



SUBSCRIBE NOW and get 3 months for the price of 1 **SUBSCRIBE**



search: All azcentral.com

Log in My account Register e-Newspaper Help

News Sports Money Things to do Politics Opinion Watchdog Travel Food & Home Health Traffic Weather

Ahwatukee | Chandler | Gilbert | Glendale | Mesa | Peoria | Phoenix | Pinal | Queen Creek | Scottsdale | Southwest Valley | Surprise | Tempe

Community » Scottsdale » Article 15 Comments

Maricopa community colleges sued over in-state tuition for migrants

SHARE URL EMAIL FONT: A A A Recommend 325 Tweet 0

For Full Access: LOG IN or Subscribe now: 3 months for the price of 1

RELATED INFO

By the numbers

Total spring-semester 2013 enrollment of the Maricopa County Community Colleges:
127,303

Estimated number of students who are undocumented immigrants who have received deferred-action status:
About 250

Percentage of students who are Hispanic: 23 percent



In-state tuition: \$78 per credit-hour

Out-of-state tuition: \$317 per credit-hour

By Mary Beth Faller
The Republic | azcentral.com
Wed Jun 26, 2013 6:23 PM

Arizona Attorney General Tom Horne is suing the Maricopa County Community College District over its policy of charging in-state tuition to undocumented immigrants who receive work permits through the federal deferred-action program.

Horne filed a lawsuit in Superior Court on Tuesday, saying the policy violates state law because it gives public benefits to undocumented immigrants.

The suit asks for a judge to rule on the issue, which could affect several hundred students in the 10-college system.

On Wednesday, Tom Gariepy, spokesman for the community-college district, said the colleges will continue the policy until such a ruling.

"We feel it's a shame the attorney general felt the need to file a lawsuit at all and spend what amounts to double the public funds," he said. "And that's especially true given that the federal immigration law is working its way through Congress and, if approved, will likely make the whole issue moot."

This past spring, community-college district officials had been in talks with Horne's office. In April, the district sent a letter to Horne stating that the colleges believed they were complying with the law by accepting the federal work permits as a qualifier for in-state tuition. But the district agreed there was "uncertainty" over the issue, so it proposed asking a judge to rule on the matter.

Tuesday's lawsuit sets the stage for a ruling to settle the issue.

Last August, President Barack Obama announced the Deferred Action for Childhood Arrivals program, which allows undocumented immigrants who are age 30 and younger and who were brought to this country as minors to apply to stay in the United States to work for two years without the threat of deportation.

The community colleges' attorneys determined then that the work permits young people received under the program are on the state's list of documents needed to meet legal-residency requirements for in-state tuition.

The district's in-state tuition rate is \$78 per credit-hour, compared with an out-of-state tuition rate of \$317 per credit-hour.

After Obama's action, Gov. Jan Brewer issued an executive order telling state agencies to ensure that undocumented immigrants granted deferred action and work permits through the program were blocked from receiving state-issued driver's licenses and public benefits. The order did not address tuition specifically, but Brewer has said that allowing undocumented immigrants to pay in-state tuition, even if they receive deferred action and work permits, would violate state law.

"We're accepting federal work permits as a proof of lawful presence because that's what the set of documents said we should do," Garipey said on Wednesday. "A new category of people is eligible because of the president's action, but we haven't changed anything."

On Wednesday, Stephanie Grisham, Horne's press secretary, said he would have no comment on the lawsuit.

Right now, undocumented students at the state universities pay out-of-state tuition, which can be nearly three times what in-state students pay. Students have been pushing regents to change the policy. But regents say a state law prohibits the universities from giving these students in-state tuition rates.

At a regents meeting this month, the board scheduled an executive session to discuss the matter and get legal advice. But the regents didn't take any action in public.

"The board is continuing to monitor the issue in other states and at the federal level, and regents are looking for a solution that is in the best interest of Arizona," said Katie Paquet, a spokeswoman for the regents.

Republic reporter Anne Ryman contributed to this article.

Get 3 months for the price of 1
SUBSCRIBE NOW

Most Popular | Top Videos

- [2013 Scottsdale police mug shots and surveillance photos](#)
- ['Renting is new buying': Apartments booming in Scottsdale](#)
- [Districts convert schools to charters for more money](#)
- [Scottsdale cold cases](#)
- [Fatal north Scottsdale crash closes intersection](#)
- [3 arrested in Scottsdale after teen says they held him at gunpoint](#)
- [Maricopa community colleges sued over in-state tuition for migrants](#)
- [Scottsdale city planning panel endorses condominiums at Borgata](#)
- [Scottsdale, Cave Creek schools wrestle with allotting students to classes](#)
- [Scottsdale top online stories of 2013](#)

YOU MAY LIKE

by Taboola



Prescott fire crew killed in Arizona wildfire



Snowden's dad: My son is no traitor



Facebook bikini photo prompts \$2 million lawsuit



Obama: 'Painful losses' of Yarnell firefighters

MORE FROM AZCENTRAL

- ['That 70s Show' actress arrested in California](#)
- [John Travolta's son is a barfly](#)
- [Girl says she was tortured by dad's fiancee](#)
- [8 restaurants opening this summer in metro Phoenix](#)
- [Police looking for 3 men who robbed Phoenix bank](#)
- [Kid Rock: Justin Bieber is facing 'long ride down'](#)
- [Boy dies in car while parents at funeral, police say](#)
- [Gilbert teacher accused of having sex with 17-year-old student](#)
- [Sterling's DC Ranch villas nearly sold out](#)
- [Fatal north Scottsdale crash closes intersection](#)

[?]

FROM AROUND THE WEB

by Taboola



3 Ways For Guys To Drop 20lbs Quickly Hot Topix



Economist: 'Obama Won't Finish Term Without Bottom Drop...' Money Morning

FROM AROUND THE WEB

- [Home & School Matters: Why email and teachers often still don't mix \(Tech Page One\)](#)
- [What Happens When One Owner Removes a Boundary Fence? \(eHow\)](#)
- [10 Great Cities for Older Singles \(AARP\)](#)
- [Learning the "Google Way" \(Corporate Learning Network\)](#)
- [The Five Year Rule for Buying a House \(Moneying.com\)](#)
- [Being gay in China \(China Watch\)](#)
- [Does the United States Allow Dual Citizenship? \(eHow\)](#)
- [Will Climate Change Send These 5 Islands to a Watery Grave? \(Take Part\)](#)
- [Can an American Have Dual Citizenship? \(eHow\)](#)
- [How L.A. is Changing Public Transportation \(America's Natural Gas Alliance\)](#)

GET AZCENTRAL ANYWHERE

azcentral.com
mobile editions

Get azcentral.com on your phones and



Julian Newman: Fifth Grade Basketball Phenom | Sports Illustrated Kids
Top 10 Athletes Turned Actors of All Time
Rant Sports

▶ JOIN THE DISCUSSION

Join the conversation! To comment on azcentral.com, you must be logged into an active personal account on Facebook. You are responsible for your comments and abuse of this privilege will not be tolerated. We reserve the right, without warning or notification, to remove comments and block users judged to violate our [Terms of Service](#) and [Rules of Engagement](#). [Facebook comments FAQ](#)

Comments posted via facebook: 15

39 comments

[Add a comment](#)



David Lucier · Top Commenter · Works at Arizona Veterans & Military Leadership Alliance

Tom Horne is the poorest excuse for an AG...ever. Barred for life by the SEC for securities violations, using his staff for personal gratification, and too distracted to stop and leave a courtesy note on a car he hit and then left the scene, and plenty of evidence to suggest that he participated in some serious campaign finance violations.

These are not shining examples of ethics in government.

Would you want Tom Horne teaching ethics to your children?

[Reply](#) · 10 · [Like](#) · June 27 at 6:20am



Donald Mey · Top Commenter · San Lorenzo, California

Would you ever ask a lawyer to teach anyone ethics?

[Reply](#) · [Like](#) · Friday at 11:34pm



Geoff Tan · Works at Ware Manufacturing, Inc.

Why would someone from another country not a citizen get a reduced tuition compared to a citizen from another state. Horne is right. If you want a free or reduced tuition go back to your country's schools.

[Reply](#) · 7 · [Like](#) · June 27 at 7:11am



Paul Reno · Top Commenter · Phoenix, Arizona

Horne is NOT right he's simply playing to the racists in our state, the very same anti-hispanic and anti-illegals who rush to post their negative and divisive thoughts on these pages. According to the federal government they do have a right to be here and have been permitted by our government to remain in our state. Many of them have never known any other country and have grown up here along side all of US. They've grown up in our neighborhoods, in our schools and in our cities and some of you would send them to a country they do NOT know or have any loyalty to! How convenient for some of you!

[Reply](#) · 7 · [Like](#) · June 27 at 7:25am



Matthew Field

Paul, The federal government has not said that they have a right to be here. The federal government has said that they have chosen to ignore the existing laws and not deport these people. The question about is it the "right" thing to do to allow these people to stay here and gain citizenship means nothing. If you want to do the "right" thing, change the law to allow them to stay. Until then, enforce the laws that are on the books.

[Reply](#) · 2 · [Like](#) · June 27 at 12:39pm



Robert Unferth · Top Commenter · Phoenix, Arizona

Horne sure knows how to push Latinos and guys out - way, way out - of the Republican Party. Well over a third of the population of the state.

Maybe Horne is counting on his well known family values to save him.

[Reply](#) · 6 · [Like](#) · June 26 at 10:54pm



Steve Cohan · Top Commenter · Phoenix, Arizona

He's a lawyer sworn to uphold the laws of the State. You turned his actions into racism. The laws are the laws and you don't enforce them based on attracting a certain political group. That's the President's modus operandi.

[Reply](#) · 6 · [Like](#) · June 26 at 11:54pm



Paul Reno · Top Commenter · Phoenix, Arizona

Stevie Cohan do you really admire Tommy Horne, the same man who has been found to be unethical, banned from stock-trading and a caught cheating on his wife? Does Tommy Horne sound like a man who RESPECTS the Rule of Law?

tablets for the latest news, sports, video, photos and much more from azcentral, The Arizona Republic and 12 News.

» [Get azcentral.com mobile!](#)
» [Android](#) | [iPad](#) | [iPhone](#)
| [iPhone Sports](#) | [AZ](#)

From our sponsor

Banner Children's Total Kid for iPad



Download your free copy of Total Kid, an interactive digital parenting magazine filled with trending health topics, videos, tips and activities. Sponsored by Banner Health.

Look Young Look Natural

Breast Augmentation
Breast Lift
Liposuction
Tummy Tuck
Nose Surgery
Facelift
Skin Care
Eyelid Surgery

Berardi Aesthetics and Plastic Surgery
(480) 502-4567
www.theplasticsurgeon.org
11000 N Scottsdale Rd., Ste. 100, Scottsdale, AZ

Berardi Aesthetics and Plastic Surgery

[Reply](#) · [6](#) · [Like](#) · June 27 at 7:10am



George Chlupsa

No one is pushing anybody out of anything. Horne is correct to file this lawsuit to force the court's opinion in this matter. Anyone who is here illegally should not receive any type of benefit, especially in-state tuition rates. This is one of the reasons tuition rates keep increasing in order to give free (or nearly free) educations to illegal alien invaders from everywhere.

[Reply](#) · [5](#) · [Like](#) · June 27 at 2:14am



Paul Reno · Top Commenter · Phoenix, Arizona

Georgie using the term "INVADERS" automatically classifies you for the moron you area Tea Bagger! Yiu have exposed yourself for who and what you are!

[Reply](#) · [4](#) · [Like](#) · June 27 at 7:13am



Donald Mey · Top Commenter · San Lorenzo, California

They are not yet here legally; Horne is right. And the immigration bill doesn't appear to have good odds. The House probably won't pass full-on amnesty and grant citizenship, the Senate probably won't pass it without it.

[Reply](#) · [5](#) · [Like](#) · June 26 at 8:27pm



Larry Schlink · Top Commenter · Central Arizona College

+1, not legally here not a legal resident, so sorry, no home town discounts for you...

[Reply](#) · [7](#) · [Like](#) · June 26 at 8:52pm



Paul Reno · Top Commenter · Phoenix, Arizona

Tommy Horne, the wife cheater, plays to the yokels in our state and like old Arpayaso seeks out the media attention to ensure he gets the much-needed attention!

Tommy Horne has shown himself to be both anti-hispanic and anti-illegal just like other GOP politicians. Horne is not an honest or law-abiding person, Horne is a political opportunist and NOTHING more.

[Reply](#) · [4](#) · [Like](#) · June 27 at 7:16am



Ma Spats · Scottsdale, Arizona

FYI- The in state tuition is use based, meaning not only is it suppose to be only for residents, it is designed to lower the cost for residents. The amount is determined by a budget, not use....so the more students that use it, the less their discount. So allowing people to use it that should not be eligible takes away from those it was designed for. Just about every year students protest increases in fees. A recent study done by a NAU student suggests that if ALL students who abuse the system (out of state students that claim they live in state, illegal residents/aliens) paid full price, the in state amount would drop by 11%!

[Reply](#) · [3](#) · [Like](#) · June 27 at 7:05am



Paul Reno · Top Commenter · Phoenix, Arizona

Ma Spats or whoever you really area, illegals PAY taxes and have every right to collect on what they have paid into our school as tax payers!

How about boning up on the correct information next time before making a fool of yourself?

Most of these kids have grown up as Americans and you would turn them away because of their parents actions to bring them here?

You're all heart Ma.

There's more racism involved here than most claim to know.

[Reply](#) · [4](#) · [Like](#) · June 27 at 7:34am



Robin Spatola · Arizona State University

I disagree Paul. As illegals, they have none of the rights that citizens have. Hence the term, illegal.

Why not offer a mandatory citizenship class as their first course and get them legal so we won't have this issue? As adults, they are making the choice to remain illegal, it is not because their parents brought them here. College age students are not helpless children so don't act like they are.

[Reply](#) · [4](#) · [Like](#) · June 27 at 8:06am



Ma Spats · Scottsdale, Arizona

Yes, they pay taxes---but no where near the amount they benefit. I don't have college numbers but, for example, if a family lives in Phoenix and owns a 200k house, their school tax assessment will be about 380 dollars a year. The cost to educate the child is over 5200 per year.

[Reply](#) · [4](#) · [Like](#) · June 27 at 8:38am

[View 5 more](#)



Scott Pfister · Top Commenter

Horny Tom is going to spend millions of our money to make an ideological point? 250 students out of 127,303 is what percent? The difference in tuition is not even \$60,000. He's the new Joe. The education these outcasts would get would allow them to get real jobs, pay taxes, blah, blah. I forgot that America's God does not want them to make it in life.

[Reply](#) · [3](#) · [Like](#) · June 27 at 9:23am



Paul Reno · Top Commenter · Phoenix, Arizona

Horne has shown that ideology and a negative agenda in more important than anything else, especially when Tommy wants to run for governor!!!

I sincerely doubt he can win anything without the Latino vote anyway and he's got too much garbage associated with himself!

[Reply](#) · [4](#) · [Like](#) · June 27 at 9:30am



Matthew Field



Scott, in 2011 bank robberies made up 1.4% of all robberies in the United States. Since it is such a small amount, does that mean that we should just ignore the laws and not try to arrest bank robbers? Should we let them just keep the money that they steal since it is such a small percentage? Enforce the laws that are out there. If you want to allow them to have in-state tuition, change the law.

Reply · 1 · Like · June 27 at 12:45pm



Scott Pfister · Top Commenter

The P/L statement on the cost to enforce this POLICY don't make sense. This aspect of the immigration issue is not a law. BTW, the Field surname immigrated from England in the 17th Century to avoid persecution and starvation in their homeland. Hmnm.

Reply · 3 · Like · June 27 at 1:32pm



Robert Decker

What a silly waste of resources by Horne. I guess, however, that this is how his political compass points: always looking for popular windmills to attack.

Reply · 3 · Like · June 27 at 6:12am



Paul Reno · Top Commenter · Phoenix, Arizona

You are so very correct!
His wife must be a forgiving saint or indifferent to his cheating ways!!!
What a poor example of a AG this man has turned out to be!

Reply · 3 · Like · June 27 at 7:18am



Pepin Bexato

Racist mean spirited Arizona elected officials continue to do all they can to hurt defenseless blameless young people who have done no harm.

Otra lastima y dolor en nuestro "Estado de Verguenza" y sinverguenzas.

Reply · 2 · Like · June 27 at 2:17pm



Pepin Bexato

Dysfunctional Arizona continues to be at the mercy of a this career racist political persecutor who stole the Attorney Generals office with personal impunity.

Reply · 2 · Like · June 27 at 2:22pm



Rick Mueller · Top Commenter

WHAT THE HECK!!!! "We feel it's a shame the attorney general felt the need to file a lawsuit at all and spend what amounts to double the public funds,"

You are wasting MY public funds on illegal aliens!!! Make 'em legal and then we can talk.

Reply · 2 · Like · June 27 at 6:25am



Paul Reno · Top Commenter · Phoenix, Arizona

Like it or not illegals have PAID taxes, the very SAME taxes that you and I have paid!
YOU would accept their tax money to support our school, but would NOT support their use of our school?
How does that work Ricky?

Reply · 3 · Like · June 27 at 7:28am



Matthew Field

Paul, saying that an illegal has a right to in-state tuition because they pay taxes is a fallacy. I may taxes that go to many programs that I don't get to benefit from. I pay a tax on my phone bill that goes to help people pay their phone bills. I don't get to take part in that program. I pay taxes that go toward food stamps. I don't get to use food stamps. Just paying a tax doesn't mean that you are qualified for the benefit. Like it or not, these people do not qualify for in-state tuition.

Reply · 2 · Like · June 27 at 12:57pm



Eric Marshall · Top Commenter · Phoenix, Arizona

Matthew Field you might have a point, but the bigger issue is Horne is just doing this to distract from his refusal to turn his case over to an independent prosecutor. IE he broke the law, and now thinks by digging into the issue of immigration you and others will just forget about his transgressions. DONT! hold him accountable for his actions, just like any other citizen. Otherwise, it sends a message. You can break the law if you are a politician who is against "illegals".

Reply · 3 · Like · June 27 at 3:07pm

[View 1 more](#)



Hubert McMinn · Defense Contract Audit Agency

Illegal aliens that break our laws and show disrespect to its citizens by blatantly defrauding the government for benefits do not deserve the same privileges as citizens. Obama's lack of enforcing the laws does not change an illegal aliens status. I support our Attorney General.

Reply · 1 · Like · June 27 at 6:32pm



Paul Reno · Top Commenter · Phoenix, Arizona

Settle down Hubie McMinn...your political affiliation has been noted along with the blinders that you were so proudly!

Reply · 2 · Like · June 27 at 9:56pm



Michael Bjerkness · Cook County High School
Paul Reno is proof that liberalism taken to extremes ..is a disease.
[Reply](#) · [Like](#) · Saturday at 1:01pm



David L Cunico · Top Commenter · House Boy at Cyndi Cunico
I remember when in state tuition at MCC was \$10/hr. sigh
[Reply](#) · [Like](#) · June 27 at 11:06am

Facebook social plugin

OR RNs
OR RNs
\$10,000 Incentive
Search Jobs
Banner Good Samaritan
Medical Center

POPULAR TOPICS

- [Arizona Lottery Results](#)
- [Saving Arizona's Children](#)
- [Immigration](#)
- [Boomer101](#)
- [Western Jobs](#)
- [My Town](#)
- [Fiesta Bowl Investigation](#)
- [Ask & Answered](#)
- [My Neighborhood](#)
- [Who's Who In Business](#)
- [Investigations](#)
- [AZ Fact Check](#)
- [Arizona's American Indians](#)
- [Economic Snapshot](#)
- [City Comparison Guide](#)
- [Air We Breathe](#)
- [Republic 100](#)
- [AZ Storytellers](#)
- [Sheriff Joe Arpaio](#)
- [Valley Home Values](#)

SITEMAP

- [Homepage](#)
- [Arizona Lottery](#)
- [Healthy Living](#)
- [Business & Entrepreneurship](#)
- [Business](#)
- [Food & Home](#)
- [News](#)
- [Photos](#)
- [Sports](#)
- [Things To Do](#)
- [Travel](#)
- [Getaway Tips](#)
- [Videos](#)
- [Weather](#)

More of [azcentral.com](#)

CUSTOMER SERVICE

- [Mobile Apps](#)
- [RSS feeds](#)
- [Advertise with Republic Media](#)
- [Careers at The Republic](#)
- [FCC Online Public Inspection File](#)
- [EEO Public File Report](#)
- [Careers at 12 News](#)
- [Contact The Republic](#)
- [Media In Education](#)
- [Privacy Policy](#)
- [Manage My Account](#)
- [Subscribe to The Republic](#)
- [Terms of Service](#)

PARTNERS

- [USA Today](#)
- [Gannett Co. Inc.](#)
- [Apartments: apartments.com](#)
- [Cars: cars.com](#)
- [Dating: eHarmony.com](#)
- [Homes: Homefinder.com](#)
- [HomeGain](#)
- [Jobs: CareerBuilder.com](#)
- [Local Businesses](#)
- [Shopping: findnsave.azcentral.com](#)

© 2013 azcentral.com. All rights reserved. | Users of this site agree to the [Terms of Service](#), [Privacy Policy/Your California Privacy Rights](#) and [Ad Choices](#)

