

**Dry Creek Rancheria
Band of Pomo Indians**

Tribal Education Code

TITLE 1. TRIBAL EDUCATION
Approved and Effective April 27, 2013

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CHAPTER 1. GENERAL PROVISIONS

Section 1. Short Title

This Title shall be known and may be cited as the “**Tribal Education Ordinance**” of the Dry Creek Rancheria.

Section 2. Purpose

The Education Ordinance of the Dry Creek Band of Pomo Indians must meet the unique education challenges of our ever changing world with the wisdom that has been passed down through the culture of our ancestors. To establish this concept the Dry Creek Tribal Council has made a commitment to assisting all Tribal members with the opportunities and tools to pursue educational goals that will enrich the individual, the family and the Tribe. The Dry Creek Rancheria, through its staff and education committee is dedicated to planning, coordinating, implementing and supporting education opportunities for the lifelong learning of the Tribal Members. Participation in the Tribal Education program is voluntary and the programs created under this ordinance will be administrated equitably to ensure the greatest opportunities for all Tribal members in pursuit of their educational goals for their economic, cultural and personal potential. The Education Committee will work with the staff to bring recommendations to the Board of Directors.

Section 3. Definitions

For the purposes of this Code, the word or words highlighted below shall have the following meanings:

(A) **“Board of Directors”** (BOD) means the Dry Creek Rancheria Board of Directors elected by the DCR Tribal Council under the Articles and authorized to carry out the duties described in the Article and no more.

(B) **“Committee”** means the Education Committee established pursuant to the provisions of this Ordinance.

(C) **“Department”** is the Dry Creek Rancheria Department of Education Services.

(D) **“Jurisdiction”** means the jurisdiction of Dry Creek Rancheria, whether within or without the exterior boundaries of the Rancheria.

(E) **“Tribal Council”** means the Dry Creek Rancheria Tribal Council members 18 years and older.

(F) **“Tribal member”** means a duly enrolled member of the Tribe.

(G) **“Tribe”** means the Dry Creek Rancheria Band of Pomo Indians.

CHAPTER 2. EDUCATION DEPARTMENT AND EDUCATION COMMITTEE

Section 1. Establishment; Role; and Composition

(A) Department of Education Established The Department of Education Services. There is hereby established the Dry Creek Rancheria Department of Education (hereinafter “Education Department” or the “Department”).

(B) Role of Director of Education Services and Education Department. A Director of Education shall be hired using current Tribal hiring practices and shall have a minimum of a Bachelor’s of Science or Bachelor’s of Arts degree in related education fields and/or a teaching credential with classroom or school administration experience. A Master’s of Education and knowledge of tribal operations is preferred. The Director reports to Tribal Administrator.

(C) Education Committee Established. There is hereby established the Dry Creek Rancheria Education Committee (hereinafter “Education Committee” or the “Committee.”)

(D) Role of the Education Committee. The Education Committee shall act in an advisory capacity to the Board of Directors and shall have the authority to:

(1) Examine education issues, gather facts, and establish the necessary, comprehensive planning process which shall coordinate resources on the Dry Creek Rancheria to monitor, improve, and create educational systems for the benefit of the Tribe;

(2) Recommend to the Board of Directors a comprehensive planning process for Tribal educational systems;

(3) Oversee education programs and budget education activities and review annually all current policies and procedures;

(4) Share, network, communicate education information, and deal with inter-tribal educational issues within the region;

(5) Explore alternative learning options to address individual and group challenges.

(E) Committee Members. The Dry Creek Rancheria Education Committee shall be composed of five (5) to seven (7) members. The Committee shall hold a minimum of four meetings per year. two to be set in conjunction with general Tribal Council Meetings. The Committee shall elect a chairperson, co-chairperson, secretary and all sub-committees.

(F) Term. The Committee will be appointed by the Tribal Council from a list of volunteers at a regularly scheduled Tribal Council meeting. Committee members shall serve for a term of two years or until replaced by appointment of the Board of Directors if an interim vacancy occurs.

(G) Qualifications of Committee Members. Committee Members must be members of the Tribe and must be at least eighteen (18) years of age. Committee Members must have a willingness to participate in all meetings and value of the role of education in the Tribe.

Section 2. Duties of the Director of Education Services

The Director shall maintain current knowledge of the law and procedures in administration and enforcement of federal and tribal educational laws, and serve as the principal professional and technical advisor to the Tribal Administrator and keep the Tribal members informed on all matters relating to education within the jurisdiction of the Tribe. In addition to other duties assigned by the Board of Directors or the Education Committee, the Director of Education Services shall have the authority to:

(A) Administer and enforce the Education Ordinance;

(B) Identify and contact key individuals who will supply education information to the Education Committee;

(C) Identify and review education issues for the Education Committee;

(D) Serve as a sounding board for the Education Committee on educational issues and ideas;

(D) Monitor state and federal legislation affecting Indian Education;

(E) Conduct and compile Tribal education needs assessment(s) using education reports and data from schools, other education programs and entities, and surveys of parents, community members, Tribal members, the Board of Directors and Tribal Council, and educators.

(F) Coordinate all available Tribal and non-Tribal resources to implement this Ordinance and to generally improve the quality, condition, and progress of education within the jurisdiction of the Tribe;

(G) Report the results of data gathering and compilation, make recommendations concerning the progress and improvement of education and recommendations concerning the implementation of the Education Code and regulations to the Board of Directors;

(H) Provide assistance to students seeking to obtain federal and local financial aid assistance to supplement tribal funds.

(I) Exercise such powers as are reasonably necessary to carry out the functions of the Education Committee including providing meeting facilities and clerical backup; and

(J) Monitor state and federal legislation affecting Indian Education and keep abreast of all federal, state and local programs for K-12, college and vocational opportunities.

Section 3. Duties of the Education Committee

The Education Committee shall have the following duties:

(A) Advise the Board of Directors in identifying needs, and developing educational priorities, policies, and procedures for the Tribe;

(B) Research educational scholarships, grants, and funding sources; in conjunction with staff.

(C) Identify and recommend educational goals and objectives that would enhance the education of Tribal members and the planning for their education needs;

(D) Recommend education conferences, seminars, and workshops to provide educational enhancement of Tribal members;

(E) Conduct an annual review of educational program activities for possible recommended ; changes, revisions and improvements;

(F) Collaborate with the Education Department staff and the Board of Directors in drafting education policies and procedure manuals consistent with Tribal priorities and federal requirements;

(G) Undertake other education-related duties and responsibilities as delegated by the Board of Directors or Tribal Council;

(H) Recommend and review educational priorities of the Board of Directors and the Tribal Council and meet with key individuals and community members to gain their views and insights on educational needs;

(I) Keep the Board of Directors informed of Tribal reaction to implementing the education goals and identify and develop strategies for overcoming obstacles;

(J) Monitor Tribal education programs and monitor any problems; develop any needed revisions in program objectives and plans;

(K) Work in cooperation with the Cultural Committee, when asked, to identify and gather materials on Tribal history, language, and culture, and make available to Tribal members; and

(L) Establish inter-tribal relationships which may expand education and training opportunities between tribal groups.

CHAPTER 3. TRIBAL EDUCATION PROGRAMS

Section 1. Cultural Programs

The Department of Education is committed to supporting and working in collaboration with the Cultural and other committees to provide classes, programs and policies that support Tribal members in maintaining a strong connect to our Dry Creek Pomo heritage and strengthening our Tribal government. These include support of language revitalization classes, cultural preservation programs, Tribal history programs, cultural library maintenance and community building programs.

Section 2. K-12 Education Programs

The Tribe is committed to youth education programs that will enhance and support public school efforts and the minor's personal growth, and in doing so will offer inventive, academic and basic needs programs that are available to all DCR youth. Current policies and procedures will be made available to youth members and their guardians at the annual Tribal Council meetings, through the DCR Education Services, and on the Tribal website.

In order to promote and reward academic excellence and achievement, incentive programs are available for students that meet academic goals, graduate, and are willing to explore additional learning opportunities.

Section 3. Higher Education Programs and Adult Education

The strongest investment the Tribe can make is in our own people. This includes programs and policies to promote higher education, cultural knowledge, and vocational advancement. The education department is dedicated to providing scholarship opportunities and ensuring that all members are encouraged to fulfill their potential. These programs will include: scholarships and incentives, assistance in learning what is available, and providing a current policy and procedure information equitably for all eligible members.

Section 4. Other Programs

As finances and opportunities become available the department will explore early childhood education opportunities as well as lifestyle classes for elders.

Section 5. Fraud

(A) The Education Department reserves the right to direct prosecution in the Dry Creek Rancheria Tribal Court, any individuals who are involved with the fraudulent acts listed (but not limited to) in subsection (B) below.

(B) The following acts shall be considered fraud under this Ordinance and the educational programs listed herein:

- (1) Falsification or omissions of official records or documents with the intent to deceive;
- (2) Forging, alteration, or misuse of Education Department documents, records, academic forms, fee/program receipts, identification cards, financial aid forms, and computer tampering.
- (3) Appropriation of funds designated for student Tribal member use by parent(s), legal guardian(s), or other individuals for purposes other than student's education.

(C) Students, parent(s), legal guardian(s), and other parties associated with a Tribal Member student's distribution assume all state and federal liability under penalty of the law.

CHAPTER 4. MISCELLANEOUS PROVISIONS

Section 1. Effective Date

This Ordinance shall be in full force and effect as of the date of the formal approval and adoption hereof by the Tribal Council.

Section 2. Sovereign Immunity

Nothing in this Code shall be construed as a waiver of the sovereign immunity of the Dry Creek Rancheria.

Section 3. Severability

If any provision or application of this Ordinance is determined to be invalid, such determination shall not be held to render the remainder of this Ordinance invalid.

Section 4. Amendments

This Ordinance may be amended or repealed from time to time by the Tribe consistent with the applicable law, as the Tribe shall deem appropriate.

Section 5. Enforcement

The provisions of this Ordinance shall be enforced by the Tribe's law enforcement department or any other agency having jurisdiction under Tribal, state, or federal law.

CERTIFICATION

The foregoing Education Code was presented at a General Membership Meeting held on April 27, 2013, and was approved with a quorum present and such Code has not been rescinded or amended in any way.

Harvey Hopkins
Chairman

Date

Margie Rojas
Secretary/Treasurer

Date