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Statutes and By-Laws

GOVERNING THE

University of Hawaii



UNIVERSITY OF HAWAII BULLETIN

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UNIVERSITY OF HAWAII CHARTER*

Sections 820-827 of Revised Laws of Hawaii 1935, as amended to date, constitute the charter of the University of Hawaii:

SECTION 820. *Establishment; available to all.* There is established a University of Hawaii which shall consist of the college of agriculture or mechanic arts formerly known and designated as the College of Hawaii, but herein designated as the college of applied science, a college of arts and sciences and such other departments as may from time to time be established.

No person shall, because of sex, color or nationality, be deprived of the privileges of this institution.

SECTION 821. *Regents; appointment; tenure.* The affairs of the university shall be under the general management and control of a board of regents consisting of seven members of which the president of the university and the superintendent of public instruction or some other member of the Board of Commissioners of Public Instruction as may be designated by the Governor shall be members ex-officio, and the other five members shall be appointed by the governor as by law provided. The regents shall be residents of the Territory, and the appointed members shall be appointed for terms of five years or the unexpired periods thereof in such manner that the term of one regent shall expire at the close of April 30 each year.

SECTION 822. *Powers of regents.* The Board of Regents shall have general management and control of the affairs of the university. It shall have the power to appoint a treasurer and such other officers as it deems necessary, and to require them to give bonds in such amounts as it may prescribe and in the form prescribed by law for bonds of public officers. It shall have power to purchase or otherwise acquire lands, buildings, appliances and other property for the purposes of the university and expend such sums of money as may be from time to time placed at the disposal of the university from whatever source. All lands,

* The first charter was enacted by the 1907 Legislature establishing the College of Agriculture and Mechanic Arts. The present charter was enacted by the 1919 Legislature (Act 203) and amended from time to time since then.

buildings, appliances and other property so purchased or acquired shall be and remain the property of the Territory to be used in perpetuity for the benefit of the university.

The board is directed to charge, in addition to the usual maintenance fees, a tuition fee of one hundred dollars a year. The board shall, however, have power within its discretion, to waive entirely or to reduce such tuition fee in cases of students upon whom the payment of such a fee would work an undue hardship.

The official name of the board shall be Board of Regents, University of Hawaii, and the board shall adopt and use a common seal by which all official acts shall be authenticated.

SECTION 823. *Purposes of university.* The purposes of the university are to give thorough instruction and conduct researches in, and disseminate knowledge of, agriculture, mechanic arts, mathematical, physical, natural, economic, political and social sciences, languages, literature, history, philosophy, and such other branches of advanced learning as the board may from time to time prescribe, and to give such military instruction as the board may prescribe and the Federal government require. The standard of instruction shall be equal to that given and required in similar universities on the mainland of the United States, and upon the successful completion of the prescribed courses the board is authorized to confer a corresponding degree upon all students who shall become entitled thereto.

SECTION 824. *Faculties.* The faculties of the university shall be under the direction of a president who shall be appointed by the Board of Regents of which he becomes ex-officio a member. The board shall appoint such deans, directors, other members of the faculties, and employees as may be required to carry out the purposes of the institution, prescribe their salaries and terms of service, where such salaries and terms of service are not specifically fixed by legislative enactment, make and enforce rules governing sabbatical leaves with or without pay, consistent with the practice of similar institutions on the mainland, and notwithstanding the laws of the Territory relating to vacations of the officers and employees of the Territory.

SECTION 825. *Suits.* The board shall have the authority to sue in its official name and shall be subject to be sued

only in the manner provided for suits against the Territory.

SECTION 826. *Gifts to.* The board is authorized and empowered to receive, manage, and invest moneys or other property, real, personal, or mixed, which may be given, bequeathed, devised, or in any manner received from sources other than the legislature or any federal appropriation for the purpose of the university, its improvement or adornment, or the aid or advantage of students or faculty, and in general to act as trustee on behalf of the university for any of such purposes or objects.

The board shall cause to be kept suitable books of account wherein shall be recorded each gift, the essential facts of the management thereof, and the expenditure of the income, and a statement of all trust funds shall be included in the annual report to the governor.

SECTION 827. *Appropriations; accounts; reports.* Moneys appropriated by the legislature for the university shall be payable by the territorial treasurer, upon warrants issued by the territorial auditor, upon vouchers approved by the board of regents. All moneys received by or in behalf of the board or the university, other than those received from the United States government or other governments, shall be paid into the territorial treasury, and all such moneys are appropriated for the use of the university. The board shall cause to be kept suitable books of account, and shall annually submit to the governor, to be by him submitted to the legislature a statement showing its receipts from all sources, and expenditures for all purposes.

TEACHERS COLLEGE

SECTION 828*. *Teachers college.* The teachers college, formerly known as the territorial normal and training school, shall be affiliated with the university and shall be under the jurisdiction and management of the university Board of Regents, which is required to have the same standard of entrance requirements as now in force and authorized to grant appropriate degrees to properly qualified graduates of the teachers college; *provided*, however, that in the matter of the curriculum it shall be the obligation

* This and succeeding sections are from the *Revised Laws of Hawaii 1935*.

of the university authorities to obtain, as far as possible, the approval of the department of public instruction; and *provided* further, that the department of public instruction shall appoint an advisory committee of at least three members, whose obligation it shall be to cooperate with the university authorities in the development of the best possible teacher training program for the teachers college. The purpose of the teachers college shall be to train teachers to meet the requirements of the public schools of the Territory.

SECTION 829. *Recognition to normal school students.* The university shall provide a fair and equitable means for the full recognition of all credits earned and received by graduates and students of the territorial normal and training school on the same basis as if they had been earned as a student at the university, and in pursuing courses at the university, such graduates and students shall be entitled to the same rights and privileges as other students who are candidates for the bachelor's degree, and any graduates or students who heretofore received or hereafter receive diplomas from the territorial normal and training school shall, upon application, be given also an appropriate certificate or diploma by the university, which certificate or diploma shall also show the standing such student or teacher will have at the university, if desiring to complete the requirements for a bachelor's degree.

The university shall also provide a fair and equitable means for the full recognition of all credits earned and received by any person now in the employ of the department of public instruction as a teacher, who became such teacher through graduation from the normal school prior to September, 1922, or became eligible to teach by passing the required teachers' examination offered by the department of public instruction.

SECTION 830. *Status of certain teachers.* Nothing in sections 828-830 shall be construed so as to affect in any way the eligibility for employment or the status in employment of teachers who were employed as teachers in any of the public schools on September 1, 1931.

PSYCHOLOGICAL AND PSYCHOPATHIC CLINIC

SECTION 831. *Establishment.* There is created a psychological and psychopathic clinic which shall undertake to

investigate the nature, causes, treatment and consequences of mental disease and defect within the Territory.

SECTION 832. *Management.* The power of management and control of such psychological and psychopathic clinic shall be vested in the Board of Regents. The board may employ a competent person or persons to have charge of the clinic, to conduct investigations, to publish results of such investigations, and to give lectures and other forms of instruction pertaining to mental disease and defect; and no investigation and no publication of results of such investigations shall be made by the bureau, either in print or in form of lectures, without the approval of the board.

SECTION 833. *Scope.* Such psychological and psychopathic clinic shall, subject to such regulations as may be made with the approval of the board, receive for observation or examination any person, whenever such person comes at the request of the judge of the juvenile court, or of any other district, territorial or federal court within the Territory, or at the request of the superintendent or manager of the boys' industrial school, the girls' industrial school, the asylum for the insane, the department of public instruction, or any other public institution or organization within the Territory. And, subject to proper regulations, the bureau may also make investigations or examinations, at the request of any private charitable or benevolent institution or organization, or of any parent or properly constituted guardian within the Territory.

HISTORICAL MATTERS

SECTION 834. *Hawaii History.* The Board of Regents shall secure the compilation from all available sources and publication of a revised history of the Hawaiian people, which history, however, shall not be published until after it shall have been approved either by the legislature or by the trustees of the Hawaiian Historical Society. The board is authorized to employ such competent persons as are necessary for the compilation of the volume, and to purchase the necessary documents, records and materials for use in such compilation, and further, to make contracts on a royalty basis with publishing firms for the publication of such history. All documents, records and materials so secured shall be deposited in the territorial archives after their use by the board.

SECTION 835. *Places of historical interest.* The board shall investigate and compile information upon places, structures, monuments and things in the Territory of historical importance and interest, and shall serve as a central advisory body in matters relating to the preservation, marking and restoration of such places and objects of historical importance and interest. The board is authorized to advise and cooperate with local organizations in the work of preserving, marking and restoring such places and objects, to take independent action where local organizations do not exist, and to make recommendations to the governor and to the legislature in reference to such matters.

AQUARIUM AND MARINE LABORATORY

SECTION 836. *Site.* All those certain pieces or parcels of land situated at Waikiki, city and county of Honolulu, used as an aquarium and more fully described in registered map No. 1079 as lots 127 and 128, are set aside for public purposes, to wit: for the purposes of an aquarium and marine biological laboratory under the direction of the Board of Regents of the University of Hawaii.

SECTION 837. *Establishment and maintenance.* The board shall establish and at times maintain upon said lands an aquarium for the exhibition to the public of fishes and other forms of marine life. It shall also establish and at all times maintain there a marine biological laboratory.

SECTION 838. *Admission fee.* The board may charge the public for admission to the aquarium a fee not to exceed twenty-five cents for adults, and ten cents for children, *provided*, however, that school children shall be admitted free, if accompanied by a teacher, one day of each and every week, such day to be set by the director of the aquarium.

SECTION 839. *Disposition of receipts.* The board shall pay into the territorial treasury all receipts of the aquarium and all such moneys are appropriated for the use of the university to be accounted for as provided in section 827.

BISHOP MUSEUM, TERRITORIAL DEPOSITORY

SECTION 44. *Depository for certain specimens and objects.* Any specimen and object of natural history and of botanical, ethnological or archaeological value or interest, and any book, treatise or pamphlet relating to natural history, botany, ethnology or archaeology now in the possession of the University of Hawaii, or any territorial department, bureau or board, or which may hereafter come into the possession of the university or any such department, bureau or board, if and when the same is no longer needed for scientific investigation, for study, or for any other purpose by the university or such department, bureau or board, and historical flags now in the archives building, may, at the request of the trustees of the Bernice P. Bishop Museum of Polynesian Antiquities, Ethnology and Natural History, be transferred and delivered by and with the consent of such department, bureau or board having possession of any thereof to the trustees, or exchanged with such trustees, and thereupon, in any such case, the title thereto shall become vested in such trustees and shall be held by them upon the trusts and pursuant to the provisions set forth in that certain deed of trust between Charles R. Bishop and others and Samuel M. Damon and others, dated the 13th day of October, 1896, and of record in the registry of conveyances in volume 164, on pages 387-391, with reference to the museum; *provided*, that the specimens and objects so transferred to the trustees are made available at all reasonable times by the trustees for study and examination by the officials of the university or such department, bureau or board.

The provisions of chapter 16 shall not be held to apply to the specimens and objects enumerated in this section.

UNIVERSITY A DEPOSITORY

SECTION 29. *Depositories of territorial publications.* The commissioners of public archives, the University of Hawaii, the Library of Hawaii and all other public libraries in the Territory are designated as depositories for all printed reports and publications made or issued by any territorial officer or department, and it is the duty of each territorial officer to forward to each of said depositories a copy of every such report or publication made or issued by him or by the department of which he is in charge.

FISH AND GAME

SECTION 201. *University of Hawaii may use land, etc.* The University of Hawaii shall have the privilege, free of charge, of using the land, buildings, apparatus and appliances of the fish and game bureau of the board for the purposes of a marine biological laboratory and of research and investigation in connection therewith, so far as the same can be done without material interference with the use of the same as a fish hatchery; the university rendering to the board, in return therefor, such assistance as is reasonably practicable, in connection with the hatchery, and as may be mutually agreed upon.

SCHOLARSHIPS

JOINT RESOLUTION (J. R. 12, Session Laws 1937) Providing for Scholarships from the Six Representative Districts of the Territory of Hawaii at the University of Hawaii.

WHEREAS, many deserving and able students graduating from the high schools in this territory cannot receive a university education because of financial difficulties; now, therefore,

Be it Enacted by the Legislature of the Territory of Hawaii:

SECTION 1. The Board of Regents of the University of Hawaii shall each year award scholarships to students in such necessitous circumstances that they would otherwise be unable to attend the university and who are citizens of the United States, born in the Territory of Hawaii, and have been for at least two years prior to the awarding, residents of the representative districts from which they are designated. Such scholarships shall be in the number of one from each of the six representative districts of the Territory of Hawaii and one scholarship for each of such districts shall be awarded each year.

SECTION 2. The students to whom scholarships are awarded in accordance with the provisions of this Joint Resolution shall be exempted only from the payment of tuition fees and registration fees at the University of Hawaii for four years, provided they maintain a high standard of scholarship and deportment. They are not to be exempted, however, from the payment of such other special fees as the

university may exact for the use of laboratories, special equipment, or participation in student activities and privileges.

SECTION 3. In case a holder of a territorial scholarship withdraws from the university or fails to maintain a satisfactory standard of scholarship or deportment as determined by the Board of Regents of the University of Hawaii, such scholarships shall be declared "vacated."

SECTION 4. "Vacated" scholarships shall be filled by the Board of Regents of the University of Hawaii. The selection for scholarships thus vacated shall be governed by the same requirements as the original awarding and the recipient, in addition to such qualifications, shall be of the same university class as the person vacating the scholarship. If, within thirty (30) days after a scholarship is declared vacated, no qualified person coming from the same representative district as the person vacating scholarship is discovered to be available the scholarship shall remain vacated until such time as the original awarded would, in the natural course of events, have completed his four (4) years at the university.

SECTION 5. At no time during the first year after this Joint Resolution shall be in effect shall there be more than one (1) holder of territorial scholarships from each representative district and no more than a total of six (6) from the entire Territory at the University of Hawaii; during the second year there shall be no more than two (2) territorial scholarships from each representative district and no more than a total of twelve (12) at the University of Hawaii; during the third year there shall be no more than three (3) holders of territorial scholarships from each representative district and no more than a total of eighteen (18) at the University of Hawaii; and during the fourth year and thereafter there shall be no more than four (4) holders of territorial scholarships from each representative district and no more than a total of twenty-four (24) at the University of Hawaii.

SECTION 6. There is hereby appropriated from the general revenues of the Territory of Hawaii, for the purposes of defraying the expenses of such scholarships for the first year after the effective date of this Joint Resolution, the sum of Seven Hundred Twenty Dollars (\$720.00); for the second year the sum of One Thousand Four Hundred

Forty Dollars (\$1,440.00); for the third year, the sum of Two Thousand One Hundred Sixty Dollars (\$2,160.00); for the fourth year the sum of Two Thousand Eight Hundred Eighty Dollars (\$2,880.00) and for each year thereafter the sum of Two Thousand Eight Hundred Eighty Dollars (\$2,880.00).

SECTION 7. This Joint Resolution shall take effect upon its approval.

(Approved May 15, 1937.) H.J.R. 23.

RETIREMENT SYSTEM

New appointees on the instructional and other staffs of the university are required by law to participate in the Territorial Retirement System if their salary is paid from territorial funds. Each employee is required to contribute to the System a small amount monthly which is deducted from the salary on a percentage basis, according to the age of the individual. If the employee leaves the university before retirement age, the entire amount so contributed is refunded by the Territory plus compounded interest.

If the employee leaves the university after the optional retirement age of 60, or at compulsory retirement age of 65, the retirement allowance consists of two parts, an annuity and a pension: The annuity is equal to the value of the accumulated contributions of the employee at the time he retires. The pension is an offset to this, contributed by the Territory. The net amount of the retirement allowance is contingent upon two valuable factors; first, the average annual salary during the last ten years of service, and second, the number of years the employee has been a member of the system.

For a complete statement, see *Revised Laws of Hawaii 1935*, Sections 7920 to 7933.

BY-LAWS OF THE BOARD OF REGENTS

ARTICLE I

Organization

The officers of this board shall consist of a chairman, vice-chairman and a secretary, who shall be elected by and hold office at the pleasure of the board. In the event of the absence of both chairman and vice-chairman the remaining members of the board may elect an acting chairman.

ARTICLE II

Meetings

Regular meetings shall be held on the third Thursday of each month and on the Friday immediately preceding Commencement Day and special meetings shall be called on the request of any member of the board. Notice of all meetings shall be given to the members by the secretary.

ARTICLE III

Quorum

A majority of the members of the board shall constitute a quorum.

ARTICLE IV

Business and Finance

A. *Contracts.* No contract calling for an expenditure of \$1,000.00 or more shall be executed unless authorized by vote of the board in accordance with the requirements of law; when authorized, contracts shall be signed by both the chairman and the president. Other contracts may be executed by the president or the treasurer, subject to the approval of the board.

B. *Finance.* The chairman and the president shall constitute the finance committee. It shall be the duty of this committee to submit to the board, not later than the June meeting, a report of the funds estimated to be available for the ensuing year together with a recommended budget for the year. This committee shall also prepare

for the consideration of the board estimates of future needs to be submitted to the governor and the legislature.

C. *Purchases.* No purchase of supplies, equipment or other chattel property shall be made by or in the name of the university except upon an order signed by the treasurer as purchasing agent; nor shall any sales or exchanges of supplies and equipment or other chattel property be made except through him, unless other provision has been made by the board.

D. *Investments and Trust Funds.* Purchases and sales of bonds, stocks and other securities and properties from trust or investment funds shall be made by the treasurer only with the approval of the finance committee of the board.

ARTICLE V

Officers of Administration

A. *President.* The President shall be the chief executive officer of the university, exercising such executive powers as are necessary to the proper government of the university and the protection and advancement of its interests. Subject to the rules and orders of the board, he shall have both educational and business supervision over the university as a whole, over the various colleges and other sub-divisions, and over all the affairs and interests of the university. He shall be ex-officio a member of all the university faculties and all committees of the same, and shall preside at meetings of the university faculty and of the university senate. The president shall award degrees to such persons as may be designated by vote of the board pursuant to the recommendation of each college faculty and/or of the university senate.

B. *Vice-president.* The vice-president shall assist the president by performing certain functions as assigned, and during the absence or incapacity of the president shall perform the functions and have the authority of the president.

C. *Treasurer.* The treasurer of the university shall be its chief fiscal officer and purchasing agent. He shall supervise the collection, handling and accounting for all cash or funds accruing to or donated to the university. Within budget limitations he shall cause all claims against the university, if approved, to be properly vouchered and shall certify the same to the territorial auditor for pay-

ment, as required by law. He shall have authority to effect minor shifts of funds within the budget from one account to another, with the president's approval, but the total of the budget shall not be increased without action by the board. He shall deposit cash and securities only in such depositories as are approved by the board. He shall give a surety bond in such sum as the board may determine, and may require his assistants to furnish bond, subject to the approval of the board. As purchasing agent, he may consider the advisability of making any purchase requested by members of the university staff, and in case of disagreement the final decision shall be by the president.

D. *Deans and Directors.*

(1) The dean of each college and of the graduate division shall be the presiding officer of its faculty, and the chief adviser of the president in regard to its welfare, and shall be in general charge, under the president, of its administrative work. He may make recommendations to the president concerning the appointment, promotion, demotion, transfer, or removal of members of his college staff. He shall be chief adviser of the students of his college, responsible for the planning of their work to meet degree requirements, and acting for the faculty in the dismissal or discipline of students. He may appoint such advisers from the faculty as he may require for properly fulfilling his function as chief adviser.

(2) Directors of the experiment station, agricultural extension service, and psychological clinic shall have equal rank with the deans of the colleges and corresponding powers and duties.

E. *Advisers of Students.* The dean of student personnel and the assistant or associate dean of student personnel shall advise and assist students in personal problems and campus activities, and advise the college deans and the president in the guidance and discipline of students.

F. *Registrar.* The registrar shall keep suitable records in permanent form setting forth the work, standing and performance of each student, furnishing copies of or reports on these records as requested; and shall prepare necessary schedules of classes.

G. *Director of Admissions.* The director of admissions, subject to review by the Committee on Admissions, shall examine the applications of all prospective students,

granting or denying the petitions in accordance with the prevailing rules and requirements of the university and of each college. He shall gather information for the proper valuation of credits presented from other institutions of higher learning by students seeking admission on advanced standing. He shall be responsible for the conducting of all examinations for admission to freshman standing.

H. *University Librarian.* The librarian, in cooperation with a library committee appointed by the president, shall prescribe rules and regulations for the government of the university library, including departmental libraries and reading rooms. All purchases of books, periodicals, and supplies for the library must be approved by the library committee, or by the librarian when authorized by the committee.

ARTICLE VI

Faculty Organizations

A. *University Senate.* The university senate shall be composed of the president, the deans and directors of the several colleges and other principal subdivisions, all officers of instruction of the rank of associate professor and above, together with the treasurer, registrar, librarian, dean and assistant or associate dean of student personnel, principals of schools maintained by the university, and such others as the regents may designate or appoint. The president shall be the presiding officer of the university senate. The registrar shall be the secretary. The powers and functions of the university senate shall be: (1) to prescribe basic and general regulations governing the admission, conduct and scholarship of all students of the university; (2) to recommend candidates for all advanced degrees; (3) to fix the academic calendar; (4) to advise the president and regents upon matters affecting the instructional or administrative policies of the university.

B. *College Faculties.* Persons of the rank of assistant professor or above shall constitute the voting members of the faculty of each college. The dean shall be its administrative head, presiding at faculty meetings and administering the prevailing rules and regulations. The powers and functions of the college faculty, subject to the approval of the president and board of regents shall be: (1) to prescribe regulations and requirements for the admission and graduation of students, not inconsistent with university regulations and requirements; (2) to determine the courses

of study offered in the college; (3) to make rules and regulations, not inconsistent with university regulations, pertaining to attendance, scholarship, and discipline as solely affecting the college; (4) to recommend candidates for bachelors' degrees, diplomas, and certificates.

ARTICLE VII

Colleges, Divisions, and Units

A. There shall be the following colleges, divisions, and units of the university:

(1) *Graduate Division.* The division of graduate study shall be administratively independent of the undergraduate colleges but closely cooperating with them in curriculum and instructional personnel, and shall be administered by a committee, responsible directly to the president. Within the division of graduate study there is established the Graduate School of Tropical Agriculture, which shall be subject to the rules and regulations of the division but may be administered by a dean or director.

(2) *Undergraduate Colleges.* There shall be three undergraduate colleges in the university, the College of Arts and Sciences, the College of Applied Science, the Teachers College, and such additional colleges and schools as may from time to time be established.

(3) *Physical Education Department.* The physical education department shall serve all undergraduate colleges, with a curriculum approved by the several college deans and administered by the professor of physical education.

(4) *Reserve Officers Training Corps.* The curriculum and facilities of the R.O.T.C. shall be under the direction of the professor of military science and tactics, and shall be available to all colleges equally.

(5) *Adult Education Division.* The undergraduate colleges shall cooperate in offering a curriculum to be known as the adult education division, for the benefit of persons who are unable to attend the university as regular students and who desire to enroll in study courses for academic credit. The division shall be under the supervision of a director, responsible to the deans of the undergraduate colleges and the president. The courses of study offered shall be of a standard equal to those of the regular undergraduate curriculum and may be conducted away from

the university campus provided such standards are maintained. In addition to credit courses, this division may conduct a program of general educational service for the public, including non-credit courses, radio and correspondence courses, lectures, etc.

(6) *Oriental Institute.* The Oriental Institute shall have as its primary objective the extension of knowledge of the Orient on the part of the Occident. This may be effected by research and the publication of the results thereof, by publication of translations and interpretations, by international or regional conferences and symposia, by lectures, by study courses fostered and supported in both the graduate and undergraduate divisions of the University, by provision of fellowships and scholarships, and by any other proper means available. It shall be administered by a director, responsible directly to the president. Its financial support shall consist of funds donated to the university for the purpose, together with such additional amounts as may be from time to time allotted to it by the board.

(7) *Summer Session.* The summer session shall be under the supervision of a director, responsible to the deans of the undergraduate colleges and the president.

(8) *Psychological Clinic.* The psychological and psychopathic clinic shall have as its purpose to make mental examinations at the request of various agencies, institutions or persons, to conduct researches, and disseminate information by means of lectures and publications. It shall be in charge of a director responsible to the president.

(9) *Cooperative Extension Service.* The cooperative extension service in agriculture and home economics shall be conducted in cooperation with the United States Department of Agriculture. Its purpose shall be to give all possible assistance to the agricultural interests of Hawaii and to aid in the improvement of rural home life. This work shall be in charge of a director, responsible to the president and to the United States Department of Agriculture.

(10) *Hawaii Experiment Station.* The Hawaii agricultural experiment station shall be conducted for the benefit of all agriculture in Hawaii. It shall be in charge of a director, responsible to the president.

(11) *Engineering Experiment Station.* The engineering experiment station shall assume the work of the engineering testing laboratory and extend its functions into

research in various problems of local and general importance and shall be under the management of a director responsible to the president.

(12) *Aquarium.* The Honolulu Aquarium, under the direction of the university, shall be in charge of a superintendent, responsible directly to a board or committee appointed by the president. The superintendent shall have the authority to make reasonable exceptions to the prevailing rules governing the charging of an admission fee.

B. The relationship of the university with the following institutions shall be as indicated:

(1) *P.P.C.A. Experiment Station.* So long as a mutual desire for it exists there shall be an affiliation between the P.P.C.A. experiment station and the university, provided that no financial nor administrative obligation need be assumed by either for the other; the director and scientific staff members of the station may be considered as members of the general faculty of the university.

(2) *Hawaii School of Religion.* So long as a mutual desire for it exists there shall be an affiliation between the Hawaii School of Religion and the university, provided that no financial nor administrative obligation need be assumed by either for the other and provided that the university shall be represented on the board of trustees of the school by at least one member nominated by the president of the university; university students may take certain of its courses for university credit by arrangement with their respective college deans. The faculty of the school may be considered to be a part of the general faculty of the university.

(3) *Bishop Museum.* Graduate students of the university who do a part of their work in the Bishop Museum by mutual consent of their professors and museum scientific staff members shall be given credit for said work on the same basis as though the work had been done at the university. Scientific collections, books, etc. belonging to the university may be deposited in the museum by mutual consent of university and museum authorities. (Sec. 44, *Revised Laws of Hawaii 1935.*)

ARTICLE VIII**Appointments, Tenure, and Salaries**

A. There shall be four classes of employees:

(1) *All Year Service Class.* All administrative, executive and clerical officers and assistants, all regular members of the research and extension service staffs, all regular members of the instructional staff who serve in the summer session as a part of their engagement, and all other regular employees appointed for one or more years constitute the all year service class. Employees of this class are on duty throughout the entire year, with vacation privileges as allowed. During the summer period, members of the instructional staff who are in this class are expected either to serve in the summer session or perform some other assigned service for the university two years in each three, with one summer period in each three free for professional improvement, the full salary continuing. Salary is paid in 12 monthly installments, ceasing at the end of the month in which the service terminates unless otherwise ordered by the board.

(2) *Academic Year Class.* All members of the instructional staff whose contract does not require summer service are on duty during the academic year from September to June and free in the summer period for professional improvement or recuperation. Salary is paid in twelve monthly installments.

(3) *Monthly Service Class.* Instructional, technical, administrative and clerical assistants who are employed for less than a year upon a monthly basis constitute this class. Salary ceases at the time the service terminates.

(4) *Hourly Wage Service Class.* Laborers, student assistants and others who are employed at an hourly wage constitute this class, and are paid monthly according to the actual number of hours of work at the hourly rate specified at the time of employment.

B. All appointments to the rank of associate professor and above, and administrative and research personnel of equivalent rank, shall be made by vote of the board on recommendations of the president; all other appointments may be made by the president subject to confirmation or review by the board.

C. Vacations and Leaves of Absence:

(1) Requests for leaves of absence, with or without pay, shall be submitted to the president for approval.

(2) Sabbatical leave may be granted by the board to members of the instructional staff who have served continuously for six years with rank of assistant professor or higher, provided the period of leave is to be used for professional improvement. Persons granted sabbatical leave for a half year are entitled to full salary and those granted a whole year are entitled to a half of the yearly salary. This privilege may be extended by the board to certain other employees who are deemed to be entitled thereto by reason of the nature of their service. Extension agents and specialists may be granted a leave of three months on full pay at the end of five years of continuous service, provided the period of leave is to be used for professional improvement in a manner approved by the director and the president.

Applications for leave shall be submitted in writing to the president together with a plan for the use of the period of leave. The board shall exercise its discretion as to the number who may be granted leave in any one year.

Sabbatical leave will not be granted to any person who does not propose to return for further service at the university, and salary payment shall cease at any time that the board becomes convinced that the person on leave will not return.

A report of the manner in which the period of leave was spent shall be submitted to the president upon the return to service.

D. Tenure:

(1) Subject to limitations in law affecting the power of the board to make long contracts for personal service, appointments shall be on the following basis as to tenure, unless otherwise specified in the contract:

a. *For an indefinite period:* Deans, directors and administrative or executive heads, professors and associate professors; assistant professors on reappointment.

b. *For a definite period:* Assistant professors for one to three years according to contract; instructors and all others not included above, for one year or less, according to contract, provided that five years shall be the maxi-

imum period for which any individual lacking the doctorate degree (or its equivalent in the estimation of the board) may continue in the grade of instructor, except in the following departments: physical education, military science and tactics, and the training school of teachers college. (September 1, 1935, shall be the effective date from which computation begins for those appointed previous thereto.)

- c. *Retirement*: No employee may continue in active service in the university beyond the age of 65 years, except upon invitation by the board.
- (2) The board shall have the power and reserves the right to terminate any contract or remove any appointee when it deems that there is good and sufficient cause for so doing.
- (3) *Outside Employment*. Without the approval of the board, no employee of the university on full time shall accept other remunerative employment, except that faculty members may deliver lectures or addresses and engage in professional writing or in other forms of professional service of a minor nature for compensation, so long as there is no interference with regular or prescribed duties. The board will not approve the outside employment of faculty members in routine tasks of a commonplace type, undertaken primarily to supplement income.
- (4) Without the consent of the board, compensation shall not be paid by the university to the wife, husband, son or daughter of a member of the Board of Regents, nor to the wife or husband of an employee of the University, nor to any person who is dependent for support on a member of the Board or on an employee receiving from the University salary or wages of \$150.00 or more per month, provided that scholarship awards and similar grants shall not be considered as compensation in the application of this by-law.
- (5) Manuscripts prepared by faculty members as part of their assigned university service shall be the property of the university, publication to be arranged between the author and the president

of the university, such royalty payments as may result being the property of the university.

ARTICLE IX

Student Affairs

1. *Athletics.* All business affairs connected with athletics in which the university participates or is represented, such as the approval of and making of contracts, the engagement of coaching personnel and fixing their compensation, and all matters involving the receiving or disbursing of money shall be under the direct control of a board of athletic control which shall consist of the following members:

Three members selected by the Student Council of the A.S.U.H.;

One member selected by the Alumni Association;

One member selected by the University Senate;

One member selected by the Board of Regents;

The Graduate Manager, ex officio, who shall be the secretary of the board.

All funds derived from or for athletics, including the student fees for athletic contests, gate receipts, contract payments, appropriations, gifts, and any other funds, shall be deposited with the university as a trust fund for the A.S.U.H. and shall be disbursed in the manner and for the purposes approved and authorized by the board of athletic control. In setting up budgets and generally in determining how such moneys shall be expended, the said board shall endeavor in so far as possible and expedient to follow the desires of the A.S.U.H. as expressed by its student council.

2. *General.* The Board of Regents will exercise such general control, in such manner and through such representatives as it may deem necessary, over student activities, such as publications or stage productions, which involve the handling of and accounting for money by the A.S.U.H. or other student organizations representing the university in contact with the public.

ARTICLE X

Fees

1. The following fees shall be collected by the treasurer before registration of any student may be considered

completed, except when exemption has been authorized by the board:

- (a) Tuition fee of \$50.00 per semester payable by all students, whether residents of the territory or not, registered for ten or more credit hours, or \$5.00 per credit (semester) hour by part-time students and auditors registered for less than ten credit hours.
- (b) Registration fee of \$10.00 per semester, payable by all students taking 10 or more credit hours per semester.
- (c) Student activities fee of \$14.00 per year payable by all regular undergraduate students registered for ten or more credit hours per semester. (This fee is levied by the university at the request of the A.S.U.H.)
- (d) Miscellaneous fees, including laboratory, library, medical and other special fees and charges, as levied by the president.

2. Refunds of tuition and laboratory fees may be made by the treasurer to students who withdraw voluntarily while in good standing, according to the following schedule:

During first two weeks of a semester—	100 per cent
“ third week “ “ “	— 80 “ “
“ fourth “ “ “	— 60 “ “
“ fifth “ “ “	— 40 “ “
“ sixth “ “ “	— 20 “ “
After “ “ “ “	— nothing

Summer session fees may similarly be refunded:

During first four days of session—	100 per cent
“ 5th and 6th “ “ “	— 80 “ “
“ 7th and 8th “ “ “	— 60 “ “
After 8th day “ “	— nothing

ARTICLE XI

Degrees and Diplomas

Degrees and diplomas will be granted by the board upon successful completion of prescribed studies. Bachelor's degrees are granted upon the recommendation of a college faculty of the university; master's degrees and other higher degrees, upon the recommendation of the university senate; honorary degrees at the discretion of the board. Pub-

lic award of degrees, diplomas and certificates shall be at the June commencement exercises.

ARTICLE XII

The foregoing statement of duties, functions and powers of the several officers and faculty bodies shall not be considered as definitive nor exclusive of such other duties, functions and powers as may properly be ordered by the board or by the president.

ARTICLE XIII

These by-laws may be amended only by a majority vote of the board. (Adopted October 18, 1935.)

INDEX

	Page
Admissions director	15-16
Adult education division	17-18
Advisers	15
Amendments	25
Appointments	20
Appropriations	5
Aquarium	8
Athletics	23
Bishop Museum	9, 19
By-laws of Regents	13-25
Charter of University	3
College of Applied Science	17
College of Arts and Sciences	17
Deans	15
Degrees	4, 24
Depository for publications	9
Diplomas	24
Duties of Officers	14-16
Engineering experiment station	18
Experiment stations	18, 19
Extension service	18
Faculty	4, 16
Fees	23-24
Finance committee of Regents	13-14
Fish and Game Commission	10
Graduate division	17
Graduate school of Tropical Agriculture	17
Hawaii Experiment Station	18
Historical matters	7-8
Investments	14
Leaves of absence	21
Librarian	16
Marine Laboratory	8
Normal School	5-6
One member of family	22
Oriental Institute	18
Outside employment	22
P.P.C.A. Experiment Station	19
President	14
Psychological Clinic	6-7, 18
Purchases	14
Regents	3
Registrar	15
Registration fee	24-25

	Page
Religion, Hawaii School of	19
Retirement	12, 22
Sabbatical leave	21
Scholarships	10-12
Senate, University	16
Student affairs	20
Suits against University	4
Summer session	18
Teachers College	5-6, 17
Tenure	20
Treasurer	14-15
Tuition fee	23-24
Vacations	21
Vice-President	14