



WHITE EARTH RESERVATION

CHAIRMAN Michael Fairbanks **SECRETARY-TREASURER** Michael LaRoque
DISTRICT I Henry Fox **DISTRICT II** Eugene Sommers **DISTRICT III** Laura Lee Erickson

NOTICE TO TRIBAL MEMBERSHIP

Date: May 2, 2025

Re: Circle of Life Academy School Board Bylaw revisions

Please find the attached proposed revisions to the Circle of Life Academy School Board Bylaws, which are now being posted for a 15-day public comment period.

The School Board has the ability to recommend amendments or rescissions to the Bylaws for consideration by the White Earth Reservation Business Committee. However, the White Earth Reservation Business Committee retains the authority to amend or rescind the Bylaws at any time by resolution. In accordance with this authority, any proposed amendments or rescissions must be published for at least **15 days** to allow for public comment and input from White Earth Band members before final consideration.

The comment period will end on Saturday, May 17, 2025. All comments must be submitted in writing and should remain respectful and constructive. Comments may be dropped off in person at the Legal Department front office in the RBC headquarters building **or** emailed to PublicForumLegal@whiteearth-nsn.gov.

After the public comment period closes, all submitted comments will be reviewed and considered by the White Earth Reservation Business Committee prior to adoption. If no further edits are required following this review, the proposed revisions will be adopted by the RBC on the following business day, Monday, May 19, 2025.

Thank you in advance for your consideration and input.

INTEROFFICE MEMORANDUM

TO: WHITE EARTH RESERVATION BUSINESS COMMITTEE;
EXECUTIVE DIRECTOR; AND
DEPUTY DIRECTOR
FROM: VERONICA S. NEWCOMER, DEPUTY GENERAL COUNSEL
SUBJECT: PROPOSED AMENDMENTS TO COLA BYLAWS
DATE: APRIL 22, 2025
CC: ANDREA KINGBIRD, GENERAL COUNSEL

Dear Esteemed Tribal Leaders:

These are proposed modifications to the COLA School Board Bylaws. COLA Bylaws were passed in 2021 by the RBC. Recently Deputy Director Curtis Rogers requested the Legal Department work on proposed amendments to the COLA Bylaws to specifically address the following:

1. Remove Election process and replace with appointment process. This allows for the RBC to fill vacancies with more flexibility than requiring elections.
2. Remove public comment period for amendments to the Bylaws. Again, this allows the RBC to adjust the Bylaws with flexibility and without delay.
3. Adjust the composition of the School Board from seven members to five members.

In general, the 2025 document shifts the governance structure from an elected School Board to an appointed one, reduces the number of members, and removes the public notice requirement for bylaw amendments. Specific changes are noted below:

Amendments to Bylaws – § 1.04 (Amendments to these Bylaws)

- 2021 Document: Amendments require a 15-day public comment period for input from White Earth Band members before consideration by the White Earth Reservation Business Committee.
- 2025 Document: Amendments can be proposed by the School Board but are solely decided by the White Earth Reservation Business Committee without a public comment period.

School Board Composition – § 2.01 (School Board Members) / Number of School Board Members

- 2021 Document: The School Board consists of seven (7) elected members. Two members are elected from each of the three districts, and one member is elected At-Large. Elections are held every two years, and members serve four-year terms.
- 2025 Document: The School Board consists of five (5) appointed members. One member is appointed from each of the three districts by their respective District

Representative, and two At-Large members are appointed by the Chair and Secretary-Treasurer. Appointments are made every two years, and members serve four-year terms.

- This also changes the Quorum requirements of § 4.02, Subd. 5 so quorum changes from four (4) members to three (3) members.

Appointment vs. Election – § 2.01, Subd 3 (Election of School Board Members)


- 2021 Document: Members are elected by the community through a voting process governed by the Minnesota Chippewa Tribe Election Ordinance.
- 2025 Document: Members are appointed by the White Earth Reservation Business Committee representatives, eliminating the election process. Gives RBC authority to determine process of appointment. Added subdivisions (a) through (d) to identify the number of appointments for each RBC member. § 2.01, Subd. 4 – Term of Office. Kept 4-year terms but clarified that RBC can appoint a different member for the unexpired term. If appointed due to vacancy, appointment is limited to unexpired term. Added language to allow reappointment and no term limits.
 - 2025 Document changes “election” to “appointment,” except where the School Board is electing (from itself) its Officers.

Quorum – § 4.02, Subd. 5 (Quorum)

- 2021 Document: A quorum is defined as four (4) members out of seven (7).
- 2025 Document: A quorum is defined as three (3) members out of five (5).

If the RBC is comfortable with the proposed changes to the COLA Bylaws, the current Bylaws require a 15-day public comment period.

If the proposed revisions are posted on Friday, May 2, 2025, the end of the 15-day period would be Saturday, May 17, 2025. Adjusted to the next business day, the revisions could be adopted by the RBC as soon as Monday, May 19, 2025 (assuming no edits following the public comment period).



Veronica S. Newcomer
Deputy General Counsel

**WHITE EARTH BAND OF OJIBWE
CIRCLE OF LIFE ACADEMY
SCHOOL BOARD BYLAWS**

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ARTICLE 1: GENERAL PROVISIONS

§1.01 Name

The name of the organization shall be the Circle of Life Academy School Board, hereinafter referred to as the “School Board.”

§1.02 Policy, Purpose, and Authority

1. The purpose of the Circle of Life Academy, hereinafter referred to as the “School,” shall be to provide for the education of members of the White Earth Band of the Minnesota Chippewa Tribe and other eligible individuals in a manner which is consistent with applicable law and with the values, customs, and traditions of the Ojibwe people.
2. 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 White Earth Reservation Business Committee, as the governing body of the White Earth Band of the Minnesota Chippewa Tribe, does hereby charter the Circle of Life Academy to engage in those activities prescribed herein relating to the administration and operation of the Circle of Life Academy on the White Earth Reservation in White Earth, Minnesota. The White Earth Reservation Business Committee may delegate the authorities contained in these Bylaws, reserving the right to review any action taken by virtue of such delegated authorities.
3. The School Board shall follow the general fiscal and personnel policies of the White Earth Reservation Business Committee unless the School Board adopts fiscal and personnel policies are otherwise adopted.

§1.03 Legal Status and Structure of the School Board

Upon review and ratification of these Bylaws the White Earth Reservation Business Committee hereby establishes the School Board for the Circle of Life Academy. Upon review and approval of these Bylaws, the Circle of Life Academy School Board is hereby established and. The School Board shall be structured in the following manner:

1. The School Board shall be the governing body of the Circle of Life Academy, a tribally controlled school. The White Earth Reservation Business Committee hereby delegates the authority to the School Board to carry out the purposes of the Circle of Life Academy. The School Board is hereby assigned the responsibility for the care, management, and control over the Circle of Life Academy and shall have the authority to exercise general supervision and management over the affairs of the Circle of Life Academy. The School Board has all the authorities and duties as articulated in [Article 3](#) and [Article 4](#) of these Bylaws.
2. The School Board shall appoint a Superintendent. The Superintendent of the Circle of Life Academy shall be an ex officio, nonvoting member of the School Board, and shall make monthly reports to the School Board on all matters related to school administration and operations of the School. The Superintendent has all the authorities and duties as articulated in [Article 3, §3.04](#) and [§3.05](#) of these Bylaws.

3. The Principal of the Circle of Life Academy shall be responsible for the day-to-day administration and operation of the School, including all personnel management and student disciplinary matters, subject to the review and supervision of the Superintendent.

§1.04 Amendments to these Bylaws

The School Board may propose amendments or rescissions to these Bylaws by formally recommending changes to the White Earth Reservation Business Committee. The sole authority to change or rescind these Bylaws is vested in the White Earth Reservation Business Committee and may occur through official action at a duly convened meeting.

§1.05 Sovereign Immunity

The Circle of Life Academy is a tribally controlled school and is recognized as a subdivision of the White Earth Reservation Business Committee. Any actions taken by the School Board shall be imbued with those privileges and immunities inherent to the White Earth Band, except as limited herein. Nothing in these Bylaws shall be deemed or construed as a waiver of the Band's sovereign immunity, nor do the Bylaws constitute consent by the Band or the School Board to be sued, except as provided herein.

ARTICLE 2: SCHOOL BOARD COMPOSITION

§2.01 School Board Members

The School Board shall consist of five (5) appointed members, all of whom shall be enrolled members of the White Earth Band of the Minnesota Chippewa Tribe. The School Board shall then elect its officers pursuant to [Article 2, §2.02](#). The School Board shall have meetings pursuant to [Article 4, §4.02](#) of these Bylaws.

1. Eligibility. For an individual to be eligible for appointment to the School Board, they must meet the following criteria:
 - (a) Is an enrolled member of the White Earth Band of the Minnesota Chippewa Tribe;
 - (b) Is at least twenty-one (21) years old on or before the date of the appointment;
 - (c) Resides within the exterior boundaries of the White Earth Reservation and within their designated district for at least the twelve-month period immediately preceding the date established for the appointment, and will continue to reside in that district or within the exterior boundaries of the White Earth Reservation during their term on the School Board;
 - (d) Has an Associate degree or higher;
 - (e) Has experience working in a school;
 - (f) Can pass a yearly background check, including submitting to drug and alcohol testing.
2. Ineligibility. Individuals are ineligible for appointment to the School Board if they meet any of the following criteria:

- (a) Currently enrolled students, faculty, and/or staff of the Circle of Life Academy;
 - (b) An individual who has been removed from the School Board or terminated from the Circle of Life Academy for nonfeasance, misfeasance, malfeasance, or been charged with a crime of moral turpitude;
 - (c) An individual who has been convicted of a felony of any kind;
 - (d) An individual who has been convicted of a lesser crime (misdemeanor, gross misdemeanor, or equivalent under applicable law) if that crime involved the theft, misappropriation, or embezzlement of money, funds, assets or property belonging to an Indian tribe or a tribal organization;
 - (e) An individual who has been convicted of any offenses involving crimes of violence, sexual assault, molestation, exploitation, prostitution, crimes against persons, and/or crimes against children.
3. Appointment of School Board Members. Appointments to the School Board shall be held every two (2) years concurrently with the Minnesota Chippewa Tribe election calendar. This appointment shall be formalized through a process determined by the RBC. Each member of the White Earth Reservation Business Committee shall appoint the School Board Members as follows:
- (a) one (1) member shall be from District I and appointed by the District I Representative;
 - (b) one (1) member shall be from District II and appointed by the District II Representative;
 - (c) one (1) member shall be from District III and appointed by the District III Representative;
 - (d) two (2) members shall be At-Large and appointed by the Chair and the Secretary-Treasurer.
4. Term of Office. School Board members are appointed to a four (4) year term of office. In the case of a prior vacancy, an appointment shall be only for the length of the unexpired term. Each member of the School Board shall hold their office until their successor has been appointed. Nothing limits the Reservation Business Committee's ability to reappoint a School Board member to another term, and there are no term limits.
5. Manner of Acting. Members of the School Board have binding authority only when acting as a School Board legally in session, except where specific authority is provided to School Board members or officers individually. The School Board is not bound by an action or statement on the part of an individual School Board member unless the action is specifically directed or authorized by the School Board.

§2.02 School Board Officers

1. Election of School Board Officers. In January of each calendar year, the School Board shall have an organizational meeting at which the School Board shall elect from its members a Chairperson, a Vice-Chairperson, a Secretary, and a Treasurer.

(a) Chairperson. The Chairperson shall:

- i. Preside at all meetings of the Board and shall have the responsibility to see that all the function of the School Board are satisfactorily conducted;
- ii. Countersign all orders upon the Treasurer for claims allowed by the School Board;
- iii. Represent the Circle of Life Academy in all actions;
- iv. Perform all general responsibilities which are inherent to that office;
- v. Only vote to break a tie.

(b) Vice-Chairperson. The Vice-Chairperson shall, in the temporary absence of the Chairperson, serve in the capacity of the Chairperson until the Chairperson is available.

(c) Secretary. The Secretary shall:

- i. Keep a record of all meetings in the books provided;
- ii. Within three (3) days after an appointment, notify all persons appointed of their appointment;
- iii. Make and provide reports to the School Board showing the length of school term, enrollment, and attendance, and other items of information as requested by the School Board;
- iv. Enter into their record book copies of all reports and of the teachers' term reports and the proceedings of any meeting;
- v. Draw and sign all orders upon the Treasurer for the payment of money for bills allowed by the School Board, to be countersigned by the Chairperson;
- vi. Perform the duties of the Chairperson in the event of the Chairperson's and Vice-Chairperson's temporary absences.

(d) Treasurer. The Treasurer shall:

- i. Deposit the funds of the School Board in the official depository;
- ii. Make all reports which may be called for by the School Board and perform all the duties which are inherent to that office;
- iii. Keep an itemized account of all expenses of the Circle of Life Academy;
- iv. Make and provide reports to the School board showing revenues and expenditures in detail, and such other financial information required by law or requested by the School Board.

2. Term of Office. School Board officers are elected for a one (1) year term of office.

§2.03 Resignation, Suspension, Removal, Vacancies

1. Resignation. A member of the School Board may resign their position by providing written notice of their resignation to the School Board Chairperson. The written notice shall contain the date the member intends the resignation to become effective.

2. Suspension. The White Earth Reservation Business Committee may suspend a School Board member for nonfeasance, misfeasance, malfeasance, or having been charged with a crime of moral turpitude. The White Earth Reservation Business Committee, having considered reliable allegations of such conduct, may suspend that School Board member until such time as that member has been exonerated.
3. Removal. A member of the School Board shall be removed by the White Earth Reservation Business Committee for nonfeasance, misfeasance, malfeasance, or been convicted of a crime of moral turpitude. A member of the School Board shall be removed if they no longer meet eligibility criteria articulated in **Article 2, §2.01**. A School Board member who may move from a district but remains within the exterior boundaries of the White Earth Reservation is authorized to finish the term of their office for the district in which they were originally appointed.
4. Vacancies.
 - (a) A vacancy occurs on the School Board whenever a School Board member:
 - i. Dies
 - ii. Resigns
 - iii. Ceases to meet any of the eligibility requirements as outlined in **Article 2, §2.01**.
 - (b) In the event there exists a vacancy on the School Board, the position shall be filled as soon as practicable by the White Earth Reservation Business Committee appointing a successor to the unexpired term of the predecessor. The appointee shall have all the rights and responsibilities of a duly appointed member during their term. The appointment process will follow the White Earth Reservation Business Committee's process for appointing individuals and shall include a certification process that the individual to be appointed meets the eligibility criteria articulated in **Article 2, §2.01**.

ARTICLE 3: AUTHORITIES AND DUTIES

§3.01 General Authorities of the School Board.

The School Board has the general authority to carry out the purposes of the Circle of Life Academy. The School Board's authority includes implied powers in addition to specific powers granted by the White Earth Reservation Business Committee. To carry out the purposes of the Circle of Life Academy, the School Board shall have the following general authorities:

1. Establish Criteria for Admission to the School
2. Establishment of Policies and Procedures consistent with the purposes of these Bylaws
3. Educational Standards
4. School Financial Plan and Budget
5. Personnel Evaluation and Selection, including employing and contracting with necessary qualified staff, discharging staff, and contracting for other services
6. Appeals of Student Disciplinary and Expulsion Actions

7. Establishment of Committees
8. Community Relations
9. Make recommendations about censorship, removal, or suspension of a School Board member to the White Earth Reservation Business Committee upon substantiation of the member's conduct warranting such action.

§3.02 General Duties of the School Board.

The School Board must act responsibly in carrying out the purposes of the Circle of Life Academy. The School Board's duties include implied responsibilities as well as specific duties assigned by the White Earth Reservation Business Committee. To carry out the purposes of the Circle of Life Academy, the School Board shall have the following general duties:

1. Carry out the mission of the School with diligence, prudence, and dedication to the ideals of providing the finest education to the White Earth Community;
2. Superintend and manage the Circle of Life Academy; adopt rules for its organization, government, and instruction; prescribe textbooks and courses of study; and make and authorize contracts;
3. Have the general charge of the business of the Circle of Life Academy, its facilities and property, and of the interest of the School;
4. School Board Members must exercise their individual duties in good faith and in the best interests of the Circle of Life Academy, they must discharge their duties with reasonable care, and they must disclose information material to the discharge of their duties;
5. Attend training from time to time where the scope of the training is to provide foundational skills and knowledge on an as-needed basis. Newly appointed School Board members must attend the training from the Bureau of Indian Education and the Minnesota School Board Association. It is recommended that School Board members stay current with offered trainings throughout the term of their service.

§3.03 Delegation of Authority

The School Board is empowered by a delegation of authority from the White Earth Reservation Business Committee. The School Board may not further delegate any of its authorities unless articulated within these Bylaws or unless approved by the White Earth Reservation Business Committee. The School Board has the authority to establish committees and those committees may make recommendations to the School Board.

§3.04 Authorities of Superintendent

1. The Superintendent is the chief administrative officer of the School and is directly accountable to the Circle of Life Academy School Board.
2. The Superintendent serves as the liaison between the School Board and the White Earth Reservation Business Committee and the White Earth Education Division.

§3.05 Duties of Superintendent

The Superintendent shall perform the following duties:

1. Visit and supervise the Circle of Life Academy, report and make recommendations about the school's condition when advisable or on request by the School Board;
2. Recommend to the School Board the employment and dismissal of teachers and other School staff;
3. Annually evaluate the Circle of Life Academy Principal or the individual assigned responsibility for supervising the Circle of Life Academy in the absence of a Principal;
4. Superintend school grading practices and examinations for promotions;
5. Assist the Chairperson with developing meeting agendas based upon the regular business of the School Board including issues raised by community members, staff, or other interested parties;
6. Make reports required by the School Board on all aspects of the School's operations; and
7. Perform other duties which may be prescribed by the School Board from time to time.

§3.06 School Board Code of Ethics

1. The School Board shall adopt a Code of Ethics by which it will be bound. The Code of Ethics shall describe the expectations of the School Board members and the level of conduct which they must exhibit in their role as a member of the School Board.
2. Any violation of the Code of Ethics shall be grounds for removal under **Article 2, § 2.03**.

§3.07 Conflicts of Interest

1. All School Board members as well as School staff and employees shall avoid all conflicts of interest. If a School Board member's business, relationship to School students or staff, or involvement in any other activity is viewed as a possible conflict of interest, the Board member must immediately disclose such conflict, they must immediately remove themselves from discussion regarding any issue related to the conflict, and they must refrain from voting on any such issue.
2. Conflicts of interests includes, but are not limited to, serving as an officer or director of a business that does business with the Circle of Life Academy; having financial interest in a business doing business with the Circle of Life Academy; having the potential to have a direct personal benefit from action taken by the School Board; or any matter involving the immediate family of a School Board member including either a staff member or a student at the Circle of Life Academy.
3. A School Board member using their position in such a manner shall constitute misconduct and shall be sufficient grounds for removal under **Article 2, §2.03**.

§3.08 School Board Member Development

1. In accordance with **§3.02**, School Board members shall attend training from time to time to gain foundation knowledge and skills related to their service on the School Board. All School Board members are encouraged to participate in School Board and related workshops and activities sponsored by local, state, and national school boards associations, as well as in the activities of other educational groups. School Board

members are expected to report back to the School Board with materials of interest gathered at the various meetings and workshops.

ARTICLE 4: SCHOOL BOARD MEETINGS

§4.01 Robert's Rules of Order

The current edition of *Robert's Rules of Order* shall govern all meetings of the School Board.

§4.02 Conduct of Meetings

1. **Regular Meetings.** Regular meetings of the School Board shall be held at least monthly. A written notice of a Regular Meeting shall be sent by the Secretary to each member of the Board at least five (5) calendar days prior to the meeting. The notice shall contain the proposed agenda, the place for the meeting, as well as the date and the time.
 - (a) Order of Regular Meeting
 - i. Call to Order
 - ii. COLA Mission Statement
 - iii. Roll Call
 - iv. Approve Meeting Agenda
 - v. Approve Prior Meeting's Minutes
 - vi. New Business
 1. Officers' Reports
 - vii. Old Business
 1. Unfinished Business
 2. Updates
 - viii. Other Business
 1. Future Agenda Items
 - ix. Adjourn
2. **Special Meetings.** Special meetings of the School Board may be called by the Chairperson or by any four (4) members of the Board. A written notice of a Special Meeting shall be sent by the Secretary to each member of the School Board at least three (3) calendar days prior to the meeting. The notice shall contain the purpose of the Special Meeting, the place for the meeting, the date and time of the meeting, as well as those responsible for calling the meeting. The only business that shall be conducted at a Special Meeting will be that which is identified in the written notice.
3. **Executive Sessions.** The Chairperson or a majority of the School Board may call an Executive Session after a quorum is established at a legally-convened meeting of the School Board. The purpose of Executive Session is for the School Board to discuss confidential and highly sensitive matters, or to discuss legal matters with an attorney.

Matters discussed and/or resolved in Executive Session shall be treated with the utmost confidentiality, and Board members are not authorized to disclose the details of Executive Sessions to those who did not attend the Executive Session.

4. Agenda. The Chairperson and the Superintendent shall develop a meeting agenda based upon the regular business of the School Board, including issues raised by community members, staff, or other interested parties. The agenda shall be sent to the School Board members at least five (5) days before a Regular Meeting and at least three (3) days before a Special Meeting. Individuals wishing to place an item on the agenda must make a request to the School Board Chairperson or the Superintendent in a timely manner.
 - (a) Consent Agenda. Consent items are those which usually do not require discussion or explanation prior to School Board action, are non-controversial and/or similar in content, or are those items which have already been discussed and/or explained and do not require further discussion or explanation. By placing items on a consent agenda, the School Board consents to the consideration of certain items as a group under one motion. Items shall be removed from the consent agenda by a timely request of a School Board member for independent consideration. A request is considered timely if the request is made prior to the vote on the consent agenda.
5. Quorum. A quorum of the School Board must be present to conduct business. The act of the majority of a quorum is the act of the School Board. A majority of voting members of the School Board constitutes a quorum. As the School Board is comprised of five (5) members, a quorum shall be three (3) members.
6. Voting. All votes taken by the School Board shall be based upon a motion duly made and seconded. No vote shall be valid unless made during a duly-convened meeting with a quorum present. The majority of votes cast will determine whether a motion is passed or defeated. School Board Officers, except for the presiding officer in the event of a tie, are expected to vote on all motions. If the result of the vote is a tie, the presiding officer shall cast the deciding vote.

§4.03 Records of Meetings

1. Resolutions and Orders. All resolutions and orders of the School Board shall be countersigned by both the Chairperson and the Secretary of the School Board.
2. Minutes. The Secretary of the School Board maintains the minutes of the School Board and shall provide copies of the minutes to the White Earth Reservation Business Committee within ten (10) days of their approval.

§4.04 Compensation

1. The White Earth Reservation Business Committee may by resolution set a stipend to compensate School Board members for their time, depending on the financial status of the Circle of Life Academy and the White Earth Band of the Minnesota Chippewa Tribe.

We do hereby certify that the foregoing Bylaws were adopted by a vote of _____ for, _____ against, _____ silent, a quorum being present at a REGULAR / SPECIAL meeting of the White Earth Reservation Business Committee held on _____, 202[#], in _____, Minnesota.

Michael A. Fairbanks, Chairman

Michael LaRoque, Secretary-Treasurer

DRAFT

**WHITE EARTH RESERVATION BUSINESS COMMITTEE
WHITE EARTH BAND OF CHIPPEWA INDIANS**

Resolution No. 038-21-019

WHEREAS, the White Earth Reservation Business Committee is the duly elected governing body of the White Earth Reservation pursuant to Article VI, Section 1, of the revised constitution of the Minnesota Chippewa Tribe, as amended, and organized under Section 16, of the Act of June 18, 1934 (48 Stat. 984), and

WHEREAS, the White Earth Reservation Business Committee is the duly authorized governing body of the White Earth Band, and

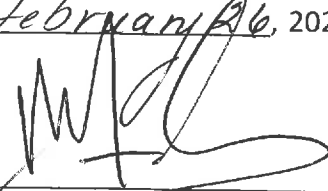
WHEREAS, the Circle of Life Academy, a K-12 school operated by the White Earth Reservation Business Committee and funded by the Bureau of Indian Education, requires oversight and governance to ensure decisions are made in a timely manner that are in the best interest of the students and community, and

WHEREAS, Bylaws have been drafted by legal counsel that will govern a School Board for the Circle of Life Academy to ensure proper oversight and governance of the School, now

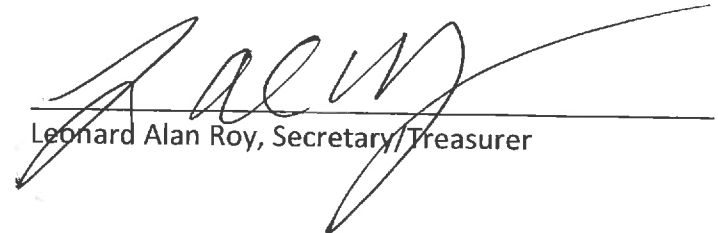
THEREFORE BE IT RESOLVED, that the White Earth Reservation Business Committee hereby adopts and approves the Circle of Life Academy School Board Bylaws as attached and fully incorporated herein by reference.

BE IT FURTHER RESOLVED, that the White Earth Reservation Business Committee hereby appoints an interim School Board, with each District Representative appointing two (2) District School Board members, and the Chairman and the Secretary/Treasurer collaboratively appointing one (1) At Large member. Such interim Board will be in place until the next regularly scheduled election.

We do hereby certify that the foregoing resolution was adopted by a vote of 4 for, 0 against, 0 silent, a quorum being present at a regular meeting of the White Earth Reservation Business Committee held on February 26, 2021 in White Earth, Minnesota.



Michael A. Fairbanks, Chairman



Leonard Alan Roy, Secretary/Treasurer

**WHITE EARTH BAND OF OJIBWE
CIRCLE OF LIFE ACADEMY
SCHOOL BOARD BYLAWS**

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ARTICLE 1: GENERAL PROVISIONS

§1.01 Name

The name of the organization shall be the Circle of Life Academy School Board, hereinafter referred to as the "School Board."

§1.02 Policy and Purpose

1. The purpose of the Circle of Life Academy, hereinafter referred to as the "School," shall be to provide for the education of members of the White Earth Band of the Minnesota Chippewa Tribe and other eligible individuals in a manner which is consistent with applicable law and with the values, customs, and traditions of the Ojibwe people.
2. 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 White Earth Reservation Business Committee, as the governing body of the White Earth Band of the Minnesota Chippewa Tribe, does hereby charter the Circle of Life Academy to engage in those activities prescribed herein relating to the administration and operation of the Circle of Life Academy on the White Earth Reservation in White Earth, Minnesota. The White Earth Reservation Business Committee may delegate the authorities contained in these Bylaws, reserving the right to review any action taken by virtue of such delegated authorities.
3. The School Board shall follow the general fiscal and personnel policies of the White Earth Reservation Business Committee unless the School Board adopts fiscal and personnel policies applicable to the School.

§1.03 Legal Status and Structure of the School Board

Upon review and ratification of these Bylaws the White Earth Reservation Business Committee hereby establishes the School Board for the Circle of Life Academy. Upon review and approval of these Bylaws, the Circle of Life Academy School Board is hereby established and. The School Board shall be structured in the following manner:

1. The School Board shall be the governing body of the Circle of Life Academy, a tribally controlled school. The White Earth Reservation Business Committee hereby delegates the authority to the School Board to carry out the purposes of the Circle of Life Academy. The School Board is hereby assigned the responsibility for the care, management, and control over the Circle of Life Academy and shall have the authority to exercise general supervision and management over the affairs of the Circle of Life Academy. The School Board has all the authorities and duties as articulated in Article 3 and Article 4 of these Bylaws.
2. The School Board shall appoint a Superintendent. The Superintendent of the Circle of Life Academy shall be an ex officio, nonvoting member of the School Board, and shall make monthly reports to the School Board on all matters related to school administration and operations of the School. The Superintendent has all the authorities and duties as articulated in Article 3, §3.04 and §3.05 of these Bylaws.

3. The Principal of the Circle of Life Academy shall be responsible for the day-to-day administration and operation of the School, including all personnel management and student disciplinary matters, subject to the review and supervision of the Superintendent.

§1.04 Amendments to these Bylaws

The School Board may make recommendations for amendment or rescission of the Bylaws to the White Earth Reservation Business Committee. The White Earth Reservation Business Committee retains the authority to amend or rescind these Bylaws at any time by resolution, provided that any amendments or notice of rescinding is published for a period of at least fifteen (15) days in order to solicit public comment and input from White Earth Band members before consideration by the White Earth Reservation Business Committee.

§1.05 Sovereign Immunity

The Circle of Life Academy is a tribally controlled school and is recognized as a subdivision of the White Earth Reservation Business Committee. Any actions taken by the School Board shall be imbued with those privileges and immunities inherent to the White Earth Band, except as limited herein. Nothing in these Bylaws shall be deemed or construed as a waiver of the Band's sovereign immunity, nor do the Bylaws constitute consent by the Band or the School Board to be sued, except as provided herein.

ARTICLE 2: SCHOOL BOARD COMPOSITION

§2.01 School Board Members

The School Board shall consist of seven (7) elected members, all of whom shall be enrolled members of the White Earth Band of the Minnesota Chippewa Tribe. Two (2) shall be from District 1; two (2) shall be from District 2; two (2) shall be from District 3; and one (1) shall be elected by At-Large. The School Board shall then elect its officers pursuant to Article 2, §2.02. The School Board shall have meetings pursuant to Article 4, §4.02 of these Bylaws.

1. Eligibility. For an individual to be eligible for election to the School Board, they must meet the following criteria:
 - (a) Is an enrolled member of the White Earth Band of the Minnesota Chippewa Tribe;
 - (b) Is at least twenty-one (21) years old on or before the date of the Primary election;
 - (c) Resides within the exterior boundaries of the White Earth Reservation and, for District School Board members, within their designated district for at least the twelve-month period immediately preceding the date established for the Primary election, and will continue to reside in that district during their term on the School Board;
 - (d) Has an Associate degree or higher;
 - (e) Has experience working in a school;
 - (f) Can pass a yearly background check, including submitting to drug and alcohol testing

2. Ineligibility. Individuals are ineligible for election to the School Board if they meet any of the following criteria:
 - (a) Currently enrolled students, faculty, and/or staff of the Circle of Life Academy;
 - (b) An individual who has been removed from the School Board for nonfeasance, misfeasance, malfeasance, or been charged with a crime of moral turpitude;
 - (c) An individual who has been convicted of a felony of any kind;
 - (d) An individual who has been convicted of a lesser crime (misdemeanor, gross misdemeanor, or equivalent under applicable law) if that crime involved the theft, misappropriation, or embezzlement of money, funds, assets or property belonging to an Indian tribe or a tribal organization;
 - (e) An individual who has been convicted of any offenses involving crimes of violence, sexual assault, molestation, exploitation, prostitution, crimes against persons, and/or crimes against children.
3. Election of School Board Members. Elections to the School Board shall be held every two (2) years concurrently with the Minnesota Chippewa Tribe election calendar. Each District shall be elect one position to the School Board each cycle in staggered terms. The At-Large School Board position shall be elected in the same election cycle as the RBC Secretary/Treasurer. The procedure of the election shall be governed by the Minnesota Chippewa Tribe Election Ordinance. The candidates who receive the highest number of votes shall be elected to the School Board for their respective district. There will be no absentee ballots accepted for School Board positions.
4. Term of Office. School Board members are elected to a four (4) year term of office.
5. Manner of Acting. Elected members of the School Board have binding authority only when acting as a School Board legally in session, except where specific authority is provided to School Board members or officers individually. The School Board is not bound by an action or statement on the part of an individual School Board member unless the action is specifically directed or authorized by the School Board.

§2.02 School Board Officers

1. Election of School Board Officers. The School Board shall elect from its members a Chairperson, a Vice-Chairperson, a Secretary, and a Treasurer.
 - (a) Chairperson. The Chairperson shall:
 - i. Preside at all meetings of the Board and shall have the responsibility to see that all the function of the School Board are satisfactorily conducted;
 - ii. Countersign all orders upon the Treasurer for claims allowed by the School Board;
 - iii. Represent the Circle of Life Academy in all actions;
 - iv. Perform all general responsibilities which are inherent to that office;
 - v. Only vote to break a tie.

(b) Vice-Chairperson. The Vice-Chairperson shall, in the temporary absence of the Chairperson, serve in the capacity of the Chairperson until the Chairperson is available.

(c) Secretary. The Secretary shall:

- i. Keep a record of all meetings in the books provided;
- ii. Within three (3) days after an election, notify all persons elected of their election;
- iii. Make and provide reports to the School Board showing the length of school term, enrollment, and attendance, and other items of information as requested by the School Board;
- iv. Enter into their record book copies of all reports and of the teachers' term reports and the proceedings of any meeting;
- v. Draw and sign all orders upon the Treasurer for the payment of money for bills allowed by the School Board, to be countersigned by the Chairperson;
- vi. Perform the duties of the Chairperson in the event of the Chairperson's and Vice-Chairperson's temporary absences.

(d) Treasurer. The Treasurer shall:

- i. Deposit the funds of the School Board in the official depository;
- ii. Make all reports which may be called for by the School Board and perform all the duties which are inherent to that office;
- iii. Keep an itemized account of all expenses of the Circle of Life Academy;
- iv. Make and provide reports to the School board showing revenues and expenditures in detail, and such other financial information required by law or requested by the School Board;

2. Term of Office. School Board officers are elected for a one (1) year term of office.

§2.03 Resignation, Suspension, Removal, Vacancies

1. Resignation. A member of the School Board may resign their position by providing written notice of their resignation to the School Board Chairperson. The written notice shall contain the date the member intends the resignation to become effective.
2. Suspension. The White Earth Reservation Business Committee may suspend a School Board member for nonfeasance, misfeasance, malfeasance, or having been charged with a crime of moral turpitude. The White Earth Reservation Business Committee, having considered reliable allegations of such conduct, may suspend that School Board member until such time as that member has been exonerated.
3. Removal. A member of the School Board shall be removed by the White Earth Reservation Business Committee for nonfeasance, misfeasance, malfeasance, or been convicted of a crime of moral turpitude. A member of the School Board shall be removed if they no longer meet eligibility criteria articulated in Article 2, §2.01.

4. Vacancies.

(a) A vacancy occurs on the School Board whenever a School Board member:

- i. Dies
- ii. Resigns
- iii. Ceases to meet any of the eligibility requirements as outlined in Article 2, §2.01, including moving outside the boundaries of the Reservation or their District.

(b) In the event there exists a vacancy on the School Board, the position shall be filled as soon as practicable by electing a successor to the unexpired term of the predecessor. If there are at least 365 days remaining in a term, an election shall be held. If there are less than 365 days remaining in a term, the White Earth Reservation Business Committee shall appoint a School Board member for the unexpired term of the predecessor.

ARTICLE 3: AUTHORITIES AND DUTIES

§3.01 General Authorities of the School Board

The School Board has the general authority to carry out the purposes of the Circle of Life Academy. The School Board's authority includes implied powers in addition to specific powers granted by the White Earth Reservation Business Committee. To carry out the purposes of the Circle of Life Academy, the School Board shall have the following general authorities:

1. Establish Criteria for Admission to the School
2. Establishment of Policies and Procedures consistent with the purposes of these bylaws
3. Educational Standards
4. School Financial Plan and Budget
5. Personnel Evaluation and Selection, including employing and contracting with necessary qualified staff, discharging staff, and contracting for other services
6. Appeals of Student Disciplinary and Expulsion Actions
7. Establishment of Committees
8. Community Relations
9. Make recommendations about censorship, removal, or suspension of a School Board member to the White Earth Reservation Business Committee upon substantiation of the member's conduct warranting such action.

§3.02 General Duties of the School Board

The School Board must act responsibly in carrying out the purposes of the Circle of Life Academy. The School Board's duties include implied responsibilities as well as specific duties assigned by the White Earth Reservation Business Committee. To carry out the purposes of the Circle of Life Academy, the School Board shall have the following general duties:

1. Carry out the mission of the School with diligence, prudence, and dedication to the ideals of providing the finest education to the White Earth Community;
2. Superintend and manage the Circle of Life Academy; adopt rules for its organization, government, and instruction; prescribe textbooks and courses of study; and make and authorize contracts;
3. Have the general charge of the business of the Circle of Life Academy, its facilities and property, and of the interest of the School;
4. School Board Members must exercise their individual duties in good faith and in the best interests of the Circle of Life Academy, they must discharge their duties with reasonable care, and they must disclose information material to the discharge of their duties;
5. Attend training from time to time where the scope of the training is to provide foundational skills and knowledge on an as-needed basis. Newly elected School Board members must attend the training. It is recommended that School Board members stay current with offered trainings throughout the term of their service;

§3.03 Delegation of Authority

The School Board is empowered by a delegation of authority from the White Earth Reservation Business Committee. The School Board may not further delegate any of its authorities unless articulated within these Bylaws or unless approved by the White Earth Reservation Business Committee. The School Board shall establish Committees and any such Committee established by the School Board shall make recommendations for action to the full School Board.

§3.04 Authorities of Superintendent

1. The Superintendent is the chief administrative officer of the School and is directly accountable to the Circle of Life Academy School Board.
2. The Superintendent serves as the liaison between the School Board and the White Earth Reservation Business Committee.

§3.05 Duties of Superintendent

The Superintendent shall perform the following duties:

1. Visit and supervise the Circle of Life Academy, report and make recommendations about the school's condition when advisable or on request by the School Board;
2. Recommend to the School Board the employment and dismissal of teachers and other School staff;
3. Annually evaluate the Circle of Life Academy Principal or the individual assigned responsibility for supervising the Circle of Life Academy in the absence of a Principal;
4. Superintend school grading practices and examinations for promotions;
5. Assist the Chairperson with developing meeting agendas based upon the regular business of the School Board including issues raised by community members, staff, or other interested parties;

6. Make reports required by the School Board on all aspects of the School's operations; and
7. Perform other duties which may be prescribed by the School Board from time to time.

§3.06 School Board Code of Ethics

1. The School Board shall adopt a Code of Ethics by which it will be bound. The Code of Ethics shall describe the expectations of the School Board members and the level of conduct which they must exhibit in their role as a member of the School Board.
2. Any violation of the Code of Ethics shall be grounds for removal under Article 2, § 2.03.

§3.07 Conflicts of Interest

1. All School Board members as well as School staff and employees shall avoid all conflicts of interest. If a School Board member's business, relationship to School students or staff, or involvement in any other activity is viewed as a possible conflict of interest, the Board member must immediately disclose such conflict, they must immediately remove themselves from discussion regarding any issue related to the conflict, and they must refrain from voting on any such issue.
2. Conflicts of interests includes, but are not limited to, serving as an officer or director of a business that does business with the Circle of Life Academy; having financial interest in a business doing business with the Circle of Life Academy; having the potential to have a direct personal benefit from action taken by the School Board; or any matter involving the immediate family of a School Board member including either a staff member or a student at the Circle of Life Academy.
3. A School Board member using their position in such a manner shall constitute misconduct and shall be sufficient grounds for removal under Article 2, §2.03.

§3.08 School Board Member Development

1. In accordance with §3.02, School Board members shall attend training from time to time to gain foundation knowledge and skills related to their service on the School Board. All School Board members are encouraged to participate in School Board and related workshops and activities sponsored by local, state, and national school boards associations, as well as in the activities of other educational groups. School Board members are expected to report back to the school board with materials of interest gathered at the various meetings and workshops.

ARTICLE 4: SCHOOL BOARD MEETINGS

§4.01 Robert's Rules of Order

The current edition of *Robert's Rules of Order* shall govern all meetings of the School Board.

§4.02 Conduct of Meetings

1. Regular Meetings. Regular meetings of the School Board shall be held at least monthly. A written notice of a Regular Meeting shall be sent by the Secretary to each

member of the Board at least five (5) calendar days prior to the meeting. The notice shall contain the proposed agenda, the place for the meeting, as well as the date and the time.

(a) Order of Regular Meeting

- i. Call to Order
 - ii. COLA Mission Statement
 - iii. Roll Call
 - iv. Approve Meeting Agenda
 - v. Approve Prior Meeting's Minutes
 - vi. New Business
 1. Officers' Reports
 - vii. Old Business
 1. Unfinished Business
 2. Updates
 - viii. Other Business
 1. Future Agenda Items
 - ix. Adjourn
2. Special Meetings. Special meetings of the School Board may be called by the Chairperson or by any four (4) members of the Board. A written notice of a Special Meeting shall be sent by the Secretary to each member of the School Board at least three (3) calendar days prior to the meeting. The notice shall contain the purpose of the Special Meeting, the place for the meeting, the date and time of the meeting, as well as those responsible for calling the meeting. The only business that shall be conducted at a Special Meeting will be that which is identified in the written notice.
3. Executive Sessions. The Chairperson or a majority of the School Board may call an Executive Session after a quorum is established at a legally-convened meeting of the School Board. The purpose of Executive Session is for the School Board to discuss confidential and highly sensitive matters, or to discuss legal matters with an attorney. Matters discussed and/or resolved in Executive Session shall be treated with the utmost confidentiality, and Board members are not authorized to disclose the details of Executive Sessions to those who did not attend the Executive Session.
4. Agenda. The Chairperson and the Superintendent shall develop a meeting agenda based upon the regular business of the School Board, including issues raised by community members, staff, or other interested parties. The agenda shall be sent to the School Board members at least five (5) days before a Regular Meeting and at least three (3) days before a Special Meeting. Individuals wishing to place an item on the agenda must make a request to the School Board Chairperson or the Superintendent in a timely manner.

- (a) Consent Agenda. Consent items are those which usually do not require discussion or explanation prior to school board action, are non-controversial and/or similar in content, or are those items which have already been discussed and/or explained and do not require further discussion or explanation. By placing items on a consent agenda, the School Board consents to the consideration of certain items as a group under one motion. Items shall be removed from the consent agenda by a timely request of a School Board member for independent consideration. A request is considered timely if the request is made prior to the vote on the consent agenda.
5. Quorum. A quorum of the School Board must be present to conduct business. The act of the majority of a quorum is the act of the School Board. A majority of voting members of the School Board constitutes a quorum. As the School Board is comprised of seven (7) members, a quorum shall be four (4) members.
6. Voting. All votes taken by the School Board shall be based upon a motion duly made and seconded. No vote shall be valid unless made during a duly-convened meeting with a quorum present. The majority of votes cast will determine whether a motion is passed or defeated. School Board Officers, except for the presiding officer in the event of a tie, are expected to vote on all motions. If the result of the vote is a tie, the presiding officer shall cast the deciding vote.

§4.03 Records of Meetings

1. Resolutions and Orders. All resolutions and orders of the School Board shall be countersigned by both the Chairperson and the Secretary of the School Board.
2. Minutes. The Secretary of the School Board maintains the minutes of the School Board and shall provide copies of the minutes to the White Earth Reservation Business Committee within ten (10) days of their approval.

§4.04 Compensation

1. The White Earth Reservation Business Committee may by resolution set a stipend to compensate School Board members for their time, dependent upon the financial status of the Circle of Life Academy and the White Earth Band of the Minnesota Chippewa Tribe.

We do hereby certify that the foregoing Bylaws were adopted by a vote of 4 for, 0 against, 0 silent, a quorum being present at a regular meeting of the White Earth Reservation Business Committee held on February 26, 2021 in White Earth, Minnesota.


Michael A. Fairbanks, Chairman


Leonard Alan Roy, Secretary/Treasurer