



DEPARTMENT OF LAW  
OFFICE OF THE  
**Attorney General**  
STATE CAPITOL  
Phoenix, Arizona 85007

July 23, 1976

(R75-641)

BRUCE E. BABBITT  
ATTORNEY GENERAL

76-230

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Herbert D. Rhodes, Ph.D.  
Executive Secretary  
Arizona Commission of the Western  
Interstate Commission for Higher Education  
University of Arizona  
Tucson, Arizona 85721

Dear Dr. Rhodes:

This letter is in response to your letter to this office dated September 24, 1975, in which you requested our opinion concerning whether a student who receives WICHE financial support for three accelerated academic years, consisting of 48 weeks each, can discharge the indebtedness arising from the support by practicing or serving as an intern in Arizona for three years or four years.

Under the WICHE program, a selected number of Arizona residents who enroll in certain technical, professional and graduate training programs conducted by institutions outside Arizona receive WICHE financial support in the form of loans. Paragraph 2 of subsection A of A.R.S. § 15-764 provides two methods for the discharge of the indebtedness arising from the loans if the person who received the loans engages in the practice of his or her profession within Arizona. One of those methods, which is specified in subparagraph (b) of paragraph 2, is that:

For each year of practice or internship within the state there shall be discharged his obligation for one year of study for which a portion of the cost was paid by the state . . .

Your question then is whether the phrase "one year of study" refers only to the usual length academic year consisting of approximately 36 weeks, or includes an academic year consisting of up to 52 weeks.



Herbert D. Rhodes, Ph.D.  
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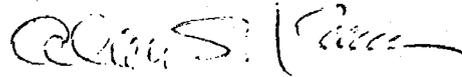
You have advised us that a number of Arizona resident students have enrolled out-of-state in accelerated programs consisting of approximately 48 weeks per academic year instead of the usual 36. That permits the student to complete the program in three academic years as opposed to the normal four. The cost of the accelerated program is generally proportionately higher. For instance, if the cost of the usual 36-week program is \$6,000.00, the cost of the 48-week accelerated program is \$8,000.00. The total cost of completing the program is the same, whether it is completed in three academic years of 48 weeks each or four academic years of 36 weeks each.

It seems clear that when the Legislature adopted the WICHE program, it did not contemplate the possibility of an accelerated academic program with the associated higher yearly cost. Put another way, we think that the phrase "one year of study" as used in subparagraph (b) of paragraph 2 of section A of A.R.S. § 15-764 refers only to the normal, approximately 36-week academic year program, and not to an accelerated program. Thus, one academic year of 48 weeks constitutes, in effect, one and one-third "years of study" within the meaning of the foregoing statute. We, therefore, conclude that the total indebtedness arising from the accelerated program must be discharged by the same period of practice or internship within this State as it takes to discharge the same indebtedness arising from the normal program.\*

Should you have any questions, please let us know.

Sincerely,

BRUCE E. BABBITT  
Attorney General



ALAN S. KAMIN  
Assistant Attorney General

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\* This conclusion is supported by and consistent with the cash payment method of discharge specified in subparagraph (a) of paragraph 2 of subsection A of A.R.S. § 15-764. That subparagraph provides that if a student engages in the practice of his or her profession in Arizona, his or her indebtedness may be discharged at the rate of \$1.00 per \$.50 of payment. Thus, the rate of indebtedness discharge is identical whether the student was enrolled in the usual or an accelerated program.