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State-Tribal Relations Committee

60th Montana Legislature

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November 27, 2007

Chair Carl Venne
Crow Tribe
159 Bacheeitché Ave.
P.O. Box 159
Crow Agency, MT 59022

Dear Chair Venne:

This letter is in response to questions from the Crow Tribe regarding American Indian fee waivers. The questions were received by members of the State-Tribal Relations Committee during their October meeting. Section 20-25-421(2)(c), MCA, provides that the Board of Regents *may* waive tuition and fees for a lengthy list of persons, including persons of one-fourth Indian blood or more who have been bona fide residents of Montana for at least 1 year prior to enrollment in the Montana University System.

Since Article X, section 9(2), of the Montana Constitution, grants the Board of Regents and not the Legislature "full power, responsibility, and authority to supervise, coordinate, manage, and control the Montana university system", section 20-25-421, MCA, is interpreted as a "request" by the Legislature that the Board consider waiving tuition and fees for those persons listed in 20-25-421, MCA. Pursuant to this legislative request, the Board of Regents adopted a fee waiver policy directing campuses of the Montana University System, which since 1995 has included the colleges of technology, to grant tuition waivers to persons of one-fourth American Indian blood or more who demonstrate financial need (see Policy 940.13).

Montana's three community colleges, which include Flathead Valley, Dawson, and Miles Community Colleges, are not part of the Montana University System, but have been assigned by the Legislature to be "supervised and coordinated" by the Board of Regents. Each community college is governed by its own local board of trustees, which has the authority to award American Indian fee waivers.

Enclosed is a copy of the Board of Regents' policy 940.13 regarding fee waivers and a list provided to me by the Commissioner of Higher Education's Office of the fee waivers awarded to American Indian students over the last 2 years by each unit of the Montana University System and by each of the three community colleges.

If you have questions, please do not hesitate to contact me. For specific information regarding fee waivers awarded at the units of the Montana University System, I suggest that you contact Ellen Swaney, Director of American Indian/Minority Achievement, at the Commissioner of Higher Education's Office (444-0332). If you have questions regarding the fee waiver policy at each of the state's three community colleges, I suggest that you contact the individual college's admissions office directly.

Sincerely,

Eddy McClure
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Enclosures

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