

Education Code  
Title 8

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Education Code  
Title 8

ARTICLE I. GENERAL PROVISIONS

Chapter 1. TITLE, PURPOSE

Section 8-1101. Title.

This Ordinance shall be known as and cited to as the "Education Code of the Colorado River Indian Tribes," or the "Education Code."

Section 8-1102. Statement of Purpose.

(a) The Tribes recognize the people of the Colorado River Indian Tribes are its most valuable and important resource. The Colorado River Indian Tribes, as a sovereign tribe residing within the United States, reorganized under the Indian Reorganization Act of 1934, has a constitutional responsibility to its members to oversee and direct their education in whatever schools or school system they are receiving instruction and/or training, to assure that their education provides excellence in the academic program, and high but realistic academic standards and career expectations for all its members.

(b) The goal of all education and training for Tribal Members is self-sufficiency in its most comprehensive form. Of critical importance to the Tribes in the achievement of this goal of self-sufficiency is the use and practical application of academic instruction and training by Tribal Members towards realizing the attainment of degrees and certifications in their respective career areas. Self-sufficiency of an individual, his/her family, and ultimately the community of which the individual is an integral part is critical to the attainment of this goal of self-sufficiency. However, of primary importance is the development of internal expertise to contribute towards the advancement and progress of the entire Tribes towards self-sufficiency.

(c) In order to achieve this goal of self-sufficiency, the Colorado River Indian Tribes declares that an appropriate education for its Tribal Members is one that promotes and encourages the following:

- (1) The formulation of age, grade and/or developmentally appropriate competencies in all basic areas of academic and cognitive skills;
- (2) Competence in English language skills and knowledge of United States culture;
- (3) Development of tribal and United States citizenship;
- (4) Self discipline and positive self-concept;
- (5) A comprehension and promotion of tribal culture and tribal language skills; and
- (6) An attitude toward education which encourages lifetime learning.

(d) This Education Code provides for accountability from all those involved in the education process: the student, the parents, education providers, the Education Department, the tribal government, and the community.

(e) The Tribes shall commit sufficient resources, funds and/or monies towards the achievement of the education goal and the implementation of these policies set fourth in this Education Code. In addition, this Education Code shall serve to assure the members of the Colorado River Indian Tribes that the funds committed to education are spent for that purpose in a fair and equitable manner.

#### Section 8-1103. Definitions

(a) "Academic Term" means the duration of one (1) semester, one (1) quarter, one (1) trimester or appropriate amount of summer sessions as required by a specific institution.

(b) "Academic Year" means the duration of two (2)

semesters, two (2) trimesters, or three (3) quarters including appropriate summer sessions as required by a specific institution.

(c) "Applicant" means any person who has applied for financial assistance from the Colorado River Indian Tribes.

(d) "Authorized Transfer" means officially withdrawing from an institution and enrolling in another with prior approval from the Tribal Council, Education Board?

(e) "Board" means the Board of Education.

(f) "Board of Education" means . . .

(g) "Business Day" means any day except a Saturday, Sunday or a holiday officially recognized by the Colorado River Indian Tribes.

(h) "Continuing Applicant" means an applicant who is no longer a first time applicant, having been awarded financial assistance for the preceding academic term and already has a student file on record with the Office of Postsecondary Education. All applicants qualifying under this definition shall be required to.

(i) "Credit Hour" means a unit of measurement referring to the amount of credit a student receives for completion of one (1) or more courses per academic term. Credit Hours are measured differently according to whether the institution the student is attending is on a semester, quarter, or trimester system. In general, the Office of Postsecondary Education refers to semester credit hours, whereby one (1) trimester credit hour equals one (1) semester credit hour and one (1) quarter hour equal 66% of a semester credit hour.

(j) "Director" means Director of Department of Education.

(k) "Fellowship" means.

(l) "Financial Need Analysis" means Financial Assistance Funds awarded based on the estimated amount of assistance an

applicant will require to supplement the resources theoretically available from that student and his/her family as determined according to the Financial Need Analysis.

(m) "Education Levels" means educational levels for the purposes of this Education Code and its administration shall be defined as the following:

- (1) Pre-school - all children and programs/projects with children below grade K.
- (2) Primary - all students and schools, programs, and projects with students in grades K-8.
- (3) Secondary - all students and schools, programs, and projects with students in grades 9-12.
- (4) Post Secondary - all students and schools, programs, and projects with students above grade 12.

(n) "Full-Time Student" is enrollment in a college, university, graduate school, or professional school as defined by the institution the student is enrolled in.

(o) "Half-Time Student" means . . .

(p) "Recipient" means an applicant who is awarded financial assistance from the Tribes.

(q) "Reservation" means the Colorado River Indian Tribes' Reservation.

(r) "Student" means an applicant or recipient currently enrolled and attending a high school preparatory institution, a post-secondary institution, a graduate school, a professional school, or a vocational institution.

(s) "Tribal Member" means a person who is enrolled with the Colorado River Indian Tribes.

(t) "Tribes" means the Colorado River Indian Tribes.

(u) "Tribal Council" means the Colorado River Indian Tribes Tribal Council, as empowered and established by Title 1, Article IV, section 1 of the Constitution of the Colorado River Indian Tribes.

(v) "Undergraduate Applicant" a post secondary applicant pursuing an associates or baccalaureate degree. Applicants qualifying under this definition shall be subject to all Office of Postsecondary Education Application requirements.

(w) "Vocational Program" means.

Chapter 2.           **AUTHORITY, APPLICATION, ADOPTION, TRANSITION  
GUIDELINES**

Section 8-1201.       **Responsibility and Authority of the  
Tribes.**

(a) The Tribes under Title 1, Article VI, section 1, of the Constitution of the Colorado River Indian Tribes has a constitutionally mandated duty to exercise its' responsibility for the education of its members by prescribing and implementing educational policies applicable to all institutions, schools, and programs operating on or near the Reservation. At the same time, the Tribes recognize the legitimate authority of the actual education provider, whether federal, state, community controlled or private. The Tribes commits itself, whenever possible, to work in cooperation with all education providers serving tribal member youth or adults or with responsibilities for serving tribal member students to assure the achievement of the educational goals of the Tribes established through these policies and in other applicable tribal laws.

(b) In exercising its responsibilities for providing educational opportunities to its membership, the Tribes through the Tribal Council and its administrative departments and offices shall develop programs and demonstration projects to encourage and promote the pursuit of education by tribal members. In order to ensure and encourage the educational progress of its membership, the Tribes shall enact policies and procedures to ensure both equity and opportunity in education, vocational training, as

well as, provide financial assistance to students so that they may attend educational programs to improve their academic skills and training in accelerated and accredited programs.

(c) The Colorado River Indian Tribes specifically claims for its members and relies upon the responsibility of the federal government of the United States to provide for the education of the members of the Tribes based upon the appropriate provisions under the Snyder Act of 1922, the Johnson O'Malley Act of 1934, and the Indian Self-determination Act of 1975. The Tribes, on behalf of its members, also claims and relies upon the rights of its members as citizens of the states within which they reside to a non-discriminatory public education. In exercising its responsibilities and authority for its' members, the Tribes does not sanction or bring about any abrogation of the rights of the Tribes or its members based upon trust responsibilities or citizenship, nor does it diminish the obligation of the federal government of the United States, the states or local political subdivisions of the state.

(d) The Tribes recognizes that this Education Code may need to be amended, modified, or redone in order to reflect the periodic changes in education and community standards. Changes and modifications to be carried out in this Education Code shall be completed in a timely manner and with consideration to the provision and quality of service.

**Section 8-1202. Application of Code to Tribal Members.**

(a) The laws and policies of the Tribes are applicable to the maximum extent of the jurisdiction of the Tribes, as allowed by law.

(b) There shall be no distinction made between tribal members living on or off the reservation in regard to priority, provision of services, or financial assistance.

(c) All education programs and services shall be made available to all tribal members regardless of place of residence as is practically allowed.

(d) The Education Code and its rules and regulations shall apply equally to all tribal members.

Section 8-1203. Education Code Adoption.

(a) The Education Code shall be effective when it is adopted by the Tribal Council of the Colorado River Indian Tribes. Any prior existing codes, ordinances, and resolutions pertaining to education policy and planning by and/or for the Tribes shall be rescinded and of no further force and effect as of the date approval is given unless otherwise noted in this Education Code. Any and all prior existing education rules, regulations, procedures, traditions, and practices, shall be superseded by the contents of this Education Code unless otherwise noted.

(b) The language and content of all existing federal and state contracts to provide educational services shall be revised to conform to this Education Code within three hundred and sixty-five (365) days from the date of passage. Thereafter the Education Board shall be the only authorized entity to review all contracts and budgets and propose recommendations for revision. The Education Board shall make direct recommendations to the Tribal Council for consideration.

Section 8-1204. Transition Guidelines for Students.

(a) All tribal member undergraduate and graduate students attending university, college, professional and postgraduate schools; secondary school students attending academies, preparatory schools, and high schools shall be notified by the Office of Postsecondary Education of the changes in requirements contained in section 8-4102 within one-hundred and eighty (180) days from the date of adoption of this Education Code.

(b) Those students that are designated by the Office of Postsecondary Education at the time of adoption of this Education Code as enrolled undergraduate seniors and juniors shall not be affected by the rules and regulations contained in section 8-4102(a) until January 1, \_\_\_\_\_. After that date, the rules in section 8-4102(a) shall be applied

equally to these students according to their grade level, standing, and grade point average (GPA). This does not apply to any senior or junior who prior to adoption dropped out after the beginning of the semester, was expelled, or failed to enroll after having been approved for funding.

(c) Those students that are designated by the Office of Postsecondary Education at the time of adoption of this Education Code as enrolled undergraduate sophomores and freshman shall not be affected by the rules and regulations contained in section 8-4102(a) until May 31, \_\_\_\_\_. After that date, the rules in section 8-4102(a) of this Education Code shall be applied equally to these students according to their grade level, standing, and grade point average (GPA).

This does not apply to any sophomore or freshman who prior to adoption of the Education Code dropped out after the beginning of the semester, was expelled, or failed to enroll after having been approved for funding.

(d) Those secondary school students who are seniors and juniors at the time of adoption of this Education Code shall comply with all of the rules and regulations contained in this Education Code, except for the following requirements:

- (1) The minimum cumulative grade point average requirement of a 2.5 for all secondary school course work shall not be required of these secondary students as stated in section 8-4102(a)(1)(C). Instead these students shall be required to only have a cumulative grade point average (GPA) of 2.0 for all secondary school course work in order to meet the undergraduate eligibility requirements.
- (2) The grade point average requirement of a 2.0 in the English, Mathematics, Physical Science, History, and Foreign Language course work shall not be required of these secondary students as stated in section 8-4102(a)(1)(C).
- (2) The testing requirement in section 8-4102(a)(1)(D) shall be waived for these students until January 1, \_\_\_\_\_.

(e) Those students who have started their postsecondary education as undergraduates and were funded by the Tribes for at least one (1) semester before the date of passage of the Education Code but are not enrolled in a university, college, or school at the time of adoption of this Education Code shall not be affected by the rules and regulations in section 8-4102(a) until January 1, \_\_\_\_\_. After that date, the rules in 8-4102(a) shall be applied equally to these students according to their grade level, standing, and grade point average (GPA). This does not apply to those students who dropped out after the beginning of the semester, were expelled, or failed to enroll after having been approved for funding.

(f) For all other students except those listed above, the Education Code shall be fully enforced from the date of adoption.

(g) Those existing education rules and regulations for postsecondary education that are to be utilized by the above referenced exceptions shall conform to the contents of this Education Code as much as possible. In cases where the prior existing rules and regulations are unclear or nonexistent then the Education Code shall be used as a reference and guide in resolving questions and/or disputes.

#### Section 8-1205. Schedule

(List time frames and specific dates and duties of those approved sections of the code.)

### Chapter 3. EDUCATIONAL PROGRAMS

#### Section 8-1301. Pre-School Programs.

(a) The Department of Education shall be authorized to develop and/or modify a program or programs to provide instruction to tribal member children living on or near the reservation from the age of three (3) years on up to Kindergarden, to ensure that these children shall have both the physical, mental, and emotional skills and knowledge that will enable the student to enter a public or private school.

(b) The purpose of such programs shall be to ensure a smooth transition and period of adjustment for the student into a regular school environment, as well as identify early on any handicaps or difficulties that may detract from the student's ability to study and/or receive instruction.

(c) All such programs in existence shall coordinate and consult with the Director of the Department of Education on a bimonthly basis until the Tribes has completed an administrative reorganization of the Department of Education.

Section 8-1302. Primary School Supplemental Education.  
(Reserved)

Section 8-1303. Secondary School Supplemental Education.  
(Reserved)

Section 8-1304. Special Education.  
(Reserved)

Section 8-1305. Adult Basic Education.

(a) The Tribes, through the Department of Education, shall provide a program or programs to increase the educational level of its adult population through the attainment of a General Education Degree (GED) or other such instruction identified as being necessary by the Executive Director of the Department of Education.

(b) A student, who at the age of eighteen (18) years, does not have a high school diploma, shall be eligible and have priority in an adult education program in order to complete his/her education.

Section 8-1306. Vocational Education.

(a) Tribal members have a right to instruction in basic education, and technical, employability, managerial, and entrepreneurial skills. The Tribes, through the Department of Education shall advocate with federal, state, and private sources for adequate funding of vocational non-professional career education programs.

(b) The Tribes shall integrate educational planning with economic planning and develop agreements, memorandums of agreement, and joint efforts for the sharing of vocational educational costs, facilities and programs.

(c) To increase the vocational opportunities available to tribal member youth and adults and to make the most effective use of existing resources, the Education Board, Resource Development Committee, Business Enterprise Board, and the Tribal Employment Rights Office shall coordinate, and develop a comprehensive vocational education and employment plan.

(1) The education and employment plan shall be completed within three hundred and sixty-five (365) days from the date of adoption of this Educational Code, and approved and adopted by the Tribal Council no later than ninety (90) days from the date of completion of the plan.

(2) The education and employment plan shall be reviewed and approved by the Education Board and Tribal Council and updated on an annual basis in the same coordinated manner.

(d) All vocational education programs shall be realistically designed to serve the needs of secondary school age children or older, including those who have academic, socio-economic, and physical handicaps, and who need and or can profit from the instruction.

(1) Vocational education programs should include instruction in basic skills, communication, social interaction, occupationally specific skills and responsibility skills that are required for employment.

(2) Vocational education program offerings shall be determined on the basis of identified needs, employment statistics, current occupational surveys, and local, state, and national labor market demands of new and emerging occupations.

- (3) Programs shall reflect the skills needed to develop the Tribes' economy.

Section 8-1307. Part-Time Student Vocational Rehabilitation.

(a) Tribal members, particularly tribal members who are employees of the Tribes, shall have the opportunity to upgrade their job skill levels and knowledge or retrain themselves in an occupation leading towards full time and permanent employment.

(b) The Department of Education may develop specific programs to assist tribal members in up-grading their skills or the retraining of its members and/or provide individual financial assistance to tribal members/employees in recognized and accredited programs specified by the Department of Education.

(c) The Education Board shall develop standards in the form of policies and procedures to ensure both equity and opportunity in vocational rehabilitation through the Part-Time Student Program. The Part-Time Student Program Rules and Regulations shall be contained in Article VI.

(d) The Department of Education through its Office of Postsecondary Education and Adult Basic Education component shall implement and oversee those policies contingent upon available space and monies to be provided by the Tribal Council to the Department for appropriate and qualified staffing and materials to implement this section.

Section 8-1308. Postsecondary Education.

(a) The future development and progress of the Tribes depends upon the academic achievement and acquisition of technical skills of its members. In exercising its responsibilities in regard to financial assistance and postsecondary program oversight, the Tribes shall give attention to the social, educational, economic and other developmental needs of the Tribes as a whole, as well as to the welfare and personal needs of the individual student.

(b) The Tribes financial aid funds should be utilized in combination with state, federal and private resources, such as Pell grants, loans, college work study, tuition waivers, endowments, special grants, scholarships, fellowships, and innovative programs so that adequate financial assistance may be made to as many qualified postsecondary students as possible.

(c) Postsecondary educational programs which recruit and/or serve students shall be realistically designed to serve the educational needs of tribal member students and shall comply with the laws of the Tribes.

#### Chapter 4. EDUCATION DEPARTMENTS, BOARDS AND OFFICES

##### Section 8-1401. Department of Education.

(a) The Tribes Department of Education may be the designated administrative agency within the Tribes government with the responsibility for implementing and enforcing the Education Code, policies, and rules and regulations of the Tribes.

(b) The Tribes Education Board in cooperation with the Director of the Department of Education are delegated the responsibility and authority for developing standards in the form of education policies and procedures and providing oversight of the educational laws of the Tribes as specified in this Education Code. The policies and procedures shall accomplish the following:

- (1) Provide career guidance to all students;
- (2) Encourage and promote academic excellence, and sponsor students in academically rigorous fields of study;
- (3) Require students to remain within their postsecondary educational programs until the completion of their degrees and/or certifications;
- (4) Encourage students to return and provide service to the Tribes;

- (5) Provide job and career opportunities and incentives to students to facilitate their return and service to the Tribes;
- (6) Encourage students to choose postsecondary programs which are appropriate to their career needs and to their academic preparation;
- (7) Provide academic scholarships for students with high academic achievement;
- (8) Enable students to prepare, retrain and upgrade their skills for new and changing professions and occupations on a full or part time basis;
- (9) Encourage and provide for the pursuit of graduate level degrees, particularly in fields which support the defined developmental goals of the Tribes; and
- (10) Provide a range of financial assistance resources including academic scholarships, grants based on need, graduate fellowships, supplemental stipends to graduate students, and may also include privately endowed grants and scholarships.

Section 8-1402. Education Board.

(a) The Tribes Education Committee shall transition into the Education Board according to the by-laws submitted to Tribal Council and shall be authorized by the Tribal Council to do the following:

- (1) Provide the leadership in establishing and enforcing the education goals, objectives, policies, rules and regulations, and priorities of the Tribes.
- (2) Provide guidance and direction in education policy for the Department of Education and its offices, programs, and projects, including the Office of Postsecondary Education.

- (3) Periodically develop, review, and recommend revisions to the educational objectives in the Education Plan, and recommend amendments to the Education Code as needed and can be demonstrated through facts, and submit these to the Tribal Council for approval and adoption.
- (4) Solicit and generate new funds for education programs and projects, including any educational trust funds by whatever means deemed to be appropriate and necessary by the Education Board.
- (5) Review, consider, and resolve appeals and grievances as specified in section 8-3502 of this Education Code. The decisions of the Education Board shall be final except in cases where the Education Board has violated specific provisions contained in this Education Code.
- (6) Adopt, modify or amend such provisions in this Education Code as are deemed necessary to carry out and implement the intent of this Education Code. The Tribal Council shall approve recommendations from the Education Board to adopt, modify or amend such provisions in the Education Code in a timely manner.
- (7) Review, modify, amend, and recommend approval/disapproval of all contracts pertaining to education programs and projects.
- (8) Set minimum criteria/ standards for tribal member students participating and/or receiving funding from all Tribes educational programs.
- (9) Review and recommend approval/disapproval of all individual applications for funding from all Tribes educational programs.
- (10) Review applications for funding of individual students and make recommendation to the Tribal Council.

- (10) Set minimum criteria/ standards for tribal member students participating and/or receiving funding from the Tribes postsecondary program.

Section 8-1403. Office of Postsecondary Education.

(a) The title of the existing Career Development Program shall be changed to the Office of Postsecondary Education. The Office of Postsecondary Education shall implement and oversee the policies in section 8-1401.

(b) The Office of Postsecondary Education shall continue to supervise and coordinate those existing programs now known as Higher Education/Career Development, which include Higher Education, Adult Vocational Training, Employment Assistance and Employment Training.

Section 8-1404. Academic Scholarship Office.

(a) Within the Office of Postsecondary Education, a special office for Academic Scholarships shall be established within sixty (60) days of passage of this Education Code and shall be part of the Office of Postsecondary Education within the Department of Education.

(b) The special office shall be created, staffed and designated to do the following:

- (1) Oversee the provision of academic scholarships to students of high academic achievement, without regard to assessed financial need;
- (2) Oversee the provision of graduate fellowships and supplemental stipend assistance;
- (3) Provide for the development and administration of endowed programs of academic scholarships, fellowships, and grants;
- (4) Design and implement programs to encourage and facilitate the academic achievement and progress of tribal member students in secondary schools and institutions.

Chapter 5. ADMINISTRATION, PROCESS, SCHOOL FACILITIES

Section 8-1501. Administration of Education Programs.

(a) Until formal action is taken to administratively organize the Education Department and all the Tribes education programs and projects into a comprehensive and coordinated institution, the existing Education Department and all other education programs and projects shall consult and coordinate with one another in meetings on a bimonthly basis.

- (1) The supervisors of the programs and projects in cooperation with the Director of Education shall have sixty (60) days from the date of passage of this Education Code to design and agree upon a format to consult and coordinate with one another.
- (2) If the supervisors cannot cooperate then the Chairman of the Tribal Council may specify a format no later than ninety (90) days from the date of passage.
- (3) This interim means of organization and coordination shall take effect immediately upon passage of this Education Code. The Tribal Council Chairman shall take the necessary action to bring this about upon passage of this Education Code.

(b) All education programs, projects, and other administrative entities shall describe in detail their programs in terms of goals, objectives, activities, and methodologies.

(c) All education programs, projects, and other administrative entities shall provide up to date job and/or position descriptions for all personnel under their supervision.

- (1) These descriptions shall be submitted to the Education Board no later than sixty (60) days from the date of passage of this Education Code.

- (2) Failure to submit these description on time shall result in disciplinary action for insubordination from the Chairman of the Tribal Council.

**Section 8-1502. Process for Awarding Monies to Students.**

(a) The process for awarding financial aid monies to individual students shall be the following:

- (1) Applications are received, processed, and prepared for review by the Education Board from the Office of Postsecondary Education.
- (2) The Education Board shall review the applications based on the criteria listed in this Education Code and make recommendations to Tribal Council.
- (3) The Tribal Council shall accept or not accept the recommendation from the Education Board.
- (4) A Tribal Council rejection of a recommendation from the Education Board shall be based on failure to meet the criteria specified in this Education Code.

(b) No other process may be utilized by the Tribes for awarding monies for educational purposes for postsecondary education.

**Section 8-1503. School Facilities and Operations.**

(a) All educational programs located on the Reservation or serving significant numbers of tribal member students shall be operated in facilities that are accessible, appropriate to the purpose for which they are used and maintained in good repair.

(b) The Department of Education shall establish joint planning efforts with schools and school systems on the reservation and also with those educational institutions receiving federal funding to educate the Tribes children to accomplish the following:

- (1) When planning construction, expansion, consolidation, or closure of any school or school residential unit serving the Tribes, the decision making entity shall, from the initial stages consult with the affected parents and the Education Board ; and shall incorporate the desires of these parties into their plans to the greatest extent feasible.
- (2) The construction, expansion, and renovation of any school facility shall conform to all applicable tribal, state, and federal health and safety regulations, to establish safety and building codes and to laws regarding environmental assessments and environmental impacts.
- (3) The withdrawal of tribal land for school purposes shall be in the form of a lease. All lessees receiving lease agreements pursuant to this Education Code are subject to the laws of the Tribes in regard to the occupation and activities conducted upon the leased premises.

Chapter 5. ASSESSMENTS, DEVELOPMENT, FUNDING, BUDGET

Section 8-1601. Assessment and Data Collection.

(a) An assessment of tribal education, including but not limited to programs, projects, services, literacy levels, etc. shall be accomplished by the Department of Education every five (5) years. The first assessment shall be completed no later than December 31, \_\_\_\_.

(b) All future assessments after \_\_\_\_ shall conform to the following. The assessment shall begin in the fourth (4th) year and shall consist of a field assessment, report, and recommendations. The field assessment shall begin during the first month of the fourth (4th) year, and completed by the seventh (7th) month of the fourth (4th) year.

(c) A comprehensive report by the Director of the Department of Education shall be drafted, reviewed, and presented by the end of the ninth (9th) month of the fourth



- (1) The Director of the Department of Education shall specify in a budget with justification within thirty (30) days of such an action by the Tribal Council, the amount needed to implement and administer the responsibility or duty.
- (2) The Tribal Council shall provide such funds as are requested for this purpose.

Section 8-1604. Budget.

(a) The budget(s) for all contracted and non-contracted education programs and projects shall be modified to comply with this Education Code at the next fiscal year following adoption of this Education Code.

(b) The Director of the Education Department in conjunction with the heads and coordinators for all offices, programs, and projects shall develop and present the first comprehensive education budget to the Tribal Council.

(c) All monies for postsecondary education budgeted on an annual basis shall be allocated in support of students by academic term during the year according to the following formula:

- (1) Fall Term - a maximum of fifty percent (50%) of the total monies allocated for that fiscal year.
- (2) Spring Term - a maximum of fifty percent (50%) of the total monies allocated for that fiscal year.
- (3) Summer Term - a maximum of ten percent (10%) of the total monies allocated for that fiscal year provided that there are unexpended and/or uncommitted monies available. The fall and spring terms shall have priority over the summer term.

(d) All contracted programs or projects receiving funding

from non-tribal sources shall provide direct services to the target population with at least sixty-five percent (65%) of the total budgeted amount of funds, and shall not use more than thirty-five percent (35%) of the total budgeted amount for administration, including staff salaries and fringe benefits. The only program that shall be exempted is Headstart.

(e) All demonstration projects funded with non-tribal monies shall develop their budget according to the following formula:

year	tribal_share	non-tribal_share
1st year	0%	100%
2nd year	25%	75%
3rd year	50%	50%
4th year	75%	25%
5th year	100%	0%

Demonstration projects funded by non-tribal entities of at least three (3) years duration may become tribal programs at the end of the third (3rd), fourth (4th), or fifth (5th) year, provided that the project is successful and has met its goals and objectives, and the project costs can be budgeted into the Department.

## Chapter 7. EMPLOYMENT

### Section 8-1701. Tribal Preference and Native American Preference.

The ultimate goal of Tribes is self-determination. In order to assure the advancement and promotion of its qualified tribal members, the Tribes shall require tribal member preference in employment of school and educational personnel in all schools and programs operating on the Reservation. In addition, whenever application of the tribal preference policy does not result in the selection of a tribal applicant or candidate, then the policy of Indian preference shall be applied to the remaining applicants or candidates.

Section 8-1702. Education Standard for Employment with Tribes.

(a) The Tribes and its Tribal Council shall recognize the importance of education and shall demonstrate support for education and its attainment by its tribal members whenever possible.

(b) Upon adoption of this Education Code by the Tribal Council, the Tribes from that date forward shall require that all new employees and/or persons hired in positions/jobs within the tribal administration including its enterprises, businesses, projects, and programs shall be required to demonstrate they are a high school or General Education Degree (GED) graduate. A person without such a degree or certificate shall not be considered for employment nor hired by the Tribes for any position or job under any circumstances, including temporary hire. There shall be no exceptions.

(c) The Administrative Manager shall be responsible for properly amending the Employee Handbook for the Tribes within one hundred and eighty-one (180) calendar days to reflect this section of the Education Code.

Section 8-1703. Contracted Programs.

(a) Contracted programs shall not be considered by anyone as independent entities outside the supervision and/or laws of the Tribes.

- (1) Contracted programs shall conform to all the Tribes laws, codes, ordinances and policies, as applicable.
- (2) Contracted programs shall conform to the administration of educational programs as specified by the Tribes.

(b) The Education Board shall have the sole authority to review, modify, amend, and recommend approval/disapproval of all federal, state, and other contracts pertaining to education programs and projects.

- (1) All contracts shall conform to the provisions of this Education Code within three hundred and sixty-five days (365) from the date of passage.
  - (2) Failure to comply by the program supervisor shall result in disciplinary action of insubordination.
- (c) Any question regarding interpretation of contract language or activity specific to the contract shall come before the Education Board for review and recommendation to the Tribal Council.

## ARTICLE II. EDUCATION CODE REVISION

### Chapter 1. PROCESS, INITIATION, ADVERTISEMENT

#### Section 8-2101. Process for Revision.

- (a) The process for revision outlined in this Article II shall be followed at all times. No other process may be utilized other than the one contained in this Article II unless otherwise provided for in this Education Code.
- (b) All Education Board minutes of meetings and hearings pertaining to a revision shall be verbatim.
- (c) The process shall include the input of the community at all times.

#### Section 8-2102. Initiation of Revision.

- (a) The Education Board shall:
  - (1) Determine the need for revision within this Education code
  - (2) Identify exactly what is to be revised and to what extent.
  - (3) Only address revision of policies, regulations, procedures, processes, and issues contained in this Education Code.

(b) The Education Board may consult with other tribal boards or committees, or with the Tribal Council to determine and identify what may be changed.

(c) Any additional revision of policies, regulations, procedures, processes, and issues not contained in this Education Code may only be addressed with the express permission of the Tribal Council.

(d) After the Education Board has determined the need for and identified what is to be revised, the Education Board shall draft and present the proposed revision(s) at a regularly scheduled Education Board meeting known as a Consultation Meeting pursuant to section 8-2202.

#### Section 8-2103. Advertisement of Proposed Revisions.

(a) Prior to this presentation of the proposed revision(s), the Education Board shall advertise these proposed revision(s) within the community for a period of no less than forty-five (45) days.

- (1) The advertisement shall include a statement of what is to be revised and why it is to be revised.
- (2) The advertisement shall also include the full text of any proposed revision(s), and the time, date, and location of the Education Board meeting where the revision(s) will be presented.
- (3) These advertisements shall be posted in at least six (6) publicly accessible places on the reservation for a period of not less than forty-five (45) days.
- (4) The advertisement shall also be placed as a notice in a local paper for a period of at least thirty (30) days.

(b) Any student, staff, department, office, program, and/or project directly affected by such proposed revision(s) shall also be notified by letter, with a copy of the advertisement

attached, at least forty-five (45) days in advance of the Consultation Meeting in section 8-2201.

Chapter 2.           CONSULTATION MEETING, PUBLIC HEARINGS

Section 8-2201.           Consultation Meeting.

(a) At the Education Board meeting where the draft of the proposed (Consultation Meeting) revision(s) are presented, the Education Board shall allow sufficient time for input from anyone present and shall read into the record any written correspondence received that comments on the proposed revision(s).

(b) The Education Board or its members may introduce their own comments or documentation in support of the proposed revision(s) at this time. Also, at this time, if evidence is presented that the process for revision has not been followed in regard to advertisement, dates, posting, letters as stated in section 8-2203, the Education Board shall readvertise for another period of forty-five (45) days .

(c) If the process has been followed to this point, then the Education Board may continue and at this time may reconsider its determination for a proposed revision and/or modify the proposed revision after having received input.

(1) If the Education Board determines that there is no need for a proposed revision at this time, the Education Board shall call and vote on a motion to suspend the process of revision.

(2) If the Education Board continues with the process of revision, then the Education Board shall call and vote on a motion to adopt the proposed revision.

(A) A proposed revision may not be tabled at this meeting.

(B) If the motion to adopt the proposed revision is defeated then the process of revision is automatically suspended.

- (C) If the motion to adopt the proposed revision is approved then the process of revision shall continue and the Education Board shall request the input of the community through public hearings.

Section 8-2202. Public Hearings Time Schedule; Notice.

(a) By the end of the consultation meeting, the Education Board shall immediately set a time schedule for holding public hearings to receive comment and input from the community.

- (1) The first public hearing shall be scheduled no sooner than sixty (60) days from the date of the consultation meeting to adopt the proposed revision.
- (2) Public hearings shall be held for a period of time not less than twenty-one (21) days nor longer than sixty (60) days.
- (3) At least two (2) public hearings shall be held.
- (4) The public hearings shall be scheduled on different dates, different times, and different locations on the Reservation so as to include the fullest participation of the community as possible.

(b) The Education Board shall advertise the dates, times, locations of the public hearings and include the full text of the adopted proposed revision.

- (1) The Education Board shall advertise for a period of not less than forty-five (45) days prior to the first hearing.
- (2) These advertisements for public hearings shall be posted in at least six (6) publicly accessible places on the reservation for a period of no less than forty-five (45) days.

- (3) The advertisement shall also be placed as a notice in a local paper for a period of at least thirty (30) days prior to the first meeting.

(c) Any student, staff, department, office, program, and/or project directly affected by such adopted proposed revision(s) shall also be notified by letter, with a copy of the advertisement attached, at least forty-five (45) days in advance of the first public hearing.

**Section 8-2203. Public Hearing.**

(a) The agenda for a public hearing shall contain no other business item except the proposed revision(s).

(b) The Education Board chairperson or a designated Education Board member shall conduct the public hearing.

- (1) All persons attending a public hearing shall sign in or the person conducting the meeting may request the person to identify him/her self.
- (2) The person conducting the meeting shall recognize everyone present in turn.
- (3) Order shall be maintained at public hearings at all times.
- (4) The person conducting the meeting may adjourn the meeting if order is not maintained by those attending.

(c) The two (2) types of participation in public hearings that the Education Board shall allow and recognize are when a person attends the hearing and presents the committee with his/her oral or written comments, or a person does not attend the hearing and provides the committee with written comments.

- (1) A person presenting oral or written testimony at the hearing shall first identify him/herself by full name and state whether or not they are a tribal member. The Education Board shall allow

sufficient time for input from anyone present the hearing.

- (2) Any written comments on the proposed revision(s) addressed to the Education Board shall be read into the record and shall be identified by the full name of the person. A written comment received without an identification of a name of a person or "anonymous" shall not be read into the record nor considered any further.

(d) The Education Board shall answer any questions regarding the proposed revision(s). The Education Board or its members may introduce their own comments or documentation in support of the proposed revision(s) at this time.

### Chapter 3. EDUCATION BOARD AND TRIBAL COUNCIL REVIEW

#### Section 8-2301. Education Board Review.

(a) At the end of the period for public hearings, the Education Board shall assemble any and all written and oral input.

(b) The Education Board shall prepare and review the drafted proposed revision(s). As part of the drafted proposed revision, the Education Board shall include copies of all notices, advertisements, letters sent, letters received, sign in sheets for meetings and hearings, transcripts of meetings and hearings and any other supporting documentation such as, but not limited to, studies and assessments.

(c) The Education Board shall schedule a review meeting no later than thirty (30) days from the last public hearing to review, assess, and discuss the input received.

- (1) At this review meeting, the Education Board may at this time redraft the adopted proposed revision(s) to reflect the input of the community.
- (2) At this review meeting, the Education Board shall

either vote to recommend the proposed revision to Tribal Council or not to recommend the proposed revision to Tribal Council.

- (A) If the Education Board decides that there is no need to recommend a proposed revision to Tribal Council then the revision process shall end after the vote has been recorded.
- (B) If the Education Board decides that there is a need to recommend a proposed revision to Tribal Council then the revision process shall continue with a copy of the proposed revision(s) and back-up documentation forwarded to the Tribal Council for review.

Section 8-2302. Tribal Council Review.

(a) The Education Board shall present to the Tribal Council a copy of the proposed revision(s) and it's supporting documentation no later than fourteen (14) days from the date of the Education Board Review Meeting.

(b) The Tribal Council shall have thirty (30) days from the date of receipt of the proposed revision with which to review the material.

- (1) During this thirty (30) day period the Tribal Council shall consult with the Education Board at least once, in order to answer any questions or explain part or all of the proposed revision(s).
- (2) During this thirty (30) day period the Tribal Council shall ensure that the process for revision has been followed by the Education Board, as contained in this Article.
- (3) During this thirty (30) day period if the process of revision has not been followed by the Education Board , the Tribal Council shall cite specifically what has not been complied with and request that the Education Board do what is necessary to bring their action in compliance with the process for

revision.

(c) At the end of the thirty (30) day period, the Tribal Council shall have a period of no more than thirty (30) days to either adopt or reject the proposed revision(s).

(d) If the proposed revision is rejected, the Tribal Council shall state the specific reasons the proposed revision(s) was not adopted.

**ARTICLE III. EDUCATIONAL OBJECTIVES, SERVICES**

**Chapter 1. PARENTAL INVOLVEMENT, SCHOOL ATTENDANCE**

**Section 8-3101. Parental Involvement and Commitment.**

(a) Local schools shall encourage participation by parents of students in their school programs. Parents should be involved in the planning, developing, and evaluating educational programs, developing curriculum, and school activities.

(b) Appropriate procedures shall be developed by each local school to facilitate parental involvement and to assist parents in inquiring and learning about the education their children are receiving.

(c) Parents have a responsibility to support the educational efforts of the local schools to assure the regular attendance of their children in school, and to exercise general supervision and guidance over their children.

**Section 8-3102. School Attendance.**

(a) Every person who has a tribal member child or children under his or her care between the ages of five (5) and eighteen (18) years shall assure the attendance of the child or children in a school or institution certified by the appropriate agency to give academic and/or educational instruction.

- (1) For purposes of this section, a child shall be deemed to be five (5) years old only if he or she

has a fifth (5th) birthday on or before September first (1st) of the school year to which this policy is applied.

(2) This policy applies to attendance by children who have not yet graduated from high school.

(b) Any adult residing on or near the Reservation who violates the provisions of this section shall be subject to the penalties prescribed in section 357 (Contributing to the Delinquency of a Minor) of the Law & Order Code.

(c) Any minor who is a tribal member residing on or near the Reservation shall be subject to the jurisdiction of the Juvenile Court of the Tribes.

## Chapter 2.        STANDARDS

### Section 8-3201.        Standards for Education.

(a) The Tribes through its Director of the Department of Education shall identify the need for appropriate standards in various subject areas and shall develop educational standards to assure the provision of a high quality education for students in all schools serving the reservation. These standards shall in no way limit the freedom of the local school system to exceed these requirements.

(b) The Department of Education, through the Director, shall coordinate with other governmental entities and education providers in designing and implementing educational standards appropriate to the various schools and school systems.

(c) The Department of Education shall consider the requirements of applicable state and federal laws in the development of educational standards. The Tribes educational standards shall avoid actual conflict with the requirements of state, federal or private accrediting entities having jurisdiction over the schools unless there is no practical means of implementing the Tribes educational policies without such conflict or unless the

conflict is permitted by the external law.

(d) The Tribes standards, if not in existence, shall be developed and enacted within a time period specified by the Director of the Department of Education upon passage of this Education Code contingent upon monies provided by the Tribal Council to the Department of Education for appropriate and qualified staffing and materials to implement this section.

Section 8-3202. Standards for Literacy.

(a) All tribal members shall have completed a high school diploma or General Education Degree (GED) and/or attained a general literacy level of at least 10.2.

(b) The Director of the Department of Education shall be authorized to develop and/or identify appropriate literacy levels for each year of instruction in the public schools for tribal members attending primary and secondary schools on or near the reservation.

(c) The Director shall coordinate with the local school districts in implementing these literacy levels for tribal member students, and these shall be developed and enacted within twenty-four (24) months from the date of passage of this Education Code, contingent upon monies provided by the Tribal Council to the Department for appropriate and qualified staffing and materials to implement this section.

Section 8-3203. Standards for School and Program  
Instructors and Administrators.  
(Reserved)

Chapter 3. CURRICULUM, INSTRUCTION

Section 8-3301. Curriculum.

(a) Each school serving the Tribes shall have a written, congruent curriculum which contains clearly articulated instructional goals and objectives.

- (1) The curriculum of each school shall be based on the needs of the students served.



history, civics, and social studies shall be promoted, and integrated in the curriculum of every school serving the Tribes.

(c) The Department of Education shall work with the local school board and its administration to implement this section within a time period specified by the Director of the Department of Education contingent upon monies provided by the Tribal Council to the Department for appropriate and qualified staffing and materials.

Section 8-3304. Professional Training for Educators.  
(Reserved)

#### Chapter 4. SPECIAL SERVICES, TRANSPORTATION

Section 8-3401. Counseling Services.

All local schools serving the Tribes shall maintain competent, appropriately staffed counseling programs. Counseling staff should have an awareness of tribal culture and tradition, particularly as these relate to the individual needs and life circumstances of the students. The counseling program shall be concerned with the intellectual, physical, and emotional growth of each student.

Section 8-3402. Substance and Alcohol Abuse.  
(Reserved)

Section 8-3403. Transportation.  
(Reserved)

#### Chapter 5. FINANCIAL ASSISTANCE MORAL OBLIGATION, APPELLATE PROCESS

Section 8-3501. Moral Obligation.

(a) Each student who has received financial assistance from the Tribes and graduated with a degree shall be under a moral obligation to return to the Reservation and to provide professional services to the Tribes.

(b) All students, while receiving financial assistance from the Tribes shall remain in contact with the Office of Postsecondary Education during each academic term according to the following schedule:

- (1) One (1) contact within the first month of the semester or quarter.
- (2) One (1) contact after the mid-term examination period of the semester or quarter as specified by the school, college or university.
- (3) One (1) contact during the last month of the semester or quarter.

(c) A contact shall consist of a collect telephone call to the Office of Postsecondary Education or a written letter of at least twenty-five (25) words. During a contact the student shall indicate how they are progressing or adjusting to school, and note any problems they are having in school.

(d) Failure to keep in contact may result in a temporary suspension of funds until the student contacts the Office of Postsecondary Education.

#### **Section 8-3502. Appellate Process.**

(a) As citizens, students possess the basic freedoms, privileges, and rights guaranteed to all persons by law. Likewise, they are subject to the same rules of accountability for, and the same limitations upon, their statements and actions as are imposed by law upon all persons.

(b) As members of the Tribes, students have the responsibility to fulfill their own academic obligations, to comply with all applicable laws and the policies, procedures, rules, and regulations contained in this Education Code.

(c) Alleged violation of his/her responsibilities are subject to redress in accordance with the following appellate process:

- (1) All appeals may be resolved by informal means whenever possible.
- (2) All appeals shall be based on an adverse action of the Education Board and/or Department of Education and/or other education project or program controlled by the Tribes.
- (3) Every request for an appeal shall be filed in writing, within fourteen (14) days from an adverse action having occurred. After fourteen (14) days, no appeal may be accepted or considered by any governmental and/or organizational body of the Tribes.
- (4) The request for an appeal shall contain the following:
  - (A) The full name and address of the person making the appeal.
  - (B) A clear and concise statement of the facts, pertinent dates, and complaint to be considered.
  - (C) Any supporting documents.
- (5) The appeal shall be sent by certified mail to the Tribes at the following address:

Colorado River Indian Tribes  
Education Board  
Route 1, Box 23-B  
Parker, Arizona 85344
- (6) The Education Board Chairperson shall call a special meeting within fourteen (14) days business days from the date of receipt of the appeal, and all concerned shall be properly and in a timely manner notified of the date and place of the meeting in writing.

- (7) All documents and other evidence offered or received for the record shall be open to examination by the parties and opportunities shall be given to results, facts, and arguments advanced on either side of the issue(s).
- (8) At the end of the special meeting, the Education Board shall set forth their ruling on each finding, conclusion, or exception presented at the hearing, and will make a decision of the Education Board findings.
- (9) All decisions and findings of the Education Board are subject to review by the Tribal Council for a period not to exceed thirty (30) calendar days. If the Tribal Council shall reverse a ruling of the Education Board within that thirty (30) day period, the Tribal Council may only do so when it has demonstrated that the Education Board failed to uphold the rules and regulation contained in this Education Code.

ARTICLE IV. POSTSECONDARY FINANCIAL ASSISTANCE PROGRAM RULES AND REGULATIONS

Chapter 1. FINANCIAL ASSISTANCE PROGRAMS, INTERN REQUIREMENTS, SCHOLARSHIP REQUIREMENTS, WAIVER OF SOVEREIGN IMMUNITY

Section 8-4101. Postsecondary Education Objectives.

The objectives of postsecondary education are to:

- (1) Encourage tribal member students to pursue and successfully complete a postsecondary education;
- (2) Provide tribal member students with financial support during their course of study at the undergraduate and graduate level;
- (3) Provide the Tribes with a capable and qualified work force of people to serve as a human resource in overall tribal economic development;

- (4) Ensure equity and fairness to the tribal member students while they participate in the program(s); and
- (5) Provide the Tribes with administrative and financial accountability.

**Section 8-4102. Eligibility Requirements.**

(a) Undergraduate Requirements:

- (1) The following are the basic requirements that must be initially fulfilled by a student in order to be considered eligible to receive financial assistance from the Tribes for the completion of an undergraduate degree. A completed eligibility application shall consist of the fulfillment of these requirements:

(A) The student is an enrolled member of the Colorado River Indian Tribes, as demonstrated by a Bureau of Indian Affairs Certification of Indian Blood or a letter from the Tribes' enrollment office.

(B) The student is a High School or General Education Degree (GED) graduate as documented by a diploma or GED certificate. GED graduates must earn an average standard score of 45 with a minimum score of 40 in all subject areas: writing skills, social studies, science, interpreting literature and arts, and mathematics. This is higher than the GED passing requirement, is equivalent to about a C+ average, and will ensure proficiency in all subject areas covered by the high school requirement except foreign languages. This GED passing requirement also includes a written essay on an assigned topic.

(C) The student has a minimum cumulative grade point average (GPA) of 2.25 on a scale of

4.00 as recorded on an official secondary school transcript, and the student shall have completed the following courses with not less than a 2.00, passing grade, or "C" depending on the grading system used by the school:

- i. 4 years English - grammar, composition, literature.
- ii. 4 years Mathematics - algebra, geometry, calculus, trigonometry, advanced algebra.
- iii. 3 years Physical Science - biology, chemistry, physics.
- iv. 3 years History - history, social studies, regional studies, constitution.
- v. 2 year Foreign Language - A language other than the primary language used by the student.

(D) The student has a minimum college entrance examination scores of 900 combined verbal/math for an SAT or a composite score of 20 or above for an ACT.

(E) The student must be enrolled as "full time" as defined by the postsecondary institution.

(F) The student is officially admitted to a postsecondary institution accredited by one of the following seven (7) regional accrediting organizations unless expressly noted and exempted in this Education Code. These organizations are the following:

- i. MSA: Middle States Association of Colleges and Schools.

- ii. NEASC: New England Association of Schools and Colleges.
- iii. NCA: North Central Association of Colleges and Schools.
- iv. NASC: Northwest Association of Schools and Colleges.
- v. SACS: Southern Association of Colleges and Schools.
- vi. WACS: Western Association of Schools and Colleges.
- vii. The appropriate accrediting association for highly technical and/or specialized majors including, but not limited to, the National Architectural Accrediting Board for schools of architecture.

(G) The student has completed and signed a Tribes Financial Assistance application form.

- (2) Undergraduate student eligibility should be established immediately at the end of high school or the completion of a GED but before matriculation to a college or university.
- (3) Students who have already begun their undergraduate studies and completed one (1) semester of study at an accredited college or university and desire to become eligible for financial assistance from the Tribes may apply for eligibility according to the requirements provided in subsection (a) if the following additional requirement is met in accordance with paragraph (a) (1) (C) :

The undergraduate student has a minimum cumulative grade point average (GPA) of 2.50 on a scale of 4.00 as recorded on an official college or university transcript.

(b) Graduate and Postgraduate Requirements:

(1) The following are the basic requirements that must be initially fulfilled by a student in order to be considered eligible to receive financial assistance from the Tribes for the completion of an graduate or postgraduate degree. A completed eligibility application shall consist of the fulfillment of these requirements:

(A) The student is a enrolled member of the Colorado River Indian Tribes, as demonstrated by a Bureau of Indian Affairs Certification of Indian Blood or a letter from the Tribes' enrollment office.

(B) The student has received a Bachelors degree from an accredited four (4) year college or university as documented by a diploma or college certificate. The college or university shall be accredited by one of the following seven (7) regional accrediting organizations unless expressly noted and exempted in this Education Code. These organizations are the following:

- i. MSA: Middle States Association of Colleges and Schools.
- ii. NEASC: New England Association of Schools and Colleges.
- iii. NCA: North Central Association of Colleges and Schools.
- iv. NASC: Northwest Association of Schools and Colleges.
- v. SACS: Southern Association of Colleges and Schools.
- vi. WACS: Western Association of Schools and Colleges.

vii. The appropriate accrediting association for highly technical and/or specialized majors including, but not limited to, the National Architectural Accrediting Board for schools of architecture.

- (C) The student is officially admitted to a graduate or postgraduate program or professional school at an accredited postsecondary institution. Admission shall be documented by an official letter from the university or graduate program or professional school.
  - (D) The student shall be enrolled in the university or graduate program or professional school as "full time" as defined by the individual postsecondary institution.
  - (E) The student shall specify the designated area of study for which they are pursuing a graduate or postgraduate degree.
  - (F) The student has completed and signed a Tribes financial assistance application form.
- (2) Graduate and postgraduate student eligibility should be established immediately upon graduation as an undergraduate but before matriculation to a university or graduate program or professional school.
- (3) Those students who have already begun their graduate or postgraduate or professional studies and completed one (1) semester of study at an accredited university or graduate program or professional school and desire to become eligible for financial assistance from the Tribes may apply for eligibility according to the above requirements provided they fulfill the following additional requirement :

The student has a minimum cumulative grade point

average (GPA) of 3.00 on a scale of 4.00 as recorded on an official university or graduate program or professional school transcript.

- (4) Students shall be eligible to receive financial assistance for work on their thesis and/or dissertation, provided the student submits the following additional information:
  - (A) An official letter from the university or graduate program or professional school stating successful completion of general examinations and admissions towards degree candidacy; and
  - (B) A letter from the graduate or postgraduate student requesting assistance and specifying both a detailed budget and an anticipated completion date of their thesis and/or dissertation.

Section 8-4103. Financial Assistance Programs.

(a) The type of assistance an applicant receives, depends upon the applicant and his/her fulfillment of the eligibility and program requirements. Financial assistance is available from the Tribes in the forms of grants, scholarships, fellowships and supplemental stipends. These types of assistance are awarded under different programs and have different sets of requirements.

- (1) Undergraduate Grant Program:
  - (A) The Undergraduate Grant Program is established to provide financial assistance to undergraduate students who demonstrate both scholastic ability and financial need based on an analysis of family/student resources (Financial Needs Analysis) completed by a Financial Aid Service and the Financial Aid Office of the undergraduate student's college or university.

- (B) To be considered for an award of a grant, the undergraduate student shall:
    - i. Meet the eligibility requirements in section 8-4102(a); and
    - ii. Document the application of other financial aid resources as defined by the student's college or university.
  - (C) Undergraduate grant students shall recertify their eligibility each academic year and financial assistance shall continue only if the student continues to demonstrate fulfillment of the requirements as described in section 8-4304 , "Continuing Students."
  - (D) Grants shall cover the cost of the assessed financial need of the student in the following areas: parent contribution, student contributions, work study, and any aid designated by the college or university as loans on a Financial Needs Analysis.
  - (E) Grant funds shall only be used to cover the cost of a student as an individual and may not include the cost of maintenance of any children or spouse.
  - (F) Grant students shall attend a school where they will live on campus. Grant students shall not be eligible to receive any monies controlled by the Tribes enabling them to live off campus. If a meal plan is offered by the college or university, grant students shall accept a part or full meal plan.
  - (G) Grant funds shall not be used for repayment of previously contracted educational loans or other debts.
- (2) Undergraduate Scholarship Program:

- (A) Students who have demonstrated superior academic ability and educational talent shall be recognized by the Tribes through the award of a scholarship
- (B) All tribal member students are encouraged to exceed the standards and graduation requirements of their secondary school programs in order to be eligible for a scholarship from the Tribes.
- (C) Those students who desire and indicate on the Tribes financial assistance application that they wish to be considered for a scholarship, shall demonstrate :
  - i. The eligibility requirements in section 8-4102(a) are met;
  - ii. A minimum cumulative grade point average (GPA) of 3.00 as recorded on an official transcript;
  - iii. A minimum college entrance examination score of at least 1000 verbal/math combined for an SAT or a composite score of 24 or better for the ACT; and
  - iv. Two (2) letters of evaluation from academic professors, teachers, or instructors of the student who are able to state from personal knowledge the qualifications, including both the strengths and weaknesses of the student, and recommend him/her for advanced studies at a college or university.
- (D) Students applying for a scholarship need not demonstrate application for other sources of financial aid. However, scholarship students are strongly encouraged to apply for other sources of financial assistance but it is not a requirement .

- (E) Undergraduate scholarship students shall recertify their eligibility for each academic year and financial assistance shall continue only if a student continues to demonstrate fulfillment of the requirements as described in section 8-4304 , "Continuing Students."
  - (F) Scholarships shall cover all expenses for the student and may allow for the maintenance of his/her children and/or spouse.
  - (G) Undergraduate scholarship students are encouraged to attend a school where they can live on campus. If a scholarship students chooses to live off campus, they shall be permitted to receive monies controlled by the Tribes that will enable them to live off campus . If a meal plan is offered by the college or university, a scholarship student is encouraged to participate in the meal plan, but it is not a requirement.
  - (H) Scholarship funds shall not be used for the repayment of previously contracted educational loans or other debts.
- (3) Graduate and Postgraduate Fellowship Program:
- (A) The Graduate and Postgraduate Fellowship Program is established to provide financial assistance to graduate and postgraduate students who demonstrate both scholastic ability and acceptance to a graduate or postgraduate school.
  - (B) In order for a graduate or postgraduate student to be considered for an award of a fellowship, the graduate or postgraduate students shall meet the requirements in section 8-4102(b) .
  - (C) Graduate or postgraduate students shall recertify their eligibility for each academic

year and financial assistance shall continue only if the graduate or postgraduate student continues to demonstrate fulfillment of the requirements as described in section 8-4304, "Continuing Graduate Students."

- (D) Fellowships shall cover all costs related to the pursuit of graduate or postgraduate education .
  - (E) Fellowships shall cover all expenses for the graduate or postgraduate student and may allow for the maintenance of his/her children and/or spouse.
  - (F) Fellowship students are encouraged to attend a school where they will be able to live on campus but it shall not be a requirement. If a fellowship applicant chooses to live off campus, they shall be permitted to receive monies controlled by the Tribes that will enable them to live off campus . If a meal plan is offered by the university, graduate program or professional school, fellowship students are encouraged to participate in the meal plan, but it is not a requirement.
  - (G) Fellowship funds shall not be used for the repayment of previously contracted educational loans or other debts.
- (4) Graduate and Postgraduate Supplemental Stipend Program:
- (A) Superior academic ability and educational talent of an exceptional graduate or postgraduate student are generally recognized by the university and/or other organizations through the award of a scholarship or fellowship for graduate or postgraduate studies. Such graduate or postgraduate students shall also be

recognized and rewarded by the Tribes through the award of a supplemental stipend.

(B) Those graduate or postgraduate students who desire and indicate on the Tribes financial assistance application that they wish to be considered for a supplemental stipend, shall:

- i. Meet the eligibility requirements in section 8-4102(b); and
- ii. Demonstrate through documentation that they have been awarded a non-Tribes academic scholarship or fellowship for graduate or postgraduate studies.

(C) The amount of a supplemental stipend shall be fixed at the base amount of \$750.00 per month for all of the months that the graduate or postgraduate student shall attend school. This amount shall not be counted against the graduate or postgraduate student in calculating financial aid.

(D) Upon adoption of this Education Code, the fixed base amount value of \$750.00 shall be adjusted annually at the end of every June according to the most recent inflation index published by the United States Department of Commerce, including the Consumer Price Index.

**Section 8-4104. Scholarship and Fellowship Intern Requirements.**

(a) Scholarship and fellowship students shall be required to serve internships with the Tribes during the course of their studies regardless of the length of their program of study, except for graduate students attending a medical school to become a licensed medical doctor (excluding Doctors of Osteopathy).

(1) Scholarship students shall be required to serve

two (2) tribal internships with the Tribes.

- (2) Fellowship students shall be required to serve one (1) internship with the Tribes.
- (3) Internships may be completed during either a summer vacation or a semester where the scholarship or fellowship student has applied for an approved leave of absence from their school.
- (4) Internships may not be for a period of less than ninety (90) days.

(b) The Tribes shall provide these scholarship or fellowship students with positive work experiences in their specific areas of study and at a skill level so as to reinforce and/or increase the students knowledge of the subject area.

- (1) Internships shall be accomplished within the tribal administration or tribal projects or federally contracted programs.
- (2) Interns shall be provided wages or compensation competitive to what they would have received off the reservation for the type of work completed with the Tribes as an intern.

(c) Scholarship and fellowship students at the end of their first (1st) funded semester shall contact the Office of Postsecondary Education to appropriately schedule in advance the time periods to serve their internships. Once the time periods have been selected, rescheduling of internships shall be done at least six (6) months in advance and prior to the anticipated change. There shall be no exceptions.

(d) The tribal administration or any of its officials other than the Tribal Council may not excuse nor otherwise relieve the Tribes of its responsibilities to the scholarship or fellowship students and graduates for providing internships except as provided for in this section.

(e) Failure to adhere to the above conditions shall result

in the scholarship or fellowship student repaying in full the total amount of the scholarship or fellowship disbursed by the Tribes . There shall be no exceptions.

(1) In the case where repayment is required, the repayment may be immediate or scheduled for a period not to exceed five (5) consecutive calendar years.

(2) Arrangements for repayment shall be made through the Office of Postsecondary Education and with the approval of the Education Board.

(f) Students attending or graduating from a medical school to become a licensed medical doctor (excluding Doctors of Osteopathy) shall be exempted from the required internships. However, medical students may voluntarily enter into an internship or the two (2) years of service.

(g) All scholarship and fellowship students shall sign a legally binding contract specifying the above conditions, including the responsibilities of the Tribes, prior to the disbursement of any scholarship monies to the student and his/her school. Except for graduate students attending or graduating from a medical school to become a licensed medical doctor (excluding Doctors of Osteopathy).

Section 8-4105.           Scholarship and Fellowship Service  
                                  Community Service Requirements.

(a) Upon graduation and within ninety (90) days from the date of graduation from a college, university, graduate program or professional school, scholarship and fellowship degree graduates shall provide service to the Tribes, except for graduates graduating from a medical school to become a licensed medical doctor (excluding Doctors of Osteopathy).

(1) The period of service for a scholarship student graduating with an Associate degree shall be for twelve (12) consecutive months or three hundred and sixty-five (365) consecutive calendar days.

(2) The period of service for a scholarship student

graduating with an Bachelor degree shall be for a period of no less than twenty-four (24) consecutive months or seven hundred and thirty (730) consecutive calendar days.

- (3) The period of service for a fellowship student graduating from a one (1) year graduate program shall be for twelve (12) consecutive months or three hundred and sixty-five (365) consecutive calendar days.

(b) The Tribes shall provide these graduates with positive work experiences in their specific areas of study and at a skill level so as to promote excellence and maximum service in their area of expertise.

- (1) The period of service shall be completed within the tribal administration or tribal projects or federally contracted programs.
- (2) The period of service shall provide the scholarship and fellowship students wages or compensation competitive to what they would have received off the reservation for the type of work provided to the Tribes.

(c) All scholarship and fellowship students shall sign a legally binding contract specifying the above conditions, including the responsibilities of the Tribes, prior to the disbursement of any scholarship monies to the student and his/her school. Except for graduate students attending or graduating from a medical school to become a licensed medical doctor (excluding Doctors of Osteopathy).

(d) The tribal administration or any of its officials other than the Tribal Council may not excuse nor otherwise relieve the Tribes of its responsibilities to the students and graduates for providing employment except as provided for in this section.

(e) Failure to adhere to the above conditions shall result in the scholarship and fellowship students repaying in full the total amount of the scholarship or fellowship disbursed

by the Tribes . There shall be no exceptions.

- (1) In the case where repayment is required, the repayment may be immediate or scheduled for a period not to exceed five (5) consecutive calendar years.
- (2) Arrangements for repayment shall be made through the Office of Postsecondary Education and with the approval of the Education Board.

(f) Students attending or graduating from a medical school to become a licensed medical doctor (excluding Doctors of Osteopathy) shall be exempted from the required the two (2) years service. However, medical students may voluntarily enter into an internship or the two (2) years of service.

Section 8-4106. Waiver of Sovereign Immunity.

Failure of the Tribes through the Tribal Council to adhere to provisions and responsibilities outlined under sections 8-4104 and 8-4105 shall result in the Tribes *waiving its sovereign immunity* to specifically allow for the student to sue for damages resulting from the Tribes not following the intent of this section and/or carrying out this Education Code.

Chapter 2. ELIGIBILITY, APPLICATION DEADLINES

Section 8-4201. Restrictions to Eligibility.

- (a) Undergraduate students:
  - (1) To be eligible for financial assistance undergraduate students shall be restricted to the number of degrees they may complete at the same level. Undergraduate students shall be eligible to be funded for only one (1) degree at the same degree level, i.e. an Associate degree, and Bachelors degree.
  - (2) Undergraduate students are strongly discouraged

from changing their major or area of concentration for a degree.

(3) Undergraduate students applying for a scholarship and/or grant shall be eligible for funding only for the following scheduled periods of time:

(A) Undergraduate students enrolled in a two (2) year Community College or Junior College are eligible for financial assistance up to a maximum of sixty-eight (68) credit hours unless they are majoring in mathematics or physical sciences, at which the student is eligible for up to seventy-six (76) credit hours. Undergraduate students in a two (2) year Community College or Junior College must complete fifteen to eighteen (15-18) credit hours per semester in order to continue eligibility.

(B) Undergraduate students in a four (4) year program are eligible for financial assistance up to a maximum total of five (5) academic years (ten (10) semesters or fifteen (15) quarters) to complete their undergraduate degree unless the student is in a five (5) academic year program such as engineering, Pharmacy or Architecture at which the limit will be six (6) academic years (twelve (12) semesters or eighteen (18) quarters).

(C) Undergraduate students applying for scholarships and grants attending a Community College or Junior College who have either graduated or not graduated and who decide to continue their studies or transfer on to a four (4) year college or university shall only be eligible to receive a total of five (5) academic years funding. The time spent in a Community College or Junior College shall be subtracted from the total of five (5) academic years funding eligible at a four (4) year college for the total amount

of time eligible to be funded

- (4) Incomplete semesters or quarters as a result of a drop or withdrawal by the undergraduate student shall be counted as a semester or quarter for purposes of calculating total time period eligible for funding.
  - (5) The Tribes shall not be responsible for the expense of additional courses or the increased amount of time the student may need to complete a degree beyond the time or cost allowed to undergraduates under this Education Code because of a change of major.
- (b) Graduate or postgraduate students:
- (1) Graduate and postgraduate students applying for a fellowship and/or supplemental stipend shall be eligible for funding only for the following scheduled periods of time:
    - (A) The time prescribed by the standards of the university, graduate program or professional school for a full time graduate or postgraduate student to complete his/her degree program, as specified in a course catalogue and a letter of confirmation from a senior official of the university, graduate program or professional school.
    - (B) One (1) semester or two (2) quarters beyond the prescribed time allowed by the university, graduate program or professional school.
  - (2) Postgraduate students applying for financial assistance for work on their thesis and/or dissertation shall be funded a maximum of the equivalent of six (6) semesters or nine (9) quarters to complete their thesis and/or dissertation. If at that time, the student has not completed the requirements for a degree

program then it shall be the student's own financial responsibility to complete the requirements towards their degree.

- (3) Incomplete semesters or quarters as a result of a drop or withdrawal by the graduate or postgraduate student shall be counted as a semester or quarter for purposes of calculating total time period eligible for funding.

Section 8-4202. Eligibility Review.

(a) All student applications for financial assistance eligibility shall be marked with the accurate date and time they are received and shall be processed in the order in which they are received. The Office of Postsecondary Education is designated to receive and process the applications. The Office of Postsecondary Education shall review applications and determine eligibility or non-eligibility in a timely manner. No application shall be processed or considered if it is received after the deadline(s).

(b) All applications shall be screened by staff of the Office of Postsecondary Education for completeness and then the completed applications shall be categorized as either eligible or non-eligible. It is the applicants responsibility to see that their application is complete. Applicants with incomplete applications will not be notified that their application is incomplete. An application that is not complete may not be considered for financial assistance at any time by anyone within the Tribes government.

- (1) Non-eligible applicants shall be sent a letter within five (5) calendar days from the date of the application deadline, notifying the applicant that their application was determined to be non-eligible and will state clearly the exact reason within the Educational Code for denial of assistance.

- (2) Eligible applications for undergraduates shall be

designated for either assistance under the grant or scholarship award programs. Those undergraduate applicants who meet the eligibility requirements under Bureau of Indian Affairs guidelines for higher education assistance shall be noted by Office of Postsecondary Education staff.

- (3) Eligible applications for graduates or postgraduates shall be designated for either assistance under either the fellowship or supplemental stipend program.
- (4) Eligible applications for all programs shall be processed in a timely manner.

(c) The completed, screened, and eligible applications shall be reviewed by the Education Board. The Education Board shall determine if the requirements for eligibility are in order and if the requirements for financial assistance are satisfied. The Education Board shall then forward the award recommendation to the Tribal Council. The Tribal Council shall accept or not accept the recommendation from the Education Board. The Tribal Council rejection of a recommendation from the Board shall be based on failure to meet the criteria specified in this Education Code.

Section 8-4203.           Deadlines.

(a) Undergraduate students:

- (1) Those undergraduate students requesting eligibility for the first (1st) time shall complete all of the requirements for eligibility and their application by the fourth (4th) Wednesday of April. Only their transcript and high school diploma shall be submitted after the deadline no later than June 30. Eligibility review for first (1st) time applicants shall only be done once a year.
- (2) Continuing undergraduate students shall complete

all of their requirements no later than the following:

- (A) June 15,            Fall term.
- (B) October 30,        Spring term.
- (C) April 1,            Summer term.

(b) Graduate or postgraduate students:

(1) Those graduate or postgraduate students requesting eligibility for the first (1st) time shall complete all of the requirements for eligibility and their application by the fourth (4th) Wednesday of May. Only their transcript and undergraduate diploma or college certificate shall be submitted after the deadline no later than June 30. Eligibility review for first (1st) time applicants shall only be done once a year.

(2) Continuing graduate or postgraduate students shall complete all of their requirements no later than the following:

- (A) June 30,            Fall term.
- (B) October 30,        Spring term.
- (C) April 1,            Summer term.

(c) If the deadline shall fall on a Saturday, then the deadline shall be the last business day prior to that Saturday. If the deadline shall fall on a Sunday, then the deadline shall be the next following regularly scheduled business. In addition, if the deadline shall fall on a holiday, then the deadline shall be the next following regularly scheduled business.

(d) The official deadline shall end at 5:00 p.m. Mountain Standard Time.

(e) It shall be the responsibility of the applicant to

ensure that their application or other required documents be in the physical possession of the Office of Postsecondary Education or its designated representatives no later than the deadline time and date.

(f) The deadlines or times may not be extended or decreased for individual applicants by Tribal Counsel or by anyone in the Education Department for any reason.

### Chapter 3. AWARDS

#### Section 8-4301. Notification of Award.

The Office of Postsecondary Education shall notify each awarded student and Financial Aid Office of the student's college, university, graduate program or professional school, in writing within ten (10) calendar days, of the type and amount of award the Tribes has given or clearly state the exact reason within the Education Code for denial of assistance.

#### Section 8-4302. Disbursement of Award.

(a) The Office of Postsecondary Education shall be responsible for monitoring the disbursement of funds to students who have been granted an award.

(b) The award shall be made payable by check in the name of the awarded student and his/her social security number.

(c) Before any check(s) or monies shall be disbursed by the Tribes on behalf of or directly to an awarded student, the awarded student shall sign a contract agreeing to the terms, conditions, and standards set by the Tribes and specifying the terms of both their internships and period of service, except for graduate students attending or graduating from a medical school to become a licensed medical doctor (excluding Doctors of Osteopathy).

(d) Tuition, fees, campus housing, and board shall be paid by check issued in the name of the awarded student, and the check shall be forwarded directly to the Financial Aid Office of the college, university, graduate program or

professional school where the awarded student is enrolled. The disbursement of these checks shall occur at least thirty (30) days prior to the enrollment of the awarded student at his/her school , and shall be the responsibility of the Office of Postsecondary Education.

(e) Awards for all other educational related expenses may be paid directly to the awarded student in the form of a check. The awarded student shall sign for this check in person. The disbursement of this check shall occur no later than twenty-one (21) days prior to the enrollment of the awarded student at his/her school, and shall be the responsibility of the Office of Postsecondary Education.

**Section 8-4303. Undergraduate Transfer of Status and Award.**

(a) Undergraduate students receiving a grant may request to give up a grant and replace it with a scholarship after the completion of at least two (2) semesters or its equivalent in a college or university. The request shall be in writing and submitted to the Education Board. The award of a scholarship shall be recommended and approved if the student can meet and demonstrate with the appropriate documentation the following requirements:

- (1) A maintenance of a semester grade point average (GPA) of at least 3.00 for the two (2) previous semesters with an overall cumulative grade point average (GPA) of 3.00;
- (2) The student has not been on probation for more than one (1) semester; and
- (3) Two (2) letters of evaluation from the academic professors, teachers, or instructors of a student who is able to state from personal knowledge the qualifications, including both the strengths and weaknesses of the student, and recommend him/her for advanced studies at a college or university.

(b) Conversely a undergraduate student on a scholarship may request to give up a scholarship and replace it with a

grant. The request shall be in writing and submitted to the Education Board. The undergraduate student shall also demonstrate with appropriate documentation:

- (1) Application for other financial aid resources; and
- (2) The student has not been on probation for more than one (1) semester.

(c) Requests for a change in status and award may only be received at the end of an academic year (June). Requests may not be considered nor processed during the academic year. No other format for a change or transfer of status may be utilized other than as stated in this section.

#### Section 8-4304. Continuing Students Awards.

(a) Students who have completed their eligibility and have received an award of a scholarship, grant, fellowship or supplemental stipend from the Tribes and have satisfactorily completed either one (1) academic semester or year shall be considered a continuing student.

(b) All continuing students receiving financial assistance awards, shall be evaluated on the basis of academic performance and progress, and personal conduct during the most recent period funded by the Tribes. The Tribes shall require continuing students to comply with the following conditions:

(1) Grant Recipients:

(A) Undergraduate students that are awarded a grant shall recertify their eligibility for each academic year in order to continue receiving assistance. Undergraduate students receiving a grant shall submit to the Office of Postsecondary Education by the deadlines the following documents:

- i. Financial Needs Analysis;
- ii. Pell Grant decision letter (if

applicable);

- iii. Transcripts, including the grades for the semester the undergraduate student is completing; and
- iv. A completed and signed Colorado River Indian Tribes financial assistance application form.

(B) In order to be considered eligible for continued financial assistance in the form of a grant, the undergraduate students must demonstrate:

- i. A minimum semester grade point average (GPA) of 2.25, and maintain a cumulative grade point average (GPA) of 2.00.
- ii. Application for other financial aid resources and this application must be documented.
- iii. The undergraduate student has not been on probation for more than two (2) consecutive semesters or a total of more than five (5) semesters.
- iv. The undergraduate student did not drop out the previous semester.
- v. The undergraduate student was not or has not been previously expelled from a university or college.
- vi. Community College and Junior College student only: The student has enrolled and completed a minimum of at least fifteen (15) credit hours per semester.

(C) Undergraduate students on a grant shall be required to live on campus if they request funds for housing and board, however, if a

undergraduate student decides to live off campus in non-university housing then the undergraduate grant student shall only receive an award that will cover college or university related costs except for housing and board costs.

(2) Scholarship Recipients:

(A) Undergraduate students that are awarded a scholarship need not recertify for each academic year. Undergraduate scholarships are awarded on an on-going basis according to the scheduled period of time allowed to complete their degree, as stated in section 8-4201(a) of this Education Code.

(B) To continue receiving a scholarship award the continuing scholarship recipient shall submit to the Office of Postsecondary Education by the deadlines in section 8-4204 the following documents:

i. Transcripts, including the grades for the semester the student is completing; and

ii. A signed scholarship contract, a completed schedule to serve his/her internship, and a specified anticipated graduation date.

(C) In order to be considered eligible for continued financial assistance in the form of a scholarship, the student shall demonstrate:

i. A minimum semester grade point average (GPA) of 2.50, and maintain a cumulative grade point average (GPA) of 2.25. An exception shall be made for students in highly technical fields of study that are pursuing their bachelors degree in a four (4) or five (5) year program of

study. These technical fields of study shall be only the following: all engineering, pre-medical studies, biology, microbiology, physics, chemistry, geology, accounting, finance, mathematics, architecture, and agriculture. These students shall meet a minimum semester grade point average (GPA) of 2.25, and maintain a cumulative grade point average (GPA) of 2.00.

- ii. The student has not been on probation for more than two (2) consecutive semesters or a total of more than five (5) semesters.
- iii. The student did not drop out the previous semester.
- iv. The student was not or has not been previously expelled from a university or college.
- v. Community College and Junior College students only: The student has enrolled and completed a minimum of at least fifteen (15) credit hours per semester.
- vi. Demonstrate fulfillment or potential fulfillment of the service requirements for a scholarship as described in section 8-4105.

(3) Fellowship Recipients:

- (A) Students that are awarded a fellowship need not reapply for each academic year. Fellowships are awarded on an on-going basis according to the scheduled period of time allowed to complete their degree, as stated in section 8-4201(b) of this Education Code. To continue receiving their award fellowship students must submit the following

information:

- i. A progress report from the Dean of Students, Dean of Academic Affairs or other senior official stating that the student is progressing satisfactorily and specifying an anticipated graduation date; and
  - ii. A signed fellowship contract, a specified anticipated graduation date and a completed schedule to serve his/her internship, except for graduate or postgraduate students attending or graduating from a medical school to become a licensed medical doctor (excluding Doctors of Osteopathy).
- (B) In order to be considered eligible for continued financial assistance in the form of a fellowship award, the student must demonstrate:
- i. Satisfactory progress in their studies leading towards completion of the program of study and graduation;
  - ii. The student has not been expelled from their university, graduate program or professional school; and
  - iii. The student did not drop out from their university, graduate program or professional school the previous semester.

(4) Supplemental Stipend Recipients:

- (A) Students that are awarded a supplemental stipend need not reapply for each academic year. Supplemental stipends are awarded on an on-going basis according to the scheduled period of time allowed to complete their

degree, as stated in section 8-4201(b) of this Education Code.

(B) To continue receiving a supplemental stipend award the student shall submit to the Office of Postsecondary Education, a progress report from the Dean of Students, Dean of Academic Affairs or other senior official stating that the student is progressing satisfactorily and specifying an anticipated graduation date.

(C) To be considered eligible for continued financial assistance in the form of a supplemental stipend award, the student must demonstrate:

i. Satisfactory progress in their studies leading towards completion of the program of study and graduation;

ii. The student has not been expelled from their university, graduate program or professional school; and

iii. The student did not drop out from their university, graduate program or professional school the previous semester.

#### Chapter 4. SUSPENSION OF FINANCIAL ASSISTANCE

##### Section 8-4401. Permanent Ineligibility.

(a) Students receiving financial assistance from the Tribes who are expelled from their college, university, graduate program or professional school automatically become permanently ineligible to receive any further financial assistance for educational purposes from the Tribes for an undergraduate, graduate or postgraduate degree.

(b) Students who failed to provide justifiable circumstances or comply with the responsibilities associated with withdrawal shall result in permanent ineligibility for

financial assistance as an undergraduate, graduate or postgraduate, which requires that the student repay in full the amount of financial assistance awarded to that student for the designated academic term.

**Section 8-4402. Probation.**

(a) Undergraduate students receiving any financial assistance from the Tribes who fail to maintain their respective grade point averages for the semester they were funded to attend school, shall be placed on probation for the next academic semester.

(b) Continuing undergraduate students on a grant who fail to demonstrate application for other financial resources shall be placed on probation for the next academic semester and shall be immediately suspended from receiving further financial assistance until the undergraduate student has demonstrated application for other financial resources.

(c) Students who fail to enroll or drop out shall be put on probation for one (1) semester following their one (1) semester of suspension from the financial assistance program.

(d) Students may not be on probation for more than two (2) consecutive semesters or for undergraduates a total of more than five (5) semesters during their undergraduate years. Students who exceed these standards for probation shall be permanently ineligible to receive any financial assistance from the Tribes for a degree.

(e) Any undergraduate students currently on probation, or who has been on probation for more than two (2) consecutive semesters or a total of more than five (5) semesters during their undergraduate years, may not be allowed to receive funding from the Tribes after they have transferred to another school, college, or university under any circumstances.

**Section 8-4403. Failure to Satisfy Requirements.**

(a) Continuing students receiving financial assistance from

the Tribes on probation who fail to satisfy the requirements for their financial program shall be suspended from receiving financial assistance under their program until the program requirements are met according to the deadline schedules, except those students who have been expelled.

(b) Any undergraduate student not attending their college or university as full time undergraduate student, Junior College or Community College students earning less than fifteen (15) credits per semester or its equivalent, for two (2) consecutive semesters shall be suspended from funding until the student has demonstrated full time attendance for at least one (1) semester following suspension.

(c) Any student earning a semester and/or cumulative grade point average (GPA) of less than is required by the Tribes' funding program for more than two (2) consecutive semesters shall be suspended from further funding until both their semester and cumulative grade point average (GPA) have been raised to satisfy the requirements of the Tribes' funding program.

(d) Any undergraduate student not attending their college or university as full time student, Junior College or Community College student earning less than fifteen (15) credits per semester or its equivalent, and earning a semester and/or cumulative grade point average (GPA) of less than is required by the Tribes' funding program for one (1) semester shall be suspended from funding until the student has demonstrated full time attendance for at least one (1) semester following suspension and both their semester and cumulative grade point average (GPA) have been raised to satisfy the requirements of the Tribes' funding program.

(e) Students who fail to enroll or drop out for one (1) semester shall be placed on probation and shall also be suspended from receiving any financial assistance for the next enrolled semester following the semester they dropped.

(f) A continuing undergraduate student on a grant who fail to demonstrate application for other financial resources shall be placed on probation for the next academic semester and immediately suspended from receiving further financial

assistance until the undergraduate student has demonstrated application for other financial resources.

**Section 8-4404. Leave of Absence.**

(a) A student who is receiving financial assistance from the Tribes may decide to take off time from school for personal reasons, including normal pregnancy. The leave of absence or temporary withdrawal from school may not be taken during an academic term but only prior to the beginning of an academic term.

(1) A leave of absence for undergraduate students may not exceed a period of three (3) semesters or its equivalent, excluding summers.

(2) A leave of absence for graduate or postgraduate students may not exceed a period of one (1) semester or its equivalent, excluding summers.

(b) Upon making a decision to take a leave of absence, the student shall be responsible for making the necessary arrangements with their school so as to leave in good standing, and shall also immediately notify the Office of Postsecondary Education. Prior to taking their leave, the student shall inform the Office of Postsecondary Education of the length of time of their leave and the date of return to school.

(c) A student receiving financial assistance from the Tribes shall not take a leave of absence for more than two (2) periods of time. If a student decides to take more than this amount of time, then the student shall be ineligible to receive any further financial assistance as an undergraduate, graduate or postgraduate student.

**Section 8-4405. Withdrawal.**

(a) A student who is a recipient of financial assistance from the Tribes may officially withdraw from their course of study during an academic term under the following justifiable circumstances:

- (1) A medically diagnosed condition which seriously impairs the ability of the student to attend school or pursue a course of study pending treatment of that condition. Normal pregnancies shall be excluded from this category. The students with this condition must provide documentation of diagnoses from a licensed physician and submit it to the Education Board. Only the Education Board may accept or reject a medical excuse. An excuse may only be rejected if it has failed to meet the above conditions.
- (2) Individual/personal circumstances that may constitute an undue hardship for the student and may significantly affect the ability of the student to study and/or hamper their academic progress, i.e. illness or death. Normal pregnancies shall be excluded from this category. The student must provide documentation in the form of a letter from their proctor, academic advisor, Dean, or other senior official from the college, university, graduate program or professional school. Only the Education Board may accept or reject an excuse in this category.

(b) A student receiving financial assistance from the Tribes who wishes to withdraw from their course of study during an academic term shall be excused from any further repayment of funds and suspension from further financial assistance from the Tribes upon fulfillment of the following requirements:

- (1) Immediate notice to the Office of Postsecondary Education indicating the date of withdrawal.
- (2) A written statement with supporting documentation describing the reason for withdrawal for that academic term and an indication as to when the student will enroll again. The complete statement shall be filed no later than ten (10) working days from the time of immediate notification, and addressed to the Office of Postsecondary Education with a copy sent to the

Education Board.

- (3) A copy of the student's request made to the eligible institution to return by check to the Tribes any remaining balance of funds and that the check be made payable to the Colorado River Indian Tribes.
- (4) The return of any unexpended program funds from the Tribes still in the possession of the student to the Office of Postsecondary Education.

(c) Failure to provide justifiable circumstances or comply with the above stated responsibilities shall result in the student being considered a drop out and therefore ineligible for financial assistance as an undergraduate, graduate or postgraduate, and require that the student repay in full the amount of financial assistance awarded to that student for that academic term.

(d) A justifiable withdrawal can only be granted by the Education Board according to the above defined circumstances. All other circumstances and/or failure to comply with the above responsibilities shall not be considered justifiable and the student will be considered a drop out.

Section 8-4406. Drop Out.

(a) Students receiving financial assistance from the Tribes who fails to enroll in a school for which they were funded or withdraws from their course of study during an academic term without justification shall be considered a drop out. Justification may only be granted in the form of a withdrawal.

(b) Students receiving financial assistance from the Tribes who drops out is responsible for full repayment of the financial assistance given to them for that academic term. There shall be no exceptions. A student shall be classified as permanently ineligible and will render the student unable to qualify for any educational financial assistance from the Tribes until the funds are repaid.

(c) A student who drops out shall immediately notify the Office of Postsecondary Education and make arrangements to return all expended and unexpended funds. Failure to satisfy these requirements shall result in a classification of permanent ineligibility.

(d) A undergraduate student on a scholarship who drops out is permanently ineligible for financial assistance in the form of a scholarship as an undergraduate.

(e) Students receiving financial assistance from the Tribes who drop out and wish to re-enroll for their course of study shall be suspended from further financial assistance from the Tribes for one (1) semester following the time they dropped out, provided that the expended and unexpended funds have been repaid in full. Students who have complied with these requirements shall be considered eligible to receive funding again, provided that the student shall be placed on probation for a period of one (1) semester.

(f) The Office of Postsecondary Education shall periodically monitor the progress of students to ensure that they are enrolled in school or confirm that the student has dropped out of school.

**Section 8-4407. Expulsion.**

(a) A student receiving financial assistance from the Tribes who is expelled from their college, university, graduate program or professional school shall be permanently ineligible to receive any further financial assistance from the Tribes as an undergraduate, graduate or postgraduate student. There shall be no exceptions.

(b) A student receiving financial assistance from the Tribes who is expelled shall immediately notify the Office of Postsecondary Education and make arrangements to return all expended and unexpended funds for that academic term. In addition, the student shall be responsible for repayment of the full amount provided for that academic term to the student in either the form of a grant, scholarship, fellowship or supplemental stipend.

(c) Failure to satisfy these requirements shall result in permanent ineligibility for any education funds controlled by the Tribes, including vocational education, or employment assistance.

(d) The schools of all student who are receiving financial assistance from the Tribes shall be annually notified of the Tribes' policies regarding expulsion. The Office of Postsecondary Education shall provide the college, university, graduate program or professional school a letter informing the Dean of Students and/or Academic Affairs of their responsibility to notify the Tribes' Office of Postsecondary Education of the expulsion of a student funded by the Tribes at any time.

## Chapter 5. PROHIBITED TRANSFERS, REPAYMENT OF FUNDS, APPEALS

### Section 8-4501. Prohibited Transfers.

Transfers between colleges and/or universities of students who are receiving financial assistance from the Tribes is strongly discouraged for all undergraduate students but shall not be prohibited except under the following circumstances.

- (1) Any student currently on probation, or who has been on probation three (3) times total, shall not be allowed to receive funding from the Tribes after they have transferred to another school, college, or university under any circumstances.
- (2) If an undergraduate student receiving financial assistance from the Tribes transfers and is on probation or has been on probation three (3) times total, then the student shall be ineligible to receive any further financial assistance as an undergraduate.
- (3) All graduate and postgraduate students on a fellowship who have begun their program of study are expressly prohibited from transferring to another school or university. Failure to adhere to this prohibition shall result in an immediate

and permanent loss of funding or financial assistance from the Tribes for any further graduate studies.

Section 8-4502.       Repayment of Funds.

(a) A student who withdrew, dropped out or was expelled shall be responsible for repayment of their award.

(b) Students who are determined by the Education Board to have satisfactorily and justifiably withdrawn from their course of study, shall be responsible for full repayment of:

- (1) Any remaining balance of funds paid by the Tribes to the college, university, graduate program or professional school attended by the student; and
- (2) Any unexpended program monies from the Tribes still in the possession of the student.

(c) Students who have either dropped out or were expelled shall be responsible for full repayment of both expended and unexpended monies given in an award.

(d) The Office of Postsecondary Education shall be responsible for notifying and working with the Treasurer of the Tribal Council for a repayment of monies from a recipient.

(e) The following is the procedure for repayment of monies:

- (1) The Office of Postsecondary Education shall notify the student within fourteen (14) days from the date of notification of a drop or expulsion, of the obligation and responsibility of the student for repayment. The notification shall be a letter that shall include:
  - (A) Reason for repayment;
  - (B) The amount of repayment;
  - (C) Explanation of students responsibilities;

and

- (D) Explanation and instructions for repayment.
- (2) The repayment period shall begin on the sixtieth (16) day from the date of the notification, and shall not end until all funds disbursed are returned in full. Repayment in full is required after the sixtieth (16) day.
  - (3) The student may make arrangements with the Office of Postsecondary Education for a repayment schedule not to exceed twenty-four (24) months, prior to the sixtieth (16) day. This option shall not be available to the student after the (16) sixtieth day.
  - (4) No further higher education funds may be awarded to an students until the amount owed is repaid in full.
  - (5) The Tribal Council, upon recommendation from the Education Board, may take any action necessary, but within the limits of the law to have the funds repaid.

**Section 8-4503. Appeals.**

Any applicant and/or recipient may file an appeal according to the appeal process outlined in section 8-3502 of this Education Code. All appeals shall be resolved within the allowable appeals period.

**ARTICLE V. VOCATIONAL FINANCIAL ASSISTANCE PROGRAM RULES AND REGULATIONS**

**Chapter 1. ELIGIBILITY**

**Section 8-5101. Objectives of Vocational Programs.**

The objectives of Vocational Programs are to:

- (1) Provide adequate training and skills leading to

full time and permanent employment of the tribal members; and

- (2) Provide an alternative to a strictly academic program of study.

Section 8-5102.            Applicant Eligibility.

Any enrolled member of the Tribes, and any non-tribal American Indian resident of the Reservation may apply with the Department of Education through the Office of Postsecondary Education for vocational training.

Section 8-5103.            Application Requirements.

(a) In order to be considered by the Tribes for vocational training the following are the basic requirements that must be fulfilled by an applicant. A complete application for eligibility under this Vocational Program shall consist of fulfillment of these requirements:

- (2) The student is a citizen of the United States.
- (3) The student is at least eighteen (18) years or older but not older than thirty-five (35) years at the time of either filing or completing an application.
- (4) The student is high school or General Education Degree (GED) graduate.
- (5) The student has completed and signed Colorado River Indian Tribes Adult Vocational Training (AVT) application.
- (6) The student has completed a interview with the Department of Education.
- (7) The student has declared a specific vocational field of study.
- (8) The student has identified the state of residence.

(b) Once the complete application, is submitted by the applicant to the Department of Education, an interview shall be scheduled within seven (7) calendar days but not sooner than twenty-four (24) hours.

**Section 8-5104. Application Deadline.**

(a) The deadline for completion of an eligibility application for all applicants requesting vocational training shall be by the fourth (4th) Wednesday of June of every year. The official deadline shall end at 5:00 p.m. Mountain Standard Time. All requirements for eligibility shall be completed at that time, there shall be no exceptions.

(b) Eligibility for applicants of vocational training shall be determined only once a year.

(c) It shall be the responsibility of the student to ensure that their application or other required documents be in the physical possession of the Office of Postsecondary Education or its designated representatives no later than the deadline time and date.

**Section 8-5105. Eligible Program of Study.**

(a) The Tribes shall not fund any vocational area of study that is offered at the college or university level, in the state of Arizona. Students wanting to attend a college or university for any program of vocational training shall apply directly to the Postsecondary Undergraduate Program and may not be eligible for funds from the Vocational program.

(b) The Vocational Program of study shall be structured so as to lead to immediate and full time employment at the conclusion/completion of the program of study.

(C) Tribal applicants shall attend programs in their proper state of residence. Non-tribal applicants may only attend a program within the state of Arizona.

(D) Programs of study may not be of a duration that is less

than four (4) weeks nor longer than twenty-four (24) months, except those in a practical Nursing training program that may not exceed thirty-six (36) months.

## Chapter 2. ELIGIBILITY REVIEW, APPEALS

### Section 8-5201. Eligibility Review.

(a) All applications for vocational training shall be marked with the accurate date and time they are received by the Department of Education through the Office of Postsecondary Education, and shall be processed in the order in which they are received. The Department of Education shall be designated to receive and process the applications. No application may be processed or considered that is received after the deadline.

(b) All applications shall be screened by staff for completeness and then the completed applications shall be categorized as either eligible or non-eligible. It is the students responsibility to see that their application is complete. Applications that are not complete will not be notified that their application is not complete. An application that is not complete may not be considered for financial assistance at any time by anyone within the tribal government.

(1) Those applicants categorized as non-eligible shall be sent a letter within five (5) calendar days after the deadline has passed notifying the student that their application was determined by the Department of Education to be non-eligible and to state the specific reason why the application was found to be non-eligible.

(2) An application categorized as eligible shall be referred to the Education Board within thirty-one (31) days for consideration. All applications shall be processed in a timely manner.

### Section 8-5202. Applicant List.

(a) The completed, screened, and categorized applications

shall be reviewed by the Education Board. The Education Board shall determine if the requirements for eligibility are in order and are satisfied. The Education Board shall then develop a list of all applicants. The Education Board shall list:

- (1) First, all eligible applicants from the previous fiscal year who were not funded, and listed in rank according to the completion date of their application.
- (2) Second, all eligible applicants that applied for that year, ranked according to the completion date of their application.
- (3) Third, all ineligible applicants and the specific reason for their ineligibility for that year.

(b) The order or rank of these applicants shall also be the order that they receive funding. Any applicant not funded during that fiscal year for which they applied, shall automatically be placed at the top of the list for the following year.

(c) The completed list shall be published and posted for a period of not less than thirty (30) days in the following places:

- (1) Tribal Administration Offices;
- (2) United States Post Office in Parker, Arizona;
- (3) Three (3) other prominent locations on the reservation selected by the committee;
- (4) The Tribes' newspaper or newsletter; and
- (5) Two (2) other local daily or weekly newspapers.

(d) All applicants regardless of eligibility shall be mailed the list within twenty-four (24) hours of it being published.

(e) At the end of the thirty (30) day period, the committee shall then forward the list with recommendations to the Tribal Council for approval. The Tribal Council shall adopt the list as presented. No other process may be utilized by anyone within the Tribes for disbursement of funds for vocational training, except for the appeal process.

**Section 8-5203. Appeals.**

Any applicant may file an appeal according to the appeal process outlined in section 8-3602 of this Education Code. All appeals for vocational training shall be resolved within the allowable appeals period.

**ARTICLE VI. PART-TIME STUDENT PROGRAM RULES AND REGULATIONS**

**Chapter 1. CLASSIFICATION, PROGRAM OF STUDY**

**Section 8-6101. Classification.**

Part-time students shall be any tribal member in an accredited degree program or certificate program, and who shall attend school sponsored instruction less than the amount specified by the individual school as "full time." In general, less than twelve (12) hours or credits per semester or quarter. Full time students currently funded for Higher Education or Adult Vocational Training shall be ineligible for funding as a part-time student, and shall not receive any additional funding as a part-time student.

**Section 8-6102. Program of Study.**

(a) Part-time students may participate and attend only the following types of programs:

- (1) An accredited degree program sponsored and supervised by an accredited college or university.
- (2) A certificate program sponsored and supervised by an accredited college or university, and that is directly related to the employment/job of the part-time student. The student shall demonstrate that by completing a certificate program it will

enhance their employment skills and increase their employment/job level, status and/or position.

(b) Correspondence courses may be allowed, provided that the courses are directly related to the course work required in the plan of study. The Office of Postsecondary Education shall identify correspondence courses in plans of study and shall make note of and report on such course(s) to the Education Board for approval.

## Chapter 2. ELIGIBILITY, APPLICATION

### Section 8-6201. Eligibility.

(a) Part time students shall be designated as either eligible or ineligible by the Office of Postsecondary Education after the tribal member student has established their classification as a part-time student.

(b) In order to be designated as an eligible part-time student for funding/reimbursement of costs, the tribal member student shall demonstrate the following:

- (1) Letter of acceptance to a degree/certificate program.
- (2) Plan of study outlining course work and expected completion date of both courses and degree/certificate.
- (3) A secondary and/or postsecondary grade point average (GPA) that is at least a 2.0 or better on a scale of 4.0 or is a General Education Degree (GED) graduate.
- (4) A high school or General Education Degree (GED) graduate.
- (5) Application for a Pell grant.

### Section 8-6202. Application.

(a) Students shall complete a Colorado River Indian Tribes

application and attach all of the above referenced documents in section 8-6201 and consideration by the Education Board. An application shall be considered complete when the student has demonstrated the requirements of section 8-6201(a)(1)-(5) with the appropriate documentation.

(b) The Education Board shall review applications once the Office of Postsecondary Education makes written recommendation for funding of a part-time student.

(b) The Office of Postsecondary Education shall make recommendation upon receipt of a completed application within thirty (30) days.

(c) The Education Board shall make recommendation to Tribal Council for funding/reimbursement of part-time students within thirty (30) days.

(d) The Tribal Council shall take action on the Education Board's recommendation within thirty (30) days.

### Chapter 3. ALLOWABLE COSTS

#### Section 8-6301. Allowable Costs.

(a) Part-time students shall be eligible for funding that will only allow for the reimbursement of costs related to school expenses that are directly connected with their course work and shall include all registration fees, tuition, other fees, and school supplies, which shall be limited to books, paper, pencils/pens, workbooks, computers and/or lab fees, computer supplies, and/or other supplies that are directly related to completion of the course(s).

(b) Only a registration fee, but not the tuition for the course(s), may be paid by the Tribes on behalf of a part-time student at the beginning of the semester or quarter. All other costs, including the tuition, may be reimbursed by the Tribes to the student at the end of the semester or quarter.

#### Section 8-6302. Payment of Allowable Costs.

(a) All costs/expenses for part-time students may be reimbursed by the Tribes to the student at the end of the semester or quarter, with the exception of a registration fee. A registration fee is not tuition. However, in order to be reimbursed for costs/expenses, the student shall demonstrate and document the following:

- (1) Satisfactory completion of semester course work with a grade of "C," 2.0, passing, or better.
- (2) Student has not failed any course designated in their study plan for that semester or quarter.
- (3) Student provides a transcript and receipt(s) for reimbursement.
- (4) The student did not qualify for a Pell grant or the Pell grant did not cover all of the school expenses.

(b) The Office of Postsecondary Education shall certify the above information and present it to the Education Board for review and consideration before any costs/expenses are reimbursed to the student.

(c) No costs/expenses may be reimbursed to the student without receipts to appropriately document an expenditure by the student.

#### Chapter 4. PROCESS OF REIMBURSEMENT, CONTINUED PARTICIPATION

##### Section 8-6401. Process of Reimbursement.

(a) Reimbursable costs, as documented by receipts, shall be reviewed by the Education Board prior to a recommendation to Tribal Council requesting monetary reimbursement to the student.

- (1) All receipt(s) for course work shall be submitted for reimbursement by the student no later than ninety (90) days from the actual date of completion of the course(s).

- (2) Receipts received after ninety (90) days from the date of completion of the course(s) shall not be eligible for reimbursement.

(b) The Office of Postsecondary Education Officer shall prepare a worksheet of costs for students that documents the item, cost, and amount spent on the item by the student. The receipts shall be attached to this worksheet and presented to the Education Board for review and action.

#### Section 8-6402. Continued Participation.

(a) In order to continue to receive funding/reimbursement as a part-time student, the student shall be required to satisfy and provide the following:

- (1) Satisfactory completion of semester or quarter course work with a grade of "C," 2.0, passing, or better.
- (2) Student has not failed any course designated in their study plan for that semester, quarter, or trimester.
- (3) Student provides a complete and updated transcript
- (4) Receipt(s) that document costs/expenses for reimbursement.

(b) Failure to satisfy these requirements or provide the required documentation may result in a partial or complete suspension of funding, and/or ineligibility to receive funding as a part time-student.

### Chapter 5. SUSPENSION OF FUNDS

#### Section 8-6501. Ineligibility.

(a) If a part-time student receives a grade of less than "C", passing, or 2.0, but has not failed their course, then the student shall be ineligible to receive reimbursement for that course only; the other courses satisfactorily completed may be reimbursed.

(b) A part-time student who has failed any two (2) courses, shall be ineligible for any further reimbursement under this program.

**Section 8-6502. Probation.**

(a) The student who has not demonstrated satisfactory progress but who has not failed, shall be placed on probation for the next semester attended by the student.

(b) If the student shall continue with unsatisfactory progress/performance in any course while on probation, then the student shall be ineligible for reimbursement for the entire semester course work.

**Section 8-6503. Withdrawl.**

(a) A student who has withdrawn from any course during that semester shall be ineligible for reimbursement for their entire course work of that semester.

(b) A student who has withdrawn from a total of three (3) courses designated in their study plan shall be ineligible for further funding or reimbursement under this part-time student program.

**ARTICLE VII. MISCELLANEOUS EDUCATIONAL FUNDING**

**Chapter 1. SECONDARY SCHOOL EDUCATIONAL ENRICHMENT PROGRAM, ELIGIBILITY**

**Section 8-7101. Secondary School Student Summer Enrichment Program.**

(a) This enrichment program shall be established to provide additional educational opportunities for intellectually motivated high school tribal member students. The program shall encourage the continuation of some of the Tribes' best students to enter into a higher standard of curriculum and prepare them for entrance into an accelerated field of study.

(b) Financial assistance shall be given as an award titled

"Scholarship."

Section 8-7102. Eligibility.

Recipients of this scholarship award shall be selected according to the following criteria:

- (1) The tribal member student shall demonstrate a consistent record of scholastic achievement, personality, character, general promise, and ability.
- (2) The tribal member student shall have been accepted and attend a summer school or program that offers a superior or advanced curriculum for college preparation.

Chapter 2. SUMMER SCHOOL, STUDIES OUTSIDE THE UNITED STATES

Section 8-7201. Summer School.

(a) All tribal member students, except those on probation and classified as part-time students, may receive financial assistance by the Tribes to attend summer school, as long as funds are available.

(1) All students on probation are prohibited from receiving any tribally controlled financial assistance to attend a summer school.

(2) Part-time students are not eligible under any conditions to receive tribally controlled financial assistance to attend a summer school.

(b) The summer school course term (i.e. semester or quarter) shall apply towards the completion of their degree and be counted for purposes of calculating the total time period allowed for students who receive financial assistance from the Tribes to complete their degree program.

(c) All students eligible to attend summer school shall be processed on a first-come first-served basis until all the

available funds have been expended.

(d) Students desiring to attend a summer school shall apply by the deadlines provided in section 8-4205 and shall meet the minimum conditions of their individual tribal financial assistance programs.

**Section 8-7202. Study Outside the United States.**

(a) Undergraduate students on a grant shall not be allowed to study outside the United States, unless the tribal member student is a non-United States citizen or is a non-United States resident who desires to study in their country of residence or citizenship.

(b) Undergraduate students on a scholarship shall be allowed to study outside the United States, provided the student continues to meet the minimum requirements and obligations for their financial assistance program as stated in this Education Code.

(c) Graduate and postgraduate students shall be allowed to study outside the United States, provided the student continues to meet the minimum requirements and obligations for their financial assistance program as stated in this Education Code.

(d) Part-time students shall not be allowed to study outside of the United States under any conditions.

**Chapter 3. ENTRANCE EXAMS**

**Section 8-7301. Entrance Exams.**

(a) The Department of Education shall set aside funds to pay for the cost of required standardized testing for students to enter a college or university. These tests may include, but are not limited to, the SAT, ACT, GRE, LSAT, MCAT etc.

(b) Students may apply for the funding at any time.

(c) Students are limited to taking the same type of

examination twice; after that they are solely responsible for the cost for that particular type of testing.

(d) The cost of testing may include the fees for reporting the test score to the colleges and universities selected by the student.

(e) The student shall submit a written request and state the exact cost of the test, the date and site of the test, and the type of test to be taken.

(f) The student shall submit their request in a timely manner; it is recommended that the student request funds at least eight (8) weeks in advance of registration for the examination.