

BOARD OF HIGHER EDUCATION
REQUEST FOR COMMITTEE AND BOARD ACTION

COMMITTEE: Fiscal Affairs and Administrative Policy **NO.:** FAAP 16-12

COMMITTEE DATE: October 20, 2015

BOARD DATE: October 27, 2015

**TUITION WAIVERS: APPROVAL OF AMENDED GUIDELINES REGARDING THE
JOHN AND ABIGAIL ADAMS SCHOLARSHIP**

MOVED: For the reasons set forth in the background document, the Board of Higher Education (BHE) hereby adopts the following amended Guidelines for the John and Abigail Adams Scholarship Program and directs the Department to implement the changes prospectively, by January 1, 2016.

For these same reasons and as specified in the background document, the Board further directs the Department to review and update the citizenship eligibility criteria for all other BHE-administered, non-need-based tuition waiver programs and to implement changes consistent with these amendments to the Adams Scholarship guidelines in time for the beginning of the 2016–2017 academic year.

Authority: Massachusetts General Laws, Chapter 15A, Sections 9(i) and 19

Contacts: Constantia T. Papanikolaou, General Counsel ; and Clantha McCurdy, Senior Deputy Commissioner, Access and Student Financial Assistance.

John and Abigail Adams Scholarship Guidelines

Background Information

The John and Abigail Adams Scholarship Program was established by the Board of Higher Education (BHE) in June 2004. The program provides four years (eight semesters) of free tuition for state-supported undergraduate degree programs at public higher education institutions in Massachusetts. The John and Abigail Adams Scholarship is a financial incentive which was created to, among other things, reward and inspire student achievement and attract and retain more high-performing students to Massachusetts public higher education.

The Adams Scholarship Guidelines as now written raise a potential policy concern. Under the guidelines, certain classes of non-citizens cannot access the scholarship due to their immigration status. Part (b) of the guidelines currently provides, in relevant part, that an “eligible student” must be a United States citizen or a “non-citizen eligible under Federal Title IV guidelines.” Certain classes of non-citizens are ineligible under Federal Title IV guidelines and are, therefore, also ineligible for the scholarship, while other classes of non-citizens are eligible for both. As an example, students with Temporary Protected Status (TPS) are ineligible for the Adams Scholarship, while certain refugees and persons granted asylum are eligible. Thus, under the current Adams Scholarship eligibility criteria, some individuals who are legally authorized to live and work in the United States can access the scholarship, while others who are also legally authorized to live and work in the United States cannot.

To address this policy concern, Department staff recommends amending the guidelines by replacing the current language in Part (b) to define an ‘eligible student’ as “*a U.S. Citizen or a non-citizen authorized by the federal government to live and work in the United States on a temporary or permanent basis*” (see Attachment A). The proposed amendment strikes the appropriate balance as a matter of policy by ensuring that state benefits are accessed by, and only by, those individuals who are legally authorized to reside and permitted to work in the United States. Statistics show that 9 out of 10 Massachusetts public higher education graduates remain in the state, working or pursuing further education. (*Time to Lead, The Need for Excellence in Public Higher Education*, Massachusetts Department of Higher Education, September 2012, p. 5). Offering merit-based tuition waivers to high-achieving individuals incentivizes those who are authorized to live and work here to enroll in one of the Commonwealth’s public higher education institutions, and to gain education necessary for them to be contributing members of the Commonwealth’s society and economy upon graduation. In contrast, a non-citizen who is not authorized by the federal government to live and work in the United States, even on a temporary basis, will not necessarily be in a position to remain in Massachusetts following graduation so as to contribute to the Commonwealth’s society or economy. The purpose of the scholarship aid would therefore not be served were that non-citizen to receive the aid.

The Department further recommends that the BHE authorize the Department to review, and as appropriate update, the eligibility criteria for all remaining BHE non-need-based tuition waiver programs to implement changes consistent with the amendments to the Adams Scholarship. The BHE administers 21 non-need-based tuition waiver programs (including the Adams Scholarship). A preliminary review of these 21 programs indicates

that only the following five other non-need-based tuition waiver programs refer to Title IV eligibility:

- Valedictorian Program Tuition Waiver
- Stanley Z. Koplik Certificate of Mastery Tuition Waiver
- Incentive Program for Aspiring Teachers
- DCF Adopted Child Tuition Waiver
- DCF Foster Child Tuition Waiver

Similar to the Adams Scholarship, three of these remaining tuition waiver programs are either merit-based or otherwise intended to incentivize high school graduates to live and work in the Commonwealth after graduation (i.e., Incentive Program for Aspiring Teachers, Valedictorian Tuition-Waiver, Koplik Certificate of Mastery). Thus, as with the Adams Scholarship, the purpose of these scholarship programs is served by extending them to, and only to, non-citizens authorized by the federal government to live and work in the United States. Department staff therefore recommends aligning the eligibility requirements of all of these non-need-based tuition waiver programs, by making changes consistent with the proposed amendments to the Adams Scholarship. The remaining two non-need-based tuition waiver programs that reference Title IV eligibility are entitlement programs for children involved with DCF: the DCF Adopted Child Tuition Waiver program and the DCF Foster Child Tuition Waiver program. The Title IV eligibility requirement was not included in the legislature's description of these programs and does not appear in any other BHE entitlement tuition-waiver program. Under the current guideline, some DCF foster children are, despite the legislative determination of entitlement, currently ineligible because they may not timely receive citizenship or another Title IV eligible status. Department staff therefore recommends amending the DCF Adopted and Foster Child Tuition Waiver to extend eligibility to this vulnerable population consistent with the original legislative intent.