

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

**MINUTES**

**BOARD OF REGENTS MEETING**

**FEBRUARY 16, 2024**

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 8:46 a.m. on Friday, February 16, 2024, at the University of Hawai'i (UH) at Hilo, Daniel K. Inouye College of Pharmacy, Hale Kīho'iho'i Room 10, 722 South Aohoku Place, Hilo, HI 96720, 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 Community Colleges Erika Lacro; VP for Legal Affairs/University of Hawai'i (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; VP for Advancement/UH Foundation (UHF) Chief Executive Officer (CEO) Tim Dolan; UH-Mānoa (UHM) Provost Michael Bruno; UH-Hilo (UHH) Chancellor Bonnie Irwin; UH-West O'ahu Chancellor Maenette Benham; Interim Hawai'i Community College (HawCC) Chancellor Susan Kazame; Executive Administrator and Secretary of the Board of Regents (Board Secretary) Yvonne Lau; and others as noted.

Chair Nahale-a thanked his fellow regents for adapting to the new two-day meeting format and communicated his sincere appreciation to Board Office staff, administrators and staff at UHH and HawCC, and the numerous individuals involved in coordinating and putting together these meetings and their associated presentations.

**II. APPROVAL OF THE MINUTES OF THE JANUARY 18, 2024 MEETING**

Chair Nahale-a inquired if there were any corrections to the minutes of the January 18, 2024, meeting which had been distributed. Hearing none, the minutes were approved.

**III. PUBLIC COMMENT PERIOD**

Board Secretary Lau announced that the Board Office received written comments from Karen Pellegrin regarding her concerns with various issues at UHH and that one individual signed up to provide oral testimony.

Jill Nunokawa provided oral comments on the previous day's committee meetings, the role of the university in educating Hawai'i's people, and the duty of regents to serve as leaders of UH.

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

[Written Testimony Received](#)

#### **IV. REPORT OF THE PRESIDENT**

##### **A. President's Award for Excellence in Building and Ground Maintenance**

President Lassner reviewed a few of the findings contained within a recent University of Hawai'i Economic Research Organization report regarding the value and affordability of a UH education, highlighting data regarding the estimated lifetime financial value of earning an associates or bachelor's degree from a campus within the university system. He spoke about the university's efforts to make clear that public higher education is an investment among students, their families, and taxpayers, worthy of community and legislative support; underscored the university's accelerated success in obtaining extramural and philanthropic awards, as well as developing a capacity to engage in public-private partnerships, all of which helps contain growth in the financial burdens on tuition and state general funds; expounded upon some of the reasons for the differences in tuition rates and student loan debt of UH students relative to students at other institutions of higher education across the country, noting an actual decline in the university's resident tuition rate over the last ten years when adjusted for inflation; emphasized the role UH, and public higher education in general, plays in socioeconomic mobility, particularly for individuals from financially disadvantaged backgrounds; and discussed the numerous economic benefits the state accrues from UH graduates. He also commented on the reasonably priced, excellent avenue to higher education offered by the community college system and noted the recognition the university recently received from the Community College Research Center regarding its transfer performance, which serves as a testament to the availability of intercampus pathways between the university's two- and four-year institutions. Despite being one of the nation's leaders with respect to transfer rates between its community colleges and baccalaureate institutions, the university remains committed to improving these numbers.

In addition, President Lassner presented Mr. Shannon Asejo, the sole electrician on the UHH campus, with the President's Award for Excellence in Building and Ground Maintenance which is given to an individual who has exhibited sustained superior performance in a maintenance, landscaping, custodial, or trucking position. He noted several of Mr. Asejo's achievements, spoke about some of the accolades he has received from supervisors and fellow employees, and commended his exemplary service to the university.

Regents offered their congratulations to Mr. Asejo and expressed their appreciation for his service to the university, particularly UHH.

## **B. UHH and HawCC Regional Presentation**

Chair Nahale-a introduced this agenda item by providing some of the rationale behind the board's decision to move towards regional presentations which, in his opinion, allows regents to develop a better understanding of the connection between a campus and the community it serves. He also shared his thoughts on the positive impacts the university is having on the state and the profound link between the excellence of the institution and the greatness of the State and its people.

Chancellor Irwin and Interim Chancellor Kazama began by thanking their respective students, faculty, and staff for all of the work carried out in the challenging task of putting together this joint, co-hosted, regional campus presentation. They went on to provide a brief history of UHH and HawCC's establishment as educational institutions; talk about the resilience of, and servant leadership mindset embraced by, each campus, as well as the tremendous amount of community support enjoyed by both institutions; review census data for Hawai'i County and the State of Hawai'i relative to the population served by UHH and HawCC; discuss enrollment challenges facing both campuses, including Hawai'i Island's lower-than-average college-going rate among eligible high school students; point out potential enrollment opportunities for both institutions given the high number of individuals within Hawai'i County who lack a college degree; mention the institutional aspirations of improving the communities they serve, regardless of whether a resident chooses a higher educational pathway, while maintaining a desire for more individuals on Hawai'i Island to attain a college or university degree; describe the vast regions served by UHH and HawCC and its affiliated campuses, research and laboratory facilities, and educational centers; speak about the breadth and depth of educational programming, unique curricula, various instructional modalities, and degrees offered at each campus and the opportunities this provides to individuals living within the aforementioned regions and beyond; summarize their two distinct missions with each providing curricula to meet the post-secondary needs of unique student populations; highlight the strong academic relationship between the two campuses as evidenced by various articulation and career pathway agreements, in addition to the sharing of facilities and services, including a library, office space, and a child care program, and the ongoing work to increase and maximize these connections; and share insights on the creation, development, and implementation of career pathways and workforce development initiatives which have been designed to address community needs, such as the recently established Bachelor of Science in Data Science at UHH. They also briefly reviewed student population statistics and demographics, along with enrollment figures, to further exemplify the diversity and characteristics of individuals each institution serves; went over several of the drivers for out-of-state enrollment, particularly at UHH, including unique, place-based curricula associated with marine biology, astronomy, and geology; touched upon efforts to increase community engagement and partnerships to further the missions of UHH and HawCC and encourage economic diversification for both Hawai'i County and the State; drew attention to the vast number of research and community engagement activities being carried out by UHH and HawCC; stressed the importance

of, and never-ending work towards, achieving educational equity in the world of post-secondary education; and discussed each campus's work towards accomplishing the goals for each of the four imperatives set forth in the University of Hawai'i Strategic Plan 2023-2029.

To illustrate the success of UHH and HawCC's educational strategies and programming and the impact this has had on students, Interim Chancellor Kazama and Chancellor Irwin shared stories about Eden Ledward, a HawCC carpentry major who has been accepted to the UHM School of Engineering for fall 2024, and Taylor U'ilani Barongan, a senior biology major at UHH and published author of poetry, recapping their academic journeys and numerous accomplishments.

Regent Higaki requested information about the immediate future plans of Ms. Barongan. Ms. Barongan replied that, while she would like to pursue a career in physical therapy with a focus on holistic wellness, she was still unsure of her path forward towards achieving this professional degree upon graduating from UHH.

Referencing the educational journey of Ms. Ledward, Regent Higaki asked if Interim Chancellor Kazama had information on the number of graduates from HawCC's carpentry program who immediately seek employment opportunities as opposed to furthering their post-secondary education. Interim Chancellor Kazama stated that, while almost everyone in HawCC's carpentry program receives job offers in the construction industry prior to graduation, only a few go on to seek a baccalaureate degree from a four-year institution.

Regent Abercrombie inquired about the instructional modalities offered at UHH and HawCC. He also asked whether the astronomy program, with its large percentage of out-of-state students, needed any additional support. Chancellor Irwin replied that UHH is only second to UHM in the number of opportunities for face-to-face and hybrid course instruction. However, the campus has found that when students have a choice between online and in-person classes, the online sections tend to fill up first, which she believes is partially due to the types of students being served by UHH including those with families or full-time jobs. With regard to the astronomy program, it is doing well and does get support from, and collaborates with, the university's Institute for Astronomy, the observatories currently on Maunakea, and the scientific community in general. Interim Chancellor Kazama concurred with Chancellor Irwin's comments regarding online instructional modalities noting nearly 45 percent of students at HawCC are enrolled in online coursework for similar reasons as previously stated. Regent Abercrombie stressed the importance of in-person course instruction and the need to enhance support services for individuals with familial obligations or who are employed.

Regent Haning questioned whether reliable public transportation services on Hawai'i Island, or the lack thereof, was an obstacle to students attending either HawCC or UHH. Interim Chancellor Kazama replied that while free public transportation services are available on Hawai'i Island students do sometimes experience problems utilizing this alternative. As a result, both UHH and HawCC are exploring options to help address the transportation needs of its students. Transportation difficulties also highlight the

necessity for some students to have increased access to online course instruction, especially for those residing in more remote areas of Hawai'i Island.

Citing a critical workforce need in the healthcare field, Vice-Chair Wilson verbalized his support for providing campuses with greater amounts of appropriate resources, whether it be financial or otherwise, so the university can further mitigate this demand, especially for the rural communities. Chancellor Irwin agreed with Vice-Chair Wilson's assessment of healthcare workforce demands and spoke about two healthcare convenings comprised of legislators, healthcare service providers, medical professionals, and university officials, to discuss this very topic.

Regents lauded the achievements of Ms. Ledward and Ms. Barongan remarking that these two individuals exemplified the kind of students who will improve the university as an institution and will serve as future leaders for the betterment of society. They also lauded Chancellor Benham and Interim Chancellor Kazama, as well as the faculty, staff, and students of UHH and HawCC, for the efforts put forth in making their institutions significant contributors to higher education in Hawai'i and around the world.

**V. REPORT OF THE UNIVERSITY OF HAWAII ALL CAMPUS COUNCIL OF FACULTY SENATE CHAIRS (ACCFSC)**

Erin Centeio and Debasis Bhattacharya, the ACCFSC four-year and two-year campus co-chairs for 2023-2024, spoke about the purpose, functions, composition, activities, responsibilities, and meeting schedule of the ACCFSC noting that it serves as an arena for university faculty to participate in the development and interpretation of system-wide policy and fosters communication and understanding among the faculty, students, administration, board, and community. They also recognized Vice-Chair Wilson and Regent Abercrombie, in addition to President Lassner and VP Halbert, who serve as the board and administration's liaisons to the ACCFSC respectively; highlighted findings from a quality of faculty work-life survey, which measures faculty satisfaction and morale at each of the university campuses, conducted in 2022; noted a similar survey will be conducted in 2026; and discussed the use of survey results to address faculty concerns with the administration at both the campus and system level.

Regent Tochiki asked about the number of faculty who participated in the work-life survey and the availability of survey data in a disaggregated format. Dr. Centeio responded that approximately 4,043 faculty members completed the survey in 2022 which equates to about a 21.6 percent response rate. She also referenced a link in the ACCFSC presentation which leads to a site containing large amounts of information for each year in which this survey was conducted.

Regent Abercrombie inquired about the methodology used to distribute the work-life survey, questioned whether there were variances in survey response rates by campus, and asked if the survey contained questions about satisfaction with faculty senate leadership. He also asked about participation rates for faculty senate elections and offered his views on some of the 2022 survey results. Dr. Centeio replied that the survey is distributed to all faculty across the university system via a listserve. Additionally, ACCFSC encourages survey participation by way of individual campus

senates. While survey response rates vary by campus, each campus witnessed a response rate of roughly 20 percent or more with the exception of Windward Community College which saw a response rate of about 16.3 percent. Furthermore, the survey does contain questions about satisfaction with faculty senate leadership. Dr. Centeio and Dr. Bhattacharya both stated that participation rates for faculty senate elections are dependent on a number of factors at the individual campuses. However, Dr. Bhattacharya remarked that the participation rate for the last faculty senate election at UH Maui College exceeded 40 percent.

## **VI. REPORT OF UHF**

VP/UHF CEO Dolan reported on the fundraising efforts of UHF for the current fiscal year, stating that, just a tad over \$80 million has been raised to date as compared to \$65 million received at the same time last year, which is an extremely encouraging sign at this juncture of the fiscal year. He discussed UHF's \$1 billion comprehensive capital campaign, which continues to raise money at an aggressive pace garnering slightly more than \$611 million in contributions thus far; noted the balance of UHF's endowment fund portfolio assets stood at \$507.6 million as of December 31, 2023; and spoke about UHF's first ever Giving Day, a 24-hour online event with crowdfunding components to raise funds for, and promote gift impact opportunities from, all of the 10 campuses within the UH System, which is scheduled to take place on April 10, 2024. He also announced the awarding of over \$16 million in scholarships last year, emphasizing that assisting students in obtaining a post-secondary education at UH through the provision of financial aid is a primary motivator of UHF's fundraising work.

Chair Nahale-a asked VP Dolan to share his thoughts on UHF's current staffing levels in addition to the amount of personnel he believes would be adequate to build capacity towards achieving UHF's preeminent fundraising goal. He also requested an update on the loss of UHF staff for Hawai'i Island which was mentioned during yesterday's committee meetings. VP Dolan replied that UHF currently consists of about 30 fundraisers in addition to other staff which is unusual for a higher educational institution of this size. By comparison, many of the fundraising arms at other similarly sized universities have upwards of 250 fundraiser personnel. He explained that a statutory restriction placed on the amount the university can invest in its own foundation which is currently set at \$3 million is a large part of the reason for UHF having such a small staff to address this issue. If this cap were rescinded, VP Dolan believed the capacity to generate more philanthropic donations for the university would increase exponentially. With respect to UHF staff on Hawai'i Island, VP Dolan acknowledged the existence of staff vacancies due to recent departures and mentioned the critical need to fill those vacancies as soon as possible so as to ensure continued fundraising success for this region. However, he was happy to report that four applications have been received for the abovementioned vacancies and UHF hopes to fill those positions soon.

Regent Higaki questioned whether there was an explanation for the large decrease in funds raised for Kapi'olani Community College. VP Dolan responded that a very large donation was received for the Culinary Institute of the Pacific at Kapi'olani Community College in 2023 which accounts for the significant drop in funds received by the campus to date.



Referencing the \$3 million restriction on the amount the university can invest in its own foundation, Regent Abercrombie inquired as to whether UHF was coordinating efforts with the university administration to seek the elimination of this cap. VP Dolan replied that, although bills to repeal this statutory provision have been introduced and heavily lobbied for, they have always failed to gain traction at the Legislature. Regent Abercrombie expressed his bewilderment with respect to legislative opposition to eliminating the \$3 million cap stating he was in strong support of repealing this statutory restriction.

Regent Tochiki sought clarification about the allowed uses for the \$3 million referenced by VP Dolan and the impacts this cap has on UHF. John Han, Chief Operating Officer and Chief Financial Officer for UHF, explained that the \$3 million reference noted above refers to the amount of moneys the university is statutorily allowed to transfer from its Tuition and Fees Special Fund to UHF for the purposes of promoting alumni relations and generating private donations. While this figure is well below the amount of funds UHF believes will allow it to greatly increase philanthropic donations for the university, fundraising efforts can be supplemented with monies from its \$16 million total operating budget which often occurs but is not always ideal.

## **VII. COMMITTEE REPORTS**

### **A. Report from the Committee on Student Success**

Committee Chair Laurie Tochiki summarized the subjects addressed and actions taken at the meeting of the Committee on Student Success held at the UHH Daniel K. Inouye College of Pharmacy on February 15, 2024.

### **B. Report from the Committee on Institutional Success**

Committee Chair Gabriel Lee summarized the subjects addressed and actions taken at the meeting of the Committee on Institutional Success held at the UHH Daniel K. Inouye College of Pharmacy on February 15, 2024.

### **C. Report from the Committee on Governance**

Committee Chair Laurel Loo summarized the subjects addressed and actions taken at the meeting of the Committee on Governance held at the UHH Daniel K. Inouye College of Pharmacy on February 15, 2024.

## **VIII. AGENDA ITEMS**

### **A. Consent Agenda**

- 1. Approval of Provisional Status for the Bachelor of Arts in Education at UHH**
- 2. Approval of Authorizing the University of Hawai'i to Enter into a Sixth Amendment to the Ground Lease with the Adult Student Housing Hawai'i, Inc. for the Hale Kāwili Apartments at UHH**

**3. Approval of an Indemnification Provision in a Contract Issued by the American Library Association (“ALA”)**

**4. Approval of Legislative Options to Address Legislative Issues and Measures**

Given the Committee on Governance’s deferral of Agenda Item VIII.A.4 for further consideration at today’s board meeting, Chair Nahale-a announced the removal of this item from the Consent Agenda.

Vice Chair Wilson moved to approve the consent agenda with the exception of agenda item VIII.A.4, as noted, seconded by Regent Higaki, and the motion carried with all members present voting in the affirmative.

**B. Report on Senate Committee on Higher Education Informational Briefing of January 18, 2024, by Regents Abercrombie, Akitake, Lee, Tochiki, and Wilson, as required by Section 92-2.5(e), Hawai‘i Revised Statutes.**

Regent Abercrombie noted his participation in an informational briefing held on January 18, 2024, by the Senate Committee on Higher Education and provided a summary of the discussions on Hawai‘i’s Open Meetings Law, more commonly referred to as the Sunshine Law, as it relates to the university and the board that occurred at this meeting.

Vice-Chair Wilson, Regent Akitake, Regent Lee, and Regent Tochiki announced their participation in the same briefing noted by Regent Abercrombie and concurred with his summary of the meeting.

**C. Update on Mānoa Student Housing**

David Akana, Interim Director of Student Housing at UHM, briefed regents on the progress of several initiatives designed to elevate the overall student living experience at UHM since the board’s January 18, 2024, meeting including the installation of water filling stations in every residential facility on the UHM campus managed by Student Housing Services (SHS) and the commencement of coordination efforts for work to be performed over the summer at the four Hale Aloha towers including common area renovations. He also spoke about a plan to increase the freshman bed count by more than 300 beds for the 2024-2025 Academic Year (AY) which equates to a roughly 26.5 percent increase over AY 2023-2024 levels and is consistent with the increases in freshman headcount enrollment being experienced since 2018.

Chair Nahale-a offered his comments on, and support of, the efforts being made by SHS at UHM and the University Housing Program at UHH to address student housing facility issues through a more holistic manner and build upon the concept of improving the overall living experience for students residing on campus.

Regent Abercrombie asked about the status of aesthetic and practical improvements to residence halls, such as interior painting and landscaping. Interim Director Akana replied that SHS is in the process of assessing the aesthetic components of UHM’s



residence halls in order to establish a better vision for interior and exterior student housing improvement projects. Given this response, Regent Abercrombie requested Interim Director Akana to include updates on this issue in the administration's monthly updates on this issue.

Regent Akitake inquired as to whether the administration was still on track to provide the board with a report on KMH LLP's comprehensive study of room rates and its generation of a financial model for the operation and maintenance of UHM's residence halls in June. VP Gouveia responded that the aforementioned financial model is still scheduled to be completed in June and will be used as a resource by the administration to develop room rate scenarios based upon forecasts regarding the short-, mid-, and long-term fiscal requirements to meet UHM's student housing needs. In light of this information, Regent Akitake asked for the date of the scheduled board meeting at which the KMH LLC report could be reviewed and discussed. Chair Nahale-a and Board Secretary Lau replied that, should the KMH LLC report be submitted to the administration in June, a review of, and discussion on, its contents could take place at the board meeting scheduled in July.

#### **D. Legislative Update**

VP Young highlighted 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 administration is actively tracking 616 of the approximately 2,678 measures introduced this legislative session. He briefly went over legislation regarding, among other things, the university's operating and capital improvement budgets; the Hawai'i Promise Program; resident tuition fees; innovation and commercialization; public agency and open-meetings requirements as they relate to the board; changes to the board's composition; K-12 teaching programs and educational access; university facilities, such as student housing; the ability to issue revenue bonds; tuition waivers and scholarships; university procurement; healthcare; collective bargaining; personnel issues; the development of a stadium on the UHM campus; Maunakea; the Research Corporation of the University of Hawai'i; and response, recovery, mitigation, and future planning issues regarding the Maui wildfires and wildfires in general. VP Young also reviewed the legislative calendar and timetable for the remainder of the session and pointed out the recent transmittal of governor's messages to the Legislature regarding the appointments of Chair Nahale-a, Regent Abercrombie, and Regent Akitake.

Regent Abercrombie asked about the status of Senate Bill (S.B.) Number 3307 (S.B. 3307) which deals with the selection and appointment of trusted public representatives to observe and report to the Office of Information Practices on board meetings closed to the public. VP Young replied that S.B. 3307 was passed with amendments. Regent Abercrombie expressed his dismay about the introduction of this measure.

Brief discussions took place between Regent Abercrombie and VP Young on the intent and status of various Sunshine Law bills relating to the Mauna Kea Stewardship and Oversight Authority, in addition to State boards and commissions in general.

Regent Abercrombie requested a summary of H.B. 2664 which related to sports facilities and appeared to involve the New Aloha Stadium Development Project. VP Young explained that H.B. 2664, in essence, lapses appropriations of general obligation bond funds previously authorized for the planning, design, and construction of a stadium in Halawa and re-appropriates said funds to plan, design, and construct a new stadium on the UHM campus. In addition, the measure would change the name of the Stadium Authority to the Halawa Redevelopment Authority (HRA), amend the powers and duties of HRA, and rename the Stadium Development District as the Halawa Redevelopment District.

Regent Akitake asked if House Bill (H.B.) Number 1859 (H.B. 1859) and its companion measure S.B. 2199 were related to the holding of board retreats and inquired whether the administration has taken a position on these bills. VP Young replied that H.B. 1859 and S.B. 2199 seek to authorize any board subject to Hawai'i's Sunshine Law to hold a closed meeting for the purpose of providing training to new and current board members. The administration has not taken a position on these measures at this time, although it was noted that H.B. 1859 has not been scheduled for a hearing and S.B. 2199 was deferred.

Referencing S.B. 3366, Regent Akitake asked if it was common for this type of legislation to be introduced and whether the administration has submitted testimony on this matter. VP Young replied that, while bills proposing to increase or decrease the number of positions on the board have been introduced in the past, he did not personally recall any past instances in which legislation was put forth to include ex-officio members on the board. Additionally, he stated the administration did not submit testimony on S.B. 3366 since no hearing was scheduled for this measure.

Citing Regents Policy requiring board approval of salaries above a certain threshold, Regent Paloma sought clarification on the implications of H.B. 2211 and S.B. 2599. VP Young briefly went over mechanical aspects used by the Legislature to construct the State's budget including the submission of salary schedule tables by all State departments containing the pay ranges for every general-funded position under their purview. These measures would prohibit boards or commissions, including the Board of Regents, from authorizing salaries above what was contained within the noted salary schedule tables without legislative approval.

A conversation took place between Chair Nahale-a and VP Young about the regent confirmation process, the consequences of a regent currently awaiting confirmation failing to receive State Senate approval, and the process that would transpire should such an event occur. Chair Nahale-a requested VP Okinaga and Board Secretary Lau to review the board's bylaws to determine how a vacancy resulting from a regent being denied confirmation would impact board operations and functionality.

Regent Abercrombie announced his receipt of a letter containing a series of questions from Senator Donna Mercado Kim, Chair of the Senate Committee on Higher Education. As such, his presumption was that a confirmation hearing would be held at some point. He also noted a request he made to Board Secretary Lau to inform Senator Kim of his being absent from the state for a few weeks in April.

**E. Discussion and Possible Board Action on Pending Legislation**

Chair Nahale-a provided the rationale for including this item on the board agenda explaining that statutory open meeting and notification requirements impact the board's ability to quickly respond to matters before the Legislature involving the board, or university governance, and referenced several possible options with respect to the submittal of legislative testimony on a measure, opining that none would afford the full board with the opportunity to weigh in on an issue in a timely manner. He then asked regents to weigh in on this topic.

Regent Higaki and Vice-Chair Wilson shared their thoughts on the board's past dealings with this issue noting regents' inability to reach a consensus on one particular solution. However, Regent Higaki pointed out one option discussed by prior boards involving the pairing-up of regents to meet and speak with individual legislators on issues of import to this body prior to the legislative session seemed to gain some traction. Beyond that, nothing formal was ever put into place during his time as a regent.

Discussions ensued on the possible courses of action for developing or adopting positions on legislative measures as put forth by the Office of Information Practices (OIP); the absence of a fundamental solution for addressing limitations placed on regent communications by the Sunshine Law within OIP's allowable permitted interaction proposals; the capacity of the governor to call meetings with regents to discuss matters outside of an open meeting; challenges faced in achieving consensus on an issue or position; and past practices used by the board to address legislative matters including relying on the university administration to advocate on the board's behalf based upon its expressed positions, although President Lassner voiced his concerns with this option given the guidance received from previous board's about the administration taking a stance on legislation involving the board when the board did not take a formal position on the issue.

Regent Loo advocated for delegating the responsibility for drafting and submitting legislative testimony to board staff as they attend every meeting, are intimately aware of the board's position on issues, and clearly have the capacity to represent the interests of the board. She also pointed out this option's capability to address concerns raised during the meeting of the Committee on Governance about whether a regent was speaking as an individual or on behalf of the board when communicating with the public.

Although Regent Akitake concurred with Regent Loo's proposal, she also supported the notion of having pairs of regents meet with individual legislators prior to the Legislature's convening so as to develop better relationships and improve upon the board's general engagement with these elected officials and this governing body.

Conversations took place on the advantages, disadvantages, nuances, intricacies, and challenges with respect to Regent Akitake's suggestion.

Regent Higaki suggested formalizing the board's approach to addressing legislative matters inclusive of Regent Loo and Regent Akitake's proposals, as well as having meetings with the governor, and made a motion to this effect.

Deliberations ensued on Regent Higaki's motion and involved discussions on, among other things, the roles and responsibilities of a regent or regents designated to serve as, essentially, liaisons to the Legislature; the impacts of the Sunshine Law on this practice given the potential for serial communications between regents; the notion of dealing with legislative matters as a collective body; the concept and meaning of formal relationships with individual legislators; the importance of engaging with the Legislature; the potential this plan affords for regent participation in the legislative process; and the role of board staff in carrying out this proposal, including the submittal of testimony.

The meeting recessed at 12:25 p.m.

Chair Nahale-a called the meeting back to order at 12:30 p.m. but proposed recessing this meeting in order to convene the Special Board Meeting since a number of individuals, including some who have flown in for the meeting, were waiting to testify and present on items included on that agenda.

Regent Loo moved to recess this meeting until the conclusion of the Special Board Meeting, seconded by Vice-Chair Wilson, and the motion carried with all members present voting in the affirmative.

Chair Nahale-a called the meeting back to order at 2:01 p.m. and stated that, due to time constraints, further discussions on Agenda Item VIII.E. would need to take place at another meeting. As such, he requested a motion to that effect.

Regent Akitake moved to recess the meeting until such time another meeting could be appropriately scheduled. Vice-Chair Wilson seconded the motion and with all members present voting in the affirmative the meeting was recessed at 2:03 p.m.

Respectfully Submitted,

Yvonne Lau  
Executive Administrator and Secretary  
of the Board of Regents