

**TITLE 2 – GOVERNMENT ADMINISTRATION  
PART II – DEPARTMENTS; DIVISIONS  
CHAPTER 2-3- EDUCATION**

**TABLE OF CONTENTS**

**SUBCHAPTER A        GENERAL PROVISIONS**

Section 10	Purpose .....	1
Section 20	Short Title; Codification .....	1
Section 30	Establishment of the Education Department .....	1
Section 40	Purpose of Department.....	1
Section 50	Mission.....	1

**SUBCHAPTER B        DIRECTOR**

Section 60	Creation and Appointment .....	1
Section 70	General Duties of Director .....	2
Section 80	Supervisory Duties and Authorities of Director.....	2

**SUBCHAPTER C        ORGANIZATION**

Section 90	Organization.....	2
------------	-------------------	---

**SUBCHAPTER D        AUTHORIZED PROGRAMS**

Section 100	Authorized Programs .....	3
-------------	---------------------------	---

**SUBCHAPTER E        PROGRAM EVALUATION AND MONITORING**

Section 110	Program Evaluation and Monitoring .....	4
Section 120	Reporting .....	4

**TITLE 2 – GOVERNMENT ADMINISTRATION  
PART II – DEPARTMENTS; DIVISIONS  
CHAPTER 2-3 - EDUCATION**

*Legislative History:* Adopted on July 23, 2008 by Resolution No. C07-155-08 and Ordinance No. 26-08.

**SUBCHAPTER A GENERAL PROVISIONS**

**Section 10 Purpose (2 PYTC § 2-3-10)**

The purpose of this subchapter is to establish the Education Department of the Pascua Yaqui Tribe and to provide authorization and guidance for its operation.

**Section 20 Short Title; Codification (2 PYTC § 2-13-20)**

This ordinance shall be known as the “Pascua Yaqui Education Ordinance of 2008.”

**Section 30 Establishment of the Education Department (2 PYTC § 2-3-30)**

- (A) The organizational division to be known as the Pascua Yaqui Education Department is hereby created as a division of the Executive Branch of the Pascua Yaqui Tribe Government.
- (B) If any section or part of this Chapter is later determined to be void or unenforceable, the remainder of this Chapter shall nevertheless remain in full force and effect, unless this Chapter, without said void or unenforceable section or part, fails in its purpose.

**Section 40 Purpose of Department (2 PYTC § 2-3-40)**

To promote educational leadership among Hiaki students and their families by providing educational and cultural resources, support, and tools that will expand choices and opportunities to achieve success.

**Section 50 Mission (2 PYTC § 2-3-50)**

To support tribal self-sufficiency, develop life long learners, create a pipeline of student services to promote academic achievement and educational attainment, and to promote and preserve the Hiaki language, remove the barriers to student success, and improve tribal economic opportunity.

**SUBCHAPTER B DIRECTOR**

**Section 60 Creation and Appointment (2 PYTC § 2-3-60)**

- (A) The position of Director of the Education Department is hereby created. The Education Department shall consist of a “Director of Education” and such offices necessary for the execution of its mission, performance of its mandated functions, and to achieve its annual goals and objectives.
- (B) The Director shall not be deemed to be a “tribal officer” as defined in Article VII of the Constitution of the Pascua Yaqui Tribe; and
- (C) The Director shall be nominated by the Chairperson and must be approved by the Tribal Council by majority vote of the entire Council. Approval by the Tribal Council will constitute appointment to the position of Director.
- (D) The Director will be a full-time employee of the Tribe and will be paid compensation commensurate with his or her skills, education, experience, and responsibilities within the standards of compensation, if any, established by the Tribe.

- (E) The Director must report to, and will be directly supervised by, the Chairperson.
- (F) The Director serves at the pleasure of the Tribal Council, and may be removed from that position at the absolute discretion of the Tribal Council by a majority vote of the entire council.

**Section 70 General Duties of Director (2 PYTC § 2-3-70)**

- (A) The Director will administer, supervise and direct the activities of the Department.
- (B) The Director will advise the Chairperson regarding;
  - (1) The policies and procedures of the department;
  - (2) The programs administered by the department;
  - (3) External legislation or regulations in Education;
  - (4) Grant opportunities that best support the mission and vision of the Tribe;

**Section 80 Supervisory Duties and Authorities of Director (2 PYTC § 2-3-80)**

- (A) The Director has authority to select, appoint, and hire employees necessary to carry out the laws, regulations, policies and programs adopted by the Tribal Council including, but not limited to;
  - (1) Hiring authority, subject to the policies and procedures of the Tribe's Employee Handbook and personnel policies;
  - (2) Termination authority, subject to the policies and procedures of the Tribe's Employee Handbook and personnel policies;
  - (3) Personnel discipline;
  - (4) Personnel performance review;
  - (5) Personnel job assignments;
- (B) The Director has authority to delegate any function, powers, and authorities to other employees of the Department, except as may be prohibited by Tribal law.
- (C) The Director has budgetary authority for the Department.
- (D) The Director has authority to develop and implement internal policies for the efficient and effective administration of the Department.
- (E) The Director has signature authority for the Department, except as may be permissibly delegated.

**SUBCHAPTER C ORGANIZATION**

**Section 90 Organization (2 PYTC § 2-3-90)**

- (A) The Department consists of a Director and such departments and offices necessary for the execution of its mission, performance of its mandated functions, and to achieve its long and short term goals and objects.
- (B) The Department may employ staff professionals, support personnel, and/or contract with professional service firms as the Director determines, consistent with the laws of the Tribe and approved budgetary authority.

- (C) The Department must maintain a current organizational chart. The organizational chart must accompany its annual budget submission and any budget modification requests during the fiscal year, in accordance with the Tribe's Fiscal Management Ordinance.

**SUBCHAPTER D AUTHORIZED PROGRAMS**

**Section 100 Authorized Programs (2 PYTC § 2-3-100)**

The Division will have the following authorized programs, and such other programs as the Tribal Council or the Chairperson may assign.

(A) Early Childhood Education Department

- (1) The Pascua Yaqui Preschool will provide early childhood education to 3-5 year-old children living within the service area, which includes the reservation and surrounding neighborhoods.
- (2) Head Start will be a part of the Pascua Yaqui Preschool, but is a federally funded program, and therefore requires families to meet specific income guidelines in order for their child to attend.

(B) Yaqui Education Services Department

(1) The K12 and Higher Education program

- (a) The K-12 Program will use Johnson-O'Malley Act funding for Native American education when available, as well as tribal funds to support existing programs within the public schools and to provide special services to meet the unique and specialized educational needs of the Yaqui students attending public schools.
- (b) The Higher Education Program will offer supplemental funding for tuition and other education related costs at accredited post-secondary institutions. The program provides retention and recruitment services via college workshops, community forums and school visits. A dedicated and knowledgeable staff will assist students with academic and financial planning through their educational endeavors.

(A) Community and Adult Education

(1) Tech Ania

- (a) Tech Ania shall consist of the Community Resource Lab and the Intel Computer Clubhouse and such other programs as may be developed in the future.
- (b) The goal of these programs will be to provide youth with access to resources, skills, and experiences to help them succeed in their careers, contribute to their communities, and lead outstanding lives.

(2) Adult and Continuing Education

- (a) The Adult and Continuing Education program will offer Adult Basic Education and GED classes.

(3) Hiaki High School

- (a) The Pascua Yaqui Tribe, either through a contract with an outside service provider or under the direct supervision and control of the Education Department, provides a charter school program referred to as the Hiaki High School, which is located on the Reservation.

- (B) The Administration Business Office centralizes all the business functions of the Education Division by working with Finance, Procurement, Human Resources, and Facilities. This office manages all financial transactions, grants and contracts management, purchasing, and personnel actions.

- (C) The Community Resource Library was created to enhance library services on the reservation in order to support literacy and educational achievement to promote the preservation of Yaqui culture and heritage. The library partners with local schools and public libraries to promote literacy initiatives between schools and families living on the reservation.
- (E) If a program is authorized by the Tribal Council, it may terminate such program at any time, and such termination shall act as a revision to this Chapter.
- (F) If a program is authorized by the Chairperson, it may be terminated, in whole or in part, by either the Chairperson or the Tribal Council.

**SUBCHAPTER E PROGRAM EVALUATION AND MONITORING**

**Section 110 Program Evaluation and Monitoring (2 PYTC § 2-3-110)**

- (A) The Director must conduct ongoing evaluation of all programs under his or her control.
- (B) The Director must monitor all programs under his or her control on a regular basis.
  - (1) In the event the Director discovers any irregularity in a program under his or her control, he or she must report that irregularity immediately to the Chairperson.

**Section 120 Reporting (2 PYTC § 2-3-120)**

- (A) The Director will provide reports and meet with the Chairperson and the Tribal Council on the Department's operations and significant activities on a regular basis.
- (B) The Director must report to the Council on programs under his or her control on a schedule determined by the Tribal Council.