# CLAC ISSUE BRIEF



# Resident Tuition for Undocumented High School Graduates in Minnesota:

A STATE ASSESSMENT AND RECOMMENDATIONS

BY MARIO A. HERNANDEZ

#### **EXECUTIVE SUMMARY**

In 2003, an unknown number of undocumented<sup>1</sup> Latino<sup>2</sup> students, along with another 59,000 students, graduated from Minnesota's public high schools. Yet, undocumented high school graduates, unlike their counterparts, have limited options for a post-secondary education<sup>3</sup>.

Since 1998, undocumented students who are residents of the state have been ineligible for resident tuition in Minnesota's public colleges and universities.

In 1998, Section 1623 of Title 8 of the United States Code instituted a restriction on states' residency requirements and resident tuition benefits for higher education. This restriction affects a nationally estimated 65,000<sup>4</sup> undocumented immigrant students, annually.

Nationally, an estimated 80 percent of undocumented immigrants are from Mexico or other Latin American countries<sup>5</sup>. It is logical to assume, though not certain, that the majority of undocumented students in Minnesota, and nationally, are Latino.

Latino students in Minnesota currently graduate from high school, enroll in a higher education institution and graduate from that institution at rates lower than white non-Latino students. Being ineligible for resident tuition, as well as state and federal financial aid, compounds the difficulty of attending a public college or university for undocumented Latino students.

These students live in all corners of the state. Most undocumented students are likely to be Latino, but could also be African, Asian or Eastern European. All of these immigrant populations live throughout Minnesota.

To date, eight states, some with estimated undocumented immigrant populations more than ten times<sup>6</sup> that of Minnesota's, have enacted special legislation which provides resident tuition to undocumented students.

Two federal proposals were offered in 2003 to remove the restriction on state's residency requirements; neither passed Congress before the end of session in 2004.

The social benefit of granting undocumented students resident

tuition will greatly surpass the fiscal impact to the state of Minnesota. There is no substantial added cost to the state in granting resident tuition to undocumented students since (1) the state currently public provides higher education institutions funds to subsidize every resident student enrolled: (2) the number of undocumented students in Minnesota is likely very small; and (3) it is not known how many undocumented students who graduate will enroll in a public college or university in Minnesota.

Minnesota can follow the lead of other states- Texas, California, Utah, Oklahoma, Illinois, Washington, New York and Kansas- and enact a state policy which grants undocumented students resident tuition. Such a policy will lead to an increase in the number of Latino and other immigrant youth in the state's public colleges and universities.

# CONTENTS Introduction 2 Background 2 Federal Laws 3 Minnesota Laws 3 How This Issue Impact's Latinos in MN 4 Student Profile 5 Recent Federal and State Proposals 6 Fiscal Impact on State 7 Benefit to State 7 Conclusion 8 Recommendations 8

#### INTRO DUCTION

Undocumented immigrants have been calling Minnesota home for many years. Meanwhile, the undocumented children of some of these immigrants, as well as their U.S. born citizen children, have also been living and attending schools in Minnesota.

For about five years, the issue of undocumented students in Minnesota's high schools has drawn much attention. While it is unclear how Minnesota's higher education institutions were serving undocumented students before 1998, it is clear today that federal policy discourages public colleges and universities from providing resident tuition to these students.

The increased interest in this issue is the result of both the increasing number of undocumented students who are graduating from high school in Minnesota and the general understanding that our current and future global economy demands a highly educated and highly skilled workforce.

The importance of higher education in Minnesota goes without question. A Minnesota state statute even lists five objectives for the state's investment in higher education (see side bar).

This brief focuses on section (4) of that statute, which promotes access for *all* Minnesotans to higher education regardless of their personal circumstances.

#### **BACKGROUND**

In 2000, during a series of community forums, several community participants informed

the Chicano Latino Affairs Council about the limited post-secondary options for undocumented students graduating from high school.

Today we know undocumented students graduating from high school face several hurdles when applying to a public college or university.

First, undocumented students are ineligible for resident tuition even though they have been residents of Minnesota for longer than the one year requirement listed in state statute<sup>7</sup>. Currently, undocumented students interested in enrolling in a public college or university must pay the higher nonresident tuition rate.

Second, some higher education admissions applications and financial aid forms ask students for a Social Security Number and/or immigration documentation in order to apply for financial aid and to determine residency for tuition purposes. Since students lack this documentation, many don't bother to apply.

Third, undocumented students are ineligible for state and federal financial aid. Also, most private and college- or university-associated scholarships require applicants to be either citizens or legal permanent residents of the U.S., putting most private nongovernment funded scholarships out of reach for these students.

The state of Minnesota can play an important role in minimizing or eliminating some of these hurdles since the state provides state funds to public higher education institutions and the state grant program. It also regulates the collection and classification of data collected by all public institutions.

These three hurdles exist at key decision points for determining

whether to attend a higher education institution- admission, cost of tuition and available financial aid.

Individually these hurdles stop many students from attending a higher education institution. Combined, they are keeping almost all undocumented students from attending a public college or university in Minnesota.

#### MINNESOTA STATUTE 135A.053, SUBDIVISION 1

Statewide objectives.

Minnesota's higher education investment is made in pursuit of the following objectives:

- (1) to ensure quality to provide a level of excellence that is competitive on a national and international level, through high quality teaching, scholarship, and learning in a broad range of arts and sciences, technical education, and professional fields;
- (2) to foster student success to enable and encourage students to choose institutions and programs that are best suited for their talents and abilities, and to provide an educational climate that supports students in pursuing their goals and aspirations;
- (3) to promote democratic values to enhance Minnesota's quality of life by developing understanding and appreciation of a free and diverse society;
- (4) to maintain access to provide an opportunity for all Minnesotans, regardless of personal circumstances, to participate in higher education; and
- (5) to enhance the economy to assist the state in being competitive in the world market, and to prepare a highly skilled and adaptable workforce that meets Minnesota's opportunities and needs.

## FEDERAL LAWS RELATED TO HIGHER EDUCATION

The Higher Education Act (20 USC 1091) clearly conditions the eligibility of an individual to the verification of their immigration status and citizenship prior to the individual's receipt of a grant, loan or work assistance. However, it does not mention the issue of residency to qualify for the benefit of resident tuition.

Section 1623 of Title 8 of the United States Code states that:

"notwithstanding any other provision of the law, an alien who is not lawfully present in the United States shall not be eligible on the basis of residence within a state (or a political subdivision) for any post secondary education benefit unless a citizen or national of the United States is eligible for such a benefit (in no less an amount, duration and scope) without regard to whether the citizen or national is such a resident. This section shall apply to benefits provided on or after July 1, 1998."

This provision of Section 1623 limits any post-secondary education benefit for undocumented students on the basis of residency in Minnesota unless eligible citizens or legal permanent residents of other states also receive such a benefit.

In other words, Minnesota cannot resident grant tuition undocumented Minnesota residents unless it also offers the lower tuition rate to individuals who reside in Before other states. implementation of Section 1623, states could offer resident tuition to undocumented students and maintain the nonresident tuition rate for nonresident students.

# MINNESOTA LAWS RELATED TO HIGHER EDUCATION

Resident tuition is not explicitly defined in state statute. Instead, the state commits, through Minnesota Statute 135A.031, to provide 67 percent of the estimated cost of attendance for resident students who meet certain characteristics (see side bar).

If the student is a dependent student, then the residence of the student's parents or legal guardian is considered.

The statute does not explicitly exempt undocumented students from receiving resident tuition. What prevents undocumented students from receiving resident tuition is Minnesota's compliance with Section 505 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

State statutes do not explicitly exempt undocumented students from the state grant program either. Students eligible for the state grant program are listed in Minnesota Statute 136A.121. However, Minnesota Rule 4830.0100, which is an administrative rule governing the administration of the state grant program, does require that students be legal permanent residents or U.S. citizens in order to qualify for a state grant.

Both the state statute relating to resident tuition and the state grant program defer to other laws and rules to explicitly deny eligibility to undocumented students.

It is not known why Minnesota has chosen to determine eligibility in this manner. What is known is that Minnesota's statutes on higher education are well integrated with federal law and state administrative rules.

#### MINNESOTA STATUTE 135A.031, SUBDIVISION 2

Appropriations For Instructional Services.

- Subd. 2. Appropriations for certain enrollments. The state share of the estimated expenditures for instruction shall vary for some categories of students, as designated in this subdivision.
- (a) The state must provide at least 67 percent of the estimated expenditures for:
- (1) students who resided in the state for at least one calendar year prior to applying for admission or dependent students whose parent or legal guardian resides in Minnesota at the time the student applies;
- (2) Minnesota residents who can demonstrate that they were temporarily absent from the state without establishing residency elsewhere;
- (3) residents of other states or provinces who are attending a Minnesota institution under a tuition reciprocity agreement;
- (4) students who have been in Minnesota as migrant farmworkers, as defined in the Code of Federal Regulations, title 20, section 633.104, over a period of at least two years immediately before admission or readmission to a Minnesota public postsecondary institution, or students who are dependents of such migrant farmworkers; and
- (5) persons who: (i) were employed full time and were relocated to the state by the person's current employer, or (ii) moved to the state for employment purposes and, before moving and before applying for admission to a public postsecondary institution, accepted a job in the state, or students who are spouses or dependents of such persons.

## HOW THIS ISSUE IMPACTS LATINOS IN MINNESOTA

For many years education has been one of the top priorities for Latinos in Minnesota. Many statistics indicate that Latino students are underperforming in Minnesota's public schools and not enough are pursuing a higher education.

The depressing graduation rate for Latinos is often the first figure cited. The Minnesota Department of Education's Completion Studies<sup>8</sup> show that for the class of 2001, only 47 percent of Hispanic/Latino students graduated. This is much lower than the 83 percent graduation rate for white non-Hispanic students.

Thirty percent of Latino students who began high school in 1997 dropped out by 2001 and another 23 percent were expected to continue their high school education the following year.

It is not known how many students who dropped out during this four year period eventually re-enrolled or how many of the students who were expected to continue the following year eventually graduated from high school.

Latino students who do graduate from high school have a lower than average post-secondary participation rate. In 2002, 40 percent of Latino graduates enrolled in a Minnesota post-secondary institution the Fall following graduation<sup>9</sup>.

Asian and Pacific Islander students claimed the highest participation rate at 57 percent, followed by white, non-Hispanic students at 49 percent.

The transition from high school to a post-secondary institution is not a given. Latino students must be aware of post-secondary options, including public and private colleges and universities, private career schools and a growing number of online colleges and universities.

Undocumented students, either Latino or non-Latino, who graduate from high school face the additional challenge of not being eligible for resident tuition and financial aid in Minnesota.

On top of this, many scholarships require that students be U.S. citizens or legal permanent residents. Coupled with the higher nonresident tuition, undocumented students' ineligibility for private and public financial aid makes affording a post-secondary education nearly impossible.

Sadly, we are learning that many undocumented students are dropping out of school or not planning for higher education because they know their immigration status prevents them from qualifying for the lower resident tuition rate and most financial aid.

#### **Long Term Effects**

The 2000 Census provided an unsettling snapshot of the educational attainment of Latinos over the age of 25 (see Table 1).

According to the 2000 Census, a staggering 42 percent of Latinos did not have a high school diploma or its equivalent, such as a GED. Only 18.5 percent of Latinos possessed a higher education degree.

In Minnesota only 10.8 percent of the white, not-Hispanic population did not have a high school diploma or its equivalent. Also, more than twice the percentage of white, non-Hispanic Minnesotans, 37.5 percent, possessed a higher education degree 10.

In order for Latinos to be more economically mobile within the state, and ultimately, global economy, a higher education degree is a must. All Latinos should strive for a higher education. Just as important, policymakers should enact policies aimed at improving the overall educational attainment of Latinos.

While much can be said for the needed investment in early education, K-12 education, adult basic education and higher education in general, some attention must be focused on the plight of undocumented students.

Undocumented students are a small portion of the total number of Latino students enrolled in Minnesota's public K-12 schools. However, if the educational attainment statistics for Latinos are to be raise above their current levels, undocumented students cannot be ignored, especially since they may not be undocumented forever.

Table 1. EDUCATIONAL ATTAINMENT FOR THE LATINO POPULATION 25 YEARS AND OVER IN MINNESOTA

Number	Percent
64,386	100.00%
15,051	23.4%
11,929	18.5%
14,885	23.1%
10,668	16.6%
2,825	4.4%
5,445	8.5%
3,583	5.6%
	64,386 15,051 11,929 14,885 10,668 2,825 5,445

Source: Census 2000, Summary File 3, Table P148H

#### STUDENT PROFILE

Nationally, it is estimated that about 65,000 undocumented students graduate from high school annually. The number of undocumented students graduating from Minnesota high schools is unknown.

The number of undocumented students is likely low, and the number of them graduating from high school is likely even lower.

Nationally, 57 percent of undocumented immigrants are of Mexican origin. Another 23 percent of undocumented immigrants are from other Latin American countries.

It is likely that in Minnesota most of the undocumented students attending high school are of Latino origin. Yet, with Minnesota's diverse immigrant population, including Asian and African immigrants, it is highly probable that there are some undocumented non-Latino students in Minnesota high schools as well.

Latinos, more than other immigrant populations in the state, live throughout Minnesota. Several school districts<sup>11</sup> in southern Minnesota have student bodies which are more than 10 percent Latino (see Figure 1). However, the greatest number of Latino students attends high schools in the sevencounty Minneapolis/St. Paul metropolitan area.

This results in undocumented students graduating from schools in rural, urban and suburban parts of Minnesota.

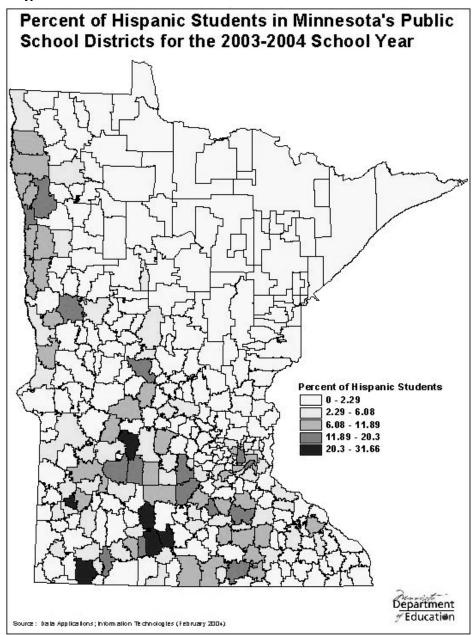
It is statistically impossible to assess the academic performance of undocumented students in Minnesota's public schools. No data is collected on a student's immigration status in public schools.

Although it is not possible to assess the academic performance of undocumented students graduating from Minnesota's high schools, graduation itself is a major accomplishment for these students.

High and low performing undocumented students equally face the challenges of graduating from high school, paying higher nonresident tuition rates, answering questions about their citizenship and immigration status on college applications and having no access to government and private financial aid.

Unfortunately, not all students are graduating. Without many prospects for employment or attending a higher education institution, many undocumented students drop out of school. Their only option appears to be joining the invisible undocumented workforce.

Figure 1.



## RECENT FEDERAL AND STATE PROPOSALS

The issue of undocumented students is not solely a Minnesota issue. A proposal to address the immigration status of these students has been taken up by the Congress and proposals to grant resident tuition have been enacted by several other state governments.

#### **DREAM Act**

The Development, Relief, and Education of Alien Minors (DREAM) Act, S. 1545, was a federal proposal in the U.S. Senate that would pave the way for immigrant, undocumented students who have grown up in the U.S. and graduated from our high schools to qualify as a state resident for tuition purposes and for an adjustment in immigration status.

The DREAM Act would repeal the federal provision stated in Section 1623 of Title 8 of the United States Code which discourages states from providing resident tuition or other higher education benefits without regard to immigration status.

The DREAM Act would also allow undocumented students to qualify for *conditional* permanent resident status upon acceptance to college, graduation from a U.S. high school or being awarded a GED in the U.S. The students must have been residing in the U.S. before they became 16 years of age and at least 5 years before the date of the bill's enactment.

Regular lawful permanent resident status would be granted to these students if the student has avoided lengthy trips abroad and proven to be of good moral character, and met at least one of the following criteria:

- Graduated from a 2 year college or certain vocational colleges or studied at least 2 years for a BA or higher degree, or
- Has served in the U.S. armed forces for at least 2 years.

Ultimately, one of the purposes of the DREAM Act is to promote higher education as well as to provide the opportunity for students to legalize their immigration status in the United States.

Supporters of the DREAM Act believe the enactment of this bill will motivate students to stay in school, thus decreasing the school drop-out rates as well as give the students the opportunity to become an educated workforce in the community.

This proposal, and a similar bill in the U.S. House of Representatives named the Student Adjustment Act, H.R. 1684, did not pass the 108th Congress. Both proposals died with all other pending legislation at the closing of the 108th Congress<sup>17</sup>.

Both proposals are expected to be reintroduced during the  $109^{th}$  Congress  $^{18}$ .

#### **State Level proposals**

Bills to allow resident tuition rates for undocumented students have become law in the following states within the past four years: Texas, California, Utah, Oklahoma, Illinois, Washington, New York and Kansas.

These states are granting undocumented students resident tuition by requiring them to meet a combination of eligibility requirements and *not solely* on their physical residence. In essence, these states are creating a new category of students, resulting in students who meet the residency requirement, those who do

not, and those who must meet the residency requirement along with other requirements as listed in statute. By redefining the requirements for undocumented students, states are not in contradiction with federal law.

The enacted legislation in these states generally requires that students:

- Have resided in the state for a certain period of time, from two to three years;
- Have attended for a certain period of time and/or graduated from a state high school or received an equivalent, such as a GED;
- Have registered and been accepted to a public college or university; and
- Have signed an affidavit stating they will apply or have applied for legal immigration status

Other states, including Minnesota, have considered similar bills. In Minnesota. Senate Bill 3005 and House Bill 3175 were introduced during the 2004 legislative session to allow undocumented noncitizens to qualify as residents for state higher education purposes. The two bills undocumented proposed that any noncitizen should qualify for resident tuition rates if they met the criteria set forth in sections 135A.031, subdivision 2, and 136A.101, subdivision & of the Minnesota Statutes (2002).

As introduced, the proposals would not have created a new set of requirements for undocumented students; and hence, if enacted, the proposals would have not resulted in undocumented students qualifying for resident tuition. In fact, many students currently do meet the requirements set forth in state statute, but nonetheless are prohibited from receiving resident tuition by federal law.

Both bills were not enacted during the 2004 legislative session and died with all other pending legislation at the end of the 2004 legislative session.

#### FISCAL IMPACT ON STATE

There is no substantial added cost to the state of Minnesota in granting resident tuition to undocumented students.

First, the state is currently committed to providing public higher education institutions funds to subsidize every resident student enrolled. By granting undocumented students resident tuition, the state would be treating these students similar to other students who qualify for resident tuition and would not incur any greater cost for these students.

Secondly, the number of undocumented students in Minnesota is likely very small. Unfortunately, an even smaller number are graduating from high school.

Thirdly, it is not known how many undocumented students who graduate will enroll in a public college or university in Minnesota.

Aside from the state, the other stakeholders who will bear some financial cost are the public colleges and universities.

If undocumented students are eligible for resident tuition, then the public college or university that they attend cannot charge them the higher nonresident tuition. The colleges and universities will "lose" the difference between the resident and nonresident tuition.

However, public colleges and universities are currently charging undocumented students nonresident tuition and all stories indicate that these students are not enrolling in these institutions. These institutions are not only losing the difference

between resident and nonresident tuition rates, they are losing any and all tuition these students would pay.

Finally, the small number of undocumented students who would qualify for resident tuition would not tax the capacity of the Minnesota State Colleges and University System (MnSCU) or the University of Minnesota system which already serve over 170,000 and 65,000 students<sup>12</sup> respectively.

#### **BENEFIT TO MINNESOTA**

The social benefit of granting undocumented students resident tuition will greatly surpass the fiscal impact to the state of Minnesota.

Education is associated with several quality of life indicators, including higher income-earning potential, higher civic participation rates and better overall health.

Several benefits cannot be easily quantified but are principles that as a state we believe in. These include promoting access to higher education, using the talents and abilities of all people and promoting education for the common good.

There are economic reasons for having an educated workforce, including undocumented immigrant workers.

The median earnings for Minnesota full-time workers based on educational attainment shows a substantial gap of almost \$30,000 between those who have advanced degrees and workers with no high school diploma<sup>13</sup>.

Workers with earnings in Minnesota must pay local, state and federal taxes, regardless of immigration status. Undocumented immigrant students and their parents are currently paying taxes which indirectly support the higher education institutions for which they are denied resident tuition.

Making higher education more accessible to undocumented students will ultimately lead to them having higher paying jobs and contributing more in the form of taxes paid to their local communities, the state of Minnesota and the federal government.

The biggest benefit Minnesota stands to gain from having all people, including undocumented students, strive for a higher education is a skilled and growing workforce.

It is estimated that the number of high school graduates in Minnesota will decrease by 10.3 percent between 2003 and 2013. The overall decrease in graduates hides the fact that the number of white graduates will decrease by almost 19 percent, while the growth in minority graduates will grow by 52 percent. When the minority population is further analyzed, the numbers show that the number of Latino graduates will increase by 173 percent over this ten year period<sup>14</sup>. Some of these students will likely be undocumented.

During roughly the same time period, the state's need for workers with a bachelor's degree or higher will almost double. This is due to an expected increase in the retirement of workers who hold a bachelor's degree and new job growth that will create a demand for an additional 10,500 college graduates per year<sup>15</sup>.

If present trends continue, by 2010 Minnesota will not be producing enough college graduates to meet the demands of replacing retirees and filling new positions. By 2015, the state could see the number of retirees alone outpacing the number of college graduates<sup>16</sup>.

In order for undocumented students to provide their maximum economic and social contribution to Minnesota, the state must address issues related to their access to public higher education.

#### CONCLUSION

Minnesota has demonstrated a commitment to higher education for all people. Unfortunately, talented and ambitious young adults are being denied resident tuition because of their undocumented immigration status.

Nowhere in state statute does it state that undocumented students should be ineligible for state aid or resident tuition. Instead, federal law and state rules affect the tuition rate and eligibility to the state grant program, respectively.

Undocumented immigrant students face many barriers to enrolling in a higher education institution, including ineligibility for resident tuition, ineligibility for public and private financial aid and questions about immigration status on college applications and financial aid forms.

While all barriers to higher education should be tackled, this brief encourages that the issue of resident tuition for undocumented students be resolved at this time.

Minnesota is similar to other states which have enacted legislation granting undocumented students resident tuition because it has a small estimated number of undocumented people.

The fiscal cost to the state of Minnesota would be minimal, since treating undocumented students similar to citizen or eligible noncitizens resident students does not cost the state any additional perstudent funds.

Ultimately, the state's competitiveness in the global knowledge-driven economy is dependent on the state having a

highly skilled and trained workforce. This workforce must include the knowledge, talent and creativity of all current and future citizens residing in our state.

#### RECOMMENDATION

By adopting a policy similar to those which other states- Texas, California, Utah, Oklahoma, Illinois, Washington, New York and Kansas- have adopted the state of Minnesota can increase the number of immigrant students attending public higher education institutions.

Specifically, any policy adopted should be based on the following principles:

- It rewards students for the accomplishment of high school graduation or GED attainment by making them eligible for resident tuition rates
- It **minimizes** the burden to admission, enrollment or eligibility for undocumented students so it is not substantially greater than that of other resident students
- It *protects* the privacy of students by ensuring the student's undocumented status is protected by state data practices statutes <sup>19</sup>

#### **Proposed Policy**

Proposed policy solutions granting resident tuition for undocumented students could specifically require student to meet the following:

- Students must have resided in the state for a minimum of one continuous year;
- Students must have attended a state high school for a minimum of one academic year;
- Students must have graduated from a state high school or received an equivalent, such as a GED; and

• Students must have registered and been accepted to a public college or university in Minnesota

In addition to the eligibility requirements which would address resident tuition, legislative proposals should, if necessary, also include specific language to protect the privacy of these students once they enroll in a public college or university.

#### **Federal Immigration Policies**

Finally, it is in the best interest of Minnesota that the federal government reforms its current immigration laws. While the state does not have any jurisdiction over federal immigration law, it can- and should as a unit of government affected by federal immigration policy- encourage the federal government to reform current immigration policies.

#### **ABOUT THE AUTHOR**

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**Mario A. Hernandez** is a Management Analyst at the Chicano Latino Affairs Council.

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#### **NOTES**

- Undocumented students are immigrant students who are residing in the U.S. without the permission of the U.S. government. Undocumented students enter the U.S. either illegally, without being inspected by an immigration officer or by using false documents, or legally, with a temporary visa and then remain in the U.S. after the visa has expired.
- 2. The terms Latino and Hispanic are used interchangeably.
- Post-secondary education and higher education are used interchangeably.
- The estimate is for students who have lived in the United States for five years or longer and who graduate from high school each year.
- Of these, 57 percent are Mexican and 23 percent are from other Latin American countries.
- California and Texas have estimated undocumented populations of 2.4 and 1.1 million people respectively.
- Minnesota Statute 135A.031.
- 8. The cohort for this study is all students who were served by Minnesota schools in grade nine during the 1997/1998 school year. The cohort was tracked until their expected high school completion in the spring of 2001.
- Sixty-four percent of all Minnesota high school graduates enroll in a postsecondary institution the fall following graduation. Almost 49 percent enroll in a Minnesota institution. No information for Latinos enrollment in non-Minnesota institutions was reported.
- Minnesota's white, non-Hispanic population ranked 15<sup>th</sup> when compared to the other 49 states, Puerto Rico and the District of Columbia.
- Twenty school districts in the southern half of Minnesota have student enrollments that are more than 10 percent Latino.
- 12. Preliminary headcounts by the Minnesota Higher Education Services Office in the fall of 2004. Final headcounts for the 2004/2005 academic year may be different.
- 13. Based on 2000 Census data. Originally appeared in Workforce First report.

- 14. The Minnesota Private College Research Foundation analyzed data from the Western Interstate Commission for Higher Education to arrive to these Minnesota specific figures.
- 15. Ibid.
- 16. Ibid.
- 17. The 108th Congress came to a close on December 8, 2004.
- The 109th Congress convenes on January 4, 2005.
- Minnesota has a collection of statutes which deal with data privacy issues, appropriately named the Minnesota Government Data Practices Act.

#### **More information:**

This policy brief is also available at the Chicano Latino Affairs Council web site <a href="https://www.clac.state.mn.us">www.clac.state.mn.us</a>.

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#### **ABOUT CLAC**

The Chicano Latino Affairs Council (CLAC) is a statewide government agency created by the legislature in 1978. The primary mission of CLAC is to advise the governor and the state legislature on the issues of importance to Minnesota's Chicano Latino community.

Through thoughtful research, strategic collaboration and comprehensive knowledge of state policies and their impact on Chicanos Latinos, CLAC fulfills several state mandates, including:

- To advise the governor and the state legislature on the issues of importance to Minnesota's Chicano Latino community
- To serve as a liaison between local, state and federal governments and Minnesota's Chicano Latino community.
- To serve as an information and referral agency to ensure that Chicano Latinos in Minnesota are connected to the appropriate government agencies and community based organizations to address their concerns, which range from immigration and education to discrimination and social welfare.
- To educate legislators, agency heads, the media and the general public about the accomplishments and contributions of Chicano Latinos and raise general awareness about the problems and issues faced by this community.

In all its policy and demographic research and collaboration with other organizations, CLAC tries to bring to light the connection between state policies and Chicanos Latinos in order for state policy-makers to understand how their decisions affect the Chicano Latino population in Minnesota.