

EXECUTIVE SUMMARY

Item Name: **Proposed Revision to ABOR Policy 4-202 “Non-Resident Tuition Rate for Arizona High School Graduates” (First Reading and Immediate Implementation)**

Action Item

Requested Action: The board office asks the board to review on first reading and approve for immediate implementation a proposed revision to ABOR Policy 4-202 “Non-Resident Tuition Rate for Arizona High School Graduates” as described in this executive summary.

Discussion:

- ABOR Policy 4-202 provides a non-resident tuition rate for students who graduated from Arizona high schools and who are not otherwise eligible for in-state tuition.
- The current policy requires that a student be lawfully present in Arizona to be eligible for this rate. The lawful presence criterion was not required by state or federal law. By approving the proposed revision, this requirement would be eliminated.
- The requirement was intended to clarify that DACA students were eligible for this unsubsidized non-resident rate. Now that the federal government is not allowing new applications for DACA, the language is no longer needed.
- By approving this proposed revision, the Non-Resident Tuition Rate for Arizona High School Graduates will be available to students who meet the policy requirements and are not otherwise eligible for in-state tuition, including:
 - Students who graduated from Arizona high schools who then left the state and lost Arizona residency, and
 - Undocumented students who are not eligible for in-state tuition.

Statutory/Policy Requirements

- ABOR Policy 4-102 (As required by A.R.S. §15-1803, a person who is not a citizen or legal resident of the United States or who is without lawful immigration status is not entitled to classification as an in-state resident.)

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4-202 Non-Resident Tuition Rate for Arizona High School Graduates

- A. A student who graduated from an Arizona high school, but who is not otherwise eligible for resident tuition status, will be eligible for a nonresident undergraduate tuition rate of 150% of undergraduate resident tuition, if the ~~following conditions are met:~~
 - ~~1. The student has attended high school in Arizona for a minimum of three years while physically present in Arizona and graduated from an Arizona high school (or attained the equivalent while physically present in Arizona for a minimum of three years). ~~and~~~~
 - ~~2. The student is lawfully present in Arizona.~~
- B. The non-resident rate for Arizona high school graduates would apply to tuition for undergraduate students. This rate does not apply to differential tuition, or tuition for on-line, accelerated or distributed programs.
- C. “High School” is defined as grades 9-12. Completion of the 9th grade while physically present in Arizona, whether at an Arizona middle school or high school or equivalent, will count toward the Arizona high school attendance requirement. The three years of Arizona high school attendance do not need to be consecutive.
- D. A student who meets the requirements of this policy will be eligible for the non-resident undergraduate rate regardless of when the student graduated from an Arizona high school.
- E. The policy is effective beginning with the fall 2015 semester.