

**MINUTES**  
**BOARD OF REGENTS MEETING**  
**FEBRUARY 20, 2025**

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 10:10 a.m. on Thursday, February 20, 2025, 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, HI 96720, with regents participating from various locations.

Quorum (9): Chair Gabriel Lee; Vice-Chair Laurel Loo; and Regents Neil Abercrombie, Lauren Akitake, Joshua Faumuina, Wayne Higaki, Michael Miyahira, Diane Paloma, and Ernest Wilson.

Excused (2): Vice-Chair Laurie Tochiki and Regent William Haning.

Others in attendance: President Wendy Hensel; Vice President (VP) for Academic Strategy Debora Halbert; VP for Legal Affairs/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; Interim VP for UH Community Colleges (UHCC) Della Teraoka; UH-Mānoa (UHM) Provost Michael Bruno; UH-Hilo (UHH) Chancellor Bonnie Irwin; UH-West O'ahu Chancellor Maenette Benham; Hawai'i Community College Chancellor Susan Kazama; UH-Maui College (UHMC) Chancellor Lui Hokoana; Executive Administrator and Secretary of the Board of Regents (Board Secretary) Yvonne Lau; and others as noted.

Rising on a point of personal privilege, Regent Abercrombie acknowledged the presence Dr. Larry Kimura, a professor of Hawaiian Language and Hawaiian Studies in the Ka Haka 'Ula O Ke'elikōlani, College of Hawaiian Language at UHH and preeminent linguist, whom he considered to be a friend, mentor, and living treasure for all of Hawai'i.

**II. APPROVAL OF THE MINUTES OF THE JANUARY 16, 2025, MEETING**

Chair Lee inquired if there were any corrections to the minutes of the January 16, 2025, 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 written testimony from Keola Donaghy and the Association of Hawaiian Civic Clubs related to the awarding of an Honorary Doctorate of Humane Letters to Kahu Kenneth Makuakāne.

Dianne Deauna offered verbal remarks pertaining to the provision of compensation for Graduate Assistants employed by the university given its operating and capital improvement funding requests contained within legislation related to the State's operating and capital improvement budgets.

Students from Kua O Ka Lā New Century Public Charter School, Susie Osborne, and Keola Donaghy provided oral comments related to the awarding of an Honorary Doctorate of Humane Letters to Kahu Kenneth Makuakāne.

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

[Written Testimony Received](#)

#### **IV. AGENDA ITEM**

##### **A. Request to Award an Honorary Doctorate of Humane Letters to Kahu Kenneth Makuakāne, UHMC**

Chancellor Hokoana spoke about the long and illustrious career of award-winning composer, performer, arranger, and producer Kahu Kenneth Makuakāne highlighting several of his most notable accomplishments including, the composition of more than 1,500 songs; the production of over 200 albums; the feat of winning 27 Nā Hōkū Hanohano Awards, and the receipt of a Lifetime Achievement Award from the Hawai'i Academy of Recording Arts. Based upon his remarkable career, his immeasurable contributions to Hawaiian music, and his deep commitment to perpetuating the Hawaiian culture, much of which is reflected in the numerous letters received in support of this action, UHMC administration believes awarding an Honorary Doctorate of Humane Letters to Kahu Makuakāne is warranted and merits board approval.

Regent Wilson lauded the work and achievements of Kahu Makuakāne, sharing a personal story about the impact the Kahu's extraordinary compassion had on himself and his 'ohana with the passing of his son approximately three years ago. He then moved to approve the awarding of an Honorary Doctorate of Humane Letters as requested by UHMC. The motion was seconded by Regent Akitake and, noting the excused absences of Vice-Chair Tochiki and Regent Haning, the motion carried with all members present voting in the affirmative.

Kahu Makuakāne expressed his gratitude to the board and the university for bestowing this honor upon him and thanked his wife, family, friends, colleagues, church 'ohana, mentors, and the community for the love and support he has received throughout his career.

#### **V. REPORT OF THE PRESIDENT**

##### **A. Update on Federal Executive Orders and Policy Changes**

President Hensel updated regents on impacts being felt by the university, as well as institutions of higher education across the nation, as a result of rapidly evolving federal policies and Executive Orders being issued by the new Presidential Administration in

Washington, D.C. Although these federal directives have mainly affected things like research funding and any matter pertaining to what has been termed environmental justice, affirmative action, and diversity, equity, inclusion, and accessibility (DEIA), to date, their effects are being seen across the entire spectrum of higher education. The lack of definitions within the Executive Orders specific to the aforementioned terms has also led to confusion, uncertainty, and insecurity within the higher education community. However, recent communications received from the United States Department of Education (USDOE) and other federal departments and agencies providing information and guidance on, among other things, the interpretation of the Executive Orders as they relate to universities, compliance requirements, and penalties for non-compliance, which can include the loss of funding for student financial aid and research grant monies, in addition to civil and criminal penalties, offers some insight into the direction being taken by the new administration. Policy changes announced by the National Institutes of Health (NIH) nearly two weeks ago capping the payment of indirect costs for activities associated with research contracts at 15 percent, regardless of whether they are existing or prospective; the significant restriction or freezing of all research funding related to DEIA or environmental justice activities through earlier Executive Orders; and the continued issuance of stop work orders and termination notices relating to university research awards in the targeted categories, despite the issuance of a temporary restraining order to the contrary, are also of extreme concern given the titanic implications these changes could have on the university's finances, as well as students, faculty, staff, and the important research itself. Though it is believed the federal administration's ability to retroactively change existing practices and contracts may be limited, the power to establish them prospectively is generally viewed as being far broader when appropriate procedures are followed. As such, the university is supportive of litigation initiated by the State Attorney General to halt enforcement of these Executive Orders.

Besides the detrimental effects enforcement of these policy changes and Executive Orders could have on the university as an institution, the consequences for the university 'ohana also loom large as revenue streams used to subsidize the salaries of thousands of faculty and staff and avenues of financial support offering increased opportunities for individuals who might not otherwise be able to attend college to do so are being affected by these directives. Seeing as how the substantial amount of federal research funding received by the university on an annual basis provides both direct and indirect economic benefits to the state, there are also tangible impacts for the general public should the policy changes and Executive Orders proceed forward unabated or without alteration.

As it walks through this moment of upheaval and change, the university will remain steadfast in its core mission and values of accessible education and academic freedom for all and is committed to a measured, thoughtful, and consultative approach when dealing with this challenging environment. To this end, President Hensel informed the board about weekly, if not more frequent, meetings being held with university leadership, including all of the vice presidents, the UHM Provost, and the chancellors from every campus, to coordinate the institution's response to the myriad of issues stemming from federal directives and Executive Orders which are in constant flux. Other steps being taken by the university to proactively address and mitigate the impacts of these changes include the formation of an advisory council made up of representatives from various

university constituencies which will function as a forum for faculty, staff, and students to share their concerns and ideas and ensure community perspectives are incorporated into the universities response strategies; the initiation of a thorough review of policies, programs and positions to evaluate the university's compliance with the new federal mandates; and the creation of a website to serve as a one-stop resource and information center for the university community. Additionally, the university has teamed up with the University of Hawai'i Foundation (UHF) to launch a fundraising effort in support of graduate students impacted by the freezing of federal monies so as to ensure uninterrupted instruction for these individuals.

Even though challenges appear daunting and setbacks are expected, President Hensel expressed her belief in the institution's ability to weather the storm due in part to, its long history of standing up for the values held by its constituencies, principles which are built into the very fabric of the university. She also pledged to communicate frequently and clearly with the university 'ohana about this matter so as to better navigate this time with care, thoughtfulness, and resolve.

## **B. Update on Campus Tours**

The presidential tour of university campuses and education centers continues to proceed on schedule with six campuses and two workforce centers being visited to date. President Hensel shared a little about some of the experiences she has had on the tour thus far stating her message to every campus and education center stressed the importance of each to the success of the university system and emphasized the site visits were only the beginning of plans to have ongoing conversations about how to move forward together. She noted that, while each campus and education center has unique characteristics reflective of the communities they serve, they also share common concerns, challenges, and opportunities for improvement. A few of the early themes emerging from these sessions include the necessity of establishing a baseline standard of care across the university's ten-campus system in order to ensure each student has the same level of support and chance to succeed; the leveraging of technology to provide equitable access to students across the system, especially for campuses currently lacking in critical tools and technical resources; the streamlining of student pathways between community colleges and four-year campuses to allow for the seamless transition of academic credits and eliminate the need for articulation agreements within the university system; and the expanded use of Artificial Intelligence to improve student services, operations, and efficiency. Upon the completion of her tour, President Hensel stated she will return to the board with a vision of how to take the conversation to the next level and strengthen the system as a whole, achieving excellence in ways our campuses, as individual entities, cannot, and ensuring each campus has the resources and support they need to be the very best version of themselves.

## **C. Good News Around Campus**

President Hensel highlighted several notable accomplishments of, and accolades received by, campuses from across the university system including the presentation of the prestigious ACE/Fidelity Investments Award for Institutional Transformation 2025 to

Windward Community College in recognition of the campus's innovative efforts in expanding access to education, particularly through its fully online Hawaiian studies degree workforce-aligned programs and essential student support services; the launching of a new Bachelor of Education in Early Childhood Care and Education Program within UHM's College of Education which will provide candidates with the needed competencies and experiences to nurture and guide children from birth through age eight and address the critical shortage of early childhood educators in Hawai'i; and the kicking off of a new video series produced by UHCC showcasing how Native Hawaiian students are excelling academically across the seven community college campuses, while embracing traditional native Hawaiian values and knowledge, thereby capturing the manner by which the university's two-year institutions are fostering a supportive and empowering environment where Native Hawaiian students can thrive.

#### **D. UHH Campus and HawCC Campus Presentation**

Chancellor Irwin and Chancellor Kazama began their joint campus presentation by briefly reviewing student population statistics and demographics, along with enrollment statistics, relative to each institution, highlighting the diversity of students they serve but emphasizing these figures were not due to any special admissions policies or the like, but rather, a reflection of the diversity of Hawai'i Island. They then went over five-year enrollment trends for each campus, pointing out recent upticks in enrollment for HawCC and a slight decrease in enrollment experienced by UHH; touched upon some of the enrollment challenges faced by both campuses over the last several years, as well as strategies developed and work undertaken to stabilize and improve upon this metric of success, stating there were signs of hope on the horizon; provided data on non-credit enrollment at HawCC by industry, stressing these figures are not included in the overall headcount enrollment numbers; discussed Hawai'i Island's lower-than-average college-going rate among eligible high school students, in conjunction with comparative pre- and post-pandemic numbers for this statistic, noted the impact this has on enrollment figures; spoke about the reasons individuals on Hawai'i Island choose to forego a college education, which mainly revolves around economic factors, and efforts being made by both campuses to address this matter through initiatives such as the Upward Bound Program; noted 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, despite their two distinct missions; commented on the development of partnerships with other campuses within the university system to meet student educational requirements; delved into the creation, development, collaboration associated with, and implementation of, career pathways and workforce development initiatives which have been designed to address community needs, together with some of the challenges they face; mentioned a few of the academic successes for each campus such as HawCC's Model Home Project program and all-time high percentages realized by UHH in first-year retention rates, six-year graduation rates, and two- and three- year transfer graduation rates; shared stories about research projects at UHH which have drawn national attention; expounded upon the tremendous amount of community support enjoyed by both institutions; brought up collaborative undertakings with UHF staff assigned to the campuses which have resulted in the securing of funds for new scholarships and student financial aid packages; and gave an update on each institution's

accreditation status, going over procedures, timelines, and activities associated with the process. Chancellor Irwin also talked about several components of UHH's Strategic Enrollment Management Plan (SEMP), as well as the relationship they have with the campus's recently created 2025-2035 Integrated Strategic Plan, noting copies of both documents were contained within the materials packet, and cited ideas already under consideration to act upon the SEMP's goals and objectives. She added both documents were under review, in light of the recent federal Executive Orders, for compliance with federal law.

### **Faculty Report**

Karen Pellegrin, Chair of the UHH Faculty Congress, reported on the work conducted by the Faculty Congress over the past two years summarizing some of the major issues discussed as well as key actions taken during that timeframe including the approval of policies related to workload equivalencies and shared governance, new programs in areas of workforce need, and a new, harmonized UHH Integrated Strategic Plan, which Chancellor Irwin spoke about earlier. She also drew attention to a steady, albeit slow, increase in the amount of extramural research awards received by UHH each year, stating more investments in research infrastructure is key to accelerating this growth; talked about a concerning downward trend in overall headcount enrollment over the last decade or so, noting projections indicate these numbers will continue to decline if steps are not taken to address this matter; and highlighted the roles both of these performance indicators play in ensuring the economic well-being of the Hawai'i Island community.

Jana Smith, HawCC Academic Senate Chair, spoke about the mission and vision of the Academic Senate, which is focused on keeping students and student success front and center; the make-up and operations of the Academic Senate and the methodology used to conduct meetings so as to ensure inclusivity and productivity and allow faculty participation to the greatest extent possible; and the work done by this governance body over the past year such as reviewing and approving research and curriculum proposals and policies and offering support for HawCC's strategic plan. She also mentioned efforts undertaken to improve upon and increase transparency and communication between administrators and faculty members stating the Academic Senate's Executive Committee engages with Chancellor Kazama and her team on a monthly basis to discuss matters of import to HawCC and its faculty.

### **Student Report**

Chelbi Sirach Espiritu, President of the UHH Student Association (UHHSA), and Ryan Goforth, Vice President of UHHSA, highlighted several activities undertaken by UHHSA since the start of the current academic year to increase engagement with the Hawai'i State Legislature and legislators, meet basic student needs and address food insecurity, and improve the well-being of students, both academically and holistically. They also talked about UHHSA's involvement in consultation and the provision of feedback with respect to proposals aimed at increasing or establishing new student and student housing fees.

Meleana Ahia, Vice President of the Associated Students of the University of Hawai'i – HawCC (ASUH-HawCC) provided an update on some of the work and achievements of ASUH-HawCC such as engaging with various campus organizations to improve upon the overall student experience; initiating a collaboration with Vibrant Hawai'i to provide increased outreach to students and help support them in navigating the plethora of resources available to meet basic and other needs; attending conferences focused on leadership, growth, collaboration, and inclusivity in order to better serve HawCC's students; and strengthening ASUH-HawCC's newsletter. ASUH-HawCC is also actively recruiting to fill vacant positions within this governance body. Ms. Ahia went on to share a little about her personal experiences as a student at HawCC, expressing gratitude to her instructors, mentors, and the entire university 'ohana.

### **Staff Council and Native Hawaiian Council**

Chancellor Irwin noted the inclusion of a report from the UHH Staff Council within the materials packet stating this governance group opted out of presenting at today's meeting. The Native Hawaiian councils at each campus likewise chose not to provide an in-person presentation at today's meeting in light of the site visits and activities over the last day-and-a-half showcasing their work.

Referencing both campuses successes and noting some of the good work being conducted by each institution, Regent Miyahira encouraged the use of a more aggressive, proactive approach to bring about a greater awareness of these achievements amongst the State's decision makers and the general public. He then shared his thoughts on how, in his mind, this would be beneficial to each campus, especially when it comes to increasing enrollment numbers. Chancellor Irwin stated both UHH and HawCC have had turnover in staffing of their respective communications, marketing, and external relations offices and are working on hiring individuals for these positions in order to get the stories mentioned by Regent Miyahira out to the local community.

Regent Abercrombie thanked both campuses for the clarity and thoroughness of their presentations. He proceeded to offer his opinion on challenges being faced by institutions of higher education across the nation as a result of what is happening in the nation's political landscape, much of which was brought up earlier during President Hensel's remarks; share his thoughts on identity and mission alignment, issues he believed were the essence of the Integrated Strategic Plan mentioned by Chancellor Irwin; and stress the need to ensure clarity of the Integrated Strategic Plan with respect to the context in which the university is operating at present. He also praised President Hensel for her efforts in leading the university during the short time she has been in the position and recited the statutory definition of, and the requirements for exhibiting, the *Aloha Spirit*, a concept he believes the university should use as the basis for contending with external forces currently impacting the institution. Chancellor Irwin clarified that the remarks she made earlier about the components of the Integrated Strategic Plan were specific to the plan for UHH and not the university's overall strategic plan. However, conversations on the mission, vision, strategic plans, and roles of each campus as part of the larger university system have been occurring since President Hensel's arrival a few weeks ago and are ongoing.

Regent Faumuina asked Chancellor Irwin and Chancellor Kazama to provide him with a breakdown of tuition revenues and expenditures for each campus so he could gain a clearer understanding of the funds coming in and what they are being used for. He also inquired as to whether plans were being developed to address the potential loss of talented employees given the uncertainty surrounding the receipt of federal funding. Chancellor Irwin replied that the impacts of the Executive Orders and federal directives being issued are still being assessed, although they could be profound. However, as agreed to at the board meeting held earlier this month, President Hensel and Chair Lee have been delegated as the two individuals with sole authority to speak publicly on behalf of the university regarding such matters. Suffice it to say, President Hensel, system administrators, and the heads of each campus are meeting regularly to discuss any issues arising from things occurring at the federal level in order to develop a coordinated, systemwide response.

Referencing the uniqueness and numerous accomplishments of academic programming at UHH and HawCC, Regent Akitake praised both campuses for their work and echoed the remarks made by Regent Miyahira about the need to publicly highlight these programs and their achievements.

Regent Faumuina inquired about efforts being made by the Faculty Congress to address the downward trend in enrollment at UHH noted in its presentation. Dr. Pellegrin stated the Faculty Congress has provided substantial feedback on, and has worked collaboratively with the administration in the shaping and development of, UHH's new Integrated Strategic Plan, so as to allow for an increased focus on what programs the campus should be developing relative to community needs and, in turn, the prioritization of resources for these programs. Additionally, the Faculty Congress has been deeply engaged with the community to identify academic areas where growth is needed and has had discussions on factors contributing to declines in enrollment, along with ways to address them, such as improving outreach to socioeconomically disadvantaged communities across Hawai'i Island.

Regent Higaki lauded Chancellor Irwin, Chancellor Kazama, their teams, the faculty and staff, and especially the student leaders at UHH and HawCC for their efforts to, among other things, improve upon the programming, student experience, and academic successes of each respective institution.

Citing public comments made pertaining to the provision of equitable compensation for Graduate Assistants employed by the university, and in the interest of time, Regent Abercrombie asked if the administration could supply regents with more detailed information on the issues surrounding this matter as appropriate.

## **VI. REPORT OF THE STUDENT CAUCUS**

Chelbi Sirach Espiritu, UHH representative on the University of Hawai'i Student Caucus (UHSC), and Alexander Tang, acting as a representative for the UHM Graduate Student Organization, offered insights into the membership, meeting schedule, and operations of UHSC, noting it serves as the official representative and advocacy body for undergraduate and graduate students across the 10-campus university system and



serves as the liaison between its constituents and the university administration. They presented information on several transitions the UHSC has been dealing with including the appointment of a new student regent, the election of a new Executive Council, and modifications to meeting modality and frequency; spoke about the involvement of UHSC in systemwide committees like the University Council on Articulation, Artificial Intelligence Strategic Council, and Lamakū Advisory Group; touched upon the primary areas of responsibility for a myriad of UHSC's standing and ad hoc committees; went over some of the legislative activity undertaken, including the submittal of testimony on various bills with the potential to impact students; and discussed a few of the organization's upcoming activities and plans for the future.

Citing the use of Tuition and Fees Special Fund (TFSF) monies to compensate employees for temporary hazard pay resulting from a settlement negotiated between the State and public sector unions, Regent Abercrombie inquired as to whether UHSC's Legislative Action Committee has taken up this issue. Mr. Tang stated this matter was brought up during the last UHSC meeting which was held at UHM. At that time, it was UHSC's understanding that the negotiated temporary hazard pay compensation was funded via a manner prescribed by statute which requires the renumeration of fringe and other benefits to come from the same funding source used to pay for an employee's regular salary. Thus, TFSF monies must be used to fund the aforementioned temporary hazard pay compensation for any employee whose salary comes from this source. However, UHSC would be open to having someone from the administration provide additional information on this topic to the caucus at its next meeting on March 7.

Regent Abercrombie continued to press the issue informing the representatives from UHSC of the urgency of this matter given the legislative timetable, the amount of money involved, and the prospective impacts it could have on TFSF monies, seeing as there will be decades-long implications to pension and other retirement benefits as a result of this settlement which will need to be paid for in the future. He also described actions being taken with respect to the use of TFSF revenues in this manner as a raid on the fund; offered his thoughts on the fairness of using these monies to pay for a settlement negotiated between the State and public sector unions when student voices were not represented in those discussions; questioned the thoroughness of the university administration's communication with students about the particulars of the situation; pointed out the unprecedented nature of this negotiated settlement stating it was not within the normal course of events; pointed out some of the financial impacts this action will have on the State's Employees Retirement System noting it will be in the hundreds of millions of dollars over and above the nearly half-a-billion dollars already being expended for hazard pay compensation; expressed his belief in the Governor's and Legislature's lack of understanding concerning the true costs of the negotiated settlement; and urged UHSC to schedule an emergency meeting on this topic and take this opportunity to stand up for their constituency.

Regent Faumuina raised a point of order and reminded regents to be mindful of their tone when addressing students and student government leaders as they deserve respect. After having spent a tremendous amount of time with UHSC over the course of nearly a year, he expressed his gratitude for the work and effort of this governance group, its

members, and its leaders, stating they take their jobs seriously and really care about the issues facing students throughout the university system.

Mr. Tang thanked the regents for their remarks and stated he and Ms. Espiritu will bring the concerns raised back to UHSC's Executive Council to determine if further action is warranted.

## **VII. CONSENT AGENDA**

### **A. Approval of a Request to Restore the Master of Laws Program (LLM) Nonresident Tuition Rate at the William S. Richardson School of Law (WSRSL)**

### **B. Approval of a New UHH Student Athletic Fee**

### **D. Approval of a Request to Implement a New Student Engagement Fee UHH**

Barring any objections from regents, Chair Lee stated he would be removing Agenda Item VII.C from the consent agenda and placing it on the regular agenda for further discussion. No objections were raised by regents.

Regent Miyahira moved to approve the consent agenda, with the exception of Agenda Item VII.C and the motion was seconded by Regent Wilson.

Regent Abercrombie sought clarification as to whether revenues generated by the restoration of the nonresident tuition rate for the LLM Program and the noted fee requests would be deposited into the TFSF. Since it is specifically tuition related, VP Young stated monies received from the restoration of the LLM nonresident tuition rate at WSRSL would be placed within the TFSF. However, at present, he was not certain about the existence of special fund or revolving fund accounts at UHH capable of accepting the funds generated by the respective fees. Should there be no such accounts, then those monies would be inured to the TFSF. Chancellor Irwin confirmed the existence of special fund or reserve accounts for UHH Athletics and the Student Life Center to which revenues from the respective fees would be deposited but was not positive about a similar type of fund being in place for the Student Engagement Fee and would need to confirm this.

There having been a motion that was moved and seconded, a roll call vote was taken, and noting the excused absences of Vice-Chair Tochiki and Regent Haning, and the no vote of Regent Abercrombie, the motion carried with all other members present voting in the affirmative.

### **C. Approval of an Increase in the Student Life Center (SLC) Fee at UHH**

Referencing conversations about the magnitude and timing of the requested SLC Fee increase which took place at the Committee on Student Success meeting held earlier this month, Regent Miyahira moved to modify the proposal put forth by requiring the increase to be phased in over a three-year period with 40 percent of the total recommended amount of the fee increase being levied in year one, 30 percent in year two, and 30 percent in year three. He stated he had a discussion about this proposal

with Chancellor Irwin who concurred that it would be workable for UHH. Regent Higaki seconded the motion to amend the initial proposal as stated by Regent Miyahira.

There having been a motion that was moved and seconded, a roll call vote was taken, and noting the excused absences of Vice-Chair Tochiki and Regent Haning, the motion carried with all members present voting in the affirmative.

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

Regent Faumuina moved to convene into executive session to discuss the executive session item as listed on the agenda, seconded by Regent Akitake, and noting the excused absences of Vice-Chair Tochiki and 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), Hawai'i Revised Statutes (HRS).

The meeting recessed at 11:10 a.m.

Chair Lee called the meeting back to order at 11:37 a.m. stating the board met in executive session to discuss the matters as noted on the agenda.

### **IX. AGENDA ITEMS (continued)**

#### **A. Semi-Annual Extramural Awards Update**

VP Symos offered some general remarks on the university's receipt of extramural awards which, as of February 19, 2025, stood at roughly \$550 million with just around four-and-a-half months left in the fiscal year. While this figure is over \$100 million more than what was received during the same period last fiscal year and the current trajectory seems to indicate the university will witness another record-breaking year in extramural funding received, he cautioned that the major unknown was whether or not the university would be allowed to expend these monies given the slew of Executive Orders and federal directives issued over the past month. VP Symos also drew attention to trend data on the amount of extramural awards received by campus which was contained within the materials packet and noted the success rate of faculty in obtaining extramural awards which he described as being phenomenal.

To gain a better understanding of the impacts the Executive Orders and federal directives could conceivably have on the university's receipt and expenditure of extramural research funding, VP Symos spoke about the diversity of agencies and organizations to which faculty submit research proposals and from which research funding is obtained, reviewing figures related to funding sought, revenues received, and expenditures from sponsoring agencies since 2022. He shared his perspectives on the affects he and his office believe the Executive Orders and federal directives will have on extramural funding received from five of the larger sources of these kinds of monies including the United States Department of Defense, USDOE, NIH, the National Science Foundation, and the National Oceanic and Atmospheric Administration; called attention to the university's receipt of 30 stop-work orders and two termination orders as of this

morning; and repeated information provided earlier by President Hensel about the coordination of fundraising efforts with UHF to provide support to graduate students impacted by the actions of the federal government. He also briefly discussed cost recovery for indirect research expenses, something of paramount importance to research operations, which also has the potential of being impacted by the activities of the federal government, although, in his opinion, reductions in what are commonly referred to as F&A costs, will be difficult given the amount of time it takes to negotiate these payments. While a tremendous amount of uncertainty about the state of affairs with respect to extramural funding remains, the Office of the Vice President for Research and Innovation, in conjunction with the university administration, continues to monitor and discuss the situation daily.

Regent Abercrombie asked whether F&A costs referred to what generally would be termed overhead costs and sought clarification on what this amounted to for the university. VP Symos replied that F&A costs did refer to overhead costs. For research projects executed at UHM, the negotiated F&A rate is 45.5 percent, while the rate negotiated for projects conducted at Kaka'ako via the UH Cancer Center or John A. Burns School of Medicine is 56.5 percent.

Given VP Symos's response to Regent Abercrombie's inquiry, Regent Miyahira asked if his understanding was correct that modifications to the F&A rates being considered would impact projects where such a rate was already negotiated and approved, and therefore, would be a failure to honor a previous commitment. VP Symos responded in the affirmative stating this was one of the reasons why he believed doing so would be difficult. He also noted this was something attempted in 2017 during President Trump's first term in office. In response to this, Congress placed provisions in every appropriations bill whereby unilateral decisions cannot be made with respect to adjusting indirect cost rates, language which continues to be placed in funding measures to this day.

Regent Abercrombie shared his thoughts on, and engaged in discussion with VP Symos about, the national political climate with respect to extramural research funding; the administration of President Trump capping the recovery of indirect costs for research projects at 15 percent and the impacts this will have on the university; legal actions already initiated to address this matter, in addition to the potential for future legal challenges, and the time it will take for their resolution in the courts; and the necessity of the university administration operating on the basis of drastic reductions occurring in the realm of federal research funding.

Regent Wilson suggested the administration keep the board and regents apprised of the situation as often and as quickly as possible particularly since it is changing on a day-to-day basis and is something of crucial importance to the university and the state.

## **B. Legislative Update**

- 1. Pursuant to Section 92-2.5(e), HRS, Chair Lee and Vice Chair Tochiki report on attendance at the Legislative Informational Briefing for the House Committee on Finance on January 13, 2025**

- 2. Pursuant to 92-2.5(e), HRS, Chair Lee, Vice Chair Tochiki, and Regent Abercrombie report on attendance at the Joint Legislative Informational Briefing for the Senate Ways and Means and Higher Education Committee on January 17, 2025**
- 3. Pursuant to 92-2.5(e), HRS, Chair Lee and Vice Chair Tochiki report on attendance at the Legislative Informational Briefing for the Senate Committee on Higher Education on January 23, 2025**

As required under Section 92-2.5(e), HRS, Chair Lee reported on his and Vice-Chair Tochiki's attendance at informational briefings held by the House Committee on Finance on January 13, 2025, and the Senate Committee on Higher Education on January 23, 2025. He also noted himself, Vice-Chair Tochiki, and Regent Abercrombie attended an informational briefing held jointly by the Senate Committee on Ways and Means and Senate Committee on Higher Education on January 17, 2025.

#### **4. Legislative Update**

Chair Lee referenced the materials for this agenda item which were contained within the board packet and thanked VP Young for the thoroughness of the information provided.

- 5. Potential Action on Pending Legislation (HB50, HB403, HB1329, HB1453, SB270, SB372, SB381 SD1, SB741, SB1253, SB1254, SB1556, SB1617, SB1651 SD1, GM624)**

Due to time constraints, this agenda item was deferred.

### **X. ANNOUNCEMENTS**

Chair Lee announced that the next board meeting was scheduled for March 20, 2025, at Windward Community College.

### **XI. ADJOURNMENT**

There being no further business, Chair Lee adjourned the meeting at 12:01 p.m.

Respectfully Submitted,

/S/

Yvonne Lau  
Executive Administrator and Secretary of  
the Board of Regents