

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

**MINUTES**

**BOARD OF REGENTS SPECIAL MEETING**

**FEBRUARY 16, 2024**

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

[Meeting Video No.1](#)

[Meeting Video No. 2](#)

**I. CALL TO ORDER**

Chair Alapaki Nahale-a called the meeting to order at 12:33 p.m. on February 16, 2024, at the University of Hawai'i (UH) at Hilo, Daniel K. Inouye College of Pharmacy, Hale Kīho'iho'i Room 101, 722 South Aohoku Place, Hilo, Hawai'i 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 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 Budget and Finance/Chief Financial Officer Kalbert Young; VP for Advancement/UH Foundation Chief Executive Officer Tim Dolan; UH-Mānoa (UHM) Provost Michael Bruno; UH-Hilo Chancellor Bonnie Irwin; UH-West O'ahu Chancellor Maenette Benham; Interim Hawai'i Community College Chancellor Susan Kazama; Executive Administrator and Secretary of the Board of Regents (Board Secretary) Yvonne Lau; and others as noted.

**II. APPROVAL OF THE MINUTES OF THE DECEMBER 7, 2023, AND JANUARY 4, 2024 SPECIAL MEETINGS**

Chair Nahale-a inquired if there were any corrections to the minutes of the December 7, 2023, and January 4, 2024, special meetings which had been distributed. Hearing none, the minutes for both meetings were approved.

**III. PUBLIC COMMENT PERIOD**

Board Secretary Lau announced that the Board Office received written comments from the Kapi'olani Community College Staff Council, Associated Students of the University of Hawai'i at Mānoa, University of Hawai'i Student Caucus, Mānoa Faculty

Senate Committee on Academic Policy and Planning, Dianne Deauna, Shannon Pōmaika'i Hennessey, Baleigh Roysdon, and Marguerite Butler regarding the presidential selection process and Presidential Search Advisory Group (PSAG).

Late written comments on the presidential selection process and PSAG were received from the Association of Emeritus Regents, Student Regent Emeritus Kelli Acopan, Susan C. Pope, Ismael "Ish" Salameh, Mariko Quinn, and Kyla-Marie Kauhahao.

Late written comments were received from Amy Warrington regarding the presidential selection process specifically with regard to possible Title IX issues at UHM.

The University of Hawai'i Professional Assembly, Jill Nunokawa, Blaine Bautista, Bronson Azama, Deborah Ward, Lanny Sinkin, Kyson James-Foree, Jazerick Hata, Lindsey Millerd, Baleigh Roysdon, Ronald Sturges, Dominique Bonifacio, Iovep Kaoluio Kaeo, Karla Hayashi, Hannah Hartmann, Brandon Reed, Makano Hufana, and Mariko Quinn provided oral comments on the presidential selection process and PSAG.

Montserrat Montanes i Arbo provided oral comments on the presidential selection process specifically with regard to possible Title IX issues 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. Update on Presidential Search – Selection of Search Firm and Presidential Search Survey**

Chair Nahale-a announced the receipt of 13 responses to the invitation for proposals to provide executive search services. While a company has been selected to provide these services, the identity of the selected firm will not be released at this time as the board office is in the final stages of executing a contract with this entity.

As for the Presidential Search Survey, 2092 responses were garnered as of the survey's close on February 15, 2024. The Board Office will begin processing the responses received and provide this data to regents and the Presidential Search Advisory Group.

Chair Nahale-a thanked Vice-Chair Lee, Board Office staff, and VP Gouveia's staff for their work on the selection of the search firm and Presidential Search Survey. He also expressed his appreciation to all those who participated in the Survey and shared their thoughts with the board on the next university president.

Regent Mawae advocated for the release of quantifiable data on the information collected via the Presidential Search Survey such as the number of students and faculty who provided a response and the amount of replies received by campus. Chair Nahale-

a concurred with Regent Mawae stating his understanding was that the Board Office was already working to compile data from the Survey and will be providing this information to regents.

Regent Abercrombie highlighted the breadth and diversity of responses to the Presidential Search Survey.

Regent Mawae sought clarification as to who would be able to view the aforementioned quantifiable data from the Presidential Search Survey. Chair Nahale-a replied that access to raw survey data would be limited to regents. However, once this information has been compiled into a more user-friendly format, it will be shared with the public.

## **B. Board Approval of Presidential Search Advisory Group (PSAG) Members**

Chair Nahale-a provided a recap of board actions taken at the January 4, 2024, special board meeting to seat a PSAG for the purpose of providing advice and recommendations to the Committee of the Whole to ensure key stakeholders and the broader community are included in the presidential selection process. He noted the approval of a PSAG inclusive of a representative from each of the four officially recognized shared governance organizations of the university, as selected by their respective bodies, and a process by which these four individuals would work with two regents to craft a proposed final composition of the PSAG, provided that the entity consisted of no more than 12 members in total. The recommended make-up of the PSAG would then be presented to the Committee of the Whole for final approval. Additionally, the board added the acceptance of nominations for Advisory Group membership from regents and other groups and the requirement for Advisory Group members to maintain confidentiality throughout the presidential selection process. Chair Nahale-a also acknowledged the tremendous amount of work done by the current members of the PSAG and thanked them for their efforts on this matter.

Jarret KC Leong, Co-Chair of the UH Staff Council and PSAG, Erin Centeio, Co-Chair of the All Campus Council of Faculty Senate Chairs and Co-Chair of the PSAG, Kamakanaokealoha Aquino, Pūko'a Council representative on the PSAG, and Lindsey Millerd, UH Student Caucus representative on the PSAG, went over the extensive process used to assemble a list of eight additional individuals for inclusion on the PSAG highlighting the numerous factors taken into consideration when assembling this list such as the need for diversity among the group's membership and the desire to include individuals with a broad range of experiences and expertise. They also talked about some of the deliberations that occurred among the core PSAG members regarding the entity's composition; reviewed the names of those being recommended for inclusion on the PSAG, emphasizing they represented a plethora of stakeholder and community interests; noted the intent of the core PSAG members was to work with as many community groups as possible, particularly those not directly represented on the PSAG, to ascertain their thoughts, insights, and perspectives on the desirable characteristics of the next UH president; provided the rationale for a request to have Vice-Chair Lee and Vice-Chair Wilson to continue to serve as the board's liaisons to the PSAG; and sought

board approval of the PSAG as presented in the report on this matter contained within the materials packet.

Vice-Chair Wilson and Vice-Chair Lee briefly spoke about the input and guidance they offered to the PSAG's core members regarding the other constituencies needing representation on this entity. They shared their thoughts on the list of individuals provided by the PSAG, highlighting that several recommended for inclusion were suggested by regents; expressed their support for the abovementioned proposal; and thanked the four core members of the PSAG for their work on this matter.

Regent Abercrombie expressed his concerns about deciding upon the make-up of the PSAG without first determining what this entity will be charged with doing. He also articulated his unease with proceeding on this matter further given the request for Vice-Chair Lee and Vice-Chair Wilson to serve as liaisons to the board which, in his opinion, raises legal questions about the impacts Hawai'i's Open Meetings Law could have on interactions between the PSAG, the regents liaisons, and other members of the board. As such, he moved to convene in executive session to consult with the board's attorneys on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities, pursuant to Section 92-5(a)(4), Hawai'i Revised Statutes. The motion was seconded by Regent Akitake.

Chair Nahale-a added that legal questions about university employees serving on the PSAG may also arise and should be discussed.

Regent Mawae sought clarification as to the reason for entering into executive session as stated by Regent Abercrombie. Chair Nahale-a reiterated Regent Abercrombie's concerns with, and legal questions about, interactions among the PSAG, the regent liaisons with this entity, and other members of the board in the context of Hawai'i's Open Meetings Law.

There having been a motion that was moved and seconded, the motion carried with Regent Mawae voting no and all other members present voting in the affirmative.

#### **IV. EXECUTIVE SESSION (closed to the public)**

The meeting recessed at 1:42 p.m.

Chair Nahale-a called the meeting back to order at 2:01 p.m. and announced that the board met in executive session to discuss the matters as noted in the abovementioned motion by Regent Abercrombie emphasizing that discussions did not take place on the individuals named for possible inclusion on the PSAG. He also stated that, due to time constraints, further discussions on Agenda Item III.B. as well as III.C. and III.D., would need to take place at another meeting. As such, he requested a motion to that effect.

**DRAFT**

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