

Title 6. Education

Chapter IV. Division of Higher Education, Department of Education

Subchapter A. Generally

Part 369. Policy on Tuition and Fees for Nontraditional Documented Immigrants

Codification Notes. This part as promulgated prior to codification into the Code of Arkansas Rules provided as follows:

"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."

"Approved: Agenda Item No. 5
April 24, 2020"

Subpart 1. Generally

6 CAR § 369-101. Background.

(a) Under Acts 2019, No. 844, a student may be classified in-state for purposes of tuition and fees if the student satisfies one (1) of the following requirements:

(1) 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;

(2) 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

(3)(A) The student's request for an exemption under Deferred Action for Childhood Arrivals has been approved by the United States Department of Homeland Security.

(B) The student's exemption shall not be expired, or shall have been renewed.

(b) In addition, the student must satisfy the following requirements:

(1) 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

(2) Either:

(A) Graduated from a public or private high school in this state; or

(B) Received a high school equivalency diploma in this state.

Authority. Arkansas Code § 6-60-215.

6 CAR § 369-102. Resolution.

In accordance with Arkansas Code § 6-60-215, all state-supported institutions of higher education wishing to provide in-state tuition to nontraditional documented immigrants under Arkansas Code § 6-60-215 shall establish a policy in accordance with the Acts 2019, No. 844, and submit the policy to the Division of Higher Education.

Authority. Arkansas Code § 6-60-215.