

**Tuba City Unified School District No.15**  
**BY – LAW OF JOHNSON O’MALLEY INDIAN EDUCATION COMMITTEE**

**ARTICLE I – Name of Committee**

The name of this committee shall be the Tuba City Unified School District No. 15 – Indian Education Committee (IEC) for the Johnson O’Malley Program (JOM).

**ARTICLE II – Purpose**

Establishment of Indian Education Committee is pursuant to regulations under 25 CFR, Part 273, Subpart B and Section 273.15.

The purpose of the Indian Education Committee shall be:

- 1) plan for the development of programs designed to meet the specialized and unique educational needs of eligible Indian students.
- 2) actively involved in the development of supplement programs under the Act to include needs assessment and priority determination.
- 3) actively involved in the implementation, monitoring and evaluation of the Johnson O’Malley programs.

The Indian Education Committee shall not bind any member of the committee and the Tuba City Unified School District No.15 to any debt, liability, or obligation in the absence of an express written authorization from the party to be bound.

**ARTICLE III – Power and Duties**

**SECTION A**

Power and duties of Indian Education Committee is pursuant to regulations under 25 CFR, Part 273, and Subpart.B, authority to:

- a. Participate fully in the planning, development, implementation, and evaluation of all supplemental programs conducted under contract pursuant to this part. Such participation shall include further authority to:
  - i. Recommend curriculum, including tests, materials, and teaching methods to be used in the contracted program or programs.
  - ii. Approve budget preparation and execution.
  - iii. Recommend criteria for employment in the program.
  - iv. Nominate a reasonable number of qualified prospective educational programmatic staff members from which the contractor would be required to select.
  - v. Review the staff performance evaluation and programs results and recommend appropriate action to the contractor.
- b. Approve and disapprove all programs to be contracted under this part. All programs contracted pursuant to this part shall prior approval of the Indian Education Committee.

- c. Secure a copy of the negotiated contract, which include the programs by the Indian Education Committee.
- d. Recommend to the Commissioner through the appropriate Bureau contraction officer cancellation or suspension of the contact(s), which contains the program(s) approved by the Indian Education Committee if the contractor fails to permit such committee to exercise its powers and duties as specified by the section.

2. The organizational papers and by-laws of the Indian Education Committee may include additional powers and duties which would permit the committee to:

- a. Participate in negotiations concerning the contracts under this part.
- b. Make an annual assessment of the learning needs of Indian children in the community effected.
- c. Have access to all reports and evaluations surveys and programs budget related documents determined the committee necessary to carry out its duties and responsibilities, subject only to the provisions of section 273.49 Freedom of Information.
- e. Hear grievances related to programs in the education plan.
- f. Meet regularly with the professional staff serving Indian children and with the local education agency.
- g. Hold Committee meetings
- h. Have such additional powers as are consistent with these regulations, not beyond those expressly set forth herein.

## **ARTICLE IV – Membership**

### **SECTION A – Members**

The Indian Education Committee shall consist of six (6) voting members, representing the following school within the school district – Tuba City Elementary School, Tuba City Junior High School, Tuba City High School, Dzil Libei Elementary School, Tsinnabaas Habitiin Elementary School, and Nizhoni Accelerated Academy School.

### **SECTION B – Qualifications**

The Indian Education Committee member shall be a parent or legal guardian (including persons acting in loco parentis and sensitivity to the local prevailing standards) of enrolled eligible Indian students in the school district affected by this subcontract. The school administrators, Johnson O'Malley program staffs, school district personnel, governing board members and their spouses cannot serve as members. Their role is only to recommend and advice the Indian Education Committee.

### **SECTION C – Selection process**

The Potential Indian Education Committee member shall be selected by completing an application, letter of interest, AZ fingerprint clearance card on file, interview process, and an approval from the school principal and TCUSD superintendent.

#### **SECTION D – Term**

Each voting member shall serve a one (1) – term for four (4) years of membership based upon demonstrated interest and concerns for the well –being of Indian children. There shall be a vote requiring a majority decision to determine a committee member’s ability to **extend the number of terms beyond the initial four-year term** that they may serve on the committee.

#### **SECTION E – Voting**

Each membership shall be entitled to one vote. A full vote of the committee shall be six votes. Proxy voting and absentee ballots shall not be permitted.

#### **SECTION F - Members**

Indian Education Committee shall not limit nor discourage the continuing participation of parents from the surrounding communities in the Johnson O’Malley program.

#### **SECTION G – Termination and Removal**

Membership shall automatically terminate for members or officers whose absence is deemed unexcused for three (3) consecutive meetings, regular or special.

Any member and/or officer may be removed by just cause by TCUSD Superintendent and/or a majority vote of the Indian Education Committee.

Termination of a committee member is allowed when the committee member’s child is no longer attending a school within the district.

#### **SECTION H – Transfer**

Membership on the Indian Education Committee is not transferable

#### **SECTION I – Resignation**

Any member may resign by a written resignation to the President of the Indian Education Committee.

#### **SECTION J – Vacancy**

Should a vacancy occur within the membership of the Indian Education Committee members or officers, the Indian Education Committee may be majority vote elect and fill the vacancy or may request input from the respective schools within the school district.

## **ARTICLE V – OFFICIALS**

### **SECTION A – Officers**

The officers of the Indian Education Committee shall consist of the President, Vice-president, and Secretary.

President –	Guy George	Dzil Libei Elementary School
Vice President –	Olivia Adams-McCabe	Tuba City High School
Secretary –	Marsheila Yazzie	Tuba City Elementary School
Members –	Jeanette Arizona	Nizhoni Accelerated Academy
Members –	Merna Tallsalt	Tsinaabaas Habitiin Elementary School
Members –	Vacant	Tuba City Junior High School

### **SECTION B – Election and Term**

The Indian Education Committee shall elect officers at the first regular meeting in August for a four-year term of office.

### **SECTION C – Duties**

The duties of the officers shall be as follows:

1. The President shall perform all duties incident to the committee chairperson, preside at all meetings, sign all documents and communications as authorized by the committee, represent the committee at various community meetings and functions, and prescribed other duties by the committee.
2. The Vice-President shall perform all duties incident to the committee Vice-President, represent the President in his/her absence, to see that membership on the committee is consistent with federal guidelines and prescribed other duties by the committee and President.
3. The Secretary shall perform all duties incident to the committee secretary, record minutes of all meetings, keep a current membership roster with address and telephone numbers, and prescribed other duties by the committee and chairperson.

## **ARTICLE VI – Meetings**

### **SECTION A – Regular Meetings**

The Indian Education Committee shall meet regularly once each month from August to May, where meeting information are disseminated to members at least three (3) days in advance. The committee will decide on the time and place of meetings.

## **SECTION B – Special Meeting**

The President and/or Johnson O'Malley Program Coordinator may call a special meeting.

## **SECTION C – Decisions**

All decisions of the committee shall be made only after an affirmative vote of most of its members in attendance.

## **Section D – Quorum**

The presence of three (3) voting members shall constitute a quorum at duty called meeting for a necessary business transaction of the committee.

## **SECTION E – Conduct of Meetings**

All meetings of the Indian Education Committee shall be conducted like Robert's Rule of Order or in accordance with an appropriate adaptation thereof.

## **SECTION F – Open Meetings**

All meetings of the Indian Education Committee, includes standing or special committee, shall be open meetings to representative of the schools, non-members of community/chapters, and the public.

## **SECTION G – Agenda**

Any committee member may present items for the agenda and nonmembers may request an item to be included on the agenda by notifying the President or JOM Coordinator.

# **ARTICLE VII – Committees**

## **SECTION A – Standing and Special Committee**

The Indian Education Committee may as desire establish or abolish a standing or special committee to work on behalf of the committee on a temporary arrangement, such committee will serve only as recommending body.

## **SECTION B – Mileage**

The six (6) Indian Education Committee members shall be compensated at the approval mileage rate by the school district for all business travels.

**SECTION C – Stipend**

The six (6) Indian Education Committee members shall be compensated a stipend of \$75.00 for all regular or special meetings plus mileage.

**SECTION D – Professional Growth and Development**

The Indian Education Committee shall establish and maintain a budget to cover the members’ participation in conference, seminars, workshops, and trainings.

**ARTICLE VIII – Amendment**

**SECTION A – Amendment**

These by-laws may be amended by majority votes of the active membership of the Indian Education Committee, provided that the amendment is to carry out the purpose of the committee as herein above expressed, and any amendment must conform to the Johnson O’Malley Act.

**CERTIFICATION**

IN WITNESS THEREOF, the Indian Education Committee have caused these by-laws to be executed in the 20<sup>th</sup> day of May, at duly called meeting.

      
President

      
Vice – President

      
Secretary