

WAGANAKISING ODAWAK STATUTE 2006-0027
MICHELLE CHINGWA EDUCATION ASSISTANCE ACT

SECTION I PURPOSE

This Michelle Chingwa Education Assistance Act is hereby enacted to enable present and future generations of Waganakising Odawak to obtain post secondary educational opportunities. This statute repeals and replaces the Waganakising Odawak Statute (WOS) 2006-004 Michelle Chingwa Education Assistance Act enacted May 7, 2006.

SECTION II DEFINITIONS

The "Tribe" shall mean the Little Traverse Bay Bands of Odawa Indians.

SECTION III APPLICATION

A. The program shall be administered by the Education Department.

B. The program shall fund scholarships to Tribal Members attending accredited colleges and Universities and other programs approved by Tribal Resolution. Tribal Colleges are exempt from the accreditation requirement. Accreditation shall be from an entity or association recognized by the U.S. Department of Education.

C. Priority shall be given to students as identified by Tribal Resolution.

D. Scholarships shall be administered in the following manner:

1. The scholarships shall be provided as prioritized and then on a first come first serve basis with no deadlines.
2. The scholarships shall be calculated on a semester equivalent per credit hour basis with three classifications:
 - i. Junior or community colleges
 - ii. Four year colleges or four year degree programs
 - iii. Graduate level courses
3. The limitations and level of each scholarship classification shall be set by Tribal Resolution

E. Appeals authorized by this statute shall be heard by the Education Commission.

F. To be eligible for this scholarship the student must:

1. Be an enrolled member of the Tribe;
2. Be enrolled in the educational institution for which the scholarship is being applied;
3. Maintain a 2.0 overall GPA (subject to appeal); and
4. Have applied for other available financial aid (i.e. the Michigan Indian Tuition Waiver, Pell Scholarship, and Bureau of Indian Affairs (BIA) Scholarship).

SECTION IV RESTRICTIONS

A. If a student withdraws their next scholarship shall be reduced by that equivalent amount. If a student fails to complete credits for which scholarship funds were awarded, the student's subsequent awards[s] shall be reduced by that equivalent amount, which is subject to appeal. Failure to complete may be defined as but not limited to: withdrawal, suspension, expulsion, or an incomplete that is not successfully completed with a passing grade in the allotted time. Award reductions may be appealed to the Education Commission. Section III applies.

B. Courses that are required by an employer and reimbursed or paid for by that employer shall not be eligible for full award but shall be restricted to that amount of actual costs of tuition and fees not covered by the employer subject to appeal.

C. Courses that are offered for free shall not be eligible for awards.

D. The following courses are not eligible for this scholarship:

1. Courses being retaken when the student already has a passing grade in the same course, unless the student provides documentation that a higher grade is required for graduation;
2. Courses taken for audit;
3. Non-credit courses, except development Reading, Math, or English courses, that leads directly into credit courses.

E. Scholarships shall be limited to:

1. Eighteen semester equivalent credits of any combination of junior colleges and four year college credits;
2. Twelve semester equivalent credits of graduate courses and eighteen semester equivalent credits of any combination of graduate and undergraduate courses.

SECTION V REGULATIONS REQUIRED

The Executive shall develop regulations for this statute however the implementation of the statute shall not be delayed by approval of regulations. The regulations shall define the recipient of the scholarship checks.

SECTION VI PROCEDURES REQUIRED

None.

SECTION VII APPROPRIATIONS AUTHORIZED

The Michelle Chingwa Education Assistance Act shall be funded by the Enterprise Fund General Welfare line item with a minimum budget of one million dollars (\$1,000,000.00) per Little Traverse Bay Bands of Odawa Indians fiscal year.

SECTION VIII EXECUTIVE AUTHORITY

The Tribal Executive is hereby mandated to implement this Act and to enforce all approved Tribal Codes of Regulation and to implement all required Administrative Procedures.

SECTION IX SEVERABILITY

If any section, subsection, paragraph, sentence, phrase or portion of this Statute is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION IV EFFECTIVE DATE


Effective upon signature of the Executive or 30 days from Tribal Council approval which ever comes first or if the Executive vetoes the legislation, then upon Tribal Council override of the veto.

CERTIFICATION

As the Tribal Council Legislative Leader and Tribal Council Secretary, we certify that this Statute was duly passed by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held on December 3, 2006 at which a quorum was present, by a vote of 8 in favor, 0 opposed, 0 abstentions, and 1 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Regina Gasco Bentley	X			
Fred Harrington, Jr.	X			
Dexter McNamara	X			
Mary Roberts	X			
Rita Shananaquet				X
Alice Yellowbank	X			
Shirley Oldman	X			
Melvin L. Kiogima	X			
Beatrice A. Law	X			

Date: 12/7/06 
 Beatrice A. Law, Legislative Leader

Date: 12/7/06 
 Melvin L. Kiogima, Secretary

Received by the Executive Office on 12-8-06 by Elli Payton

Pursuant to Article VII, Section D, Subsection 1 of the Little Traverse Bay Bands of Odawa Indians Constitution adopted on February 1, 2005 the Executive concurs in this action of the Tribal Council.

Date: 12-29-2006 
 Frank Ettawageshik, Tribal Chairperson

