Notice of Special Meeting UNIVERSITY OF HAWAI'I BOARD OF REGENTS

Board business not completed on this day will be taken up on another day and time announced at the conclusion of the meeting.

- **Date:** Thursday, September 5, 2024
- Time: 11:30 a.m.
- Place: University of Hawai'i at Mānoa Bachman Hall 1st Floor Conference Room 106A/B 2444 Dole Street Honolulu, HI 96822

See the Board of Regents website to access the live broadcast of the meeting and related updates: <u>www.hawaii.edu/bor</u>

ORDER OF THE DAY

I. Call Meeting to Order

II. Approval of the Minutes of the August 1, 2024, and August 15, 2024, Special Board Meetings

III. Public Comment Period for Agenda Items:

All communication from the Public to the Board of Regents is welcomed and distributed to all regents. To enable the Board to conduct its business, public comment at meetings may only be provided on agenda items noted below. Individuals who are unable to provide testimony at this time will be allowed an opportunity to testify when specific agenda items are called.

All comments on agenda items received after posting of this agenda and up to the end of the meeting will be distributed to the board as testimony. Written testimony may be submitted via the board's website through the testimony link provided on the Meeting Agendas, Minutes and Materials page. Testimony may also be submitted via email at bor.testimony@hawaii.edu, U.S. mail at 2444 Dole Street, Bachman 103, Honolulu, HI 96822, or facsimile at (808) 956-5156.

Those wishing to provide oral testimony virtually may register <u>here</u>. Individuals wishing to orally testify virtually are requested to register no later than 7:00 a.m. on the day of the meeting in order to be accommodated. Registration for inperson oral testimony on agenda items will also be provided at the meeting location 15 minutes prior to the meeting and closed at the posted meeting time. It is highly recommended that written testimony be submitted in addition to registering to provide oral testimony. Oral testimony will be limited to three (3) minutes per testifier.

If you need an auxiliary aid/service or other accommodation due to a disability, contact the Board Office at (808) 956-8213 or bor@hawaii.edu as soon as possible. Requests made as early as possible have a greater likelihood of being fulfilled. Upon request, this notice is available in alternate/accessible formats.

Although remote oral testimony is being permitted, this is a regular meeting and not a remote meeting by interactive conference technology under Section 92-3.7, Hawai'i Revised Statutes (HRS). Therefore, the meeting will continue notwithstanding loss of audiovisual communication with remote testifiers or loss of the public broadcast of the meeting.

All written testimony submitted are public documents. Therefore, any testimony that is submitted orally or in writing, electronically or in person, for use in the public meeting process is public information and will be posted on the board's website.

IV. Executive Session (closed to the public):

- A. Personnel and Legal Matters: (*To consider the hire, evaluation, dismissal, or discipline of an officer or employee or of charges brought against the officer or employee where consideration of matters affecting privacy will be involved, pursuant to Section 92-5(a)(2), 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.)*
 - 1. Presidential Search Advisory Group Recommendations to the Board Following Candidate Interviews
 - 2. Board Discussion and Decision regarding Finalists
- V. Adjournment

If you need an auxiliary aid/service or other accommodation due to a disability, contact the Board Office at (808) 956-8213 or bor@hawaii.edu as soon as possible. Requests made as early as possible have a greater likelihood of being fulfilled. Upon request, this notice is available in alternate/accessible formats.

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

AUGUST 1, 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 Lee called the meeting to order at 12:30 p.m. on Thursday, August 1, 2024, at the University of Hawai'i (UH) at Mānoa, Bachman Hall, 1st Floor Conference Room 106A/B, 2444 Dole Street, Honolulu, Hawai'i, 96822, with regents participating from various locations.

<u>Quorum (11)</u>: Chair Gabriel Lee; Vice-Chairs Laurie Tochiki and Laurel Loo; Regents Neil Abercrombie, Lauren Akitake, Joshua Faumuina, William Haning, Wayne Higaki, Michael Miyahira, Diane Paloma, and Ernest Wilson.

<u>Others in attendance</u>: President David Lassner; Vice President (VP) for Administration Jan Gouveia; VP for Legal Affairs/UH General Counsel Carrie Okinaga; VP for Information Technology/Chief Information Officer Garret Yoshimi; UH-Hilo Chancellor Bonnie Irwin; Executive Assistant for the Board of Regents (Executive Assistant) Jamie Go; and others as noted.

II. PUBLIC COMMENT PERIOD

Executive Assistant Go announced the Board Office's receipt of written testimony from the Senate Executive Committee of the Mānoa Faculty Senate (MFS), Susan Pope, and Marguerite Butler regarding the appointment of Presidential Search Advisory Group (PSAG) members to fill vacancies. Additionally, two individuals signed up to provide oral testimony on this subject matter.

Erin Centeio, on behalf of the MFS, and Marguerite Butler offered verbal comments on the appointment of PSAG members to fill vacancies.

III. AGENDA ITEMS

A. Appointment of PSAG Members to Fill Vacancies

For the edification of newer regents, Chair Lee provided background information on the formation of the PSAG noting the methodology used to determine the group's membership. He then requested Regent Tochiki, one of the board's two liaisons to the PSAG, to provide a brief update of the status of the entity's work. Regent Tochiki mentioned her and Regent Wilson's service as board liaisons to the PSAG, noting their participation in meetings and planning discussions with the PSAG Co-chairs, WittKieffer, and board staff to assure the process was being conducted in a transparent, open, and fair manner and with the utmost integrity. She provided context to the filling of recently created vacancies on the PSAG; went over the upcoming timeline for PSAG activities including, among other things, meetings scheduled over the next week or so to review applications, the generation of a list of candidates the PSAG is recommending for further consideration and interview, and the presentation of this list to the board at a special meeting on August 15; pointed out the opening of an online portal for PSAG members and regents to view all applications received as of the application deadline of July 31, 2024; and stressed the need for PSAG members and regents to observe strict confidentiality throughout the process. It is hoped finalists for the position will be named in early September, with campus visits and in-person interviews with the board occurring throughout the month. The expectation remains for the board to name a new president of the university sometime in October.

Regent Wilson and Regent Tochiki expressed their gratitude for the work of the PSAG thus far and their commitment to an extraordinary amount of time and work over the next 30 days.

Jaret KC Leong and Erin Centeio, PSAG Co-Chairs, went over the rationale for the request to fill two existing vacancies on the PSAG and discussed the process used to select Lance Yamamoto and Tim Dolan as the nominees to fill those open seats. They reviewed some of the credentials of the named individuals as contained within the PSAG's memo to the board and sought board approval of these nominees for appointment to the PSAG.

Regent Miyahira asked if Mr. Yamamoto and Mr. Dolan were made fully aware of the time commitment and workload they will be encountering over the next two months. Mr. Leong responded in the affirmative stating both he and Ms. Centeio have had discussions with Mr. Yamamoto and Mr. Dolan to inform them of what was forthcoming.

Regent Abercrombie questioned whether there would be a conflict of interest for Mr. Dolan's appointment to the PSAG given his position as Chief Executive Officer of the University of Hawai'i Foundation (UHF). VP Okinaga explained that UHF is a private, 501(c)(3) organization, with its own board, and is a legally separate entity from the university. As such, she did not see a conflict of interest arising from his participation on the PSAG.

Chair Lee, Regent Haning, and Regent Abercrombie shared their thoughts on the nomination of Mr. Dolan to the PSAG with consensus being that he would be an asset to the group and to the presidential selection process.

Regent Wilson moved to appoint Lance Yamamoto and Tim Dolan to the PSAG, as recommended, seconded by Regent Haning, and the motion carried with all members present voting in the affirmative.

IV. EXECUTIVE SESSION (closed to the public)

Chair Lee announced it would not be necessary to have an executive session at this time.

V. ADJOURNMENT

There being no further business, Chair Lee adjourned the meeting at 12:55 p.m.

Respectfully Submitted,

Jamie Go Executive Assistant for the Board of Regents

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

AUGUST 15, 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 Lee called the meeting to order at 11:00 a.m. on Thursday, August 15, 2024, at the University of Hawai'i (UH) Maui College, Ka'a'ike Building Room 105BCD, 310 W. Ka'ahumanu Avenue, Kahului, Hawai'i, 96732, with regents participating from various locations.

<u>Quorum (11)</u>: Chair Gabriel Lee; Vice-Chairs Laurie Tochiki and Laurel Loo; Regents Neil Abercrombie, Lauren Akitake, Joshua Faumuina, William Haning, Wayne Higaki, Michael Miyahira, Diane Paloma, and Ernest Wilson.

<u>Others in attendance</u>: President David Lassner; Vice President (VP) for Legal Affairs/UH General Counsel Carrie Okinaga; Executive Administrator and Secretary of the Board of Regents (Board Secretary) Yvonne Lau; and others as noted.

II. <u>APPROVAL OF THE MINUTES OF THE JULY 3, 2024, AND JULY 18, 2024,</u> <u>SPECIAL BOARD MEETINGS</u>

Chair Lee inquired if there were any corrections to the minutes of the July 3, 2024, and July 18, 2024, special board meetings which had been distributed. Hearing none, the minutes for both meetings were approved.

III. PUBLIC COMMENT PERIOD

Board Secretary Lau announced that, while the Board Office did not receive any written testimony, one individual did sign up to provide oral comments.

Maximus Paschoal offered verbal comments on the search for a new President of UH.

IV. EXECUTIVE SESSION (closed to the public)

Prior to convening in executive session, Chair Lee provided an update on the board's search for the next President of UH stating it remains on schedule. He announced the receipt of over 90 applications for the position, thanked the Presidential Search Advisory Group for its hard work in reviewing the applications to determine its recommendations to the board for the next stage of the search, and spoke about the

board's plans to publicly identify finalists in September and hold a series of public forums to introduce them to all of the university's stakeholders. These public forums will give stakeholders the opportunity to speak with the finalists and offer feedback about each to the regents, who are ultimately responsible for making the final selection.

Regent Wilson moved to convene into executive session, seconded by Regent Faumuina, 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 or of charges brought against the officer or employee, where consideration of matters affecting privacy will be involved, pursuant to Section 92-5(a)(2), Hawai'i Revised Statutes (HRS), and to consult with the board's attorneys on question 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 11:04 a.m.

Chair Lee called the meeting back to order at 1:01 p.m. and announced that the board met in executive session to discuss and determine the matters as stated on the agenda.

V. ADJOURNMENT

There being no further business, Chair Lee adjourned the meeting at 1:06 p.m.

Respectfully Submitted,

Yvonne Lau Executive Administrator and Secretary of the Board of Regents

Item IV. Executive Session

ITEM TO BE DISCUSSED IN EXECUTIVE SESSION