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Arizona Board of Regents Responds to Attorney General's Lawsuit

Phoenix, Ariz. – Attorneys for the Arizona Board of Regents have filed a [response](#) to the Attorney General's petition for special action against the board. In September 2017, the Attorney General sued the board – his client – alleging the board violated the Arizona Constitution by charging resident students high tuition costs. These claims ignore the facts.

All told, the story of the board and the universities over the past two decades is not one — as the AG claims — of “skyrocketing tuition.” Instead, the story is one of a university system, strained by a growing student body and decreasing state appropriations, ensuring that strain is not felt by the students themselves. Those students, in turn, are free to learn, grow and ultimately make Arizona a better place.

The Superior Court dismissed the Attorney General's lawsuit last April, and the Attorney General's office filed an appeal with the Court of Appeals. Without allowing the Court of Appeals to complete its review, the Attorney General has also separately petitioned the Supreme Court to hear the same issues.

“The Attorney General's Office appears to be trying to circumvent the court of appeals,” said ABOR Chair Ron Shoopman. “Without discussing his concerns with the regents, the Attorney General instead seeks to advance a lawsuit that willfully ignores the facts.”

“Data from the last decade clearly demonstrates that Arizona's public universities have gone far to ensure Arizona resident students have access to an affordable quality, public higher education in this state,” said ABOR Executive Director John Arnold. “This, despite the fact Arizona has had the largest drop, nationally, of state support on a per-capita basis of public higher education.”

The board's response outlines uncontestable facts that demonstrate the board's and universities' commitment to affordable access to quality public higher education:

- **The cost to educate students has not meaningfully changed, and in most cases has decreased, as the universities provide a more cost-effective education.** In 2008 dollars, the cost to educate a student at Arizona State University has dropped from \$15,668 in 2008 to \$14,728 in 2018. At Northern Arizona University, that cost has decreased from \$14,918 to \$11,781. Only the University of Arizona has seen an increase, from \$15,532 to \$16,569. All told, on a per-student basis, undergraduate educations in the state are provided about as - if not more - cost-effectively than they were one decade ago.
- **While the universities have worked to ensure that instruction is provided cost-effectively, state**

support has precipitously declined. At ASU, state support on a per-student basis has dropped, in 2008 dollars, from \$10,967 in 2008 to \$5,089 in 2018 — a decline of almost \$6,000 per student. At NAU, that amount has decreased from \$10,898 to \$4,661 — a decline of over \$6,000 per student. At UA, the decline in state support was even more severe, dropping from \$13,606 in 2008 to \$5,009 in 2018 — a drop of over \$8,000 per student. This extreme decline in state support is notable on a national scale.

- **The universities have gone far to ensure that students are not burdened despite these severe declines in state appropriations.** The increase in the “sticker price” has been less than the decrease in state appropriations. For example, while state support for UA students has dropped over \$8,000 per student, the “sticker price” has gone up less than \$6,000 — from \$5,037 in 2008 to \$10,802 in 2018. Likewise, at NAU, students have over \$6,000 less in state support but only pay less than \$5,000 more — from \$4,841 in 2008 to \$9,770 in 2018. Finally, ASU students receive almost \$6,000 less in state support — but pay less than \$5,000 more.

(Further detail and data tables are available in the board’s [response](#).)

The efforts to protect students from the decline in state appropriations is seen even more starkly when considering the “net tuition paid” that is, tuition and fees less gift aid. When considering this figure, which more accurately assesses the financial burden on students for a higher education, the increase over the past 10 years has been modest when compared with the decrease in state appropriations.

“The perpetuation of this lawsuit and its false narrative ultimately impacts the people of Arizona in a negative way, at a time when we should all encourage students to seek education past high school,” Shoopman said.

Arnold shared that the lawsuit “is proving a waste of time and resources for the board and the state of Arizona.” He added, “Our board and institutions are focused on providing an accessible, affordable higher education to students at our public universities. These institutions are among the most cost efficient in the nation where students carry lower than average debt and nearly half have no debt upon graduation.”

“The board is tasked with representing the people of Arizona and we remain committed to continuing our work with university leaders and state policymakers to ensure a quality higher education continues to remain within reach of Arizona families,” said Shoopman. “For future generations of Arizonans, we will work to ensure our universities remain some of the most innovative and entrepreneurial in the country. The board urges the Arizona Supreme Court to reject the Attorney General’s petition for special action.”

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