Testimony in Strong Support of HB2053 and HB1674
House Committee on Education
Hawai‘i State Capitol, Room 309
January 31, 2012, 2:00 p.m.

To: The Honorable Scott Y. Nishimoto, Chair
House Committee on Higher Education, Hawai‘i State Legislature

From: Beatrice Ramos-Razon, President, NAMI
Nursing Advocates & Mentors, Inc.

Report Title: UH: Waiver of Nonresident Tuition; Eligibility for Scholarships and Financial Aid

Dear Chair Scott Nishimoto and Members of the House Committee on Higher Education:

My name is Beatrice Ramos-Razon. As the founder and president of NAMI (Nursing Advocates & Mentors, Inc.), I am proud to submit our strong support for these bills. NAMI’s membership is comprised of over 75 volunteer nurses, instructors, allied health care professionals, and Filipino leaders, who are dedicated to improve the health of Hawai‘i’s people through education, mentoring, advocacy and service. NAMI has been a mentor to minority and underrepresented students in University of Hawai‘i Student Equity, Excellence and Diversity programs engaged in community-based participatory research to address health disparities.

The Hawai‘i DREAM Act is vital to Hawai‘i’s successful economic turnaround. Our state government and economy have the most to gain with highly educated, highly skilled, and highly motivated students, who can help navigate Hawai‘i toward a resilient recovery. For students wishing to attain higher education, but whose status is undocumented non-citizen, it is devastating to learn that their undocumented status has drastic legal consequences that make them ineligible for resident tuition and financial aid. These bills are a step in the right direction for such Hawai‘i’s students.

With these bills enacted, one day soon, these affected students will be a part of Hawai‘i’s leaders in diverse fields. Thank you for this opportunity to testify and for hearing these bills.

Sincerely,

Beatrice Ramos-Razon, RN, FACDONA
President, Nursing Advocates and Mentors, Inc.
TO: Chair Nishimoto and members of the Higher Education Committee

FROM: Amy Agbayani and Faye Kennedy Co-chairs

RE: HB 2053 Relating to UH and HB 1674

I am testifying as a private citizen and co-chair the Hawai‘i Friends of Civil Rights and I do not represent UH, my employer. HFCR supports policies, programs and individuals who are committed to civil rights, equal access and diversity. HFCR supports of HB 2053 that would allow students who do not hold a lawful immigration status to pay resident tuition rates and eligible for various financial assistance. Under the federal Immigration and Nationality Act, states have the authority to grant state and local public benefits to residents who do not have lawful immigration status.

We urge you as policy-makers for our state, to give these students a chance to become educated, productive members of our community. As an immigrant myself, I have great sympathy for the many barriers these foreign born students and their families may encounter. These students are already a part of our multi-ethnic community and I am confident that an investment in their education will benefit the university and our community.
Testimony for HED 1/31/2012 2:00:00 PM HB2053

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Cade Watanabe
Organization: UNITE HERE Local 5
E-mail: cwatanabe@unitehere5.org
Submitted on: 1/30/2012

Comments:
Testimony in Strong Support of HB2053 and HB1674  
House Committee on Education  
Hawai‘i State Capitol, Room 309  
January 31, 2012, 2:00 p.m.

To: The Honorable Scott Y. Nishimoto, Chair  
House Committee on Higher Education, Hawai‘i State Legislature  

From: Charlene Cuaresma, Member, Filipino Coalition For Solidarity

Report Title: UH; Waiver of Nonresident Tuition; Eligibility for Scholarships and Financial Aid

Dear Chair Scott Nishimoto and Members of the House Committee on Higher Education:

My name is Charlene Cuaresma, member of the Filipino Coalition for Solidarity. The Coalition strongly supports these bills. Since its inception in 1990, the Coalition has represented more than 50 Filipino community leaders, whose aim is to work for social justice issues to empower Filipinos to make socially responsible contributions to Hawai‘i and our global neighbors through education, advocacy, and social action. The Coalition is committed to an ongoing resolution to address health disparities as a social justice issue.

Support is needed to remove barriers that prohibit enrollment in schools within the University of Hawai‘i system for undocumented non-citizen Hawai‘i students. The provisions of these bills would enable qualified students to pay resident tuition, apply for scholarships, and other programs and resources for student success.

More than generate much-needed revenue through in-state tuition, these students coming out of Hawai‘i’s high schools are at a crossroads. Passage of these bills will make a critical difference at a critical time when our state needs college and career ready young people to help steer our state into economic solvency and vitality. Thank you for hearing these bills and for the opportunity to share the views of our Filipino community.

Respectfully,

Charlene Cuaresma  
Member  
Filipino Coalition For Solidarity
Testimony in Strong Support of HB2053 and HB1674
House Committee on Education
Hawai‘i State Capitol, Room 309
January 31, 2012, 2:00 p.m.

To: The Honorable Scott Y. Nishimoto, Chair
House Committee on Higher Education, Hawai‘i State Legislature

From: Jake Manegdeg, President, Filipino American Citizens League

Report Title: UH; Waiver of Nonresident Tuition; Eligibility for Scholarships and Financial Aid

Dear Chair Scott Nishimoto and Members of the House Committee on Higher Education:

My name is Jake Manegdeg. I am proud to strongly support these bills. The League was formed over ten years ago to contribute to the advancement of civil rights and social justice for minority groups, underserved populations, and vulnerable communities through education, advocacy, and social action.

Even though the United States is comprised historically of generations of immigrants, today more than ever, there is a great need for fair immigration reform. These bills before you address the plight of young people who are caught in the middle. Hawai‘i has its share of students whose undocumented status prohibits them from qualifying for resident tuition, scholarships, and other programs to support student achievement in the University of Hawai‘i system.

Thank you for hearing these bills to explore how the University of Hawai‘i Board of Regents resolve these problems for undocumented non-citizen students. Given this, HRS §304A-502 allows the Board of Regents, in its discretion, to enter into reciprocal agreements with the governments of other states and territories to allow for waiver of the differential between resident and non-resident tuition. In addition, it also allows the Board in its discretion to waive the differential for students from selected Pacific Island and Asian jurisdictions whose presence is deemed beneficial to the university system or the State as a whole. The law also allows the Board the discretion to waive the differential for non-residents who are members of the Hawai‘i national guard and military reserves that train in Hawai‘i.

I appreciate the opportunity to voice Filipino community views to address this education disparity. Hawai‘i’s young people need all the help we can give them to ensure that they are ready for the rigor of surviving and thriving now and through the 21st century. Please pass these bills.

Very Sincerely,

Jake Manegdeg
Testimony in Strong Support of HB2053 and HB1674

House Committee on Higher Education
Tuesday, January 31, 2012, 2:00 p.m.
Hawai‘i State Legislature, House Conference Room 309

Measure Title: THE HAWAII DREAM ACT

Description: The present bills would amend current law to mandate that the Board waive the non-resident tuition differential for undocumented non-citizen students who have been present in the Hawai‘i school systems (public or private) for at least three years and who have graduated from a Hawai‘i public or private high school or obtained a GED, provided that the student files an affidavit stating that he or she has applied to “legalize the student’s immigration status, or will file an application as soon as the student is eligible to do so.”

To: The Honorable Scott Y. Nishimoto, Chair
   House Committee on Higher Education

From: Agnes Malate, Board Member, Filipinos for Affirmative Action

As a board member of Filipinos for Affirmative Action, a proponent of civil rights, I submit strong support for HB2053 and HB1674.

I believe that passage of the Hawaii Dream Act will be of long-term benefit to the entire State of Hawaii, and not just the students themselves. Education is an investment that benefits all of society. The twentieth century has often been termed the “American Century,” where our country established itself as a world leader in industry, science, music, literature, and critical thought. None of this could have happened without the massive investment in public education, and higher education, that provided millions of students with the unprecedented opportunity to develop their skills and innate powers to fully contribute to society’s benefit. Engineers, scientists, doctors, writers, poets – the millions of educated individuals who made this country great – could not have accomplished such an incredible feat without the benefits provided by public education. The Internet itself was developed from research conducted by a public university professor, who himself was educated by public schools. Allowing all of Hawai‘i’s students, including DREAMers, to gain access to the education they need to fully contribute to society is an investment that will benefit all of Hawai‘i.
Respectfully submitted,

Agnes Malate
Filipinos for Affirmative Action board Member
Testimony in Strong Support of HB2053 and HB1674
House Committee on Education
Hawai‘i State Capitol, Room 309
January 31, 2012, 2:00 p.m.

To: The Honorable Scott Y. Nishimoto, Chair
House Committee on Education, Hawai‘i State Legislature

From: Lynn Gutierrez, President, United Filipino Council of Hawaii

Report Title: UH; Waiver of Nonresident Tuition; Eligibility for Scholarships and Financial Aid

Dear Chair Scott Nishimoto and Members of the House Committee on Education:

The United Filipino Council of Hawaii strongly supports both bills. I am the president of the United Filipino Council of Hawaii (UFCH). We are an umbrella organization with member civic groups from six island councils. UFCH membership is comprised of nearly 5,000 individual members.

I am a naturalized American citizen, as are most of our UFCH members. I am also a Hawai‘i public school teacher with nearly forty years of experience to know the profound impact that higher education can make on a student’s ability to overcome life adversities and to become a contributing member of his or her family and community.

UFCH understands that the present bills would amend current law to mandate that the University of Hawai‘i Board of Regents waive the non-resident tuition differential for undocumented non-citizen students:
1) who have been present in the Hawai‘i school systems (public or private) for at least three years,
2) who have graduated from a Hawai‘i public or private high school or obtained a GED, provided that the student files an affidavit stating that he or she has applied to “legalize the student’s immigration status, or will file an application as soon as the student is eligible to do so.”

The bills do not state what would trigger a student’s obligation to make an application for legalization of status in the future.

Passage of these bills would be a humanitarian gesture that would open the doors to an invisible, but vital segment of Hawai‘i’s youth to help us strengthen our society and economy. Thank you for the opportunity to provide UFCH support. Thank you for hearing these bills and for your consideration of its merits.

Sincerely,

Lynn Gutierrez, UFCH President

Bridging Two Centuries of Filipinos in Hawaii
Testimony in Strong Support of HB2053 and HB1674
House Committee on Education
Hawai‘i State Capitol, Room 309
January 31, 2012, 2:00 p.m.

To: The Honorable Scott Y. Nishimoto, Chair
House Committee on Education, Hawai‘i State Legislature

From: Maria Etrata, President, Oahu Filipino Community Council

Report Title: UH; Waiver of Nonresident Tuition; Eligibility for Scholarships and Financial Aid

Dear Chair Scott Nishimoto and Members of the House Committee on Higher Education:

Please accept my regrets for this late testimony, as I just learned about this important hearing today. My name is Maria Etrata, president of the Oahu Filipino Community Council. OFCC is an umbrella organization that represents a network of non-profit civic groups with a unified vision to improve the lives of our Filipino communities.

OFCC respectfully asks that you pass these bills to enable undocumented youth, who meet the qualifications of the provisions under consideration, to access higher education at resident tuition rates, and to be eligible to apply for scholarships.

It is heartbreaking to see across the nation, as well as in Hawai‘i, that students who come to the U.S. as children or babies with their parents from their country of origin suddenly discover that they are disenfranchised individuals, without the proper documentation, when they try to apply for a driver’s license or submit applications for college and financial aid.

Hawai‘i’s undocumented, but highly motivated youth, aspire to “be somebody”. They want to make our society a better place for all. Given this, they are keenly aware of the rights and privileges of U.S. citizenship, which many American people take for granted. In these times of economic austerity, we cannot afford not to support this Hawai‘i Dream Act. With higher education and financial aid within their reach, these youth will be in a position to be of great help. Please consider using your power and influence to give them hope and a way to be a part of society’s solutions.

Thank you for the opportunity to provide this testimony, and for hearing these bills.

Sincerely,

Maria Etrata
President
Oahu Filipino Community Council
Dear Honorable Scott Nishimoto, Chair, Honorable Mark Nakashima, and members of the House Committee on Higher Education:

I strongly support HB 2053, and I respectfully request for your support as well.

The Hawai'i DREAM Act promotes individual responsibility by encouraging students who have been raised in Hawai'i to become responsible educated adults and productive members of our communities. These future citizens should be encouraged to become teachers, doctors, and engineers and productive members of our workforce. It is in the best interest of our state's economy to have an educated workforce to provide the innovation necessary to keep Hawai'i competitive in the global economy.

A study by the U.S Department of Labor found that immigrants that earned legal status experienced an increase in wages by approximately 15% five years after they obtained legal status. Furthermore, immigrants who arrived at an early age have higher earnings than those who did not and have higher level market returns. This would also be true for immigrant youth that are in this country and could benefit from this legislation. Higher incomes will increase consumer spending at the local, state and national levels, which also translate into new jobs.

The success of the future lies in the youth of today. The Hawai'i Dream Act of 2012 would be a great step toward meeting the goal for student access to our higher education system and increase our educated workforce population to rebuild and sustain our economy. I respectfully request your support for this important measure.

Sincerely,
April Bautista
To the Honorable Chair Nishimoto, Vice-Chair Nakashima, and the members of the House Committee on Higher Education,

Thank you for this opportunity to testify in STRONG SUPPORT of HB2053 and HB1674. Education is an investment in society, and providing meaningful access to higher education for hard-working and dedicated student DREAMers will only help to develop the engineers, doctors, scientists, philosophers, poets, and other educated individuals necessary for the long-term prosperity of Hawai'i nei. There is no just, fair, or socially beneficial reason to deny meaningful access to college for aspiring Hawai'i students who are educated in our high schools, steeped in local culture, and who only dream of contributing their fully developed skills and potential to Hawai'i's community.

Please help Hawai'i make a strong statement on recognizing the true value of our DREAMers (despite the misleading and disconcerting vitriol of mainland politics), by passing these bills out of your committee.

Me ka ha'aha'a,

Wayne Tanaka, Esq.
President, Korean-American Bar Association of Hawai'i, Advisory Committee Member, Hawai'i Immigrant Justice Center Member, Hawai'i Coalition for Immigration Reform 5th Generation Japanese American 2nd Generation Korean American
To the Honorable Chair Nishimoto, Vice-Chair Nakashima, and the members of the House Committee on Higher Education,

Thank you for this opportunity to testify in STRONG SUPPORT of HB2053 and HB1674. As a kama'aina and UH medical student, I am aware of the essential role that education plays in allowing citizens to participate meaningfully in both the community and the healthcare industry. Simultaneously, I am alarmed by the looming physician and nursing shortage that threatens the islands (and the nation) over the next few decades.

As I hope you're aware, our medical school is unique in its efforts to encourage student physicians to remain in the islands after their education. For resident students, we remain one of the most affordable medical schools in the US, but for out-of-state students the costs are more than doubled. Our classes, at less than 70 students per year, are not large- and despite our commitment to the health of our island ohana, there is still a growing gap in the islands between care needed and care available.

So, then, it's all hands on deck; In order for my generation of physicians to provide care for the aging and retiring baby boomers, we urgently need bright, dedicated students to pursue their interests in biology and medicine. Moreover, we need a streamlining of the process to make sure that those who might otherwise face opposition, high costs or bureaucratic barriers are allowed and encouraged both to pursue a higher education and to remain in the islands as healthcare professionals.

With this in mind, the DREAM act would take a significant step toward allowing non-native students, who would otherwise be denied it due to their immigration status, the chance at a higher education and career in providing for the health of our islands. These students, many of whom come from precisely the demographics that need care most, are largely shut out of med school due to the cost as a non-resident: the DREAM act would remove this barrier, and could significantly impact the future of healthcare in the islands.

Please help Hawai'i make a strong statement on recognizing the true value of our DREAMers (despite the misleading and disconcerting vitriol of mainland politics), by passing these bills out of your committee.
I am associate professor in ethnic studies and women’s studies at the University of Hawaii at Manoa, and my area of research expertise is in U.S. immigration policy. My area of study has drawn me into addressing policies that improve the lives of migrants in the United States. Since 2010, I have been a member of the Hawaii Coalition for Immigration Reform. I am writing in strong support of HB 2053 to grant in-state tuition to undocumented high school students who are bound for the state university system, and to make these students eligible for non-state scholarships and student aid programs within the limits of the federal law. If the bill is passed, Hawaii will join twelve other states in the nation – California, Connecticut, Illinois, Kansas, Maryland, Nebraska, New Mexico, New York, Texas, Utah, Washington, and Wisconsin – that grant undocumented students in-state tuition on meeting conditions similar to the ones outlined in Section 1 of the bill. California passed a bill last year allowing such students to access state-funded financial aid. In Illinois, a measure was passed last year as well to create a privately funded scholarship program to which undocumented students could apply. Since 2001, states have increasingly stepped into the gap left by the failure of federal level policies to create a pathway to legalize the status immigrants who were brought into the United States at a very young age. These states have proactively sought to address the predicament of students who went through the state public school system only to find their prospects of attending college shattered. Despite meeting admission criteria, the out-of-state tuition rates even at state schools put higher education out of their reach.

In the course of my research on newcomer immigrant communities in the state of Hawaii, I have come across such cases, including one case that involved a U.S.-born citizen, who was a minor (under 19 years of age) at the time of his admission. He was unable to attend college because his undocumented parents could not establish residency, and, therefore could not prove their child’s eligibility for in-state tuition at a community college. I have been told of students who grew up in Hawaii but were forced to return to their parents’ homeland because they saw no future for themselves after graduating from high school.

The proposed bill will benefit youth who have attended our high schools, have been successful, and are motivated to pursue higher education. What I appreciate most about the bill as an educator at a public university is that will execute the spirit of public higher education by expanding access to quality and affordable education. It is worth noting that our Congressional delegation from Hawaii has consistently and strongly supported the federal level DREAM Act. Our state legislators will be in step with our Congressional representatives’ recognition that DREAMers are valued members of our society, and their inclusion reflects the ethos of our state, the cultural diversity and economic growth of which has been fueled by multiple waves of migration.

I urge you to pass the bill with the following amendments:
Include the Section 1 of HB 1674 because this section lays out the rationale behind the measure.

Include the HB 1674 wording, Section 3 (c) 1-4 instead of what appears in HB 2053 Section 1, 1-4. HB 1674 includes students who attended "a public or private high school in Hawaii."

Section 1 &167; 304A-B, and A-C in HB 2053 elaborate on the more general statement in HB 1674, page 2, that "Students who are exempt from the nonresident tuition and fee differential ... shall be eligible to apply for and participate in all student financial aid programs administered by the university to the full extent permitted under federal law."

However, in the two sections of HB 2053 no greater clarity is gained about what is meant by "scholarship from non-state funds" and "student aid programs administered by the University of Hawaii and the community colleges of this State to the full extent permitted by federal law." If the legislators want to open up the opportunity for undocumented students to apply for scholarships or financial aid that are not supported by federal grants, the intent should be clearly stated. California's bill allowing undocumented students to apply for state-funded financial aid, as well as the Illinois policy about private scholarships should be looked at to amend this portion of the bill.

Otherwise, the broad language of HB 1674 should be amended to state: "Students who are exempt from the nonresident tuition and fee differential ... shall be eligible to apply for and participate in all student financial aid programs administered to the extent that it does not violate federal law."

Thank you,

Monisha Das Gupta
Testimony for HED 1/31/2012 2:00:00 PM HB2053

Conference room: 309
Testifier position: Support
Testifier will be present: No
Submitted by: Hildie Schap-Gil
Organization: Individual
E-mail: hschap@yahoo.com
Submitted on: 1/31/2012

Comments:
Aloha,
I strongly support the chance for these kids to go to school at "In State" rates! I have a good friend whose son was born in Mexico but came to the US at age two. He's always liked school (especially science) and has gotten mostly As. However, now at the age of 16, he's actually letting his school work suffer. He commented, "I can't go to college so why should I worry about highschool? I should just get a job instead." I'm not saying it's wrong to think about 'just getting a job,' but this is a kid who used to talk about being an astronaut or astronomer and begged his mom for a telescope at age 7. Thanks for your consideration!
I want to thank Chair Nishimoto and members of the HED for hearing this Bill. It is so important these young people “without lawful immigration status” be given the opportunity to attend higher education.

However, I would ask that you clarify Sect 304A-B “... a student attending the University of Hawaii or a community college of this State who is exempt from paying nonresident tuition under section 304A-A shall be eligible to receive a scholarship that is derived from NONstate funds received, for the purpose of scholarships, by the college.....

I would like to suggest that the “NON” be removed so that it clearly states that a student shall be eligible to receive a scholarship that is derived from “state” funds received....

According to the US Code Section 1621: Aliens who are not qualified aliens or nonimmigrants ineligible for State and local public benefits:

(3) (d) “State authority to provide for eligibility of illegal aliens for State and local public benefits – A State may provide that an alien who is not lawfully present in a State may provide that an alien who is not lawfully present in the United States is eligible for any State or local public benefit for which such alien would otherwise be ineligible under subsection (a) of this section only through the enactment of a State law after August 22, 1996, which affirmatively provides for such eligibility.

I would also like to quote from a letter I received from U. S. Senator Daniel K. Inouye December 6, 2010, that refers to the “Dream Act” in Paragraph 3: “I support the DREAM Act and am one of its 40 cosponsors because I do not believe we are a country that punishes children for the mistakes of their parents.”

I believe the removal of “NON” from Page 2, Lines 12 and 18 would clarify that scholarships from state funds can be received which conforms to Federal Law noted above.

Thank you for this opportunity to testify on HB2053.