

(Name of Your Program) JOM Indian Education Committee By-Laws

The following are by-laws that have been established and approved by the (your program name) JOM Indian Education Committee.

ARTICLE I **Name of the Committee**

The name of this committee shall be the (your program name) JOM Indian Education Committee.

ARTICLE II **Purpose of the Committee**

The establishment and the work of the parent committee are to comply with the regulations as found in the Federal Register, Vol. 40, No 213, Tuesday, Nov. 4, 1975. (Refer to 25 CFR Indians Sec. 273.16 Powers and Duties of Indian Education Committees and Sec. 273.17 Programs approved by an Indian Education Committee to complete the purpose.)

- Section 1. To promote the welfare of Indian children and youth in home, school, community and tribe.
- Section 2. To raise the standards of school achievement of Indian children.
- Section 3. To bring into closer relationship the home and the school so that parents and teachers may cooperate intelligently in the education of Indian children and youth.

ARTICLE III

Membership

Section 1.

Establishment of the JOM Indian Education Committee

- A. According to Sub-Part A, Sec 273.15 of the Nov. 4, 1975 regulations and Indian Education Committee is to be elected from the parents/legal guardians (including persons acting in “loco parentis”)
- B. The Indian Education Committee shall be composed of 5 members. Comprised of the Chairperson, Vice Chair, Secretary, and two at large members.

Section 2.

Election of Members of the JOM IEC

- A. New members are elected in an open meeting for a term of two years by a majority vote of parents/legal guardians of eligible Indian students in attendance in a public school within the (Name) School District.
- B. Two members are elected in odd calendar years and three members are elected in even calendar years.
- C. Membership in the Indian Education Committee cannot be transferred.
- D. Members may run for a second term if reelected by the community.
- E. The IEC elections are to elect the IEC members and not an election of officers. Officers are to be elected by the IEC members themselves at their first re-organizational meeting.

Section 3.

Annual Elections

- A. Nominations for new members shall be taken from the floor by an eligible voter at a duly called Annual meeting.
- B. Votes shall be cast by secret ballot and tallied visibly so that all in attendance will know the results.

Section 4.

Voting Rights

- A. Each member shall have one vote in any matter submitted to the parent committee.
- B. Proxy voting and absentee balloting shall not be permitted.
- C. A member may abstain from voting on any matter when a conflict of interest has been determined.
- D. The chairperson may only vote in case of a tie among the other members.

Section 5.

Termination of Membership

- A. Any member may resign by giving a written resignation to the parent committee.
- B. A member shall be automatically removed from membership on the JOM IEC for the following reasons:
 - 1. The member does not attend any regular or special meetings of the committee for 2 consecutive months.
 - 2. The child of the member is no longer enrolled in the (Name) school district.
 - 3. For action or behavior that brings discredit to the (Name) JOM Program.

Section 6.

Vacancies

- A. By affirmative vote of members of the committee, a vacancy can be filled.
- B. The new member will only serve the remaining time of the vacancy.

Section 7.

Powers and Duties

- A. Recommend curriculum, including recommend texts, materials and teaching methods to be used in the contract programs.
- B. Approve budget preparation and execution.
- C. Recommend criteria for employment in the program.
- D. Nominate up to three qualified prospective staff members from which the School District would select for interview and review for hire.
- E. Evaluate job positions and program results and make recommendations to the School District Administration.
- F. Secure and have available a copy of the sub-contract application on file.
- G. Recommend cancellation or suspension of approved program if the (Name) School District fails to permit committee to exercise powers and duties.
- H. The organizational papers and by-laws of the IEC may include additional powers and duties which would permit the Committee:
 - 1. Participate in negotiations concerning all contracts under this part.
 - 2. Make an annual assessment of the learning needs of Indian children in the community affected.
 - 3. Have access to all reports, evaluations, surveys and other program and budget related documents determined necessary by the Committee to carry out it's responsibilities, subject only to provisions of 273.49.
 - 4. Request periodic reports and evaluations regarding the JOM program.

5. Hear grievances related to the programs in the education plan.
6. Meet with the (Name) JOM staff serving the Indian children and with local education agencies.
7. Hold committee meetings on a regular basis which are open to the public.
8. Review and approve the Annual Program Report.
9. Have such additional powers as are consistent with these regulations.

ARTICLE IV Officers

The officers of the JOM IEC shall be a chairman, vice-chairman and secretary. Other officers may be appointed as the committee elects.

Section 1. Election and Term of Office

The officers of the JOM IEC shall be elected by a majority vote at the annual committee election. The committee members shall serve for two years.

- A. Nominations from floor by an eligible JOM parent/guardian
- B. Individual ballots
- C. Ballots counted individually in a visible manner.
- D. Newly elected IEC members shall take their positions as IEC members, at the first meeting of the new JOM IEC.
- E. The current IEC members shall maintain their positions as the IEC until the completion of the Annual Election meeting.

Section 2. Officer Vacancy

A vacancy in the JOM Indian Education Committee during the year may be filled by a majority vote of the IEC members present at a regular/special meeting. The newly elected officer shall serve only for the unexpired portion of the year term.

Section 3. Removal

Any officer may be removed by a two-thirds vote of all members present whenever it is in the best interest of the committee.

Section 4. Duties of the Officer

A. Chairman

The chairman shall perform all duties incidental to the office of the chairman and such other duties as may be prescribed by the JOM Indian Education Committee from time to time. Specific duties are to preside over all general committee meetings and sign all letters, reports and other committee papers as required.

B. Vice-Chairman

The vice-chairman will assume the role of the chairman in his/her absence. Other duties of the vice-chairman are: ensure membership on the JOM IEC is consistent with federal guidelines and arrange for speakers and special programs. He or she shall perform such other duties as may be prescribed by the committee from time to time.

C. Secretary

The secretary shall keep the minutes of the meetings and shall provide minutes to the committee, school administrator and to such other persons the committee may indicate. He or she shall see that all notices are given in accordance with the provisions of these by-laws, be custodian of the committee's records and keep a list of the contact information of each committee member. The secretary shall perform other such duties as prescribed by the JOM IEC from time to time.

ARTICLE V. Meetings

The JOM Indian Education Committee shall meet not less than four times a year and on the call of the chairman. A majority of the members present at any meeting may adjourn the meeting.

Section 1. Regular Meetings

- A. The date and time of regular meetings shall be the third Monday of each month. (this can vary from IEC to IEC)
- B. Notice of regular meetings shall be published in the local newspaper stating the date, hours and location of the meeting.
- C. IEC packets shall be mailed to each member not less than 5 days prior to each meeting.

JOM IEC packet shall include:

- 1. The agenda
- 2. The last IEC meeting minutes
- 3. Staff reports
- 4. Financial reports

Section 2. Quorum

The presence of a simple majority of the committee shall be required to constitute a quorum necessary for the transaction of the business of the JOM Indian Education Committee. No decision of the committee shall be valid unless there is a majority vote of the members constituting a quorum.

Section 3. Agenda

- A. The agenda for each meeting shall be prepared by the Chairman. Individual members of the JOM IEC are encouraged to submit agenda items for the chairman or present their proposals formally under the agenda item of "New Business."
- B. An item may be placed on the agenda by contacting the chairman at least five days prior to the regular meetings date.
- C. In accordance with the Open Meeting Act, an agenda must be posted at the place of the regular meeting at least 24 hours in advance of the meeting.

Section 4. Special Meetings

Special meetings of the JOM IEC may be called by the chairman or by a majority vote of the committee. All members shall be given a two day notice and notified by telephone, if necessary. The IEC members must be given the purpose of the special meeting. Agenda items must be limited to those areas of concern causing the call of the special meeting.

Section 5. Informal Meetings

Informal meetings (work sessions) are conducted when a quorum of the IEC is not established at a regular or special meeting. No formal action (motions) will be taken at any informal meeting unless by action of the IEC noted from a previous meeting where the IEC has approved the Officers to act on behalf of the IEC.

Section 6.

Executive Session Meeting

No minutes or recording are to be made in this session. The participants of an executive session are not to discuss or disclose the issues made known in the executive session. An executive session may be called by any two members of the IEC, before or during a regular IEC meeting. To qualify for an executive session, the issue must be one of the following:

- A. Personnel matters
- B. Misconduct of an IEC member
- C. Dealing with sensitive issues pertaining to the JOM Program

Once out of session, a formal motion of action must be brought up at the regular meeting. (Table or vote up or down on an issue)

ARTICLE VI

Parliamentary Authority

The (Name) JOM Indian Education Committee will conduct their meetings in accordance with Parliamentary Procedures.

ARTICLE VII

Amending the By-Laws

The By-Laws shall be amended only at a regular meeting by a majority vote of the members of the IEC in attendance. Provided that the amendment is to carry out the purpose and objectives of the parent committee as expressed above. Any amendment must conform to 25 Code of Federal Regulations, Part 273.15.

ARTICLE VIII

Ratification

These By-Laws shall be declared adopted by the JOM Indian Education Committee when passed by majority of the full membership of the committee at a regular meeting of the IEC.

These By-Laws are approved by the (Name) Indian Education Committee at a regular meeting held on _____, 20____.

IN WITNESS THEREOF,

Chairperson

Secretary

Member

Vice-Chairperson

Member