

MINUTES
BOARD OF REGENTS MEETING
MARCH 17, 2022

Note: On January 26, 2022, Governor David Y. Ige issued a proclamation related to the COVID-19 emergency that temporarily suspended Section 92-3.7, Hawai'i Revised Statutes (HRS), "only to the extent necessary to suspend the requirement to have at least one meeting location that is open to the public".

I. CALL TO ORDER

Chair Moore called the meeting to order at 9:02 a.m. on Thursday, March 17, 2022. 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 Administration Jan Gouveia; VP for Community Colleges Erika Lacro; VP for Legal Affairs/University General Counsel Carrie Okinaga; VP for Research and Innovation Vassilis Syrmos; VP for Budget and Finance/Chief Financial Officer Kalbert Young; VP for Advancement/University of Hawai'i (UH) Foundation (UHF) Chief Executive Officer Tim Dolan; UH Mānoa (UHM) Provost Michael Bruno; UH West O'ahu (UHWO) Chancellor Maenette Benham; Executive Administrator and Secretary of the Board of Regents (Board Secretary) Kendra Oishi; and others as noted.

II. APPROVAL OF THE MINUTES

Chair Moore inquired if there were any comments or amendments to the minutes of the February 17, 2022, meeting which had been circulated to board members for review. Hearing none, the minutes were approved.

III. PUBLIC COMMENT PERIOD

Board Secretary Oishi announced that late written testimony supporting the appointment of Debora Halbert as VP for Academic Strategy was received from the University of Hawai'i Professional Assembly (UHPA) and that no one had signed up to provide oral testimony.

The Mānoa Faculty Senate submitted late written comments on the university's personnel appointment process.

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

[Late Written Testimony Comment Received](#)

IV. REPORT OF THE PRESIDENT

A. COVID-19

President Lassner provided an update on the university's current state of affairs with regard to the COVID-19 pandemic stating that test positivity rates and case counts continue to decline statewide. Notwithstanding the recent announcement made by the governor that all remaining COVID-19 restrictions, including vaccination and indoor masking requirements, will come to an end on March 25, the university is implementing a more cautious approach in its return to normalcy. Although some campus restrictions are ending, the wearing of masks will still be required in classrooms, shared laboratory spaces, and other confined instructional spaces for the time being, as well as for individuals who have been exposed to COVID-19 in accordance with Centers for Disease Control and Prevention and State Department of Health guidelines. Additionally, current vaccination requirements for students and employees will remain in place through summer 2022. The administration also continues to evaluate possible amendments to COVID-19 protocols for the university's residence halls, athletic events, and similar situations involving a higher-density of individuals at a given location; monitor the actions of peer institutions with respect to relaxing mitigation measures; and assess whether any systemwide mitigation measures will be retained for the fall 2022 semester. While conditions are improving, he cautioned that the university must remain vigilant and be prepared to quickly reimpose necessary restrictions should conditions change.

B. SCR 201 Task Force (Task Force) Next Steps Progress Report

The administration has been working collaboratively with UHPA to devise a strategy for carrying out directives received from the board at its February 17, 2022, meeting when the recommendations and next steps contained within the Task Force report were adopted. To this end, a four-member steering committee that includes the Executive Director of UHPA and the President of the university has been formed to address this matter. The steering committee has developed several tasks that are correlated to each of the recommendations noted in the Task Force report and is currently in the process of identifying individuals that are most suited to tackling each task. The steering committee will also be actively engaged in determining whether the effective resolution of each task will necessitate changes to various policies, agreements, or campus guidelines, and has agreed to co-manage the consultative process for each change as necessary. It is anticipated that steering committee meetings will occur on a weekly basis to ensure that work progresses on these matters in a timely fashion.

While most of the Task Force report's recommendations appear to be straightforward, challenges are expected to be faced in addressing recommendations relating to specialist faculty, as well as the non-instructional faculty at the community colleges. As such, the steering committee has agreed to discuss the creation of a working group consisting of appropriate faculty to address this issue.

C. Strategic Plan Progress Report

An invitation has been extended to all of the university's campus and shared governance groups to submit names to be considered for appointment to a university strategic plan steering committee that will consist of approximately 15 – 20 students, faculty, and staff from across the university system. Individuals are expected to be appointed shortly with the hope that an initial meeting can occur in April. The committee will continue its work throughout the summer with the expectation that consultation on the strategic plan will be sought in fall 2022, and the final version of the proposed strategic plan is anticipated to be presented to the board for approval by the end of the 2022 calendar year. President Lassner noted that administration may be requesting a special board meeting in December for this purpose.

D. Other

The university has received a second major gift from the Chan-Zuckerberg Foundation. While the first gift of \$50 million was made to support various programs within the Hawai'i Institute of Marine Biology, this second gift of \$10 million focuses on meeting the healthcare needs of the island of Kaua'i through the funding of a new Kaua'i Medical Training Track at the John A. Burns School of Medicine (JABSOM) which will use a multi-pronged approach to help alleviate the critical shortage of physicians on Kaua'i thereby increasing access to healthcare for island residents. President Lassner stated that philanthropic fundraising continues to be successful with over \$143 million raised so far this fiscal year and praised the work of the UHF for their efforts in this endeavor.

The university also continues to do well in securing extramural research funding with just under \$397 million being received to date, which is an increase of approximately fourteen percent as compared to the same period last year. It is projected that extramural research funding will surpass \$500 million this academic year for the first time in university history.

The recently enacted federal Consolidated Appropriations Act of 2022 (Appropriations Act) includes large investments in critical programs that support both students and institutions of higher education. President Lassner noted that, overall, this was an excellent year for the university and highlighted several aspects of the Appropriations Act that would directly benefit the university, create opportunities for the university to meet the needs of its most underserved populations, and allow the university to compete for additional federal revenues from various programs and agencies.

E. UHWO Campus Presentation

Chancellor Benham shared information on several of UHWO's accomplishments over the last three years highlighting successes experienced in the areas of enrollment, degrees awarded, student retention rates, distance education, and student diversity. She also noted UHWO's high rankings among peer institutions with respect to affordability; accessibility, particularly through online platforms; online student support; student career resources; and racial and ethnic diversity among students, faculty, and

staff, and emphasized the importance of these rankings as they often influence a student's collegiate choice.

UHWO's early college program continues to flourish, setting an enrollment record in spring 2022 with 380 students from six different high schools registering for early college courses. Chancellor Benham explained that the program is effectuated through collaborative partnerships with regional high schools and is geared towards enhancing students' academic preparation for a baccalaureate level education through enrollment in rigorous early college courses that include academic tutoring and student readiness components. She underscored the success of the program noting that the increase in comfort, confidence, and post-secondary educational aspirations experienced by students enrolled in the program often translates into increased applications to, and enrollment in, colleges and universities.

Chancellor Benham provided an overview of the nine degree programs offered by the six divisions that comprise UHWO and the Academy for Creative Media, as well as the concentrated areas of study contained within each program, noting that their interdisciplinary nature provides UHWO with the ability to quickly respond to workforce and real-world needs. She also reviewed trend data, current and anticipated academic and administrative challenges, and strategic actions to address these challenges, and highlighted UHWO's interactive quick-facts dashboard which includes information on topics such as student demographics, enrollment, graduation rates, tuition revenues, and chosen academic programs of study.

A summary of several projects involving UHWO parcels including the creation of a university village consisting of commercial, residential, and mixed-use facilities along the campus perimeter; Farrington Highway widening and realignment efforts being undertaken by the State Department of Transportation which will improve access to UHWO thereby increasing development and monetization possibilities; and the development of on-campus housing, was also presented.

Faculty Report

Dr. Lisa Spencer, UHWO Faculty Senate Vice Chair, stated that over the past year the faculty engaged the campus community, as well as the broader community served by UHWO, in several significant initiatives such as the continuation of UHWO's participation in cybersecurity competitions that resulted in students achieving an overall ranking of 10th in the nation. Achievements and accolades received by UHWO faculty members were also noted and include the selection of UHWO's Director of Distance Education to serve on the steering committee of an organization deemed to be the national leader in the practice, policy, and advocacy of digital learning in higher education; the national publication of several articles written by faculty; and the receipt of a \$1,000,000 grant from the W.K. Kellogg Foundation by the UHWO Sustainable Community Food Systems Program to create a new decentralized food system transformation hub that is grounded in complimentary science, technology, engineering, and math disciplines and informed by community needs and indigenous knowledge and practice.

The UHWO Faculty Senate has embarked upon a number of activities aimed at improving and strengthening UHWO. Some of these undertakings included assisting with initiatives aimed at increasing the enrollment and reenrollment of students; providing additional support to enhance the early college experience offered through UHWO's early college program; and lending a hand at career fairs involving regional high schools. Dr. Spencer also spoke about the work of the University Budget Advisory Council and the Office of Professional Development and Academic Support to strategically advance the mission of UHWO, and the involvement of faculty in these endeavors as part of their service to the campus.

Despite the waning of the COVID-19 pandemic and an expected return to normalcy, Dr. Spencer reported that UHWO faculty continue to express concerns with respect to student success in a completely online modality of instruction; access to reading and writing assistance and other services; a full-return to campus; and the emotional well-being of students, faculty, and staff.

Student Report

Gabriel Navalta, Associated Students of the University of Hawai'i – West O'ahu (ASUH-WO), gave a presentation on the work and achievements of ASUH-WO, as well as its future endeavors, stating that the chartered student organization is comprised of a diverse representation of students from across the State and continues to strive to serve all students of the campus community. He highlighted a number of accomplishments of ASUH-WO over the past year, including pivoting to online operations and meetings that improved the participatory process for students, particularly distance education students; the expansion of efforts to better communicate and connect with constituents through a variety of social media platforms as well as increased online office hours; the initiation of campaigns to raise awareness of campus resources and policies that impact students; and increased efforts to support the revitalization of, and return to, the UHWO campus including the handing out of kits containing school supplies to returning on-campus as well as distance education students. ASUH-WO also continues to fund and support extracurricular student activities and clubs such as the Pueo Gaming Club and Aloha Aina Service Club and was instrumental in re-establishing in-person commencement ceremonies in fall 2021.

ASUH-WO is committed to its primary role as an advocate for students with representatives continuing to serve in various capacities within UHWO's campus-wide committees and task forces to allow for student input to be included in institutional decisions. It was noted that this interaction allows students to actively engage campus leadership and faculty and provides an avenue to gauge the student experience at UHWO. ASUH-WO also continues to promote institutional change through legislation and has passed a number of resolutions in an effort to achieve this goal including resolutions supporting expansion of the Laulima Faculty Training Program; sponsoring scholarship workshop nights offered by UHWO's Financial Aid Office; incentivizing and encouraging student participation in various surveys; and amending ASUH-WO bylaws and other founding documents to be more attuned to current times.

Mr. Navalta stated that ASUH-WO looks forward to continuing its progress in meeting established goals for 2022 including maintaining continued engagement with students and the community, supporting faculty in the creation of improved online learning environments, and offering more tangible resources and technologies to students in need.

Referencing declines in on-campus activity experienced by all campuses due to the COVID-19 pandemic, Vice-Chair Kudo asked about the percentage of faculty and students that have returned to the UHWO campus. Chancellor Benham replied that approximately 25 percent of students have physically returned to campus for in-person instruction with the remainder continuing to take classes in an online or hybrid format. In terms of the faculty, approximately 25 percent have physically returned to campus. Vice-Chair Kudo inquired as to when 100 percent of the faculty is expected to return to campus. Chancellor Benham stated that UHWO is expecting all faculty members to return to campus this fall. She also pointed out that, prior to the COVID-19 pandemic, roughly 45 to 50 percent of courses at UHWO were offered in an online format which impacted the number of individuals that were physically present on-campus at any given time. UHWO is currently determining the appropriate mix of online and in-person coursework that will best meet the educational needs of its students in fall 2022.

Vice-Chair Kudo noted his advocacy for remote learning and expressed his belief that this modality of instruction can lead to a reduction in expenditures due to the diminished need for physical facilities and their associated operating costs. He questioned whether there was a program at UHWO that would be seeking to achieve cost-savings in the fall due to increases in online coursework and the lessening need for classroom and other educational spaces. Chancellor Benham replied that numerous classrooms on the UHWO campus are equipped to provide online course instruction and continue to be utilized for that purpose. Additionally, all campus laboratory space is currently in use. However, UHWO is in discussions with the university's Office of Strategic Development and Partnership (OSDP) with respect to conducting a land analysis, land marketing strategy survey, and space utilization survey to effectuate more efficient use of its parcels and facilities.

Vice-Chair Nahale-a stressed the importance of creating a welcoming and responsive environment for students, noting that this was a focal point of the UHWO presentation, and expressed his belief that this was best achieved through a shift in mindset and not just the implementation of programs. He inquired as to how this shift in the way of thinking was achieved at UHWO. Chancellor Benham stated that UHWO has subscribed to the principle that it serves as an anchor institution for the west side of the island of O'ahu and that it is accountable to, and responsible for, the diverse community it serves. She explained that, through an emphasis on community values and service activities, the UHWO 'ohana has become more attuned to the needs of the people within the region it serves which has resulted in the creation of a more welcoming and culturally-responsive campus atmosphere.

Regent Paloma asked about UHWO's plan to increase capacity given the anticipated growth of the region it serves. Chancellor Benham reiterated that UHWO has been in conversation with OSDP regarding a reassessment of UHWO's current

capacity in relation to the community it serves as well as the potential for expansion and improved space utilization. UHWO is also assessing staffing requirements for an increase in capacity since it is already experiencing faculty staffing issues.

Citing an overlap in degree programs offered at UHWO and UHM, Regent Acoba questioned whether there was any coordinated planning between UHWO and UHM to reduce redundancy while ensuring that the educational needs of students are met. Chancellor Benham replied that coordination meetings between UHWO and UHM have occurred with respect to the education, creative media, and nursing degree programs offered on both campuses and that partnerships do exist between undergraduate programs at UHWO and graduate programs at UHM. She also pointed out that UHWO offers a number of online programs with the goal of assisting neighbor island students in attaining a baccalaureate degree which is slightly different than the more traditional approach used at the other 4-year campuses.

Regent Acoba asked about the number of students enrolled in UHWO's early college program that continue their post-secondary education at UHWO. Chancellor Benham stated that approximately 20 percent of students enrolled in the early college program continue their post-secondary education at UHWO while about 40 percent go on to attend UHM. She emphasized that one of the main goals of the early college program is to better prepare students to achieve success in their pursuit of a post-secondary education irrespective of the institution they choose to attend and is viewed as more of an investment in equity and social justice. Regent Acoba questioned whether coordination exists between the early college programs in existence at the university's four-year campuses. Chancellor Benham replied that since early college programs are generally campus specific and funded by specific grants, coordination does not occur among the various campuses offering this program.

Referencing ASUH-WO's student advocacy involvement in various campus-wide committees and faculty groups, Regent Acoba asked which of these activities was most effective in addressing student needs. Mr. Navalta replied that ASUH-WO worked in collaboration with Dr. Allen Rosenfield to convene four student-faculty focus groups to serve as forums for students to express their personal and educational concerns. He stated that these groups were very effective in serving as a conduit through which quantitative and qualitative data on student needs could be transmitted to the UHWO administration and faculty.

Regent Haning voiced his support for the extension of Honolulu's rail project to UHM stating that the provision of a transportation connection between campuses would foster greater exchange of resources and ideas. He questioned whether there was an individual or coordinating group helping the university to press its case for the completion of rail with legislators. VP Young replied that the Honolulu rail project is the largest public works project in Hawai'i history. He stated that four rail stations are currently slated to be built on three of the university's campuses and that UHWO is a major component of the university's overall rail project integration plans. The rail project will also play a major role in the development of the university village at UHWO. The administration also understands the value-added benefit the rail project will have on the university and the synergy it can create among the campuses it connects. As such, the

university has teams of individuals working very closely with the Honolulu Authority for Rapid Transportation on this issue.

Regent Westerman encouraged ASUH-WO to continue to promote discussions between and among faculty, students, and staff to ensure that a diverse range of thoughts, concerns, and ideas with respect to UHWO can be shared freely and openly.

Regents commended the work of Chancellor Benham, Dr. Spencer, Mr. Navalta, and faculty, staff, and students of UHWO.

V. COMMITTEE AND AFFILIATE REPORTS

A. Report from the Committee on Budget and Finance

Committee Chair Westerman 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 Vice-Chair Paloma summarized the committee report.

D. Affiliate Reports

Hawai'i P-20 Council: Regent Haning stated that a detailed report on the Hawai'i P-20 Council meeting held on March 8, 2022, was provided in the materials. He highlighted the Council's continued efforts to connect the missions of Hawai'i's secondary schools, community colleges, and four-year higher education institutions, described the guiding principles of the Hawai'i P-20 Program, and summarized some of the actions under consideration to create more cohesive career pathways. He also noted some of the successes of the Hawai'i P-20 Program to date.

All Campus Council of Faculty Senate Chairs: No report.

VI. AGENDA ITEMS

A. Consent Agenda

- 1. Approval of Revisions to Regents Policy 7.208, Intercollegiate Athletics**
- 2. Approval of Amendments to the Bylaws of the Board of Regents, Article II.D.2.f., Committee on Intercollegiate Athletics**
- 3. Approval of Terms for the Independent Assessment of University of Hawai'i at Mānoa Athletics Department Operations Relating to Student-Athlete Welfare and Communications**
- 4. Approval of Extension of Lease between the University of Hawai'i and KF Downtown, LLC/Mo'owa'a, LLC for Office Space at 828 Fort Street, for use by Outreach College**

5. **Approval of Extension of Sublease between the University of Hawai'i and University Clinical, Education & Research Associates dba University Health Partners of Hawai'i (UCERA), for Office Space at 677 Ala Moana Boulevard, for use by John A. Burns School of Medicine**
6. **Approval to Indemnify the University of Texas Southwestern Medical Center Pursuant to a Material Transfer Agreement with the University of Hawai'i**

Prior to acting upon the Consent Agenda, Chair Moore stated that agenda items VI.A.1. and VI.A.3. included minor modifications that were made subsequent to the committee meeting but remained consistent with the committee's discussion and recommendation.

Regent Acoba stated that he would be recusing himself from the vote on agenda item VI.A.5.

Regent Westerman moved to approve the consent agenda, seconded by Regent Paloma, and noting the excused absence of Regent Acopan and the recusal of Regent Acoba on agenda item VI.A.5., the motion carried with all members present voting in the affirmative.

The meeting recessed at 10:52 a.m.

The meeting reconvened at 10:59 a.m.

B. Review of Graduate Medical Education (GME) Programs at JABSOM Annual Report for Academic Year 2020-2021 and Review of the Sponsoring Institution 10-Year Self-Study Summary Form

Jerris Hedges, M.D., Dean of JABSOM, stated that GME programs, also known as residency and fellowship training programs, afford medical school graduates with advanced training in a medical or surgical discipline. GME programs are an integral part of an individual's medical education and provide medical school graduates with the necessary skills to obtain licensure from a state medical board and pursue a successful career in the field of medicine. To this end, JABSOM works collaboratively with Hawai'i's various health systems to ensure the availability, adequacy, and efficacy of GME programs statewide.

Lee Buenconsejo-Lum, M.D., Associate Dean for Academic Affairs at JABSOM and Designated Institutional Official for the GME Programs, explained that, as provided for by the Accreditation Council for Graduate Medical Education (ACGME), the accreditation process for JABSOM's 19 GME programs encompassing nearly 230 medical residents and fellows comprises three major components – an annual institutional review, a 10-year self-study, and a statement of institutional commitment. She provided a snapshot of the GME accreditation process as prescribed by the ACGME noting that, while the board is required to review the executive summary of the annual institutional review, the institutional self-study summary, and any associated

materials, no board action was necessary at this time save for the board chair signing the institutional self-study summary form to indicate that it was reviewed by the board.

Dr. Buenconsejo-Lum provided an overview of JABSOM's GME programs including its updated organizational and operational structures. It was noted that the largest change to the GME program that has occurred over the past year was the integration of core JABSOM faculty into the medical groups of the Queen's Health System (Queens) and Hawai'i Pacific Health (HPH) through separate tripartite academic affiliation agreements. The tripartite academic affiliate agreements allow for better integration and alignment of policies, processes, and infrastructure, and provide the opportunity to identify the potential for sharing of university and health system resources. Dr. Buenconsejo-Lum affirmed that JABSOM's residency programs are all fully accredited but noted that both the institution and the Surgical Residency Program received citations in 2021 that arose from a complaint to ACGME with respect to the Surgical Residency Program resulting in a special site visit. She summarized the citations noting that they mainly focused on policies and processes for the reporting of personnel concerns and the provision of feedback to trainees. She reported that the outcome of the site visit was favorable to JABSOM. As such, ACGME has given the Surgical Residency Program and the sponsoring institution continued full accreditation status.

Institutional priorities for the 2021-2022 academic year; details of the institutional self-study, including GME program opportunities and threats; the three-to-five-year aims of the GME program related to its mission, as well as the necessary steps to achieve these goals; and efforts and actions being taken to expand GME programs to the rural areas of the State, including the securing of necessary funding, were also reviewed.

Referencing the success of the Family Medicine Residency Program (Family Medicine) which is conducted in Hilo, Regent Higaki inquired about the number of Family Medicine residents that have remained in Hilo or on Hawai'i Island. Dr. Buenconsejo-Lum replied that, in addition to the O'ahu-based JABSOM Family Medicine program previously doing rotations in Hilo, JABSOM's medical students also have the opportunity to complete a five-month rotation in Hilo and elsewhere on Hawai'i Island. As a result of this combination of JABSOM activities, nine JABSOM-trained physicians have remained on Hawai'i Island post-residency. Additionally, the Hawai'i Island Family Medicine Residency Program, which is a fully ACGME-accredited, community-based family medicine residency training program established in 2014 and sponsored by Hilo Medical Center, has been effective in retaining physicians on Hawai'i Island. She noted that JABSOM is actively gathering and analyzing data from a number of its residency programs to determine where our residents actively practice upon completion of their program.

Regent Acoba commended the work of Dr. Hedges and Dr. Buenconsejo-Lum. He also asked whether entering into the tripartite academic affiliation agreements with Queen's and HPH has resulted in lessened competitive threats experienced between Queen's, HPH, and University Health Partners of Hawai'i (UHPH), which was the former entity managing the clinical departments for the GME programs. Dr. Hedges reviewed the prior agreement with UHPH and the challenges faced in the provision of GME programs through that system, including confusion as to the responsible party

overseeing the residents and fellows. The tripartite academic affiliation agreements recently entered into allow for better integration and oversight of the GME programs and improved engagement with Hawai'i's health systems. He stated that Hawai'i's GME programs are complex and continue to face challenges but stressed the importance of evolving and expanding these programs to better meet Hawai'i's future medical workforce needs.

Chair Moore stated that the reports on the executive summary of the annual institutional review of GME programs at JABSOM for the 2020-2021 academic year and institutional self-study would be considered as reviewed by the board and that he would sign the sponsoring institution's 10-year self-study summary form on the board's behalf.

C. Legislative Update

VP Young highlighted the status of a number of measures and priority issues that the university is following at the Legislature this year including the university's legislative package bills, as well as items of interest involving the administration and board, stating that the legislative session has nearly reached the halfway point. He also reviewed the current status of the university's 2022 supplemental operating and capital improvement projects (CIP) budgets reporting that the supplemental budgets transmitted by the House of Representatives (House) to the Senate for further review and deliberation included just over \$129 million in supplemental operating funds and \$55 million in supplemental CIP funds. Although CIP funding was approximately \$34 million less than what was contained in the board's supplemental CIP funding request, VP Young noted that the supplemental operating budget that passed the House included almost \$38 million in cash funded CIPs for the university. The legislative calendar and timetable for the remainder of the session was also presented.

Regent Acoba requested clarification on the \$12.4 million for UHM Athletics contained within the supplemental operating budget passed by the House. VP Young stated that the university had originally requested the restoration of a total of \$4 million in general fund appropriations to the UHM and University of Hawai'i at Hilo Athletics' budgets. The House included \$12.4 million in additional funding for UHM Athletics' operational items. Regent Acoba asked if this funding was contained within one bill or was an aggregate amount of appropriations from multiple bills. VP Young replied that the \$12.4 million sum was the aggregate of appropriations for items contained in a single bill.

D. Tuition Briefing

President Lassner stated that the university's current tuition schedule is in effect until the end of academic year (AY) 2022-2023 and that, under normal circumstances, the administration would be presenting a proposed tuition schedule for the next three-to-five academic years to the board for consideration. However, the administration has struggled with the idea of putting forth near-term tuition increases due to the economic conditions experienced over the past two years, as well as the university's ongoing efforts to increase financial accountability and generate alternate revenue sources. While consideration was given to presenting a proposal that contained no tuition

increase, discussions with board leadership indicated that it would be preferential for the administration to provide a tuition briefing to the board to ascertain the opinions of regents prior to the submittal of any official recommendations with respect to tuition. President Lassner emphasized that the administration will use feedback received from regents to develop a tuition schedule proposal for board action, and upon approval, will seek public comments from the campuses. The administration will then return to the board for final approval of the proposed tuition schedule.

Pearl Iboshi, Director of the Institutional Research, Analysis, and Planning Office (IRAPO), provided the historical context of tuition at the university, as well as the process and approach used in developing tuition schedules for the university system, reviewing several of the factors considered by the administration when formulating its tuition schedule proposals including relevant statutory provisions; previous board actions; multi-year rate trends; student share of cost of attendance; board policies; affordability, aid, and educational access; peer comparisons; inflation and other economic factors; and impacts of tuition on enrollment.

Vice-Chair Nahale-a inquired as to whether there was data on the percentage of out-of-state versus resident tuition in relation to revenues received by the university each year. Dr. Iboshi replied that information comparing tuition rates for non-residents and residents was provided in the presentation materials. President Lassner clarified that Vice-Chair Nahale-a's interests pertained to specific revenues generated from resident and non-resident tuition as opposed to the comparison of tuition rates and noted that this information would be provided to regents.

President Lassner reviewed tuition schedule recommendations along with alternative proposals developed by the administration for AY 2023-2024 through AY 2026-2027 that were based upon current economic conditions. Recommendations included maintaining the status quo for graduate and professional school tuition at UHM and UHH, except for a tuition increase at the William S. Richardson School of Law (WSRSL); increasing the tuition for WSRSL with various percentage options for AY 2023-2024 to AY 2026-2027; and preserving the current situation with respect to undergraduate tuition for AY 2023-2024 but increasing tuition by varying percentages for AY 2024-2025 to AY 2026-2027.

Regent Westerman asked if the recommendations were being made under the assumption that other peer institutions would not increase their tuitions for graduate or professional schools. President Lassner replied that, despite a decrease in graduate and professional school tuition in AY 2020-2021, tuition at the university remains higher than comparable peer institutions and that it would be ideal if these universities increased their rates. He explained that the past strategy of increasing non-resident tuition for graduate and professional schools by the same percentage of increase in resident tuition compounded the increases in non-resident tuition much faster than anticipated and was a major reason for the heightened amounts. Going forward, the administration is proposing that tuition increases for non-residents be in the form of a fixed dollar amount that is based upon the percent of increase to resident tuition. Dr. Iboshi added that, based upon past trends, the administration assumed that tuition increases for graduate or professional schools at peer institutions would be minimal.

Regent Wilson questioned whether cost of living was taken into consideration when comparisons were made between the tuition at the university as compared to its peer institutions. Dr. Iboshi replied that comparisons were made with respect to tuition as a share of personal income. President Lassner added that cost-of-living is an interesting aspect when considering tuition because a high cost-of-living is not only a challenge for residents but poses challenges for the university as well.

Refencing an increased interest in the legal profession, Regent Wilson asked if there would be an opportunity to increase tuition at WSRSL, particularly for non-residents. President Lassner replied that the administration was looking for guidance in formulating its tuition proposals and that this could be an option.

Regent Wilson inquired as to how the administration planned to balance its revenues and costs taking into consideration the tuition recommendations presented and the decrease in general fund support for the university. President Lassner replied that general funds provided to the university in the current version of the supplemental operating budget have exceeded expectations and the administration is not anticipating a catastrophic decline in the receipt of general fund appropriations. On the cost side, the administration remains concerned with high inflation and was one of the reasons that a proposal for no tuition increase over the next three years was reconsidered.

Regent Acoba spoke about the rationale for creating WSRSL, provided historical background on its establishment, highlighted the benefits it has provided to the State, and noted the successes of many of its graduates. He expressed his concerns about approving any increase to tuition at WSRSL without having adequate information, as well as greater context, as to why this increase was necessary. He also questioned whether the proposed increases to tuition at WSRSL would be compounded and whether there was a plan going forward for the use of increased revenues due to an increase in tuition. Camille Nelson, Dean of WSRSL, replied that the underlying principle for the requested tuition increase is to provide a more stable and predictable revenue source for the law school to carry out its core endeavor as well as make available resources and extracurricular activities that will enhance a law student's educational experience. She stated that WSRSL began development of its strategic plan last year; that parts of the plan address improving student experiences and outcomes, which will require additional resources; and that the plan can be shared with regents. President Lassner added that tuition increases would be calculated using the tuition from the previous year and thus would be compounded. He also pointed out that, in general, the university allocates a substantial amount of tuition back to students in the form of financial aid in part to provide greater access to higher education for individuals most in need.

Vice-Chair Nahale-a echoed the sentiments expressed by Regent Acoba espousing the importance of WSRSL and stating that it has produced numerous local leaders who have moved Hawai'i forward. He also agreed that tuition at WSRSL should be on par with its peer institutions and commensurate with cost of providing a quality legal education. However, he expressed his belief that the lack of concrete data on tuition revenues obtained from resident versus non-resident students and program costs makes it difficult to determine the justification of a tuition increase for any program at the

university both from the board's, as well as the public's perspective. He urged the administration to provide more detailed reasoning for the requested tuition increases when it brings its tuition schedule proposals to the board for action.

Regent Wilson stated that the provision of information supporting the rationale for tuition increases is essential in justifying these increases to the public as it will afford regents with the opportunity to make informed decisions which is crucial for regents to be able to carry-out their fiduciary responsibilities for the university.

Regent Bal questioned whether the various alternatives presented for the increase in resident tuition at WSRSL resulted in the same total increase in tuition at the end of the four-year cycle. Dr. Iboshi replied in the affirmative. Given this information, Regent Bal suggested that consideration be given to making the percentages of tuition increases over the four-year period uniform rather than having them fluctuate to provide students and parents with a better opportunity to plan for each increase. He also agreed with previous comments made regarding the need to elevate the tuition at WSRSL to be on par with its peer law schools and the necessity for more information to justify a tuition increase for any of the university's programs.

Regent Westerman expressed his support for the concept of increasing tuition for non-residents by a fixed dollar amount that is based upon the percent of increase to resident tuition that is being considered by the administration.

President Lassner reiterated that the administration was seeking a tuition increase for WSRSL due to the fact that its tuition was significantly lower than that being charged by peer institutions as well as to generate revenue to improve the student educational experience. He also stated that his personal recommendation for a tuition increase at WSRSL would be to adopt a proposal that calls for a zero percent increase in the first year and a three percent increase in each year of the subsequent three-year period mainly to delay the initial increase and provide students additional time for financial planning. As for the other units of the university, President Lassner stated that he would suggest tuition increases of zero percent in the first year and two percent each year for the following three years which would still maintain the affordability of the university.

Citing the data presented, Regent Westerman asked whether the tuition increases proposed would be sufficient to address anticipated academic expenses in addition to creating tuitions that would be comparable to the university's peer institutions. President Lassner replied that the scenarios presented will not significantly impact the alignment of the university's tuition rates to those of its peer institutions. He stated that a specific focus on any one of the five main elements considered when developing tuition proposals would result in considerably different recommendations. As such, the administration considers these factors holistically when contemplating tuition increases.

Vice-Chair Nahale-a expressed his appreciation for the administration bringing forth this issue for discussion prior to making a formal recommendation. He stated his belief that the proposed tuition increases that have been presented do not act as a barrier to the affordability and accessibility of the university and that numerous additional avenues are available for students-in-need to obtain financial assistance. He also stressed the

importance of messaging when it comes to developing proposals to increase tuition. Providing information on the amount of tuition revenues generated by a program, other revenues received, and narratives about the use of these revenues in covering costs and providing other student services would be beneficial in promoting a general understanding of, and justification for, any tuition increase.

Regent Higaki stated that the plan for WSRSL that has been presented thus far appears to be sound and he was looking forward to receiving more details from Dean Nelson. He also concurred with other regents that the proposed tuition increases are not onerous and do not create barriers to higher education.

Referencing the five main factors used by the administration when formulating tuition proposals, Regent Acoba opined that the rationale for the recommendations appears to be focused on comparability of tuition charges with those at regional and national peer institutions. He stated his preference for tuition proposals being based in the context of what the university hopes to accomplish; the quality of, and access to, education provided; and other factors such as inflation and economic conditions.

Regent Wilson agreed with Regent Acoba's comments stating his belief that the administration should use scenario planning in developing tuition proposals.

Regent Haning commented that he was content with the tuition proposals and rationale for these proposals that was put forth by the administration.

Chair Moore questioned why the proposed tuition schedule was established for a four-year period rather than annually; asked about the rationale for not increasing tuition in year-one of the proposed schedule given that year-one would begin in two-years; and inquired as to whether the possibility existed for the implementation of future cost containment measures to ameliorate some of the tuition increases. He also stated that comparisons of household income in Hawai'i with other areas across the country may not be the most suitable metric to use with respect to financial comparisons given the amount of multi-generational households in Hawai'i; remarked that it is difficult to earmark future tuition revenues since future costs are unknown; and conveyed his preference for steady, modest tuition increases across the four-year schedule.

President Lassner replied that one reason for a multi-year tuition schedule was to provide greater predictability for students and parents. Additionally, the process for proposing and implementing changes to tuitions is complex, often involving months of meetings and discussions with various constituencies. He also noted that, given the length of the tuition proposal process and the timing of the approval of any proposed increase, the administration believed it would be prudent to maintain a zero percent increase for year one of the tuition schedule so that students applying to the university would have certainty in their first-year tuition. President Lassner also spoke about known and unknown costs facing the university, including personnel and fringe benefit costs; the types of funding used to address some of these costs; the university's philanthropic and revenue generation efforts; the impacts inflation will have on the university; and the ability of the university to continue to contain costs in the future.

VII. EXECUTIVE SESSION (closed to the public)

Regent Higaki moved to convene in executive session, seconded by Regent Wilson, and noting the excused absence of Regent Acopan, and with all other 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); deliberate 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 Section 92-5(a)(4), HRS.

The meeting recessed at 1:19 p.m.

Chair Moore called the meeting back to order at 2:06 p.m. and announced that the board met in executive session to discuss matters as stated on the agenda.

VIII. AGENDA ITEMS (CONTINUED)

A. Personnel Actions (A-1 for approval)

President Lassner reported that the administration was seeking approval for the appointment of Deborah Halbert as VP for Academic Strategy for a limited term of two years and three months. He explained the reasons behind this request, including the anticipated need to replace several critical executives that report to the VP for Academic Strategy over the next several months. Although an open search was conducted, there have been difficulties in developing a nationally competitive pool of candidates during the pandemic and the search committee has recommended hiring a search firm. The administration believes that appointing Ms. Halbert as VP for Academic Strategy for a limited term will bridge the gap during the search for a permanent VP and is in the best interests of the university.

Regent Wilson moved to approve the personnel actions on Attachment A-1, seconded by Vice-Chair Nahale-a, and noting the excused absence of Regent Acopan, the motion carried with all members present voting in the affirmative.

IX. ANNOUNCEMENTS

Chair Moore announced that a special board meeting would be held on March 18, 2022, at UHWO, and that the next board meeting was scheduled for April 21, 2022, at Kapi'olani Community College.

X. ADJOURNMENT

There being no further business, Chair Moore adjourned the meeting at 2:10 p.m.

Respectfully Submitted,

/S/

Kendra Oishi
Executive Administrator and Secretary
of the Board of Regents