

## MINUTES

### BOARD OF REGENTS' MEETING

April 1, 2010

#### I. CALL TO ORDER

Chair Howard Karr called the meeting to order at 12:10 p.m. on Thursday, April 1, 2010, at the University of Hawai'i at Mānoa, 2444 Dole Street, Bachman Hall 113, Honolulu, Hawai'i 96822.

Quorum (12): Chair Howard H. Karr; Vice Chair Dennis I. Hirota; Carl A. Carlson; Michael A. Dahilig; Ramon S. de la Peña; Chuck Y. Gee; James J.C. Haynes II; John C. Holzman; James H.Q. Lee; Eric K. Martinson; and Teena M. Rasmussen, Grant Teichman.

Excused (2): Artemio C. Baxa, Mark Fukunaga

Others in Attendance: President M.R.C. Greenwood, Ph.D.; Vice President for Academic Planning & Policy Linda Johnsrud, Ph.D.; Vice President for Community Colleges John Morton, Ph.D.; Vice President for Legal Affairs and University General Counsel Darolyn Lendio, Esq.; and others as noted.

#### II. PUBLIC COMMENT PERIOD

There were no oral or written testimonies at the meeting.

Chair Karr welcomed everyone to the meeting, and turned the meeting over to President M.R.C. Greenwood, who introduced Ralph Wolff, President and Executive Director of the Western Association of Schools and Colleges (WASC) Accrediting Commission for Senior Colleges and Universities and Barbara Beno, President of WASC's Accrediting Commission for Community and Junior Colleges (ACCJC), who are here to present information to the Regents on the accreditation process as it relates to the University of Hawai'i System.

#### III. BRIEFING AND WORKSHOP CONDUCTED BY WASC EXECUTIVES

Mr. Wolff thanked the Regents for their interest in the WASC accreditation process and said it's encouraging to see the new Board working together to support the University and maintain a high level of integrity. Accreditation is the American higher education self-regulating system. A group of institutions form an accrediting commission and agree to standards of quality and policies and procedures. They agree to submit to review by professional peers and to adhere to the standards. Accreditation is a means by which institutions, the public, and

students judge the quality of an institution. There are different regions across the country that all work together to form the nation's accreditation system.

The United States is the only place in the world that believes you can get an education at any time in your life. Asia and Europe are just beginning to develop community colleges. In those countries, older citizens do not attend schools. There are currently 4,314 institutions in the accreditation system. There's a diversity of institutions being accredited and currently 18 are seeking accreditation. These institutions include public, private, online and religious campuses.

Barbara Beno explained that the standards of accreditation include assessing the necessary institutional resources such as human, physical, technological, financial and material resources used to provide education. Standards also describe institutional structures and processes like curriculum development or a curriculum approval process, which is a faculty driven process. There are also governance structures that provide for the role of the Board of Regents and how the Board provides governance and oversight to the institution. There are standards for institutional integrity and commitments that define truthfulness in cost, financial aid availability, time necessary to complete programs, the school website, the school catalog and certificates and outcomes. There are standards that ask institutions to account for student learning outcomes, including the achievement of student degrees and certificates. There are standards that require institutions to have and collect information on program completion and preparation for a career or vocation. Academic institutions are accredited, as well as institutions that train students for a particular type of job. This training is generally done within the community colleges, as well as some programs within the university. All of this is part of the federal Higher Education Act 602, which states that an institution must have a set of standards.

Mr. Wolff described the accreditation process as having many layers. The institution prepares a report of self-evaluation to assess how well it meets the prescribed standards. A team of peer evaluators then assess the report and determines how well the institution meets the standards. The University of Hawai'i at Mānoa just had an exemplary review and WASC is looking at using Mānoa's self-evaluation as an example to others by placing it on the WASC website. The team will then prepare a report for the institution to see in draft form. The finalized report is given to the Commission, which will render a judgment on accreditation and set timelines for improvement, if necessary. The Commission will then interact with the institution via phone or in person. An action letter is sent out to the institution with the Commission's decision, including the length of accreditation and follow up reports, if needed.

The federal government uses accreditation to determine the institution's eligibility for Title IV student aid, as well as other federal grants and contracts

awarded to institutions. The federal government has a process called Recognition of Accrediting Bodies, which is completed every five years. When the Commission goes through Recognition, it prepares a self study report. A staff person from the federal government visits the Commission to do a site visit and examines documents and evidence, and the National Advisory Committee for Institutional Quality and Integrity reviews both the staff report and Commission report and makes a judgment as to whether the accrediting body deserves recognition. The standards change over time when the federal government changes expectations or requirements for the Commission.

Regent Holzman asked for an example of how the federal government is mandating standards. Mr. Wolff said there is constant federal follow up monitoring of financial performance and monitoring with respect to student achievement. The government feels a ten year cycle of accreditation is too long without ongoing monitoring of an institution. Congress just put in a new law that states that the Commission has to regulate growth of institutions, which is to include all online programs and all additional locations off campus through very formal processes. There have been three negotiation sessions in Congress which focused on PELL grants for students. Currently, there is \$80 billion in PELL financial aid. Because 90% of the revenue of for-profit education can come from federal sources, there is a real concern that the federal government is financing for-profits. The University of Phoenix is an example of a for-profit institution.

Regional accreditation is done by accrediting commissions that have organized in geographic regions of the United States. WASC is in the Western Region that includes California, Hawai'i and the Pacific. Other regions include the New England region, the Middle States region, the Southern region, the Northwest region, and the North Central region. All the regions have standards and all require academic freedom. Students move between regions knowing other institutions are accredited by the same standards. Each region is recognized by the federal Department of Education.

The Western Association of Schools and Colleges (WASC) is comprised of two commissions, the Accrediting Commission for Senior Colleges and Universities (ACSCU) and the Accrediting Commission for Community and Junior Colleges (ACCJC). There are 25 commissioners in the ACSCU and 19 commissioners in the ACCJC. Commissioners serve three year terms in both commissions. There are 160 institutions in the ACSCU and 137 institutions in the ACCJC. The ACSCU serves 900,000 students and the ACCJC serves 1.9 million students. Accreditation is performed in an institution in 7-10 year cycles in the ACSCU and 6 year cycles in the ACCJC. The commissions are funded 75% by dues and fees for each institution.

The role of Regents in meeting the standards is based on eligibility requirements. The first requirement states that the governing board is

responsible for the quality, integrity and financial stability of the institution, and ensuring that the institution's mission is being carried out. When there's a quality problem, it could be related to staff and/or leadership. The Commission wants the leadership to manage the policy level of problems and not get involved in the operations side of the problem. It's important to set expectations of the administrators that are hired. Budget decisions made by the Regents are critical to financial stability. There is also a lot of focus on student learning. Colleges and universities need to have an ongoing process for assessing quality and progress and not to just do assessments when accreditation is coming up. There should be a continuous quality improvement process.

Ms. Beno explained that the Standards are designed to promote good practices. For example, ACCJC Standard IV refers to leadership and governance. The Community College standards consider Regents to be leaders of their particular institution. Institutional leaders create an environment for empowerment, innovation and institutional excellence. They encourage staff, faculty, administrators and students to take initiative in improving the practices, services and programs for which they are involved. When ideas for improvement have policy or significant institution-wide implications, systematic participative processes are used to assure effective discussion, planning and implementation. In addition to the leadership of individuals and constituencies, institutions recognize the responsibilities of the governing board for setting policies. Administrators have responsibilities for operations and the governing boards have responsibilities for policy. The most frequent reason that governing boards get into trouble with accreditation is because they get involved in operations.

Ms. Beno continued by saying the governing board should adhere to a defined policy for selecting the chief administrator. The governing board is an independent policy making body. Irrespective of how governing members get on the board, as some are appointed and some are elected, once they're there, the job is to provide leadership for the whole institution. Mr. Wolff added that a critical point for the accreditation body is to know board members are not serving a particular group from the university, but rather the whole university and what's in the best interest of the whole. In response to a comment made by Regent Gee giving an example about a Regent from a neighbor island speaking about that island's community college and its desire to get a baccalaureate degree added and then speaking about it to the rest of the Regents, Mr. Wolff said there is a difference between having a voice and perspective, but when it comes to making a decision, that needs to be from the whole. The board protects and defends the institution from undue influence or pressure. The board establishes policies consistent with the mission statements to ensure quality and integrity. Another job of the governing board is to say when the institution cannot take on another mission because there aren't enough resources to ensure quality. President Greenwood commented that the previous statement can be taken the wrong way, letting some to think it means that the plan is to keep everything as is

and keep everything you have because there are no new resources, when in fact, it may also mean that there may be the need cut back on other things. The Standards also look at program review when they take a look at the quality of a particular program to determine whether cuts should be taken or if a program needs to be reduced. The Commission has put in its criteria a standard that institutions must follow in which the institution creates a policy as to how the institution can eliminate programs.

Regent Teichman asked if something's funded by the legislature, but the project is not part of the school's mission, and the school is worried about taking the funding for the project not knowing what monies will be needed in the next year and a few years to follow, what steps can the school take, especially if there's pressure from the community and some politicians? Ms. Beno said the new program development is closely looked at and they look at both long-term and short-term funding. The ideas behind the development of new programs must be rational with an assessment done before the decisions are made. Regent Rasmussen said taking on remedial education from high schools takes the responsibility off one and puts it on the other, which comes down to accountability and responsibility, and though she's not against taking it on, it may be a shift the university will never be able to get out of by allowing the high schools to say its okay, because the students will get the required education someplace else (e.g., at the community college level).

Ms. Beno went on to say that sometimes they find members of the board not abiding by the rules and breaking policy, be it talking to the press or publicly criticizing the school administrator, or contradicting policies that the board has made. Policies require that all members act according to the bylaws and that the board regularly evaluate its policies and practices and revise them as needed. They also like to see a program in place for board member development. Finally, they like to see an evaluation process in which a board evaluates itself to be sure that everything is being implemented properly. Some boards evaluate themselves every 5 years, which is too infrequent if an individual or group behaves in a bad way. The Commission recommends an annual evaluation. The Commission also requires the board to have a Code of Ethics and a means of enforcing it. Finally, the board must have a policy in place of selecting and evaluating the school administrator. Set expectations and have reviews of the administrator so that the administrator knows the board's view and knows how well they are doing in managing the school. Leave operations to the administrator. If everyone is doing their part, things work really well. Regent Rasmussen asked about board training and what that means. Ms. Beno said the training is for getting information from staff and evaluating that information. Outside training is occasionally recommended if there are difficulties. President Greenwood stated that the Association of Governing Boards (AGB) came in this past Fall to do a session with the Board and President Greenwood, and an orientation was completed that included receiving strategic plans, thus giving everyone common background on where the University is headed. Ms. Beno

said that this type of meeting is also a form of training. Regent Holzman asked how boards evaluate themselves annually. Ms. Beno said there are model board evaluation forms that can be obtained from the AGB and some systems make their own. Typically, there's a survey filled out by each individual Regent and someone will tabulate the results. The questions concern topics such as how well the board works together, whether all the reading is done necessary for the board meeting, have there been thoughtful discussion and if members have been civil. Other questions are a self judgment on whether the member has been following policy. When the Commission comes to visit, they will be asking about the regular board evaluations.

Mr. Wolff said the Senior Commission devotes less time to the standards and are more concerned about evidence on board outcomes and how the school gets to that point. During the Dobelle administration, there was great concern about the board's relationship with administration. The Senior Commission wants the school to be more in control of their own destiny versus at the control of the legislature. There have been times when the Commission has intervened when the legislature has tried to get involved in programs and hiring at universities, as it's invasive to autonomy. Many years ago, the University of Hawai'i was put on warning because of legislative interference. Regent Rasmussen asked what the best way is to manage that legislative involvement. Mr. Wolff said he's written letters to legislators, saying legislative involvement violates standards on planning. This is done behind the scenes. Regent Gee asked about autonomy versus public accountability and having the legislature step in saying the Board isn't recognizing the community interest. Does the legislature not have that right to express that viewpoint? Mr. Wolff said it's a question of how they express it. There's a difference between setting goals through shared commitments agreed on, and a micromanagement issue when, for example, the legislature tells the school to open a program next fall without any planning at West Oahu. That violates academic integrity and opens a whole set of issues with the Commission.

Mr. Wolff said the Association of Governing Boards just came out with new standards on Conflict of Interest that particularly applies to institutions like the University because we live in a close knit community where everything that's done is reported in newspapers and everyone seems to know everything. Therefore, it's important to set up clear policies and these policies need to be reflected in the minutes. In communities where people know each other and often have businesses together, it can become an issue. Ethical standards also need to be kept up to date. There are new requirements for both public and private schools. Mr. Wolff said the Senior Commission has seen significant positive changes in the way the UH Board operates and asks that the Board maintains its vigilance to continue this balance.

Mr. Wolff went on to say that the University now has four very different initiatives. Mānoa is very different from West Oahu in terms of its mission and there are some real choices that the Board will need to make. The Commission is mindful of the changes that are happening with the growth of West Oahu and how it will impact Mānoa, and is also watching Maui College. Achieving the mission of the campuses is the job of the Board. UH Hilo was a concern but has since addressed the Commission's recommendations and the Commission is very pleased with that. The new enrollment and graduation rate is an initiative being watched by the Commission and what the graduates continue to do after graduation. The Commission asks that graduation and student achievement data be recorded. The focus on student learning is designed for the institution to determine how well it's doing. That is the focus the Commission wants the University to maintain. President Greenwood stated that the Strategic Plan in place now makes it more likely that all faculty know what each other is doing to arrive at the common goal and mission of the System. She stated that Vice President Johnsrud spends a lot of time convening groups across all campuses, and across all disciplines, to ensure that everyone is working towards common goals. Mr. Wolff said the Senior Commission standards are designed to promote good practices within individual campuses to move them on to the next level. A school's next review will be different from the current review. The Commission works closely with each individual campus, knowing that it's not a one-size-fits-all situation. The Commission looks at what's an adequate amount of resources to make for a quality education. If there are serious issues in an annual report, the Commission will follow up with the institution to work together to protect the future of the institution and assure that students are receiving a quality experience. The Program Review process is being closely monitored and Program Learning Outcomes must be done to assure a program is operating efficiently.

Regent Rasmussen asked if WASC looks at facilities and management of facilities. Mr. Wolff said yes, but there is much more focus put on learning. The Commission is looking more at literacy, computer support, and the use of course management systems, which requires a lot of faculty retooling. Though a campus could have serious facility issues, such as the Mānoa library after the flood, and the Pharmacy school at Hilo which didn't have a building in place when the school opened, it's more about looking at these issues as they arise.

Ms. Beno said the Federal level concerns are whether higher level education is sufficiently effective on how well the workforce is being prepared. Some criticism focuses on accreditation only being concerned about academics and not outcomes to ensure quality.

New forms of educational delivery such as distance education is being looked at to see if this form of education provides sufficient quality to students. Accreditors are used to primarily assessing the quality of an institution face-to-face. Are there appropriate tools to assess an institution whose focus is distance



education? Accreditation also has to determine if the institutions really has the ability to control what goes on at off-site campus locations. An example was given of some universities opening small off-site campuses offering limited courses and determining whether these locations offer library services and computer services of sufficient quality.

Mr. Wolff added that federal regulations require all distance education classes be approved by the accrediting body before they begin. There will be a lot of new forms of education in the future. Over the next five years, there will be new ventures in higher education, a lot of which involves venture capital monies leaving accredited institutions and accrediting bodies determining what quality education is with these new types of institutions.

Regent Karr stated that it may be a sign of the times if big corporations like McDonald's or Starbucks starts online classes in side rooms. Mr. Wolff said absolutely. Who's to decide if they can offer a program resulting in a new certificate for students? Regent Gee asked who makes the decision at a campus to enter out into joint ventures that allow private entities into a university which offers alternative education, including continuing education? Is this a decision the Board of Regents makes or the university or program itself? Mr. Wolff said the bigger issue is there will be entities who want to become larger accredited institutions and there will be others who will want to partner with existing institutions allowing for financial aid. That's how it begins. It usually starts with continuing education then there's an Associates Degree and possibly moves on to a four year degree later. This would not necessarily come through the Board of Regents. However, if a private company decides it wants to become the university's sole online partner for the entire system by offering a \$50 million investment, this may come to the Board. This is actually happening today at two or three institutions. Ms. Beno added that the University will need to weigh the quality of education of these programs when it happens and how quality will be preserved.

Regent Rasmussen asked if the Commission accredits institutions that are solely online institutions and Mr. Wolff said yes, they have done this for many years. Regent Gee added that reality skills truly come from students attending classes at a university versus taking online classes and having no social interactions with an instructor or students. Ms. Beno said there are a lot of accomplishments being shown with online classes, stating these classes build their own learning communities and it's becoming quite remarkable how it's evolving. Regent Rasmussen then asked Vice President Johnsrud if she thinks the old "brick and mortar" universities will become a thing of the past. VP Johnsrud said she feels there will always be enough of the public interested in having "that place" to go for education. However, she does believe that online classes will continue to grow at a much faster rate.



President Greenwood said that some of the best that she's seen developed recently are the hybrid classes where you meet once a week in a classroom and the remaining portion is online. Textbook publishers are now linking online components into their publications.

The University of Phoenix was used as an example of the evolution of higher education spending millions of dollars on marketing and opening 100 new campuses within the last two years. The only place where they have full time faculty at the University of Phoenix is in states that require it, such as New York and New Jersey. All other faculty are adjunct faculty.

Regent Rasmussen asked if we should be going down the road of building the West Oahu campus and the Pharmacy School in Hilo and the Cancer Research Center, or should we be looking at putting more money into the IT system because that's where it seems education is moving. Mr. Wolff said the question is excellent and needs to be directed towards President Greenwood, Vice President Linda Johnsrud and Vice President John Morton. WASC will not tell you what the answer is. Everyone needs to make the choice. The idea that all classes need to be taught inside the classroom is not the way it's being done any more.

Regent Gee asked what the future is for tenure and promotion for faculty versus term contracts. Mr. Wolff said for some institutions tenure should be judged on what it takes to get tenure in post tenure review. Some institutions are now offering long term contracts instead of tenure. There are now multiple models of contracts in many places for faculty and that needs to be looked at by administration. President Greenwood added that the University has changed drastically over the past 30 years and the millions of dollars awarded in research contracts are not headed by tenured faculty. The University couldn't function without these researchers. Another factor is that there are a large number of individuals in the University doing what used to be faculty jobs. Advising, for example, used to be only done by faculty. The workforce has changed. Mr. Wolff added that looking at the future workforce is a key area that the Regents may want to investigate.

In closing, Regent Karr thanked both Mr. Wolff and Ms. Beno for their time and stated that the information and insights they shared are greatly appreciated.

#### **IV. ANNOUNCEMENTS**

The next meeting of the Board of Regents will be on Thursday, April 15, 2010, at Honolulu Community College.

**V. ADJOURNMENT**

There being no further business, the meeting was adjourned at 3:12 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Keith Amemiya". The signature is written in a cursive style with a large, sweeping initial "K".

Keith Amemiya  
Interim Executive Administrator  
and Secretary of the Board