

Per Capita Distribution Ordinance
Proposed Example Two:

Section 8b. Education Criterion

(1) The trust assets of each such account maintained for a minor shall be disbursed to the Member-beneficiary thereof upon the meeting of the following criteria:

- (a) Reaching the age of eighteen (18); and
- (b) Submitting to the Division of Enrollment evidence of personal acquisition of a high school diploma with transcripts from all course work that applies to that degree program.
- (c) Effective for, and applicable to, members graduating in the Class of 2017, and all subsequent years, the Tribal member must complete a financial literacy orientation course (or series of courses) as administered by the Department of Education which could include topics that teach basic skills necessary to be an effective consumer in our society, discussing consumer skills, responsibilities and goals, manage personal resources, making informed choices in the marketplace. Topics include buying vs. leasing, product comparison and marketing, budgeting, investment options, and economic concepts relating to being producers, consumers, and citizens.
- (d) Evidence of completion will include the Minor's Address Verification form and the following original documents: legible copy of the Minor's Social Security Card, original raised seal high school diploma, or in the case of students with disabilities, an original raised seal Certificate of Completion, Official Transcripts (originals).
- (e) The burden of proof of fitness of institution and education of the student is the responsibility of the student.
- (f) All educational institutions shall be subject to review by the Department of Education to determine their institutional fitness to provide this education based on relevant federal and state education regulations. It is the student's (student's parent or legal custodian's) responsibility to contact the Department of Education to ensure the degree-granting institution qualifies for meeting the high school diploma definition and education criteria in accordance with this code.
- (g) Alternative Education Program. Diplomas awarded through alternative high school programs (i.e. online, blended, correspondence, distance, etc.) may be eligible if they comply with Section 8b, and if the student is determined eligible by a school district's IEP team or Superintendent, in accordance with the state requirements for graduation under these types of programs in the state in which the student resides at the time the diploma was awarded.
- (h) The Executive Director of the Department of Education and the Enrollment Officer or their designee(s) will have the final authority to determine if educational requirements have been met, and will release funds to such members immediately upon verification eligibility pursuant to the requirements of this Code.

(2) Member does not achieve a High School Diploma.

(a) In the event a Tribal member reaches the age of eighteen (18) and does not produce proof of meeting the Educational requirements set forth in this Code, the CTF account shall be held on the same terms and conditions applied while the member beneficiary was still a minor, or until the earliest occurs:

1. the member meets the requirements of Section 8b(1), including the financial literacy requirement; or
~~the member reaches the age of twenty five (25); or~~
2. the member is deceased.

(b) Even if the requirements above have not been met, the Nation's regular, quarterly per capita disbursements will be made directly to the Tribal member, and no longer to the Trust Fund, upon reaching the age of 18.

(3) Exception Rule. This exception rule only provides for the early release of CTF accounts to a Tribal member who has completed all requirements for graduation from high school, but will not receive a diploma until a later date. The following conditions must be met:

(a) the member has attained the age of 18;

(b) the member has completed all high school requirements for a graduation diploma;

(c) the superintendent of the high school the member attended certifies in writing that the member has met all conditions and requirements for the award of the diploma and confirms the date when the diploma will be presented/delivered to the member; and

(d) the member makes a written request for the disbursement of his or her CTF account and provides the above required supporting documentation and official transcripts.

(e) the member shall submit an Official Transcript, minor Address Verification Form and legible copy of his/her Social Security Card to the Enrollment Office.

(f) the member fulfills the financial literacy component of the education requirements of Section 8b(1).

Section 8d(6)(a) A written request must be ~~submitted to~~ filed with the Tribal Court ~~Party~~ by the Ward's parent or legal guardian requesting a full or partial distribution at any time on, or after, the incompetent member's 21st birthday to Special Needs Trust.