conveyance of this information to the governing body's membership. As such, the possibility exists that individuals were not fully aware of the proposed policy revisions and their potential impacts. However, VP Halbert questioned what more could be done to ensure that every voice was heard on this issue.

Regent Haning spoke about the evolutionary nature of developing the policy revisions noting that such an endeavor will always be subject to contention among differing parties. Nevertheless, he expressed his support for the proposed changes.

Regents commended the work of VP Halbert on this matter and voiced their appreciation for the efforts of all of the parties that were engaged in this endeavor.

Regent Haning moved to approve the amendments to RP 9.202, RP 9.213, and RP 9.214, seconded by Regent Abercrombie, and noting the no votes of Regent Tochiki and Regent Mawae, the motion carried with all other members present voting in the affirmative.

Chair Nahale-a announced that Agenda Item VI.E. would be taken up after executive session.

VII. EXECUTIVE SESSION (closed to the public)

Regent Abercrombie moved to convene into executive session, seconded by Regent Akitake, and with all members present voting in the affirmative, the board approved convening in executive session to consult with the board's attorneys on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities, pursuant to Section 92-5(a)(4), HRS, and 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), HRS.

The meeting recessed at 12:39 p.m.

Chair Nahale-a called the meeting back to order at 3:54 p.m. and announced that the board met in executive session to discuss the matters as stated on the agenda.

VI. AGENDA ITEMS

E. University of Hawai'i System Strategic Plan 2023-2029 Student Success Imperative Update

Due to time constraints, Chair Nahale-a requested a motion to defer this agenda item.

Regent Haning moved to defer this agenda item, seconded by Regent Paloma, and the motion carried with all members present voting in the affirmative.

VIII. AGENDA ITEMS (Continued)

A. Evaluation of the President

Chair Nahale-a remarked that the board had completed its evaluation of the President, thanked President Lassner for his service, stated that board leadership will be meeting with the President to discuss his evaluation, and read the following statement on behalf of the board:

“We note that the external evaluator's review of President Lassner's performance was complimentary, and we generally concur with the findings. President Lassner has responded to various crises, such as the response to COVID and to the Maui Wildfires in constructive and impactful ways. We acknowledge the current membership of the Board of Regents is different from previous boards and we are in a transition period. We will be creating clear expectations in both directions, as more needs to be done to bring our efforts together. We acknowledge President Lassner's deep love for our university. He knows our university at a micro, meso, and macro level. We further acknowledge his dedication demonstrated by the long hours, rapid and thoughtful responsiveness, presence at a multitude of events and activities, and passionate defense of our programs and people. The Board of Regents finds that the President continues to manage and lead the university in a way that provides stability and steady improvement in key areas, such as four- and six-year graduation rates, external funding, and access and affordability. We also recognize the relationship with the Legislature is strained, and are resolved to do more to bridge the gap. We find relationships could and should be improved with and between various stakeholders, that ways need to be found for stakeholders to feel heard, and that there are areas where improvement is needed such as responsibility for student housing and athletics at Mānoa.”

B. Personnel Actions (Attachment A1 for Approval)

President Lassner reported that the administration was seeking approval of Roy Yamaguchi as Program Director of the Culinary Institute of the Pacific at Kapi'olani Community College (KapCC) the specifics of which are detailed in the board action memorandum contained within the materials.

Regent Akitake moved to approve the appointment of Roy Yamaguchi as Program Director of the Culinary Institute of the Pacific at KapCC as indicated on Attachment A1, seconded by Regent Haning, and the motion carried with all members present voting in the affirmative.

IX. ANNOUNCEMENTS

Chair Nahale-a announced that the next board meeting was scheduled for December 7, 2023, at UHM.

X. ADJOURNMENT

There being no further business, Chair Nahale-a adjourned the meeting at 4:00 p.m.

Respectfully Submitted,

/S/

Yvonne Lau
Executive Administrator and Secretary
of the Board of Regents