

## **TITLE 11 - EDUCATION**

### **CHAPTER 2 - SCHOOL AGE ATTENDANCE**

*Legislative History: Ordinance No. 11 (mandating school attendance for children of certain ages) was enacted by the Papago Council on January 29, 1944 and approved by the Superintendent of the Sells Agency on February 4, 1944; amended by Resolution No. 773 (amending ages of attendance and exemptions) was enacted by the Papago Council on January 7, 1955 and approved the Superintendent of the Papago Agency on November 19, 1955.*

*This law amended by Res. No. 773 in 1944. Code*

ORDINANCE OF THE  
PAPAGO COUNCIL

No. 31

WHEREAS, the progress of the Papago Tribe is dependent upon the education of its children, and

WHEREAS, voluntary attendance on the Reservation has resulted in many children leaving school for long periods, or not attending school at all,

THEREFORE, be it resolved by the Papago Council that the following portion of the proposed Papago Law and Order Code become effective immediately:

Every member of the Papago Tribe of Arizona having control of any child between the ages of six and sixteen years, shall send such child to a school for the full time that such school is in session within the area where such child resides, provided that such person shall be excused from such duty by the Papago Council, whenever it shall be shown to the satisfaction of the Council and the Superintendent of Sells Agency that one or more of the following reasons exist:

That such child is in such physical or mental condition as to render such attendance unexpedient, Or, has presented any reasons for such non-attendance satisfactory to the Reservation School Principal,

OUT { Or, is over 14 years of age, and with the consent of its parents or guardian, is employed at some lawful wage earning occupation.

No Papago child under the age of 16 shall be employed by any person on the Reservation during the hours that the schools of the area in which the child resides are in session, unless such child shall present a certificate from the Reservation School Principal stating that he has been excused from attendance for one of the reasons set forth above, which certificate may be revoked at any time.

The responsibility of enforcing this ordinance shall be vested in Tribal District Councils in conjunction with the Reservation police, and the cases shall be tried in the Tribal Courts.

Any person violating the provisions of this ordinance shall be guilty of an offense, and fined ten dollars (\$10.00) or ten days or both for the first offense, fifteen dollars (\$15.00) or fifteen days for the second offense, and on a similar increasing scale for each subsequent offense.

The foregoing ordinance was on January 29, 1944, duly enacted by a vote of 14 for and 0 against, by the Papago Council, pursuant to authority vested in it by Section 2 (k) (m), Article V of the Constitution of the Tribe, ratified by the Tribe on December 12, 1936, pursuant to Section 16 of the Act of June 18, 1934, (48 Stat. 984). Said Ordinance is effective as of the date of its approval by the Superintendent of Sells Agency.

ATTEST:

/s/ Susanna I. Enos  
Susanna I. Enos, Secretary-Treasurer

THE PAPAGO COUNCIL  
BY:

/s/ Henry A. Throssell  
Henry A. Throssell, Chairman

APPROVED: Feb. 4, 1944

/s/ Wm. Madsen

RESOLUTION OF THE PAPAGO COUNCIL

RES. NO. 773

WHEREAS, Education of our young people is a vital need on our Reservation, and

WHEREAS, Ordinance 11, which was enacted by the Papago Tribal Council on January 29, 1944, does not fully meet the educational needs of these Reservations now,

THEREFORE BE IT RESOLVED BY THE PAPAGO COUNCIL, that Ordinance No. 11 be amended as follows:

- A. The age for compulsory school attendance, in paragraph one, which now reads from "between the ages of six and sixteen" be changed to read "between the ages of six to eighteen".
- B. Paragraph four concerning employment in lawful wage earning occupations over the age of 14, be deleted in its entirety.
- C. The age limit of employment by any person of a Papago child as shown in paragraph five be changed from sixteen to eighteen.

The foregoin resolution was duly enacted by a vote of 18 for and 0 against by the Papago Council on January 7, 1955, pursuant to authority vested in it by Section 2 (k) (m), Article V of the Constitution of the Tribe, ratified by the Tribe on December 12, 1936, pursuant to Section 16 of the Act of June 18, 1934, (48 Stat. 984). Said resolution is effective as of the date of its approval by the Superintendent of the Interior, pursuant to Section 6 of Article V of the Constitution and By-Laws of the Papago Tribe.

THE PAPAGO COUNCIL

/s/ Mark Manuel  
Mark Manuel, Chairman

Attest:

/s/ Hubert Segundo  
Hubert Segundo, Secretary/Treasurer

Approved: November 19, 1954

/s/ Albert M. Hawley  
Albert M. Hawley, Superintendent