

POLICY ON TUITION AND FEES FOR NONTRADITIONAL DOCUMENTED IMMIGRANTS

Background

Act 844 of 2019 amended Arkansas Code Ann. § 6-60-215 to give a state-supported institution of higher education the discretion to classify students with nontraditional documented immigration status as in-state for purposes of tuition and fees under limited circumstances. Under the Act, a student may be classified in-state for purposes of tuition and fees if the student satisfies one (1) of the following requirements:

- (a) The student personally holds or is the child of a person who holds a Federal Form I-766 United States Citizenship and Immigration Services-issued Employment Authorization Document, known popularly as a work permit;
- (b) The student has verified that he or she is a resident legally present in Arkansas and has immigrated from the Republic of the Marshall Islands; or
- (c)(i) The student's request for an exemption under Deferred Action for Childhood Arrivals has been approved by the United States Department of Homeland Security. (ii) The student's exemption shall not be expired, or shall have been renewed.

In addition, the student must satisfy the following requirements:

- (a) Resided in this state for at least three (3) years at the time the student applies for admission to a state-supported institution of higher education; and
- (b) Either: (i) Graduated from a public or private high school in this state; or (ii) Received a high school equivalency diploma in this state.

Resolution

In accordance with A.C.A. §6-60-215, the Arkansas Department of Higher Education (ADHE) will promulgate rules to implement the act.

ADHE Executive Staff recommend that the Arkansas Higher Education Coordinating Board approve the following resolution:

RESOLVED, That all state-supported institutions of higher education wishing to provide in-state tuition to nontraditional documented immigrants under Arkansas Code Ann. § 6-60-215 shall establish a policy in accordance with the Act and submit the policy to the Department.

FURTHER RESOLVED, That the Arkansas Higher Education Coordinating Board approves the policy on tuition and fees for nontraditional documented immigrants.