

1 **WAGANAKISING ODAWAK STATUTE 20XX-__**
2 **MICHELLE CHINGWA EDUCATION HONORARIUM ACT**

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5 **SECTION I. PURPOSE**

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7 This Michelle Chingwa Education Honorarium Act is hereby enacted to provide a gift to
8 honor Tribal Citizens that are obtaining post-secondary educational opportunities and repeals and
9 replaces the original and amended Michelle Chingwa Education Assistance Act including WOS
10 2007-005, WOS 2014-010 and WOS 2018-XX.

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13 **SECTION II. GENERAL WELFARE EXCLUSION**

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15 As stated by the requirements of the United States Internal Revenue Section 139E, the Michelle
16 Chingwa Education Honorarium meets the criteria of the United States Public Law 113-168,
17 Tribal General Welfare Exclusion Act of 2014 and WOS 2017-002 General Welfare Statute.

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19 **DEFINITIONS**

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21 **A. “Accredited”** shall apply to those post-secondary institutions of higher education, including
22 vocational schools, that are accredited by an agency or organization recognized by either a
23 domestic or foreign government or another accrediting agency that processes validations for
24 colleges, universities, and other institutions of higher learning.
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26 **B. “Citizen”** shall mean an enrolled member of the Little Traverse Bay Bands of Odawa
27 Indians.
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29 **C. “Department”** shall mean the Niigandiwin Education Department that is overseen by the
30 Executive Branch.
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32 **D. “Executive”** shall means the Tribal Chairperson or his/her designee
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34 **E. “Executive Directive”** in accordance with the WOS 2015-19, means a directive issued by
35 the Tribal Chairperson that establishes basic internal rules of procedure, or guidelines for the
36 Executive Department and employees and does not impact Tribal Citizens or entities outside

1 of the Executive Branch.

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3 **F. “GPA”** shall mean a student’s Grade Point Average reported by an institution on a student’s
4 transcript for the academic term.

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6 **G. “LTBB”** shall mean The Little Traverse Bay Bands of Odawa Indians.

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8 **H. “MCEH”** shall mean the Michelle Chingwa Education Honorarium Program.

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10 **I. “Release of the Information Form”** shall mean a form completed by the student and
11 provided by the LTBB Education Department that gives permission to the department for 3rd
12 party communication with the institution.

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14 **J. “Student Success Plan”** shall mean a plan that is designed for the student by the Education
15 Department that addresses financial and/or academic goals of the student ensure student
16 success.

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18 **K. “Student Success Planning Session”** shall mean a meeting facilitated by the Higher
19 Education Specialist, the Academic Services Coordinator, and/or the Education Director
20 with the student which is intended to develop a plan which addresses financial and/or
21 academic goals and connect them to the appropriate supports and resources that are
22 available.

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24 **L. “Tribe” or “LTBB”** shall mean the Little Traverse Bay Bands of Odawa Indians.

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26 **SECTION III. APPLICATION**

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

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30 **B.** Honorariums shall be paid directly to the student.

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32 **C.** The program shall fund Honorariums to Tribal Citizens attending:

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34 **1.** Accredited post-secondary institutions of higher education located within a Tribal
35 Reservation, the United States or a foreign country;

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1 **2.** Tribally controlled colleges that are seeking accreditation;
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3 **3.** Other colleges or programs approved by Tribal Resolution.
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5 **D.** Honorariums shall be administered in the following manner:
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7 **1.** Deadlines are established as follows:
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9 **a.** Fall, October 15th
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11 **b.** Winter/Spring, February 15th
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13 **c.** Summer, June 15th
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15 **d.** Deadlines for trimesters, quarters or non-standard terms shall be thirty (30)
16 days after the beginning of the session. “Non-standard Term” shall mean a
17 course term that is not considered to be a semester, trimester or quarter as
18 defined by the United States Department of Education.
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20 **e.** Deadlines for accelerated courses that fall within a standard term but begin
21 after the term begins shall be thirty (30) days after the beginning of the
22 session.
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24 **2.** The Honorariums shall be granted up to the deadline for each semester,
25 trimester, quarter, non-standard term, or accelerated course.
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27 **3.** Honorarium applications submitted after the deadlines shall be classified as late.
28 Late applications shall not be funded, but such late applications may be
29 petitioned to the Education Department for further review.
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31 **4.** The Honorariums shall be calculated on a per credit hour basis with five (5)
32 classifications: (Credits at foreign accredited post-secondary institutions of
33 higher education, colleges and universities shall be calculated using the
34 appropriate United States credit equivalency rate).
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36 **a.** Classifications:

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- i.** Class one (1) are prior learning credit courses or courses that are sponsored by Little Traverse Bay Bands of Odawa Indians and provided nearly free or minimal cost to the student.
 - ii.** Class two (2) are Junior or community colleges classes.
 - iii.** Class three (3) are Four-year colleges or four-year degree programs classes.
 - iv.** Class four (4) are Graduate level courses.
 - v.** Class five (5) are free courses such as the free online courses.
- b.** The limit and level of each Honorarium classification shall be:
 - i.** Set by the Executive Directive.
 - ii.** Credit limits should not exceed eighteen (18) credits per semester for undergraduate courses (class 1,2,3, 5) or twelve (12) credits per semester for graduate courses (class 4).
 - iii.** Honorarium levels for Class 1 shall assist with the cost pf program expenses plus smaller amount to cover other student expenses (i.e. \$25 per credit hour to cover travel, meals, etc.).
 - iv.** Honorarium levels for Class 2, 3, 4 respectively shall follow a general ratio of 2/3/4 (i.e. Class 2, \$150, Class 3, \$250, Class 4, \$350) and should be raised or lowered to accommodate the budget but an attempt should be made to keep the levels as consistent as possible to help students plan from semester to semester.
 - v.** Honorarium levels for Class 5 shall be limited to a small per credit hour amount to cover miscellaneous expenses (i.e. \$15 per credit to cover books, materials, etc.).

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2. Each report shall contain at a minimum:

- a.** A list of names of Honorarium recipients, the type of degree sought or earned and most recent contact information.
- b.** Number of students in each class of Honorariums
- c.** Number of semester credits in each class of Honorariums
- d.** Total dollar amount of Honorariums for each period and the year
- e.** Present Honorarium rates and predicted rates needed to meet budget for the next cycle

F. Publication required. The Department shall publish the award levels for the next Honorarium cycle in November, April, and June of each year.

SECTION VI. APPROPRIATIONS AUTHORIZED

This Education Honorarium Act shall be included in the Executive budget and funded annually with a minimum budget of million (\$1,000,000.00) dollars per fiscal year.

SECTION VII. 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 VIII. EFFECTIVE DATE

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