

MAR 12 2021

SENATE RESOLUTION

REQUESTING THE UNIVERSITY OF HAWAII AND UNIVERSITY OF HAWAII
PROFESSIONAL ASSEMBLY TO CONVENE A TASK FORCE TO EXAMINE
AND ASSESS THE UNIVERSITY'S TENURE SYSTEM FOR RESEARCHERS
AND OTHER NON-INSTRUCTIONAL FACULTY.

1 WHEREAS, the University of Hawaii System (University),
2 established in 1907, is the only system of public education in
3 Hawaii that is supported by state funds, uses public land set
4 aside for university purposes, and is continually supported by
5 other public resources; and
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7 WHEREAS, the University offers a wide array of
8 undergraduate, graduate, and professional degrees, as well as
9 community programs at its ten campuses and community-based
10 learning centers located throughout the State, and enrolls more
11 than forty-nine thousand students from Hawaii, U.S. mainland,
12 and around the world; and
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14 WHEREAS, the University grants to certain faculty members
15 academic tenure, which is defined by the American Association of
16 University Professors (AAUP) – from which the modern conception
17 of tenure in the U.S. higher education originated – as an
18 indefinite appointment that can be terminated only for cause or
19 under extraordinary circumstances such as financial exigency and
20 program discontinuation; and
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22 WHEREAS, article X, section 6 of the Hawaii State
23 Constitution, which grants the Board of Regents of the
24 University exclusive jurisdiction over the internal structure,
25 management, and operation of the University, specifically
26 provides that the power of the Legislature to enact laws of
27 statewide concern shall not be limited and that the Legislature
28 shall have the exclusive jurisdiction to identify laws of
29 statewide concern; and
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31 WHEREAS, as the sole public system of higher education in
32 the State, the University plays a pivotal role in preparing its
33 students for productive employment in the State's workforce and
34 to become engaged citizens of the community; and



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2 WHEREAS, an educated workforce is a critical determinant of
3 the economic and social health of the State, and therefore, the
4 ability to instruct, educate, and prepare students to enter the
5 workforce are indispensable skills that should be supported by
6 public funds; and
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8 WHEREAS, the University's decision to classify a faculty
9 position as one eligible for academic tenure results in the
10 long-term commitment of public resources for that position, and
11 therefore, the Legislature deems that it is a matter of
12 statewide concern to ensure that public resources are targeted
13 to support academic tenure for faculty members whose primary
14 duties and responsibilities are to provide instruction to
15 educate and promote the success of students enrolled at the
16 University; and
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18 WHEREAS, according to the AAUP, the tenure system in U.S.
19 higher education has eroded, where the percentage of faculty
20 members that are off tenure-track has been steadily increasing,
21 and as of 2016:
22

23 (1) Only twenty-seven percent of instructional positions
24 at all U.S. institutions combined are tenured or on
25 tenure-track; and
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27 (2) Only a third of faculty at research-intensive and
28 other four-year institutions are tenured or are on
29 tenure-track; and
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31 WHEREAS, the University currently grants academic tenure to
32 not only faculty members who teach and provide instruction to
33 students but also to faculty members who are not employed in a
34 teaching capacity (Non-Instructional faculty), including members
35 who primarily engage in research (classified as Researchers) or
36 provide specialized services; and
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38 WHEREAS, according to the University:
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40 (1) Academic tenure serves as a critical component in:
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(A) Recruiting and retaining the most qualified and experienced faculty while maintaining high academic standards;

(B) Advancing and transmitting knowledge without bias and interference from government or special interest groups; and

(C) Overall protection of a faculty member's right to academic freedom;

(2) The University's decision to grant or deny academic tenure to a faculty member is usually made after a probationary service period of up to seven consecutive years during which the candidate is rigorously assessed and evaluated by respective peers and administrators based on various criteria; and

(3) There is a need for a more structured and rigorous approach to acknowledge and recognize the complex and diverse work of faculty across the University, as many faculty members whose job descriptions do not explicitly include instructional duties, including research workers and extension agents, engage in instruction and mentorship of students; and

WHEREAS, it would benefit the State to have the University's existing tenure system for Researchers and other Non-Instructional faculty examined and assessed in comparison to peer higher education institutions across the United States and determine best practices that could be implemented at the University; now, therefore,

BE IT RESOLVED by the Senate of the Thirty-first Legislature of the State of Hawaii, Regular Session of 2021, that the University and University of Hawaii Professional Assembly (UHPA) are requested to convene a task force to examine and assess the University's tenure system for Researchers and other Non-Instructional faculty in comparison to peer higher education institutions across the United States and propose the best practices to be implemented by the University; and



BE IT FURTHER RESOLVED that the task force is requested to include the following as members:

- (1) Chairperson of the Board of Regents of the University, who is requested to serve as the chairperson of the task force;
- (2) President of the University;
- (3) Vice President for Research and Innovation of the University;
- (4) Executive Director of the UHPA or the Executive Director's designee;
- (5) Chairperson of the Committee on Personnel Affairs and Board Governance of the Board of Regents of the University or the Chairperson's designee; and
- (6) Director of Collective Bargaining and Employee Relations of the University's Office of Human Resources or the Director's designee; and

BE IT FURTHER RESOLVED that the task force is requested to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2022; and

BE IT FURTHER RESOLVED that the task force is urged to include in its report, at minimum:

- (1) A matrix of the University's Non-Instructional faculty positions, including Researchers, providing:
 - (A) The total number of faculty members categorized as Researchers and other Non-Instructional faculty;
 - (B) A breakdown of faculty members categorized as Non-Instructional faculty, including Researchers, based on specific faculty category, tenure status



(tenured, tenure-track, or non-tenure track), and full- or part-time status, (e.g., Researchers, Tenured, Full-Time); and

(C) The percentage of tenured and tenure-track faculty members in each Non-Instructional category, including Researchers;

(2) An assessment of the composition (percentage) of the University's tenured and tenure-track Researchers and other Non-Instructional faculty within each faculty category, in comparison to the majority of peer higher education institutions across the United States, including the reasonableness, necessity, and feasibility of the University's composition;

(3) An assessment of the composition (percentage) of compensation received by each of the University's tenured and tenure-track Researchers and other Non-Instructional faculty covered by extramural funds (i.e., monies received through grants or contracts) in comparison to the majority of peer higher education institutions across the United States, including the reasonableness, necessity, and feasibility of the University's composition;

(4) An assessment of the University's tenure system for Researchers and other Non-Instructional faculty, including but not limited to the reasonableness, necessity, and feasibility of the tenure assessment standards, duration, and procedures in comparison to the tenure systems implemented by the majority of peer higher education institutions across the United States; and

(5) Any proposed amendments to the University's existing tenure system for Researchers and other Non-Instructional faculty, including best practices for tenure administration standards and procedures to be implemented by the University; and



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1 BE IT FURTHER RESOLVED that the task force is requested to
2 dissolve on July 1, 2022; and
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4 BE IT FURTHER RESOLVED that certified copies of this
5 Resolution be transmitted to the Chairperson of the Board of
6 Regents of the University, President of the University, and
7 Executive Director of the University of Hawaii Professional
8 Assembly.
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OFFERED BY:

James Inoué Ku

