

Massachusetts Department of Higher Education

Board of Higher Education (BHE) Implementation Procedures and Affidavit:

Tuition Equity for Massachusetts High School Completers

I. Tuition Equity: Access to In-State Tuition

The cost of tuition and fees at Massachusetts public colleges and universities is based on a student's residency classification under state law: there is an in-state tuition rate for residents and an out-of-state tuition rate for non-residents.

There are multiple pathways through which a student can establish eligibility for in-state tuition rates and fees at public institutions of higher education. The primary and traditional pathway has been through the student establishing that they are a U.S. citizen, lawful immigrant, or permanent resident of the United States; satisfying the durational residency requirement in Massachusetts (e.g., 6 or 12 months, as applicable); and manifesting an intention to making Massachusetts their domicile, meaning that Massachusetts is the student's "true and fixed" permanent home state, where they intend to remain indefinitely. [BHE Rules and Regulation Governing the Residency Status of Students for Tuition Purposes](#)

Effective July 1, 2023, the Commonwealth of Massachusetts created a new, *additional* pathway and expanded access to the in-state tuition rate, as well as to state financial aid (*See Section II below*) by allowing all students, including some non-U.S. citizens, who have attended high school in the Commonwealth for at least three years, earned a diploma or the equivalent (a GED/HiSet) in the Commonwealth, and have met other documentation requirements (listed below) to be eligible to pay the in-state tuition rate at public institutions of higher education. *M.G.L. c. 15A, section 9, as amended by Section 11 of Chapter 28 of the Acts of 2023 (hereinafter the "High School Completers" Tuition Equity Law)*. While any individual may seek to be classified with "High School Completer" status under the Tuition Equity Law, in effect the Tuition Equity law has expanded access to in-state tuition rates to undocumented students, subject to the eligibility criteria and implementation procedures set forth below. Information regarding this law and its' implementation will be provide and updated at www.mass.edu/tuitionequity.

A. Eligibility criteria for "High School Completer" In-state Tuition Status

In order for a student to qualify for the in-state tuition rate with "High School Completer" status, the student must:

- (1) Have been admitted to a public institution of higher education within the Massachusetts system of public higher education as defined in M.G.L. c. 15A, Section 5; and
- (2) Not be a nonimmigrant alien within the meaning of 8 U.S.C. § 1101(a)(15)(A) to (S), inclusive¹; and
- (3) Have attended at least three academic years at high school in Massachusetts; and
- (4) Have graduated from high school in Massachusetts or have received the equivalent of a high school diploma (for example, a GED) in the Commonwealth of Massachusetts; and

¹ This exclusion refers to those nonimmigrant foreign nationals who are within the U.S. with temporary status, such as diplomatic officials or those authorized to visit or working in the U.S. on a temporary basis. For a complete list of nonimmigrant alien statuses not eligible for the in-state tuition rate under this policy, please refer to 8 U.S.C. § 1101(a)(15)(A) to (S).

- (5) Have applied for the military selective service² if eligible; and
- (6) Provide either a valid Social Security Number, or documentation reflecting the issuance of an individual taxpayer identification number, or documentation of registration with selective service, if applicable, or if the individual is not a citizen or legal permanent resident of the United States, that person must provide a completed [Affidavit](#) stating that the individual will file an application to become a citizen or legal permanent resident within 120 days after the individual becomes eligible to do so.

B. Application and Verification Procedures

Students seeking access to the in-state tuition rate with “High School Completer” status must apply using the attached (linked) [Tuition Equity Eligibility Form and Affidavit for High School Completers \(hereinafter “Eligibility Form and Affidavit”\)](#) and must provide copies of all necessary documents. However, documents already submitted to the institution, such as a high school diploma/ transcript documenting 3-year attendance, if already submitted as part of the student’s admission application process or otherwise need not be resubmitted for tuition classification purposes.

Each Massachusetts public college and university is responsible for determining and verifying the eligibility status for its respective students, in accordance with these implementation procedures. Students shall be classified as “eligible or “ineligible” for the in-state tuition rates under the Tuition Equity Law based on these Implementation Procedures.

C. Effective Date of Eligibility Classifications

Once the following has occurred:

- (1) An individual meets the eligibility requirements described above; and
- (2) Submits the tuition equity eligibility form; and
- (3) Is determined to be eligible for in-state tuition by the public higher education institution where the eligible student is currently enrolled or plans to become enrolled;

the individual is then eligible to pay the in-state tuition rate at the public institution of higher education where the student was determined to be eligible and is enrolled or plans to become enrolled.

The “High School Completers” Tuition Equity Law became law as of July 1, 2023 and can be used for any term that begins on or after that date. The High School Completers Tuition Equity Law cannot be used to change tuition status for any term beginning prior to July 1, 2023.

If an individual is currently attending a public institution of higher education in Massachusetts, applying for this eligibility status does not alter responsibility to pay any existing tuition and associated fees that may be due before eligibility under the law is determined.

1. Retroactive reclassifications

The Department of Higher Education (Department) contemplates that there will be situations where an enrolled student may seek reclassification of their residency classification for tuition

² The federal Military Selective Service Act currently applies to all males aged 18 to 25. Proof of selective service registration can be obtained by filing with the Post Office and returning a receipt to the college that shows proof of registration or by providing a selective service card.

purposes. During Fiscal Year 2024 retroactive reclassification decisions made during Fiscal Year 2024 will be allowed for any term that begins on July 1, 2023.

Beginning in Fiscal Year 2025 and beyond, consistent with existing BHE policy, retroactive reclassification decisions are limited to the “beginning of the semester during which the institution makes the final decision to reclassify the student.” Part IV, [BHE Rules and Regulation Governing the Residency Status of Students for Tuition Purposes](#)

2. Transferability of classifications

If a student deemed eligible by one Massachusetts public higher education institution transfers to another Massachusetts public higher education institution, the receiving institution may, at its discretion, accept the documentation and eligibility determination made by the sending public higher education institution.

II. Tuition Equity: Access to Massachusetts State Financial Aid

The Department administers over 40 state financial aid programs, many of which include residency, citizenship, or work permit authorization requirements, and/or other requirements related to the need to calculate a student’s expected family contribution (EFC), currently determined through the filing of a Free Application for Federal Student Aid (FAFSA).

Effective July 1, 2023, the Commonwealth of Massachusetts has expanded access to all state financial aid programs, including tuition waiver programs, and allows all students (including some non-U.S. citizens) who have attended high school in the Commonwealth for at least three years, earned a diploma or the equivalent (a GED/HiSet) in the Commonwealth, and have met other eligibility requirements (listed below) to be eligible “on the same terms as other individuals for state-funded financial assistance.” *M.G.L. c. 15A, section 9, as amended by Section 11 of Chapter 28 of the Acts of 2023 (hereinafter the “High School Completers” Tuition Equity Law).*

“High School Completer” status is a new, *additional* authorized eligibility status for Massachusetts state financial aid. In effect, the new Tuition Equity Law has expanded access for undocumented students to Massachusetts state financial aid programs, subject to the implementation procedures, including timelines, specified below in *Section II.C.*

A. Eligibility Criteria for “High School Completer” financial aid access status

In order for a student to be eligible for consideration for one or more Massachusetts state financial aid programs with “High School Completer” status, the student must:

1. have been admitted to a public institution of higher education within the Massachusetts system of public higher education as defined in M.G.L. c. 15A, Section 5, or an eligible, state-approved private, independent post-secondary institution; and
2. Not be a nonimmigrant alien within the meaning of 8 U.S.C. § 1101(a)(15)(A) to (S), inclusive³; and
3. Have attended at least three academic years at high school in Massachusetts; and

³ This exclusion refers to those nonimmigrant foreign nationals who are within the US with temporary status, such as diplomatic officials or those authorized to visit or work in the US on a temporary basis. For a complete list of nonimmigrant alien statuses that not eligible for the in-state tuition rate under this policy, please refer to 8 U.S.C. § 1101(a)(15)(A) to (S) .

4. Have graduated from high school in Massachusetts or have received the equivalent of a high school diploma (for example, a GED/HiSet) from the Commonwealth of Massachusetts; and
5. Have applied for the military selective service⁴ if eligible; and
6. Provide either a valid Social Security Number, or documentation reflecting the issuance of an individual taxpayer identification number, or documentation of registration with selective service, if applicable, or if the individual is not a citizen or legal permanent resident of the United States, that person must provide a completed [Affidavit](#) stating that the individual will file an application to become a citizen or legal permanent resident within 120 days after the individual becomes eligible to do so.

Please note that a determination of eligibility for consideration for one or more Massachusetts state financial aid programs with “High School Completer” status does not automatically result in a student’s access to Massachusetts state financial aid. This is because each financial aid program has its own eligibility criteria.

Once a student is determined to be eligible for Massachusetts state financial aid with “High School Completer” status, the student will then be eligible for consideration for each financial aid program administered by the Department “on the same terms as other individuals for state-funded financial assistance,” and therefore must meet the eligibility criteria for each program for which the student is seeking or is being offered access.

A list of Massachusetts state financial aid programs administered by the Department can be accessed on the Department’s website (see [Financial Aid Programs](#) page). Please note that the Department is in the process of updating the financial aid guidelines for each financial aid program it administers to include “High School Completer” status as an *additional* authorized eligibility status—in addition to the existing criteria which requires students to be U.S citizens or non-citizens eligible under Title IV regulations. In effect, this means that undocumented students will now be eligible to access Massachusetts state financial aid programs, subject to the implementation procedures, including timelines, specified below in *Section II.C*.

B. Eligibility Verification and Application process

Students seeking access to Massachusetts state financial aid with “High School Completer” status must apply using the [Eligibility Form and Affidavit](#) and must provide copies of all necessary documents. However, documents already submitted to the institution, such as a high school diploma/ transcript documenting 3-year attendance if already submitted as part of the student’s admission application process or otherwise need not be resubmitted for tuition classification purposes.

Each Massachusetts college and university is responsible for determining and verifying the eligibility status for its respective students, in accordance with these implementation procedures. Students shall be classified as “eligible or “ineligible” for state financial aid under the Tuition Equity Law based on these Implementation Procedures.

Once determined to be eligible for “High School Completer” status, the student shall be eligible for all Massachusetts state financial aid programs administered by the Department, in accordance with the timelines specified in *Section II.C*, and on the same terms as all other students, provided:

⁴ The federal Military Selective Service Act currently applies to all males aged 18 to 25. Proof of selective service registration can be obtained by filing with the Post Office and returning a receipt to the college that shows proof of registration or by providing a selective service card.

- 1) the student meets *all* of the specific eligibility requirements and deadlines for *each* MA state financial aid program sought to be awarded; and
- 2) the student files a FAFSA or the state-alternative form (currently under development), *if applicable*; and
- 3) the student is determined eligible for a specific award amount by the institution, or by the Department, as applicable.

For additional eligibility requirements, award amounts, and deadlines for each Massachusetts state financial aid program, please visit the Department's [Financial Aid Programs](#) page.

1. Public Higher Education Institutions

Once a student is determined eligible for the in-state tuition rate as a “High School Completer,” that student is also automatically eligible for consideration for Massachusetts state financial aid programs as a “High School Completer.” Therefore, students only need to complete the [Eligibility Form and Affidavit](#) once for each public higher education institution where the eligible student is or plans to become enrolled.

Provided, however, that if a student deemed eligible by one Massachusetts public higher education institution transfers to another Massachusetts public higher education institution, the receiving institution may, at its discretion, accept the documentation and eligibility determination made by the sending public higher education institution.

A. Eligibility Timelines and Effective Date

The “High School Completers” Tuition Equity Law became law as of July 1, 2023 and can be used for any term that begins after that date. The High School Completers Tuition Equity Law cannot be used to award Massachusetts state financial aid for any term beginning prior to July 1, 2023.

If an individual is currently attending a public or private institution of higher education in Massachusetts, applying for this eligibility status does not alter responsibility to pay any existing tuition and associated fees that may be due before eligibility under the law is determined.

The Department is in the process of reviewing and updating the eligibility guidelines for each of its state financial aid programs. In addition, the Department is developing a state-approved- equivalent form that undocumented students may file in lieu of a FAFSA. Work on that form is expected to be completed by [January 1, 2024,] if not sooner.

Eligibility criteria for each MA State Financial Aid program will be rolled out in phases during Fiscal year 2024 (academic year 2023-2024) as follows:

- **Phase I:** Students determined to be eligible for Massachusetts state financial aid with “High School Completer” status are immediately eligible for consideration for all non-need-based, Department-administered state financial aid programs, including all non-need-based tuition waivers.
- **Phase II:** For all Massachusetts state financial aid programs that are need-based and therefore require the filing of a FAFSA, or a state-approved equivalent form, the Department will be rolling out eligibility rules and requirements throughout FY2024 (Academic year 2023-2024), with the goal that all criteria for each program will be finalized by [January 1, 2024].

C. Retroactive Reclassifications

Retroactive reclassifications during FY2024: Students classified with “High School Completer” status who are determined to be eligible for a particular Massachusetts state financial aid program during FY2024

(Academic year 2023-2024) will have their accounts credited for the specific award amount for each Massachusetts state financial aid program for which they are deemed eligible during FY2024 (Academic Year 2023-2024).

Retroactive reclassifications after FY2024: The Department contemplates that there will be situations where any enrolled student may seek reclassification of their residency status for Massachusetts state financial aid purposes. Beginning in Fiscal Year 2025 and beyond, consistent with existing BHE policy, retroactive reclassifications for Massachusetts state financial aid decisions are limited to the “beginning of the semester during which the institution makes the final decision to reclassify the student.” Part IV, [BHE Rules and Regulation Governing the Residency Status of Students for Tuition Purposes](#)

Massachusetts Department of Higher Education

Tuition Equity Eligibility Form and Affidavit for High School Completers

Pursuant to Section 11 of Chapter 28 of the Acts of 2023 of the Massachusetts General Court, I, (name) _____ have been admitted and seek to enroll (or am enrolled) in a public⁵ higher education institution or an eligible⁶ private (independent) higher education in Massachusetts and declare the following:

1. I am not a nonimmigrant alien within the meaning of 8 U.S.C. § 204 1101(a)(15)(A) to (S), inclusive⁷; and
2. I attended at least 3 academic years of high school in Massachusetts; and
3. I graduated from a high school in Massachusetts or I have attained the equivalent of a high school diploma (for example, a GED/HiSet) in Massachusetts; and
4. If eligible, I have registered for federal Military Selective Service⁸; and
5. I have either:
 - a. provided a valid Social Security Number; or
 - b. provided documentation reflecting the issuance of an individual taxpayer identification number; or
 - c. provided documentation of registration with the selective service, if applicable; or
 - d. applied for citizenship or legal permanent residence or I will apply for citizenship or legal permanent residence in accordance with federal statute or federal regulations within 120 days of my eligibility for such status.

High School Information (List the name of the high school(s) attended as well as dates attended):

High School Name	City	State	From-To (Month/Year)

Did you earn a high school diploma or the equivalent (e.g. GED/HiSet) in Massachusetts? yes no

If yes, what year and school (if applicable)? _____.

⁵ I understand that an in-state tuition eligibility determination is only relevant if I am applying to, have been admitted to, or am enrolled in a Massachusetts public higher education institution that is part of the Massachusetts public higher education system and specifically identified in M.G.L. c. 15A, Section 5.

⁶ I understand that some, but not all, Department of Higher Education state financial aid programs may be used at eligible private (independent) higher education institutions in the Commonwealth. To be eligible to participate in Massachusetts state financial aid programs an institution must have a valid and current Office of Student Financial Aid participation agreement on file with the Department of Higher Education.

⁷ This exclusion refers to those nonimmigrant foreign nationals who are within the U.S. with temporary status, such as diplomatic officials or those authorized to visit or work in the U.S. on a temporary basis. For a complete list of nonimmigrant alien statuses not eligible for the in-state tuition rate under this policy, please refer to 8 U.S.C. § 1101(a)(15)(A) to (S).

⁸ The Federal Military Selective Service Act applies to all males 18 and older. You must submit a copy of proof of selective service registration. This can be obtained by filing with your local post office and returning a receipt to the college that shows proof of registration or by providing a selective service card.. 50 U.S.C. 14 App. 453 section § 3.

I certify that the information provided is complete and correct. I understand that the public or private higher education institution to which I am applying or am enrolled, and/or the Massachusetts Department of Higher Education, reserves the right to request additional information if necessary.

In addition, if I have not provided any one of the documents listed in items 5(a),(b),or (c) above, I swear, under the penalties of perjury, that I have or will file an application to become a citizen or legal permanent resident within 120 days of becoming eligible to do so. I further understand that if any of the information provided above is untrue I will be liable for payment of any tuition charges from which I was exempted or state financial aid that I received in reliance on the information provided above, and I may be subject disciplinary action.

Signature of Applicant: _____

Printed Name: _____

For Official Use Only- Do not write in this box:

<ul style="list-style-type: none"><input type="checkbox"/> Massachusetts high school transcript received<input type="checkbox"/> Proof of graduation from MA high school or certificate demonstrating the equivalent obtained in MA (GED/HiSet)<input type="checkbox"/> Proof of selective service filing<input type="checkbox"/> Submitted social security number, or documentation of taxpayer ID number, or proof of registration with selective service, if applicable (circle which one or check here if N/A ____)	<ul style="list-style-type: none"><input type="checkbox"/> Eligible<input type="checkbox"/> Ineligible Tuition rate (public IHEs only): <ul style="list-style-type: none"><input type="checkbox"/> In-state<input type="checkbox"/> Out-of-State _____ Signature
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