



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
THIRTY-FIRST LEGISLATURE, 2022**

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**ON THE FOLLOWING MEASURE:**

H.B. NO. 1770, RELATING TO THE UNIVERSITY OF HAWAII RESIDENT TUITION FEE.

**BEFORE THE:**

HOUSE COMMITTEE ON HIGHER EDUCATION AND TECHNOLOGY

**DATE:** Wednesday, February 9, 2022      **TIME:** 2:00 p.m.

**LOCATION:** State Capitol, Via Videoconference

**TESTIFIER(S):** Holly T. Shikada, Attorney General, or  
Lori N. Tanigawa, Deputy Attorney General

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Chair Takayama and Members of the Committee:

The Department of the Attorney General provides the following comments.

The purpose of the bill is to simplify the residency determination for the State's high school students and graduates to enroll in postsecondary education and training at the University of Hawai'i by considering high school seniors and recent high school graduates in the State to be residents for tuition purposes.

Section 6 of article X of the Hawai'i State Constitution gives the Board of Regents of the University of Hawai'i "exclusive jurisdiction over the internal structure, management, and operation of the university." Section 6 further provides: "[t]his section shall not limit the power of the legislature to enact laws of statewide concern. The legislature shall have the exclusive jurisdiction to identify laws of statewide concern." If the Committee decides to pass this bill, we recommend an amendment that adds a statement identifying this bill as a law of statewide concern.

We further recommend that page 5, lines 10 to 14, of the bill be amended to correct what appears to be a typographical error:

The adult or minor student received a high school diploma or equivalent in the State [~~for at least~~] in the twelve consecutive months preceding the student's first day of officially scheduled instruction at the particular college or campus.

Thank you for the opportunity to provide these comments.



STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

**Date:** 02/09/2022

**Time:** 02:00 PM

**Location:** 309 Via Videoconference

**Committee:** House Higher Education &  
Technology

**Department:** Education

**Person Testifying:** Interim Superintendent Keith Hayashi  
Hawaii State Department of Education

**Title of Bill:** HB 1770 RELATING TO THE UNIVERSITY OF HAWAII  
RESIDENT TUITION FEE.

**Purpose of Bill:** Expands the criteria to qualify for resident tuition fees to include  
high school seniors and recent high school graduates.

**Department's Position:**

The Hawaii State Department of Education (Department) supports HB 1770.

Simplifying the residency determination for Hawaii's high school students and graduates increases access to post-secondary education. The Department identifies nearly 3,600 students in unstable housing across the State who fall within the group this bill targets. This bill has the potential to positively impact the future of these students, as well as other students with challenges in determining Hawaii residency who wish to pursue higher education within the University of Hawaii system.

Increasing access to post-secondary education for all students is part of a larger collaborative effort in workforce development, which includes the Early College program and career pathway development, and is in alignment with targets to increase the college-going rate following graduation.

The Department defers to the University of Hawaii on the implementation of these changes.

Thank you for the opportunity to provide testimony in support of HB 1770.





# UNIVERSITY OF HAWAII SYSTEM

## Legislative Testimony

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Testimony Presented Before the  
House Committee on Higher Education & Technology  
Wednesday, February 9, 2022 at 2:00 p.m.

By  
Hae K. Okimoto, Associate Vice President for Student Affairs  
University of Hawai'i System

### HB 1770 – RELATING TO THE UNIVERSITY OF HAWAII RESIDENT TUITION FEE

Chair Takayama, Vice Chair Clark, and members of the committee:

Thank you for the opportunity to testify on House Bill (HB) 1770 relating to residence for tuition purposes. The University of Hawai'i (UH) supports the bill.

HB 1770 would allow graduates of Hawai'i high schools or high school equivalency programs to be recognized as residents for the purpose of in-state tuition at the UH, streamlining the process of determining whether a prospective student is eligible for in-state tuition by recognizing recent high school graduates as residents for the purpose of tuition. Focusing on being physically present in the State for the previous twelve (12) consecutive months prior to the start of the semester or term, and not being claimed as a dependent by the student's parents or guardians who are nonresidents of the State, simplifies the application process for students seeking admission to the UH. The requirement that the student enroll in a Hawai'i high school for at least twelve (12) consecutive months and have received a Hawai'i high school diploma helps streamline the process for young people experiencing homelessness and/or those with complex family circumstances. UH believes simplifying the residency determination would reduce barriers to local students enrolling at UH to pursue additional education and training.

UH requests a technical change to Section 402(4), Chapter 304A of the Hawai'i Revised Statutes to allow recent Hawai'i graduates from high schools or equivalency programs to be recognized as residents if enrolling for up to one year after graduating:

*The adult or minor student received a high school diploma or equivalent in the State ~~for at least~~ within twelve consecutive months preceding the student's first day of officially scheduled instruction at the particular college or campus."*

As graduating seniors will have received their diploma upon completion of their degree requirements in the summer preceding their fall enrollment, this would be consistent with the intent of this bill,

Thank you for the opportunity to testify in support of this measure.