

SB 1387

University of Hawai'i
Regents Candidate Advisory Council

Karl Fujii, Chair
Neil Bellinger, Vice Chair
L. Thomas Ramsey, Secretary
Andres Albano, Member
Nelson Beftel, Member
Joseph Blanco, Member
Sommerset Wong, Member

THE HONORABLE SENATOR BRIAN T. TANIGUCHI, CHAIR
Senate Committee on Higher Education
Hawaii State Legislature
Regular Session of 2013
State of Hawaii

February 4, 2013

LEGISLATIVE TESTIMONY PROVIDING TECHNICAL COMMENTS TO
S. B. 1387
RELATING TO THE REGENTS CANDIDATE ADVISORY COUNCIL

Hearing Date:
Tuesday, February 5, 2013, 3:00 pm House Conference Room 414

Submitted by:
OFFICERS OF THE REGENTS CANDIDATE ADVISORY COUNCIL
UNIVERSITY OF HAWAII

Chair Taniguchi, Vice-Chair Kahele, and members of the Senate Committee on Higher Education:

The officers of the Regent Candidate Advisory Council of the University of Hawaii (RCAC) submits for the Committee's consideration the following amendments to S. B. 1387.

This proposed legislation calls for amending section 304A-104.5, HRS, to give the governor the authority to reject the list of nominees to the board of regents of the University of Hawaii presented by the regents candidate advisory council and require the regents candidate advisory council to provide another list of nominees within sixty days.

Preserving the Transparency of the existing RCAC Process

We propose that the proposed language be further modified to preserve the transparency of the existing RCAC process. Depending on the number of vacancies needing to be filled for each "class of regent" (regent vacancies from the same county or at-large regents), the RCAC must provide a list that has a set quantity of regent candidates for the governor's consideration. We believe the rejection of the candidate list shall occur only after (1) the Governor personally interviews each and every candidates presented by the RCAC for each class of regent, and (2) the Governor publicly disclosing in writing the governor's specific objections for rejecting each candidate put forth on the list provided by the RCAC. Such information would be instructive for preparing a subsequent list the RCAC shall furnish the Governor.

Additional Time to Supply a New List of Candidates

Should the governor's actions require the RCAC to furnish a new list of regent candidates, we suggest the RCAC be afforded a minimum of ninety (90) days or more, depending on the number of minimum candidates that must be submitted by statute.

Terms of RCAC Members

We also suggest this committee consider if it is appropriate whether the appointments of the the Senate President, Speaker of the House, and Governor, run co-terminus with their respective offices, and/or if limits should be imposed on how long any RCAC member may serve continuously as a member on the RCAC.

It is important to note that the Western Association of Schools and Colleges (WASC) and the Accrediting Commission for Community and Junior Colleges (ACCJC) have gone on record to say their focus on accreditation is how the Board is functioning. The issue of how UH Regents are selected, or the qualifications of members of the Board of Regents was never raised as an issue in any UH campus accreditation. In addition to the RCAC screening process, the governor remains the appointing authority for the Board of Regents. The Senate also continues to provide the important role of advise and consent on the Governor's nominee.

The RCAC selection process involves seeking out university regent candidates who are broadly representative of the public interest and public good, bring diverse skill sets and points or views to the board, and have the commitment and qualifications to serve. The Council's selection process is comprehensive, transparent, well balanced, and solely and exclusively merit-based. The compilation of candidate regents lists occurs only after the RCAC completes its comprehensive review and selection process. It is significant that for the first time in the UH's 100-year existence, the RCAC process encourages all UH stakeholders to participate in the selection process by submitting BOR candidates for consideration.

In closing, we strongly urge the Committee to consider these suggested amendments.

Karl Fujii, Chair
Neil Bellinger, Vice-Chair
L. Thomas Ramsey, Secretary
Regents Candidate Advisory Council
University of Hawaii
Ph.: 808.692.1218
Email: borapp@hawaii.edu



Senate Committee on Higher Education
Tuesday, February 5, 2013
3:00 p.m.

SB 1387, Relating to the Regents Candidate Advisory Council.

Dear Chairman Taniguchi and Committee Members:

On behalf of the University of Hawaii Professional Assembly (UHPA), our union believes that the current candidate advisory council for the Board of Regents should be eliminated. SB 1387 seeks to make changes that simply avoid giving the Governor the direct authority to nominate and appoint Board of Regent members. UHPA does not support the approach suggested in SB 1387. The presence of a candidate advisory council has not shown to advance the interests of the faculty nor the University of Hawaii.

UHPA believes that the Governor should have the authority to nominate and appoint the Board of Regents without the encumbrance of an advisory committee in any form. The Governor will be held accountable for their choice for Board of Regent appointments through Senate consent.

UHPA encourages the Committee to seek the elimination of the candidate advisory council, not the approach advanced in SB 1387.

Respectively submitted,

Kristeen Hanselman
Associate Executive Director

UNIVERSITY OF HAWAII
PROFESSIONAL ASSEMBLY

1017 Palm Drive · Honolulu, Hawaii 96814-1928
Telephone: (808) 593-2157 · Facsimile: (808) 593-2160
Web Page: <http://www.uhpa.org>



From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 04, 2013 1:52 PM
To: HRETestimony
Cc: noelk@hawaii.edu
Subject: Submitted testimony for SB1387 on Feb 5, 2013 15:00PM
Attachments: =utf-8BVGHlIHByb3Bvc2FslGRvZXNu4oCZdCBzb2x2ZSB0aGUgZXNzZW50aWFsIHByb2JsZW0gb2YgYSBCT1lgZG9taW5hdGVklGJ5IHVvbGl0aWNhbGx5IGFwcG9pbnRIZCByZWdlbnRzIHdobyBkbyBub3QgaGF2ZSB0aGUga25vd2xlZGdlIHVlIG1ha2UgY3JpdGljYWwgZGVjaXNpb25zIGFib3V0IHRoZSB1bml2ZXJzaXR5LmRvY3g=

SB1387

Submitted on: 2/4/2013

Testimony for HRE on Feb 5, 2013 15:00PM in Conference Room 414

Submitted By	Organization	Testifier Position	Present at Hearing
Noelk	Individual	Comments Only	Yes

Comments: How does this proposal enable people with knowledge to become part of the BOR? It is still politically-driven. We need to revame the way in which regents are chosen and guarantee that at least half have real, substantive ties to the UH. The can make this a functional body.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov