

**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**

**OCTOBER 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 Lee called the meeting to order at 8:32 a.m. on Wednesday, October 16, 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.

Quorum (11): 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.

Others in attendance: President David Lassner; Vice President (VP) for Administration Jan Gouveia; 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. APPROVAL OF THE MINUTES OF THE SEPTEMBER 5, 2024 SPECIAL BOARD MEETING**

Chair Lee inquired if there were any corrections to the minutes of the September 5, 2024, special board meeting which had been distributed. Hearing none, the minutes were approved.

**III. PUBLIC COMMENT PERIOD**

Board Secretary Lau announced the Board Office's receipt of numerous pieces of written testimony regarding the selection of the next President of the University of Hawai'i. She also stated several individuals signed up to provide oral testimony on this matter.

Ben Creps, Marguerite Butler, Momi Bachiller, Sonja Giardina, Healani Sonoda-Pale, Nalani Minton, and Jill Nunokawa provided verbal comments on the selection of the next President of the University of Hawai'i.

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

[Written Testimony Received](#)

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

Prior to seeking a motion to enter into executive session, Chair Lee stated the appointment of the President of the University of Hawai'i was one of the, if not the most, important responsibilities of the regents as set forth in the Constitution of the State of Hawai'i. He then spoke about the selection process used to this point, which included, among other things, the formation of a 12 member Presidential Search Advisory Group and the offering of multiple opportunities for public interaction and engagement with the finalists via a number of open forums across the State; stressed the openness and transparency of the process, given the public's and State's interest in the next leader of the University of Hawaii; noted several television and newspaper articles during the past week which provided the public with further insight into each of the finalists; touched upon the express provision in Chapter 92-5(a)(2), Hawai'i Revised Statutes (HRS), which allows a board to properly convene in executive session to hire an employee, in view of the privacy interests involved, not just of the applicants themselves, but also respecting the privacy interests of references and members of the community who specifically chose to submit confidential feedback; pointed out Office of Information Practices Letter No. F24-03, and the Hawai'i Supreme Court Civil Beat Law Center decision in 2019 affirming this fundamental principle honoring the privacy interests of applicants, a principle honored by virtually every employer, and codified in Hawaii law for government employees; and drew attention to the limited number of written testimony requesting the board to conduct interviews and deliberations regarding the two finalists in public and not in executive session.

Regent Wilson moved to convene into executive session, seconded by Regent Haning, 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), 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 9:04 a.m.

Chair Lee called the meeting back to order at 2:50 p.m. and announced that, unless there were any objections, the meeting would be recessed until 9:00 a.m. on Thursday, October 17. No objections were raised by regents.

Respectfully Submitted,

Yvonne Lau  
Executive Administrator and Secretary  
of the Board of Regents