
A BILL FOR AN ACT

RELATING TO THE UNIVERSITY OF HAWAII RESIDENT TUITION FEE.

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

1 SECTION 1. The legislature finds that facilitating
2 postsecondary education and training for all interested high
3 school graduates serves the State's interest and is a matter of
4 statewide concern. These postsecondary option assist graduate
5 by preparing them for jobs and career pathways that typically
6 pay higher wages, which enables them to achieve their
7 educational and career goals and afford the State's high cost of
8 living. Increased enrollment and completion of postsecondary
9 education and training also will increase the State's human
10 capital.

11 The University of Hawaii is amending its administrative
12 rules to streamline the enrollment process for all applicants
13 into the University of Hawaii system; however, the current
14 statutory requirements regarding residency for tuition purposes
15 pose challenges for some local graduates. Specifically,
16 students experiencing homelessness have difficulty providing
17 evidence of bona fide residency, and students who have complex



1 family situations may be incorrectly considered nonresidents.
2 The legislature further finds that recognizing local high school
3 graduates and those who complete high school equivalencies
4 locally as residents to qualify for resident tuition fees would
5 facilitate the enrollment of these students at one of the
6 University of Hawaii's campuses.

7 Accordingly, the purpose of this Act is to simplify the
8 residency determination for the State's high school students and
9 graduates to enroll in postsecondary education and training at
10 the University of Hawaii by considering high school seniors and
11 recent high school graduates to be residents for tuition
12 purposes.

13 SECTION 2. Section 304A-402, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "[+]§304A-402[+] **Residence for tuition purposes; basic**
16 **rule.** The board of regents shall adopt the necessary rules
17 defining residence for tuition purposes herein; provided that
18 the basic rule shall be that a student shall qualify for the
19 resident tuition fee only if the following criteria are met:



1 (1) ~~[The adult student, or in the case of a minor student,~~
2 ~~the student's parents or guardians, has or have]~~ In
3 ~~the case of an adult student, the adult student:~~

4 (A) Has been a bona fide resident of this State for
5 at least twelve consecutive months next preceding
6 the student's first day of officially scheduled
7 instruction for any semester or term in which the
8 student is enrolling at the particular college or
9 campus; and

10 ~~[-(2)-]~~ (B) ~~[The adult or minor student has]~~ Has not been
11 claimed as a dependent for tax purposes for at
12 least twelve months next preceding the student's
13 first day of officially scheduled instruction for
14 any semester or term in which the student is
15 enrolling at the particular college or campus by
16 the student's parents or guardians who are
17 nonresidents of the State; provided that this
18 provision shall not apply in cases where the
19 parent claiming the student as a dependent is
20 entitled to do so under a child support order or
21 agreement issued or entered into in conjunction



1 with a divorce proceeding or legal separation
2 agreement and the other parent and the student
3 meet the criteria set forth in ~~[paragraph (1)].~~
4 subparagraph (A);

5 (2) In the case of a minor student:

6 (A) The student's parents or guardians have been a
7 bona fide resident of this State for at least
8 twelve consecutive months next preceding the
9 student's first day of officially scheduled
10 instruction for any semester or term in which the
11 student is enrolling at the particular college or
12 campus; and

13 (B) The minor student has not been claimed as a
14 dependent for tax purposes for at least twelve
15 months next preceding the student's first day of
16 officially scheduled instruction for any semester
17 or term in which the student is enrolling at the
18 particular college or campus by the student's
19 parents or guardians who are nonresidents of the
20 State; provided that this provision shall not
21 apply in cases where the parent claiming the



1 student as a dependent is entitled to do so under
2 a child support order or agreement issued or
3 entered into in conjunction with a divorce
4 proceeding or legal separation agreement and the
5 other parent and the student meet the criteria
6 set forth in subparagraph (A);

7 (3) The adult or minor student is enrolled in a high
8 school in the State for at least twelve consecutive
9 months preceding the student's first day of officially
10 scheduled instruction at the particular college or
11 campus; or

12 (4) The adult or minor student received a high school
13 diploma or equivalent in the State within twelve
14 months preceding the student's first day of officially
15 scheduled instruction at the particular college or
16 campus."

17 SECTION 3. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 4. This Act shall take effect upon its approval.



Report Title:

University of Hawaii; Resident Tuition Fees; High School Seniors; Recent High School Graduates

Description:

Expands the criteria to qualify for resident tuition fees to include high school seniors and recent high school graduates. Requires the adult or minor student to receive their high school or diploma within twelve months of the first day of official instruction. (SD1)

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