



# UNIVERSITY OF HAWAII SYSTEM

## Legislative Testimony

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Testimony Presented Before the  
Senate Committee on Ways and Means  
February 28, 2020 at 11:05 a.m.

by  
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President  
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### SB 2823 SD1 – RELATING TO THE PRESIDENT OF THE UNIVERSITY OF HAWAII SYSTEM

Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the Committee:

Thank you for this opportunity to provide testimony in strong opposition to SB 2823 SD1, which proposes to legislate the internal structure of the University of Hawai'i (UH) by prohibiting the current structure in which the UH President also serves as CEO of the UH Mānoa campus.

This bill would replace the judgment and decision of the Board of Regents (BOR) with that of the Legislature to impose a structure that has never been stable or successful over any sustained period in the entire history of the UH.

The BOR has discussed and thoroughly reviewed this very issue a number of times over the past 50 years. Most recently, the current structure was approved by the BOR in March 2019 along with the creation of the new Provost position at UH Mānoa. This matter was discussed and voted on at public meetings with testimony received on both sides of the issue.

A major consideration in the BOR's decision was to address the sustained instability of senior UH leadership under the separate Chancellor-President model that this Bill advocates.

From the period of 1984-2001 UH operated under a combined model in which the UH President also served as Chancellor of UH Mānoa. This single position was held by just two individuals over that entire 17-year period, providing UH with its greatest stability of leadership in modern times. Following the decision to separate the two positions effective in 2001, four UH Presidents and seven UH Mānoa Chancellors served during just the 15 years from 2001-2016. This instability from 2001-2016 is consistent with the only other period in UH history in which the positions were separated; the separate UH Mānoa Chancellor position was first created in 1972 and from just 1972-1983 we saw six UH Mānoa Chancellors serving under two UH Presidents.

In addition to this clear evidence that the structure proposed in this bill is inherently unstable, other major considerations for the BOR included saving money on senior executives and their staffs as well as enabling more efficient streamlined UH administrative operations.

This is not to suggest that there was universal support to implement the current structure - as is the case with any difficult and complex issue. Testimony was received both in support and opposition. And while the vote of the regents to combine the positions was strongly in support of the current structure, it was not unanimous.

Ultimately, the BOR as a whole determined that the current structure would be best for the entire UH and the communities we serve. And in spite of the assertion in this Bill of "inevitable conflicts of interest," the current structure was discussed with and was supported by the heads of all campuses of the UH System.

Article X, Section 6 of the Constitution of the State of Hawai'i, provides that "The board [of regents] shall have the power to formulate policy, and to exercise control over the university through its executive officer, the president of the university, who shall be appointed by the board." Notwithstanding the constitutional authority of the Legislature to enact laws of statewide concern, the Constitution further states that "The board [of regents] shall also have exclusive jurisdiction over the internal structure, management, and operation of the university."

We urge that the Legislature not substitute its opinions on the internal structure of the University over the thorough and thoughtful conclusion reached by the BOR, which implemented the current structure in accord with its constitutional responsibilities through a reasoned and open process.

We strongly oppose this measure and request that it be deferred.

**SB-2823-SD-1**

Submitted on: 2/26/2020 11:09:13 AM

Testimony for WAM on 2/28/2020 11:05:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Rayne               | Individual          | Support                   | No                        |

Comments:

**SB-2823-SD-1**

Submitted on: 2/26/2020 2:59:02 PM

Testimony for WAM on 2/28/2020 11:05:00 AM

| <b>Submitted By</b>    | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|------------------------|---------------------|---------------------------|---------------------------|
| Lynn Murakami-Akatsuka | Individual          | Oppose                    | No                        |

Comments:

I **strongly oppose** SB 2823. The UH Board of Regents makes the decisions for UH; not the legislature.

Thank you for the opportunity to testify.