NOTE: The MN Dream Act was passed by the Legislature May 17, 2013. Governor Mark Dayton signed it into law. Updates: www.navigatemn.org
This document is only to clarify some questions and will be updated as new details arise.
**The MN Dream Act resident definition is independent and different than the “permanent resident alien” definition in terms of Federal Immigration Law. The MN Dream Act is NOT an immigration relief.**

Questions: team@navigatemn.org

Q&A About the MN Dream Act

What is the MN Dream Act (SF723/HF875)?
The Prosperity Act or MN Dream Act was introduced by Senator Sandra Pappas (SF723) and Representative Carlos Mariani (HF875) and was included in the Higher Education Omnibus bill. The Legislature passed it on Monday 17, 2013 (bit.ly/187cOYt). Governor Mark Dayton signed it into law in May 2013.

What does the MN Dream Act do?
The act will:

- **Allow students to be charged in-state tuition rates** at public colleges and universities if they meet certain requirements, regardless of their immigration status.
- **Make state financial aid available to all students** who meet state residency requirements, regardless of immigration status.
- **Allow public institutions** (MnSCU and the University of Minnesota) to use private funding as financial aid for all students, regardless of immigration status.
- **Create a need for a modified Minnesota state financial aid application** specifically for these students, since they will not be able to use the Free Application for Federal Student Aid (FAFSA), which requires a Social Security number.

When does it take effect?
All of the benefits provided by the bill will be available to qualifying students for any term starting on or after July 1, 2013.

Is there an application already?
Right now, we don't know the details on how the MN Dream Act and/or Deferred Action for Childhood Arrivals (DACA) students will apply for state financial aid. It will likely be an online state financial aid application which will not require a Social Security number. Further details will be posted on the MN Office of Higher Education’s website: www.ohe.state.mn.us.

Students seeking in-state tuition or private financial aid through the University of Minnesota or a MnSCU campus should check with the campus for more detailed information.
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What are the criteria for a student to qualify under the MN Dream Act?
Students must meet all of the following criteria in the MN Dream Act:

1. Attended a Minnesota high school for at least 3 years; and
2. Graduated from a Minnesota high school or earned a GED in Minnesota; and
3. Registered with the United States Selective Service (if male age 18 to 25); and
4. Provided documentation to show they have applied for lawful immigration status but only if a federal process exists for a student to do so (does not include applying for Deferred Action for Childhood Arrivals). There is currently not a federal process in place.

What documentation will be needed?
If you think you might qualify for the MN Dream Act, we advise that you start gathering the documentation the MN Office of Higher Education will need to confirm your MN Dream Act status for purposes of receiving state financial aid. For an undocumented student to document s/he meets the Dream Act criteria, the student will need to provide:

1. MN high school transcripts showing attendance at a MN high school for at least 3 years
2. MN high school diploma (or transcript showing the student graduated) or copy of GED earned in MN
3. Copy of Selective Service card showing the student has registered with the United States Selective Service (if male age 18 to 25). (If the student has not yet registered with Selective Service, the student should do so now. If the student has a Social Security number, the student can register online at: www.sss.gov. Confirmation of registration will be sent to the student within two weeks. If the student does not have a Social Security number, the student should pick up a paper Selective Service mail-back form at the nearest U.S. post office and submit it to the address shown on the card. (Eventually, OHE will post a Selective Service registration form on its web site for students to download and use.) Confirmation of registration will be sent to the student in 30 to 90 days.)
4. Eventually, documentation from federal immigration authorities verifying the student has applied for lawful immigration status. The MN Dream Act states students will have to provide this document only if there is a federal process in place for them to apply for permanent legal status, which does not currently exist. So, documentation will not be required at this point.

Students must have attended continuously 3 years of High School or not?
Depends of where the student went to high school. The law does not say the three years in high school have to be consecutive, so that would not be a requirement. However, many high schools are just grades 10, 11 and 12, so if that’s the high school the student attended, it would have to be consecutive years. If the high school had more than 3 grades, then it’s possible a student might attend 9th grade, skip 10th grade and come back for 11th and 12th grade and still meet the requirements in the law.

Do Deferred Action for Childhood Arrivals (DACA) students qualify for the MN Dream Act benefits?
Some DACA students will qualify for all benefits if they also meet the above criteria for the MN Dream Act. DACA students who don't meet the MN Dream Act criteria may still be eligible for state financial aid if they can meet at least one of the criteria in the state residency law used for financial aid after they have been granted DACA status. For example, one of the criteria in the state residency definition is graduating from a MN high school while residing in MN, so the student would need to prove DACA status was granted prior to high school graduation. So, you will need a copy of the document/letter you receive stating you’ve been granted DACA status if you meet one of the state residency criteria (listed below). DACA students who do NOT meet any of the state residency criteria will NOT be eligible for state financial aid.

I am a college student already and went to high school in MN. Do I qualify?
Depends. If you meet the criteria above (3 yrs in HS, diploma from here, etc) or received DACA during last year of high school, then yes. If still have questions, contact us.

How does the state reciprocity work as it relates to the MN Dream Act?
Undocumented students who meet MN Dream Act would apply for tuition reciprocity to attend a public college or university in ND, SD or WI. The tuition rate they are charged is not the resident rate in the state where they enroll, but the resident rate they would have paid in MN for a similar college. It's much less than the non-resident rate. NOTE: If you choose to attend a public college/university in one of these states, you will not be eligible for MN financial aid. You are eligible to apply for a MN SELF loan regardless. We recommend that you attend a school in MN.

What other forms will be required to receive state financial aid?
In addition to completing a state financial aid application, students will need to submit copies of student and parent (if dependent for financial aid) federal tax forms (if tax filers) and/or W2 statements. These will be used to verify family income, which is used to determine eligibility for a state financial aid.

What is a MN State Grant?
State Grants help Minnesota resident students from low- and moderate-income families pay for educational expenses at eligible Minnesota colleges or universities. Eligibility is based on several factors, such as family size and income. The amount of the award differs based on enrollment level and the cost of the college attended. In 2011, approximately:

- 35 percent of State Grant funds goes to students with family incomes below $20,000,
- 44 percent goes to those with incomes between $20,000 and $50,000, and
- 21 percent goes to those with incomes over $50,000.

Undocumented students will be eligible for state financial aid if they meet the MN Dream Act criteria, or if they established DACA status prior to meeting one of the criteria in the state residency definition. However, these students will still NOT be eligible for federal financial aid, like the Federal Pell Grant, since that requires students to be U.S. citizens or eligible non-citizens (permanent residents, I-551 card holders, refugees, etc.).
Will MN Dream Act or DACA students be eligible for any other type of state financial aid?
Eligible DACA students with work authorization and Social Security numbers will be eligible to be considered for the State Work Study program, which allows the student to earn money working on campus. Eligible Dream Act and/or DACA students will be eligible to apply for a Postsecondary Child Care Grant, which is a need-based grant to students with children in child care while they attend school. These programs have limited funding and are administered by campus financial aid offices. Any undocumented student can currently apply for a state SELF loan, which does not require the student borrower to have legal status, but does require a co-signer who is a U.S. citizen or eligible non-citizen. More information about financial aid is available at: www.ohe.state.mn.us.

Current MN Residency Definition for State Financial Aid
"Resident student" means a student who meets one of the following conditions:
(1) a student who has resided in Minnesota for purposes other than postsecondary education for at least 12 months without being enrolled at a postsecondary educational institution for more than five credits in any term;
(2) a dependent student whose parent or legal guardian resides in Minnesota at the time the student applies;
(3) a student who graduated from a Minnesota high school, if the student was a resident of Minnesota during the student's period of attendance at the Minnesota high school and the student is physically attending a Minnesota postsecondary educational institution;
(4) a student who, after residing in the state for a minimum of one year, earned a high school equivalency certificate in Minnesota;
(5) a member, spouse, or dependent of a member of the armed forces of the United States stationed in Minnesota on active federal military service as defined in section 190.05, subdivision 5c;
(6) a spouse or dependent of a veteran, as defined in section 197.447, if the veteran is a Minnesota resident;
(7) a person or spouse of a person who relocated to Minnesota from an area that is declared a presidential disaster area within the preceding 12 months if the disaster interrupted the person's postsecondary education;
(8) a person defined as a refugee under United States Code, title 8, section 1101(a)(42), who, upon arrival in the United States, moved to Minnesota and has continued to reside in Minnesota; or
(9) a student eligible for resident tuition under section 135A.043 (MN Dream Act)

External Resources:
MN Office of Higher Education www.ohe.state.mn.us
Citizens League www.citizensleague.org
NAVIGATE MN www.navigatemn.org
Immigrant Law Center of Minnesota www.ilcm.org
Minneapolis Foundation: www.minneapolisisfoundation.org