

**BOARD OF HIGHER EDUCATION  
REQUEST FOR BOARD ACTION**

**NO.:** BHE 18-03

**BOARD DATE:** December 12, 2017

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**BHE TEMPORARY, EMERGENCY POLICY: IN-STATE RESIDENCY  
CLASSIFICATION FOR STUDENTS DISPLACED BY HURRICANE MARIA (2017)**

**MOVED:** The Board of Higher Education (BHE) authorizes the extension of resident tuition rates for the 2017-2018 academic year to students from Puerto Rico and the U.S. Virgin Islands who have been displaced by Hurricane Maria and who enroll in a Massachusetts public higher education institution. Provided further, that the Commissioner may extend the in-state tuition rate to such students into the Fall 2018 semester, as circumstances warrant. The BHE delegates to the Commissioner the authority to implement the appropriate policies and procedures to effectuate this intent.

**Authority:** Massachusetts General Laws Chapter 15A, 9(t) and 5.

**Contact:** Constantia T. Papanikolaou, General Counsel

## Background

The Board of Higher Education's approval of the proposed motion seeks to temporarily extend in-state tuition rates to students from Puerto Rico or the US Virgin Islands who have been displaced by Hurricane Maria and enroll during the 2017-2018 academic year, in a program offered by a public higher education institution in the Commonwealth. In doing so, Massachusetts will join several institutions and state systems of higher education across the country in providing accommodations to students who reside in Puerto Rico or the US Virgin Islands, federally declared disaster areas<sup>1</sup> impacted by Hurricane Maria.<sup>2</sup>

The recent devastation caused by hurricanes this season has resulted, among other things, in a disruption of education for students at the K-12 and higher education levels in regions across the United States and its island territories. The territories of Puerto Rico and the US Virgin Islands have been particularly hit hard, with current estimates indicating many higher education institutions in those affected areas will not reopen for several months. The severity of the economic hardships impacting the lives of students as a result of the hurricanes in September 2017 is overwhelming. These storms have impacted the ability of families to maintain normality, while also leaving students with limited or no options to continue pursuit of their higher education goals and aspirations in their home territories.

Increasing postsecondary access to these American students so that they are able to continue their studies in Massachusetts while their campuses are being repaired, and/or while they and their families rebuild, will have a long-term impact. While the number of students who may take advantage of this program is unclear at this time, the Department of Higher Education expects many of these students may be eligible for the federal Pell Grant. With significant reliance on financial aid to support their educational costs, any additional (albeit temporary) relief afforded to students under this state program will positively affect their ability to continue their studies, ultimately complete their degree programs and become contributing resources to their respective communities.

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<sup>1</sup> Under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. § 5122(2)) a federally declared disaster is defined as: "...any natural catastrophe (including any hurricane, tornado, storm, high water, wind driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought), or, regardless of cause, any fire, flood, or explosion, in any part of the United States, which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster assistance under this chapter to supplement the efforts and available resources of States, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby."

<sup>2</sup> Massachusetts has extended relief and humanitarian aid to students and families impacted from federal declared disasters in the past. For example, students displaced by Hurricane Katrina were offered in-state tuition waivers in 2005-2006. In addition, in 2001 the BHE approved a tuition waiver for spouses and dependents of victims of the September 11th national tragedy.