



UNIVERSITY OF HAWAII SYSTEM

‘ŌNAEHANA KULANUI O HAWAII

Legislative Testimony

Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

Testimony Presented Before the
Senate Committee on Higher Education
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By

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SB 2008 – RELATING TO UNIVERSITY OF HAWAII TUITION

Chair Kim, Vice Chair Kidani, and Members of the Committee:

Thank you for the opportunity to provide comments on Senate Bill (SB) 2008 relating to University of Hawai'i (UH) tuition, which allows certain lawful permanent residents, asylees, refugees, and certain DACA aliens who are not lawfully present in the United States to be eligible for the resident tuition fee at any UH campus under certain conditions. While we appreciate the intent of the proposed legislation, we would like to recommend a few amendments to ensure clarity and alignment with existing laws and UH policies.

First, we would like to address the residency requirement referenced under section (2)(b)(1) 'has resided in the State for at least three months.' This shortened length of residency contradicts the Hawaii Administrative Rules Title 20, Chapter 4 (Determination of Residency as Applied to Tuition Payments and Admission) requiring the adult student, or in the case of a minor student, the student's parent(s) or guardian(s), has or have been a bona fide resident of this State for at least twelve consecutive months preceding the student's first day of officially scheduled instruction for any semester or term in which the student is enrolling at the particular college or campus. To be equitable with all other students who must meet this twelve-month requirement, we recommend amending the residency requirement in line with the current Statute by replacing "three months" with "twelve months".

Second, concerning section (2)(b)(3), 'at the time of enrollment, is not eligible to enroll in a public postsecondary educational institution located in another state upon payment of in-state or resident tuition fees for the institution,' it is not clear that any student in this situation would be eligible to enroll at UH regardless of the residency tuition status. We may be able to provide recommendations for clarifying this language if we better understand the intent behind this section. We welcome the opportunity to discuss these details further.

Finally, as written, this bill would result in UH asking DACA students to identify their immigration status. For the protection of students' privacy, it has been UH's position that

we do not need to, nor do we wish to, identify and track DACA students in our data systems. Individual programs and staff members might know who some of these students are, but that level of “tracking” is done anecdotally and not through a central UH database system. If this measure is passed as currently drafted, in which UH is required to ask DACA students to disclose their immigration status (not currently required by any law), this could have a negative impact on enrollment for these groups of students.

In conclusion, while we support the overarching goal of SB 2008 to expand access to resident tuition for certain lawful permanent residents, asylees, refugees, and certain DACA aliens, we recommend the amendments mentioned above to enhance the clarity and applicability of this legislation. We are committed to working collaboratively to achieve the intended outcomes without introducing unintended consequences, and we welcome further discussion or clarification on these recommended changes.

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