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# 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 the regents' fiduciary duty to set aside  
11 competing interests to protect the assets of the  
12 institution; protect and develop the financial and  
13 intellectual resources, personnel, reputation, and  
14 other assets of the university; and advance the  
15 mission of the university;

16 (2) Part I of chapter 92, including the following:

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

20 (B) Notice requirements for public meetings;

21 (C) Penalties for noncompliance; and



1           (D) The intent of the legislature that provisions in  
2           chapter 92 requiring open meetings are to be  
3           liberally construed and that provisions providing  
4           exceptions to open meeting requirements are to be  
5           strictly construed; and

6           (3) Chapter 92F, including the following:

7           (A) Requirements governing the disclosure of  
8           government records; and

9           (B) Conditions under which disclosure of government  
10           records is excepted.

11           (b) The training required under subsection (a) shall be  
12           completed no later than August 1 of each year; provided that a  
13           new regent shall complete the training within three months of  
14           the regent's confirmation to the board of regents.

15           (c) The training required under subsection (a) (2) and (3)  
16           shall be conducted by a training agency outside of the  
17           university, such as the office of information practices. The  
18           training required by subsection (a) (1) shall be conducted by the  
19           university general counsel.

20           (d) For the training required by subsection (a) (1), the  
21           university general counsel shall provide each regent with a  
22           certification that the regent successfully completed the



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

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

14 SECTION 3. New statutory material is underscored.

15 SECTION 4. This Act shall take effect on July 1, 2030.



**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, 2030. (HB1070 HD2)

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

