

WAGANAKISING ODAWAK STATUTE 2015-22
ESHKINIIGIJIJIK-TRIBAL YOUTH SERVICES DEPARTMENT

SECTION I. PURPOSE

The Tribal Youth are the Tribe's most vital and cherished future resource. To ensure that the Tribal Youth of the Little Traverse Bay Bands of Odawa Indians has the necessary opportunities to prepare them for their future, the Tribe will support the establishment and continuation of the Youth Department that will provide cultural, social, educational, and leadership opportunities. This Statute is hereby enacted to establish and continue the Tribal Youth Services Department and repeals and replaces any previous Statute including WOS 2006-012.

SECTION II. DEFINITIONS

- A. "Cultural" means aspects of the Odawa history, spirituality, traditions, arts and crafts, values and mannerisms.
- B. "Cultural Proficiency" means the knowledge, skills, and attitudes/beliefs that enable a person to work well with, respond effectively to, and be supportive of the Odawa Citizens.
- C. "Department" means the Tribal Youth Services Department.
- D. "Eshkiniigijik" or "Youth" means a person who is eighteen (18) years of age or younger.
- E. "Tribe" means the Little Traverse Bay Bands of Odawa Indians.
- F. "Tribal Youth" shall mean youths who are Tribal Citizens, Tribal members of another recognized Tribe or youth who have community ties with the Tribe.
- G. "Volunteer" shall mean an unpaid employee.

SECTION III. CREATION OF THE DEPARTMENT

A. Pursuant to Article VII (D) (22) of the Tribal Constitution the Tribal Council shall have the power to: “Approve the creation or dissolution of Executive divisions or departments to promote and protect the peace, health, safety, education, and general welfare, including but not limited to cultural and natural resources, of the Little Traverse Bay Bands of Odawa Indians and its members”.

B. The Tribal Council hereby approves the creation and continuation of the Youth Services Department within the Executive Branch of government.

SECTION IV. RESTRICTIONS

A. The minimum standards of character shall mean a benchmark of moral, ethical, and emotional strengths established by character traits and past conduct to ensure that the individual is competent to complete his/her job without harm to Indian children. In order to protect Indian children, the Indian Health Services has established minimum standards of character requiring completion of a satisfactory background investigation that ensures that no individuals who have been found guilty of, or entered a plea of nolo contendere or guilty to, any felonious offense or any of two or more misdemeanor offenses under Federal, State, or Tribal law involving crimes of violence; sexual assault, molestation, exploitation, contact, or prostitution; crimes against persons; or offenses committed against children, are placed in positions involving regular contact with or control over Indian children, in accordance with 25 CFR 63.13.

B. These minimum standards shall apply to all Departmental Employees including Volunteers and any other person that has regular contact or control over Indian children.

SECTION V. AUTHORITY AND DUTIES

A. The Department shall have the following duties:



1. Promote, design and implement Odawa cultural and Tribal social activities that meet the needs of the Tribal youth.
2. Strive to improve and enhance opportunities for the Tribal Youth by identifying available national, state and tribal resources.
3. Collaborate with other LTBB departments to provide service to the Tribal Youth regardless of geographical location.

SECTION VI. STAFFING

- A. If appropriate, the Department shall begin operations with currently employed LTBB staff as designated by the Executive.
- B. Only persons who possess cultural proficiency shall be eligible for hire in this Department with the exception of hiring persons that provide technical expertise outside of the Odawa culture or Anishinaabemowin.

SECTION VII. REGULATIONS REQUIRED

The Executive shall develop Regulations for this Statute in order to implement the intent of the Statute and shall forward such Regulations to the Tribal Council for approval in accordance with Administrative Procedures 2008-001, or as amended.

SECTION VIII. ADMINISTRATIVE PROCEDURES REQUIRED

Administrative Procedures shall be developed by the Executive Branch and presented to Tribal Council for approval in accordance with the Administrative Procedures Act 2008-001, or as amended, in order to clarify the implementation of this statute by defining how the department will implement the daily activities of a statute such as applications procedures and forms for a Tribal program.

SECTION IX. APPROPRIATIONS AUTHORIZED

The current appropriations for the Youth Services Department within the Executive budget shall be used to implement this statute along. The Executive may request additional supplemental funds necessary to meet the obligations of this Statute; and the Executive shall present Tribal Council with future annual budgets necessary to implement this statute.

SECTION X. 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 XI. 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.

CERTIFICATION

As the Tribal Council Treasurer and Tribal Council Secretary, we certify that this Statute was duly adopted by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held on November 19, 2015 at which a quorum was present, by a vote of 6 in favor, 0 opposed, 0 abstentions, and 2 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Frank Bernard	X			
David Harrington	X			
Beatrice A. Law	X			
Dexter McNamara	X			
Michael J. Naganashe				X
Julia A. Shananaquet	X			
Marcella R. Reyes				X
Aaron Otto	X			

Date: 11-20-2015 Marcella R. Reyes
 Marcella R. Reyes, Treasurer

Date: 11-20-2015 [Signature]
 Aaron W. Otto, Secretary

Received by the Executive Office on 11-23-15 by [Signature]

Pursuant to Article VII, Section D, Subsection 1 of the Little Traverse Bay Bands of Odawa Indians Constitution adopted on February 1, 2005, the Executive concurs with this action of the Tribal Council.

Date: 12-2-15 Regina Gasco Bentley
 Regina Gasco Bentley, Tribal Chairperson