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

4 "§304A- University of Hawaii at Manoa; office of the
5 ombuds. (a) There is established at the University of Hawaii
6 at Manoa the office of the ombuds, which shall be attached
7 administratively to the chancellor of the University of Hawaii
8 at Manoa.

9 (b) The office of the ombuds shall provide assistance to,
10 and enhance the communication of, the views and voices of
11 faculty, students, staff, and the surrounding community through
12 investigation, analysis, mediation, and public reporting.

13 Assistance provided by the office of the ombuds shall include:

14 (1) Providing an office to register confidential
15 complaints, problems, or issues:

16 (A) Confidentiality shall be granted upon request,
17 unless disclosure is otherwise required by law or



1 there exists an imminent risk of serious harm;
2 and
3 (B) Ombuds staff shall not disclose the identity of
4 persons who seek assistance, and the contents of
5 communications with those persons, or third
6 parties the person requesting assistance
7 authorizes ombuds staff to contact, shall be
8 privileged. The privilege may be waived only by
9 the office of the ombuds;
10 (2) Providing impartial and neutral advocacy for fair
11 processes, considering the rights of all parties, and
12 taking no personal stake in the outcome of any matter
13 brought to the attention of the office of the ombuds;
14 and
15 (3) Operating as an independent office not directed or
16 limited by the chancellor of the University of Hawaii
17 at Manoa in the course of providing assistance in any
18 particular matter and observing the confidentiality
19 required by paragraph (1) in any communications with
20 the chancellor regarding its handling of matters,
21 generally.



- 1 (c) Issues that may be brought to the attention of the
2 office of the ombuds shall include the following:
- 3 (1) Communicating the views and voices of students,
4 faculty, and staff to decision makers;
- 5 (2) Harassment or discrimination;
- 6 (3) Violations of University of Hawaii at Manoa policy;
- 7 (4) Professional and organizational disputes;
- 8 (5) Ethical dilemmas;
- 9 (6) Cultural misunderstandings;
- 10 (7) Conflicts of interest;
- 11 (8) Student employment issues and disputes;
- 12 (9) Assistance to administrators and regents in analyzing
13 and framing difficult issues;
- 14 (10) Disputes between the university and the community at
15 large;
- 16 (11) Health and safety concerns;
- 17 (12) Availability and transparency of public information
18 regarding university policies, finances, decisions,
19 and programs;
- 20 (13) Academic freedom; and
- 21 (14) Threats or retaliation.



1 (d) When responding to requests for assistance under this
2 section, the office of the ombuds:

3 (1) May:

4 (A) Offer information about University of Hawaii at
5 Manoa policies and procedures;

6 (B) Identify a range of options for resolving a
7 particular matter;

8 (C) Have access to information and offer referrals to
9 other resources;

10 (D) Facilitate communication, whether directly or
11 indirectly; and

12 (E) Provide other services, including mediation,
13 reasonably necessary to fulfill the purposes of
14 this section; and

15 (2) May not:

16 (A) Make policy or administrative decisions on behalf
17 of administrators or staff;

18 (B) Establish, change, or set aside policies of the
19 University of Hawaii at Manoa;

20 (C) Offer legal advice or psychological counseling;



1 (D) Participate in grievances or other formal dispute
2 resolution processes; or

3 (E) Serve as an agent of notice for University of
4 Hawaii at Manoa or as an advocate for any person
5 seeking assistance.

6 (e) Subject to subsection (b)(3), the office of the ombuds
7 shall have access to and have authority to track statistics
8 regarding requests for assistance received by the office and may
9 communicate perceived issues and trends, and make
10 recommendations for institutional improvements, to the
11 chancellor of the University of Hawaii at Manoa and other
12 appropriate officials.

13 (f) All offices and employees of the University of Hawaii
14 at Manoa shall timely respond to and provide assistance as
15 reasonably requested by the office of the ombuds. As necessary,
16 the chancellor of the University of Hawaii at Manoa shall use
17 the powers of the chancellor's office to secure the assistance
18 required by this subsection."

19 SECTION 2. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$ or so much
21 thereof as may be necessary for fiscal year 2015-2016 and the



1 same sum or so much thereof as may be necessary for fiscal year
2 2016-2017 to establish and operate the office of the ombuds at
3 the University of Hawaii at Manoa.

4 The sums appropriated shall be expended by the University
5 of Hawaii for the purposes of this Act.

6 SECTION 3. New statutory material is underscored.

7 SECTION 4. This Act shall take effect on July 1, 2525.



Report Title:

University of Hawaii at Manoa; Office of the Ombuds

Description:

Establishes the Office of the Ombuds at the University of Hawaii at Manoa. Appropriates funds to establish and operate the office. (HB96 HD1)

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