

**WRITTEN TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-SECOND LEGISLATURE, 2023**

ON THE FOLLOWING MEASURE:

S.B. NO. 1413, S.D. 1, RELATING TO THE UNIVERSITY OF HAWAII RESIDENT TUITION FEE.

BEFORE THE:

SENATE COMMITTEE ON WAYS AND MEANS

DATE: Tuesday, February 28, 2023 **TIME:** 10:00 a.m.

LOCATION: State Capitol, Room 211

TESTIFIER(S): **WRITTEN TESTIMONY ONLY.**
(For more information, contact Candace J. Park,
Deputy Attorney General, at 808-585-0618)

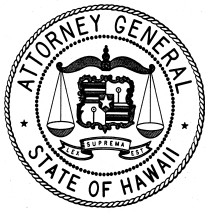
Chair Dela Cruz and Members of the Committee:

The Department of the Attorney General provides the following comments.

The purpose of this bill is to simplify the residency determination for the State's high school graduates to enroll in postsecondary education and training at the University of Hawai'i by considering graduates of the State's high schools 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.

Thank you for the opportunity to provide these comments.



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Thank you for the opportunity to provide these comments.



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 Ways and Means
Tuesday, February 28, 2023 at 10:00 a.m.

By

Debora Halbert
Vice President for Academic Strategy
University of Hawai'i System

SB 1413 SD1 – RELATING TO THE UNIVERSITY OF HAWAII RESIDENT TUITION FEE

Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee:

Thank you for the opportunity to provide testimony in support of Senate Bill (SB) 1413 SD1 relating to the University of Hawai'i (UH) resident tuition fee.

SB 1413 SD1 would allow graduates of a Hawai'i high school to be classified as residents for the purpose of in-state tuition at the University. As the sole provider of public education in the State of Hawai'i, UH supports this bill which will assist with reducing barriers to enrollment at UH by streamlining the application process for residents, especially recent high school graduates. However, we respectfully request the following revision.

In August 2022, UH updated Hawai'i Administrative Rules (HAR), Chapter 20-4, Determination of Residency as Applied to Tuition Payments and Admission. To align with the revised HAR and to support streamlining of the admissions application process, UH recommends removing lines 7-12 on page 4 starting from "provided further that the adult or minor student shall not have:"

For item (i) in this section, UH would like to note that keeping this in the bill will require steps in the application process that may create additional barriers for students to provide evidence of their resident status in another state, especially since not all 50 states use the same criteria for determining state residency, which is different than residency for the purpose of tuition and admission at a state higher education institution.

As it relates to (ii), the act of applying to another state's institution of higher education as a resident of that state does not mean the individual is automatically granted resident status, and UH would need to rely on self-disclosure of this information since there isn't a standardized way for one institution to access data about individuals who apply to another institution.

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



UNIVERSITY
of HAWAII®
SYSTEM

**Senate Committee on Ways and Means
Tuesday, February 28, 2023, 10:00 a.m.**

Testimony by:

Jamie Go, Interim Executive Administrator and Secretary of the Board of Regents

**S.B. No. 1413, SD1 – RELATING TO THE UNIVERSITY OF HAWAII RESIDENT
TUITION FEE.**

Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the Committee:

At its February 16, 2023, meeting, the Board of Regents of the University of Hawai'i (Board) held discussions on S.B. No. 1413, SD1, which would afford resident tuition eligibility status to graduates of a Hawai'i high school enrolling at any campus of the University of Hawai'i. The Board supports the intent of this measure.

Providing Hawai'i residents with increased opportunities to pursue post-high school education and training is in the best interest of the State. Simplifying the process for determining resident tuition eligibility at the University of Hawai'i by using graduation from a high school within the State as a defining factor assists in reducing barriers local students may face when enrolling at the State's sole provider of post-secondary public education. It also streamlines the University of Hawaii's application process thereby allowing a more seamless transition between secondary and post-secondary education. As such, the Board supports the intent of this measure.

Thank you for the opportunity to testify in support of the intent of S.B. No. 1413, SD1.



STATE OF HAWAII
DEPARTMENT OF EDUCATION
KA 'OIHANA HO'ONA'AUAO
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/28/2023

Time: 10:00 AM

Location: CR 211 & Videoconference

Committee: Senate Ways and Means

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Title of Bill: SB 1413, SD1 RELATING TO THE UNIVERSITY OF HAWAII
RESIDENT TUITION FEE.

Purpose of Bill: Requires the University of Hawaii to grant resident tuition fees for enrollment at any University of Hawaii campus to individuals who have graduated from a Hawaii high school and are enrolling in an undergraduate degree program, under certain conditions. (SD1)

Department's Position:

The Hawaii State Department of Education (Department) supports SB 1413, SD 1. However, the Department requests amendments to the SD 1.

SB 1413, SD 1, allows the University of Hawaii (University) to recognize Hawaii's high school graduates as residents for the purpose of University tuition. Determining residency based on high school graduation would streamline the processes for high school seniors and for graduates to continue their education and training beyond high school at the resident tuition rate for the University's baccalaureate campuses and community colleges. Simplifying the residency determination for Hawaii's high school students and graduates increases students' access to post-secondary education.

The Department supports SB 1413, SD 1, as it supports the newly approved Board of Education (Board) Strategic Plan. SB 1413, SD 1, facilitates achievement of the goal by reducing the "friction" of applying to college by recognizing students' graduation from a Hawaii high school as the basis for residency because some students are unaware of their parents' or caregivers' tax filings, and other students may have nontraditional family arrangements which make it difficult to respond to the questionnaire. Also, students who are in unstable housing situations—nearly, 3,300 students in Department

schools last year—may have challenges in responding to the questionnaire.

The Department is partnering with the University to encourage more high school graduates to pursue post-secondary education and training. The Department defers to the University on the specifics of residency determination. However, the Department recommends the adoption of the language in SB 1413, which recognizes Hawaii high school graduation for residency, since it is more streamlined.

Increasing students' access to post-secondary education is a part of a larger collaborative workforce development effort since a significant number of jobs, particularly those affording a living wage, require post-secondary credentials.

Thank you for the opportunity to provide testimony in support of SB 1413, SD 1.