

**MINNESOTA STATE COLLEGES AND UNIVERSITIES
BOARD OF TRUSTEES**

Agenda Item Summary Sheet

Committee: Educational Policy

Date of Meeting: March 15, 2005

Agenda Item: Board Resolution on Resident Tuition for Undocumented Students Living in Minnesota

- Proposed Policy Change Approvals Required by Policy Other Approvals Monitoring
- Information

Cite policy requirement, or explain why item is on the Board agenda:

The Board is being asked to adopt a position on proposed legislation relating to eligibility for residency tuition status of undocumented students.

Scheduled Presenter(s):

Mike López, Associate Vice Chancellor for Student Affairs

Outline of Key Points/Policy Issues:

There is no current statute requiring the Board to charge any specific tuition rate to students.

Background Information:

Currently, undocumented students are required to pay non-resident tuition to attend public colleges and universities, even if they have lived in Minnesota for many years and have graduated from a Minnesota high school. The federal Illegal Immigration Reform and Immigrant Responsibility Act of 1996 does not allow a state to provide a benefit to undocumented residents of that state on the basis of residency unless it provides the same benefit to residents of other states without regard to residency. The Minnesota State Colleges and Universities system may not allow undocumented students to pay resident tuition rates unless it allows residents of other states to pay the same rate. Interestingly, this is exactly what is being done at colleges and universities operating tuition pilot programs such as at Minnesota State University Moorhead and Southwest Minnesota State University.

In recent years, several bills have been introduced at the state legislature that would allow undocumented students to pay resident tuition rates at all public colleges and universities. This is a matter of great public interest. Several legislators have asked that Minnesota State Colleges and Universities adopt a position on the proposed legislation.

**BOARD OF TRUSTEES
MINNESOTA STATE COLLEGES AND UNIVERSITIES**

**BOARD ACTION
March 16, 2005**

RESIDENT TUITION FOR UNDOCUMENTED STUDENTS LIVING IN MINNESOTA

BACKGROUND

In recent years, several bills have been introduced at the state legislature that would allow undocumented students to pay resident tuition rates at all public colleges and universities. This is a matter of great public interest. Several legislators have asked that Minnesota State Colleges and Universities adopt a position on the proposed legislation.

RECOMMENDED MOTION

The Board of Trustees of Minnesota State Colleges and Universities supports legislation that will allow students who have attended high school in Minnesota for at least two years and who have either graduated from a Minnesota high school or attained a GED certificate in Minnesota to qualify for resident tuition rates; provided that this legislation does not conflict with federal laws.

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