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OSAGE NATION CONGRESS

4th Session of the 1st Congress

BILL NUMBER ONCA 07-65

ENROLLED

April 10, 2008

SPONSOR: Debra Atterberry

An Act

To create the Division of Education within the Executive Branch of the Osage Nation; to authorize departments of the Division; to authorize organization of personnel within the Division; to authorize travel and; to require annual reporting to the Osage Nation Congress.

Be it enacted by the Congress of the Osage Nation:

SECTION 1. SHORT TITLE

This Act may be cited as the “Osage Nation Division of Education Organization Act”.

SECTION 2. PURPOSE

To ensure that the Osage Nation provides access to education and early childhood services to its members and to encourage prioritization regarding the Nation’s contribution and commitment to other individuals residing within the Osage Nation Reservation by establishing authority for coordinating the delivery of those services for the ultimate benefit of the Nation’s government and constituents.

SECTION 3. COMPOSITION

- A. There is created a Division of Education within the Executive Branch of the Osage Nation government.
- B. The Division shall consist of the following Departments:
 - 1. Education Department.
 - 2. Early Childhood Education Department.

47 **SECTION 4. DUTIES AND RESPONSIBILITIES OF THE DEPARTMENTS / ENTITIES WITHIN**
48 **THE EDUCATION DIVISION**

49
50 The powers and responsibilities of the departments within the Division of
51 Education shall be the powers and duties now or hereafter conferred upon or required of
52 each by the Constitution or by the common and statutory law of the Nation or by mission
53 statement.
54

55 **SECTION 5. PERSONNEL**

56
57 There are hereby authorized personnel to carry out the duties and responsibilities
58 associated with the operation of the Education Division. The authorized personnel shall
59 be set forth as follows, but other positions may from time to time be created and budgeted
60 in order to facilitate the objectives of the Division:
61

62 A. Leaders and Directors

- 63
64 1. Education Division Leader - The Division Leader shall be the head
65 of the Education Division and shall have no less than a Master's of
66 Education and at least five (5) years of experience in the Education
67 field in an administrative supervisory position. The incumbent
68 must be able to demonstrate exemplary leadership and organization
69 skills in order to meet the goals and objectives of the Division.
70
71 2. Department Directors – The Department Directors shall be
72 qualified in the areas of Education and / or Early Childhood as well
73 as possess supervisory and management skills in accordance with
74 the job description for the position on file in the Osage Nation
75 Human Resources Department. The incumbent must exemplify
76 attributes of leadership and organization skills in order to meet the
77 goals and objectives of their respective department or entity within
78 the Division.
79

80 B. All Division personnel shall be hired in accordance with the organizational
81 chart that has been authorized and funded on an annual basis by the Osage
82 Nation Congress.
83

84 C. All Division personnel shall be compensated pursuant to established
85 Osage Nation personnel policies and procedures.
86

87 D. No authorized position shall be filled unless and until funds are
88 appropriated or granted to the Division for compensation of such position.
89

90 **SECTION 6. DIVISION LEADER - AUTHORITY, RESPONSIBILITIES, AND DUTIES**

91
92 The Education Division Leader is authorized and directed to:

- 93 A. Formulate overall administrative and operating policies pertaining to the
94 Division and to take such action deemed necessary for the
95 accomplishment and enforcement thereof.
- 96
- 97 B. Supervise Department Directors, and exercise, through department
98 directors, supervisory control and direction over all personnel within the
99 Division.
- 100
- 101 C. Provide a report no less than annually on the performance and
102 accomplishments of the Division.
- 103
- 104 D. Represent the Division in executive level planning.
- 105
- 106 E. Represent the Osage Nation government in the Nation's dealings and
107 relations with all persons and organizations outside the Osage Nation
108 government relative to the Division.
- 109
- 110 F. Conduct such special projects and programs as may be assigned.
- 111
- 112 G. Timely oversee the development of performance plans and budgets for the
113 departments within the Division.
- 114
- 115 H. Review and authorize travel requests of the Education Division directors.
- 116
- 117 I. Track the financial reporting and performance of all grants and contracts
118 administered by the Division.
- 119
- 120 J. Perform all duties and responsibilities of the office in accordance with the
121 highest standards of legal ethics as required by the Osage Constitution and
122 law.
- 123

124 **SECTION 7. DEPARTMENT DIRECTORS WITHIN THE DIVISION -AUTHORITY,**
125 **RESPONSIBILITIES, AND DUTIES**
126

127 Each Department Director within the Division of Education is authorized and
128 directed to:

- 129
- 130 A. Formulate specific goals and objectives pertaining to the department, and
131 to take such action delegated to them necessary for the accomplishment
132 and enforcement thereof.
- 133
- 134 B. Exercise supervisory control and direction over all personnel within the
135 department.
- 136
- 137 C. Report no less than semi-annually to the Division Leader regarding the
138 accomplishment of the purposes and objectives of the department in

- 139 furtherance of needs of the Osage Nation relating to activities and services
140 of the department.
141
142 D. Monitor the work of all department employees and undertake and submit
143 employee performance reviews no less than annually.
144
145 E. Represent the department in Division level planning.
146
147 F. Represent the department when requested with all persons and
148 organizations outside the Osage Nation government relative to department
149 activities.
150
151 G. Conduct such special projects and programs as may be assigned.
152
153 H. Develop performance plans and budgets as requested by the Division
154 Leader.
155
156 I. Approve all travel within the department.
157

158 **SECTION 8. AUTHORITY TO TRAVEL ON OFFICIAL BUSINESS**
159

160 All personnel with the Division are authorized to travel on official government
161 business and to be compensated for expenses in connection with that travel, but only in
162 accordance with established Osage Nation policy relating to same and only to the extent
163 that such travel directly relates to a defined job responsibility of the personnel traveling.
164

165 **SECTION 9. SUPERSESSION AND SAVINGS CLAUSE**
166

167 Any other resolution, ordinance, order, or act of the Osage Nation inconsistent
168 with the law herein is superseded; provided, that upon adoption of this act authorizing the
169 creation of this Division all powers, rights, responsibilities and obligations of the
170 Division not inconsistent with this new act shall pass immediately and without
171 interruption.
172

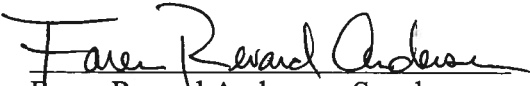
173 **SECTION 10. DECLARATION OF EMERGENCY AND EFFECTIVE DATE**
174

175 An emergency exists. This bill is effective upon signature of the Principal Chief
176 or upon signature of the Speaker of the Osage Nation Congress following legislative
177 override.
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ENACTED by the Osage Nation Congress on this 10TH day of April, 2008.

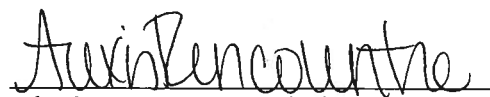
IN WITNESS WHEREOF, the Speaker of the Osage Nation Congress has hereto attached his signature.


Faren Revard Anderson, Speaker
Osage Nation Congress

I, THE UNDERSIGNED, CERTIFY THAT THE FOREGOING IS A TRUE EXTRACT FROM THE MINUTES OF THE Osage Nation Congress comprised of twelve members and one ex-officio member with 11 members attending this meeting on the 10TH day of April, 2008, and that the above is in conformity with the provisions therein adopted by a vote of 10 in favor, 0 against, and 2 absent.

- | | |
|------------------------|--------|
| Faren Revard Anderson | yes |
| Jerri Jean Branstetter | absent |
| Shannon Edwards | yes |
| Mark Freeman | yes |
| Debra Atterberry | yes |
| Archie Mason | absent |
| Raymond Red Corn | yes |
| Eddy Red Eagle, Jr. | yes |
| Doug Revard | yes |
| Anthony Shackelford | yes |
| Mark Simms | yes |
| William Supernaw | yes |

Said Bill has not been rescinded or amended in any way and the above is the signature of the Speaker of the Osage Nation Congress.

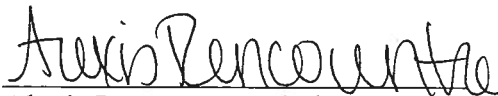

Alexis Rencountre, Clerk
Osage Nation Congress

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EFFECTIVE DATE CERTIFICATION

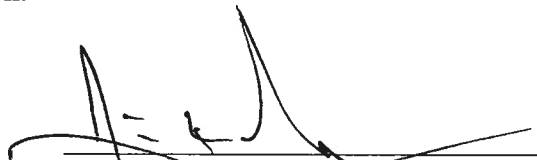
I, THE UNDERSIGNED, CERTIFY THAT THE FOREGOING EFFECTIVE DATE was approved by a two-thirds vote of the Osage Nation Congress in accordance with the Constitution of the Osage Nation Article VI, Section 13. This provision was adopted by a vote of 10 in favor, 0 against, and 2 absent.

Faren Revard Anderson	yes
Jerri Jean Branstetter	absent
Shannon Edwards	yes
Mark Freeman	yes
Debra Atterberry	yes
Archie Mason	absent
Raymond Red Corn	yes
Eddy Red Eagle, Jr.	yes
Doug Revard	yes
Anthony Shackelford	yes
Mark Simms	yes
William Supernaw	yes


Alexis Rencountre, Clerk
Osage Nation Congress

APPROVAL

I, the Principal Chief of the Osage Nation, hereby affix my signature this 16 day of April, 2008, to the above Bill No. ONCA 07-65 authorizing it to become a law under the Constitution of the Osage Nation.


Jim R. Gray, Principal Chief
Osage Nation