



TRIBAL MANAGEMENT PROGRAM

University of Alaska Fairbanks

TM 250 Current Topics in Tribal Government: Tribal Constitutions, Laws, and Government

2cr. (2+0)

Spring 2015 Course Syllabus

Instructor:

Kevin M. Illingworth and Stephen Pevar

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Class Schedule: Monday April 20- Thursday April 23, with audio class April 27

Monday: Noon-5pm

Tues-Thurs: 9am-5pm

Monday April 27 Audio class 9am-noon

Bristol Bay Campus

Course Goals:

Participants will gain an understanding of Tribal Constitutions, Codes and Sovereignty.

Course Description:

Various topics of current interest to Tribal Governments and Tribal Management students. Topics announced prior to each offering and course may be repeated for credit, if topic varies.

This course will provide a special focus on understanding Tribal Constitutions as the foundation of government. This course will also review the role of the tribal government in writing and enforcing laws, basics of tribal sovereignty, and hearing cases in tribal court.

Course Objectives:

On completion of the course the student will:

1. Identify the different types and purposes of tribal constitutions
2. Explain the organization and development of tribal constitutions, tribal laws and tribal courts in Alaska and their relation to tribal governments.
3. Illustrate the essentials of tribal sovereignty, and tribal self-governance in Alaska.

Text: 1) Coursepack will be distributed in class

Film: Alaska Tribes

Office Hours: As this is an intensive course, no office hours are scheduled. However, instructor will attend all session of the course and be available via phone and fax for student contact after course contact period.

Evaluation/Grading Policy & Course Requirements/Policies:

This is a Pass/Fail Course Grades will be assigned based on the percentage of the total points possible that a student earned for the course in accordance with the following:

% of Total	Grade
100 – 70	Pass
0-69	Fail



Attendance (5%): Because attendance in class is required to both gain information from the lecture and to be able to participate in activities, attendance is graded as part of this course. Attendance will be taken at the beginning of each day and immediately after the lunch break. Late arrivals will receive pro-rated credit for attendance at that portion of class. Students with valid reasons for missing class who notify the instructor of their absence *prior* to that portion of class (excused absence) will retain ½ of attendance points for that portion.

Participation (5%): Group discussions and overall group dynamics are an essential part of the learning experience for this course. Students are expected to actively participate in group discussions and exercises in a variety of roles. Participation points for a missed class session cannot be made up.

In-class Assignments (60%): Student will critique an assortment of case studies. Case study critiques should address each of the major tribal sovereignty principles discussed in class, therefore critiques should become more complex as the course progresses.

Final Papers (30%): Students will be required to complete a final written assignments and give an oral report describing the written assignment to the group.

**Note: New University Policy in affect states that Incompletes (I) will change to an "F" letter grade after one year.*

University policies consider plagiarism a serious offense. Plagiarism happens when anyone does not give adequate credit for any ideas or materials used in class or in class projects. If you are uncertain if you are giving proper credit to the information you are using or collecting, ask the instructor for guidance on this topic. This course will follow all University policies and regulations set out in the 2007-2008 Catalog. If there is any uncertainty about class procedures, this course syllabus and the Catalog are expected to describe these procedures.

Final Paper

A final paper must be submitted to the instructor by **Monday April 27th**. The final paper is a two page summary essay of your in-class learning applied to your everyday work for your Tribal Government. The paper must include 3 simple steps you can take to improve your tribal self-governance

The paper must follow the following guidelines:

1. Include two written pages;
2. Be typed in size 12 font with one inch margins, line spacing must be 1 ½ ;
3. Author and summary statement must appear at the top of the first page in bold font;
4. Written with a professional writing style and free of all grammatical errors and typos.
5. Be submitted to instructor by e-mail by the deadline.



Agenda

Monday

- Developing Tribal Constitutions
 - Overview of Day
- Legal Principles
 - Tribal Sovereignty
 - Tribal Governments in Alaska – A Brief History of Sovereignty in Alaska
 - Comparison: the US Constitution
 - Indian Civil Rights Act of 1968
 - Tribal Sovereign Immunity
 - *Tribal Sovereign Immunity case study*

Tuesday

- Constitutional Provisions
 - Name, Organization, Preamble
 - Territory and Jurisdiction
 - Members
 - Rights of Members
 - Qualifications for Office
 - Elections
 - *Elections case study*

Lunch Break

- Constitutional Provisions (Continued)
 - Legislative Authority
 - Executive Authority
 - Judicial Authority
 - General Powers and Sovereign Immunity
 - Council Meetings and Official Acts
 - Removal from Office and Referendums
 - Amendments
 - *Amendments: Constitutional Convention case study*
 - Adoption

Wednesday

- Tribal Codes and Ordinances: Written Tribal Laws
 - Legislative Role of the Council
 - Writing Tribal Laws
 - *Writing Tribal Laws Case Study*
- Tribal Courts
 - Restoring Balance- What Alaska Tribes are Doing in Justice
 - Tribal Jurisdiction
 - Child Cases
 - Adoption
 - Child Custody
 - ICWA
 - Child Protection
 - *Child Protection case study*



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Thursday

- MSW Tribal and Community Wellness Practicum Presentation
- USDOJ Tribal Court Survey

Lunch Break

- Working with the State in justice
 - Initiating cases in tribal court
 - Transferring cases to tribal court
 - Sentencing recommendations in State Court
 - *Making Sentencing recommendations in State Court case study*

Monday 9-noon audio:

- Report back to group on implementation plan discussed in your Final Paper

Support Services

UAOnline: <http://uaonline.alaska.edu> Your resource for transcripts, accounts, and other personal information.

Rural Student Services: <http://www.uaf.edu/ruralss> Rural Student Services (RSS) is an academic advising department with over 35 years of experience in working with students from all over Alaska. We are here to assist you in achieving student success by linking you to current information pertinent to your education, lifestyle, and goals. We can help you with: Academic Requirements, Registration for Classes, Finding Financial Aid, Explaining Housing Options, Declaring a Major, Career Exploration. Call 1-888-478-1452 or e-mail us at fyrrss@uaf.edu

I-AC English Tutor: I-AC offers direct and personal tutorial support for all phases of all your reading and writing assignments. All you need is the desire to improve your skills and the willingness to work at it. Our tutor, Roy Stamey, will put you at ease and help you with everything associated with your assignments: reading comprehension, brainstorming and generating writing topics, organizing ideas, developing research strategies, use of citation styles (MLA, APA, and Chicago), and editing for clarity, word choice and general correctness. He is available to work with you through the internet, phone, fax, in addition to being regularly available on campus for face-to face sessions. Roy's hours are flexible so that he can work with you as needed. Give him a call at (888)474-5207, or better yet, email him at rstamey@alaska.edu He is here for you.

Information Technology : If you are having problems with a UAF account, you will need to contact the UAF help desk. Call 1.800.478.4667

Disability Services: The Office of Disability Services implements the Americans with Disabilities Act (ADA), and ensures that UAF students have equal access to the campus and course materials. The Tribal Management Program will work with the Office of Disabilities Services (208 WHITAKER BLDG, 474-5655) to provide reasonable accommodation to students with disabilities.

The University of Alaska Board of Regents has clearly stated in BOR Policy that discrimination, harassment and violence will not be tolerated on any campus of the University of Alaska. If you believe you are experiencing discrimination or any form of harassment including sexual harassment/misconduct/assault, you are encouraged to report that behavior. If you report to a faculty member or any university employee, they must notify the UAF Title IX Coordinator about the basic facts of the incident. Your choices for reporting include: 1) You may access confidential counseling by contacting the UAF Health & Counseling Center at 474-7043; 2) You may access support and file a Title IX report by contacting the UAF Title IX Coordinator at 474-6600; 3) You may file a criminal complaint by contacting the University Police Department at 474-7721.