

*San Juan School District
Indian Education Committee
Johnson-O'Malley
By-laws*



*Prepared for Indian Education Committee
Updated by IEC on 3/20//24*

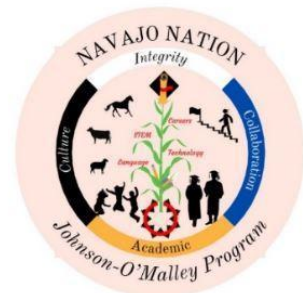


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INDIAN EDUCATION COMMITTEE BY-LAWS

The following are by-laws that have been established and approved by the San Juan School District Johnson-O'Malley Indian Education Committee.

ARTICLE I – Reference

In accordance with the Indian Self Determination and Education Assistance Act – Johnson O'Malley Act of 1934, 25 CFR Part 273 of the Federal regulations, will adopt and abide by reasonable by-laws for the conduct of the project for which assistance is sought.

ARTICLE II – Name

The name shall be San Juan School District Johnson-O'Malley Indian Education Committee.

ARTICLE III – Purpose

The San Juan School District Johnson-O'Malley Indian Education Committee establishment and the work of the parent committee are to comply with the rules and regulations as found in the Federal Register, Vol. 4, No 213, and 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.)

ARTICLE IV – Powers and Duties

The Indian Education Committee shall be given full participation not only to enhance program responsiveness to the needs of those Native American students served, but also provided the opportunity to determine and affect the required level of educational achievement and satisfaction which education can and shall provide.

The Powers and Duties of the Indian Education Committee under the Federal regulations governing the Johnson-O'Malley Program shall be vested with the authority to:

- 1. Participate fully in the planning, development, implementation, and evaluation of supplemental support conducted under the subcontract with the Navajo Nation. Such participation shall include further authority to (25 CFR 273.16):*
 - a. Recommend curricula, including texts, materials, and teaching methods to be used in the subcontract program;*
 - b. Approved budget preparation and execution;*
 - c. IEC Members will present the Johnson-O'Malley Program to school staff and school board on an annual basis.*
 - d. All completed proposals will be presented by school staff and approved by the school administrator before proposals are presented to the IEC.*
- 2. If funding is solely funded by the JOM program, the IEC can recommend criteria for employment in the program and participate in the evaluation of staff performance (25 CFR 273.16).*

- a. *Nominate a reasonable number of qualified prospective educational programmatic staff members from which the school district would be required to select for hiring of staff for employment in the program;*
3. *Approve or disapprove all programs to be subcontracted with the Navajo Nation. All programs subcontracted with the Navajo Nation shall require the prior approval of the Indian Education Committee (25 CFR 273.16).*
 - a. *Participate in subcontractor negotiations and secure a copy of the negotiated subcontract with the Navajo Nation;*
 - b. *Make annual program assessment of the learning needs of Native American children in the community to develop educational program plans;*
 - c. *Have access to all reports, evaluations, surveys, and other program and budget-related documents, determined necessary by the committee to carry out its responsibilities, subject to limitations on documents protected under the Federal Freedom of Information Act;*
4. *Request periodic reports and evaluations concerning the Indian education program(s) (25 CFR 273.16).*
5. *Hear grievances related to programs in the education plans (25 CFR 273.16).*
6. *Meet regularly with the professional staff serving Native American children and with the LEA, public school district, tribal organization, or other Indian corporation with subcontracts with the Navajo Nation (25 CFR 273.16).*

7. *Recommend to the Navajo Nation the cancellation or suspension of a subcontract if the LEA fails to permit the Indian Education Committee to exercise its powers and duties as specified herein (25 CFR 273.16).*

8. *Guests who want to present or share information with the IEC, can present their information at the beginning of the meeting, then the IEC will go into executive session when it is time to vote and discuss school expenditure requests. The guests will be excused prior to this executive session.*

ARTICLE V – Membership

♦ *Section 1. Composition*

The minimum standards for composition of the committee shall be as follows:

1. *Indian Education Committee members shall not be less than Five (5) with no less than three (3) forming a quorum.*

a. *Areas to be represented are as follows:*

<i>SJH/LSL</i>	<i>BLF</i>	<i>ARL/ MES/MHS</i>	<i>TES/ MVH</i>	<i>MZC/ WHS</i>	<i>NVM</i>	<i>BES/White Mesa</i>
<i>1</i>	<i>1</i>	<i>1</i>	<i>1</i>	<i>1</i>	<i>1</i>	<i>1</i>

2. *The Indian Education Committee shall be elected from among the parents of eligible Native American children enrolled in the San Juan School District or who are designated as legal guardians including persons acting in loco parentis.*

3. *The Indian Education Committee members shall represent a school or community where students and parents reside. They will*

only represent that school until their child no longer attends the school they were elected to, even if their term is still current.

4. *Persons employed by the San Juan School District are NOT eligible to serve on the IEC Committee.*

5. *The Johnson-O'Malley program director shall serve as the advisor to the Committee only and will not have voting rights.*

6. *All Indian Education Committee members shall obtain a background check within 30 days. Failure to do so will result in termination of position. If an IEC member needs an extension, he or she would need to make a formal request to the JOM Program Coordinator.*

7. *Special meetings of the IEC may be called by the Chair or by a majority vote of the Committee. All IEC members shall be given a two day (48 hours) notice by telephone or email of the special meeting. The IEC members must be given the purpose of the special meeting. Agenda items must be limited to those areas of concerns causing the call of the special meeting. No other items may be added or discussed during the meeting.*

8. *White Mesa Ute preschool will be represented by the BES IEC representative.*

♦ Section 2. Term of Office

All school administrators will be notified in writing at the beginning of the school district year if they need to elect another representative.

a. *Term expires*

- b. *IEC member is terminated by IEC membership*

Indian Education Committee members shall serve for four years after being elected by their local parent committee.

a. *If a member serves part of their four years and their child transitions to another school in the district, the IEC parent can follow the student to finish his/her term if a position is vacant and approved by the principal at the transitioning school.*

b. *If a member serves a portion of his/her term and vacants their IEC position, he/she can be re-elected at a new school as long as they have an qualifying enrolled child. However, they can not serve more than four years combined.*

♦ **Section 3. Voting Rights**

Each member shall be entitled to one. The president does not vote unless there is a tie vote.

Exception:

a. *The IEC President may vote during negotiation matters, on revising By-laws and parental costs, and termination of membership.*

♦ **Section 4. Termination of Membership**

1. *Members shall be terminated who are absent from three (3) consecutive meetings without notification to JOM Program Coordinator and IEC Chair. The Indian Education Committee may terminate a member by majority vote.*

2. *Members shall be expected to abide by the District employee conduct policies.*

◆ **Section 5. Alternates**

A member of the Indian Education Committee may designate an alternate who meets the membership requirements to attend meetings in his or her absence. Such alternates may exercise the privilege of voting. No immediate family member may be an alternate or IEC representative.

◆ **Section 6. Resignations**

Resignations should be made in writing to the Indian Education Committee and / or through a verbal statement in an official Indian Education Committee meeting. At time of resignation, all SJSD equipment assigned to Committee member will be returned.

◆ **Section 7. Vacancy**

Any vacancy on the Indian Education Committee shall be filled for the remainder of the school following SJSD policy.

ARTICLE VI – Officers

◆ **Section 1. Officers**

The officers for the Indian Education Committee shall be a Chair, vice-Chair, Secretary, Treasurer, and such other officers as the Indian Education Committee may deem advisable.

◆ **Section 2. Election and Term of Office**

- a. *The officers of the Indian Education Committee shall be elected and shall serve for one (1) year. Election of officers shall take place at the September IEC meeting following the opening of school in the fall.*

ARTICLE VII – Compensation

♦ Section 1. Mileage

Indian Education Committee representatives will receive mileage reimbursement to and from Indian Education Committee meetings. The mileage rate will be set by SJSD.

♦ Section 2. Per Diem

Indian Education Committee members going to central office or conference meetings shall claim per diem set by SJSD. Travel before 6:00 AM and after 6:00 PM will include three meals.

♦ Section 3. Stipend

Indian Education Committee members will receive a stipend of twenty-five dollars per monthly meeting, and one hundred dollars per planning day for new documents and policies created. IEC members must be present for $\frac{3}{4}$ of the meeting time to be allotted stipend.

ARTICLE VIII – Grievance

The Native American students, parents, community members and tribal representatives shall have the right to grievance. Each grievance must be based on documented violation of the San Juan School District Johnson-O'Malley IEC By-laws.

♦ **Section 1.**

Each grievance shall be submitted to the Indian Education Committee (IEC) in writing. Such grievances will be reviewed and responded to within thirty (30) days upon receipt. The IEC will provide a written response to the person(s) filing the grievance on the action taken.

♦ **Section 2.**

The IEC shall appoint a grievance review panel of no less than three members of which at least two are members of the IEC. The panel shall provide the Committee with a written report on their findings and determination. This report shall be property of the Committee. The Committee decision on the grievance shall be final.

♦ **Section 3.**

If an IEC member is recommended by their school administrator to step down, he or she must step down immediately.

ARTICLE IX – Parliamentary Procedures

The San Juan School District Johnson-O'Malley Indian Education Committee will conduct their meetings in accordance with Parliamentary Procedures.

Indian Education Committee President:

Indian Education Committee President