

## **Chapter 7. Shirley Naganashe Oldman Secondary Education Completion Honorarium**

### **11.701 PURPOSE**

The Shirley Naganashe Oldman Graduate Honorarium Statute is hereby enacted to provide a gift to honor Tribal Citizens to encourage them to continue to obtain and complete a secondary education; and repeals and replaces WOS 2011-016 Shirley Naganashe Oldman Secondary Education Completion Award Statute. This Statute is named in the honor of Shirley Naganashe Oldman in recognition of her dedication in assisting Tribal Citizens to obtain their highest level of educational goals.

(Source: WOS 2018-020, December 5, 2018, Section I)

### **11.702 GENERAL WELFARE EXCLUSION**

As stated by the requirements of the United States Internal Revenue Section 139E, the Shirley Naganashe Oldman Graduate Honorarium meets the criteria of the United States *Public Law* 113-168, Tribal General Welfare Exclusion Act of 2014 and WOS 2017-002 General Welfare Statute.

(Source: WOS 2018-020, December 5, 2018, Section II)

### **11.703 DEFINITIONS**

- A. “Citizen”** means an enrolled member of the Little Traverse Bay Bands of Odawa Indians.
- B. “Department”** means the Education Department located within the Executive Branch of the Tribe.
- C. “Executive Directive”** in accordance with the WOS 2015-019, means a directive issued by the Tribal Chairperson that establishes basic internal rules of procedure, or guidelines for Executive departments and employees and does not impact Tribal Citizens or entities out-side of the Executive Branch.
- D. “Tribe” or “LTBB”** means the Little Traverse Bay Bands of Odawa Indians.

(Source: WOS 2018-020, December 5, 2018, Section III)

#### **11.704 APPLICATION**

- A.** The program shall be administered by the Department and the Department shall ensure that students receive only one (1) honorarium from the Tribe for Secondary Education completion.
- B.** The program shall provide honorarium to Tribal Citizens who have obtained a high school diploma, General Equivalence Diploma (GED) or a certificate of completion for students in Special Education programs, during the current fiscal year.
- C.** Through regulation as approved by Tribal Council, levels shall be an equal amount for high school diploma, GED or a certificate of completion for students in Special Education programs.

(Source: WOS 2018-020, December 5, 2018, Section IV)

#### **11.705 REGULATIONS REQUIRED**

- A.** The Department shall develop regulations for this Statute within one-hundred and eighty (180) days of enactment of this Statute; however, the implementation of the Statute shall not be delayed by approval of regulations.
- B.** The regulations shall define an appeal process. Appeals authorized by this Statute shall be heard by the Education Appeals Board until another body is appointed by Statute, regulation, or appropriate resolution.
- C.** The regulations shall require the following minimum reports to Tribal Council that contains the following information:
  - 1.** Number of students that received the honorarium.
  - 2.** Total dollar amount of honorarium for each year.
  - 3.** Present honorarium rates and predicted rates needed to meet budget for the next cycle.
- D.** Publication required: The Executive shall set the honorarium levels for the next honorarium

cycle each academic year or more often as needed by the Executive Directive.

(Source: WOS 2018-020, December 5, 2018, Section V)

#### **11.706 APPROPRIATIONS AUTHORIZED**

This Award Statute shall be funded by the General Funds, or other funds as available and appropriate, with a minimum budget of \$5,000 per LTBBOI fiscal year.

(Source: WOS 2018-020, December 5, 2018, Section VI)

#### **11.707 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.

(Source: WOS 2018-020, December 5, 2018, Section VII)

#### **11.708 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.

(Source: WOS 2018-020, December 5, 2018, Section VIII)