
A BILL FOR AN ACT

RELATING TO THE UNIVERSITY OF HAWAII.

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

1 PART I

2 SECTION 1. The legislature finds that hiring students at
3 universities benefits both the student and the university.
4 Hired students have the ability to earn income as they are
5 learning from their jobs either on-campus or off-campus. Many
6 campus programs are highly dependent on entry-level, as well as
7 experienced and specialized, flexible staff. At the University
8 of Hawaii, approximately four thousand students work an average
9 of twelve hours per week while enrolled as full-time students.
10 These student employees depend on part-time work to help pay for
11 tuition, fees, and educational and living expenses. The
12 University of Hawaii spends approximately \$22,000,000 system-
13 wide for undergraduate and graduate student employees, funded by
14 general funds, tuition and fees, and federal work-study funds.

15 The purpose of this part is to provide funds for the
16 University of Hawaii to pay student employee salaries at new or
17 expanded worksites on each campus.



1 SECTION 2. There is appropriated out of the general
 2 revenues of the State of Hawaii the sum of \$ or so much
 3 thereof as may be necessary for fiscal year 2015-2016 and the
 4 same sum or so much thereof as may be necessary for fiscal year
 5 2016-2017 to fund students employed at new or expanded worksites
 6 at each University of Hawaii campus; provided that:

- 7 (1) The vice chancellor for students at each University of
 8 Hawaii campus shall be allocated funds according to
 9 full-time student enrollment; and
- 10 (2) Funding priority may be given to students employed for
 11 university programs supporting access, retention, and
 12 diversity over other student employees.

13 The sum appropriated shall be expended by the University of
 14 Hawaii for the purposes of this part.

15 PART II

16 SECTION 3. The legislature finds that the establishment of
 17 a graduation pathway system, with its potential to strengthen
 18 educational outcomes for higher education students across the
 19 State, is a matter of statewide concern.

20 The purpose of this part is to require the University of
 21 Hawaii to develop the graduation pathway system, including



1 structured, default pathways to graduation, meta-majors,
2 academic maps, cornerstone classes, and highly-structured
3 options.

4 SECTION 4. Chapter 304A, Hawaii Revised Statutes, is
5 amended by adding a new section to subpart A of part I to be
6 appropriately designated and to read as follows:

7 "S304A- Graduation pathway system. (a) The university
8 shall develop the graduation pathway system to ensure that
9 students within the University of Hawaii system receive
10 appropriate guidance and options to complete a major course of
11 study, graduate within a reasonable period of time, and
12 understand the dynamics of the local employment market.

13 (b) In developing the graduation pathway system, the
14 university shall include the following elements:

15 (1) Structured, default pathways wherein upon choosing a
16 major course of study, students are defaulted into the
17 required classes they need to complete to graduate
18 with a baccalaureate degree in that course of study;

19 (2) Meta-majors, which shall include broad clusters of
20 majors and which shall include breadth requirements
21 appropriate to the types of majors in each category;



- 1 (3) Academic maps, including a sequential, prescriptive
2 schedule of classes for each meta-major and major
3 course of study;
- 4 (4) Cornerstone classes that are prerequisites designated
5 for each semester and which shall be taken in a
6 recommended sequence and are guaranteed to be
7 available in the sequence and terms designed in the
8 academic maps;
- 9 (5) An intrusive advising model that includes the use of
10 high school performance and other measures to
11 recommend broad academic pathways and present default
12 pathways;
- 13 (6) A highly-structured option including block schedules
14 of classes and cohorts of students and where students
15 choose programs or major courses of study with
16 mandated class schedules, rather than individual
17 classes; and
- 18 (7) Data on the dynamics of the local employment market,
19 including employment availability.



1 (c) The university shall be responsible for the
2 establishment of policies and procedures designed to implement
3 and support the graduation pathway system."

4 SECTION 5. The graduation pathway system shall be
5 implemented on all campuses of the University of Hawaii system
6 no later than the fall semester of 2016. The University of
7 Hawaii shall submit a report to the legislature, including
8 updates on progress toward the development and implementation of
9 the graduation pathway system, no later than twenty days prior
10 to the convening of the regular session of 2016.

11 SECTION 6. There is appropriated out of the general
12 revenues of the State of Hawaii the sum of \$ or so much
13 thereof as may be necessary for fiscal year 2015-2016 and the
14 same sum or so much thereof as may be necessary for fiscal year
15 2016-2017 for the development and implementation of the
16 graduation pathway system.

17 The sums appropriated shall be expended by the University
18 of Hawaii for the purposes of this part.

19 SECTION 7. 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 for the establishment of full-time equivalent
3 (FTE) permanent positions in the University of Hawaii
4 systems office to develop, implement, and oversee the graduation
5 pathway system.

6 The sums appropriated shall be expended by the University
7 of Hawaii for the purposes of this part.

8 PART III

9 SECTION 8. The legislature finds that the University of
10 Hawaii center on aging is committed to improving the quality of
11 life of all older adults in Hawaii and has the ability to be
12 recognized locally and nationally for research and education
13 endeavors. A permanent director and faculty specialist position
14 with funding will better equip the center on aging in fulfilling
15 its mission.

16 The purpose of this part is to fund a permanent director
17 and a faculty specialist position within the University of
18 Hawaii center on aging.

19 SECTION 9. 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 fund one full-time equivalent director (1.0 FTE) of
3 the University of Hawaii center on aging.

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

6 SECTION 10. There is appropriated out of the general
7 revenues of the State of Hawaii the sum of \$ or so much
8 thereof as may be necessary for fiscal year 2015-2016 and the
9 same sum or so much thereof as may be necessary for fiscal year
10 2016-2017 to fund one full-time equivalent faculty specialist
11 position (1.0 FTE) within the University of Hawaii center on
12 aging.

13 The sums appropriated shall be expended by the University
14 of Hawaii for the purposes of this part.

15 PART IV

16 SECTION 11. Section 304A-2153, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "~~§~~304A-2153~~§~~ **University of Hawaii tuition and fees**
19 **special fund.** (a) There is established the University of
20 Hawaii tuition and fees special fund into which shall be
21 deposited all revenue collected by the university for regular,



1 summer, and continuing education credit tuition, tuition-related
2 course and fee charges, and any other charges to students,
3 except as provided by law. Moneys deposited into the fund shall
4 be expended to maintain or improve the university's programs and
5 operations and shall not be:

6 (1) Used as a justification for reducing any budget
7 request or allotment to the university unless the
8 university requests such a reduction;

9 (2) Transferred unless otherwise authorized by the
10 legislature; and

11 (3) Restricted by the governor or the director of finance
12 without the prior approval of the legislature.

13 Any rule, policy, or action of any agency or individual in
14 contravention of this subsection shall be void as against public
15 policy.

16 (b) Any law to the contrary notwithstanding, the board of
17 regents may authorize expenditures of up to \$3,000,000 annually,
18 excluding in-kind services, from this fund for the purposes of
19 promoting alumni relations and generating private donations for
20 deposit into the University of Hawaii Foundation for the
21 purposes of the university. Any expenditure authorized pursuant



1 to this subsection shall be for a public purpose and shall not
2 be subject to chapters 42F, 103, 103D, and 103F. The university
3 shall submit a comprehensive report to the legislature detailing
4 the use of any funds authorized by the board under this
5 subsection no later than twenty days prior to the convening of
6 each regular session.

7 The report shall:

- 8 (1) Identify each department of the University of Hawaii
9 Foundation supported by moneys from the fund;
- 10 (2) Describe the purposes and activities of each
11 department identified in paragraph (1) and how it
12 participates in fundraising activities and benefits
13 the university;
- 14 (3) Provide the total expenditures of each department
15 identified in paragraph (1) by primary expense
16 categories;
- 17 (4) Identify all moneys from the fund transferred to any
18 fund of the university and provide a justification of
19 how these moneys are used to benefit the university;
- 20 (5) Provide a financial summary of the operating
21 activities of the University of Hawaii Foundation,



1 including revenues and expenditures by major reporting
2 categories; and

3 (6) Identify amounts and purposes of all expenditures from
4 the University of Hawaii support fund.

5 (c) Any law to the contrary notwithstanding, the
6 university may transfer funds from the University of Hawaii
7 tuition and fees special fund into the scholarship and
8 assistance special fund established pursuant to section [†]304A-
9 2159[†].

10 (d) In estimating its quarterly budget requirements, each
11 campus of the University of Hawaii shall prepare a plan for the
12 fiscal year for the operation of each of the programs that it is
13 responsible for administering. The operations plan shall be:

14 (1) In such form and content as the vice president for
15 budget and finance and chief financial officer of the
16 University of Hawaii may prescribe; and

17 (2) Submitted, together with the estimated quarterly
18 budget requirements, to the vice president for budget
19 and finance and chief financial officer on such date
20 as the vice president for budget and finance and chief
21 financial officer may prescribe.



1 (e) At the end of each fiscal year, the moneys in the
 2 University of Hawaii tuition and fees special fund for each
 3 campus shall lapse to the credit of program identification
 4 number UH900 (University of Hawaii, system wide support). The
 5 president and vice president for budget and finance and chief
 6 financial officer of the University of Hawaii shall:

7 (1) Review the operations plan for each campus to
 8 determine if:

9 (A) It is consistent with the policy decisions of the
 10 board of regents and appropriations by the
 11 legislature;

12 (B) It reflects proper planning and efficient
 13 management methods; and

14 (C) Appropriations have been made for the planned
 15 purpose and will not be exhausted before the end
 16 of the fiscal year;

17 (2) Approve the operations plan for each campus if they
 18 determine that the operations plan meets the
 19 requirements of paragraph (1); or

20 (3) Modify or withhold the planned expenditures at any
 21 time during the appropriations period."



1 PART V

2 SECTION 12. Chapter 304A, Hawaii Revised Statutes, is
3 amended by adding a new section to be appropriately designated
4 and to read as follows:

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

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
18 there exists an imminent risk of serious harm;
19 and

20 (B) Ombuds staff shall not disclose the identity of
21 persons who seek assistance, and the contents of



1 communications with those persons, or third
2 parties the person requesting assistance
3 authorizes ombuds staff to contact, shall be
4 privileged. The privilege may be waived only by
5 the office of the ombuds;

6 (2) Providing impartial and neutral advocacy for fair
7 processes, considering the rights of all parties, and
8 taking no personal stake in the outcome of any matter
9 brought to the attention of the office of the ombuds;
10 and

11 (3) Operating as an independent office not directed or
12 limited by the chancellor of the University of Hawaii
13 at Manoa in the course of providing assistance in any
14 particular matter and observing the confidentiality
15 required by paragraph (1) in any communications with
16 the chancellor regarding its handling of matters,
17 generally.

18 (c) Issues that may be brought to the attention of the
19 office of the ombuds shall include the following:

20 (1) Communicating the views and voices of students,
21 faculty, and staff to decision makers;



- 1 (2) Harassment or discrimination;
- 2 (3) Violations of University of Hawaii policy;
- 3 (4) Professional and organizational disputes;
- 4 (5) Ethical dilemmas;
- 5 (6) Cultural misunderstandings;
- 6 (7) Conflicts of interest;
- 7 (8) Student employment issues and disputes;
- 8 (9) Assistance to administrators and regents in analyzing
- 9 and framing difficult issues;
- 10 (10) Disputes between the university and the community at
- 11 large;
- 12 (11) Health and safety concerns;
- 13 (12) Availability and transparency of public information
- 14 regarding university policies, finances, decisions,
- 15 and programs;
- 16 (13) Academic freedom; and
- 17 (14) Threats or retaliation.
- 18 (d) When responding to requests for assistance under this
- 19 section, the office of the ombuds:
- 20 (1) May:



- 1 (A) Offer information about University of Hawaii
2 policies and procedures;
- 3 (B) Identify a range of options for resolving a
4 particular matter;
- 5 (C) Have access to information and offer referrals to
6 other resources;
- 7 (D) Facilitate communication, whether directly or
8 indirectly; and
- 9 (E) Provide other services, including mediation,
10 reasonably necessary to fulfill the purposes of
11 this section; and
- 12 (2) May not:
- 13 (A) Make policy or administrative decisions on behalf
14 of administrators or staff;
- 15 (B) Establish, change, or set aside policies of the
16 University of Hawaii;
- 17 (C) Offer legal advice or psychological counseling;
- 18 (D) Participate in grievances or other formal dispute
19 resolution processes; or



1 (E) Serve as an agent of notice for the University of
2 Hawaii or as an advocate for any person seeking
3 assistance.

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

11 (f) All offices and employees of the University of Hawaii
12 shall timely respond to and provide assistance as reasonably
13 requested by the office of the ombuds."

14 SECTION 13. There is appropriated out of the general
15 revenues of the State of Hawaii the sum of \$ or so much
16 thereof as may be necessary for fiscal year 2015-2016 and the
17 same sum or so much thereof as may be necessary for fiscal year
18 2016-2017 to establish and operate the office of the ombuds at
19 the University of Hawaii.

20 The sums appropriated shall be expended by the University
21 of Hawaii for the purposes of this part.



1 PART VI

2 SECTION 14. Although data on sexual violence on college
3 campuses is not widely available and incidents are under
4 reported, it is evident that Hawaii's college students are not
5 unaffected by this problem. For example, in 2011, the
6 University of Hawaii at Manoa alone reported twelve forcible sex
7 offense occurrences on campus. In 2012 the campus reported
8 eleven occurrences, and in 2013 the campus reported eight
9 occurrences. In addition, in the Hawaii commission on the
10 status of women's survey on sexual and relationship violence,
11 conducted during the 2010 academic year, thirty-nine female
12 respondents reported being sexually assaulted since starting
13 school at the University of Hawaii at Manoa. Three of these
14 respondents did not tell anyone about the sexual assault
15 immediately after it happened. Fifteen respondents reported
16 being raped since starting school at the University of Hawaii at
17 Manoa.

18 The legislature finds that compliance with federal mandates
19 to effectively address campus sexual violence is a matter of
20 statewide concern and requires additional resources as follows:



- 1 (1) Staff, including investigators, coordinators,
- 2 educational specialists, and trainers; and
- 3 (2) Materials, including online training materials for
- 4 staff and students and professional development and
- 5 operating supplies.

6 The purpose of this part is to:

- 7 (1) Provide sufficient resources to the University of
- 8 Hawaii to ensure compliance with federal mandates to
- 9 address campus sexual violence;
- 10 (2) Transfer the office of gender equity from the
- 11 University of Hawaii at Manoa to the University of
- 12 Hawaii system office; and
- 13 (3) Create Title IX coordinator positions at the
- 14 University of Hawaii at Manoa, University of Hawaii at
- 15 Hilo, and community colleges.

16 SECTION 15. There is appropriated out of the general
 17 revenues of the State of Hawaii the sum of \$ or so much
 18 thereof as may be necessary for fiscal year 2015-2016 and the
 19 same sum or so much thereof as may be necessary for fiscal year
 20 2016-2017 for staff and materials to comply with Title IX of the
 21 Education Amendments of 1972 and the Violence Against Women



1 Reauthorization Act of 2013 at each of the University of Hawaii
2 system campuses.

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

5 SECTION 16. (a) The office of gender equity shall be
6 transferred from the University of Hawaii at Manoa to the
7 University of Hawaii system office.

8 (b) There are transferred from the University of Hawaii at
9 Manoa to the University of Hawaii system office:

10 (1) One full-time equivalent (1.00 FTE) permanent position
11 (position no. 85485) for the director of the office of
12 gender equity; and

13 (2) Two full-time equivalent (2.00 FTE) permanent
14 positions (position nos. 78412 and 78606) for Title IX
15 senior investigators for the office of gender equity.

16 (c) There are transferred from the University of Hawaii at
17 Hilo to the University of Hawaii system office two half-time
18 equivalent (0.5 FTE) permanent positions (position nos. 86409
19 and 45123) for Title IX junior investigators for the office of
20 gender equity.



1 (d) There is transferred from the University of Hawaii
2 community colleges to the University of Hawaii system office one
3 full-time equivalent (1.00 FTE) permanent position (position no.
4 96662F) for a Title IX junior investigator for the office of
5 gender equity.

6 (e) There is established one full-time equivalent (1.00
7 FTE) permanent position for a Title IX coordinator at each of
8 the following:

- 9 (1) The University of Hawaii at Manoa (position no.
10 81321);
- 11 (2) The University of Hawaii at Hilo (position no. 84499);
12 and
- 13 (3) The University of Hawaii community colleges (position
14 no. 96661F).

15 PART VII

16 SECTION 17. The legislature finds that a 1973 audit by the
17 auditor of the University of Hawaii's management of faculty
18 workload found the absence of clear and specific policies
19 governing the utilization of faculty resources and the
20 inefficient use of faculty resources. Accordingly, the



1 auditor's report recommended that the University of Hawaii
2 develop policies to govern faculty workload.

3 The legislature further finds that a 1997 audit of the
4 University of Hawaii's management of faculty workload found
5 inadequate utilization of instructional faculty contributing to
6 the improper compensation of faculty. The auditor's report
7 recommended that the board of regents of the University of
8 Hawaii clarify its requirements for the instructional, research,
9 and service components of instructional faculty workload;
10 establish minimum teaching assignments for all instructional
11 faculty; and ensure that equivalencies across campuses are
12 equitable and that faculty overload requests are processed in
13 compliance with the contractual agreement between the board of
14 regents and the University of Hawaii Professional Assembly.
15 Considering the unfavorable findings and the recommendations of
16 the previous audits, the legislature believes that an updated
17 audit of the university's management of faculty workload is
18 needed.

19 The purpose of this part is to direct the auditor to
20 conduct audits of the University of Hawaii's management of
21 faculty workload.



1 SECTION 18. Chapter 23, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§23- University of Hawaii; faculty workload audit. (a)

5 The auditor shall conduct an audit of the University of Hawaii's
6 management of faculty workload no less than one year prior to
7 the expiration of each faculty union collective bargaining
8 agreement.

9 (b) The auditor shall submit a report of its findings and
10 recommendations, including any proposed legislation, to the
11 legislature no later than twenty days prior to the convening of
12 the regular session in the year in which each faculty union
13 collective bargaining agreement expires."

14 SECTION 19. (a) The auditor shall conduct an updated
15 audit of the University of Hawaii's management of faculty
16 workload.

17 (b) The auditor shall submit a report of its findings and
18 recommendations, including any proposed legislation, to the
19 legislature not later than twenty days prior to the convening of
20 the regular session of 2016.



1 PART VIII

2 SECTION 20. There is appropriated out of the general
3 revenues of the State of Hawaii the sum of \$ or so much
4 thereof as may be necessary for fiscal year 2015-2016 and the
5 same sum or so much thereof as may be necessary for fiscal year
6 2016-2017 for the establishment of two full-time equivalent (2.0
7 FTE) graduate assistant positions at the Hawaii educational
8 policy center at the University of Hawaii.

9 The sums appropriated shall be expended by the University
10 of Hawaii for the purposes of this part.

11 PART IX

12 SECTION 21. The legislature finds that the equitable
13 provision of employee benefits by the University of Hawaii is a
14 matter of statewide concern. Currently, the University of
15 Hawaii provides its faculty with educational benefits, but those
16 same benefits are not afforded to nonsupervisory employees in
17 blue-collar positions and some similarly situated officers and
18 employees.

19 The purpose of this part is to require the University of
20 Hawaii to provide nonsupervisory employees in blue-collar
21 positions and similarly situated officers and employees who are



1 excluded from collective bargaining with the same educational
2 benefits provided to faculty of the University of Hawaii and the
3 community college system.

4 SECTION 22. Chapter 304A, Hawaii Revised Statutes, is
5 amended by adding a new section to subpart A of part III to be
6 appropriately designated and to read as follows:

7 "§304A- Educational benefits for nonsupervisory
8 employees in blue collar positions. The board of regents shall
9 adopt rules to provide:

10 (1) The officers and employees of the University of Hawaii
11 assigned to the collective bargaining unit established
12 pursuant to section 89-6(a)(1) (nonsupervisory
13 employees in blue collar positions); and

14 (2) The officers and employees of the University of Hawaii
15 who are excluded from collective bargaining and belong
16 to the same compensation plans as the officers and
17 employees within the collective bargaining unit
18 established pursuant to section 89-6(a)(1),

19 with the same educational benefits provided to the officers and
20 employees of the University of Hawaii assigned to the collective
21 bargaining unit established pursuant to section 89-6(a)(7)



1 (faculty of the University of Hawaii and the community college
2 system).

3 For purposes of this section, "educational benefits" shall
4 include tuition waivers, reduced tuition, and tuition benefits
5 for the employee or officer and the spouse, domestic partner,
6 and children of the employee or officer."

7 PART X

8 SECTION 23. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 24. This Act shall take effect on July 1, 2525.



Report Title:

University of Hawaii; Omnibus

Description:

Makes comprehensive changes affecting the University of Hawaii System. Appropriates funds. (SB325 HD1)

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

