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By Editorial board

The Republic | azcentral.com

Wed May 1, 2013 7:57 AM

The Maricopa County Community College District has presented a fascinating argument for allowing a handful of Dream Act kids to pay in-state tuition:

It's legal.

That is the argument the district has presented to Attorney General Tom Horne, who has resisted President Obama's executive order last August authorizing temporary work permits for certain young people illegally brought into the U.S. as children.

In the wake of Deferred Action for Childhood Arrivals, the district decided to charge the young people the cheaper in-state tuition rate. Since Arizona statutes list employment status as a criteria for maintaining a lawful presence in the U.S., lawful presence is (or should be) sufficient predicate for qualifying for in-state tuition.



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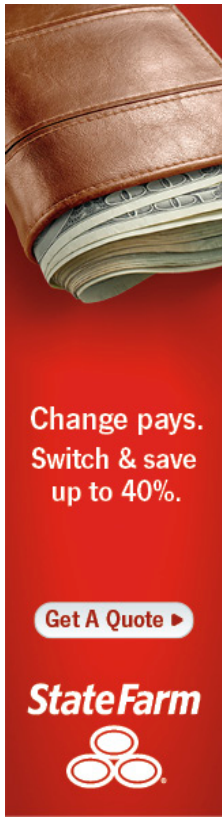
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Will that argument persuade Horne? He is currently mulling it over. But the community college district's lawyers are confident enough in their interpretation that they invited Horne to join them in putting the matter before a judge for a relatively quick declaratory judgment.

It is a decent compromise, respectful of state statute and federal law. It avoids a long, costly legal battle. It will not alter the dynamics of the immigration-law debate for Horne to let a judge decide on behalf of these kids.



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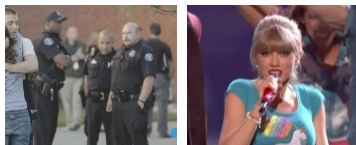
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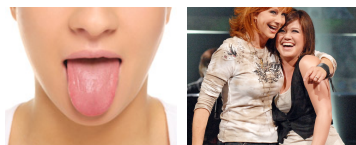
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