

Oneida Tribe of Indians of Wisconsin

Legislative Reference Office

P.O. Box 365
Oneida, WI 54155
(920) 869-4375
(800) 236-2214



Committee Members

Brandon Stevens, Chairperson
Tehassi Hill, Vice Chairperson
Fawn Billie, Councilmember
Jennifer Webster, Councilmember
David P. Jordan, Councilmember

LEGISLATIVE OPERATING COMMITTEE

Public Meeting on Proposed Oneida Higher Education Scholarship Law
Business Committee Conference Room-2nd Floor
Norbert Hill Center
October 29, 2015 12:15 p.m.

PRESENT: David P. Jordan, Fawn Billie, Jennifer Webster, Candice Skenandore, Tani Thurner, Douglass McIntyre, Rae Skenandore, Eliz Somers, Paula Rippl, Brad Graham, Bill Graham, Mitch Metoxen, Julie Barton, Sherry King, Misty Herzog, Trina Schuyler, Michelle Mays, Mike Debraska, Bonnie Pigman, Ed Delgado, Debra Powless, Nic Reynolds, Norbert Hill, Don White, Luanne Green, Nancy Barton, RC Metoxen, Danelle Wilson, Chad Wilson, Pat Garvey, JoAnne House

Oneida Higher Education Scholarship

David P. Jordan: The Legislative Operating Committee is hosting this public meeting to gather feedback from the community regarding the legislative proposals for this new law. And this would be the Higher Education. So, the first one on the list for Higher Education would be Paula Rippl.

Paula Rippl: I thought it was you know, a sign up for the meeting.

David P. Jordan: Oh. Raise your hand if you want to come forward to speak. Go ahead Mike. All we're here to do is to take comments from the community so. Was there a time limit on this?

Mike Debraska: Ok I I kind of torn this thing apart pretty pretty decently. My first comment is on that first page there where it says give the Higher Education Office the authority to enforce this law. I want to change the Higher Education Office to General Tribal Council. Also, I want to, on that last bullet point it says allow a student to appeal a scholarship decision only if he or she can show the Higher Education Office failed to abide by this law and end it right there. On page 1 of 2, at the bottom there it says allows a student to appeal a scholarship decision only if he or she. I want to take out the word "only".

David P. Jordan: What line is that?

Mike Debraska: That's on line 14.

Jennifer Webster: You want to take out "only"?

Mike Debraska: Right

Jennifer Webster: Ok

Mike Debraska: And then there's some issues here

David P. Jordan: Try to address every line items so we can. . .

Mike Debraska: Right, right. If you look on page 65-1 on lines 9-11 where it talks about the policy guidelines but then also go back where it says lines 10 on page 1 of 2 it say allows the Higher, lines 10-12 I believe it is, 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 sets out the exception process but then when you look at the policy guidelines on 9-11 at 305.1-2 on page 65-1 it is the policy of this law to have consistent methodology for awarding Higher Education Scholarships so that the Tribe is able to provide equal opportunities to Tribe members and award scholarships in a consistent and fiscally responsible manner. I look at that and say those two, those two kind of almost conflict with each other. So that's one of those things that I kind of looked at. Line 15 under adoption, amendment, and repeal at 305.2, I wanted to take out the, keep this law may be amended or repealed only by General Tribal Council. At lines 22 take out after Tribal law comma and take out the provisions of this law control period. And then add GTC shall make a determination as to which law actually controls. Because if there's a conflict or an existing conflict with a current law, I think since General Tribal Council is the one that put this law in place, General Tribal Council should be able to determine which laws going to prevail. If there's a conflict somewhere else with what somebody else did within the Tribe, that should come to GTC and GTC should be able to make that determination. Lines 30-32, after where it says accredited vocational program, college or university means United States educational institution eligible for federal financial aid period. The rest of it can go. Ok, where you have, where it lists the Higher Educat, or are on lines 52-54, where it talks about letter "i" the Higher Education Office Review Panel, who establishes the Review Panel? Is that is that something that will be automatic and would come forward or who whom would that make that determination as to when that panel would convene and how would that all be established and set up with what their guidelines would be. And then also on lines 69-73 it talks about all these GTC resolutions. I'd like to see copies of those GTC resolutions if I can. Make sure I get those. Lines 74-75, take out the Oneida Business Committee and add General Tribal Council. At line 87 be accepted into an accredited college or university, that's fine.

Jennifer Webster: What was wrong with 87?

Mike Debraska: No that that was fine.

Jennifer Webster: Oh

Mike Debraksa: That was fine. And then on lines 97-99 just stop at applicants must file the free application for federal student aid or FASA and end it right there period and the rest of that up through line 100 can go. Ok and then at line 114 you got the tiered funding system and it says the General Tribal Council or its delegate, get rid of "or its delegate", shall establish maximum funding caps for the following funding tiers. And I believe General Tribal Council already

established that when we passed this, we created that tiered system. So I'm not gonna, I'm not gonna relinquish my rights to have somebody else make that decision. At lines 139-140 that can be removed. Lines 164-166, end it at where it says at line 64 made by the Higher Education Office period and then get rid of the rest of that. And lines 172-174, starting with (b) if an applicant disagrees with the Higher Education Office Review Panel's decision regarding an appeal, the appellant may appeal and then put to the General, and get rid of the rest of that and then add in to the General Tribal Council by way of petition. Those are my comments for the record.

Jennifer Webster: Thank you, anybody else?

David P. Jordan: Nancy.

Nancy Barton: Ok I don't know where to begin so I I wrote some things down and I guess I guess I'll just read what I wrote and then I'll go through the. . .

David P. Jordan: Yup, and I'll clarify if you forgot something you can also submit it in writing.

Nancy Barton: Ok, I'm testifying, my verbal testimony today on the proposed Higher Education Scholarship Fund. I feel it's unfortunate that we're even here today. It's obvious that a few persons have taken on the task of implementing rules that would interfere, hinder and punish Oneida Tribal members and also the directive of GTC. This money is a GTC directive; therefore, a mandate. The proposed policy is a violation of GTC directive. Those entities responsible for initiating these policies obviously do not understand the resolutions' proposed intent. It is unfortunate that we have to look, that there are people who are not looking out for the best interest of General Tribal Council members. I strongly oppose the policies that are being implemented that would delay, deny or hinder any benefits to General Tribal Council members regarding the Higher Ed Scholarship. And I will go through line by line. The first thing that I want to identify is on page 65-1 the definitions, lines 29 & 30, accredited vocational college and university and stop right there. Also on page 65-2, develop and maintain rules and regulations. There is a legal review that was done on this scholarship policy and what that legal review says is that there are a lot of discrepancies in the handbook and until those discrepancies are ironed out, I feel that this policy is inappropriate.

Jennifer Webster: I'm sorry Nancy, Nancy what line are you referring too?

Nancy Barton: I am referring to, let me see here now, my pages came apart I'm sorry, I'm referring to page 2 of 2 where the legal review is. Where it is says there are discrepancies with the law and the higher education student handbook. And then it says the student handbook is in the process of being updated. Well how can you do one without the other? So it seems to me they go hand-in-hand and then you can't make a law or a rule and then come back and make a handbook. So it doesn't make sense. And so the other part that I wanted to make a note of is page 64- 65-4 line 141 where it says exceptions may be made relating to the length of funding periods contained in section 3 5 0. And I'd like to know who will be making those exceptions and when will they be made under what, whose authority and when. And so when you open the door and say that exceptions can be made, those exceptions need to be opened to everyone and not exclusive. The other one that I wanted to talk about also was on page 65-3 if I didn't say it

already where the requirements say the applicants must file the free application for federal student aid period. I'd like to go on there and I also have written comments. I'm also concerned about page 65-2 where it says the Higher Education Office Review Panel. And that is I guess, I'm looking at that as that is another barrier, another entity that those individuals who are already probably having a hard time getting to school, getting the funding they need and for whatever reason it fell apart and now it needs to go to a separate hearing body and I also would like to know how that hearing body will be established and will they be a non-conflictual entity. I guess you know, I'll just say it, I was really disappointed when I saw the topic of this come forward to LOC. It just seems like we create barriers, we create laws, we create ways for things to be harder and they should be getting easier. We have everything we need. The money is there and then we create policies and barriers for people in order to get the mandates that they're eligible for. And I also agree that this policy it's illegal to pass this unless this goes before GTC.

David P. Jordan: Anybody else for Higher Education, come forward please and state your name.

Sherry King: My name is Sherry King and I work in Higher Education Department, I'm also a Tribal member and I'm presenting comments today, can I, I just have general comments without referring to specific lines in the proposal.

David P. Jordan: Ok

Sherry King: Ok, I'm presenting comment today because of the concern

David P. Jordan: Can you pull the mic down or otherwise you can sit at the table too and speak at the ones at table are a little bit better, tables upfront here

Jennifer Webster: Tables up front here, they pick up a little bit more.

Sherry King: I am presenting comments today because I am concerned about the Oneida Higher Education Grant program. I think it provides many wonderful, the Oneida Nation provides many wonderful benefits to its members, but of all the benefits and services, I feel the Oneida Higher Education grant is the one benefit that really changes lives and has a lasting and positive effect on future generations. Just yesterday, I ran into one of the students that Oneida Higher Education funded, who with his degree was able to apply for a high level management job at his company, and he got the job. While he had some other strong personal characteristics that his employer most likely recognized, without that diploma, he did not meet the qualifications for the job. He was so happy and thrilled with his job and being able to take care of his family. But this is a student who completed his degree at an online school, he had his ups and downs while on the Oneida Higher Education program – including probations, suspension, and appeal, but he continued on and did graduate with a Bachelor's Degree that has opened doors for him. This student will likely stress education to his children and prepare them to be or prepare them to be better prepared when they are ready to enter a college or university. And I share that story only to emphasize that the Oneida Higher Education program serves students with varying needs and as changes are considered and codified, which we're proposing, I ask that you carefully considered the foundation and the spirit of the program by those who drafted the original resolution and the GTC who approved it. The reason I feel it is important to remember the spirit

of the resolution is that we have somewhat recently began to referring to the program as a scholarship program while for many years in the past it was referred to as the Higher Education grant. Everything you read today also refers to it as a scholarship program. And while that might be just a word, I think we all know how important words are. Words identify, design and give shape to beliefs and actions. In other words, they have power. It brings to mind the little word “of” and our effort to change our constitution and free ourselves of the name “Oneida Nation OF Wisconsin”. I looked up the definition of the words “scholarship” and “grant” and found that there is some overlap but several of the sources define scholarship as awarded on the basis of academic or other achievement”. It should be noted that some organizations do use the words almost interchangeably. But in Wikipedia which is referenced on the internet refers, has written that “most scholarships are based on merit or talent, without considering economic need or ethnicity. Since the economically privileged usually have better schools and more access to other educational resources, merit-based awards/scholarships favor the economically privileged. While Caucasians account for 62% of full-time college students in America, they receive 76% of all scholarships. Vocabulary.com also defines scholarship as profound scholarly knowledge, or financial aid provided to a student on the basis of academic merit. In conclusion, I bring this to your attention today so that we maintain the spirit and purpose of this program when it is when it was established. I propose that all members continue to have access to the educational benefits and that it not become a program for a high academic achievers only. I propose we continue assisting students without establishing roadblocks such as eliminating certain types of schools, like the, such as on-line schools, that we recognize that different people have different needs and methods of achieving their educational goals. I believe it is in the best interest of our nation to promote high achievement and success but not if the expense of members who are working toward that goal in a different manner and may not have had all the benefits that some of us here today have enjoyed. Let us keep in mind the spirit of the original proposal and resolution as decisions are made that will take us into the future and care for the next generations as past generations have cared for us. Yaw^ko

David P. Jordan: Thank you Sherry for that state, you can actually turn that in to Doug here if you want to. Thank you very much. Anybody else for Higher Education? Come on up Lu. Welcome back.

Luanne Green: Thank you. My grandson is going to college and this is his, I think it’s his third semester or fourth semester, he’ll be graduating in May with an Associate Degree and he’s carried a 4.0 and he wants to be a teacher. But in the meantime, he does get the grant and I don’t know how much he is getting but besides the school, tuition and books and school related items, he had to have his tooth filled which costs me \$285. He had glasses, \$300 and some dollars. He switched to a cheaper cell phone which he can’t always pay. Besides rent, utilities, transportation. It’s not just a matter of tuition and books and that’s wonderful that that portion is paid but I hesitate to ask him to get a part time job because he does do a lot of study and he does carry a great grade point average. And he’s making a success of himself. His parents were divorced when he was 2 years old. He’s raised by a mother with some disabilities and he really got a late start. But now that he’s finally in school and has some direction in his life, I would hate to see that this program would cause him to jump through more hoops to reach his goal. Thank you.

David P. Jordan: Thank you Lu. Norbert.

Norbert Hill: I just have a few comments. I do support by and large except for one exception with the comments with what Sherry King had made. You know, I think the responsibility, stewardship and leadership to manage a scholarship program is given to the Higher Education Office and they have a number of professionals there by and large that manage the grants and they do it well. I want to remind LOC that the number of college graduates baccalaureate degrees are higher or just as high as the population in Outagamie and Brown County. We have more graduate degrees in Outagamie and Brown County than the same population in Green Bay. So I think that's a testimony of how well the grant is managed. The, to have GTC be the arbiter in any appeal of any scholarship, I think you are fooling around with privacy issues as well as vetting somebody's financial concerns in front of a 1000 or 2000 people. So I think, and it would also create undue delays for a student going to school because they'd have to wait for the next GTC meeting to do this. The Higher Education Office reports to the Business Committee which are responsible for oversee and so I think that would be not a good policy to direct it to the General Tribal Council, with all due respect to the General Tribal Council. So there is an issue of the spirit but the trust and management. The other thing is that Higher Education, 4 year baccalaureate degree is really the new high school. In terms of the changes that we have made since the scholarship was initiated. And so kids out of high school are going to require post-secondary changes, the laws, the regulations, the policies of financial aid is a moving target and keeping up with those regulations now are difficult to stay with and it will be even more difficult for GTC to understand in a short period of time those changes. So you got to trust the professionals that are doing the job. I think we need to hold the standard on accredited schools. There is a lot of fly by night colleges. You know, you could probably find antidotal information about a college doing a good thing but I think we need to hold the standards and hold our students to the highest standards that they can do. Due to the previous comments that were just made, the Higher Education Grant provides room and board, stipends and other living costs, so I don't know what the students other particular issues were but I've been in Higher Education for 45 years and managed many scholarship programs and Oneida's is probably one of the most generous and the most flexible of all scholarship programs in the Nation. Including the Gates Millennium Scholarship Program. I think, you know, the handbook needs to be tweaked once in a while to keep things up to date and also the efficiency in management of the Higher Education program which is substantial and a real blessing to all Oneida students. Thank you.

David P. Jordan: Thanks Norbert, anyone else on Higher Education? Ed.

Ed Delgado: First I want to say the Higher Education program that we have got two of my enrolled children through school Ones a registered nurse and ones a cosmetologist and what a great program. Thank you John Powless. I do see a section in here regarding exceptions. I think we need to be very careful when we provide exceptions. I don't think here, I know there are exceptions that happen, there has to be, someone might be get sick, you know an operations, pregnancy or whatever. But I think it needs to be included in the law what the exceptions are. Thank you.

David P. Jordan: Thanks Ed. Julie.

Julie Barton: Thank you. I wanted to, I haven't had the opportunity to attend some of the hearings and I haven't read all of the material but I do follow most of the conversations and

comments from a lot of people. And I go with that because they're the ones that are being served and I know that the Education Department provides the best possible service however, I hope that within all of this new law that we never refer to a means testing type service. I heard the word reviewed and it was used at I think at a GTC meeting with the Elder Service. I hope that you guys know what that means from traveling to Washington. They want to define our rate of so called poverty. So if the more you fit into the poverty role then you can fit into programs and received money and scholarships and things like that. So I hope that this does not refer to that in any way. And like I said I didn't read it all but I hope that it doesn't. Also, I think this law is here protect the General Tribal Council directive, also to protect the students' needs and that's what we're looking out for. The students' needs and nothing else that I know of why was this law was existed or created. It was created under the basis of need and with no guidelines, I mean no financial guidelines. It was directed back to the Higher Education Department to develop those guidelines so the moneys there. It's not my money, it's not your money, it's not the Higher Education's money, it's the people's money and it should be used the way it was intended to be to meet the needs of that person so they can graduate. I have had 10 grandchildren graduate with this money and they are all doing fine. I have so many relatives I can't count who use this money to graduate and they are all doing well. So I know it works but I don't want any more barriers to this. Saying well maybe he or she does not need it or maybe we should put income guidelines on it or maybe we should cut it because we're not making the money we're used to. So those are the things that should not be batted around and so forth when it comes to using this money and awarding the scholarships. And I agree with Sherry that let's use another words to this scholarships. And I thank the Education Department for doing what they need to do to take this money provide that goal for all of us. Thank you

David P. Jordan: Thank you Julie. Does anyone else have comments? Ok I'm going to remind everybody that they have until 4:30 on November 5 to submit your comments to the LRO Office. November 5 at 4:30 p.m. Ok with that I'm going to close this one and we're going to move on to Community Support. Thanks for all your comments everybody.