

JAN 17 2020

A BILL FOR AN ACT

RELATING TO THE UNIVERSITY OF HAWAII.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. According to Article X, section 4 of the Hawaii
2 State Constitution, the "State shall provide for a Hawaiian
3 education program consisting of language, culture and history in
4 the public schools." This commitment was recently reaffirmed by
5 the Hawaii Supreme Court in their August 13, 2019 ruling on
6 Clarabal v. Department of Education. In that ruling, the Hawaii
7 Supreme Court held "that the Hawaiian education provision was
8 intended to require the State to institute a program that is
9 reasonably calculated to revive the Hawaiian language."

10 The Legislature finds that one important means for the
11 State of Hawaii to continue fulfilling this commitment is to
12 support the matriculation of students who are fluent in the
13 Hawaiian language into teacher education programs in the State
14 of Hawaii. The purposes of this Act are to:

15 (1) Establish the Hawaiian language fluency special fund
16 to provide scholarships and tuition waivers for
17 students who:



- 1 (A) Are fluent in the Hawaiian language; and
- 2 (B) Attend or intend to attend the University of
- 3 Hawaii college of education; and
- 4 (2) Appropriate funds to the Hawaiian language fluency
- 5 special fund.

6 SECTION 2. Chapter 304A, part II, subpart B, Hawaii
7 Revised Statutes, is amended by adding a new section to be
8 appropriately designated and to read as follows:

9 "§304A- Hawaiian language fluency special fund. (a)

10 There is established a special fund to be known as the Hawaiian
11 language fluency special fund. The board of regents shall
12 provide a scholarship or tuition waiver to any person who
13 applies for a scholarship or tuition waiver under this section,
14 provided that the person:

- 15 (1) Is a United States citizen or an eligible non-citizen;
- 16 (2) Has been a resident of the State for at least twelve
17 months prior to the time of applying for the waiver
18 and has qualified for resident tuition;
- 19 (3) Is physically present in the State;
- 20 (4) Demonstrates fluency in the Hawaiian language;



1 (5) Attends or intends to attend the college of education;

2 and

3 (6) Maintains:

4 (A) Satisfactory academic progress, as determined by
5 the college of education; and

6 (B) Continuous full-time enrollment at the college of
7 education, except for medical or personal
8 absences approved by the college of education,

9 (b) As used in this subsection, an "eligible non-citizen"

10 means a person who is:

11 (1) A United States permanent resident who holds a
12 permanent resident card;

13 (2) A conditional permanent resident of the United States;
14 or

15 (3) The holder of an Arrival-Departure Record (I-94) from
16 the Department of Homeland Security showing any one of
17 the following designations:

18 (A) Refugee;

19 (B) Asylum granted;

20 (C) Parolee; or

21 (D) Cuban-Haitian Entrant.



1 (c) The board of regents shall adopt rules that establish
 2 eligibility for a scholarship or tuition waiver pursuant to this
 3 section, including the assessment of fluency in the Hawaiian
 4 language."

5 SECTION 3. There is appropriated out of the general
 6 revenues of the State of Hawaii the sum of \$ or so much
 7 thereof as may be necessary for fiscal year 2020-2021 to be
 8 deposited into the Hawaiian language fluency special fund for
 9 the purposes of section 304A- .

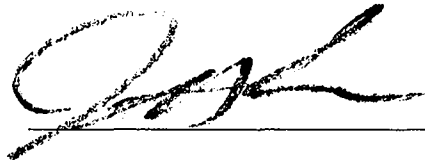
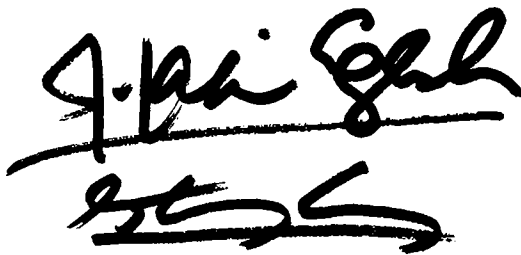
10 The sum appropriated shall be expended by the university of
 11 Hawaii for the purposes of this Act.

12 SECTION 4. New statutory material is underscored.

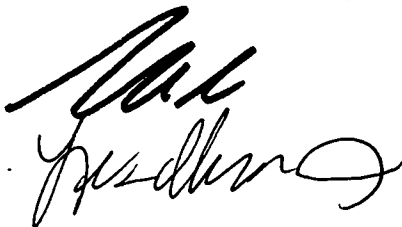

13 SECTION 5. This Act shall take effect on July 1, 2020.

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INTRODUCED BY:


Kurt Ferrell


S.B. NO. 2390

Remittal



S.B. NO. 2390

Report Title:

University of Hawaii; Tuition Waivers; Scholarships; Hawaiian Language; Fluency

Description:

Establishes the Hawaiian language fluency special fund to provide scholarships and tuition waivers for students who are fluent in the Hawaiian language and attend or intend to attend the University of Hawaii college of education; Appropriates funds to the Hawaiian language fluency special fund.

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