

CHAPTER 23

EDUCATION ASSISTANCE PROGRAMS

SECTION 1 GENERAL

23-1-1 PURPOSE

The purpose of the Tribal Scholarship Program funds is to assist Tribal members in meeting higher education costs that cannot be met through other programs or resources. Program funds are to be used for unexpected direct school-related purposes only.

23-1-2 SOURCES OF SCHOLARSHIP FUNDS

A source for the scholarship funds shall be the revenue from ATM machines at the Inn of the Mountain Gods Resort and Casino. These funds shall remain segregated and shall not be transferred into the general fund, but shall only be used as specifically authorized by the Tribal Council.

23-1-3 ELIGIBILITY

Eligibility for the Scholarship Program is limited to Tribal members as defined in the Revised Constitution of the Mescalero Apache Tribe at Article IV, Sections 1 through 5. An applicant's name must appear on the Tribal Censes roll.

23-1-4 ADMINISTRATIVE AUTHORITY

The Mescalero Apache Education Department in conjunction with the Scholarship Committee and the Tribal Council, where required herein, shall have the authority to administer all programs under this Chapter.

23-1-5 ESTABLISHMENT OF THE SCHOLARSHIP COMMITTEE

- A. The Scholarship Committee shall be appointed by the President of the Mescalero Apache Tribe and those appointments shall be confirmed by the Tribal Council.
- B. The Scholarship Committee shall consist of two (2) representatives from the Education department in addition to the members of the Community Services committee from the Mescalero Apache Tribal Council.

23-1-6 SINGLE CAREER GOAL

The Scholarship program shall fund one career goal for each student. Furthermore, funds shall only be used for a single degree program at each of the following levels; associate, bachelor, master and doctoral.

23-1-7 AUTHORIZED PROGRAMS

Funds shall only be used to pay for classes relevant to a curriculum or degree plan with attendance at a college, university, community college, or junior college that is accredited by the North Central Accreditation Association or other federal or state accreditation program.

23-1-8 CAREER COUNSELOR

- A. A career counselor may be appointed by the Scholarship Program to visit students in grades 9 through 12 at the Mescalero Apache School, Tularosa Schools, Ruidoso Schools, and Cloudcroft Schools to advise students, assist students in the college application process when funding allows.
- B. A part-time counselor may be appointed by the Scholarship Program to visit Program students on campuses within the State of New Mexico during the school year to assist them in resolving problems of a personal, social and/or academic nature.

23-1-9 TUTORIAL SERVICES

The program may assist, when funding allows, in paying for tutorial services to students participating in the Scholarship Program if such services are not available for students through their university or college. These services may be arranged through the school counselor or advisor or through campus Native American student programs at the school the Program student is attending.

23-1-10 SCHOOL TRIPS

- A. The scholarship Program may pay the cost of school trips, whether at the primary, secondary, or college level under the following circumstances:
 - a. When school officials provide class credit for the trip;
 - b. If Tribal officials authorize the trip;
 - c. For primary and secondary school students who are not eligible for Johnson O'Malley funds; or
 - d. For college students who are either juniors or seniors.
- B. Up to sixty (60) percent of the cost for an eligible student may be paid so long as the amount does not exceed One Thousand Dollars (\$1,000.00).
- C. Trips outside the United States shall not be eligible for Scholarship Program funds.
- D. If funds are not utilized for the purpose intended, the entire amount must be repaid to the Program.

23-1-11 HEALTH CARE EXPENSES

- A. Program funds shall not be used to pay health care expenses for students who must leave the Reservation for educational purpose.
- B. All students shall be encouraged to apply for:
 - 1. Indian Health Services (IHS) services; and
 - 2. Private health insurance at the student's own expense

23-1-12 GED CLASSES

Funds shall not be used to pay for General Education Diploma (GED) classes or testing since funds are available from other sources for these classes.

23-1-13 TRAINING FUNDS

Tribal Scholarship funds shall not be used to supplement Tribal Departments or program training funds. Each Tribal Department or program is responsible for its own training funds.

SECTION 2: SCHOLARSHIP PROGRAM

23-2-1 FUNDS ARE SUPPLEMENTAL IN NATURE

Funds provided under the Tribal Scholarship Program shall only supplement other educational financial aid programs.

23-2-2 FUNDS TO BE CONSIDERED A LOAN UNTIL COMPLETION OF PROGRAM

All funds awarded under this program shall be considered a loan until the student presents acceptable evidence of successful completion of an approved education program by receiving a certificate, diploma or degree for which the funds were advanced. After the Tribal Education Director has received the certificate, diploma or degree, the Director shall change the status of the Program funds from a loan to a grant.

23-2-3 REPAYMENT OF FUNDS

- A. If a student does not complete his/her studies, that student shall be liable for repayment of all funds awarded under the Scholarship Program after three (3) years of nonattendance upon demand by the Tribe.
- B. Repayment may be arranged through payroll deductions or direct pay.
- C. If no other repayment arrangements have been made or successfully implemented, dividend deductions of no more than one-half (1/2) the total dividend amount shall be made until the loan is paid in full. In the absence of dividends, the Scholarship Program may take action against the student in the Mescalero Apache Tribal Court.

23-2-4 PURPOSES FOR WHICH FUNDS MAY BE USED

- A. Funds awarded under this program may only be used toward direct educational cost such as the following:
 - 1. Tuition and fees;
 - 2. Room and board;
 - 3. Transportation costs, except as provided in 23-2-4B below
 - 4. Books and supplies; and
 - 5. Other direct education costs.
- B. Funds shall NOT be used to pay for indirect educational costs such as;
 - 1. Child care expenses;
 - 2. Personal vehicle maintenance or repairs;
 - 3. Telephone installation and monthly billing;
 - 4. Medical and prescription costs; and
 - 5. Other costs deemed unrelated to direct education by the Committee

- C. The Scholarship Program shall not pay for pre-registration costs.

23-2-5 SUMMER SESSIONS

- A. It is the recommendation of the Scholarship program that the primary source of funding for undergraduate summer sessions be a Bureau of Indian Education (BIE) Higher Education grant, as long as sufficient funds are available under that program.
- B. The Scholarship Program may provide funding for undergraduate summer enrollment when funds are available, but only as a secondary source.

23-2-6 REPEAT CLASSES

Funds under this program shall pay for the two repeat classes a student is required to take for any reason. Any further repeat classes, whether for the same class or another, shall not be funded by the Scholarship Program.

23-2-7 VOCATIONAL OR TECHNICAL SCHOOLS

The cost of technical training, including stand-alone business schools, has become prohibitive; therefore, the Scholarship Program will no longer assist students with the cost of attending them.

23-2-8 INCENTIVE GRANTS

Incentive grants of Two Hundred Dollars (\$200.00) per semester:

- A. May be made to full-time undergraduate students who have earned at least twelve (12) credit hours and a grade point average (GPA) of at least 3.5 on a 4.0 scale for the preceding semester. Development classes may not be included in the number of credit hours earned in the context of incentive grants.
- B. May be made to graduate students who have earned at least nine (9) credit hours and a grade point average (GPA) of at least 3.5 on a 4.0 scale for the preceding semester
- C. Shall not be considered loans, and do not have to be repaid, if a student does not complete the education program for which the grant was awarded.

SECTION 3: SCHOLARSHIP APPROVAL, DURATION, AND AMOUNT

23-3-1 APPROVAL OF FUNDING

- A. The Education Department shall review all applications and make recommendations to the Committee.
- B. The Committee shall review the applications for funding under this program in light of the recommendations provided by the Education Department and approve funding according to the needs of the student and the mandates of this Chapter

23-3-2 STUDENT STATUS AND DURATION OF SCHOLARSHIP

- A. Full-time and undergraduate students:
 - 1. Are those students who have registered for twelve (12) credit hours or more per semester or trimester; and

2. Shall be assisted for a maximum of six (6) years or a total of twelve (12) semester or eighteen (18) trimesters.
- B. Full-time graduate students:
 1. Are those students who have enrolled in nine (9) credit hours per semester in order to obtain a master's or other graduate degree; and
 2. Shall be assisted for a maximum of four (4) years or a total of eight (8) semesters.
- C. Part-time students:
 1. Are those students who have registered for between one (1) and eleven (11) credit hours per semester or trimester; and
 2. Shall be encouraged to enroll full-time after three (3) years as a part-time student.
- D. Part-time graduate students:
 1. Are those who have enrolled for eight (8) or less credit hours per semester and
 2. Shall be encouraged to enroll full-time after three (3) years as a part-time graduate student.

23-3-3 SCHOLARSHIP DISBURSEMENTS

Scholarship disbursement amounts will be determined by the needs analysis and the availability of funding:

- A. The maximum amount disbursed to undergraduate students per semester is five Thousand Dollars (\$5,000.00). First-semester freshmen will receive partial payment until the student submits mid-term grades to the Education Department after which any additional funding to which the student is to be granted may be provided.
- B. The maximum amount disbursed to a graduate student is five Thousand dollars (\$5,000.00).
- C. In determining the amount each student will receive, consideration will be given to each student's character, interest, ability, and academic rank or GPA.
- D. In determining the amount to be awarded to freshmen undergraduate students, consideration will be given to the applicant's high school GPA, academic rank, character, interests, ability, and the applicant's interview with the Committee.
- E. Awards shall be adjusted such that students not eligible for Pell grants or other grants or scholarships contribute at least Eight Hundred Dollars (\$800.00) toward the total cost of attending their chosen program.

23-3-4 APPLICANT INTERVIEWS

- A. All first time applicants shall meet personally with the Committee prior to the Committee determining eligibility for the program and the amount of the award. The Committee shall review the student's application and advise the student as to scholarship application process and school selection matters.
- B. The Education Department Director and Assistant Director and/or the Committee may request a meeting with other applicants as well.
- C. Meeting with applicants shall commence in July each year prior to the academic year for which funding is sought.

23-3-5 DISBURSEMENT OF FUNDS

- A. The Committee shall direct disbursement of funds once it has approved student files.
- B. Students approved by the Committee to receive funding will receive their funds one (1) week prior to the first day of class with the exception of incoming freshmen as noted above at 23-3-3(A) who will receive partial payment at the beginning of the semester and the remainder after mid-term grades are submitted to the Education Department.
- C. The committee may elect to provide the funding in partial payments throughout the semester or academic year at its sole discretion.
- D. The committee and or Education department may elect to send funds directly to the institution selected by student. There may be cases where student is not utilizing funds for the intended purpose etc.
- E. No advances or early disbursements shall be made.

23-3-6 SUPPLEMENTAL LOANS

No additional loans shall be made in excess of the amount initially approved and designated by the Committee.

SECTION 4: SCHOLARSHIP APPLICATIONS

23-4-1 GENERAL REQUIREMENTS

- A. Each applicant must be a high school graduate or the recipient of a GED.
- B. Each applicant must meet all undergraduate or graduate program entrance requirements.
- C. Undergraduate students taking six (6) or more credit hours must apply for other available financial aid such as a federal Pell grant, and other state, federal or private grants or scholarships and must submit a Free Application for Federal Student Aid (FAFSA) each year for which the applicant is applying for funds from the Scholarship Program.
- D. Graduate students must apply for any grants, scholarships or fellowships available to graduate students such as scholarships offered by the American Indian Graduate Center.

23-4-2 APPLICATION REQUIREMENTS

All first time applicants are required to submit the following documents or forms to the Education Department:

- A. A completed and signed Scholarship Application Form which the applicant may obtain from the Education Department;
- B. A signed Privacy Statement Form which may be obtained from the Education Department and which authorizes the Education Department to solicit information, personal or educational data about the student;
- C. A copy of the Student Aid Report (SAR) which the student will receive after submitting the FAFSA;
- D. A completed Needs Analysis Form (see § 23-4-4below);
- E. A signed Agreement Form provided by the Education Department stating that the student has read and agrees to all the terms of this Chapter;
- F. A letter from the applicant stating the applicant's educational objectives;

- G. Two (2) letters of recommendation from individuals such as teachers, supervisors, or co-workers who know the applicant well;
- H. An official final transcript from the applicant's high school or a copy of the applicant's GED certificate or an official college transcript if the applicant attended college prior to applying for funding through the Scholarship Program;
- I. A current photograph of the applicant;
- J. A signed Grade Release Form provided by the Education Department for each semester the student applied for funding;
- K. Proof of admission to the college or university for which funding is being requested; and
- L. A Contract Health Service Information Form provided by the Education Department if the applicant will be attending a college or university outside the Tribe's service area.

23-4-3 RENEWAL REQUIREMENTS

- A. Each applicant shall be required to renew his/her application at the end of the individual funding cycle by resubmitting certain documents listed in § 23-4-2, specifically, the;
 - 1. Scholarship Application Form;
 - 2. Signed Privacy Statement Form;
 - 3. Student Aid Report;
 - 4. Needs Analysis Form;
 - 5. Agreement Form;
 - 6. Grade Release Form;
 - 7. Contract health Information Form; and
- B. If a student has transferred to another college or university, the student must also provide proof of admission to the new institution to the Education Department.

23-4-4 RECOMMENDATION TO MAINTAIN APPLICATION ON FILE

- A. Although a student may believe that he or she does not need funds from the Scholarship program, it is recommended that he or she maintain an application on file by submitting a new application each year in the case that such funding is in fact needed at a later date. Applications will be considered only when filed in accordance with the deadline dates listed below.

23-4-5 NEEDS ANALYSIS FORM

- A. The Education Department shall prepare and make available to each applicant a Needs Analysis form which each applicant must submit to his/her campus financial aid office.
- B. The applicant shall request that the financial aid office calculate the needs of the applicant for the coming year or semester based on the results of the SAR and the cost of tuition, books, fees, and supplies.
- C. The applicant shall either return the form to the Education Department personally or request that the financial aid office do so.
- D. The Committee shall not consider certain information provided on the Needs Analysis Form, specifically, the expected parent contribution versus any expected student contribution in determining the amount of funding that will be provided.

23-4-6 APPLICATION DEADLINES

- A. Applicants shall submit all application materials according to the following schedule;
 - 1. June 1st if students are applying for the entire academic year;
 - 2. June 1st if students are applying for the fall semester only;
 - 3. November 1st if students are applying for the spring and summer semesters;
 - 4. November 1st if students are applying for the spring only; and
 - 5. April 1st if students are applying for summer semester.
 - 6. No application materials will be accepted after the dates noted.

SECTION 5: CONDITIONS OF AWARDS

23-5-1 REPORTING OF FINAL GRADES

- A. All students receiving funds under the Scholarship Program shall request that official transcripts be sent to the Education Department as soon as the term is completed.
- B. No facsimiles or copies of transcripts shall be accepted.
- C. No further funds will be disbursed until the official transcript is received by the Education Department.

23-5-2 GRADE POINT AVERAGE

- A. Undergraduate students shall maintain a 2.0 GPA based on a 4.0 scale throughout the terms for which they receive funding, whether attending full-time or part-time.
- B. Graduate students shall maintain a 3.0 GPA throughout the terms for which they receive funding, whether attending full-time or part-time.

23-5-3 CREDIT HOURS

- A. Full-time undergraduate students must be registered for twelve (12) credit hours or more during the time they receive funding from the Scholarship Program.
- B. Full-time graduate students must be registered for nine (9) credit hours or more during the time they receive funding from the Scholarship Program.
- C. Part-time students (whether undergraduate or graduate) have no credit hour requirement.

23-5-4 PROBATIONARY PERIOD

If a student does not meet the GPA or credit hour requirements;

- A. The student shall be funded for another semester, but shall be on probation.
- B. The Committee may refer the student to on-campus financial aid services.
- C. The Committee may suggest the student take a semester off.

23-5-5 SUSPENSION AFTER PROBATIONARY PERIOD

If a student on probation does not attain the pre-requisite GPA or enroll for the required number or credit hours during the probationary period, the student shall not receive further funding from the Scholarship Program. Costs during the period after termination and until eligibility is regained must be met from other sources.

23-5-6 REGAINING ELIGIBILITY AFTER SUSPENSION

In order to be eligible for further funding under the Scholarship Program, a student who has been suspended following a probationary period must achieve a GPA of 2.0 or higher for the number of credit hours for which the student originally received funding.

23-5-7 SCHOOL DISCIPLINARY ACTION

Student behavior such as abuse of alcohol and/or drugs resulting in disciplinary action by campus or off-campus authorities shall result in the immediate termination of funding under the Scholarship Program.

23-5-8 FALSIFIED DOCUMENTS

- A. Falsification or forgery of any documents or forms required herein shall not be tolerated.
- B. Should the Education Department Director or the Committee have reasonable suspicion that any documents have been falsified or forged, there will be immediate revocation of any approved or disbursed funds.
- C. Any documents or forms found to have been falsified or forged in the application process shall result in the student repaying all funds disbursed and the student shall not be allowed to re-apply for funding under the Scholarship Program.

23-5-9 WITHDRAWAL AND REPAYMENT

- A. All students who withdraw from a semester for which program funding was awarded shall repay all funds as provided in § 23-2-3 prior to the student being eligible for consideration for any further funding.

23-5-10 APPEAL PROCESS FOR SUSPENSION OR REPAYMENT OF FUNDING

- A. Any student may appeal a suspension or finding that repayment is needed where he or she:
 - 1. Is hospitalized due to a severe medical issue;
 - 2. Suffers from a severe medical condition that prevented him or her from attending classes;
 - 3. Has a member of the student's immediate family that is hospitalized or suffers from a severe medical condition requiring the student to miss classes or withdraw to care for such family member; or
 - 4. Has suffered a death within the student's immediate family.
- B. For purposes of this Section, immediate family shall include a student's spouse, son, daughter, father, mother, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, aunt, uncle, nephew, niece, grandmother, grandfather or grandchildren.
- C. Any student may initiate the appeal process by submitting the following documents to the Education Department:
 - 1. A letter containing a written explanation of the relevant circumstances and requesting an appeal;

2. A copy of current registration documents;
 3. An official transcript; and
 4. Invoices for tuition, fees, books, and other education-related costs.
- D. The student shall be prepared to all fees if the appeal fails.
 - E. The Education Department shall review all submitted documentation and make a written recommendation.
 - F. The Education Department shall forward all documents and its recommendation to the Committee for review and a final determination.
 - G. The Education Department shall inform the student of the Committee's final determination in writing as soon as possible.