Testimony Presented Before the
House Committee on Finance
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SB 811 SD2 HD1 – RELATING TO DEMOGRAPHIC DATA

Chair Yamashita, Vice Chair Kitagawa, and Members of the Committee:

Thank you for the opportunity to provide comments on SB 811 SD2 HD1 relating to demographic data. The University of Hawai'i (UH) recognizes and celebrates the diversity of cultures and languages previously coalesced together in federal reporting under the category of "Asian American and Pacific Islander."

UH fully supports the legislature's intent to catalyze meaningful representation of our population relating to Asian American, Native Hawaiian, and other Pacific Islander ethnic groups. Indeed, UH has been engaged in these efforts for decades to properly distinguish and support the diverse cultures in its student body, staff, and faculty.

UH goes beyond federal requirements in reporting on ethnicity and race data collection for students and employees. UH also currently disaggregates race and ethnicity data for Asian American, Native Hawaiian, and other Pacific Islander groups. Regarding student data, UH deploys ten (10) distinct categories of Asian ethnicities and eight (8) distinct categories of Pacific Islanders, including Native Hawaiians. To determine which Asian and Pacific Islander ethnic groups to track, UH currently relies upon U.S. Census data for the State of Hawai'i, establishing a threshold of 1% of the state population for residents between the ages of 18 and 25. This led UH to begin separating out Marshallese as a distinct ethnic category last year.

UH is obligated to follow the Family Educational Rights and Privacy Act (FERPA) in order to protect student privacy rights by ensuring the data it presents cannot be linked to individual students. The current iteration of SB 811, by requiring UH to disaggregate each Pacific Islander category, will routinely produce headcounts small enough to force UH to suppress the data to protect student privacy rights as established under FERPA. In practice, this will render much of the desired data unreportable, such as graduation rates. Additionally, if passed, UH respectfully requests a delayed effective date of January 1, 2025, to allow additional time for implementation and revision of collection tools (e.g., admissions applications) to capture the level of ethnic disaggregation required under this bill.

UH believes it would be helpful for the legislature to include language in the bill that enables the reporting of people of mixed race/ethnicity and considers the question of prioritization. For example, UH has a matrix that sets reporting categories in which the Native Hawaiian designation is the top priority and supersedes all other races and ethnicities in its demographic reporting. The same matrix indicates, for example, that someone who identifies as both Tongan and Samoan should be reported as "Mixed Pacific Islander" and someone who identifies as both Japanese and Chinese should be reported as "Mixed Asian."

Thank you for the opportunity to provide testimony on this measure.