



**House
Legislative
Analysis
Section**

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TUITION WAIVER FOR N.A. INDIANS

**House Bill 4174 (Substitute H-1)
First Analysis (5-12-93)**

**Sponsor: Rep. Pat Gagliardi
First Committee: Higher Education
Second Committee: Appropriations**

THE APPARENT PROBLEM:

Bay Mills Community College in Brimley is one of 23 colleges nationwide that are controlled by the Bureau of Indian Affairs, and the only federal tribally controlled community college in Michigan. Bay Mills operates on an open enrollment basis, and offers a small, nurturing environment, small classes, an emphasis on family and community, and a focus on the success of the student -- attributes that are especially significant in providing support for Native American students, whose dropout rates in high school reportedly reach 80 percent in some parts of Michigan. Bay Mills Community College also offers off-campus classes on all of Michigan's federal reservations, although 30 percent of the college's students are non-Native Americans. The college has a 95 percent employment placement rate; a 75 percent retention rate; and a transfer rate of 25 percent of its students who go on to other post-secondary institutions. It is proposed that the benefits of the Michigan Indian Tuition Waiver program be extended to include this college, since it could offer important advantages to Native American students, among whom only 6.2 percent attend college for four or more years.

THE CONTENT OF THE BILL:

Public Act 174 of 1976 requires that state colleges and universities provide free tuition for any student who is a North American Indian, provided that the student is a legal resident of the state for at least 12 consecutive months and that he or she qualifies for admission as a full-time, part-time, or summer school student. House Bill 4174 would amend the act to require that the Michigan Commission on Indian Affairs also secure an agreement with each federal tribally controlled community college in the state to have tuition waived for these students. The commission would be required to meet with the governing body of each federal tribally controlled community college in the state to secure an agreement that the college would waive tuition for

eligible North American Indians, and that the college would accept reimbursement either in accordance with the commission's reimbursement procedures or with procedures mutually agreed to by the college and the commission. The commission would be required to complete these meetings by June 30, 1993, and to commence reimbursement procedures by July 1, 1993.

MCL 390.1251 and 390.1252b

FISCAL IMPLICATIONS:

According to Department of Education estimates, the provisions of the bill would result in a cost of approximately \$187,800 to the state. (5-4-93)

ARGUMENTS:

For:

Most Native American students are not able to attend college without extensive financial aid. The bill would make it possible for the state to directly assist its tribal communities in their efforts to increase graduation rates in higher education by providing more of these students with free tuition at a federal tribally controlled community college in the state, as well as at state colleges and universities, and thus encourage more Native Americans to attain a higher education.

Against:

Since the costs of providing free college tuition -- which are estimated to be almost \$200,000 -- will be borne by the state, the bill should specify that only residents of Michigan may qualify for free tuition at federal tribally controlled community colleges.

Response:

It isn't necessary to add restrictive language to House Bill 4174, since Public Act 174 of 1976 already restricts free tuition at post-secondary institutions to students who meet certain

House Bill 4174 (5-12-93)

qualifications. To qualify, a student must be at least 1/4 quantum blood Indian and a legal resident of the state for not less than 12 consecutive months.

POSITIONS:

A representative of the Department of Education testified in support of the bill. (5-4-93)

Bay Mills Community College in Brimley, Michigan, the only federal tribally controlled community college in the state, supports the bill. (5-10-93)

The State Board of Education has no position on House Bill 4174, but supported an identical bill, House Bill 4498, in the 1991-92 legislative session. (5-11-93)