



*Poarch Creek Indian
Tribal Council Resolution*

TCR 2013-085

**RESOLUTION TO APPROVE AMENDMENTS AND NAME CHANGE
TO THE FIRST GENERATION INDIAN DESCENT (FGID)
TUITION ASSISTANCE PROGRAM**

WHEREAS, the Poarch Band of Creek Indians is a federally-recognized Tribe organized pursuant to 25 CFR, Part 83;

WHEREAS, the Tribal Council is authorized to transact business on behalf of the Tribe and to appropriate and distribute resources needed to conduct the necessary activities and functions of a Tribal government;

WHEREAS, the Tribal Council approved the first prototype Scholarship Program in June 2006 and in July 2008 the name and program guidelines changed to include a First Generation Indian Descent (FGID) Scholarship Program with two fully funded program expansions in 2009, 2011, 2012, and recently in June 2013;

WHEREAS, the Education Department, Education Advisory Committee, and Education and Labor Legislative Committee recommend policy revisions, hereto attached as "Exhibit A", as follows:

- (1) Section I(F) - delete the definition of "Special Needs Student";
- (2) Section II(A)(1) - add eligibility distinction for students 16 – 26 years of age to be eligible for Loan Repayment Assistance;
- (3) Section II(A)(3) – add eligibility for students 16 years and older if participating in a dual enrollment and/or college-level courses.
- (4) Section II(A)(3) - add the word "cumulative" for clarification to the GPA requirement;
- (5) Section II(A)(5) - add new section to include FGID student eligibility for student loan balances;
- (6) Section II(B)(3) - add new section about limitations of loan repayment;
- (7) Section II(C)(3) - add new section about eligible expenses for loans;
- (8) Section II(D)(2) - add new section about distribution of loan payments to lending institutions and frequency of payments;
- (9) Section III(D)(3) – change to section III(D)(4) and amended to include two options for computer purchases by the Education Department;

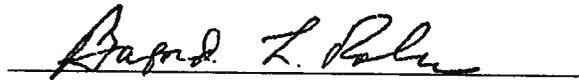
WHEREAS, it is also recommended that the Program name be changed from FGID Scholarship Program to FGID Tuition Assistance Program to more accurately reflect the purpose of the Program; and

WHEREAS, the Tribal Council wishes to incorporate the recommended changes to the FGID Tuition Assistance Program for consistency between FGID programs.

NOW THEREFORE BE IT RESOLVED the Tribal Council hereby approves the 2013 amendments to the First Generation Indian Descent Tuition Assistance Program, hereto attached as "Exhibit A".

APPROVAL

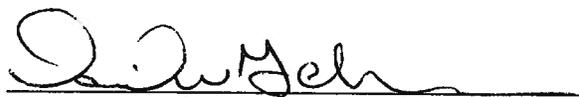
I, the Chairman of the Poarch Band of Creek Indians, hereby affix my signature to the resolution authorizing it to become official this 1th day of August, 2013.



Buford L. Rolin, Chairman
Poarch Band of Creek Indians

CERTIFICATION

I, the Secretary of the Poarch Band of Creek Indians, certify that the foregoing is a true extract from the minutes of the Tribal Council meeting of the Poarch Band of Creek Indians, comprised of nine members with 8 in attendance on the 1th day of August, 2013, and that the above is in conformity with the provisions therein adopted by a vote of 7 in favor, and 0 against, 0 abstentions.



David W. Gehman, Secretary
Poarch Band of Creek Indians

POARCH BAND OF CREEK INDIANS EDUCATION DEPARTMENT

First Generation Indian Descent Tuition Assistance Program

Revised: December 6, 2012

Revised: June 20, 2013

Revised: August 1, 2013

History of the Education Department's First Generational Indian Descent Scholarship Program

July 28, 2008

The Fred L. McGhee Memorial Scholarship program was revised and began awarding funds to first generation Indian descent students on a competitive basis. \$25,000.00 was awarded this during this year.

2009

The First Generation Indian Descent (FGID) Scholarship Program was awarded \$85,500 for competitive distribution.

2010

The FGID Scholarship Program was awarded \$97,500 for competitive distribution.

2011

The First Generation Indian Descent Scholarship Program began to accept applications year round, and became the first non-competitive tribal scholarship for Indian descent students.

August 1, 2013

The FGID Scholarship Program was renamed to the FGID Tuition Assistance Program and significant other revisions were made, including, but not limited to, deleting the definition of "Special Needs Student", adding loan repayment assistance for students 16 – 26 years of age, adding the word "cumulative" for clarification to the GPA requirement, and allowing assistance to purchase computers.

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First Generation Indian Descent Tuition Assistance Program Policy

Section I. Definitions

- A. Accredited means an institution whose standards met the essential requirements for academic excellence according to a recognized governing body for the state in which the educational institution is located, such as the Southern Association of Colleges and Schools (SACS). There are many dubious institutions offering a variety of online or certification programs. If there is any doubt as to the legitimacy of a program or its accreditation, the Education Department will research it and render an opinion as to the validity and acceptance of the program under this policy. If it is determined that the program is not valid, no funds will be expended on program.
- B. Certificate program means programs, such as Certified Nursing Assistant, Real Estate Agent or other programs, which do not culminate in a degree but allow the holder to practice jobs in certain fields. This does not include continuing education programs, conferences, workshops, or similar types of activities.
- C. First Generation Indian Descent (FGID) means the biological child of an enrolled member of the Poarch Band of Creek Indians.
- D. Living expense means general expenses encountered by everyone, such as gas expenses, electric bills, etc. These expenses are not covered by this program.
- E. Mandatory fee means those costs deemed not optional by the individual school. These may vary from school to school.
- F. Specialized tool means mandatory items, such as netbooks, iPods, iPads, and special software, which are required according to the course syllabus for the class or program for which the student is registered.
- G. Tribal Member means an enrolled member of the Poarch Band of Creek Indians.

Section II. Eligibility

A. Student Eligibility

In order to be eligible for this Program, the FGID student must:

1. Be between 16 and 26 years of age to be eligible for the Loan Repayment Assistance sections of this Program;
2. Be at least 16 years or older to be eligible for the Tuition Assistance section of this Program;

3. Be at least 16 years and older and enrolled in a dual enrollment and/or college level courses.
4. Be enrolling in or already enrolled in an accredited community/vocational college, university, or certificate program and pursuing a certificate, associate's degree, bachelor's degree, master's degree, or professional degree; and
5. Have a cumulative GPA of at least a 2.0.
6. FGID students with outstanding student loan balances.

B. Application

1. For each FGID student meeting the eligibility criteria, an application for assistance must be filed with the Tribal Education Department. Applications are available at the Education Department and may be printed from the Tribe's website, www.pci-nsn.gov. Upon request, applications may be faxed or mailed.
2. A new application must be filed annually if there have been any changes of address or other pertinent information. If there has been no change to the student's information, the student may send an email or letter stating that so that the application may remain active.
3. *Waiver.* Along with each application filed for tuition assistance, the parent/guardian of the student or the adult student must sign a waiver allowing the Tribe to obtain information regarding the student's:
 - a. Progress, including all grades received;
 - b. Financial account; and
 - c. Behavior and/or disciplinary problems.
4. *Proof of Enrollment.* Students shall submit the acceptance letter or other proof of enrollment in an educational institution.
5. This program will operate on a continuous cycle. Applications will be accepted at any time during the year as long as funding is available.

Section III. Eligible Amounts and Distributions

A. Total Eligible Amount

FGID students who participate in this program will have access to a total of \$40,000.00 for eligible expenses as identified herein, subject to the limitations contained in this Section.

B. Limitations

1. Allotment Based Upon Education Level

There shall be limits to the total funds that may be accessed based on the educational level and type of degree that the FGID student is working towards. Thus, the following sub-limits shall apply:

- a. \$20,000.00 limit for an Associate's degree or certificate program; and
- b. \$40,000.00 limit for a Bachelor's degree, Master's degree, or professional degree.

These limits are cumulative, meaning that if a FGID student spent \$10,000.00 in pursuit of an associate's degree, he or she would have \$30,000.00 to use for his or her Bachelor's degree.

2. If an eligible FGID student has not spent all of his or her limit for a degree level and has earned the degree at that level, the FGID student may petition the Education Department to use the remainder of his or her limit for the degree level to pursue an equal or lesser degree. For example, if a FGID student earns a Bachelor's degree and has spent \$30,000.00 of his or her allotment, then the FGID may use the remaining \$10,000.00 to earn a certification or Associate's degree, another Bachelor's degree, or a Master's degree. In approving this second degree, the Education Department shall take into consideration the FGID student's prior academic performance and the likelihood that the FGID student will be able to complete the second degree.
3. For a loan to be repaid, the FGID student must complete the degree that the loan was used to finance, or if a FGID student did not complete a degree but completed an equivalent or higher educational level after the date of the loan, then the FGID student's loans may be repaid.

C. Eligible Expenses

The following expenses are eligible for payment:

1. Tuition, books, mandatory fees, and on-campus housing (including meal tickets) for students enrolled in an accredited post-secondary institution.
2. Up to \$600 for a computer, printer, and word processing software for students enrolled in an accredited post-secondary institution. Students may receive one replacement computer four (4) years after receiving the initial computer, but only if they are still enrolled in school.

3. Loans for tuition, books, and mandatory fees while enrolled in an accredited post-secondary institution once the student has graduated. There shall be no repayment of loans for living expenses.

D. Distribution

1. All funds are paid directly to the accredited educational institution with the exception of reimbursements meeting all requirements of the Education Department.
2. All loans shall be repaid to the lending institution. Individuals shall not be repaid. Loan repayment will be made at one time up to a student's total limit.
3. Reimbursements are allowed for eligible expenses paid by the student or parent/guardian through a reputable source as long as appropriate receipts and other necessary documentation can be provided to the Education Department. Students may not be reimbursed for any expenses paid prior to their entering the Program or purchased from an individual or a business that cannot be verified as legitimate. Receipts for reimbursement may only be submitted when they total more than \$150.00. Receipts for lesser amounts should be held by the student until they reach the \$150.00 mark or until the end of the semester for which the item was purchased.
4. Any student who qualifies for a computer as an eligible expense may opt to have the Education Department purchase the computer or may be reimbursed. If the Education Department purchases the computer, the student shall determine whether he/she prefers a laptop or a desktop, but all other specifications shall be determined by the Education Department.
5. Prior to distributions for post-secondary students, the student must:
 - a. Meet, either in person or by a teleconference, with the Education Department staff prior to the beginning of each academic year in order to identify scholarships, grants, or other sources that may be available to provide educational assistance;
 - b. Work with the Education Department to apply for scholarships, grants, etc. that have been identified as possible sources of funding the FGID Student's education; and
 - c. Submit his or her grades from the previous semester if this is not the FGID Student's first semester in the program.

E. Refunds

If there is a refund of money to the student following the withdrawal of the student from a class or school, then it is the responsibility of the student to ensure that the refunded money is returned to the Education Department immediately. Failure to adhere to this policy will result in the denial of future tuition payments until such time as the account issues are cleared up by the student.

Section IV. Continuing Obligations of Participating Students

A. Submission of Grades

Students in this program shall submit grades from the previous semester prior to the beginning of the next semester. This submission of grades does not have to be an official transcript. Failure to do so shall result in the student being placed on probation by the Education Department. If the student should fail a second time to submit his/her grades, then he/she shall be ineligible for this program for a semester. Failure to submit his/her grades a third time shall result in the student being ineligible for this program for a period of one (1) year and shall require the student to petition the Education Department for reinstatement in the program.

B. Grade Point Average (GPA) Requirements

Students in the program must also maintain at least a 2.0 (or its equivalent) GPA each semester in academics. If a student should fail to meet this requirement, he or she will be placed on academic probation by Education Department for one semester. If the student should fail a second time to achieve at least a 2.0 GPA a second time during a semester, the student will be ineligible for the program for a period of one (1) year. Failure to maintain at least a 2.0 cumulative GPA for a third time shall result in the student being ineligible for the program for a period of two (2) years and shall require that the student petition the Education Department for reinstatement into the program.

C. School Withdrawals

1. *Notification.* FGID students in this program who withdraws from a class must notify the Education Department in writing immediately. (This notice does not have to be given if all that the student is doing is dropping or adding classes.) The notification must include the reason(s) why they are withdrawing. An email to the Department is sufficient notification. Copies of all paperwork submitted to the school or given to the student by the school must be sent to the Education Department within ten (10) business days of notifying the Education Department.
2. Withdrawing from two (2) classes shall result in the FGID student being placed on probation by the Education Department. (Again, this does not include dropping or adding classes.) If the FGID student should withdraw from a third class, then he/she shall be ineligible for this program for a semester/quarter unless

the FGID student can demonstrate to the Education Department that withdrawal was based on exceptional circumstances. Withdrawing from a fourth class shall result in the FGID student being ineligible for this program for a period of two (2) years unless the FGID student can demonstrate to the Education Department that withdrawal was based on exceptional circumstances. Exceptional circumstances shall include, but not be limited to, serious, debilitating illness; a serious, debilitating illness of an immediate family member, and death of an immediate family member. Once ineligible for the program, the FGID student must petition the Education Department for reinstatement to the program.

D. Reinstatements

In making the decision about reinstatements required under this subsection, the Education Department shall take into consideration whether the FGID student is likely to fail to follow program requirements in the future, whether the FGID student will be able to complete the degree within the allotted amount, and whether the FGID student continued to pursue his or her educational and career goals even though ineligible for the program.

Section V. Termination

A. Terminating Participation in the Program

A FGID student may be terminated from this program by a majority vote of the Education Advisory Committee. Cases which might be considered for a declaration of ineligibility include, but are not limited to the following: extreme violence against students or faculty, or bringing weapons or illegal substances onto campus, or repeated academic failure. Once terminated from the program, only the Education Advisory Committee or Tribal Council may restore eligibility.

B. Terminating the Program

Funding for the Tuition Assistance Program for Dependent First Generation Indian Descent Students is made available through the Education Discretionary budget. The amount budgeted yearly is allotted to the Education Department by the Tribal Council. In the event, however, that the funding source should end and no replacement funding source(s) can be located, this program may be terminated by a vote of the Poarch Creek Indians Tribal Council.

Section VI. Policy Interpretations and Revisions

A. Interpretations

When processing an application under this Program, the Education Director may encounter ambiguities in the language of the policy. If so, the Education Director shall present the question and his/her proposed interpretation to the Education Advisory Committee within two (2) working days of the question being raised. The Education

Advisory Committee shall then issue its concurrence or non-concurrence with the Education Director's interpretation no later than three (3) working days after receiving the question. If the Education Advisory Committee issues a non-concurrence, then the Education Director shall immediately submit the question, the Education Director's proposed response, and the Education Advisory Committee's non-concurrence to the Tribal Administrator, who shall no later than two (2) working days after submission, issue the final interpretation.

B. Revisions

This policy shall be reviewed at least annually to determine effectiveness and the need for corrections, additions, etc. Requests for changes to this policy must come through the Education Department, Education Advisory Committee, and the Education Legislative Committee. No changes may be implemented without the approval of the Tribal Council.

Section VII. Appeals

Any FGID student who disagrees with any decision made by the Education Department under this Program shall file a written request for reconsideration with the Tribal Administrator. If the Tribal Administrator was involved in the final decision under subsection A. above, then the Tribal Administrator shall forward the appeal to the Executive Employees. The Tribal Administrator or Executive Employees shall issue a final decision no later than five (5) working days after the Tribal Administrator received the request.

Section VIII. Tax Consequences

Payments made under this policy may be considered taxable by the IRS. FGID students are strongly advised to seek the advice of an attorney and/or accountant regarding these payments. The Tribe is in no way responsible for any decisions regarding the reporting of these payments to the IRS and does not bear any responsibility for any fines, penalties, court costs, or attorney's fees that you may ultimately bear.