

**WAGANAKISING ODAWAK STATUTE 2002-008
LTBB EDUCATION COMMISSION**

SECTION I: SHORT TITLE, DEFINITIONS AND PURPOSE

A. Short Title

This statute shall be entitled “The Waganakising Odawa Education Commission Act.” Hereafter the term “Commission” shall mean “The Waganakising Odawa Education Commission” unless otherwise stated.

B. Purpose

This Statute shall be liberally interpreted and construed to fulfill the following expressed purposes:

1. To provide for the organization of the Commission.
2. To provide for the delineation of the duties of the Commission.
3. To provide for compensation for Commission members.
4. To provide for clarification regarding LTBB staff participation in Commission structure.

C. Definitions

As used in this Statute:

1. “LTBB” mean the Little Traverse Bay Bands of Odawa Indians or the Waganakising Odawa.
2. “HESP” means the Higher Education Scholarship program

WAGANAKISING ODAWAK STATUTE 2002-006
LTBB EDUCATION COMMISSION



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C. Definitions

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1. "LTBB" mean the Little Traverse Bay Bands of Odawa Indians or the Waganakising Odawa.
2. "HESP" means the Higher Education Scholarship program

3. "DE" means the Direct Employment program.
4. "AVT" means the Adult Vocational Training and Scholarship program.
5. "Education Department" means the Waganakising Odawa Education Department.

D. Repeal of Prior Statute

The Waganakising Odawa Education Commission Act (Waganakising Odawa Statute 1999012) and all amendments thereto, are hereby repealed as of the effective date of this Statute.

SECTION II: CREATION OF THE COMMISSION

A. Creation of the Commission

1. The Tribal Council hereby creates the LTBB Indian Education Commission.
2. The Commission shall be composed of not less than three (3) nor more than five (5) Little Traverse Bay Bands Tribal members who are at least eighteen(18) years of age, and are appointed by the Tribal Council.
3. Interested candidates shall submit a letter of interest and a current resume in writing to the Tribal Council.

B. Terms and Compensation

1. Members of the Education Commission shall serve for four (4) year staggered terms. Members may be reappointed for additional terms without limitation.
2. The Education Commission shall appoint separate individuals from within the Commission to serve as chairperson, vice-chairperson, secretary and treasurer for the term of two (2) years. There shall be no limit on reappointment for offices.

3. Subject to the availability of funding, and a budget approved by the Tribal Council, members of the Education Commission may receive a stipend, mileage and expense reimbursement for attendance at properly called meetings in accordance with Tribal statutes, regulations and policies.

C. Oath of Office

Within thirty (30) days of appointment, the Tribal Court shall administer the oath of office to the members of the Education Commission. The oath of office shall include a commitment to uphold the Constitution and laws of the Little Traverse Bay Bands of Odawa Indians, and to perform faithfully and diligently the duties and responsibilities set forth in this Statute.

D. Vacancies

In the event of a vacancy in the Education Commission, by virtue of death, resignation, or removal, the Tribal Council shall appoint a qualified Tribal member to fill the remaining term of office.

E. Removal

Commission members may be removed in accordance with the rules and procedures set forth in the Removal of Commissioners and Nepotism Statute (Waganakising Odawak Statute 2001-10). Cause for initiating such removal will include three consecutive unexcused absences from Commission meetings.

SECTION III: DUTIES OF THE EDUCATION COMMISSION

The Education Commission shall have the following duties:

- A. Review data for the following:

1. Higher Education Scholarship Program
2. Adult Vocational Training Scholarship Program
3. Direct Employment Program
4. All future Tribal education programs

B. The Education Commission shall assist the Education Department in the development and recommendation of all proposed plans and policies for Tribal Education programs that will provide for diverse educational opportunities for all LTBB members.

C. The Education Commission shall advise in the development of all proposed rules and regulations for administering of Tribal Education Programs.

SECTION IV. MEETINGS AND OFFICIAL ACTION

A. The Commission may meet as often as they deem necessary, but must meet at least once each quarter.

B. Actions of the Commission shall be decided by a majority vote of those present at the meeting. The Chairperson is entitled to vote on all matters before the Commission. A quorum shall consist of three (3) members including the Chairperson.

C. Phone polls may be conducted to vote on required business. All non-attending members shall be contacted personally, by phone. All ratification shall be reduced to writing and placed in the minutes and approved at the next regularly scheduled Commission meeting.

SECTION V: STAFF PARTICIPATION

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- A. The Education Director, or his or her designee, shall attend all Commission meetings.
- B. LTBB Education Department staff shall not serve on the Commission.
- C. In accordance with the LTBB Commissions, Boards and Committees Statute, LTBB staff members may serve on the Commission and be compensated by stipend if the Commission is not directly related to their employment, does not interfere with their work, and does not regularly meet during scheduled work hours. If the Commission meets during scheduled working hours and the staff member wishes to attend, the staff member must utilize vacation time upon prior approval of the individual's supervisor.

SECTION VI: 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.

SECTION VII: EFFECTIVE DATE

This Statute shall take effect immediately upon enactment.

Certification

As Tribal Chairman and Tribal Secretary, the undersigned certify that this Statute was duly enacted by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held on September 8, 2002 at which a quorum was present, by a vote of seven (7) in favor, zero (0) opposed, zero (0) abstentions, and zero (0) absent as recorded by this roll call.

	In Favor	Opposed	Abstained	Absent
George Anthony	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Gerald Chingwa	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Fred Harrington	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Beatrice Law	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Rita Shananaquet	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Janet Shomin	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Alice Yellowbank	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

Date: 9/13/02

Gerald Chingwa, Tribal Chairman

Fred Harrington, Tribal Secretary