

## **MICHIGAN INDIAN TUITION WAIVER FREQUENTLY ASKED QUESTIONS**

- 1. What is the Michigan Indian Tuition Waiver (MITW)?**  
The Michigan Indian Tuition Waiver is a program enacted by Public Act 174 of 1976, which waives the tuition costs for eligible Native Americans in public community colleges or universities within Michigan.
- 2. How are students determined eligible for this program?**  
To be considered eligible, Native American students must be a Michigan resident and have resided in Michigan for twelve consecutive months at the time of application; must qualify for admission at a public institution in Michigan; and must be one-quarter (1/4) Native American blood quantum **AND** an enrolled citizen of a U.S. Federally Recognized tribe.
- 3. If the student lives in another state or in Canada during the summer, is s/he eligible to receive the MITW? If a relative lives in Michigan and the student plans on residing with him/her, can eligibility be granted?**  
No. The applicant must be a legal resident of Michigan and have resided in Michigan for at least twelve consecutive months at the time of application.
- 4. If the student is a citizen of a state or historic tribe, is s/he eligible for the MITW? If the student is a member of a Canadian tribe, is s/he eligible for the MITW?**  
No, the student must be a citizen of a U.S. Federally Recognized tribe. The student must be able to submit the application to his/her tribe's Enrollment Department to have the one-quarter blood quantum and citizenship certified by an enrollment officer. State/historic tribes and Canadian tribes are not recognized by the U.S. government and, therefore, are not eligible.
- 5. How does an individual determine blood quantum? Does the student send that information to the Michigan Department of Civil Rights (MDCR) for you to determine? Is there a blood test that an individual can take to determine Native American blood quantum?**  
The blood quantum determination must be made before the application is submitted. MDCR does not determine blood quantum; this is determined by the Tribal Enrollment Department or tribal genealogy office. A blood test will not provide this information. Native American blood quantum is calculated by tracing ancestors and establishing genealogy according to federal and tribal records.
- 6. When should the student begin the application process for the tuition waiver?**  
The student should begin at the same time as the admissions process and financial aid process. MITW applications may take 2-4 weeks to process. It is the student's responsibility to allow the appropriate amount of time for processing to ensure that the waiver can be sent to the institution.

After the application has been processed, a determination letter will be sent to the student at the address provided on his/her application. If approved, a verification letter will be sent to the institution and to the student. If denied, a denial letter will be sent to the student stating for the reasons for denial.

- 7. When will the student receive money for tuition costs?**  
No actual funds are transferred. Tuition is “waived;” therefore, no monies are applied to the student’s account. All additional expenses (student fees, lab fees, room and board, books, etc.) must be paid by the student.
- 8. If the student began school before the MITW was approved, is there reimbursement for previous tuition expenses?**  
No. Reimbursement for prior semesters is not permitted. However, the student may want to check with their Financial Aid Office, as some institutions may apply the MITW retroactively during the enrolling semester.
- 9. Will the student be required to fill out any additional forms at the college s/he is attending?**  
Most colleges and universities have a short financial aid application that must be completed to process the MITW and activate the student’s account. However, applying for federal financial aid (Free Application for Federal Student Aid) is not a requirement for receiving the MITW but is highly encouraged, regardless of financial status
- 10. If the student plans to transfer to another public institution in Michigan, what is required?**  
The student must have a verified MITW application with MDCR before requesting a transfer. Students who have applied and been verified will need to obtain and complete the top section of the application, including the ‘Continuing Student’ box and submit to MDCR for processing.
- 11. If the student is approved for the tuition waiver at one institution, can s/he be approved to use it at another institution simultaneously?**  
Yes, students can be dual-enrolled as long as both institutions are public colleges/universities in Michigan.
- 12. Can the student use the MITW as a part-time student? Can the student use the MITW after graduating with a degree?**  
Yes, the MITW can be used for either part-time or full-time study during any term; and, yes, the student may continue to use the MITW through post-graduate work.
- 13. Does the student need to reapply every semester/year?**  
No. As long as the student is continuously attending the same school, the statute does not require that a student’s tuition waiver status needs to be renewed once it is in place. A college or university is, however, free to require that a student’s eligibility be re-verified at any time, and might determine it is legally required under some circumstances.
- 14. Why is the MITW not available to Native Americans who are not members of U.S. Federally Recognized tribes?**  
In 2006, Michigan voters passed Proposal 2, which is now Article 1, Section 26, of the Michigan Constitution. As a result, it would be unconstitutional to provide this benefit to persons based only upon their race, sex, color, ethnicity, or national origin. The Michigan Indian Tuition Waiver statute remains constitutional only to the extent that it is not based upon a student’s race or national origin, but upon the political interrelationship that exists with sovereign tribes. Because Michigan cannot have the necessary political relationship with tribal entities for which the necessary political recognition does not exist, the tuition

waiver can only be based on a student's status as a citizen of a tribe whose sovereignty is recognized by the United States, Bureau of Indian Affairs

**15. Why is the Michigan Department of Civil Rights the agency responsible for determining a student's eligibility?**

The statute requires that a student's eligibility first be 'certified' by the appropriate tribal association and then 'verified' by the Michigan Commission on Indian Affairs (MCIA). The MCIA was abolished by Executive Order 1999-9, which also transferred the authority, powers, duties, functions, and responsibilities of the Commission to the Department of Civil Rights.

**16. Does the MDCR independently verify a student's blood quantum or qualifications for tribal citizenship?**

No. Federally Recognized tribes have the sovereign authority to determine their own citizenship. MDCR's responsibility is only to verify with the tribe that it is Federally Recognized by the U.S. government and that the student applicant is an enrolled citizen having at least one-quarter (1/4) Native American blood quantum.

**17. Is the Michigan Tuition Waiver Act based upon a treaty obligation?**

No. While the Act may seem consistent with treaty obligations to Native Americans who previously inhabited what is now Michigan, it was not passed to enforce any treaty obligation. There is no treaty obligation requiring college and/or university to waive tuition.