

FOND DU LAC ORDINANCE # 04/93

CHARTER AND BYLAWS OF THE  
FOND DU LAC OJIBWE SCHOOL  
PARENT ADVISORY COMMITTEE

CHARTER AND BYLAWS OF THE  
FOND DU LAC OJIBWE SCHOOL PARENT ADVISORY COMMITTEE

Pursuant to the authority granted by Article VI of the Revised Constitution of the Minnesota Chippewa Tribe, and as recognized under Section 16 of the Indian Reorganization Act, 25 U.S.C. § 476, the Fond du Lac Reservation Business Committee, as the Governing Body of the Fond du Lac Band of Lake Superior Chippewa, does hereby charter and prescribe the bylaws for the Fond du Lac Ojibwe School Parent Advisory Committee to engage in those activities prescribed herein relating to the operation of the Fond du Lac Ojibwe School Chapter 1, Title V, Post-Secondary Preparation Program and Chapter 312 Indian Language and Culture Education programs.

101. **Name.** The name of the organization shall be the Fond du Lac Ojibwe School Parent Advisory Committee (hereinafter referred to as the "Advisory Committee").

102. **Purposes.** The purposes of the Advisory Committee shall be to promote the successful operation of the Fond du Lac Ojibwe School by coordinating parental and student involvement in matters related to the goals, development, operation and evaluation of the Ojibwe School's Chapter 1, Title V, Post-Secondary Preparation and Chapter 312 Indian Language and Culture Education programs consistent with the provisions of this Charter and Bylaws.

103. **Attributes.** The Advisory Committee is a subdivision of the Fond du Lac Band of Lake Superior Chippewa, and the actions taken by the Advisory Committee shall be imbued with those privileges and immunities inherent to the Fond du Lac Band, except as limited herein. Nothing in this Charter and Bylaws shall be deemed or construed as a waiver of the sovereign immunity of the Fond du Lac Band, or to constitute consent by the Fond du Lac Reservation Business Committee or the Advisory Committee to suit, except as provided herein.

104. **Membership.** The Advisory Committee shall consist of seven (7) members, as follows: (a) five (5) members shall be the parent or guardian of a currently-enrolled American Indian student at the Fond du Lac Ojibwe School; (b) one (1) member shall be a teacher at the Fond du Lac Ojibwe School; and (c) one (1) member shall be a currently-enrolled American Indian secondary student at the Ojibwe School. Up to three (3) alternate members may also be appointed to

the Advisory Committee. The teacher representative on the Committee shall not be directly employed under the Chapter 1, Title V, Post-Secondary Preparation Program or Chapter 312 Indian Language and Culture Education programs at the Ojibwe School. At least fifty-one percent of committee members shall be enrollees of the Fond du Lac Band, unless the Reservation Business Committee determines that it is necessary to suspend this requirement in order to achieve the purposes of this Charter and Bylaws. Members and alternates shall be selected by the procedures prescribed under Article 105 of this Charter and Bylaws.

**105. Selection of Members and Alternates.** Members and alternates of the Advisory Committee shall be selected according to the following procedures:

- a. Each September, the Fond du Lac Ojibwe School Board shall hold elections for five (5) member positions and all three (3) alternate positions on the Advisory Committee. All parents, grandparents or guardians of children currently enrolled in the Fond du Lac Ojibwe School shall be eligible to vote in those elections. The teacher representative on the Advisory Committee shall be elected each September by and from among the faculty of the Ojibwe School, and the student representative on the Advisory Committee shall be elected each September by and from among the eligible student population.
- b. The School Board shall notify the Reservation Business Committee within ten (10) days of the results of the elections held pursuant to Article 105(a), and shall recommend appointment to the Advisory Committee of the five (5) elected members, alternates and student representative to the Reservation Business Committee, consistent with Article 104, and shall notify the Reservation Business Committee of the Ojibwe School faculty's selection for the teacher representative to the Advisory Committee.
- c. The Reservation Business Committee shall make the final decision with respect to all appointments to the Advisory Committee and shall notify the School Board of such appointments.
- d. The Reservation Business Committee may appoint temporary members or alternates to the Advisory Committee, consistent with Article 104 of this Charter and Bylaws, as necessary to serve out the remainder of existing terms on the Advisory Committee. The Reservation Business Committee may request and consider the recommendations of the School Board in making such temporary appointments.

- e. Members and alternates of the Advisory Committee shall serve one-year terms, and may be reappointed, consistent with these procedures, for no more than three (3) consecutive terms.

**106. Removal or Suspension of Members and Alternates.** A member or alternate of the Advisory Committee may be removed by the Reservation Business Committee for misconduct, malfeasance, disqualification under Article 104 of this Charter and Bylaws, for unexcused absence of three (3) consecutive committee meetings, or crimes of moral turpitude. Where a member or alternate of the Advisory Committee has been charged with a crime of moral turpitude, or where the Reservation Business Committee has considered reliable allegations of such conduct, the Reservation Business Committee may suspend that member or alternate until such time as that member or alternate has been exonerated of those charges or allegations. The Advisory Committee or School Board may recommend removal or suspension of a Advisory Committee member or alternate to the Reservation Business Committee for any of the above-stated reasons, provided that the conduct at issue is reasonably substantiated.

**107. Officers.** The Advisory Committee shall elect from among its members a Chairperson, a Vice-Chairperson, a Secretary, and a Treasurer, and such other officers as may be necessary to Program purposes, subject to the approval of the Reservation Business Committee. Elections shall occur during the first meeting of the term year, or at the earliest convenience of the Advisory Committee. The Chairperson shall preside at all meetings of the Advisory Committee or, in the absence of the Chairperson, the Vice-Chairperson shall preside. The Chairperson shall have the responsibility to see that all the functions of the Advisory Committee are satisfactorily conducted and shall perform all general responsibilities which are inherent to that office. The Secretary shall prepare and maintain the minutes of the Advisory Committee and shall provide copies of Advisory Committee minutes to the Fond du Lac Ojibwe School Board and the Reservation Business Committee within ten (10) days of approval. An officer may be removed from that office by majority vote of a quorum of the Advisory Committee.

**108. Responsibilities of the Advisory Committee.** The Advisory Committee shall have the following responsibilities:

- a. To facilitate involvement of parents, students and the community in advising the School Board on matters related to the objectives, operations and evaluation of the Chapter 1, Title V, Post-Secondary Preparation, and Chapter 312 Indian Language and Culture Education programs at the Fond du Lac Ojibwe School.

- b. To review and advise the Fond du Lac Superintendent of Education on matters related to the budgets for the Chapter 1, Title V, Post-Secondary Preparation, and Chapter 312 Indian Language and Culture Education programs at the Ojibwe School.
- c. To monitor the financial operation of the Chapter 1, Title V, Post-Secondary Preparation, and Chapter 312 Indian Language and Culture Education programs at the Ojibwe School to assure that funding is properly utilized in accordance with the regulations governing those programs, and to advise the Fond du Lac Superintendent of Education of any irregularities or noncompliance.
- d. To review and comment upon grant proposals prior to their submission for application, and to advise the Fond du Lac Superintendent of Education as to whether the Advisory Committee approves or disapproves such proposals.
- e. The Chairman of the Advisory Committee shall participate in the interview process for personnel selection and shall advise the Fond du Lac Superintendent of Education and the Ojibwe School Board on qualifications of candidates for employment in the Chapter 1, Title V, Post-Secondary Preparation, and Chapter 312 Indian Language and Culuture programs at the Fond du Lac Ojibwe School.

109. Meetings. All meetings of the Advisory Committee shall be conducted in accordance with the Rules of Order and Code of Conduct prescribed under Articles 112 and 113 of this Charter and Bylaws.

- a. Regular Meetings. Regular Meetings of the Advisory Committee shall be held once a month. A written notice of a Regular Meeting must be sent to each member of the Advisory Committee by the Secretary at least seven (7) calendar days prior to the meeting specifying the agenda, place, date and time of the meeting.
- b. Special Meetings. Special Meetings of the Advisory Committee may be called by the Chairperson or by any three (3) members of the Advisory Committee. A written notice must be sent to each member by the Secretary at least three (3) calendar days prior to the meeting specifying the purpose, place, date and time of the meeting and shall include the names of those members responsible for calling the meeting. No business shall be conducted at the Special Meeting except as specified in the written notice.

- c. Executive Sessions. The Chairperson or a majority of the Advisory Committee may call an executive session after a legally-convened meeting of the Advisory Committee, having established a quorum and by a majority vote of members present, for the consideration of matters of a highly sensitive or confidential nature, or for consultation with the tribal attorney relating to matters of a legal nature. Consistent with Subsection (e) of this Article, an Executive Session shall be only for the purpose of enabling a full and frank discussion, and any vote taken must be in an open meeting.
- d. Quorum. A quorum shall consist of at least four (4) members, at least one of whom shall be the Chairperson or Vice-Chairperson. If a quorum is present, the affirmative vote of the majority of members present shall be necessary for the adoption of any matter voted upon. A majority of members present, though less than a quorum, may adjourn the meeting.

110. Subcommittees. The Advisory Committee may establish from its membership standing or ad hoc subcommittees to work on any special problems or projects related to the following areas: budget, social activities, education, and personnel.

111. Rules of Order. All meetings of the Advisory Committee shall be conducted in accordance with Robert's Rules of Order.

112. Advisory Committee Code of Conduct. The following standards of conduct shall apply to members of the Advisory Committee in carrying out Advisory Committee functions:

- a. The purposes of the Advisory Committee are coordinative and advisory and not administrative, and the performance of administrative and professional functions within the Fond du Lac Ojibwe School should be left to the appropriate staff, who should be accorded the respect and consideration due professional personnel.
- b. The Advisory Committee is not a political body, and the use of one's membership in the Advisory Committee to advance personal positions which are not directly related to the Advisory Committee's purposes is inappropriate.
- c. The authority of the Advisory Committee resides in the Advisory Committee as a body and only extends to the functions and responsibilities set forth in this Charter and Bylaws, and an individual member has no authority to represent the Advisory Committee outside official meetings unless specifically delegated such a function


by the Advisory Committee consistent with the purposes of the Advisory Committee as set forth in this Charter and Bylaws.

- d. All Advisory Committee business should be conducted in an ethical and above-board manner, and the procedures for holding meetings prescribed under Article 109 of this Charter and Bylaws must be strictly observed.
- e. The confidentiality of matters discussed in executive session must be strictly maintained.

113. Amendments. This Charter and Bylaws shall only be amended by separate Ordinance of the Reservation Business Committee.

We do hereby certify that the foregoing Ordinance was duly presented and adopted by Resolution #1110/93 by a vote of 3 for, 0 against, 0 silent, with a quorum of 4 being present at a Special Meeting of the Fond du Lac Reservation Business Committee held on April 23, 1993 in Cloquet, Minnesota.

  
Robert B. Peacock, Chairman

  
Peter J. Defoe, Sec./Treas.

# Fond du Lac Reservation Business Committee

105 University Road,  
Cloquet, MN 55720  
Phone (218) 879-4593  
Fax (218) 879-4146

RESOLUTION # 1110/93

The Fond du Lac Reservation Business Committee, on behalf of the Fond du Lac Band of Lake Superior Chippewa, hereby enacts the following Resolution:

WHEREAS, the Fond du Lac Reservation is a sovereignty, created by the Treaty of September 30, 1854, 10 Stat. 1109, as the perpetual home of the Fond du Lac Band of Lake Superior Chippewa, which possesses the inherent jurisdiction and authority to exercise regulatory control within the boundaries of the Fond du Lac Reservation; and

WHEREAS, it is the sovereign obligation of the Fond du Lac Reservation Business Committee, as the Governing Body of the Fond du Lac Band, under the Indian Reorganization Act, 25 U.S.C. § 461 et seq., and in accordance with the Indian Self-Determination Act, 25 U.S.C. § 450 et seq., to assume the responsibilities of Self-Government; and

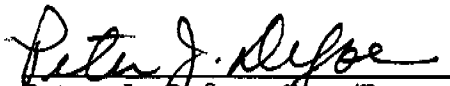
WHEREAS, the Reservation Business Committee has determined that it is in the best interests of the Fond du Lac Band to facilitate parental, student and community involvement in the development, overall operation and evaluation of the Chapter 1, Title V, Post-Secondary Preparation and Chapter 312 Indian Language and Culture Education programs at the Fond du Lac Ojibwe School; and

WHEREAS, the Reservation Business Committee has determined it to be necessary and in the best interests of the Fond du Lac Ojibwe School and the Fond du Lac Band to formally charter and promulgate bylaws for a Parent Advisory Committee to serve as a coordinator of parental, student and community involvement and to serve as an advisory body to the Reservation Business Committee and the Fond du Lac Ojibwe School Board in the development, overall operation and evaluation of the aforementioned programs at the Fond du Lac Ojibwe School;

NOW THEREFORE BE IT RESOLVED, that the Fond du Lac Reservation Business Committee, for the aforementioned purposes, does hereby adopt Ordinance #04/93, entitled "Charter and Bylaws of the Fond du Lac Ojibwe School Parent Advisory Committee," which shall establish the Fond du Lac Ojibwe School Parent Advisory Committee and shall govern its coordinative and advisory functions.

We do hereby certify that the foregoing Resolution was duly presented and acted upon by a vote of 3 for, 0 against, 0 silent, with a quorum of 4 being present at a Special Meeting of the Fond du Lac Reservation Business Committee held on April 23, 1993 in Cloquet, Minnesota.

  
Robert B. Peacock, Chairman

  
Peter J. Defoe, Sec./Treas.