

**TITLE 6 –TRIBAL ASSISTANCE PROGRAM  
PART IV- EDUCATION ASSISTANCE  
CHAPTER 4-2– HIGHER EDUCATION ASSISTANCE PROGRAM**

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*Legislative History:       Established December 5, 2007 by Resolution No.C12-195-07 and Ordinance No. 21-07.*

*Amended on April 7, 2009 by Resolution No. C04-56-09 and Ordinance No. 8-09.*

*Amended on February 14, 2018 by Resolution No. C02-34-18 and Ordinance No. 05-18.*

**SUBCHAPTER A       GENERAL PROVISIONS**

**Section 10       Purpose (6 PYTC § 4-2-10)**

The Tribe’s Higher Education Assistance Program provides financial support for the promotion of education and employment of tribal members.

**Section 20       Lead Agency (6 PYTC § 4-2-20)**

- (A)     The Tribe’s Education Division is charged with the primary responsibility for administering the Tribe’s Higher Education Assistance Program.
- (B)     The Education Director shall be charged with the responsibility of developing and implementing policies or the disbursement of funds through the program.

**Section 30       Program Goals (6 PYTC § 4-2-30)**

- (A)     The goal of the program is to provide post-secondary education assistance to tribal members. The program goal will be accomplished by providing supplemental educational costs to attend an approved post-secondary institution.

**Section 40       Definitions (6 PYTC § 4-2-40)**

- (A)     As used in this document:
  - (1)     “Academic Year” means the period of time in which a full-time student is expected to complete the equivalent of at least two semesters. The Academic Year includes Fall and Spring semester only, regardless of the trimester or quarter systems used by some post-secondary. Each student may be eligible for 2 funding periods; January through May and August through December.
  - (2)     “Course credits” means credits that will be funded by the Program. These credits may include college credits earned through the College Level Examination Program (CLEP).
  - (3)     “Eligible Institution” means an institution of higher education that meets the criteria as established by the Pascua Yaqui Tribal Council for which a student may receive funding to attend.
  - (4)     “Non-degree seeking student” means a student who is taking undergraduate and graduate level courses, but has not been admitted into a undergraduate or graduate program.
  - (5)     “Full-time student” means a student who is enrolled in the minimum number of credits or more to be considered full-time as determined by the institution in which they are enrolled.
  - (6)     “Part- time student” means a student who is enrolled in less than the minimum number of credits to be full-time as determined by the institution.

- (7) “Accreditation” means the certificate of recognition of a post-secondary institution by a nationally recognized accrediting agency or association that certifies the institution is providing quality programs of study.
- (8) “Books” means textbooks that are required by an instructor for successful completion of the course for the semester and/or school term in which the student is registered.
- (9) “Tuition & Fees” means the required costs for enrollment and instruction charged by post-secondary institutions
- (10) “CLEP” - (College Level Examination Program) means a program that allows students to take exams in undergraduate college courses for credit.
- (11) “Grade Point Average” (GPA) means the measure of the average performance of a student. It is usually determined by assigning a 4 for an A grade, 3 for B, 2 for C, 1 for D, and 0 for F. For the courses taken by a student, the average of these numerical scores is called the Grade Point Average (GPA). The GPA is usually reported as an average weighted by the credit hours of each course.
- (12) “Education Oversight Committee” means a committee made up of members of the Tribal Council to assist with and provide recommendations for policy development for the Education Division.
- (13) “Tribal member” means a Pascua Yaqui tribally enrolled member.
- (14) “Student Financial Assistance Request” is an approved form used by Yaqui Education Services to request financial assistance.

**Section 50 Confidentiality of Records (6 PYTC § 4-2-50)**

- (A) Except as provided in Paragraph B, below, the Higher Education Assistance Program shall keep all applicant files confidential. In order for the Program to disclose information regarding an applicant, the applicant must submit a signed disclosure statement, specifying the individual(s) and/or entities to receive the information.
- (B) Enrollment documents may be disclosed to other Pascua Yaqui tribal departments when:
  - (1) The information is needed for purposes of determining an individual's initial or continuing eligibility for aid, services or other benefits accruing on the basis of tribal membership, or
  - (2) The information is needed for purposes of pursuing an investigation or prosecution of alleged or suspected fraud or similar abuse of the program.

**SUBCHAPTER B DUAL ENROLLMENT FOR HIGH SCHOOL STUDENTS**

**Section 60 Credits Funded (6 PYTC § 4-2-60)**

High school students may be funded for up to 8 credits per semester at a post-secondary institution (16 credits for the school year.

**SUBCHAPTER C            HIGHER EDUCATION ASSISTANCE PROGRAM STANDARDS**

**Section 70            General Eligibility (6 PYTC § 4-2-70)**

Beneficiaries of the Higher Education Assistance Program must be enrolled members of the Pascua Yaqui Tribe.

**Section 80            Specific Eligibility Requirements (6 PYTC § 4-2-80)**

(A) Applicants must:

- (1) Be admitted to and enrolled at an eligible institution.
- (2) Be pursuing an associate, baccalaureate, graduate degree or post graduate degree at an eligible institution. Individual courses taken for the purpose of professional development or personal interest will not be funded.
- (3) Have graduated from high school or have obtained a General Equivalency Diploma certificate.
- (4) Meet academic deadlines as set forth by the program.

**Section 90            Continuing Eligibility Requirements for Assistance (6 PYTC § 4-2-90)**

- (A) Undergraduate students are required to maintain a GPA of 2.5 or better per academic term.
- (B) Graduate students are required to obtain a GPA of 3.0 or better per academic term or GPA required by the institution for each academic term.
- (C) Post graduate students pursuing a juris doctorate, medical doctorate, pharmacy doctorate, or doctor of dental science must meet the cumulative minimum GPA required by the institution for each academic term.
- (D) Students are required to complete the number of course credits for which they are funded, and earn a passing grades.
- (E) Students are required to submit official transcripts at the conclusion of each funded semester.
- (F) Undergraduate students must declare a major.

**Section 100            Maximum Periods of Eligibility for Assistance (6 PYTC § 4-2-100)**

(A) The Program shall provide supplemental assistance to students for a following degrees:

- (1) Associate
- (2) Bachelor
- (3) Masters
- (4) Doctoral
- (5) Post-doctoral degree

(B) A student may enroll in “remedial” coursework, accounting for no more than 25% of the student’s scheduled coursework.

- (C) The Program shall provide assistance to students pursuing an Associate Degree for a maximum of either:
  - (1) Full-time student: 72 credits excluding remedial courses; or
  - (2) Part-time student: 72 credits excluding remedial courses.
- (D) The Program shall provide assistance to students pursuing a Bachelor's Degree for a maximum of:
  - (1) Full-time student: 130 credits, excluding remedial courses.
  - (2) Part-time student: 130 credits, excluding remedial courses.
- (E) Transfer students will only be funded for the remaining credits or semesters to earn their Bachelor degree not to exceed 130 credits.
- (F) A student may pursue double degrees at the baccalaureate and associate level, provided that the additional degree is at no added cost to the Pascua Yaqui Tribe.
- (G) The Program shall provide assistance to students pursuing a Master's Degree for a maximum of:
  - (1) Full-time students: 36 credits.
  - (2) Part-time students: 36 credits.
- (H) The Program shall provide assistance to students pursuing a Doctorate Degree.
  - (1) Students applying for doctoral programs must meet with Yaqui Educational Services Supervisor and the Education Director to determine the amount of funding and the amount of semesters/credits that will be funded.
- (I) Repeat Courses. In general, the Program will not pay for an individual course more than once.
- (J) Fees for Graduate Entrance Exams. Students interested in attending graduate or professional programs at an eligible university may apply for funds to cover fees for graduate entrance exams such as the Graduate Record Examination (GRE), Law School Admissions Test (LSAT), and the Medical College Admissions Test (MCAT).
  - (1) Financial assistance for exam fees will be based on available funding.
  - (2) A student may not receive funding for exam fees more than two (2) times, regardless of whether the exam is for a different program.
  - (3) The student will be responsible for providing exam scores as proof of completing exam. Failure to provide appropriate documentation will terminate a student's ability to receive any funding available under the Program until documentation is provided or the Tribe is reimbursed.
  - (4) Cancellation of the exam by the student or failure to take the exam will result in immediate reimbursement to the Program by the organization or the student. Failure to reimburse the Program will terminate a student's ability to receive any funding available under the Program.

**Section 110 Funding (6 PYTC § 4-2-110)**

- (A) Amounts.
  - (1) Funding amount depends upon the availability of funds.

- (2) Prior to receiving funding, applicant must have completed all required agreements and obligations of the program to include the Students Expectations Contract and required financial/college literacy personal development courses provided by the Program.
- (3) Students requiring additional or special funding must meet with their assigned Yaqui Education Services (YES) Supervisor and the Education Director to determine appropriate funding.
  - (a) All agreements made between student and higher education program shall be documented in the student's file.

**Section 120 Cohort Programs and Continuous Programs (6 PYTC § 4-2-120)**

- (A) Programs requiring continuous semesters and that may be a part of a cohort program will be assessed and reviewed as regular semesters of enrollment.
- (B) Students enrolled in such programming will be given an individual progress plan that outlines the funding disbursement for the program; at no time will a student be provided additional funding for what is deemed an additional semester within an academic school year.

**Section 130 Eligible Institutions for the Program (6 PYTC § 4-2-130)**

- (A) In order to receive funding, an eligible student must also be attending an eligible institution. Generally, an institution will be considered eligible if it:
  - (1) Is legally authorized to provide a program of education beyond secondary education;
  - (2) Provides an education program for which the institution awards bachelor's degree or provides not less than a 2-year program that is acceptable for full credit toward such a degree (community college vocation programs are the exception);
  - (3) The majority of credits earned at the institution are transferable to state funded institutions;
  - (4) Is a public institution?
  - (5) Is accredited by the North Central Association of Colleges and Schools, or other nationally recognized accreditation associations;
  - (6) Private and for –profit school are eligible institutions.
    - (a) This includes any private or religious affiliated institution that offers Associate of Arts (A.A.) degrees or above and that offer credits that are transferrable to a state institution.

**Section 140 Requests for Extension of Assistance (6 PYTC § 4-2-140)**

- (A) Students who cannot meet their program requirements within the time specified in their program of study may submit a written request for an extension of time to the Program.
  - (1) This written request must include a plan that demonstrates when and how the student expects to complete his/her program requirements.
- (B) The Program shall determine eligibility for an extension by reviewing the student's academic plan, school transcripts, and considering the reason for going over the maximum allowable semesters/credits.
- (C) The extension granted shall not exceed the applicants program of study.

**Section 150 Post Baccalaureate Certificates (6 PYTC § 4-2-150)**

- (A) The Program shall provide assistance to applicants seeking a post baccalaureate certificate that enhances or supports the degree attained by the student.
- (B) The certificate must be associated with the student's degree of completion. (C) Prior to enrollments in such a program, the applicant will be required to meet and attain approval from the students assigned YES Supervisor.
- (C) Prior to enrollment in such a program, the applicant will be required to meet and attain approval from the student's assigned YES Supervisor.

**SUBCHAPTER D PROGRAM RESPONSIBILITIES**

**Section 160 Determination of Eligibility and Amount of Award (6 PYTC § 4-2-160)**

- (A) The Program shall review all applications for completion, eligibility, and pre-approved determined award amount based on their academic classification at the institution (i.e. freshman, sophomore, junior and senior).
  - (1) To avoid conflicts of interest, staff members of the Program are prohibited from reviewing, evaluating, or processing an application if they are related to a scholarship applicant.
  - (2) In the event that a staff member is related to an applicant, the application will be reviewed, evaluated, and processed by another staff member or by their supervisor.
- (B) The Program standards shall be used as the basis to determine whether an applicant is eligible for assistance.
- (C) Eligibility for scholarship shall be determined within fifteen (15) business days after the Program has received a complete application and all other information from the applicant's institution.

**Section 170 Notification of Award (6 PYTC § 4-2-170)**

The Program shall notify each applicant in writing of his/her eligibility within five (5) business days after determination has been made by the student's assigned YES Supervisor.

**SUBCHAPTER E DENIAL OF BENEFITS, PROBATION, AND SUSPENSION OF BENEFITS**

**Section 180 Notification of Denial (6 PYTC § 4-2-180)**

- (A) The Program shall notify each applicant in writing if the applicant is denied funding or is placed on academic probation or suspension.
- (B) A notification letter shall be sent to the applicant with supporting reason(s) for such determination.
- (C) The notification shall also include an explanation of the applicant's right to appeal the decision, as provided in Subchapter E of this Ordinance.

**Section 190 Denial of Program Assistance Benefits (6 PYTC § 4-2-190)**

- (A) The Program may deny assistance to applicants if:

- (1) The applicant knowingly provides false information or purposefully omits relevant information on the application. Applicants may be excluded from any future funding.

**Section 200 Probation (6 PYTC § 4-2-200)**

- (A) Students may be placed on Academic Probation for failing to meet the minimum requirements for continuing eligibility as stipulated in this Ordinance.
- (B) Upon determination that the applicant has failed to meet the minimum requirements, the Program shall notify the student in writing of the reason(s) for placing him/her on probation.
- (C) A student must sign an Academic Probation Contract prior to receiving funding.
- (D) A Full-time student placed on probation shall be awarded 60% of funding for the applicant's approved program of study.
- (E) A Part time students on probation shall be awarded up to 60% of funding for the applicant's approved program of study.

**Section 210 Suspension of Program Assistance (6 PYTC § 4-2-210)**

- (A) A student who fails to meet the requirements of Academic Probation shall be placed on Academic Suspension.
- (B) Upon making the determination to suspend assistance, the Program shall notify the student in writing with an explanation of the reason(s) for suspension.
- (C) A student placed on Academic Suspension shall not be eligible to receive funding of any kind from the Program.

**Section 220 Automatic Suspension (6 PYTC § 4-2-220)**

When a student does not complete any credits as a part-time or full-time student they are automatically suspended from program.

**Section 230 Regaining Full Eligibility Status (6 PYTC § 4-2-230)**

- (A) To be removed from Academic Probation and/or Suspension and regain full eligibility status:
  - (1) A full-time student must successfully complete 12 credits and earn a GPA of 2.5 if an undergraduate student, or a 3.0 if a graduate student. Part-time students must successfully complete the same number of credits for which they were funded the previous semester.
  - (2) Student shall submit official transcripts that verify credits completed per section (A) (1).

**SUBCHAPTER F APPEALING DECISIONS**

**Section 240 Appeals Regarding Probation, Suspension, or Ineligibility (6 PYTC § 4-2-240)**

- (A) If an applicant wishes to appeal a decision made regarding his/her Higher Education Assistance application, he/she may appeal within ten (10) days of notification of probation, suspension or ineligibility:
  - (1) Student will be required to submit the following to the Education Assistance Specialist:
    - (a) Letter of appeal addressed to the Education Director.



- (b) Supporting Documentation; all documents the student wished to be included must be submitted to the Education Director. Supporting documents submitted to the Education Director will be the only allowable documents that may be considered in the appeal process.
  - (c) Student appeals will only be considered for extenuating circumstances such as death of immediate family member and medical related reasons.
- (2) Students who do not follow the appeal protocol will not be considered.
  - (3) The Education Director will review the pertinent information supplied by the student and the Program. Criteria for reviewing the appeal will be based on the following:
    - (a) Program policies.
    - (b) Student's academic standing at the academic institution (e.g. GPA, consistency of enrollment, academic patterns).
    - (c) Documentation provided by the student of circumstances that led to academic probation/suspension (e.g. doctor's note, hospital bills, a letter from a case manager, counselor, instructor).
    - (d) Documentation provided by the Program on communication (verbal and written), contracts, etc.
    - (e) Any relevant information provided by the student, Program staff, or institution.
  - (4) The Education Director will produce a written funding to uphold or deny the appeal within five (5) business days of the decision.
  - (5) The student will be notified in writing of the Education Director's decision within five (5) business days after receipt of the appeal.
  - (6) If the Education Director denies the appeal, the student may request in writing to have their file reviewed by Education Oversight Committee.

**SUBCHAPTER G      EFFECTIVE DATE**

**Section 250      Effective Date    (6 PYTC § 4-2-250)**

This code will be effective in the Fall Semester 2018. All Students enrolled in the Higher Education Assistance Program prior to the Fall Semester 2018 shall be exempt from the provisions of the Higher Education Ordinance of 2018 and will be instead subject to the Pascua Yaqui Tribal Code currently in effect with the exception of Section 6 PYTC § 4-2-100 (B). All students that have been grandfathered in will still be allowed to enroll in remedial coursework accounting for no more than 25% of the student's scheduled coursework.