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MINUTES

BOARD OF REGENTS MEETING

MAY 16, 2023

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

[Meeting Video](#)

I. CALL TO ORDER

Interim Chair Lee called the meeting to order at 9:14 a.m. on Thursday, May 16, 2024, at University of Hawai'i (UH) at Mānoa, Information Technology Building, 1st Floor Conference Room 105A/B, 2520 Correa Road, Honolulu, Hawai'i 96822, with regents participating from various locations.

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

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

II. APPROVAL OF THE MINUTES OF THE MARCH 21, 2024, AND APRIL 18, 2024, MEETINGS

Interim Chair Lee inquired if there were any corrections to the minutes of the March 21, 2024, and April 18, 2024, meetings which had been distributed. Hearing none, the minutes for both meetings were approved.

III. PUBLIC COMMENT PERIOD

Board Secretary Lau announced the Board Office's receipt of late written testimony from Jill Nunokawa regarding the development agreement and option to lease real property at 550 Makapu'u Avenue and stated several individuals had signed up to provide oral comments. She also noted that, while written comments relating to committee reports were received, these are not considered agenda items. Therefore,

these submittals were not considered to be public testimony for the purposes of this meeting but rather general public comment and has been shared with regents as such.

Interim Chair Lee reminded testifiers of remarks made during the April 18, 2024, board meeting regarding public comments on committee reports stating oral testimony on these matters would not be allowed. However, he noted the ability for individuals to still provide written remarks on committee reports emphasizing these comments are distributed to regents.

Cynthia Franklin provided oral comments on the University Affiliated Research Center (UARC).

Interim Chair Lee stated the UARC issue is not on the board's current agenda and comments on this matter will not be allowed.

Pearl Bachiller began to provide oral comments on the UARC matter particularly with respect to its relationship with the university's Kuleana Imperative.

Regent Haning raised a point-of-order stating neither the UARC nor the university's Kuleana Imperative were on the board's agenda. Interim Chair Lee agreed with Regent Haning's point and asked Ms. Bachiller to refrain from commenting on the UARC issue.

In light of these instructions, Ms. Bachiller then began to speak on the development agreement and option to lease real property at 550 Makapu'u Avenue.

Kamele o Pu'uwai Donaldson started to provide comments on the Kuleana Committee Report. Referencing his previous statement regarding the provision of remarks on committee reports, Interim Chair Lee informed Ms. Donaldson that her testimony would not be allowed.

Regent Mawae raised a point-of-order asking why comments on committee reports were not being accepted. Board Secretary Lau replied that committee reports are meant to serve as the committee chair's report about the undertakings of their respective committee at a committee meeting for the edification of regents and are not considered to be an agenda item. She noted agenda items are specifically indicated as such on the meeting notice.

Ms. Donaldson remarked that it would be helpful for community members if clarification on what was considered an agenda item could be provided in the future and expressed her frustration about not being allowed to provide comments on the university's kuleana as relayed in the Kuleana Committee Report.

Peggy Kwi-Suk began to provide comments on the Reports of the Institutional Success and Kuleana Committees. Interim Chair Lee notified Ms. Kwi-Suk that comments on committee reports were not being allowed as these matters were not considered to be agenda items. He reiterated that written comments on committee reports are always welcomed and will be distributed to regents. Ms. Kwi-Suk communicated her disappointment in the board's position to not accept remarks on committee reports.

Regent Abercrombie shared his views about this issue expressing his belief in the existence of a clear delineation between committee reports and agenda items. He also stated that board meetings are not open forums. However, he suggested the possibility of amending the meeting notice to clarify this matter further.

Regent Haning concurred with Regent Abercrombie adding that, in his opinion, the meeting notice clearly indicates states what constitutes an agenda item as there is a section on the meeting notice entitled "Agenda Items".

Mariko Quinn provided comments on the Legislative update and board self-assessment as they relate to the UARC. Despite calls for her to cease and a point-of-order being called for by Interim Vice-Chair Wilson, Ms. Quinn continued with her testimony.

Interim Chair Lee once again stated the UARC is not on this agenda. However, an update on the UARC is expected to be presented at a future meeting during which time comments on this issue will be accepted.

Meagan Harden expressed her disappointment in the board's silencing of student voices and spoke about UARC.

Sam Peck, who signed up to provide comments on the committee reports and the development agreement and option to lease real property at 550 Makapu'u Avenue, was reminded to confine his comments to the matter regarding the real property development and lease. Mr. Peck voiced his exasperation with the board for what he believed was its limitation of free speech on the continued militarization of the university, continued colonization of Hawai'i, historic injustices, and the Israel-Gaza situation.

Misty Pegram, Samantha Avila Gomez, Dianna Deanna, Sonja Giardina provided comments on the board self-assessment in relation to what they believed was the stifling and censorship of student voices on issues such as the university's kuleana and its incongruence with the UARC, the militarization of the university, and the board's accountability to students.

Jill Nunokawa provided verbal comments on the development agreement and option to lease real property at 550 Makapu'u Avenue and the relocation of the May board meeting from Maui to O'ahu.

Regent Abercrombie disagreed with some of the representations made by testifiers stating these comments mischaracterize the work of the board. He also called into question the notion that the board was engaged in the censorship or silencing of student voices stating are multiple avenues available to students to express their views on university campuses throughout the system.

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

[Late Written Testimony Received](#)

IV. REPORT OF THE PRESIDENT

A. End of Semester Update

President Lassner spoke about recently completed graduation activities conducted across the university system highlighting the holding of a commencement ceremony on Moloka'i which occurs once every four years. He congratulated all of the graduates stating these events remind everyone about the primary role of, and important work being done by, the university.

The Compacts of Free Association (COFA), which govern the relationships between the United States and the Republic of the Marshall Islands (RMI), Federated States of Micronesia (FSM), and Republic of Palau (Palau), were recently funded via one of the consolidated budget bills passed by the United States Congress in March. A little-noticed provision within this legislation regarding tuition assessments for individuals from the aforementioned freely associated states was recently brought to the attention of the administration. In essence, the proviso prohibits institutions of higher education participating in federal financial aid programs from charging more than their in-state tuition rate to citizens of RMI, FSM, and Palau. Although the noted legislation does not take effect until July 1, 2024, the administration has already begun taking steps to ensure compliance with the new law and is currently working with campus leaders to understand the impacts it could have on the university. Discussions about tuition rate differentials between students from RMI, FSM, and Palau, and those from Hawai'i's other Pacific neighbors, particularly the United States Territories of Guam and American Samoa and the Commonwealth of the Northern Marianas, resulting from this legislation and how to address this issue are also taking place between the administration and campus leaders. Once these assessments are completed, the administration plans to put forth a proposal to amend the Board of Regents' policy regarding tuition and seek approval for this change.

Lahainaluna High School seniors are taking advantage of the post-secondary educational opportunities afforded to them through a scholarship offer made possible by a philanthropic gift received last year which will cover full two- or four-year tuition costs for individuals choosing to attend any of the 10 campuses of the university system. As compared to Fall 2023 enrollment data, over four times the number of students from Lahainaluna High School have announced their intent to register at the university in Fall 2024. In particular, UHM and Maui College have seen the number of seniors from this particular high school who expect to enroll at their campuses nearly doubling and tripling respectively. President Lassner stated that this situation illustrates the impact cost of tuition can have on an individual's decision to pursue a post-secondary education and the importance of maintaining these costs at a reasonable level. He also expressed the administration's disappointment in its unsuccessful attempts at convincing the State Legislature to expand the Hawai'i Promise Program to the university's four-year institutions which would have had a positive impact on the ability of economically disadvantaged students to pursue and obtain bachelor's degrees.

Fall headcount enrollment and student semester hour numbers are up roughly five-to-six percent systemwide as compared to the same time last year and continue to hold steady with UHM and the community colleges leading the way. While the overall impacts on enrollment resulting from issues related to the Free Application for Federal

Student Aid discussed at the April 18, 2024, board meeting are still unknown, the administration continues to provide as much support as possible to students and their families to address this situation.

The university continues to do extremely well in securing extramural research funding already surpassing last year's record numbers with about a month-and-a-half to go in the fiscal year. To date, just over \$546 million has been received, an increase of between 10 and 15 percent as compared to the same period last year. Although these figures in-and-of themselves are outstanding, President Lassner pointed out the numerous benefits receipt of these funds and the research it supports has on Hawai'i, including the creation of thousands of high-quality, high-paying jobs across the islands.

For the fourth year in a row, philanthropic donations have exceeded \$100 million, which is roughly a 10 percent increase over last year at this time. President Lassner lauded the work of UHF in garnering financial support for scholarships, research, and more across the university system stating more details on this matter will be provided in a report later in this meeting.

Referencing the board minutes of the March 21, 2024, meeting and the May 2, 2024, meeting of the Committee on Institutional Success, Regent Abercrombie inquired about the status of the Festival of Pacific Arts & Culture (FestPAC) in addition to the furnishing of 2,000 beds within the university's student housing facilities for use by the FestPAC delegates; questioned whether issues he raised regarding the clarity of the Memorandum of Agreement (MOA) between the Hawai'i Community Development Authority (HCDA), the Hawai'i Housing Finance Development Corporation (HHFDC), and the university for the development of infrastructure and housing on university property in West O'ahu had been resolved; and asked if it was the administration's intent to permanently incorporate the facilities and ground maintenance work for UHM's student housing areas under the jurisdiction of the Office of Campus Operations and Facilities (COPF). President Lassner replied that the 13th FestPAC will be taking place in Honolulu this June and beds within UHM's student housing facilities are still slated for use by FestPAC delegates; Regent Abercrombie's remarks with respect to the MOA between the university, HCDA, and HHFDC, were noted by the parties to the agreement and would be given due consideration prior to a final agreement being brought before the board for approval; and the administration is evaluating potential reorganization scenarios to more effectively and efficiently address facilities and ground maintenance issues related to student housing at UHM, including the possibility of permanently placing responsibility for these matters under the authority of COPF.

V. 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 \$104 million has been raised to date as compared to \$87 million received at the same time last year. He spoke about an increase in principal gifts, which are donations of \$1 million or more, taken in by UHF with 24 such contributions being made this fiscal year as opposed to 10 last fiscal year; noted a jump in the unique donor count; discussed UHF's \$1 billion comprehensive capital campaign, which continues to raise money at an aggressive pace garnering slightly more than

\$641 million in contributions as of this morning; and pointed out the success of 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 brought in a little more than \$593,000. He also emphasized UHF's ability to regularly obtain over \$100 million in annual philanthropic donations, a feat made possible, in large part, by improved engagement between the university's academic programs and donors, as well as prospective donors, about the advantages of making contributions to the university.

John Han, Chief Operating Officer and Chief Financial Officer for UHF, presented an overview of UHF's operating budget for Fiscal Year 2024, along with a comparative breakdown of revenues generated and expenses incurred for UHF operations over the last four fiscal years, highlighting the main drivers for the increase in revenues and the organic growth of expenditures seen over the last two years.

Regent Abercrombie and VP Dolan engaged in discussions about the receipt and disposition of funds by UHF, especially larger donations, and the processes involved in doing so; the importance of consistent engagement with donors after a gift is made to the university; and the amount of unfulfilled philanthropic pledges made to UHF each year, which is about three percent and on par with what is experienced by other university foundations across the country.

Referencing President Lassner's procuring of services from the National Center for Higher Education Management Systems (NCHEMS) to review and analyze the University of Hawai'i System, Regent Akitake asked if her understanding that UHF funds were used to pay for this study was correct. President Lassner replied in the affirmative stating he utilized discretionary funding designated by the board for use by the President of the University of Hawai'i to compensate NCHEMS for its work. In light of this response, Regent Akitake asked whether other individuals in the university system, such as deans, have access to discretionary funds. VP Dolan replied that, while they contain modest sums of money, most deans have what are known as dean's discretionary fund accounts, the contents of which can be used for various purposes by deans.

A conversation took place between Regent Akitake and VP Dolan about the specificity of donations made to UHF and the limitations placed upon their use; the percentage of truly unrestricted gifts received each year, which VP Dolan indicated is very low; and the general thought processes behind a benefactor's decision to contribute money to specific programs, research, or other uses at the university.

VI. COMMITTEE AND AFFILIATE REPORTS

A. Report from the Committee on Governance

B. Report from the Committee on Kuleana

C. Report from the Committee on Institutional Success

Interim Chair Lee referred regents to the respective standing committee reports from

the May 2, 2024, committee meetings which were contained in the materials packet.

Discourse occurred among regents about future actions related to suggestions or comments made during committee meetings, the purpose of committee reports, and the process for approval of recommended board actions supported by committee members. Board Secretary Lau explained that committee reports were intended to serve as a summary of what took place during a particular committee meeting for the edification of regents who were unable to take part in or observe the meeting in person.

VII. AGENDA ITEMS

A. Consent Agenda

- 1. Board Approval of Revisions to Attachment 1 of Regents Policy (RP) 10.207, Parking and Operations of Motor Vehicles, for the Adjustment of the Parking Permit Fee Schedule for the UHM Kaka'ako Parking Lot**
- 2. Board Approval of Authorizing UH to Enter into a Development Agreement and Option to Lease with MW Group, Ltd. (MW Group) for Real Property at 550 Makapu'u Avenue**

Interim Chair Lee and Regent Paloma announced their recusal from Agenda Item VII.A.2. and Interim Vice-Chair Wilson conducted the meeting for the duration of this matter.

Regent Abercrombie questioned the reason for Interim Chair Lee and Regent Paloma recusing themselves from the vote on Agenda Item VII.A.2.

Regent Haning raised a point of order stating he did not believe it to be necessary for a regent to disclose the rationale behind their recusal from discussions or a vote. VP Okinaga concurred with Regent Haning's assessment.

Interim Chair Lee and Regent Paloma left the meeting at 10:31 a.m.

Interim Vice-Chair Wilson asked regents if they wanted to remove any item from the consent agenda for further discussion.

Regent Mawae requested that Agenda Item VII.A.2 be taken off the consent agenda and placed on the regular agenda for further discussion. She then proceeded to express her opposition to entering into a development agreement and option to lease with MW Group for real property located at 550 Makapu'u Avenue, referencing some of the concerns raised about the agreement during the May 2, 2024, meeting of the Committee on Institutional Success, including, among other things, the length of the lease, the affordability of the units in the senior assisted living facility being touted by MW Group, the lack of a firm commitment by MW Group with respect to the provision of academic programming at their facilities, and the amount of revenue the administration expects to generate for the university through this agreement. She also communicated her strong belief in the use of a more measured approach when considering the possible development of land owned by the university as well as her desire for university parcels

to be used for purposes that would be of greater benefit to students and the institutions strategic goals.

Regent Abercrombie shared his thoughts on the plan for the Makapu'u Avenue property, which is more commonly referred to as the Lē'ahi parcel, touting its potential benefits while at the same time communicating his concern with the proposal's lack of accommodations or other senior assisted-living alternatives for Medicaid eligible individuals. He also reiterated his belief in the need to secure subsidies from the State or other entity to offset costs not compensated for by Medicaid and asked if this matter had been looked into.

Regent Higaki raised a point of order expressing his belief that a formal motion on Agenda Item VII.A.2 should be made before proceeding with further discussions on this topic. Interim Vice-Chair Wilson agreed with Regent Higaki and asked for a motion on Agenda Item VII.A.2.

Regent Mawae moved to reject the administration's request for the authority to enter into a development agreement and option to lease with MW Group for real property located at 550 Makapu'u Avenue. The motion was seconded by Regent Abercrombie.

Interim Vice-Chair Wilson asked VP Young if he could comment on Regent Abercrombie's previous remarks with respect to the Medicaid issue. VP Young replied that he and Michael Shibata, Director of the Office of Strategic Development and Partnership, have met with Stephen Metter, Chief Executive Officer of MW Group, and Daniel Cody, Chief Investment Officer of MW Group, several times since the conclusion of the May 2, 2024, meeting of the Committee on Institutional Success to discuss feedback and input received from regents, including the possibility of inserting a Medicaid element into the final agreement between the parties. While Mr. Metter and Mr. Cody have acknowledged the Medicaid request and are open to exploring this matter further, MW Group cannot commit to providing a set number of accommodations for Medicaid eligible individuals at this time. However, VP Young conveyed his firm belief in MW Group's willingness to revisit the issue should the situation change whereby State subsidies or a similar form of compensation to offset the assisted living costs not paid for by Medicaid become available and is something that could be reflected in the final agreement between the university and MW Group.

Regent Abercrombie spoke at length about the long-term care needs facing the state due to an aging population, the financial costs of providing such care, the State's role in tackling this problem, and possible ways by which this matter can be addressed, including the formation of public-private partnerships.

Taking into consideration Regent Abercrombie's comments and VP Young's response, Regent Mawae communicated her belief that a pledge to explore the Medicaid issue was not a commitment to address the matter. She continued to voice her opposition to the project stressing that, in her opinion, the agreement did not appear to provide the university with substantial benefits. Although Regent Mawae concurred with Regent Abercrombie about the need for long-term care in Hawai'i and the necessity

of providing this type of care to individuals across the socioeconomic spectrum, she did not feel this was a part of the university's core mission.

Regent Akitake inquired as to whether the motion could be amended to recommit the matter back to the committee for further discussion.

Regent Higaki raised a point of order stating there was a motion currently before the board. He proceeded to note the requirement for a vote to be taken on the matter unless the regent who made the original motion withdrew their recommendation, at which time the maker of the motion could amend their original motion to address the situation as described by Regent Akitake, or someone could make a new motion. He then called for the question.

Discussions ensued among regents regarding the motion currently before the board and the consequences of affirming or not affirming this motion.

Regent Akitake asked Regent Mawae if she would consider withdrawing her motion or amending the motion to refer the matter back to committee. Regent Mawae stated she would not withdraw or amend her motion.

There having been a motion that was moved and seconded, a roll call vote was taken, and with Regents Akitake and Mawae voting in the affirmative and all other regents present voting no, the motion failed to carry.

Regent Abercrombie subsequently moved to refer Agenda Item VII.A.2 back to committee for further discussion and consideration and the motion was seconded by Regent Akitake.

Despite supporting the overall project, several regents voiced their preference for referring the matter back to committee noting their concerns with the length of the lease as it related to MW Group's business plan.

In addition to the lease's length, and in light of the recusal of two regents from these discussions, Regent Akitake noted her apprehension with moving forward on this proposal given the complexity of the situation and, in her opinion, the lack of adequate time to thoroughly review the lease terms stating she felt rushed in making a decision. She also mentioned a number of questions she believed needed to be answered before making a final determination on this matter including, among other things, the adequacy of the lease-rent amount, the process used to find a lessee for the parcel, and other proposals or options considered by the administration for use of the land.

Regent Tochiki communicated her respect for the work, effort, and due diligence exercised by the administration in crafting this proposal.

Regent Higaki sought further information on other potential uses for the parcel considered by the administration prior to embarking upon negotiations with MW Group. He also asked if other proposals were received for development of the land in question. VP Young provided historical context to this matter stating that approximately five or six years ago the board directed the administration to find ways to utilize vacant land

owned by the university for the betterment of the institution with the generation of additional revenues being of particular interest to regents. Specific to the Lē'ahi parcel, the board charged the administration with the task of evaluating several options for the disposition of the land including selling it, developing it solely with university resources, and leasing it to an entity for either an explicit university related purpose, such as the development of student or faculty housing, or to generate additional revenue for the university. The administration assessed all of the aforementioned possibilities and approximately two years ago identified leasing of the land to generate monies for the university as the best choice. Once this decision was made, the administration began to solicit proposals for development of the parcel with desirable attributes for the project being included within the solicitation. A number of parties tendered offers to use the land for purposes such as housing and light commercial operations. All things being considered, the proposal made by the MW Group was deemed to be the best option, as it met most of the particulars contained within the solicitation. As such, the administration decided to move forward with negotiations on the MW Group's proposition.

Regent Abercrombie continued to stress the need for long-term care and senior housing options in Hawai'i. He also spoke about the project's potential for addressing these issues through inclusion of certain elements within the agreement which is something he believed deserved further consideration when this matter is once again brought before the committee.

Regent Miyahira asked about the rationale for choosing to pursue a 90-year lease. VP Young replied that, in general, longer leases are more beneficial when it comes to business and financial planning. He discussed MW Group's business model which typically involves developments on land owned, rather than leased, by the entity. In the case of this project, all of MW Group's assets would be located on land owned by the university which could impact its business model should the length of the lease be too short. VP Young also noted the university and past board's aspirations to develop new, substantial, stable, and long-term revenue streams for the institution which is something a longer lease of the Lē'ahi parcel offers. Given these factors, it was believed that a 90-year lease term, essentially a lease in perpetuity, was the most beneficial choice for this project. However, VP Young stated the administration was willing to reopen discussions with MW Group to consider shortening the lease, although, in his opinion, anything less than 50 years would probably not be feasible.

Regent Akitake inquired about the annual lease rent being paid by MW Group via this agreement relative to market rent. VP Young replied that the default for estimating ground lease amounts is eight percent of the value of the land. In this case, an appraisal of the Lē'ahi parcel commissioned in 2020 determined the value of the property to be in the area of \$5 million. Thus, market lease rent for this land would fall somewhere in the vicinity of \$400,000 per year. As noted in the summary of major terms sheet contained in the materials packet, MW Group would be paying an annual base rent of \$210,000 for years four-through-ten of the lease with incremental increases occurring in subsequent years throughout the entirety of the lease term. VP Young acknowledged that based on the stated default formula, this calculation would be

approximately 50 percent below market rate. VP Young added that not part of the calculation is the qualitative value of the intangible benefits received by the university through this agreement including the use of the MW Group's assisted living facilities throughout the state for academic programming, as well as the potential for establishing student internships and apprenticeships. He also explained the basis for charging MW Group an annual base rent of \$12,000 for the first three years of the lease stating the majority of this time will be devoted to pre-construction planning and due diligence, such as obtaining permits and entitlements, and noted, at present, the university is receiving \$100 a month from the State Department of Health and Lē'ahi Hospital for use of the property as an employee parking lot. Director Shibata added that the lease rent agreed to by MW Group was by far the highest of any other offers received by the administration.

Regent Abercrombie shared his thoughts on the educational advantages the proposal could provide to university programs such as nursing and geriatrics noting these experiences will be invaluable to a student's academic and professional life.

Regent Tochiki sought clarification about the willingness of MW Group to discuss modifying the length of the lease's term. VP Young stated the administration has heard the input from and concerns raised by regents regarding the length of the lease and would be amenable to revisiting this issue in discussions with MW Group. However, he could not speak for MW Group.

In view of the extensive discussion on this matter, Regent Tochiki called for the question.

There having been a motion that was moved and seconded, and with the question being called, a roll call vote was taken, and the motion carried with all regents present voting in the affirmative.

Interim Chair Lee and Regent Paloma returned at 11:35 a.m.

Regent Akitake and Regent Mawae left at 11:35 a.m.

Regent Haning moved to approve Agenda Item VII.A.1, seconded by Interim Vice-Chair Wilson, and noting the excused absences of Regent Akitake and Regent Mawae, the motion carried with all other members present voting in the affirmative.

Regent Akitake and Regent Mawae returned at 11:40 a.m.

B. Request Board Approval of an Exception to RP 5.219 to Award the Title of Professor Emerita to Dr. Ruth Haas, Department of Mathematics, College of Natural Sciences at UHM

Provost Bruno referenced the numerous achievements of Dr. Haas spelled out in the memo for this request stating her positive and valuable contributions to the university, as well as dedicated service, merits approval of exceptions to RP 5.219 which establishes the criteria for the awarding of the Emeritus/Emerita title.

Regent Abercrombie spoke about the caliber of faculty at the university and commended the exceptional dedication, service, academic record, and accomplishments of Dr. Haas. He then moved to approve the exception to RP 5.219 and grant the title of professor emerita to Dr. Haas as recommended. The motion was seconded by Interim Vice-Chair Wilson and the motion carried with all members present voting in the affirmative.

C. Legislative Update

VP Young highlighted a number of measures and priority issues that the university followed at the Legislature this year, including the university's legislative package bills, as well as items of interest involving the administration and board. He briefly went over legislation regarding, among other things, the university's operating and capital improvement budgets passed by the Legislature which are currently awaiting action by the Governor, reviewing the major differences between the university's budget requests approved by the board and those authorized by the Legislature; university procurement; collective bargaining; technology transfer; innovation and commercialization; the cigarette tax; public agency and open-meetings requirements as they relate to the board; the Research Corporation of the University of Hawai'i (RCUH); and response, recovery, mitigation, and future planning issues relating to the Maui wildfires and wildfires in general. He also pointed out numerous resolutions related to the university that were taken up by the Legislature; talked about provisos contained within the state budget that place conditions upon the use of certain appropriations; and noted the deadlines for the governor to act upon bills passed by the Legislature.

Regent Abercrombie requested clarification on the purpose of funding provided within the operating budget for a community college statewide access master plan. VP Young replied that the appropriation for a statewide access master plan was not a university ask but may be linked to communications occurring last year between the community colleges and the Legislature regarding the development of a master plan for college access. VP Lacro added that the aforementioned funding is related to an initiative undertaken by the community colleges, based upon a legislative request, to identify areas where they believed training opportunities could be increased and develop a plan to expand access to the educational programming related to these subject matters at campuses statewide.

A conversation took place between Regent Abercrombie, VP Young, and VP Lacro regarding the necessity and intent of the funding for a community college statewide access master plan, whether this would be a recurring appropriation, and personnel costs, along with other expenses required for implementation of the plan.

Taking the above-mentioned discussion into consideration, Regent Abercrombie suggested the board seek greater clarity with respect to legislative intent for the community college statewide access master plan before it makes decisions on how these funds should be spent.

In light of Regent Abercrombie's statement, Interim Chair Lee stated the board should not become deeply involved in the operations of the institution and asked VP

Young to summarize the normal process for developing the university's expenditure plan for the fiscal year. VP Young stated that, under Regents Policy, the administration is required to present an expenditure plan for approval by the board which usually occurs sometime around August or September of any given fiscal year. He proceeded to briefly explain the process used to develop the operating budget reviewing some of the assumptions taken into consideration by system and campus administrators when formulating their respective expenditure plans, chief among them being the total amount of revenues expected to be received from the various sources of funds available for use by each unit. He also noted that specific funding for items such as a community college statewide access master plan is inconspicuously encompassed within the information on the spending plan presented to the board but is accounted for nonetheless.

Referencing statements made by legislators during his and Regent Akitake's confirmation hearings, Regent Abercrombie stressed the university's budget is the regent's budget and not the administration's budget. As such, the board should be provided specific details on the monies received by the university and how they are being allocated prior to considering approval of the budget.

Further discussions ensued about some of the details of the community college statewide access plan.

Regent Abercrombie asked if there was a reason for the \$2 million increase in funding for the Coconut Island sewer line upgrade project. VP Young stated that \$5 million was the original amount of funding appropriated for the Coconut Island sewer line upgrade project in the second year of the fiscal biennium. However, the means of financing for this project was changed from general funds to general obligation bond funds.

Citing limitations established by the legislative measure related to RCUH regarding new contracts, Regent Abercrombie questioned whether these restrictions were enumerated in the bill. VP Young replied that the bill related to RCUH explicitly establishes boundaries on the undertakings of the agency. He also stated this bill will have an impact not only on RCUH but other agencies utilizing its services, including the university. Regent Abercrombie requested a report regarding the implications of this bill, particularly with respect to its effects on the university, be provided to the board and appropriate board committee.

D. Board Self-Assessment

Interim Chair Lee explained that, in accordance with RP 2.204 which requires the board to conduct an annual self-study on, among other things, its performance, goals, responsibilities, and expectations, a self-assessment survey will soon be sent to regents. He urged all regents to complete the survey in a timely manner stating the intent was for its results to be discussed at the next, regularly scheduled meeting of the Committee on Governance.

VIII. EXECUTIVE SESSION (closed to the public)

Interim Vice-Chair Wilson moved to convene into executive session, seconded by Regent Abercrombie, and with all 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.

The meeting recessed at 12:23 p.m.

Interim Chair Lee called the meeting back to order at 1:17 p.m. and announced that the board met in executive session to discuss the matters as stated on the agenda.

IX. AGENDA ITEMS (Continued)

A. Personnel Actions (Attachment A-1 for approval)

Provost Bruno requested approval of the appointment of the appointment of Dr. Thomas Samuel Shomaker as the Dean of the UHM John A. Burns School of Medicine (JABSOM).

Regent Haning moved to approve the appointment of Dr. Thomas Samuel Shomaker as the Dean of JABSOM as requested, seconded by Interim Vice-Chair Wilson, and the motion carried with all members present voting in the affirmative.

X. ANNOUNCEMENTS

Interim Chair Lee announced that the next board meeting was scheduled for July 3, 2024, at UHM.

XI. ADJOURNMENT

There being no further business, Interim Chair Lee adjourned the meeting at 1:18 p.m.

Respectfully Submitted,

Yvonne Lau
Executive Administrator and Secretary
of the Board of Regents