

JAN 23 2015

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. The purpose of this Act is to change the
2 structure of the University of Hawaii board of regents to
3 include members of key stakeholder groups within the University
4 of Hawaii system. These additional members will be from the
5 student and faculty populations, with the aim being to increase
6 transparency of board of regents activities as well as to have
7 more representation in regards to key policy and procedural
8 decisions. With additional board representation, students and
9 faculty alike will have the opportunity to participate in a
10 shared governance structure of our university.

11 SECTION 2. Section 26-11, Hawaii Revised Statutes, is
12 amended by amending subsection (a) to read as follows:

13 "(a) The University of Hawaii shall be headed by an
14 executive board to be known as the board of regents.

15 The board shall consist of [~~fifteen~~] eighteen members. At
16 least one member shall be [~~a~~] an undergraduate student at any
17 campus of the University of Hawaii [~~student~~] system, including



1 any community college, at the time of the initial appointment[-]
2 and shall be known as the undergraduate student member. This
3 member may be reappointed for one additional term even though
4 the member may no longer be [a] an undergraduate student at the
5 time of reappointment. At least one member shall be a graduate
6 student at any campus of the University of Hawaii system and
7 shall be known as the graduate student member. This member may
8 be reappointed for one additional term even though the member
9 may no longer be a graduate student at the time of
10 reappointment. At least one member shall be a faculty member
11 for a graduate or research program at any campus of the
12 University of Hawaii system and shall be known as the research
13 faculty member. At least one member shall be a faculty member
14 at any campus of the University of Hawaii system and shall be
15 known as the at-large faculty member. The governor shall reduce
16 the terms of those initially appointed to each seat on the board
17 of regents to provide, as far as practicable, for the expiration
18 of three terms each year; provided that the [~~term~~] terms of the
19 undergraduate student member, the graduate student member, the
20 research faculty member, and the at-large faculty member shall
21 not be reduced.



1 At least twelve members, except for the undergraduate
2 student member, the graduate student member, the research
3 faculty member, and the at-large faculty member, shall represent
4 and reside in the specified geographic areas as follows:

- 5 (1) Two members from the county of Hawaii;
- 6 (2) Two members from the county of Maui;
- 7 (3) One member from the county of Kauai; and
- 8 (4) Seven members from the city and county of Honolulu.

9 The board shall have the power, in accordance with the
10 Hawaii constitution and with law, to formulate policy and to
11 exercise control over the university through its executive
12 officer, the president of the university. The board shall have
13 exclusive jurisdiction over the internal organization and
14 management of the university."

15 SECTION 3. Section 304A-104, Hawaii Revised Statutes, is
16 amended by amending subsection (a) to read as follows:

17 "(a) The affairs of the university shall be under the
18 general management and control of the board of regents. The
19 board shall consist of [~~fifteen~~] eighteen members who shall be
20 appointed by the governor from lists of qualified candidates
21 presented to the governor by the candidate advisory council,



1 pursuant to section 304A-104.6, and shall be confirmed by the
2 senate; provided that if the list of qualified candidates
3 includes fewer than three candidates at any time during the
4 nomination and confirmation process, the governor may request
5 that the candidate advisory council reopen recruitment for
6 qualified candidates. Members may be removed by the governor.
7 Except as otherwise provided by law, state officers shall be
8 eligible for appointment and membership.

9 The term of each member shall be five years, except as
10 provided for the initial appointment in section 26-11; provided
11 that the ~~[term]~~ terms of the undergraduate student member, the
12 graduate student member, the research faculty member, and the
13 at-large faculty member shall each be two years.

14 Every member may serve beyond the expiration date of the
15 member's term of appointment until the member's successor has
16 been appointed by the governor and confirmed by the senate in
17 accordance with article X, section 6 of the Hawaii State
18 Constitution. Members shall serve no more than two consecutive
19 ~~[five-year]~~ terms; provided that the members who are initially
20 appointed to ~~[terms of two years or less]~~ a reduced term,
21 pursuant to section 26-11(a), may be reappointed to two ensuing



1 ~~[five-year]~~ full terms. If a member is to be appointed to a
2 second term ~~[of five years]~~, the senate shall consider the
3 question of whether to reconfirm the member at least one hundred
4 twenty days prior to the conclusion of a member's first ~~[five-~~
5 ~~year-term]~~; provided that if the senate is not in session within
6 one hundred twenty days prior to the conclusion of the member's
7 first ~~[five-year]~~ term, the member shall continue to serve until
8 the senate convenes for the next regular session or the next
9 special session for which the senate is authorized to consider
10 the question of reconfirmation."

11 SECTION 4. Section 304A-104.6, Hawaii Revised Statutes, is
12 amended by amending subsection (b) to read as follows:

13 "(b) The candidate advisory council shall:

- 14 (1) Develop and implement a fair and independent procedure
15 for evaluating candidates to serve on the board of
16 regents;
- 17 (2) Require candidates and members of their immediate
18 families to disclose any existing or anticipated
19 contracts or financial transactions with the
20 University of Hawaii;



- 1 (3) Actively solicit and accept applications from
2 potential candidates;
- 3 (4) Actively solicit and consider the recommendations and
4 opinions of representative organizations regarding
5 potential candidates for the position of undergraduate
6 student member, graduate student member, research
7 faculty member, and at-large faculty member of the
8 board of regents;

9 ~~[(4)]~~ (5) Evaluate candidates for the board of regents on
10 their background, experience, and potential for
11 discharging the responsibilities of a member of the
12 board of regents, based upon the qualifications
13 imposed by the Hawaii State Constitution; and

14 ~~[(5)]~~ (6) Present a list of at least three candidates to
15 the governor for nomination and appointment for each
16 vacant seat on the board of regents of the University
17 of Hawaii."

18 SECTION 5. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 6. This Act shall take effect upon its approval;
21 provided that any member of the board of regents, who was a



1 student of the University of Hawaii at the time of initial
2 appointment, may continue to serve, and shall be considered the
3 graduate student member, until that member's successor has been
4 appointed by the governor and confirmed by the senate in
5 accordance with article X, section 6 of the Hawaii State
6 Constitution; provided further that the term of the initial at-
7 large faculty member shall be reduced to coincide with the term
8 of the current student member of the board of regents; provided
9 further that the terms of the undergraduate student member and
10 the research faculty member, shall commence on a date that
11 prevents the expiration of their terms from occurring during the
12 same year as the expiration of the terms of the graduate student
13 member and the at-large faculty member.

14

INTRODUCED BY:

Y. S. O. J.
by request



S.B. NO. 636

Report Title:

University of Hawaii Board of Regents

Description:

Adds three voting members to the University of Hawaii Board of Regents to represent undergraduate students, research faculty, and other faculty. Converts existing student member to represent graduate students.

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

