



**Statement**  
**June 20, 2017**  
**FOR IMMEDIATE RELEASE**

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**Statement from ABOR President Eileen Klein Regarding Decision of Arizona Court of Appeals in State of Arizona v. Maricopa County Community College District Board**

“The Arizona Board of Regents is reviewing the decision of the Arizona Court of Appeals and will be monitoring the case for further developments including any decision by the Maricopa County Community College District to seek further review.

The superior court decision that was reversed today was the basis for ABOR’s decision in 2015 to extend in-state tuition to eligible Deferred Action for Childhood Arrivals (DACA) students. If today’s decision stands, DACA students will no longer qualify for in-state tuition at Arizona’s public universities. However, DACA students may be eligible for the Non-Resident Tuition Rate for Arizona High School Graduates that the board adopted in 2015. That rate is 150 percent of undergraduate resident tuition.

Nevertheless, we recognize that today’s decision is difficult news for the DACA students currently at our public universities. While the board and our universities seek in all ways to honor and obey both state and federal law, we are concerned about the success and needs of the DACA students who have selected to earn their degree at our universities. This decision has a broad-reaching impact - while the number of DACA students on our campuses today is relatively small, tens of thousands of young Arizonans are potentially affected by this decision.

It is imperative that we fight for meaningful federal immigration reform. Chief among those reforms should be the enactment of the DREAM Act or similar legislation. The time has come to end the uncertainty that our DREAMers live with every day.”

Background information

In May, 2015, Maricopa County Superior Court ruled that a DACA recipient who presents an Employment Authorization Document and who meets Arizona law residency requirements was eligible for resident tuition. (State of Arizona v. Maricopa County Community College District). At that time, in accordance with the law, DACA students with an EAD who met the statutory and policy requirements for residency were able to establish in-state residency for tuition purposes at Arizona’s public universities.

The board previously enacted a [new policy](#) to provide non-resident tuition at 150 percent of base tuition for graduates of Arizona high schools.

Last December, the board sent a [letter](#) to then President-elect Donald Trump, citing the board's concern for DACA students, requesting he and his administration work with Congress to design and provide relief for these students within the overall approach to immigration enforcement and reform.

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