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After announcing the deal with Evan Dobelle, UH Regents Chairwoman Patricia Lee prepared to leave Bachman Hall as media copies of the settlement were made for distribution.

Dobelle and regents settle

Agreements rescind the ousted UH president's firing for cause in exchange for his resignation

Settlement draws mixed reviews

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By Craig Gima
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The University of Hawaii regents and Evan Dobbelle agreed to a mediated settlement that will pay the ousted president \$1.05 million, give him a \$125,000-a-year faculty position for two years and pay his attorney fees.

Under two agreements signed yesterday, the Board of Regents will rescind Dobbelle's firing for cause on June 15, and Dobbelle will resign as UH president on Aug. 14.

Both sides agreed that there was no wrongdoing by Dobbelle or the regents and that they will not sue each other.

In a joint statement with mediator Warren Price III, Dobbelle and the regents said, "While there is sure to be public and media speculation and comment about this resolution, it is time to place the university and community first and to look to the future."

The regents unanimously approved the settlement at a closed-door meeting yesterday afternoon after meeting with their attorneys. They had no comment beyond the written statement.

Dobbelle, who is at the Democratic National Convention in Boston, said he will be staying in Hawaii.

"I regret that I won't be able to continue to make a difference as president of the university, but I'm confident in the management team that I've hired in their ability to finish the job," he said in a telephone



Dobbelle's deal

In the settlement announced yesterday, the regents will pay ousted UH President Evan Dobbelle and his attorneys \$1.6 million, plus payments to an insurance policy. He agreed to give up about \$496,000 from a UH Foundation incentive fund. Dobbelle's deal includes:

- >> \$1.05 million payment.
- >> A nontenured researcher position at UH-Manoa for two years at \$125,000 a year plus collective bargaining raises.
- >> \$290,000 for his attorneys.
- >> \$40,000-a-year payments on a \$2 million whole life insurance policy for the next six years. UH will be reimbursed for its payments to the insurance company when Dobbelle's heirs cash in the policy.

Nonmonetary highlights of the UH-Evan Dobbelle settlement include:

interview.

"I will find other ways to participate in the life of Hawaii."

Under the agreement, Dobelle will work in the urban planning department at UH-Manoa. He will work on a special project to be determined by Dobelle and Chancellor Peter Englert.

The nontenured faculty position will end after two years, and Dobelle will get collective bargaining raises.

The university also will continue to make \$40,000-a-year payments for the next six years on a \$2 million whole life insurance policy. The policy was started while Dobelle was at Trinity College and, as part of his contract, continued during his employment at UH.

UH and Trinity will be reimbursed \$400,000 for their payments to the insurance company when the policy is cashed in or a death benefit is paid.

Dobelle's attorneys, Cronin Fried Sekiya Kekina & Fairbanks, also will be paid \$290,000.

"This is a win for everyone, and everyone can move forward," said Dobelle's attorney Rick Fried.

"This has been mainly a matter of miscommunication. As far as we are aware, the concerns of the board have been aired in the media, and their concerns are resolved and that's resulted in this settlement," Fried said.

Regents attorney Barry Marr said, "It's a good settlement."

As part of the deal, Dobelle gave up rights to about \$496,000 from an incentive fund at the UH Foundation. Under the terms of his contract, \$150,000 a year plus interest was set aside for the fund as an incentive to keep him at the university for the full seven years of his contract.

Dobelle, 58, was hired in July 2001 to oversee the 10 UH campuses at a salary of \$442,000 a year. He was one of the highest-paid university presidents in the country and one of the highest-paid state officials.

>> Regents rescind firing for cause.

>> Dobelle resigns on Aug. 14.

>> Both sides resolve the dispute without finding wrongdoing by Dobelle or the board and agree not to pursue further legal claims.

He came to Hawaii after seven years as president of Trinity College in Hartford, Conn., and had also been a community college president in San Francisco and Massachusetts. He also had a political background, serving in the Carter administration and as mayor of Pittsfield, Mass.

But his relationship with the regents was rocky, and the tension between them became public after an unfavorable evaluation last year.

Regents unanimously fired him "for cause" on June 15 after hearing from an outside consultant and reviewing an audit of Dobelle's \$200,000-a-year protocol fund, a discretionary account at the UH Foundation for fund-raising and other purposes to advance the university. The cause for his firing has not been made public.

Dobelle and the regents do not detail why he was fired in their public statement, but acknowledged that "there were indeed several misunderstandings as the result of misinformation, as well as less than optimal communication between the board and Dr. Dobelle."

"As in any dispute, there are always two sides," the statement continued. "However, while there is not an agreement on all issues, there is a deeper understanding of the perspectives of the parties and how those perspectives came to be."

There was also some praise for both sides.

"Dr. Dobelle brought energy and vision to the university, and the board recognizes this and appreciates his accomplishments," the statement said. "Dr. Dobelle also recognizes and appreciates the commitment, integrity and vital role the Board of Regents plays in governing the university."

Sources said the university will pay for the settlements out of savings from Dobelle's salary and benefits and those of his top executives, who will not be replaced. There might also be an insurance payment.

The legal bills for the university have not been totaled yet, and UH has not released the contracts with its private attorneys.

The settlement is divided into two documents. One covers his termination, and the other agreement covers his nontenured faculty appointment.

As part of the agreements:

>> Dobelle gives up the title of president emeritus called for in his contract.

>> Both sides will keep confidential attorney documents created for the mediation, but Dobelle waives his right to privacy for all other information regarding this dispute.
>> Dobelle will return any UH property in his possession, and UH will return any of his property to him.

Dobelle continues to receive his salary and remains on administrative leave until Aug. 14, when the agreements take effect.

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