



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 2105 – RELATING TO HIGHER EDUCATION

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

Thank you for the opportunity to provide comments on Senate Bill (SB) 2105 relating to higher education, which authorizes students who are individuals from a Compact of Free Association nation, refugees, or special immigrant visa holders to qualify for resident tuition fee within the University of Hawai'i System, under certain conditions. While we appreciate the intent of the proposed legislation, we would like to recommend some changes to ensure clarity and alignment with existing laws and policies.

First, we would like to address the reference in section (2)(b)(1)(A) to 'attended elementary school in the State during each of the three years immediately before receiving a high school diploma or high school equivalency diploma, or leaving school before receiving a high school diploma or high school equivalency diploma'. Since it is impossible for a student to go from elementary school to high school graduation within three years, we recommend removing the elementary school reference in this section. The reference to 'leaving school before receiving a high school diploma or high school equivalency diploma' is also unclear. We may be able to provide recommendations for clarifying this language if we better understand the intent behind this section. We look forward to the opportunity to discuss these details further.

Second, with reference to section (2)(b)(1)(B), 'attended an elementary or secondary school in any state or territory of the United States, District of Columbia, or Commonwealth of Puerto Rico during each of the five years immediately before receiving a high school diploma or high school equivalency diploma, or leaving school before receiving a high school diploma or high school equivalency diploma,' and section (2)(b)(2)(c), 'a student who is a refugee or special immigrant visa holder shall qualify for the resident tuition fee to the extent permitted under applicable federal law,' these conditions contradict the Hawaii Administrative Rules requirement that the adult student, or in the case of a minor student, the student's parents or guardians, has or have been a bona fide resident of this State for at least twelve consecutive months next 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. The University of

Hawai'i (UH) is willing to consider expansion of UH Board of Regents Policy 6.208 on Board Exemptions to Non-Resident Tuition to provide a non-resident tuition differential for these groups of individuals instead. We believe that modifying our internal policy to be more inclusive for COFA students from other states, rather than enacting a change in law, would be a more pragmatic approach that would provide the necessary flexibility while ensuring we maintain control over tuition policies that align with the needs and capacities of our institution.

Third, concerning section (2)(b)(1)(C), 'received a high school diploma or high school equivalency diploma in the State,' Senate Bill 3187, as currently drafted, proposes to provide resident tuition to all students who graduate from a Hawai'i high school within four years 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. We fully support SB 3187, and if that bill passes, current section (2)(b)(1)(C) will no longer be necessary.

In conclusion, while we support the overarching goal of SB 2105 to expand access to resident tuition for individuals from COFA nations, refugees, and special immigrant visa holders, we recommend the adjustments 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 to clarify these recommended amendments.

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