

STAND. COM. REP. NO.

1303

Honolulu, Hawaii

MAR 30 2021

RE: S.R. No. 166  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Higher Education, to which was referred  
S.R. No. 166 entitled:

"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,"

begs leave to report as follows:

The purpose and intent of this measure is to request the  
University of Hawaii and University of Hawaii Professional  
Assembly to convene a task force to examine and assess the  
University of Hawaii'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 of Hawaii.

Your Committee received comments on this measure from the  
University of Hawai'i System and University of Hawaii Professional  
Assembly.

Your Committee finds that the University of Hawaii  
(University) is the only system of public education in Hawaii that  
is supported by state funds, uses public land set aside for  
university purposes, and is continually supported by other public  
resources. The University grants to certain faculty members  
academic tenure, which is defined as an indefinite appointment



that can be terminated only for cause or under extraordinary circumstances such as financial exigency and program discontinuation. Therefore, the University's decision to classify a faculty position as one eligible for academic tenure results in the long-term commitment of public resources for that position.

Your Committee believes that an educated workforce is a critical determinant of the economic and social health of the State, and therefore, the ability to instruct, educate, and prepare students to enter the workforce are indispensable skills that should be supported by public funds. However, the University continues to grant academic tenure to not only "I" (Instructional faculty), but also to Non-Instructional faculty, including "R" (Researchers) who primarily engage in research. Furthermore, according to the American Association of University Professors, from which the modern conception of tenure in the U.S. higher education originated, the tenure system in U.S. higher education has eroded, where the percentage of faculty members that are off tenure-track has been steadily increasing throughout the United States.

Your Committee believes that it is a matter of statewide concern to ensure that public resources are targeted to support academic tenure for faculty whose primary duties are to provide instruction to students. The task force created under this measure will 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.

Your Committee notes and appreciates testimony from the Board of Regents of the University of Hawaii acknowledging its responsibility to establish faculty classifications and informing of its recent formation of a Permitted Interaction Group (PIG) that will be examining the University's post-tenure review process and faculty classification structure. Based on this testimony, your Committee considered if the PIG will be able to address the concerns raised in this measure. However, your Committee was notified that the PIG has a broader, long-term vision pertaining to the University and its mission, and that its initial focus will be on assessing the strategic alignment among the mission of the University, the purpose of academic tenure, and its current tenure practices for the entire faculty.



Your Committee further notes that S.C.R. No. 202, Regular Session of 2021, which is also being heard by your Committee, requests the University to convene a working group to assess the compensation structure of its faculty engaged in activities supported by extramural funding (i.e., monies received through grants or contracts), including Researchers, Specialists, and Extension Agents, in comparison to best practices implemented at peer higher education institutions in the United States. Since the subject matters requested to be examined in this measure and S.C.R. No. 202 both pertain to the University's policies and practices relating to its Non-Instructional faculty, your Committee believes that convening of one task force should be sufficient.

Accordingly, your Committee has amended this measure by:

- (1) Incorporating the language from S.C.R. No. 202;
- (2) Amending its title in accordance with its amended purpose;
- (3) Amending the composition of the task force by including the Associate Executive Director of Governance of the University of Hawaii Professional Assembly; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Higher Education that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 166, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 166, S.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committee on Higher Education,



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DONNA MERCADO KIM, Chair



The Senate  
Thirty-First Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Higher Education**  
**HRE**

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SR 166</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">HRE</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">3/25/21</div>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div><input type="checkbox"/> Pass, unamended 2312</div> <div><input checked="" type="checkbox"/> Pass, with amendments 2311</div> <div><input type="checkbox"/> Hold 2310</div> <div><input type="checkbox"/> Recommit 2313</div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
KIM, Donna Mercado (C)	/			
KIDANI, Michelle N. (VC)	/			
KEITH-AGARAN, Gilbert S.C.				/
WAKAI, Glenn	/			
FEVELLA, Kurt				/
<b>TOTAL</b>	3			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; text-align: center;">Michelle N. Kidani</div>				
<b>Distribution:</b> <div style="display: flex; justify-content: space-around; font-size: 0.8em;"> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

\*Only one measure per Record of Votes