

University of Hawai`i at Mānoa Faculty Senate

Jan. 20, 2010

Draft minutes

Senators present: Anna Ah Sam, Denise Antolini, Edoardo Biagioni, Rhonda Black, Paul Brandon, John E. Butler, James Cartwright, John Casken, Beei-Huan Chao, William Chapman, Meda Chesney-Lind, David Chin, Joel Cohn, Robert Cooney, Robert Cowie, Martha Crosby, Michael DeMattos, Patricia Donegan, David Duffy, Ariana Eichelberger, John Engel, Ernestine Enomoto, David Ericson, Elizabeth Fisher, Sheri Fong, Jonathan Goss, Rosanne Harrigan, Jay Hartwell, Vilsoni Hereniko, Thomas Hilgers, Ellen Hoffman, Daniel Jenkins, Lilikala Kame'eiehiwa, Carol Kellett, Spencer Leineweber (for Randal Akiona), Barry Lienert, John Mahoney, Jon Matsuda, Luciano Minerbi, Richard Nettell, Thanh Truc Nguyen, Torben Nielsen, Ian Pagano, Julia Patriarche, Vaughan Phillips, Sarita Rai, Martin Rayner, Robert Richmond, Stacey Roberts, David Ross, Scott Rowland, Todd Sammons, Dave Sanders, Nicolaos Synodinos, Douglas Vincent, Giangyi Wang, Charles Weems, Hsing Wen, Anna Wieczorek, James Yates, Jean Young, Halina Zaleski

Senators absent: Garrett Aputzen-Ito, Bruce Barnes, Ronald Bontekoe, Kent Bridges, Maxine Burkett, Richard Chadwick, Keith Claypoole, Stewart Curry, Elton L. Daniel, Shirley Daniel, Jonathan Deenik, Daphne Desser, Guliz Erdem, David Garmire, David Griffith, Kim Holland, Judith Inazu, Jason Maddock, Andrew Nichols, Martin Oishi, Katrina-Ann Oliveira, Stephen Olsen, Weilin Qu, Magi Savimaki, Bruce Shiramizu, Kaimi Sinclair, Siang Tan, Mirella Vasquez-Brookes, Leven Wilson

Senators excused: Susan Hippensteele, Bruce Shiramizu

Guests: Lynne Wilkens, Ron Cambra, Joyce Najita, Ian Cooke, Lois Magnussen, Anabel Lin

Chair David Ross opened the meeting at 3:05.

1. Approval of the December 2, 2009 Faculty Senate Minutes

Ross asked if there were modifications to the minutes. Hearing none, he declared the posted minutes to be approved.

2. Chair's Report

---a. Senate resignations/retirements

Ross noted that 4 senators have resigned or retired:

Mickey Diamond (JABSOM)
Robert Bley-Vroman (LLL)
Steve Ward (JABSOM)
Randy Akiona (ARCHITECTURE)

CFS is in the process of identifying replacement senators.

---b. OVCAFO Websites to watch

Reorganization proposals undergoing review can be found at:

http://manoa.hawaii.edu/ovcafo/neworg_charts/

Senators may be particularly interested in reorg proposals for

Enrollment Planning (from VCAA to OSA),
Industrial Relations Center (to Library),
Academy of Creative Media (to A&H)

Policies, Procedures, and Guideline drafts under review are listed at:

<http://manoa.hawaii.edu/policies/>

Faculty may be interested in the proposed policy on Bicycle Dismount Zones.

---c. WASC Capacity Review

UHM is out of WASC “purgatory.” The final report from the external review team noted administrator complaints about the hard work required for getting around the Faculty Senate. Ross agreed that this is a bad use of time, and that progress will be smoother for those who respect and follow agreed-upon process and work with Faculty Senate.

---d. Comments on today’s agenda:

LCC’s faculty senate responded very quickly to the UH president’s Christmas/New Year’s letter. We have items relating to the letter on today’s agenda.

SEC has met with VCRGA repeatedly on issues related to the proposed closure of PBRC and the Kewalo Marine Lab. But no reorganization plan has yet come forth from VCRGA. Today's agenda includes an item relating to this matter.

SEC has also sought reconstituting of the Budget Prioritization Workgroup (BPW), since BPW recommendations may affect some or all of us. Today's agenda includes a related item.

3. Announcement from the Committee on Faculty Service

Todd Sammons (English) will replace Senator Robert Bley-Vroman, now part of the administration.

4. Resolutions and Motions

---a. Motion on the Spring 2010 Faculty Congress (from SEC)

Vice chair Rayner read the following into the record:

Be it moved that the Spring 2010 UHM Faculty Congress will be held on February 17, 2010 at 3:00pm, to be followed by the February meeting of the UHM Faculty Senate.

The motion was unanimously approved by the Senate.

---b. Motion of appreciation for LCC faculty senate (from SEC)

Vice chair Rayner offered the following statement and moved that the Senate approve it:

The UH-Mānoa Faculty Senate expresses its appreciation to our colleagues on the Leeward Community College Faculty Senate for their thoughtful resolution of January 6, 2010

There was no discussion. The motion was approved with 1 abstention.

c) Resolution on fiscal responsibility, best practice, and unilateral impositions (from SEC and CPM)

Ross noted that Senate standing-committee chairs met with SEC yesterday and some felt that this resolution needed more attention, perhaps via CAB. In light of that, Ross suggested that FS move into "discussion" mode so that we could get a sense of the senate before we formally discuss our next step on this.

FS vice chair Rayner read the following resolution language.

DRAFT RESOLUTION ON FISCAL RESPONSIBILITY, BEST PRACTICE, AND UNILATERAL IMPOSITIONS

WHEREAS The Faculty has consistently advocated for fiscal responsibility at UH; and

WHEREAS One aspect of being fiscally responsible is financial decision-making based on evidence and transparency; and

WHEREAS Claims have been made that the UH System is fiscally insolvent, and that the only solution is to cut faculty salaries; and

WHEREAS Little evidence has been offered to support these claims; and

WHEREAS Faculty members are professionally habituated to reject proposals based on spurious data and/or unsupported assertions; and

WHEREAS Unilateral imposition by a University administration of decisions affecting the academic mission of the University, without meaningful faculty consultation, violates acceptable practice as spelled out in the *Statement on Government of Colleges and Universities* issued jointly by the American Association of University Professors, the American Council on Education, and the Association of Governing Boards of Universities and Colleges in 1966; and

WHEREAS The Faculty has been prepared to engage in legitimate shared-governance decision-making to address the financial situation and has sought evidence necessary for such decision-making to occur; therefore

BE IT RESOLVED that

The Faculty requests that the University System Administration provide documented evidence to back any assertions of fiscal insolvency; and

The Faculty requests evidence showing that cuts to faculty salaries, elimination of programs, firing of faculty or any other decisions affecting the academic mission of the University are necessary; and

The Faculty requests evidence that all feasible remedies with less impact on the academic mission of the University have been implemented; and

BE IT FURTHER RESOLVED that

The University Administration provide evidence that best practice, including meaningful faculty involvement, has been followed in the determination, evaluation, and proposed use of the evidence referenced above.

During informal discussion, a senator noted that the resolution might specifically mention the unrelenting growth in numbers of administrators, both on the campus and at the system. Another senator urged FS to vote on this today. Yet another suggested that FS back up our claims and, further, await results from the related work of existing FS groups. We need to identify our terms and claims if we expect the administration to respond as we wish.

Another noted that we need to specify exactly what financial data we seek. It was noted that there is spotty financial information from the deans' offices. A senator, noting that we created a Task Force on budget matters during our last meeting, suggested that the resolution under discussion be held until we get the Task Force report. In response, a member of that Task Force noted that its work is hampered by the absence of key figures—in part because the campus was closed down over the holidays, but also for unknown reasons.

It was asserted that necessary data are available if you know where to look. It seems foolhardy to make a broad general request. In response, a senator asked “Where are those figures?” We should say that are not satisfied with what we've gotten thusfar in hope that, e.g, we can learn what gaps in the current budget will be filled by salary savings.

The UH budget has been cut by 10%, a senator asserted. But we don't necessarily know how that cut is being absorbed—yes, we need those details.

Can't we have VC Cutshaw present updated budget numbers when our FS Task Force reports? That seems most reasonable to another senator.

It is difficult, noted another, to track appropriated dollar “flow” to UHM, since different state offices cull out chunks of that money (for perhaps legitimate reasons) as it flows to UHM. That means UHM gets a much smaller amount than would seem fair. Tracking this takes time and insider knowledge.

Ross suggested that we send the current resolution to CAB.

CAB may not be enough, Ross was told. It was suggested that we ask Howard Todo from the system budge office to join a real-time Senate discussion—the system office is a source of information that we don't have, even through vice chancellor Cutshaw.

At this point, Ross withdrew the resolution on behalf of SEC. He said that it will go to appropriate committees for further work.

d) Resolution on the Budget-Prioritization Workgroup

Vice chair Rayner read the SEC-proposed resolution into the record. (The text is

contained in the amended resolution below.)

Discussion:

A senator noted that the resolution seems “too short”—a comment that elicited the only laugh of the meeting. Another noted that, although the resolution came from a committee on which she did not sit, she supported the resolution as timely and necessary.

Another comment: Readers may not see the connections between claims in the draft resolution and the needs of the senate. Despite length concerns, she urged amending the resolution to include additional information. Another senator, serving on the current BPW, expressed strong support for the resolution, and also suggested that we include the “mission statement” of BPW in this resolution. This was accepted as a friendly amendment.

A motion to approve the resolution as amended was approved with no senators opposed and 3 abstaining.

Here is the approved resolution:

MĀNOA FACULTY SENATE RESOLUTION ON THE BUDGET PRIORITIZATION WORKGROUP (BPW)

WHEREAS the faculty of the University of Hawaii at Mānoa (Mānoa) have long had a primary role in many campus decisions, including curricular and program decisions; and

WHEREAS the Board of Regents (BOR) Reference Guide (August 2009) Sec II (C) (1) Shared Governance cites as authoritative the joint AAUP, ACE and AGB 1966 Statement on Government of Colleges and Universities and further states that faculty "have primary responsibility for the curriculum, methods of instruction, research, and faculty status"; and

WHEREAS BOR Chpt 1-10 provides that “duly authorized organization or organizations specified by each charter shall have the responsibility to speak for the faculty on academic policy matters such as:

- a. policy determining the initiation, review, and evaluation of proposed or authorized research, instructional, and academic programs;
- b. budget planning and implementation policy;
- c. student-faculty relations policy;
- d. policy for the evaluation of faculty and campus academic

administrators;

e. the improvement and establishment of a canon of professional ethics and an effective means of professional maintenance of those ethics, including faculty self-discipline; and

f. other subjects affecting academic policy subjects referred to it or them by the Provost and/or Chancellor, or by request of the appropriate faculty organization”;

and

WHEREAS BOR Chpt 1-10 provides that “the role of a university faculty governance organization is to advise the administration (primarily at the campus and unit level) on matters impacting and/or relating to the development and maintenance of academic policy and standards to the end that quality education is provided, preserved, and improved” and that the pattern of faculty participation in exercising its role in campus and University matters “will be realized *in accordance with the charters*” (italics added); and

WHEREAS the Mānoa Faculty Senate (Senate) Charter Sec. 5, Faculty Representation on Committees, states “In forming standing committees, ad hoc committees, task forces, working groups, and other advisory or decision-making groups, the Administration will seek faculty representation. The Administration and the Senate will act cooperatively to select faculty for these groups. The Administration and the Faculty Senate will jointly make appointments from nominations provided by the Senate”, and

WHEREAS the recognized faculty governance body at Mānoa is the Senate; and

WHEREAS the Senate has established policies and structure for faculty participation in shared governance and review of programs that have worked effectively and efficiently for decades; and

WHEREAS AAUP Recommended Institutional Regulations on Academic Freedom and Tenure on elimination of programs and/or termination of tenured, probationary, and/or special appointment faculty due to “extraordinary circumstances because of a demonstrable bona fide financial exigency, i.e., an imminent financial crisis that threatens the survival of the institution as a whole and cannot be alleviated by less drastic means” state that:

“As a first step, there should be a faculty body that participates in the decision that a condition of financial exigency exists or is imminent, and that all feasible alternatives to termination of appointments have been pursued.

Judgments determining where within the overall academic program termination of appointments may occur involve considerations of educational policy, including affirmative action, as of faculty status, and should therefore be the primary responsibility of the faculty or of an appropriate faculty body. The faculty or an appropriate faculty body should also exercise primary responsibility in determining the criteria for identifying the individuals whose appointments are to be terminated. These criteria may appropriately include considerations of length of service.

The responsibility for identifying individuals whose appointments are to be terminated should be committed to a person or group designated or approved by the faculty"; and

WHEREAS the Budget Prioritization Workgroup (BPW)¹ is composed of thirty-eight (38) members of whom only nine (9) are Mānoa faculty; and

The Budget Prioritization Workgroup is the combined Budget Workgroup and the Chancellor's Advisory Committee on Prioritization. The BPW is charged with developing medium and long-term recommendations for the Chancellor's consideration and meeting budget requirements for fiscal year 2011 and beyond based upon UH Mānoa's priorities.
(<http://www.manoa.hawaii.edu/ovcafo/BPW/index.html>)

WHEREAS of the nine (9) faculty on the BPW only five (5) are Senate appointees, all of whom had been nominated by the Senate to serve on *other* committees; and

WHEREAS even though the faculty on the BPW are valued colleagues, they do not represent the faculty in accordance with the Senate Charter or distributionally as a proper cross section of the faculty on campus; and

WHEREAS the Senate has requested that the Chancellor reconstitute the BPW with an adequate representational number of faculty nominated by the Senate in accordance with the Senate Charter,

THEREFORE, BE IT RESOLVED,

That the Senate objects to the current membership of the BPW as it fails to satisfy University policy or AAUP Guideline requirements pertaining to faculty representation; and

The Senate reiterates its request that the BPW be reconstituted such that a majority of its membership consists of Senate nominated faculty members who represent a proper cross section of the campus; and

Unless and until the BPW is reconstituted in a manner consistent with the

Senate Charter and AAUP Guidelines any advice, recommendations, or decisions produced by the BPW must not be represented or construed as reflecting formal or representative consultation with, or involvement by, faculty, or as having received the approval of the faculty.

e) Resolution on Good Academic Standing

CAPP co-chair Rai began to read the proposed resolution into the record. It was moved and seconded that FS waive the requirement and declare the resolution “read into the record.” That motion passed.

This is the proposed resolution:

RESOLUTION TO INCLUDE WITHIN THE UH MĀNOA CATALOG A DEFINITION OF UNDERGRADUATE SATISFACTORY ACADEMIC PROGRESS AND MAINTAINING GOOD ACADEMIC STANDING AT THE INSTITUTIONAL LEVEL

WHEREAS

The UH Mānoa Catalogs dating from 1997-2010 explicitly state that students must “complete a minimum of 124 credits and have a minimum of a C (not C-) average (minimum GPA of 2.0) to earn a baccalaureate degree;” AND

WHEREAS

Colleges, schools, and degree programs have specific requirements and also state that students must meet UH Mānoa General Education Core requirements, and maintain UH Mānoa academic standards; AND

WHEREAS

The UH Mānoa Catalogs dating from 1997-2010 define Academic Probation to mean “falling below 2.0 cumulative grade point average at the end of a semester;” AND

WHEREAS

Financial Aid Services states that all students receiving financial aid are expected to make satisfactory academic progress toward a degree and in order for students to remain eligible for financial assistance they must maintain, at least a 2.0 cumulative grade point average for undergraduates; AND

WHEREAS

UH system schools with the exception of UH Mānoa define satisfactory academic progress and maintaining academic standards as a 2.0 cumulative grade point average; AND

WHEREAS

The term “good academic standing” is regularly used at UH Mānoa with a

common understanding by inference to mean 2.0 grade point average or higher; AND

WHEREAS

The is no definition included in the UH Mānoa catalog at the institutional level for "satisfactory academic progress," "minimum Mānoa academic standards," and "good academic standing," AND

WHEREAS

The terms, "satisfactory academic progress," "minimum Mānoa academic standards," and "good academic standing" are all inferred to mean 2.0 cumulative grade point average, AND

THEREFORE BE IT RESOLVED

In order to maintain consistency and clarity at the institutional level at UH Mānoa, the terms, "satisfactory academic progress," "minimum Mānoa academic standard," and "good academic standing" be defined explicitly as

A student at the University of Hawai`i at Mānoa shall make satisfactory academic progress toward a degree and remain in good academic standing by maintaining a minimum Mānoa academic standard which is a cumulative grade point average of 2.0.

BE IT FURTHER RESOLVED

The definition shall be included in the UH Mānoa catalog in the Undergraduate section under the heading "Satisfactory academic progress toward a degree, minimum Mānoa academic standard, and good academic standing."

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It was suggested that we make clear that this applies to undergraduates. This was followed by a motion that we include "undergraduates" in the resolution title. That motion was approved as a friendly amendment.

There being no further discussion, the proposed resolution with the amended title was approved unanimously.

f) (CAPP) Resolution on Nursing

CAPP co-chair Rai read the following resolution into the record:

**RESOLUTION ON A SYSTEM-WIDE NURSING CURRICULUM
ARTICULATION INITIATED BY THE SCHOOL OF NURSING AND
DENTAL HYGIENE**

WHEREAS

The University of Hawai`i's nursing programs are developing a unified approach to nursing education in response to the State of Hawai'i's growing need for qualified registered nurses; AND

WHEREAS

The University of Hawai'i Statewide Nursing Consortium's (HSNC) mission is to develop a system of nursing education that meets Hawai'i's need for well educated, culturally sensitive and caring professionally competent nurses; AND

WHEREAS

The HSNC Consortium members are University of Hawai`i at Mānoa, Kauai Community College, Maui Community College, Kapiolani Community College, and Hawaii Community College; AND

WHEREAS

The curriculum articulation, during the first phase (fall 2010), is among University of Hawai`i at Mānoa, Kauai Community College, and Maui Community College; AND

WHEREAS

The curriculum is designed as a 4 year competency-based, integrated curriculum that culminates in a baccalaureate degree; AND

WHEREAS

The curriculum will be the same across all nursing programs participating in the HSNC and is initiated by the University of Hawai`i at Mānoa School of Nursing and Dental Hygiene; AND

WHEREAS

The Community college students can choose to exit the program after achieving the competencies of the 3rd year earning an Associate Degree (AD); AND

WHEREAS

Community college students wishing to complete a baccalaureate degree will continue into the 4th year of the program, with a seamless transition into either on-campus or distance-based 4th year curriculum offered through University of Hawaii at Mānoa School of Nursing & Dental Hygiene (SONDH); AND

WHEREAS

This model will be more efficient and cost effective for AD students seeking

a BS degree in nursing (currently, Hawaii's AD programs are 3 years in length and nurses take an additional 2 years at the SONDH to earn their BS degree);

THEREFORE BE IT RESOLVED that

The School of Nursing and Dental Hygiene (SNDH) establish a system-wide nursing curriculum articulation.

BE IT FURTHER RESOLVED that

Non-nursing courses that fall outside the purview of SNDH, including courses that satisfy General Education requirements, must be reviewed and matched according to campus-based articulation agreements.

BE IT EVEN FURTHER RESOLVED that Nursing provide a report to the Senate on the impact of this program

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A senator suggested that the Senate may want a report on impacts of this curriculum in, say, 4 years. Rai accepted this as a friendly amendment.

In response to a question about the reference to General Education, Lois Magnussen from SNDH explained that Gen Ed requirements would not be modified by the School. In response, it was suggested that the Gen Ed reference be clarified to delete the word *changed*. The word “changed” was removed as a friendly amendment.

Ross, stepping out of his chair role, asked if “acceptance of the first 3 years from a Community College would set a precedent.” Both Rai and Magnussen agreed that the proposal, which took 5 years to draft, involved only nursing and would not “fit” any other program. It was also asserted that this proposal in no way would allow modification of UHM’s General Education requirements.

The resolution, with the final “be it ... further resolved” components as amended above, was approved with 2 abstentions.

g) Resolution opposing the plan to eliminate the Pacific Biosciences Research Center and close the Kewalo Marine Laboratory.

The following resolution, with references to supporting materials, was read into the record by Truc Nguyen, Chair of CPM.

Resolution:

That the University of Hawaii at Mānoa Faculty Senate opposes the plan to close the Kewalo Marine Laboratory and asks that the Vice Chancellor for Research and Graduate Education step down as Interim Director of the Pacific Biosciences Research Center

Whereas the UHM Chancellor plans close the Kewalo Marine Laboratory (KML) on the advice of the Vice Chancellor for Research and Graduate Education (VCRGE);

Whereas the Kewalo Marine Laboratory has 20 years remaining on its existing lease, and has been in compliance with all lease conditions and requirements ¹;

Whereas the Kewalo Marine Laboratory faculty were specifically hired to work at this facility with commitments to include associated seawater and laboratory facilities essential to their research that are not available elsewhere or planned to be provided;

Whereas the VCRGE has been serving as the PBRC Interim Director, with direct administrative oversight for the Kewalo Marine Laboratory, for the past 5 years, even though he has several notable conflicts of interest and has acted as an antagonist rather than an advocate for the unit;

Whereas during his time as the appointed Interim Director of PBRC, the VCRGE took on additional responsibilities for which he was compensated as the Interim Dean of JABSOM, further limiting any time he could devote to Kewalo Marine Laboratory issues;

Whereas some information presented by the VCRGE/Interim Director of PBRC in support of the closure of the Kewalo Marine Laboratory is factually incorrect, exaggerated or presented in a false light ²;

Whereas the Kewalo Marine Laboratory is a multimillion dollar facility whose faculty continues to be highly productive in the areas of research, teaching and service despite being prevented from filling vacant positions and who are now required to get clearance from the VCRGE prior to submitting new grant applications to use the KML facility, into which they were hired, past a closing date in 2013 that has not been validated by the University ³;

Whereas the constraints on KML faculty submitting research grants to use the facility into which they were hired constitutes an unacceptable burden, since as members of an Organized Research Unit, the faculty are required to obtain extramural funding as a key criterion for their evaluations. Furthermore, the stated intent to close the KML is hampering the ability of

faculty to recruit the highest quality graduate students and postdoctoral researchers, further compromising the ability of faculty to do the work for which they were hired.

Whereas, the closure of the Kewalo Marine Laboratory demonstrates a lack of fiduciary responsibility on behalf of the University to stakeholders (students, faculty, staff, local and federal governments the Hawaii and Pacific Island communities and taxpayers);

Whereas, the VCRGE had previously been requested by the UHM Faculty Senate Executive Committee to follow a process in pursuing the closure of KML, with which he has not complied ⁴;

Whereas, if the Kewalo Marine Laboratory can be represented by an Interim Director with clear conflicts-of-interest and an unwillingness to advocate for the unit, and be eliminated without due process and based on incorrect or inadequate information, other UH Mānoa units are likewise at risk;

Therefore:

-- Be it resolved that the UH Mānoa Faculty Senate formally opposes the proposed plan to vacate the existing lease for the Kewalo Marine Laboratory.

-- Be it further resolved that the UHM Faculty Senate, on behalf of the PBRC/KML faculty, requests that the VCRGE step down as Interim Director of PBRC, and an appropriate individual acceptable to both the faculty and administration be appointed by the Chancellor to serve in that capacity.

The Faculty Senate also ~~insists requests~~ that adequate steps be taken to insure no retaliation occurs as a result of this action, including using the present economic challenges as an excuse to terminate KML faculty.

1 Hawaii Community Development Association minutes, Aug 6 2008

2 Hawaii Community Development Association minutes, Aug 6 2008 and lease letter

3 Email VCRGE to Kewalo faculty, Feb. 2, 2009

4 Memo SEC to VCRGE, Dec. 8, 2009

CPM accepted as a friendly amendment changing “requests” to “insists” in the final sentence of the resolution.

A senator noted that he lacked sufficient information on the particulars to support the resolution. Another noted that the resolution seemed more likely to antagonize VCRGE than result in what the Senate seeks: VCRGE is following a process, although it is not the process agreed to by FS.

Another senator appreciates the work of the drafters, but finds himself insufficiently informed to vote. What does the interim director of PBRC say in his own defense? We

need to know all the facts.

A faculty member from PBRC spoke of several problems that the unit's researchers have been having as a result of the current situation. "We are not getting advocacy; we are not getting support for our grant applications." The lack of support is inappropriate until BOR, which has authority in the matter of program dissolutions, closes the PBRC. Another asked that the VCRGE provide reasons for his actions as part of a full reorganization plan.

A faculty member from this campus noted that the resolution is the product of multiple deliberations and seems ready for a vote. It was asked if we can rephrase the resolution as a vote of no confidence. Another senator in response noted that his unit formally opposes any vote of no confidence.

The motion was called. The motion to approve the resolution with slightly amended wording was approved by a vote of 37 yeas, 1 nay, and 10 abstentions.

h) Resolution concerning the Process for Selection of a Director for the Cancer Research Center of Hawai'i

CPM chair Nguyen read the following into the record.

**MĀNOA FACULTY SENATE RESOLUTION
CONCERNING THE PROCESS FOR SELECTION OF A DIRECTOR
FOR THE CANCER RESEARCH CENTER OF HAWAII**

Whereas Chancellor Hinshaw ignored both CRCH faculty and the written succession policy of the CRCH as agreed to by the UH Administration and NIH, in appointing an Acting/Interim Director, thus providing him an unfair advantage in the subsequent search process for a permanent director;

Whereas the search process for a permanent CRCH Director was not conducted in a manner that was fair, open, impartial, and in accordance with the Senate Resolution of January 2009, as evidenced by the following procedural violations:

1. Faculty members chosen for the search committee were selected in secret by the Chancellor's office without approval of the Committee on Faculty Service.
2. Contrary to the guidelines contained in UH administrative procedure A9.620 for executive recruitments, no vote of the committee was allowed to determine which of the finalists were qualified to be director or which candidates should be forwarded for consideration

3. The selection process for members of the search committee exhibited clear bias towards the selection of the in-house candidate and was tainted by the appointment of inappropriate members with conflicts of interest.

Whereas the search process appeared to be biased as a result of numerous deviations from accepted conduct in academic searches, as suggested by the following:

1. A vote of the full committee to advance the in-house candidate to finalist status reportedly never occurred, raising questions as to how the appointee was included among the finalists.
2. A full and open discussion of the finalists by the committee was not allowed.
3. The Chancellor inappropriately interjected herself into the final deliberation of the committee.
4. It does not appear that legitimate negotiations ever took place between the Chancellor's office and other qualified finalists for the position.

Whereas the Chancellor ignored the stated minimum qualification with respect to the requirement that candidates must have 5 years of administrative experience, as well as similar written concerns of the majority of CRCH faculty concerning the appointment of a permanent CRCH Director, and appointed an individual whose primary "administrative experience" consisted of less than 3 years as the Faculty Chair of a small academic unit;

Whereas both the perception and the reality of a biased and pre-ordained search process have done irreparable damage to the reputation and the integrity of the University of Hawaii;

~~Be it resolved that the Faculty Senate of the University of Hawaii requests the University administration and Board of Regents to ensure that executive search processes are conducted in line with the guidelines established by the Senate Executive Committee with the Chancellor's office for these searches, such that the best candidate is identified and selected through a comprehensive international search~~

Be it resolved that the Faculty Senate of the University of Hawaii at Mānoa requests that the Board of Regents direct that the Mānoa administration conduct executive searches in accord with its Executive Search Process M9.102

Is this more than ‘poking the chancellor?’ a senator asked. Yes, said another senator, noting that process violations are also an issue in the CHTAR dean search, supported the resolution as necessary. Another noted that to garner his vote, the language would have to be less inflammatory.

A senator from CRCH asked if it was appropriate for the chancellor to spend \$100,000 of UHM money for a search process with preordained results. Others noted additional instances in which the integrity of the search was compromised by the administration’s actions.

A senator not from CRCH suggested that it may be better for us to make a strong statement than to make no statement at all. After all, we have to support efforts to make our searches credible—the results of searches are terribly important to us.

A senator asked for clarification of what the Senate seeks. That request led to amended language in the “be it resolved” paragraph. The amended language is in the resolution above.

After more discussion, the question was called. The resolution was approved by 35-2-2.

5. Adjournment

Noting the time, Ross declared the meeting adjourned at 5:10 pm.