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Young migrants may get Arizona college tuition break

Youths can pay in-state rate, community colleges say

by **Daniel González** - Sept. 12, 2012 10:07 PM
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Young undocumented immigrants who receive work permits through President Barack Obama's deferred-action program will be eligible to pay lower in-state tuition, Maricopa Community [Colleges](#) officials said Wednesday.

The decision goes against the wishes of Gov. Jan Brewer but could benefit potentially thousands of young undocumented immigrants in the Valley who under state law are now barred from paying in-state tuition.

Young undocumented immigrants who receive work permits through the program will be able to use those documents to prove they are lawfully residing in the state, the main requirement to receive in-state tuition, said Tom Gariepy, a spokesman for the Maricopa Community Colleges.

The decision was made after a legal review concluded that federally issued employment-authorization documents, commonly referred to as work permits, are already on the state's list of documents needed to meet legal-residency requirements to apply for in-state tuition, Gariepy said.

The Arizona Board of Regents, which oversees the state's three universities, is still reviewing the state's law to determine whether undocumented immigrants who receive work permits through the program will be able to use those to meet in-state tuition residency requirements, spokeswoman Katie Paquet said in a written statement.

The regents, Paquet said, "are continuing to review the statute in light of the board's strong desire to facilitate access to higher education for all students within the constraints of applicable law." Proposition [300](#), which took effect in 2007, "states that students must prove lawful immigration status to be eligible for in-state tuition at Arizona's public universities," she said.

Work permits are already on the list of documents that can be used to establish proof of lawful residency for tuition purposes at Arizona State University and the University of Arizona but not at Northern Arizona University.

The regents are reviewing to see if work permits granted through the deferred-action program will also be accepted to meet the lawful-residency rule for in-state tuition.

Brewer, an advocate of tough immigration enforcement, has been critical of Obama's Deferred Action for Childhood Arrivals program, which some see as a move to curry favor with politically important Latino voters during an election year.

The program allows young undocumented immigrants who are under age 31 and who were brought to this country as minors to apply to stay in the U.S. to work for two years without the threat of deportation.

The federal government began accepting applications for deferred action on Aug. 15. The same day, Brewer issued an executive order telling state agencies to take steps to ensure illegal immigrants granted deferred action and work permits through the program were blocked from receiving state-issued driver's licenses and public benefits.

The executive order did not address tuition specifically, but Brewer said afterward that allowing illegal immigrants to pay in-state tuition even if they receive deferred action and work permits would violate state law.

Carmen Comejo of the Arizona Dream Act Coalition, an advocacy organization, praised the community colleges' decision, calling it "awesome" for both undocumented immigrants and the state.

"It means we are going to have a more educated workforce," she said.

She estimated that since Proposition 300 took effect, more than 8,000 undocumented students stopped attending the Maricopa Community Colleges because they could no longer afford higher out-of-state tuition, which is \$317 per credit compared with \$76 per credit for in-state tuition.

Many of those who dropped out may now return to school, along with others who hadn't enrolled before because they couldn't afford the higher out-of-state tuition, she said.

So far, about 72,000 undocumented immigrants have applied for deferred action and some applications have already been approved. Initially, U.S. Department of Homeland [Security](#) officials said it could take several months for the applications to be processed. As many as 80,000 undocumented immigrants in Arizona could be eligible to apply.

The Associated Press contributed to this article.

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21

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