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## HOUSE CONCURRENT RESOLUTION

REQUESTING A REVIEW AND EVALUATION OF THE UNIVERSITY OF HAWAII  
BOARD OF REGENTS' CONFLICT OF INTEREST POLICY.

1           WHEREAS, section 84-17(c)(9), Hawaii Revised Statutes  
2 (HRS), requires the members of every state board and commission  
3 whose original terms of office are for periods exceeding one  
4 year and whose functions are not solely advisory, to file  
5 annually a disclosure statement of financial interest with the  
6 Hawaii State Ethics Commission; and

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8           WHEREAS, although section 84-17(d)(4), HRS, requires that  
9 the financial disclosure statements of the president, vice  
10 presidents, assistant vice presidents, chancellors, and the  
11 provosts of the University of Hawaii be made part of the public  
12 record, no such requirement is imposed on the University of  
13 Hawaii Board of Regents (BOR); and

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15           WHEREAS, in the recent past, numerous occurrences of actual  
16 and potential conflicts of interest have arisen during  
17 proceedings of the BOR; and

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19           WHEREAS, even though members of the BOR may excuse  
20 themselves from voting, a question still remains as to whether a  
21 member with a declared conflict of interest should be allowed to  
22 participate in discussions regarding an issue in which the  
23 member may have an interest, because the member's presence  
24 during the discussion may still influence the decisions of  
25 fellow members; and

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27           WHEREAS, in 2004 a team was sent by the Accrediting  
28 Commission for Senior Colleges and Universities of the Western  
29 Association of Schools and Colleges (WASC) to evaluate the  
30 University of Hawaii's accreditation and reorganization status;  
31 and

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33           WHEREAS, the WASC team found that several critical problems  
34 "threaten the long-term achievement of the stated aspirations



1 and, importantly, from the perspective of WASC, raise  
2 significant issues of the performance of the University under  
3 the Standards of Accreditation and threatens the continued  
4 accreditation of the senior college campuses," and one of these  
5 problems was the primary focus of the BOR not on policy making  
6 and oversight of management, but rather on problems involving  
7 conflict of interest issues; and  
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9 WHEREAS, making the financial disclosure statements of  
10 members of the BOR part of the public record may curtail the  
11 need for BOR members to spend an inordinate amount of time  
12 deliberating conflict of interest issues; now, therefore,  
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14 BE IT RESOLVED by the House of Representatives of the  
15 Twenty-third Legislature of the State of Hawaii, Regular Session  
16 of 2006, the Senate concurring, that the Auditor is requested to  
17 review and evaluate the University of Hawaii Board of Regents'  
18 conflict of interest policy; and  
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20 BE IT FURTHER RESOLVED that the Auditor is requested to  
21 make a recommendation on whether the financial disclosure  
22 statements of the members of the BOR, required under section 84-  
23 17, HRS, should be made available for review by the public; and  
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25 BE IT FURTHER RESOLVED that the Auditor is requested to  
26 submit a report of any findings and recommendations to the  
27 Legislature no later than twenty days prior to the convening of  
28 the Regular Session of 2007; and  
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30 BE IT FURTHER RESOLVED that certified copies of this  
31 Concurrent Resolution be transmitted to the Auditor and the  
32 members of the University of Hawaii Board of Regents.  
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OFFERED BY: *Cindy Evans*

MAR 15 2006

