

2011 -- S 0321

LC01383

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO EDUCATION -- STUDENT EQUAL ECONOMIC OPPORTUNITY ACT

Introduced By: Senators Pichardo, Metts, Perry, Crowley, and Jabour

Date Introduced: February 16, 2011

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 16-59 of the General Laws entitled "Board of Governors for Higher  
2 Education" is hereby amended by adding thereto the following section:

3 **16-59-9.2. Student equal economic opportunity act.**– Notwithstanding any other  
4 provision of the general or public laws:

5 (1) A student, other than a non-immigrant alien within the meaning of paragraph (15) of  
6 subsection (a) of section 1101 of title 8 of the United States Code, who meets all of the following  
7 requirements shall be exempt from paying nonresident tuition at Rhode Island public universities,  
8 colleges or community colleges:

9 (i) Has attended an approved Rhode Island high school for three (3) or more years;

10 (ii) Has graduated from an approved Rhode Island high school or received a high school  
11 equivalency diploma from the state of Rhode Island;

12 (iii) Has registered as an entering student at, or is currently enrolled at, an accredited  
13 institution of higher education in Rhode Island not earlier than the fall semester or quarter of the  
14 2009-2010 academic year; and

15 (iv) Has filed with the institution of higher education an affidavit stating that :

16 (a) The student meets the requirements of paragraphs (i) and (ii); and

17 (b) The student is a U.S. citizen, has lawful immigration status, or, if the student is not a  
18 U.S. citizen and does not have a lawful immigration status, has filed an application for lawful  
19 immigration status, or will file such an application as soon as he or she is eligible to do so. The

1 affidavit shall not require students to reveal their immigration or citizenship status. Provided, that  
2 any student who, because of the lack of lawful immigration status, is not eligible to receive  
3 financial assistance from the federal government and/or the State of Rhode Island for attending an  
4 institution of higher education, shall not apply for and or receive such financial assistance and/or  
5 exemption.

6 (2) Identifiable student information obtained pursuant to subdivision (1)(iv) shall be  
7 confidential except where such a requirement is inconsistent with federal law. If information  
8 obtained pursuant to this section regarding a student's immigration status is provided to any  
9 agency for purposes other than the implementation of this act, the entity providing the  
10 information shall promptly notify the student.

11 (3) The board of governors for higher education shall prescribe rules and regulations as  
12 may be necessary for the implementation of this section.

13 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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RELATING TO EDUCATION -- STUDENT EQUAL ECONOMIC OPPORTUNITY ACT

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- 1           This act would identify those students who are exempt from paying nonresident tuition at
- 2 public universities, colleges or community colleges.
- 3           This act would take effect upon passage.

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