

NOTICE OF
PUBLIC MEETING

TO BE HELD

June 17, 2026 5:30-7:00PM **at** Norbert Hill Center
IN THE

Cafeteria

In accordance with the Administrative Rulemaking Law, the
Higher Education Office
is hosting this Public Meeting to gather feedback from the
community regarding the following rule.

TOPIC: Higher Education Grant Rule #1

This is a proposal to adopt a rule which would:

- ◆ ·Detail Application Requirements
- ◆ ·Review Documentation Requirements
- ◆ ·Clarify Funding Framework
- ◆ ·Describe Award Calculation
- ◆ ·Layout Appeal Process
- ◆ ·
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To obtain copies of the Public Meeting documents for this proposal,
please visit www.oneida-nsn.gov/Register/PublicMeetings.

PUBLIC COMMENT PERIOD

OPEN UNTIL June 24, 2026

During the Public Comment Period, all interested persons may
submit written comments and/or a transcript of any testimony/spoken
comments made during the Public Meeting. These may be submitted
to Higher Education Department by U.S. mail, interoffice mail, e-mail
or fax.

Higher Education Office

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Title 10. General Welfare – Chapter 1005 Higher Education Grant Rule #1 – Student Eligibility Requirements and Administration

- 1.1 Purpose and Authority
- 1.2 Adoption, Amendment and Repeal
- 1.3 Definitions
- 1.4 Application Requirements
- 1.5 Funding Periods, Eligibility & Tier Caps
- 1.6 Award Calculation, Disbursement & Ineligible Funding
- 1.7 Academic Performance & GPA Calculation
- 1.8 Probation
- 1.9 Appeal Procedure
- 1.10 Implementation, Review & Effective Date

Review Notes on hardcopy

1.1 Purpose and Authority

1.1-1. *Purpose.* The purpose of this rule is to implement and operationalize the Higher Education Grant Program by defining the Higher Education Student File, specifying the funding period calculation, establishing funding tier caps, setting the application requirements and process, and detailing the appeals process, consistent with Chapter 1005.

1.1-2. *Authority.* The Oneida Higher Education Office is delegated rulemaking authority under 1005.4-2 of the Higher Education Grant law and shall promulgate rules in accordance with the Administrative Rulemaking law.

1.2. Adoption, Amendment and Repeal

1.2-1. This rule was adopted by the Higher Education Office in accordance with the Administrative Rulemaking law procedures.

1.2-2. This rule may be amended or repealed by the Higher Education Office and/or the Oneida Business Committee pursuant to the procedures set out in the Administrative Rulemaking law.

1.2-3. Should a provision of this rule or the application thereof to any person or circumstances be held as invalid, such invalidity shall not affect other provisions of this rule which are considered to have legal force without the invalid portions.

1.2-4. In the event of a conflict between a provision of this rule and a provision of another rule, internal policy, procedure, or other regulation; the provisions of this rule shall control.

1.2-5. This rule supersedes all prior rules, regulations, internal policies or other requirements relating to the Higher Education Grant.

1.3. Definitions

1.3-1. This section shall govern the definitions of words and phrases used within this rule. All words not defined herein shall be used in their ordinary and everyday sense.

- (a) “Academic Year” means August 1 through July 31, the Higher Education funding year used for calculating awards and caps.

- (b) “Accredited program” means any educational institution accredited by a federally approved accrediting agency. Lists may be found at [College Accreditation | U.S. Department of Education, DAPIP | Homepage](#)
- (c) “Advisor” means any Oneida Higher Education employee whose job duties include collaboration with students to identify career aspirations and academic goals and provide information and answers questions related to college applications, financial aid counseling and career choices. “FAFSA” means Free Application for Federal Student Aid.
- (d) “Area Manager” means the Supervisor of Education & Training or anyone with responsibility of overseeing the Higher Education Office.
- (e) “Cap” means the maximum annual funding amount available per tier under Article V, subject to chapter 1005 credit limits.
- (f) “Eligible Student” means a student who meets all requirements in the Higher Education Grant law and this Rule.
- (g) “Financial Needs Analysis” (FNA) means the financial needs analysis form Oneida Higher Education sends directly to the school’s financial aid office for completion. The school’s financial aid office uses the appropriate FAFSA to complete our FNA.
- (h) “Free Application for Federal Student Aid” or “FAFSA” means the application which determines eligibility for any financial resources such as state and federal funding.
- (i) “Full-time/Part-time” have the meanings provided in 1005.3(e) and 1005.3(k).
- (j) “Probation” means a one-term status during which a student continues to receive funding while required to regain minimum GPA eligibility pursuant to 1005.5-1(f).

1.4. Application Requirements

1.4-1. *Annual Application Cycle.* Applications follow the August 1- July 31 academic year. Recommended target dates: April 15 (Fall), October 1 (Spring), May 1 (Summer).

1.4-2. FAFSA. Students carrying 6 or more credits must complete the FAFSA for the applicable year, per 1005.5-1(d) and program practice.

1.4-3. *Communication Method.* Award letters are transmitted to the student and the school’s financial aid office; email is preferred. Students are advised not to start classes until an award letter is issued.

1.4-4. *Required Documents.* Students who wish to be considered for the Oneida Higher Education Grant are required to have a completed Higher Education Student File on file prior to the end of the term. The Higher Education Student File requires:

- (a) Oneida Higher Education Application
- (b) Oneida Higher Education Academic Plan
- (c) Annual Participant Acknowledgment and Agreement
- (d) Copy of College Admission or Acceptance Letter
- (e) Financial Needs Analysis (FNA)
- (f) Copy of Official Transcripts (for continuing students only). Official Transcripts must comply with all of the following:
 - (1) Official Transcripts must come directly from the higher education institution to the Oneida Higher Education Office.

- (2) Official Transcripts can only be sent to the Higher Education Office via postal mail, rush service (e.g. FEDEX), or official e-transcripts through such services as:
- (A) e-Script-safe
 - (B) Parchment
 - (C) Credential Solutions
 - (D) National Clearinghouse, etc.
- (3) Official Transcripts must be addressed as follows:
- (A) If being mailed via U.S. Post Office:
 - Oneida Higher Education
 - P.O. Box 365
 - Oneida, WI 54155
 - (B) If being delivered by a rush service:
 - Oneida Higher Education
 - 3759 W. Mason Street
 - Suite 3
 - Oneida, WI 54155
 - (C) If your school utilizes an official e-transcript service:
 - highered@oneidanation.org

1.4-5. *Applicant Contact.* Students must keep contact info current and notify the Oneida Higher Education Office of changes in school, credits, address, email, or phone.

1.5. Funding Periods, Eligibility & Tier Caps:

1.5-1. *Funding Period.* Awards are made within the Academic Year (August 1 to July 31).

1.5-2. *Eligibility & Progression.* Students must meet Chapter 1005 eligibility requirements, including membership, accredited program, Student File completion, FAFSA, degree progression, and GPA standards in 1005.5-1. Multiple or continuous degrees at the same level are prohibited, except that students may remain in their highest tier until the credit limit is reached.

1.5-3. *Credit Caps (Statutory).* Maximum credit allowances per 1005.5-2: 90 (associate/certificate), 150 (undergraduate), 60 (graduate), 120 (doctoral). Students may remain in their highest tier until the credit limit is reached.

1.5-4. *Tier Funding Caps.* The following annual caps are established for the academic year and remain in effect until amended by rule:

- (a) Associate/Vocational/Certificate \$20,000
- (b) Undergraduate \$20,000
- (c) Graduate \$25,000
- (d) Doctoral \$30,000

These amounts reflect the current program practice and historic tiered funding schedule and are subject to available appropriation and rule amendment for future adjustments.

1.5-5. *Full-Time and Part-Time Funding.*

- (a) Full-time: tuition, fees, books, and room & board up to the cap.
- (b) Part-time: tuition, fees, and books up to the cap; may include room & board where financial need is demonstrated per 1005.5-5(c).
- (c) 1-5 credits: tuition, fees, books up to the cap.

1.5-6. *Cost of Attendance and FNA*. If the student's financial need exceeds the minimum package, the award may be increased up to the applicable tier cap based on the school's cost of attendance. Disbursement is sent directly to the school; schools' own release policies apply.

1.5-7. *Special Contexts*.

(a) Doctoral dissertation students deemed full-time by the institution's financial aid office may be considered full-time for funding purposes.

(b) Non-Title IV schools without standard budgets: tuition, fees, and required books only.

(c) The Juris Doctorate (JD) Degree will be considered as a Doctoral level degree.

1.6 Award Calculation, Disbursement & Ineligible Funding

1.6-1. *Award Calculation*. Awards are based on:

(a) Applicable tier cap

(b) Minimum award package under section 1005.5-5(b)

(c) FNA determined need under section 1005.5-5(c), not to exceed the tier cap.

1.6-2. *Disbursement*. Awards are paid to the institution; students must comply with institutional disbursement policies.

1.6-3. *Ineligible Funding*. The program will not fund: duplicate or lower degrees; students in default or on school financial aid suspension; retroactive requests after a term ends; workshops/seminars/CEUs to maintain a license.

1.7. Academic Performance & GPA Calculation

1.7-1. *GPA Requirements*. Minimum GPAs are as set forth in 1005.5-1(f).

1.7-2. *Calculating Grade Point Averages (GPA)*. Grades such as withdrawals, incompletes, audits, failing, or in-progress are treated as non-passing for GPA calculation purposes.

1.8. Probation

1.8-1. *Placement on Probation*. A student may be placed on probation if their term GPA falls:

(a) Below required GPA but within the probation range specified in 1005.5-4.

1.8-2. *Effect of Probation*. A student placed on probation by the Higher Education Office shall continue to be funded for a period of one (1) term during which a student is required to regain eligibility status which may be achieved during the probation period if the student sends verification of their grades at the end of the term to determine if they meet the program requirements.

1.9. Appeal Procedure

1.9-1. *Right to Appeal*. A student may appeal a grant decision within 30 calendar days of receipt, demonstrating that the Office failed to comply with Chapter 1005 or these Rules.

1.9-2. *Scope and Standard of Appeal*. A student may appeal only on the grounds that the Higher Education Office failed to comply with applicable law (Chapter 1005) or these Rules when issuing the grant decision.

(a) The appeal must specifically identify the alleged error, including:

(i) The provision of law or rule that was not followed; and

(ii) How the failure to comply materially affected the grant decision.

1. An error is material only when it constitutes a failure to comply with governing law or these Rules and had the capacity to affect the outcome of the grant decision.

(b) Appeals shall not be based on:

- (i) Newly submitted information that was not available at the time of the original decision;
- (ii) Disagreement with the Office's academic judgement or discretionary determinations; or
- (iii) General hardship, equity, or fairness arguments absent a demonstrated procedural or legal error.

(c) The burden of proof rests with the student to demonstrate, by a preponderance of the evidence, that the Office failed to comply with governing law or these Rules.

1.9-3. *Levels & Timelines.*

(a) Level 1 – Advisor Review: student submits appeal form and supporting documents; written response within 10 business days.

(b) Level 2 – Higher Education Manager: if denied at Level 1, student may appeal within 30 calendar days; written response within 10 business days.

1.9-4. *Record.* The Office shall maintain the appeal record and provide written decisions at each step.

1.10. Implementation, Review & Effective Date

1.10-1. *Implementation Materials.* The Office may issue forms, checklists, and SOPs to implement these rules (e.g., Application, Academic Plan, FNA request, Appeal form), provided such materials are consistent with these rules.

1.10-2. *Biennial Review.* The Office shall review these rules at least once every two (2) years after OBC adoption and recommend amendments as needed.

1.10-3. *Effective Date.* The effective date will be set by the Higher Education Office in the Summary report submitted for LOC certification and OBC adoption.

End.

Original effective date: [add effective date established by authorized entity] (Certified by LOC on)

Summary Report for Higher Education Grant Rule #1

Original effective date: N/A

Amendment effective date: N/A

Name of rule: Higher Education Grant Rule #1

Name of law being interpreted: Higher Education Grant law 1005

Rule Number: 1

Other laws or rules that may be affected: None

Brief summary of the proposed rule: This rule implements and operationalizes the Oneida Nation's Higher Education Grant Program under Chapter 1005 by establishing uniform requirements for student eligibility, application processing, funding limits, academic standards, probation, and appeals. It provides the administrative framework the Oneida Higher Education Office uses to award, manage, and oversee higher-education grant funding in a consistent and transparent manner.

Specifically, the rule:

- Defines program structure and authority by confirming the Higher Education Office's rulemaking authority and superseding all prior grant-related rules and internal policies.
- Details application and documentation requirements, including the components of a Higher Education Student File, required forms, transcripts, academic plan, FAFSA completion (with limited exceptions), and communication standards between students, the Office, and schools.
- Sets the annual funding framework, including:
 - The academic year funding period (August 1–July 31)
 - Equal term-based distribution of awards
 - Statutory credit limits by degree level
 - Annual funding tier caps for associate, undergraduate, graduate, and doctoral programs
- Details eligibility and progression rules, requiring enrollment in accredited programs, degree progression compliance, completion of eligibility documentation, and adherence to GPA standards, while prohibiting funding for duplicate or lower-level degrees.
- Explains award calculation and disbursement, including use of a Financial Needs Analysis, institutional payment procedures, and limits on eligible and ineligible expenses. Funding is capped by tier and issued directly to the educational institution.
- Defines academic performance standards, including how GPA is calculated and how non-passing grades affect eligibility.
- Details probation status, which allows one additional funded term for students who narrowly fall below GPA requirements to regain eligibility.
- Lays-out a formal, multi-level appeal process, with clear timelines, documentation requirements, and written decisions at each level.
- Provides for implementation and oversight, authorizing the Office to issue forms and procedures consistent with the rule and requiring biennial review to ensure continued effectiveness and compliance.





Statement of Effect

Higher Education Grant Law Rule No. 1 – Student Eligibility Requirements and Administration

Summary

The Higher Education Grant Law Rule No. 1 – Student Eligibility Requirements and Administration establishes comprehensive procedures and requirements governing the administration of the Higher Education Grant program, including student eligibility, application requirements, funding calculations, academic performance standards, and appeals.

Submitted by: Grace L. Elliott, Staff Attorney, Legislative Reference Office Date: May 28, 2026

Analysis by the Legislative Reference Office

The Administrative Rulemaking law provides authorized agencies the opportunity to promulgate rules interpreting the provisions of any law enforced or administered by it; provided that, a rule may not exceed the rulemaking authority granted under the law for which the rule is being promulgated. [1 O.C. 106.4-1]. Rulemaking authority is defined as the delegation of authority to authorized agencies found in the Nation’s laws, other than the Administrative Rulemaking law, which allows authorized agencies to implement, interpret and/or enforce a law of the Nation. [1 O.C. 106.3-1(i)]. An authorized agency is defined as “any board, committee, commission, department, program or officer of the Nation that has been granted rulemaking authority.” [1 O.C. 106.3-1(a)].

The Higher Education Grant Law establishes the Higher Education Grant program and sets forth the funding requirements and procedural controls for awarding grants to eligible members of the Nation. [10 O.C. 1005.1-1]. It is the policy of the Nation to provide a fiscally responsible and consistent methodology for awarding Higher Education grants to enhance postsecondary educational opportunities for members of the Nation. [10 O.C. 1005.1-2].

The Higher Education Grant Law delegates rulemaking authority to the Oneida Higher Education Office to promulgate rules governing the administration of the Higher Education Grant program in accordance with the Administrative Rulemaking law. [10 O.C. 1005.4-2]. These rules are required to address, at a minimum, student file requirements, funding structures and caps, application procedures, and appeals processes. [10 O.C. 1005.4-2(a)-(d)].

The purpose of Higher Education Grant Law Rule No. 1 – Student Eligibility Requirements and Administration (“the Rule”) is to implement and operationalize the Higher Education Grant program by defining the Higher Education Student File, specifying funding period calculations, establishing funding tier caps, setting application requirements, and detailing the appeals process, consistent with the Higher Education Grant Law. *[Rule 1.1-1]*.

Specifically, the Rule:

- Establishes application requirements and procedures, including completion of the Higher Education Student File, submission of required documentation, and compliance with FAFSA requirements. *[Rule 1.4-1 through 1.4-4]*.
- Implements funding periods and tiered funding caps, including maximum annual funding caps for associate, undergraduate, graduate, and doctoral programs. *[Rule 1.5-3 through 1.5-4]*.
- Establishes award calculation and disbursement procedures, including use of Financial Needs Analysis (FNA), cost of attendance considerations, and payment of awards directly to educational institutions. *[Rule 1.6-1 through 1.6-2]*.
- Establishes a formal appeals process, including timelines, standards of review, and levels of appeal for students challenging grant decisions. *[Rule 1.9-1 through 1.9-3; 10 O.C. 1005.8]*.
- Includes provisions for implementation, review, and ongoing administration, including issuance of forms and biennial review of the Rule. *[Rule 1.10-1 through 1.10-2]*.

The Rule ensures consistent administration of the Higher Education Grant program and aligns operational procedures with the statutory requirements set forth in the Higher Education Grant Law.

Conclusion

There are no legal bars to adopting the Higher Education Grant Law Rule No. 1 – Student Eligibility Requirements and Administration.

Financial Analysis Template

| Type of Cost | Description/Comment | Dollar Amount |
|---|--|---------------|
| Start Up Costs | No start up costs | \$0 |
| Personnel Costs | No additional staff needed | \$0 |
| Office Related Costs | No additional costs | \$0 |
| Documentation Costs | No Documentation costs | \$0 |
| Estimate of time necessary for an individual or agency to comply with the rule after implementation | Implementation upon approval | \$0 |
| Other, please explain | DTS Services will be needed to update Power 8 generated letters and documents and data screens | |
| Total | Annual Net Revenue | \$0 |