



**THE NATIONAL JOHNSON-O'MALLEY ASSOCIATION  
AN EDUCATION ASSOCIATION  
BYLAWS**



**ARTICLE I – NAME AND OFFICE**

- Section 1      The name of the Association shall be the National Johnson-O'Malley Association (NJOMA). The principal office of the NJOMA shall be located in Tulsa, Oklahoma or until NJOMA determines another location. The NJOMA may have other offices as determined necessary and appropriate by the Board of Directors.

**ARTICLE II – PURPOSE**

- Section 1      The National Johnson-O'Malley Association is formed as a nonprofit educational organization to serve the following purposes:
- A. To create an effective forum for discussion of educational and related matters of mutual concern among members of the Indian Education Committee (IEC).
  - B. To mutually develop standards of educational excellence for Indian students served by the educational programs within the United States of America.
  - C. To maintain appropriate lines of communication and collaborative efforts with other public, private, tribal and federal educators and educational programs.
  - D. To maintain formal liaisons with tribal, state, and Federal governmental agencies (including the Bureau of Indian Education "BIE"), and other educational organizations, including but not limited to, National Congress of American Indians, National Indian Education Association, and other alliance organizations
  - E. To advocate for Johnson-O'Malley programs nationwide.
  - F. To advocate for the rights of Indian children from age 3, to capture pre-K, through 12<sup>th</sup> grade, regardless of age.

**ARTICLE III – CODE OF ETHICS**

- Section 1      This Code of Ethics shall apply to everyone who is a member of the Board, officer, or employee thereof, consultants, and anyone associated with the NJOMA in any official capacity and shall be as follows:
- A. Upholds the integrity and independence of the NJOMA Board and observe a high standard of conduct;
  - B. Avoids impropriety and the appearance of impropriety and acts in a manner that promotes public confidence in the honesty and impartiality of the NJOMA Board;
  - C. Performs duties impartially and diligently;

*2021 July Amendment Approved by Board  
For Ratification on September 25, 2021  
07/26/2021*

- D. Works toward improvement of the operations of the NJOMA Board;
- E. Regulates their activities to minimize the risk of conflict of interest;
- F. Refrains from political activity inappropriate to the office or position held;
- G. Respects the rights of privacy of students/staff, and treats everyone with courtesy and respect;
- H. No person shall speak for the NJOMA Board unless authorized to do so including all social media.

## **ARTICLE IV - GENERAL MEMBERSHIP**

- Section 1     **Membership:** Membership in the NJOMA shall be open to individuals involved and/or concerned with the education of American Indian and Alaska Native students. Following are Annual (conference-to-conference) membership categories:
- A. General (Voting member) – Chaperones have the option to pay “Adult” registration fee which will allow them voting rights as well as conference workshop and meeting attendance.
  - B. Student (Non-Voting member) – Students (regardless of age) paying “Student” registration fee and attending all student meetings are considered non-voting members.
  - C. Chaperone (Non-Voting member) – Chaperones paying “Student” registration fee and attending all student meetings are considered non-voting members.
- Section 2     **Absence of Liabilities:** No member shall be personally liable for the debts, liabilities or other obligations of the NJOMA.
- Section 3     **Annual Membership Dues:** Members receive the right to vote when annual NJOMA Conference registration fees are paid. There is no longer a separate Membership Dues option outside of conference registration.
- Section 4     **Annual meetings:** Annual meetings of the NJOMA shall be held on a date and location selected by the NJOMA Board of Directors.
- Section 5     **Notice of Annual Meetings:** Notice of the Annual Conference shall be distributed to each member of the Board of Directors electronically. Notice of the Annual Conference shall be distributed electronically to the general membership.
- Section 6     **Quorum of the membership:** A simple majority of the general membership present, plus four (4) members of the Board of Directors, shall constitute a quorum during the Annual Conference.
- Section 7     **Voting:** At every Annual Conference of the NJOMA, eligible general members in good standing are entitled to vote.

*2021 July Amendment Approved by Board  
For Ratification on September 25, 2021  
07/26/2021*

## ARTICLE V – NJOMA BOARD OF DIRECTORS

Section 1 **Composition:** Only General members in good standing may be elected to the Board of Directors. The Board shall consist of twelve (12) members. Each board member will be from:

- *each of the eight (8) established regions, by nine (9) representatives, and;*
- *three (3) Regional At-Large Representatives;*

The *Regional At-Large* representatives shall be elected from and reside in one of the three specific regions:

- *Northwest (NW) - Regions 5, 6, and 8;*
- *Southwest (SW) - Regions 1, 2, and 7;*
- *East Central (EC) - Regions 3a, 3b, and 4.*



The NJOMA Board of Directors representation is based on the 1995 JOM student count. In an effort to ensure an efficient operation of the NJOMA, the NJOMA Board of Directors may, from time to time, assess and change the number of Board of Directors. Such changes must be based on an accurate JOM student regional count and as delineated in Article XII.

Section 2 **NJOMA General Powers and Responsibilities:** The NJOMA Board of Directors shall manage the affairs of the NJOMA. The responsibilities of the Board of Directors shall include:

- A. the establishment of goals and objectives, short and long range planning, priority determination of needs and general membership approval, seek other sources of funding from private and public sectors, display leadership through personal support of the efforts of the NJOMA, managing the assets of NJOMA, developing and ensuring the effectiveness of operational plans, and all aspects in the employment of persons to carry out the functions of the NJOMA.
- B. conducting hearing of grievances. Each grievance shall be submitted in writing. The grievances must be based on documented violation of the National Johnson-O'Malley Association Bylaws. Such grievances will be reviewed and responded to within forty-five (45) days after receipt. The Board

*2021 July Amendment Approved by Board  
For Ratification on September 25, 2021*

*07/26/2021*

of Directors will provide a written response to the person(s) filing the grievance on the action taken.

**Section 3 NJOMA Board of Directors' Election and Term of Office:** Upon election, each Director shall have a four-year term of office. The following four-year cycles establish the staggered terms of the Board of Directors.

- *Cycle A: Regions 2, 5, 7 and the SW At-Large Director;*
- *Cycle B: Regions 3b, 6, and the NW At-Large Director;*
- *Cycle C: Regions 3a, and 8; and,*
- *Cycle D: Regions 1, 4, and the EC At Large Director*

**Section 4 NJOMA Meetings:**

- A. The NJOMA Board of Directors shall hold regular meetings (January, March, May, and July) as scheduled by the Board of Directors. All meetings of the Board will be conducted as open meetings, except the meetings that may be closed by majority vote for discussion, or action on sensitive, legal and personnel issues.
- B. Two (2) mandatory Annual Meetings of the Board of Directors shall be held:
  - a. the first will be a Face-to-Face meeting scheduled prior to the annual conference to finalize conference preparations, review and revise bylaws, etc.; and,
  - b. the second will include two (2) days of conference preparation prior to the first day of the annual conference; and a short meeting after the closing of the conference to complete annual officer elections and banking requirements.
- C. Special meetings of the Board of Directors may be called by the NJOMA President and/or a member of the Executive Board, as deemed necessary and reasonable.
- D. Notice of any regular or special meeting of the Board of Directors shall be sent electronically no later than five (5) days or not more than thirty (30) days in advance of the meetings. An agenda will be provided on BoardDocs and list particular items to be addressed.
- E. Emergency Electronic Vote of the Board of Directors may be called by the President and/or a member of the Executive Board, as deemed necessary and reasonable to deal with a single item for consideration. The outcome of the Electronic vote will be added to the next meeting's Consent Agenda to document the action.
- F. Any meeting of the Board may be held face to face, by telephone conference call, or other electronic media.

*2021 July Amendment Approved by Board  
For Ratification on September 25, 2021  
07/26/2021*

Section 5      **Action by the Board of Directors:** All actions, by the Board of Directors present at a meeting with an established quorum (a quorum represents a simple majority of all “filled” positions at the time of the meeting), shall be an act of the Board of Directors.

Section 6      **Removal of Board Members:** A member of the Board of Directors may be removed for cause by a two-thirds affirmative vote of the Board of Directors present at a regular or special meeting provided such action is proposed as part of the Agenda and/or any member who has missed two meetings shall be so informed by the Secretary in email within 7 days after the second absence.

A. Removal from the Board of Directors for cause shall be:

1. Failure to attend two (2) scheduled regular meetings and/or mandatory meetings held pursuant to the requirements of Section 4 of these bylaws.
2. For action or behavior that brings discredit to the NJOMA Board of Directors or the JOM Programs.
3. Failure to actively perform duties and responsibilities as a board member and or, failure to participate in the Board of Directors’ committee or subcommittee work, and or, failure to plan, attend and participate in the Annual Conference will be monitored and reported by the President and Vice President.

B. For the purpose of defining an absence, the President may provide an excused absence, if the member:

1. Gives notice to the President and the Board Assistant of the intent to be absent 24 hours prior to scheduled meetings; and
2. The above definition refers to regular, special and/or emergency meetings.

Section 7      **Vacancies:**

- A. Any vacancies occurring in the Board of Directors’ membership may be filled at any regular meeting of the Board of Directors.
- B. A Director appointed to fill a vacancy shall serve for the unexpired term of the former Board member.
- C. The Board of Directors shall make the selection from the General membership in accordance with Article IV, Section 1 and Article V, Section 1 of the bylaws.

Section 8      **Conference Calling or Electronic Media:** In the event of unforeseen circumstances that may require action by the Board of Directors but preclude the opportunity for members to attend an on-site meeting, action may be taken on matters of importance through the use of electronic conference calling; this meets the criteria for quorum upon fulfilling Section 4 of this article.

*2021 July Amendment Approved by Board  
For Ratification on September 25, 2021  
07/26/2021*

Section 9 **Informal Action by Board of Directors:** Informal meetings are conducted when a quorum by the Board of Directors is not established at a regular or special meeting. No formal action will be taken at any informal meeting unless by action of the Board at a previous meeting has approved the Executive Committee to act on their behalf.

## **ARTICLE VI – NJOMA OFFICERS**

Section 1 **Composition:** The NJOMA Officers shall consist of a President, Vice-President, Secretary and Treasurer.

Section 2 **NJOMA Officers:**

- A. The Officers of the NJOMA’s Board of Directors shall be elected annually at the first regularly scheduled Board of Directors meeting held after the Annual NJOMA meeting and serve in that position until the following Annual meeting. If the election of officers is not held at such meeting, the election shall be held as soon thereafter as may be convenient.
- B. Additional officers may be established as deemed necessary by the Board of Directors and may be filled with General members in good standing by action of the Board of Directors until the succeeding Annual meeting.
- C. Each officer shall formally take office after confirmation of the election results and shall hold office until a successor is named.
- D. All officers must have formal authorization by the Board of Directors to represent NJOMA.
- E. At the termination of office, all documents and equipment shall be returned in usable condition to the NJOMA.

Section 3 **NJOMA Officer Vacancies:** A vacancy in any office of the Board of Directors due to resignation, disqualification, removal, death or other reason may be filled by action of the Board of Directors, effective until the succeeding Annual meeting, consistent with the procedures set forth in Article VI, Section 2.

Section 4 **NJOMA President:**

- A. The President shall be the principal executive officer of the NJOMA and shall be elected from among the members of the Board of Directors.
- B. The President shall chair all meetings of the Board of Directors.
- C. The President may sign, in concert with any other officer so authorized, any instruments which the Board of Directors authorized to be executed, except by cases wherein the signing and execution thereof shall be expressly delegated by the Board of Directors or by these by-laws or by statute to some other officer(s) or agent of the NJOMA.
- D. In general, the President shall perform all duties incident to the office and such other duties as may be prescribed by the Board of Directors.

*2021 July Amendment Approved by Board  
For Ratification on September 25, 2021  
07/26/2021*

Section 5 **NJOMA Vice President:**

- A. The Vice President shall be elected from among the members of the Board of Directors.
- B. In the absence of the President, or in the event of the inability or refusal of the President to act, the Vice President shall perform the duties of the President, and when so action, shall have all of the powers of and be subject to any and all restrictions upon the power of the President.
- C. The Vice President shall perform such other duties as are incident to the office or as may, from time to time, be assigned by the President or the Board of Directors.
- D. Should the President resign, the Vice President shall automatically succeed to the position of the President, until the next NJOMA Board election.

Section 6 **NJOMA Secretary:**

- A. The Secretary shall be elected from among the members of the Board of Directors.
- B. The Secretary shall prepare the minutes of all meetings of the Board and provide the document to the Board Assistant electronically for inclusion in the BoardDocs software.
- C. The Secretary shall be responsible for issuing notices of missed meetings as outlined in Section 6 above, and such other duties as are incident to the position or as may, be assigned by the President or the Board of Directors.

Section 7 **NJOMA Treasurer:**

- A. The Treasurer shall be elected from among the members of the Board of Directors.
- B. If required by the Board of Directors, the Treasurer shall give a bond for the faithful discharge of assigned duties in such a sum and with surety as the Board of Directors may determine appropriate.
- C. The Treasurer shall have charge and custody of and be responsible for all funds and securities of NJOMA and shall deposit all such in a designated bank, trust company or such other secure depository as may be determined by the Board of Directors.
- D. The Treasurer shall in general perform all such duties as may be incident to the office and such other duties as may be assigned by the President or the Board of Directors.
- E. If deemed necessary, the president, treasurer, and board assistant will be bonded, and expenses paid by NJOMA.

*2021 July Amendment Approved by Board  
For Ratification on September 25, 2021  
07/26/2021*

Section 8

**NJOMA Staff Position(s) and Contractor(s):**

- A. The Board of Directors, by majority vote, may employ a staff or contract with individuals or entities who shall serve at the pleasure of the Board of Directors and under such conditions as the Board of Directors may determine.
- B. The Staff or Contractor may be removed by two-thirds majority vote of the Board of Directors present at a regular or special meeting.
- C. The staff position or contractor shall conduct the day- to- day activities as determined by the Board of Directors and in accordance with policies and procedures adopted by the Board of Directors.

**ARTICLE VII – NJOMA COMMITTEES**

Section 1

The NJOMA President of the Board of Directors, with approval from the Board of Directors, will appoint from among the members as are deemed necessary and advisable for the efficient functioning of the NJOMA. Persons with expertise in appropriate subjects may be invited to serve on such committees.

The NJOMA Board of Directors may create such advisory committees of persons not on the Board of Directors as deemed appropriate.

- A. Each such committee shall consist of persons and shall have such powers and authority as the Board of Directors may prescribe.
- B. The designation and creation of any such committees and delegations thereto of responsibility and authority shall not operate to relieve the Board of Directors nor any individual Directors of any responsibility imposed by law, by organizational by-laws or by act of the Board of Directors.

**ARTICLE VIII – NJOMA ELECTIONS**

Section 1

**Eligibility:**

- A. The NJOMA Board of Directors elections shall take place at each annual NJOMA conference.
- B. Vacated seats and seats of terms that expire upon election shall be filled at the annual NJOMA conference.
- C. The election procedures will be posted on the NJOMA website under conference information.
- D. Eligibility for candidacy is defined according to the election procedures listed in the NJOMA website.
- E. All candidates, including former and current board members, should be in good standing according to Article III, Section 1 and Article IV, Section 1.
- F. All candidates for the NJOMA Board of Directors elections must attend the annual conference to be elected.
- G. All candidates shall declare their intentions and pay fees by 5 p.m. on day 1 (one) of the conference.

*2021 July Amendment Approved by Board  
For Ratification on September 25, 2021*

*07/26/2021*



- H. The candidates must attend their respective caucuses and all *new* candidates must attend the New Board Candidate Orientation Workshop.
- I. All NJOMA Board of Directors' terms of office are listed in Article V, Section 3.

Section 2     **NJOMA Election Committee:** Prior to each Annual NJOMA Conference, the Board of Directors shall appoint a NJOMA Election Committee which shall be selected by the Board of Directors and have a non-partisan interest in the election. The NJOMA Election Committee shall:

- A. Review all applications and certify eligible candidates;
- B. Prepare the listing of eligible candidates;
- C. Conduct the election process; and, announce the election results at general assembly.

Section 3     **Election Protests:** The Election Committee will consider any election protest filed by a declared candidate submitted before by deadline noted on the “Declared Candidate Application”. Following the protest filing deadline, the Election Committee will meet and render a decision within one (1) hour. The decision of the Election Committee will be final.

#### **ARTICLE IX – SEAL**

Section 1     The official seal of the National Johnson-O’Malley Association shall consist of a circle (Indian shield (color) with three Eagle feathers hanging) with the inscription: “*NJOMA.*”

#### **ARTICLE X - FISCAL YEAR**

Section 1     The fiscal year of the NJOMA shall run from January 1 to December 31<sup>st</sup>.

#### **ARTICLE XI – DEPOSITION OF NJOMA FUNDS**

Section 1     Funds of the NJOMA shall be disbursed by check, and or debit/credit card. Checks will be signed by one officer of the NJOMA as designated by the Board of Directors. A Treasurer’s Report will be prepared monthly detailing all expenditures and will be provided on BoardDocs software for approval by the Board.

*2021 July Amendment Approved by Board  
For Ratification on September 25, 2021  
07/26/2021*

## **ARTICLE XII – AMENDMENTS**

Section 1      The general NJOMA membership shall have the power to amend these by-laws by a simple majority of the registered members at any regular or special NJOMA meeting that such action appears on the agenda.

The NJOMA Board of Directors may also make amendments during a regular or special meeting that such action appears on the Board of Directors agenda. A simple majority of the Board of Directors is required. Copies of all changes shall be made available to the membership at the annual conference.

## **ARTICLE XIII – GRIEVANCE**

Section 1      The general NJOMA membership shall have the right to grievance. Each grievance must be based on documented violation of the National Johnson-O'Malley Association bylaws.

Section 2      Each grievance shall be submitted to the NJOMA Board of Directors in writing. Grievances will be reviewed and responded to within forty-five (45) days after receipt.

Section 3      The NJOMA Board of Directors shall appoint a Grievance Review Panel of no less than three members of the Board of Directors.

- A. The panel shall provide the Board of Directors with a written report on their findings and determination, and the full Board of Directors shall make the final determination. This report shall be property of the Board of Directors.
- B. A letter from the NJOMA President will render the final decision.
- C. The Board of Directors decision on the grievance shall be final.

*2021 July Amendment Approved by Board  
For Ratification on September 25, 2021  
07/26/2021*