

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 304-4, Hawaii Revised Statutes, is amended to read as follows:

"§304-4 Powers of regents; official name. (a) The board of regents shall have management and control of the general affairs, and exclusive jurisdiction over the internal organization and management, of the university. It may appoint a treasurer and such other officers as it deems necessary. It may authorize any officer, elected or appointed by it, to approve and sign on its behalf any voucher or other document which the board may approve and sign. It may purchase or otherwise acquire lands, buildings, appliances, and other property for the purposes of the university and expend such sums of money as may be from time to time placed at the disposal of the university from whatever source. All lands, buildings, appliances, and other property so purchased or acquired shall be and remain the property of the university to be used in perpetuity for the benefit of the university.

(b) The board may charge a resident tuition fee for regular courses of instruction at any University of Hawaii campus, including any community college; provided that the tuition fee for nonresident students, both undergraduate and graduate, shall be not less than two times the tuition fee for resident students, but in no event less than two times the undergraduate tuition fee for resident students at the Manoa Campus.

The board may also charge other fees for special programs of instruction, as well as laboratory fees or course fees or fees for student activities, each of which shall be the same for resident and nonresident students. The board may charge other fees for summer session or evening courses, including differential fees for nonresident students.

The nonresident tuition differential shall not be applicable to East-West Center student grantees pursuing baccalaureate or advanced degrees, United States military personnel stationed in Hawaii on active duty and their authorized dependents during the period such personnel are stationed in the State, nor to students from any Pacific island or Asian district, commonwealth, territory, or insular jurisdiction, state, or nation which does not provide public institutions of higher learning, nor to employees of the university, their spouses and dependents.

[The board may waive entirely or reduce the tuition fee or any of the other fees for students, resident or nonresident, who are well qualified or in need of financial assistance, not to exceed five per cent of the total full-time enrollment of the previous fall semester for each campus in the system.] The board may waive entirely or reduce the tuition fee or any of the other fees for graduate teaching and research assistants. The board may enter into agreements with government and university officials of any other state or foreign country to provide for reciprocal waiver of the nonresident tuition differential. The board may waive the nonresident tuition differential for selected students from Pacific and Asian jurisdictions when their presence would be beneficial to the university or the State.

(c) The board shall adopt the necessary rules defining residence for tuition purposes herein; provided that the basic rule shall be that a student shall qualify for the resident tuition fee only if the following criteria are met:

- (1) The adult student, or in the case of a minor student, the student's parents or guardians, has 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; and

- (2) The adult or minor student has not been claimed as a dependent for tax purposes for at least twelve 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 by the student's parents or guardians who are nonresidents of the State.

(d) The official name of the board shall be Board of Regents, University of Hawaii, and the board shall adopt and use a common seal by which all official acts shall be authenticated."

SECTION 2. Section 304-15, Hawaii Revised Statutes, is repealed.

SECTION 3. Section 304-16, Hawaii Revised Statutes, is repealed.

SECTION 4. Section 304-17, Hawaii Revised Statutes, is amended to read as follows:

"§304-17 [Number and allocation of financial] Financial aids. (a) "Financial aid" as used in this section, means the tuition waivers authorized in [section 304-4 and the scholarships authorized in section 304-15.] **subsections (b) and (c).** A financial aid unit shall consist of a tuition waiver [or scholarship] awarded for the regular academic year or a semester thereof, and providing full coverage of tuition and other fees as authorized by the board. The board shall have the power to divide a unit, among two or more students or among students whose financial need will not substantiate a full unit. The total units of state financial aid in any given academic year shall not exceed thirteen per cent of the total full-time enrollment in the previous fall semester, except that the projected enrollment for each entering class of a new campus shall be calculated as part of its full-time undergraduate enrollment until such campus shall have graduated its first class. The allocation of the total number of units of financial aid shall be adjusted annually, based upon the ratio between full-time students enrolled at the baccalaureate degree granting campuses and in the community college system.

[Scholarships] Tuition waivers awarded to financially needy students in college transfer programs in the community colleges shall be continued upon their transfer into baccalaureate programs provided they continue to qualify, with the [scholarship] tuition waiver then to count against the quota for the baccalaureate degree granting campus. A [scholarship] tuition waiver awarded to a student who concurrently registers and enrolls at two or more campuses of the University of Hawaii during the same semester shall be counted against the quota for the campus at which the student is considered by the university to be seeking a certificate or degree. Each [Hawaii State scholarship] tuition waiver shall be granted for a period of one academic year, and may be renewed each year for all recipients who maintain a satisfactory standard of scholarship and deportment, and who continue to demonstrate financial need. The board may reaward to a new recipient the unused portion of a [Hawaii State scholarship] tuition waiver if the original awardee has left school, or for some reason ceases to remain qualified to receive financial aid. No student shall receive [state scholarship grants] tuition waivers for a period longer than four academic years while pursuing a professional or advanced degree, bachelor's degree, associate degree, or a certificate, as the case may be.

(b) The board of regents may waive entirely or reduce the tuition fee or any of the other fees for students, resident or nonresident, who are well qualified

or in need of financial assistance, not to exceed fifteen per cent of the total full-time enrollment of the previous fall semester for each campus in the system. Two per cent of these tuition waivers shall be used for the purpose of subsection (c). These tuition waivers shall be awarded in accordance with guidelines established by the board of regents.

(c) Tuition waivers in the amount provided in subsection (b) may also be awarded to highly qualified, full-time students at any University of Hawaii campus whose presence advances the university's unique mission as a bridge between east and west, and also enhances the leadership role the university and the State have assumed in the Pacific and Asian regions. These tuition waivers shall be awarded in accordance with guidelines established by the board of regents."

SECTION 5. Statutory material to be repealed is bracketed. New statutory material is underscored.¹

SECTION 6. This Act shall take effect upon its approval.

(Approved June 8, 1985.)

Note

1. Edited pursuant to HRS §23G-16.5.