

4) In your institution, in a field trip or lab situation, what is the policy regarding instructional or classroom hours? For example, if you spend 3 hours in a field trip or lab, how many instructional or classroom hours is that considered to amount to? Putting that another way, if you spend the whole day on a field trip (visiting a museum or taking a tour, etc.), how many instructional or classroom hours would that be? 1 hour? 2 hours? 3 hours? Please explain:

5) Provide the name of your institution and the URL of your institution's website:

6) Provide the course title, number of credits, and description:

7) Is it your representation that you will be structuring the program in Hawaii to not exceed 20 classroom hours? Yes:_____ No:_____

Name:

Title:

Address:

Phone Number:

Email Address:

Date

Signature

Excerpts from Hawaii Revised States (HRS) §305J-2:

“Private college or university” means a nonpublic post-secondary education institution having a physical presence in the State that offers associate, baccalaureate, post-baccalaureate, master’s or doctoral degrees or diplomas. For purposes of the requirements of this chapter, an out-of-state public institution shall be considered as a private college or university.

“Physical presence” means:

- (1) Having a physical location in the State, where students receive synchronous or asynchronous instruction; or
- (2) Establishing an administrative office in the State in order to:
 - (A) Provide information to prospective students, enrolling students, or the general public about the institution;
 - (B) Provide services to enrolled students;
 - (C) Provide office space for instructional or non-instructional staff; and
 - (D) Maintain an institutional mailing address, street address, or telephone number in the State.

Hawaii Administrative Rules (HAR) §16-255-2:

"Physical presence" shall have the same meaning in section 305J-2, HRS; provided that “physical presence” is not triggered, solely, by any of the following:

- (1) Courses offered at a distance, offered online, through the United States mail or similar delivery service, and that do not require the physical meeting of a student with instructional staff;
- (2) Academic offerings among accredited institutions which are participating in consortia agreements approved by each of the participating institutions;
- (3) Advertising to students within the State, whether through print, billboard, direct mail, Internet, radio, television or other medium. However, an institution that is seeking authorization to operate in the State shall not market or advertise prospective Hawaii-based programs in the State until and unless the institution has notified the department and provided copies of any marketing materials or advertisements to the department;
- (4) Recruiting (e.g., hosting or attending recruitment fairs);
- (5) An educational experience arranged for an individual student, such as a clinical, practicum, residency, or internship; provided that:
 - (A) The institution has obtained, if applicable, the professional and licensure approvals necessary to conduct the learning opportunity,
 - (B) No more than ten students from an institution are physically present simultaneously at a single field site; and
 - (C) There is no multiyear contract between the institution and the field site;
- (6) An educational field experience arranged for a group of students who are participating in campus-based programs in another state;
- (7) **An offering in the nature of a short course or seminar that takes place in the State, if instruction for the short course or seminar is no more than twenty classroom hours;**

- (8) A portion of a full-term course for which no more than two meetings, totaling less than six hours, takes place in a setting where the instructor and students physically meet together;
- (9) Distance course offerings by an accredited institution on a U.S. military installation, that is limited to active and reserve military personnel and their dependents;
- (10) Operation of a server, router or similar electronic service device when such a device is not housed in a facility that otherwise would constitute a physical presence; provided that the presence of a server or similar pass-through switching device in the State does not itself constitute the offering of a course or program in the State;
- (11) Having faculty, adjunct faculty, mentors, tutors, recruiters, or other personnel residing in the State; provided that the presence of instructional faculty in the State, when those faculty offer entirely online or other distance-education instruction and never meet their students in person for educational purposes while in the State, does not establish a presence of the institution in the State;
- (12) Requiring a student to take a proctored examination at a location or with an entity in the State prescribed by the institution; or
- (13) Having a contractual arrangement in the State.