
A BILL FOR AN ACT

RELATING TO THE UNIVERSITY OF HAWAII.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. On August 29, 2012, pursuant to senate rule 20,
2 the senate president appointed a senate special committee on
3 accountability to conduct informational briefings to review the
4 oversight, accountability, and transparency of the operational
5 and financial management of the University of Hawaii system,
6 including but not limited to the University of Hawaii's athletic
7 department.

8 The committee held informational briefings on September 24,
9 2012, and October 2, 2012. The committee found, among other
10 things, that members of the board of regents would benefit from
11 receiving training to better understand its own policies and
12 procedures as well as training on Hawaii's sunshine and open
13 records laws.

14 The purpose of this Act is to adopt the committee's
15 recommendations that the board of regents be required to receive
16 annual training and certification on:

17 (1) Board of regents policies and procedures; and



1 (2) Part I of chapter 92 and chapter 92F, Hawaii Revised
2 Statutes, to ensure greater openness and transparency.

3 SECTION 2. Chapter 304A, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 "§304A- Regents; mandatory training; certification. (a)

7 All board of regents members shall be required to complete
8 annual training on:

9 (1) All board of regents policies and procedures,
10 including but not limited to the regents' fiduciary
11 duty to set aside competing interests to protect the
12 assets of the institution; protect and develop the
13 financial and intellectual resources, personnel,
14 reputation, and other assets of the University of
15 Hawaii; and advance the mission of the University of
16 Hawaii;

17 (2) Part I of chapter 92, including but not limited to the
18 following:

19 (A) Requirements governing the discussions,
20 deliberations, decisions, and actions of the
21 board and its members;

22 (B) Notice requirements for public meetings;



- 1 (C) Penalties for noncompliance; and
- 2 (D) The intent of the legislature that provisions in
3 chapter 92 requiring open meetings are to be
4 liberally construed and that provisions providing
5 exceptions to open meeting requirements are to be
6 strictly construed; and
- 7 (3) Chapter 92F, including but not limited to the
8 following:
- 9 (A) Requirements governing the disclosure of
10 government records; and
- 11 (B) Conditions under which disclosure of government
12 records is excepted.
- 13 (b) The training required by subsection (a) shall be
14 completed no later than August 1 of each year; provided that a
15 new regent shall complete the training within three months of
16 the regent's confirmation to the board of regents.
- 17 (c) The training required by subsection (a) (2) and (3)
18 shall be conducted by an agency outside of the university, such
19 as the office of information practices. The training required
20 by subsection (a) (1) shall be conducted by the university
21 general counsel.



1 (d) For the training required by subsection (a)(1), the
2 university general counsel shall provide each regent with a
3 certification that the regent successfully completed the
4 training. For the training required by subsection (a)(2) and
5 (3), the training agency shall provide each regent with a
6 certification that the regent successfully completed the
7 training. For purposes of this subsection, certification may
8 include requiring that each regent pass a test on the training's
9 subject matter. The university general counsel and the training
10 agency may develop appropriate test questions and determine what
11 shall constitute a passing score.

12 (e) If a regent fails to meet the annual training
13 requirements of this section more than once during the regent's
14 term, the governor shall immediately remove the regent and shall
15 nominate and, with the advice and consent of the senate, appoint
16 a new regent who shall serve the remainder of the term."

17 SECTION 3. New statutory material is underscored.

18 SECTION 4. This Act shall take effect on July 1, 2013.



Report Title:

University of Hawaii Board of Regents; Training

Description:

Requires the University of Hawaii Board of Regents to complete annual training on board policies and procedures, Hawaii's Sunshine Law, and Hawaii's open records law. Requires the removal of a regent who fails to meet specified conditions. Effective July 1, 2013. (HB1070 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

