

Chapter 2. Education Appeals Board

11.201 SHORT TITLE, PURPOSE AND DEFINITIONS

A. Short Title

This statute shall be entitled “The Education Appeals Board Statute”. This Statute repeals and replaces WAGANAKISING ODAWAK STATUTE (WOS) 2007-012.

B. Purpose

The purpose of this Statute is to create a Board to hear appeals on educational programs administered by the Department of Education.

C. Definitions

As used in this Statute:

1. “Board” shall mean “The Education Appeals Board”.
2. “Education Programs” means the Education Department.
3. “Emergency” means an unexpected situation that requires immediate action.
4. “LTBB” mean the Little Traverse Bay Bands of Odawa Indians or the Waganakising Odawa.

(Source: WOS 2009-011, May 3, 2009, Section I)

11.202 CREATION OF THE BOARD

The Education Commission is hereby renamed the Education Appeals Board, which shall consist of three (3) Members. Education Commission Members currently serving shall take the position as Education Appeal Board Members until their current terms expire. Upon expiration of their term, a member may reapply for a position on the Board.

(Source: WOS 2009-011, May 3, 2009, Section II)

11.203 DUTIES AND AUTHORITY OF THE BOARD

Conduct hearings for appeals of programs administered by the Education Department such as Higher Education Scholarship Program, Adult Vocational Training Scholarship Program and Direct Employment Program.

(Source: WOS 2009-011, May 3, 2009, Section III)

11.204 MEETINGS AND EMERGENCY MEETINGS/HEARINGS

- A.** Regularly scheduled meetings shall be held to conduct business and hearings of the Board as deemed necessary.

- B.** An emergency meeting shall be held only for matters involving the needs of a student.

(Source: WOS 2009-011, May 3, 2009, Section IV)

11.205 REGULATIONS

The Executive may develop Regulations as it deems necessary for the implementation of the intent of this Statute and shall forward such Regulations to the Tribal Council for approval.

(Source: WOS 2009-011, May 3, 2009, Section V)

11.206 SAVINGS CLAUSE

In the event that any phrase, provision, part, paragraph, subsection or section of this statute is found by a court of competent jurisdiction to violate the Constitution, laws, ordinances or statutes of the Little Traverse Bay Bands of Odawa Indians, such phrase, provision, part, paragraph, subsection or section shall be considered to stand alone and to be deleted from this statute, the entirety of the balance of the statute to remain in full and binding force and effect.

(Source: WOS 2009-011, May 3, 2009, Section VI)

11.207 EFFECTIVE DATE

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

(Source: WOS 2009-011, May 3, 2009, Section VII)