



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

RICK SNYDER
GOVERNOR

BRIAN J. WHISTON
STATE SUPERINTENDENT

September 1, 2015

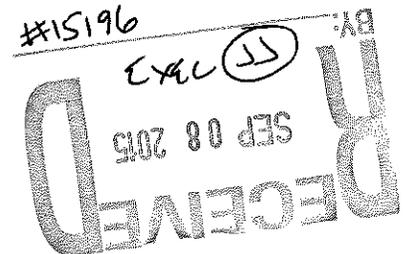
Ms. Rebecca Fisher
Executive Assistant to the LTBB Tribal Chair
Waganakising Odawak
Little Traverse Bay Bands of Odawa Indians
7500 Odawa Circle
Harbor Springs, Michigan 49740

Dear Ms. Fisher,

Attached please find the original signed MOA.

Sincerely,

Krista D. Ried, Supervisor
Office of Professional Preparation Services
Professional Educator Certification Services



STATE BOARD OF EDUCATION

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608 WEST ALLEGAN STREET • P.O. BOX 30008 • LANSING, MICHIGAN 48909
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MEMORANDUM OF AGREEMENT

THIS AGREEMENT is made and entered into by the Michigan Department of Education, hereinafter referred to as the "MDE," and the Little Traverse Bay Bands of Odawa Indians, hereinafter referred to as the "LTBB," a federally recognized Native American tribe in accordance with MCL 380.1531f(1).

WHEREAS, the MDE recognizes the unique role and sovereignty of the LTBB in establishing standards and criteria for, and determining competency of, persons seeking instructor approval in Native American Language and Culture, K-12;

NOW, THEREFORE, the MDE and the LTBB do hereby agree as follows:

I. SCOPE OF AGREEMENT

The MDE and the LTBB desire to effectuate an agreement whereby the LTBB establishes standards and criteria for determining and verifying competencies that leads to MDE issuing a Native American Language and Culture instructor letter of approval or authorization pursuant to MCL 380.1531f, which states:

"Sec. 1531f. (1) The department may enter into a memorandum of understanding with a federally recognized Native American tribe, the board of a school district, or the board of directors of a public school academy that authorizes the superintendent of public instruction to issue a 3-year letter of approval or continuing approval to allow the Native American tribe, school district, or public school academy to use teachers who do not possess a valid Michigan teaching certificate to teach a Native American tribal language and culture class. A memorandum of understanding entered into under this section shall require that a noncertificated teacher has demonstrated mastery of the tribal language either through a credential issued by a federally recognized Native American tribe or another means considered suitable by the department. The memorandum of agreement shall include requirements for renewal or continuing approval of the noncertificated teacher as established by the Native American tribe, the board of the school district, or the board of directors of the public school academy in collaboration with the department.

(2) Credits earned by a pupil in a Native American tribal language taught by a noncertificated teacher pursuant to this section may be applied by the Native American tribe, school district, or public school academy for any

purpose to the same extent as if taught by a certificated teacher, including, but not limited to, credit toward completion of the credit requirements under section 1278a concerning a language other than English."

The LTBB and the individual employed under this memorandum of understanding shall apply for an approval, permit, or authorization using the Michigan Online Educator Certification System (MOECS) and pay the appropriate fee for such approval, permit or authorization.

II. EFFECTIVE DATE AND TERM

This Agreement shall become effective commencing upon the most recent date of signature by both parties and shall terminate upon written notice by either party in accordance with Paragraph V.

III. AMENDMENT

This Agreement shall not be altered, changed, or amended except by an instrument in writing executed by both the parties to this Agreement.

IV. ADMINISTRATION OF AGREEMENT

- A. The MDE and the LTBB will each designate and notify the other of a liaison to work cooperatively to implement the terms of this Agreement. The liaison for the MDE shall be the Director of the Office of Professional Preparation Services or his or her designee.
- B. The LTBB acknowledges that its verification pursuant to this Agreement does not ensure that an individual will be awarded a letter of instructor approval pursuant to R 390.1142. In addition to the verification by the LTBB, applicants must comply with all applicable provisions of the Revised Michigan School Code, MCL 380.1 through 380.1853 (PA 451 of 1976 as amended) and the Michigan Educator's Code of Ethics.
- C. The LTBB will perform the following activities pursuant to this Agreement:
 - 1. The LTBB shall develop and maintain standards and criteria for determining competency to teach the language and culture of the LTBB. These standards, criteria, and competencies shall be subject to and effective only upon review and approval by the MDE.

2. The LTBB shall develop a process to determine a candidate's competency in the initial or continuing credentialing in Native American Language and Culture. Such process shall be subject to review and approval by the MDE.
3. The LTBB shall evaluate individuals seeking instructor credentials in Native American Language and Culture, and will provide in writing to the MDE Office of Professional Preparation Services, either verification that the applicant meets the standards and criteria developed by the LTBB and approved by MDE, or a denial of verification and the reason(s) for the denial. The verification or denial will be based solely on the applicant's meeting the standards and criteria established by the LTBB, or failure to meet those standards and criteria. The verification or denial of verification by the LTBB shall be final and not subject to appeal to the MDE. The MDE may request to review the application and documentation of the assessment for the approval or denial of an applicant for the letter of approval as instructor of Native American Language and Culture.
4. Upon receipt of written verification from the LTBB that an individual has met the standards of competence and language proficiency required for instructor credentials, the MDE shall issue a 3-year letter of instructor approval in Native American Language and Culture to that individual; provided that, no other grounds or cause exist, as set forth in Paragraph IV. D. below, for denying issuance of the approval.
5. The LTBB shall develop an appeal procedure for individuals whose verification of meeting the LTBB standards and criteria has been denied. The decision of the LTBB shall be final and not subject to further appeal to or review by the MDE.
6. Within 60 days of the effective date of this MOA, the LTBB shall submit to the MDE for approval its standards and criteria for determining competency to teach Native American Language and Culture, and either a detailed summary of its appeal procedure, an outline of the procedure, or a copy of the actual written procedure.

D. The MDE will perform the following activities pursuant to this Agreement:

1. The MDE shall review and approve or deny the standards and criteria for determining competency to teach Native American Language and Culture as submitted by the LTBB within 60 days of the submission.
2. The MDE shall permit an individual whose application for initial or renewed letter of approval has been denied pursuant to any applicable sections of the Revised Michigan School Code, MCL 380.1 through MCL 380.1853 (PA451 of 1976 as amended) to request a hearing in accordance with current administrative rules. The MDE shall not entertain any appeals based upon the LTBB determination that the applicant has failed to meet standards and criteria for language and culture.

V. RENEWAL OF INSTRUCTOR APPROVAL

The LTBB shall develop and maintain standards and criteria for determining a person's eligibility to receive issuance of renewed instructor approval to teach the language and culture of the HIC. These standards, criteria and competencies for renewed instructor approval shall be subject to review and approval by the MDE. The LTBB shall follow the same process for reviewing a person's eligibility to receive issuance of renewed instructor approval as is described in Paragraph IV. C. above. The MDE shall perform the same functions as set forth in paragraph IV. D. above. Renewed instructor approval issued by the MDE shall be for a period of three (3) years.

VI. MAINTENANCE OF RECORDS

The LTBB agree to maintain, store, protect and safeguard records setting forth the LTBB standards and criteria for verifying competencies described in Paragraph IV.C. above. The LTBB agrees to permit inspection of these standards and criteria by the Superintendent of Instruction or her/his designee.

VII. TECHNICAL ASSISTANCE

The MDE will work cooperatively with the LTBB to provide technical assistance regarding standards and criteria for instructor approval or authorization. Technical assistance will be provided according to the

availability of MDE resources.

VIII. TERMINATION OF AGREEMENT

Either party hereto, upon thirty (30) days written notice to the other party, may terminate this Agreement. By such termination, neither party may nullify obligations incurred prior to the effective date of the termination. Termination of the agreement shall not operate to negate any letter of instructor approval issued pursuant to the Agreement.

IX. INTEGRATION OF AGREEMENT

This Agreement incorporates all of the agreements, covenants, and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into this written Agreement. No prior agreements or understandings, verbal or otherwise, of the parties or their agents shall become valid or enforceable unless contained in this Agreement.

Nothing in this Agreement, express or implied, is intended to or shall confer upon any other persons, other than the named parties, any right, benefit or remedy of any nature whatsoever under or by reason of this Agreement.

IN WITNESS WHEREOF, THE PARTIES HAVE EXECUTED THIS Agreement as of the most recent date of both signatures appearing below.

LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS



Regina Gasco-Bentley
Tribal Chairperson

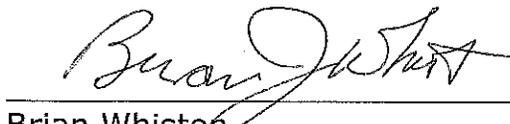
8-10-15
Date

**STATE OF MICHIGAN
DEPARTMENT OF EDUCATION**



Leah Breen, Director
Office of Professional Preparation Services (OPPS)

8/20/15
Date



Brian Whiston
Superintendent of Public Instruction

9/1/15
Date