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## Arizona Judge: Dreamers Can Pay In-State Tuition

COLLAPSE STORY

BY GRISELDA NEVAREZ

**M**ESA, AZ -- Dreamers are celebrating a judge's ruling that allows students who have received work permits under a federal deferred action program for undocumented immigrants to continue paying in-state tuition rates at many of Arizona's community colleges.

"At first, I couldn't believe it," said Vianey Perez, an 18-year-old freshman at Phoenix College, about her reaction to the judge's ruling. "I'm immensely grateful."

Maricopa County Superior Court Judge Arthur Anderson ruled Tuesday that Dreamers who have been approved for the Deferred Action for Childhood Arrivals (DACA) program are eligible to pay the same tuition rates as other Arizona residents at Maricopa Community colleges.

The ruling ends a 2-year-old lawsuit filed by then-state Attorney General Tom Horne. He sued the Maricopa Community College District, one of the largest in the nation, arguing that the district was violating a state law by allowing DACA recipients to pay in-state tuition.

Horne was referring to a state law that Arizona voters approved in 2006 that bars students from paying in-state tuition and receiving financial aid if they aren't able to prove a lawful immigration status. He said DACA recipients are not lawfully present

and therefore ineligible for in-state tuition.

Anderson disagreed and said that under the DACA program, dreamers are lawfully present.

The judge's ruling is good news for Perez, who was brought to the United States from Mexico by her parents when she was 4 years old. She said the judge's ruling means she'll still be able to afford college and possibly transfer to one of Arizona's public universities to finish her education in graphic design.

"This means that I'll no longer have to go to a different state to continue my education," she said. "I can stay here."

Supporters are now hoping that the Arizona Board of Regents (ABOR), which oversees the three public universities in Arizona, will follow suit in allowing DACA recipients to pay lower tuition rates. The Board of Regents said Wednesday it would meet Thursday and issue a statement after the meeting.

"For the Arizona Board of Regents now to grant in-state tuition for Dreamers is not only the right thing to do, [and] the lawful thing to do, it is the only thing to do," said German Cadenas, a doctoral student and president of the Graduate and Professional Student Association at Arizona State University.

Cadenas has been a vocal supporter of in-state tuition for DACA recipients. Earlier this month, he pressed Arizona Republican Gov. Doug Ducey during a board of regents meeting to support in-state tuition for Dreamers.

Before the announcement about Thursday's meeting, Arizona Board of Regents President Eileen I. Klein said in a statement Tuesday that the board is "currently reviewing the court's decision." She also noted that the board is considering a proposal that would reduce tuition to 150 percent of out-of-state tuition for DACA recipients. DACA recipients are currently required to pay the full out-of-state tuition rate.

"The Arizona Board of Regents is committed to broadening access and affordability for all students in Arizona and, as part of that mission, supports lawful opportunities to increase access for DACA students," Klein added.

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Griselda Nevarez is a freelance journalist who covers national and local politics with a focus on Latinos.... [Expand Bio](#)