

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 the state of Michigan.
- 2. How are applicants determined eligible for this program?**
To be considered eligible, Native American applicants must be a Michigan resident and have resided in Michigan for twelve consecutive months at the time of application; must attend a public institution in Michigan; and must be one-quarter (1/4) Native American blood quantum **AND** an enrolled member of a U.S. federally recognized tribe.
- 3. If I live in another state or in Canada during the summer, would I be eligible to receive the MITW? If a relative lives in Michigan and I plan on moving in with him/her, would I be granted residency?**
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 I am a member of a state or historic tribe, am I eligible for the MITW? If I am a member of a Canadian tribe, am I eligible for the MITW?**
No, the applicant must be a member of a U.S. federally recognized tribe. You must be able to submit your application to your tribe's enrollment department to have your one-quarter blood quantum and your membership certified by an enrollment officer. State/historic tribes and Canadian tribes are not recognized by the US federal government and, therefore, are not eligible.
- 5. I am not sure how to determine my blood quantum or where to get that information. Do I send that information to your office for you to determine? Is there a blood test that I can take to determine my Native American blood quantum?**
The blood quantum determination must be made before you submit your application. The Michigan Department of Civil Rights (MDCR) does not determine blood quantum; this is determined by a tribal enrollment or tribal genealogy office. There is not a determination that can be made in having a blood test. Native American blood quantum is calculated by tracing ancestors and establishing genealogy according to federal and tribal records.
- 6. When should I begin the application process for the tuition waiver?**
You should begin at the same time you begin 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 your application has been processed, a determination letter will be sent to the address on your application. If approved, a verification letter will be sent to the institution.

- 7. When will I receive money for my tuition?**
No actual funds are transferred. Tuition is “waived,” therefore, there will be no monies applied to your account. All additional expenses (student fees, lab fees, room and board, books, etc.) must be paid by the student.
- 8. If I began school before I was approved for the MITW, will I be reimbursed for any prior tuition expenses?**
No. Reimbursement for prior semesters is not permitted. However, you may want to check with your Financial Aid Office, as some institutions may apply the MITW retroactively during the enrolling semester.
- 9. Will I be required to fill out any additional forms at the college I am attending?**
Most colleges and universities have a short financial aid application that must be completed to process the MITW and activate your student account. However, applying for federal financial aid is not a requirement for receiving the MITW.
- 10. If I plan to transfer to another public institution in Michigan, what am I required to do?**
You must have had an approved MITW application with the Michigan Department of Civil Rights (MDCR) before requesting a transfer. Those that have applied and been approved will need to obtain and complete the top portion of the application and submit for processing.
- 11. If I am approved for the tuition waiver at one institution, can I be approved to use it at another institution simultaneously?**
Yes, you can be dual-enrolled as long as both institutions are public colleges/universities in Michigan.
- 12. Can I use the MITW as a part-time student? Can I use the MITW after graduating with a degree?**
Yes, you may use the MITW as either a part-time or full-time student during any term; and, yes, you may continue to use the MITW through post-graduate work.
- 13. Do I 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 tuition waiver not available to American-Indians who are not members of US 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 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, tuition waiver can only be based on a student's status as a member of a tribe whose sovereignty is recognized by the United States.

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 an applicant's blood quantum or qualifications for tribal membership?

No. Federally recognized tribes have the sovereign authority to determine their own membership. MDCR's responsibility is only to verify with the tribe that it is federally recognized by the US government and that the student applicant is an enrolled member 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 be seen as consistent with obligations to the American Indians 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 tuition waiver.