

MINUTES

BOARD OF REGENTS SPECIAL MEETING

MARCH 21, 2024

I. CALL TO ORDER

Interim Chair Lee called the meeting to order at 1:31 p.m. on Thursday, March 21, 2024, at the University of Hawai'i (UH) at Mānoa, Information Technology Building, 1st Floor Conference Room 105A/B, 2520 Correa Road, Honolulu, Hawai'i 96822, with regents participating from various locations.

Quorum (9): Interim Chair Gabriel Lee; Interim Vice-Chair Ernest Wilson; Regent Neil Abercrombie; Regent Lauren Akitake; Regent William Haning; Regent Wayne Higaki; Regent Laurel Loo; Regent Diane Paloma; and Regent Laurie Tochiki.

Excused (2): Regent Abigail Mawae; Board vacancy.

Others in attendance: President David Lassner; Vice President (VP) for Administration Jan Gouveia; VP for Academic Affairs Debora Halbert; VP for Community Colleges Erika Lacro; VP for Legal Affairs/UH 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; UH Mānoa (UHM) Provost Michael Bruno; UH-Hilo Chancellor Bonnie Irwin; UH-West O'ahu Chancellor Maenette Benham; Executive Administrator and Secretary of the Board of Regents (Board Secretary) Yvonne Lau; and others as noted.

II. PUBLIC COMMENT PERIOD

Board Secretary Lau announced the Board Office's receipt of written comments from the Senate Executive Committee of the Mānoa Faculty Senate regarding the assignment of tasks and charge to the Presidential Search Advisory Group (PSAG).

Late written comments on the assignment of tasks and charge to the PSAG were received from Marguerite Butler.

Bronson Azama, Jazerick Hata, and Marguerite Butler, provided oral comments with respect to the presidential selection process as well as the assignment of tasks and charge to the PSAG.

Amy Warrington, Montserrat Montanes i Arbo, and Jill Nunokawa provided oral comments on the presidential selection process specifically regarding possible Title IX issues involving Wahine Track and Field at UHM.

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

[Written Testimony Received](#)

[Late Written Testimony Received](#)

III. AGENDA ITEMS

A. Introduction and Presentation by WittKieffer

Zachary Smith, Shelley Arakawa, and Suzanne Teer, representatives for WittKieffer, briefly spoke about their individual backgrounds and higher education experiences; presented information on a few of the services provided by their firm; and noted some of the current and previous university presidential searches their organization has been involved with including those for Kansas State University, the University of Nevada at Reno, the ongoing search at New Mexico State University, and the recently concluded search at the University of Minnesota.

Mr. Smith and Ms. Arakawa went over the presidential search process WittKieffer is envisioning for UH which consists of four distinct periods including the discernment phase, the recruitment phase, the interview phase, and the decision phase, along with the key strategies and aspects associated with each stage. They also reviewed an anticipated timeline relative to the aforementioned process; spoke about some of the specific actions WittKieffer will be undertaking during each of the noted phases as well as the organization's duties in general; emphasized their belief in the need for the PSAG to select a chair or co-chairs, noting the important part the individual or individuals will play in ensuring the effectiveness and efficiency of the process; went over several anticipated roles for the PSAG chair or co-chairs; and discussed ideas about the relationship between the PSAG and the board, in addition to the responsibilities attached to each entity, underscoring duties falling under the sole jurisdiction of the board.

Regent Paloma left at 1:59 p.m.

B. Discussion and Action on Assignment of Tasks and Charge to the PSAG

Interim Chair Lee went over a list of tasks he was proposing for the PSAG to undertake including assisting WittKieffer with community forums for each county, the updating of the position description and the drafting of a leadership profile; and reviewing, screening, and organizing initial candidate applications into three distinct groupings. Once the recommendations are submitted, the board will identify between eight to twelve candidates for first round interviews. The PSAG will then interview those candidates and make recommendations for semi-finalists, which will again be organized into groups as was previously done. The board will then select three to four finalists for on-campus, in-person interviews based upon the recommendations of the PSAG.

Regent Akitake asked if the aforementioned charges to the PSAG were closely aligned with the tasks noted in WittKieffer's presentation. Interim Chair Lee responded in the affirmative.

Several regents questioned whether the board would be limited to selecting an individual from the list of recommendations made by the PSAG. Interim Chair Lee replied that the board would not be limited to selecting a candidate from the PSAG's list.

Referencing remarks made by WittKieffer concerning the need to select a chair or co-chairs for the PSAG, as well as their responsibility to act as a spokesperson for the group, Regent Akitake inquired about the methodology by which the person or persons would be chosen to serve in this capacity and whether the role of PSAG spokesperson was in reference to communications with the board. Interim Chair Lee replied that the PSAG should be allowed to decide whether it will select a chair or co-chairs and develop the procedures necessary to carry-out this decision. With regard to the role of PSAG spokesperson, Mr. Smith responded that it was usually best practice in situations like these to funnel questions from university stakeholders, constituency groups, or the media about the entity's activities through a single contact point such as a chair or co-chair. He also noted that, historically, the majority of these requests come from the media. As such, WittKieffer will be working with the PSAG and the university's media relations team to formulate talking points for and responses to such inquiries.

Regents engaged in further conversations with Mr. Smith about WittKieffer's ideas and proposals for the presidential selection process including the development of a list of qualifications and criteria for candidates; the necessity of further clarifying the relationship of the board, acting as the committee of the whole, to the PSAG; the many opportunities for input afforded to the various university constituencies; the ability of regents to observe candidate interviews; the accessibility to individual applications for the position; confidentiality issues, particularly with respect to the formulation of the initial and final candidate lists given the constraints of Hawai'i's Open Meeting's law; and the ability to utilize an executive session to interview finalists for the position of university president.

Regent Abercrombie expressed his concerns about regents being confined to selecting a university president based solely upon the recommendations of the PSAG verbalizing his belief that this could be construed as the board simply affirming the desires of a particular group without performing its own due diligence. Mr. Smith explained that the idea behind WittKieffer's proposal for the PSAG to come up with three tiers of candidates through the various screening processes was intended to address this matter by providing regents with a diverse pool of multiple individuals for review. He also stressed that the noted presidential selection process does not preclude the board from selecting, based upon its own assessment, an alternative candidate not recommended by the PSAG.

In light of legal questions and concerns raised earlier in the meeting about the ability to maintain the confidentiality of candidates for the position of president, particularly during the early stages of the presidential selection process, Regent Tochiki moved to enter into executive session to discuss this issue in more detail. The motion was seconded by Interim Vice-Chair Wilson, and noting the excused absence of Regent Mawae, the motion was carried with all members present voting in the affirmative.

IV. EXECUTIVE SESSION (closed to the public)

The meeting recessed at 2:53 p.m.

Interim Chair Lee called the meeting back to order at 3:25 p.m. and announced that the board met in executive session to discuss the matters as noted in the aforementioned motion by Regent Tochiki.

III. AGENDA ITEMS (Continued)

B. Discussion and Action on Assignment of Tasks and Charge to the PSAG (Continued)

Noting the receipt of WittKieffer's presentation after a statutorily established deadline which did not allow for these materials to be posted or provided to regents prior to the start of the meeting, Interim Chair Lee remarked that regents will be provided with copies of the presentation. He also mentioned that the presentation was posted to the board's website a short time ago.

Interim Vice-Chair Wilson moved to approve the assignment of tasks to the PSAG as previously noted, seconded by Regent Abercrombie, and noting the excused absence of Regent Mawae, and the aye with reservations vote of Regent Tochiki, the motion carried with all other members present voting in the affirmative.

C. Update on Presidential Search Timeline

Interim Chair Lee referenced the search process timeline contained within WiffKieffer's presentation which provides regents with information on actions expected to take place over the next several months.

Prior to adjournment, Regent Tochiki commented on the selection of the PSAG chair or co-chairs underscoring the board's intent for this process to be carried out by the members of the PSAG. She also wanted to ensure an understanding among all parties that due consideration would be given to all of the recommended candidates regardless of their grouping by the PSAG. Interim Chair Lee concurred with Regent Tochiki's remarks.

V. ADJOURNMENT

There being no further business, Interim Chair Lee adjourned the meeting at 3:28 p.m.

Respectfully Submitted,

/S/

Yvonne Lau
Executive Administrator and Secretary
of the Board of Regents