



Notice of

Public Meeting

to be held

October 29, 2015 at 12:15 p.m.

OBC Conference Room—2nd Floor, Norbert Hill Center



Topic: Oneida Higher Education Scholarship

The Legislative Operating Committee is hosting this Public Meeting to gather feedback from the community regarding a legislative proposal for this new law that:

- Identifies the duties and responsibilities of the Higher Education Office which includes awarding scholarships pursuant to this Law, developing and maintaining rules and regulations to carry out this Law and developing and maintaining a system of internal controls for the Higher Education Office [See 305.4-1].
- Lists the eligibility and requirements for an applicant seeking a scholarship [See 305.5].
- Sets the length of funding, identifies the different tiered funding systems and explains how the scholarship amount is determined [See 305.6].
- Allows the Higher Education Office to make exceptions to eligibility, requirements and length of funding on a case-by-case basis. The Law also notes that the Higher Education Student Handbook sets out the exception process [See 305.7-2 & 305.7-3].
- Gives the Higher Education Office the authority to enforce this Law [See 305.8-1].
- Allows a student appeal a scholarship decision only if he/she can show the Higher Education Office failed to abide by this Law and/or the Higher Education Student Handbook [See 305.9-1].

All community members are invited to attend this meeting to learn more about this proposal and/or to submit comments concerning this proposal.

Public Comment Period—Open until November 5, 2015

During the Public Comment Period, all interested persons may submit written comments regarding this legislative proposal; and/or a transcript of any testimony/spoken comments made during the Public Meeting. Written comments may be submitted to the Tribal Secretary's Office or to the Legislative Reference Office in person or by U.S. mail, interoffice mail, e-mail or fax.

For more information about the public meeting process, or to obtain copies of the Public Meeting documents for this proposal, please visit www.oneida-nsn.gov/Register/PublicMeetings or contact the Legislative Reference Office, which is located on the second floor of the Norbert Hill Center, Oneida WI.

**Mail: Legislative Reference Office
PO Box 365
Oneida, WI 54155**

**Phone: (920) 869-4376 or (800) 236-2214
E-Mail: LOC@oneidanation.org
Fax: (920) 869-4040**



Oneida Higher Education Scholarship Analysis to PM Draft (Draft # 11)

<i>Analysis by the Legislative Reference Office</i>	
Title	Oneida Higher Education Scholarship (Law)
Requester	OBC Referral Drafter Krystal L. John Analyst Candice E. Skenandore
Reason for Request	The Higher Education Office proposed funding changes. The OBC requested a legislative analysis and directed that the LOC look at codifying the rules created by the Department, which currently governs how the Department disburses higher education funding in accordance with GTC directives.
Purpose	The purpose of this Law is to implement a scholarship program that is compliant with GTC directives and to specify the funding requirements and procedural controls <i>[See 305.1-1]</i> .
Authorized/ Affected Entities	Higher Education Office, Area Manager of Education & Training or equivalent Governmental Services Division Director or equivalent, and any eligible Tribal member seeking a scholarship
Due Process	A student can appeal a scholarship decision to the review panel, if dissatisfied with the review panel's decision; the student can appeal to the Division Director. The Division Director's decision is final <i>[See 305.9]</i> .
Related Legislation	Higher Education Student Handbook, Higher Education Office's system of internal controls
Policy Mechanism	Higher Education Scholarships
Enforcement	The Higher Education Office can place a student who violates this Law or fails to comply with the Higher Education Student Handbook on probation or suspension <i>[See 305.8-1]</i> .

Overview

This is a new Law that:

- Identifies the duties and responsibilities of the Higher Education Office which includes awarding scholarships pursuant to this Law, developing and maintaining rules and regulations to carry out this Law and developing and maintaining a system of internal controls for the Higher Education Office *[See 305.4-1]*.
- Lists the eligibility and requirements for an applicant seeking a scholarship *[See 305.5]*.
- Sets the length of funding, identifies the different tiered funding systems and explains how the scholarship amount is determined *[See 305.6]*.
- Allows the Higher Education Office to make exceptions to eligibility, requirements and length of funding on a case-by-case basis. The Law also notes that the Higher Education Student Handbook sets out the exception process *[See 305.7-2 & 305.7-3]*.
- Gives the Higher Education Office the authority to enforce this Law *[See 305.8-1]*.
- Allows a student appeal a scholarship decision only if he/she can show the Higher Education Office failed to abide by this Law and/or the Higher Education Student Handbook *[See 305.9-1]*.

Considerations

The LOC may want to consider the following:

Chapter 305
Oneida Higher Education Scholarship
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people of the Standing Stone, the great place where they teach them the traditions, money

305.1. Purpose and Policy	305.6. Higher Education Scholarship
305.2. Adoption, Amendment, Repeal	305.7. Exceptions
305.3. Definitions	305.8. Enforcement
305.4. Higher Education Office	305.9. Appeals
305.5. Eligibility and Requirements	

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2 **305.1. Purpose and Policy**

3 305.1-1. *Purpose.* The purpose of this Law is:
4 (a) To implement a scholarship program that is compliant with the following resolutions
5 GTC-08-12-96-A, GTC-12-7-96-C, BC-05-09-01-B, BC-10-24-01-K, BC-07-24-02-A,
6 BC-01-26-05-A and GTC-01-30-10-A.
7 (b) To specify the funding requirements and procedural controls for awarding Scholar-
8 ships.

9 305.1-2. *Policy.* It is the policy of this Law to have a consistent methodology for awarding
10 Higher Education Scholarships so that the Tribe is able to provide educational opportunities to
11 Tribal Members and award Scholarships in a consistent and fiscally responsible manner.
12

13 **305.2. Adoption, Amendment, Repeal**

14 305.2-1. This Law was adopted by the Oneida Business Committee by resolution _____.
15 305.2-2. This Law may be amended or repealed by the Oneida Business Committee and/or the
16 Oneida General Tribal Council pursuant to the procedures set out in the Legislative Procedures
17 Act.
18 305.2-3. Should a provision of this Law or the application thereof to any person or circumstanc-
19 es be held as invalid, such invalidity does not affect other provisions of this Law which are con-
20 sidered to have legal force without the invalid portions.
21 305.2-4. In the event of a conflict between a provision of this Law and a provision of another
22 Tribal law, the provisions of this Law control.
23 305.2-5. This Law is adopted under authority of the Constitution of the Oneida Tribe of Indians
24 of Wisconsin.
25

26 **305.3. Definitions**

27 305.3-1. This section governs the definitions of words and phrases used within this Law. All
28 words not defined herein are to be used in their ordinary and everyday sense.
29 (a) “Accredited vocational program, college or university” means any United States edu-
30 cational institution eligible for federal financial aid or any Canadian educational institu-
31 tion permitted to grant degrees pursuant to Canadian provincial government that provides
32 Oneida specific culture and/or language based programs.
33 (b) “Appeal” means a request for review of a Scholarship decision made by the Higher
34 Education Office or Higher Education Office Review Panel for which the requestor must
35 demonstrate that the Higher Education Office has failed to abide by the provisions of this
36 Law and/or the approved Higher Education Student Handbook.
37 (c) “Area Manager” means the supervisor of Education & Training or anyone with the
38 responsibility of overseeing the Higher Education Office.
39 (d) “Division Director” means the Division Director of Governmental Services or anyone
40 with the responsibility of overseeing the Area Manager of the Higher Education Office.

- 41 (e) “Exception” means a request that the Higher Education Office make a discretionary
42 decision to exempt an applicant from a requirement(s) for which there is an available ex-
43 emption under Section 305.7-2.
- 44 (f) “Financial Needs Analysis” is a form which reports a school’s cost of attendance and
45 eligible Financial Aid awards, which is sent by the Higher Education Office directly to
46 the school’s financial aid office for completion.
- 47 (g) “Free Application for Federal Student Aid” is an application which determines eligi-
48 bility for any financial resources such as state and federal funding.
- 49 (h) “GPA” means grade point average which is a measure of a student’s academic
50 achievement arrived at by dividing the total grade points received by the total grade
51 points attempted.
- 52 (i) “Higher Education Office Review Panel” is a three (3) party review panel, which is to
53 include the applicants’s Higher Education Advisor, the Higher Education Office Manager
54 and the Area Manager.
- 55 (j) “Higher Education Student Handbook” is the source of the rules and regulations for
56 carrying out this Law as further described in Section 305.4-1(b).
- 57 (k) “Progress Report” means an official transcript of grades.
- 58 (l) “Scholarship” means monetary funds awarded to an applicant through the Oneida
59 Higher Education program.
- 60 (m) “Tribal Member” means an enrolled member of the Oneida Tribe of Indians of Wis-
61 consin.

62
63 **305.4. Higher Education Office**

64 305.4-1. The Higher Education Office shall carry out the intent and purposes of this Law and
65 enforce the provisions of this Law. The Higher Education Office shall:

- 66 (a) Award scholarships in accordance with this Law.
- 67 (b) Develop and maintain rules and regulations designed to carry out this Law and shall
68 make such rules and regulations available in the Higher Education Student Handbook.
- 69 (1) At a minimum, the rules and regulations relating to the eligibility require-
70 ments, funding caps in accordance with resolution GTC-08-12-96-A, GTC-12-7-
71 96-C, BC-05-09-01-B, BC-10-24-01-K, BC-07-24-02-A, BC-01-26-05-A and
72 GTC-01-30-10-A and the enforcement and appeals provisions must comply with
73 the provisions of this Law.
- 74 (2) The Higher Education Student Handbook and any revisions thereto must be
75 approved by the Oneida Business Committee.
- 76 (c) Develop and maintain a system of internal controls for the Higher Education Office.

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78 **305.5. Eligibility and Requirements**

79 305.5-1. *Eligibility.* In order to be eligible for a Scholarship award, applicants must:

- 80 (a) Be a Tribal Member.
- 81 (b) Be in Good Standing where good standing means the applicant has:
- 82 (1) met the Oneida GPA requirements set forth in the Higher Education Student
83 Handbook;
- 84 (2) completed the total number of credits within the semester/term for which the
85 Scholarship was provided based on a Progress Report; and
- 86 (3) met the standards of the Financial Aid Academic good standing.
- 87 (c) Be accepted to an Accredited vocational program, college or university.
- 88 (d) Be seeking the Scholarship for semesters/terms which have not already ended or been

89 completed.
90 (e) Be seeking the Scholarship for a degree that is categorized in a higher funding tier
91 than the funding tier of a degree previously earned, based on the funding tiers provided
92 under Section 305.6-2. An applicant seeking a degree that is in the same funding tier or
93 lower as another degree being pursued concurrently and within the funding period allot-
94 ted for the degree at the higher funding tier, may not be considered ineligible based on
95 this Section.

96 305.5-2. *Requirements.* In order for a Scholarship to be awarded:

- 97 (a) Applicants must file the Free Application for Federal Student Aid, unless the appli-
98 cant will be taking less than six (6) credits or will be attending a Canadian educational in-
99 stitution permitted to grant degrees pursuant to Canadian provincial government that pro-
100 vides Oneida specific culture and/or language based programs.
101 (b) It is the applicant's responsibility to submit a complete student file to the Higher Edu-
102 cation Office based on the requirements of the Higher Education Student Handbook.

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104 **305.6. Higher Education Scholarship**

105 305.6-1. *Length of Funding.* Pursuant to the Higher Education Student Handbook, which must
106 provide comprehensive definitions of the achievements eligible for funding and the methodology
107 for calculating funding periods, the following are the maximum Scholarship funding periods for
108 eligible applicants:

- 109 (a) Two and one-half (2 1/2) years for a Vocational Program Completion/Associate De-
110 gree/Certificate Program Completion/similar program.
111 (b) Five (5) years for an Undergraduate Degree.
112 (c) Three (3) years for a Graduate Degree.
113 (d) Five (5) years for a Doctoral Degree.

114 305.6-2. *Tiered Funding System.* The General Tribal Council, or its delegate, shall establish
115 maximum funding caps for the following funding tiers:

- 116 (a) Vocational Program, Associate Degree, Certificate Program or similar program.
117 (b) Undergraduate Degree.
118 (c) Graduate Degree.
119 (d) Doctoral Degree.

120 305.6-3. *Award.* The amount of the Scholarship award is based upon:

- 121 (a) The amount of funding caps for each tier under Section 305.6-2, which must be con-
122 tained in the Higher Education Student Handbook.
123 (b) The Financial Needs Analysis.

124

125 **305.7. Exceptions**

126 305.7-1. *Exception Policy.* Exceptions may be offered under narrow grounds only for applicants
127 facing extenuating circumstances whom are able to demonstrate that based on the totality of the
128 circumstances the applicant will likely succeed in achieving the accomplishment sought either
129 within the Exception period and/or despite the extenuating circumstances that have made pursu-
130 ing an Exception necessary.

- 131 (a) Within six (6) months of the adoption this Law, the Higher Education Office shall
132 develop a standard operating procedure for evaluating requests for Exceptions; no Excep-
133 tions may be granted pursuant to this Law until the said standard operating procedure has
134 been developed.

135 305.7-2. *Available Exceptions.* In its discretion, the Higher Education Office may make Excep-
136 tions to eligibility, requirements and length of funding on case-by-case basis as provided below:

137 (a) In regards to eligibility, exceptions may be made relating to the requirements con-
138 tained in subsections 305.5-1(b), (c) and (e).

139 (b) In regards to requirements, exceptions may be made relating to the requirement con-
140 tained in subsection 305.5-2(a).

141 (c) Exceptions may also be made relating to the length of funding periods contained in
142 section 305.6-1.

143 (d) Exceptions may not be made for requirements contained in this Law that are not ex-
144 plicitly noted in this section.

145 305.7-3. *Exception Process.* Applicants requesting an Exception shall follow the process set
146 forth in the Higher Education Student Handbook.

147 (a) *Granting an Exception.* The Higher Education Review Panel shall consider requests
148 for available Exceptions under Section 305.7-2 based on the Exception Policy identified
149 under Section 305.7-1. A decision by the Higher Education Office Review Panel regard-
150 ing an Exception must be approved by a majority of the said Panel.

151 (b) *Requesting Reconsideration of an Exception Decision.* If an applicant disagrees with
152 the Higher Education Office Review Panel’s denial of an available Exception under Sec-
153 tion 305.7-2, the applicant may file a request for reconsideration of the Exception with
154 the Division Director; the decision of the Division Director regarding the Exception is fi-
155 nal.

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157 **305.8. Enforcement**

158 305.8-1. *Accountability.* The Higher Education Office may place any applicant who violates this
159 Law or fails to comply with the Higher Education Student Handbook on probation or suspension
160 in accordance with the Higher Education Office’s system of internal controls.

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162 **305.9. Appeals**

163 305.9-1. *Appeal Process and Requirements.* An applicant may Appeal a Scholarship decision
164 made by the Higher Education Office, but only to extent that the applicant is able to demonstrate
165 that the Higher Education Office has failed to abide by the provisions of this Law and/or the ap-
166 proved Higher Education Student Handbook.

167 305.9-2. *Levels of Review.* The following levels of review are available to an applicant seeking
168 an Appeal of a Scholarship decision made by the Higher Education Office:

169 (a) The first level of review is through the Higher Education Office Review Panel. A
170 decision by the Higher Education Office Review Panel regarding an Appeal must be ap-
171 proved by a majority of the said Panel.

172 (b) If an applicant disagrees with the Higher Education Office Review Panel’s decision
173 regarding an Appeal, the applicant may Appeal at the second level of review to the Divi-
174 sion Director; the decision of the Division Director regarding the Appeal is final.

175 *End.*

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177
178 Pursuant to resolutions: GTC-08-12-96-A, GTC-12-7-96-C, BC-05-09-01-B, BC-10-24-01-K, BC-07-24-02-A, BC-
179 01-26-05-A and GTC-01-30-10-A.