

# **Bug-O-Nay-Ge-Shig School**



## **School Board**

## **By-Laws**

**Approved July 2022**

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## **ARTICLE 1: NAME**

The name of this organization shall be the BUG-O-NAY-GE-SHIG SCHOOL BOARD.

## **ARTICLE 2: POLICY AND PURPOSE**

The mission statement of the Bug-O-Nay-Ge-Shig School is “to provide students with foundations of Anishinaabe language and teachings; to integrate education with the lifeways of the Leech Lake Ojibwe Community; and to enhance their lifelong learning for post-secondary education.”

To provide students with a foundation for lifetime learning in reading, math and science for post-secondary education in vocational, technical and professional disciplines; to teach life skills and promote an appreciation of Anishinabe history, values and cultures; to integrate education with the life of Leech Lake community (including but not limited to the parents and extended families of students); and to foster a sense of self-respect and respect for others. The goals for the Bug-O-Nay-Ge-Shig School (the “School system”) are all of equal value and not listed in any particular order:

- 1) To effectively coordinate the efforts of teachers, specialists and support staff so as to create a comprehensive, unified educational team;
- 2) Through this team effort, students achieve and demonstrate mastery of foundational skills necessary for an educated, balanced Anishinabe person and citizen;
- 3) By helping to meet the academic, cultural, spiritual, and social needs of students, to foster a strong, healthy and self-sufficient community;
- 4) By setting strong foundations for spiritual, physical, social and intellectual growth, we will support students in their pursuit of Ojibwe language and cultural development;
- 5) By setting strong foundations for spiritual, physical, social and intellectual growth, we will decrease student mobility rates K-12;
- 6) To achieve significant reductions of substance abuse and violence;
- 7) To achieve significant increases in parent/family participation throughout school programs and on the AIPAC/J.O.M.;
- 8) To achieve a significant increase in graduation rates.

### **ARTICLE 3: ESTABLISHMENT AND ORGANIZATION**

The creation of the Bug-O-Nay-Ge-Shig School system is hereby ratified and confirmed as an agency of the Tribal Council. The School system shall offer education for students in Grades K-12. The School system shall consist of an Elementary school (grades K-6), Middle school (grades 7-8), and a High school (grades 9-12) and the Niigaane classroom (grades K-6), all of which shall be open to all children who reside on or near the Reservation; provided that in the event that applicants for enrollment exceed the capacity of any class or program priority shall be given to students in the following order:

- 1) Members of the Leech Lake Band of Ojibwe;
- 2) Members of the other Constituent Bands of the Minnesota Chippewa Tribe;
- 3) Other Indian Children, and
- 4) Non-Indian Children.

### **ARTICLE 4: SCHOOL BOARD MEMBERS**

The Bug-O-Nay-Ge-Shig School Board (the "Board") shall consist of seven elected members, all of whom shall be members of the Leech Lake Band, as follows;

Election District I.....	Two Board Members
Election District II.....	Two Board Members
Election District III.....	Three Board Members

In addition, the Superintendent/School Director shall be an Ex Officio member of the Board.

## **Section 1: Eligibility**

In order to be eligible to run for election to the Board or to cast a vote in a School Board election;

1. A person must have reached their eighteenth birthday by the election date.
2. Must be a member of the Leech Lake Band who has resided on the Reservation for at least twelve months prior to the election OR be an Indian Parent/Guardian of an enrolled student.
3. Currently enrolled students and faculty and staff of the School system are not eligible to run for election.
4. Board members must pass a yearly background check and must continue to reside in their respective district OR continue to be a Parent/Guardian of an enrolled student while serving on the board.
5. A school employee who has been terminated by the School Board is not eligible to run or hold office on Bug O Nay Ge Shig School Board for a minimum of 18 months after date of termination.
6. Any individual who has been removed from the school board for nonfeasance, misfeasance, or malfeasance, as well as any individual who is ineligible pursuant to 25 CFR 63.12

## **Section 2: Term of Office**

Each Board member shall be elected for a 4-year term ending on 12:01 am on the second Tuesday in July following the Tribal election; provided that if any election protest is then pending on a particular Board position the incumbent shall remain in office until the protest is then finally resolved.

## **Section 3: Vacancies**

A vacancy on the Board occurs when a member (1) dies, or (2) resigns, or (3) ceases to meet the eligibility standards of Section 1 of this Article, or (4) misses three consecutive unexcused regular monthly board meetings, or (5) is removed pursuant to Article 4, Section 8.

## **Section 4: Elections**

Board elections shall be held every two years on the same day as the Minnesota Chippewa Tribe general election (the "tribal election"). The candidates who receive the highest number of votes shall be elected to the Board for their



respective district. Filing and other procedures for Board elections shall be the same as provided by the Tribal general election.

### **Section 5: Election Procedures**

The Bug O Nay Ge Shig School Board has established these election procedure guidelines for the Leech Lake School Board election:

- Polling sites:
  - District I: Inger Community Center  
Ball Club Community Center  
S. Lake Community Center
  - District II: Bena Community Center  
Sugar Point Community Center  
Kego Lake/Smokey Point Community Center
  - District III: Cass Lake – Dikinaagan Center  
Cass River Community Center  
Mission Community Center  
Oak Point Community Center  
Onigum Community Center  
Bemidji- Bemidji City Hall
- Polling Times: 8:00 am – 8:00 pm
  - Voter Eligibility: In order to be eligible to vote for School Board, Voter's must be Leech Lake Band members. Eligible voters shall vote by secret ballot. To be eligible to cast a ballot a voter must meet all constitutional requirements.
- Absentee Ballots: Absentee Ballots are not accepted.
- Ballots/Ballot Boxes: Ballots will be distributed by the General Election Board members upon verification of eligibility. All voters will sign a Registration Sheet with name, address and signature; stating by signing they are attesting that they are an eligible voter. Ballot boxes will be delivered to the Palace Casino by security provided by the General Election Board.
- Counting of Ballots: Counting of the Bug O Nay Ge Shig School's election ballots will take place at the Cedar Lakes Casino by the General Election Board members in conjunction with the Tribal General Election.

### **Section 6: Special Appointments**

If a Board position becomes vacant prior to the expiration of the term thereof, the School Board shall have the discretion to appoint the runner-up from that district to serve out the remainder of the term of the former member or have the vacancy filled at the next general election.

## **Section 7: Officers**

Annually at the first meeting in July, the Board shall organize selecting from among its members, a Chairperson, Vice Chairperson, Secretary and Treasurer who shall hold their offices for one year or until their successors are selected and qualify. Elections to replace any officer who has not been able to fill the term of office will be held at the next regular meeting.

The Chairperson will perform the following duties:

- preside at all school board meetings
- reviews the monthly agenda with the Superintendent/School Director
- serve as Board representative at reservation meetings and other functions
- represent the School system in all actions and perform all the duties usually incumbent on such officer.

The Vice Chairperson will perform duties of the Chairperson in his/her absence.

The Secretary shall keep a record of all meetings of the Board.

The Treasurer will perform the following duties:

- review expenditures of School system funds pursuant to the annual budget and spending plan
- request reports concerning Budget or finances of School system when deemed necessary.

## **Section 8: Removal of a Board Member**

The Tribal Council may remove any Board member on the grounds of nonfeasance, misfeasance or malfeasance in office. The Tribal Council may also consider removal of a Board member on its own motion or on the recommendation of a majority of the Board. Any Board member who is subject to removal proceedings shall have the right to a hearing before the Tribal Council, upon written request within 15 days. The decision of the Tribal Council is final.

## **Section 9: Meetings**

### **A. Regular / Open Meetings**

Regular meetings shall be held on the second Thursday of each month, at a time and place determined at least once a month in advance by official action of the Board. Notice of each Regular meeting shall be posted in the main office, the Tribal Council office and published in appropriate social media, as determined by the Board at least one week in advance. All meetings of the Board shall be open to the public, except when Special meetings are required where portions thereof involve hiring, discipline or evaluation of staff or teachers, salary negotiations, or discipline or evaluation of students or emergency concerns.

## **B. Special Meetings**

The Chairperson, the Superintendent/School Director or any four members of the Board, may call a Special meeting on at least twenty-four hours notice. Notice of Special meetings shall be delivered to each member of the Board and the Superintendent/School Director, LIEC/AIPAC. The notice shall be posted at the administration offices of the school and the Tribal Council.

## **C. Annual & Organizational Meeting**

The annual & organizational meeting will be held in June to review and revise all policies and procedures and set goals for the upcoming school year. All Board members shall receive a stipend as set forth at the annual & organizational meeting. The following are the stipend amounts that shall be paid to each Board member at each regular and the annual & organizational meeting.

- |                      |          |
|----------------------|----------|
| 1. Chairperson -     | \$325.00 |
| 2. Vice Chairperson- | \$300.00 |
| 3. Secretary -       | \$300.00 |
| 4. Treasurer -       | \$300.00 |
| 5. Board Member -    | \$275.00 |

## **D. Stipends**

A stipend of \$50.00 will be paid to any Board member attending special meetings lasting up to 6 hours. A stipend of \$100.00 will be paid to any Board member for a special meeting lasting 6 hours or more.

Bug O Nay Ge Shig School Board Members will receive stipends for their attendance at each regular scheduled school



board and annual organizational meeting (or work session), or upon member notification of their absence from scheduled school board meetings. The school board Chairperson and/or Superintendent/School Director will approve school board member absences that may include illness, death in the family, family emergency or job related responsibilities.

School Board stipend checks will be distributed to members at the beginning of scheduled school board meetings or annual organizational meetings.

### **Section 10: Agenda**

The agenda for regular meetings or special meetings shall follow the prescribed format found on current Board Agendas.

### **Section 11: Quorum - Voting**

A quorum of the Board must be present to conduct business. Four members of the Board shall constitute a quorum, and each member shall have one vote. The Board Chairperson will only vote to break a tie, following Robert's Rules of Order.

### **Section 12: School Board Members – No Interest in School Contracts**

All School Board members or other officers or employees shall avoid all conflicts of interest in any financial activity, personnel actions and/or nepotism (mother, father, son, daughter, husband, wife, brother, sister) of the School and shall avoid even the appearance of a conflict of interest.

### **Section 13: By-laws**

The School Board shall review By-laws every 2 years and revise as needed by a 2/3 vote of the board.

### **Section 14: Indemnification**

The school shall indemnify any Board member or administrative officer of the school made or threatened to be made party to a proceeding by reason of the

former or present official capacity of the person against judgment, penalties or fines assessed against the person with respect to settlements and reasonable expenses, including attorneys' fees and disbursements incurred by the person complained of in the proceeding provided the person:

Has not been indemnified by another organization for the same judgments, penalties, fines, and reasonable expenses, including attorneys' fees and disbursements incurred by the person in connection with the proceeding with respect to the same acts or omissions; acted in good faith; received no improper personal benefit through conflict of interest or otherwise; and In case of acts or omissions occurring in his/her official capacity, the person reasonably believed that the conduct was in the best interest of the school.

### **Section 15: Insurance**

The School Board may purchase and maintain errors and omissions insurance on behalf of a person, in that person's official capacity, against any liability asserted against and incurred by the person in or arising from that capacity.

## **ARTICLE 5: MANAGEMENT & OPERATION OF THE SCHOOL SYSTEM**

### **Section 1: General Provisions**

The School system shall be administered by the Board acting through a Superintendent/School Director/Director of schools. The powers and duties of the Board and the Superintendent/School Director/Director shall be stated as section 2 and 3 of this section.

### **Section 2: Powers and Duties of the School Board**

**A. The School Board Shall Oversee the Policies, standards, rules and requirements** for the School system, including but not limited to policies, standards, rules and requirements relating to:

1. The curriculum
2. Minimum academic & educational requirements for graduation
3. Educational and scientific research
4. Student conduct and discipline
5. Records management and reports
6. Financial & accounting controls (including but not limited to audit requirements)

7. Licensing and certification of teachers
8. Property management
9. Hiring, supervision, discipline, compensation and personnel issues
10. Strategic, operational and budget planning
11. Contracting and purchasing
12. Student transportation, including but not limited to transportation for extra-curricular activities

## **B. Contracts**

The Board shall have the power to enter in the name of the School system for the purchase of fixtures, goods and services required for the operation and maintenance of the School system. To enter into leases for school fixtures, equipment and facilities, to take such action and execute such documents as may be necessary to obtain grants or donations of funds, for equipment or services for School system from federal, state and local governments or agencies, and private organizations to carry out any of the duties assigned to the Board by these By-laws. The Board may not pledge as collateral, grant a security interest in, or lien on, or mortgage or otherwise encumber the property, revenues or other assets of the Leech Lake Band, provided that it may grant a purchase money security interest in equipment or fixtures required for the operation of the School system. All contracts for capital improvement projects in excess of \$100,000.00 and the plans therefore, must have the Tribal council's approval.

## **C. Needs Assessments**

The Board, in concert with the active LIEC, shall on a yearly basis, carry out an assessment of the educational, developmental, and cultural needs of the students and school system, and based on such assessments shall prepare, or update as necessary, strategic and operational plans for the School system.

## **D. Personnel**

The Board shall employ school leadership, including administrators and principals, as well as teachers and other staff as it shall deem necessary to carry out the duties assigned to it by these By-laws. All employees of the School system shall be entitled to the same benefits as other Tribal Council employees. Reservation leave and personnel policies shall apply except to the extent they have been expressly superseded or supplemented by policies duly adopted by the Board, provided that the Board may not modify employee benefits, other than leave, without Tribal Council approval.

## **E. Budgets and Spending Plans**

Based on its strategic and operational plans, detailed school budgets will be presented to the board by school staff at its March meeting each fiscal year for the following fiscal year. The board will review, edit, and/or adjust those budgets and act to approve them by April 30 of each fiscal year for the following fiscal year. The April Board meeting will include an opportunity for public review and comment on the school budget and spending plans. The Board shall then prepare and submit a budget for the next fiscal year to the Tribal Council for its review and approval. The Budget shall cover all sources of projected School system revenue for the upcoming year. All interest earned on funds granted to the School system for the development, operation or maintenance of the School system shall be used for School system purposes consistent with any applicable conditions of the grant and shall be included in the annual budget. The Board shall prepare a spending plan and shall monitor expenditures pursuant to the annual spending plan. The Board will also make such adjustments and amendments thereto as it deems necessary to stay within the approved budget and to ensure that the funds available to the School system are used wisely, efficiently and within the law. At its discretion, and subject to its approval, the Tribal Council may require further review and adjustment of the approved budget based on the official student count as required by federal law or regulation. Following any such adjustment, the Board shall make conforming adjustments in its spending plan.

## **F. Annual Report**

The Board shall prepare and submit to the Tribal Council and Tribal Education Department quarterly reports as well as an Annual report. The Annual Report shall be submitted in October of each year. The reports shall show:

- a) The condition of school property and inventory
- b) Review of BIE, audit reports, school accreditation and school improvement plans, including information on academic gains, graduation rates, and attendance information
- c) The length of the school term and the enrollment and attendance by grade for the previous year (annual report)
- d) Emerging educational issues relevant to the program of the School system

In addition, the reports shall contain such other information as the Tribal Council or Education Department or any funding agency may require, including but not limited to the information required, to be submitted in the Annual report to the Bureau of Indian Education pursuant to the school grant award.

## **G. Community Involvement**

It is essential that the parents and extended families of students have direct, effective involvement in the planning, implementation, monitoring, evaluation, and control of educational programs.

The Board shall be responsible for developing and implementing a community involvement program that provides a range of opportunities, including but not limited to, AIPAC and LIEC for meaningful involvement by parents, extended family, and other members of the Leech Lake community in the programs of the school system.

## **H. Legal Action**

The Board may bring actions in its own name in tribal, federal or state court's as it shall deem necessary to carry out its duties under these By-Laws. In making and entertaining into any agreement described in Article 5, Section 2B (CONTRACTS), the Board may approve a limited waiver of the Board's immunity from lawsuits initiated to enforce the terms of that agreement: provided that no such limited waiver shall be constructed as a waiver of the immunity of the Tribal Council or the Leech Lake Band from suit, and provided further that if a Tribal court with jurisdiction over the subject matter of the suit exists, such waiver by the Board shall be permitted only as to actions brought in such Tribal courts.

## **I. Utilization of existing Support Services – Audit**

In order to avoid duplication of services and to minimize overhead costs, the Board shall, to the extent reasonably feasible, contract with the Tribal Council for the delivery of accounting, purchasing, personnel management and other support services. In addition, the Board shall not retain a separate auditor to carry out its annual audit but shall utilize the auditor retained by the Tribal Council to carry out its annual audit. The annual audit of the School system shall comprise a separate chapter of the Tribal Council audit, which shall be provided to the Board as a separate document.

## **Section 3: Powers and Duties of the Superintendent/School Director**

In addition to those assigned elsewhere in the By-Laws, the Superintendent/School Director shall have the responsibilities and authorities specified in this subdivision:

### **A) Management**

The Superintendent/School Director shall direct the day-to-day operations of the school. The Superintendent/School Director shall provide leadership in developing and maintaining the highest quality educational programs for students of the School system, and integrating American Indian cultural values and knowledge. The Superintendent/School Director shall ensure that the School system provides a safe, supportive environment, which emphasizes the skills necessary to prepare children for success in employment and/or post-secondary education.

## **B) Responsibilities and Authorities**

The Superintendent/School Director shall have the following specific responsibilities and authorities:

- a) **PLANNING:** The Superintendent/School Director shall study and remain current and knowledgeable with respect to important school and educational issues.
- b) **REPORTING:** The Superintendent/School Director shall prepare and submit comprehensive statistical reports and surveys to the Bureau of Indian Education, the School Board, Tribal Council, Leech Lake Education Department, the AIPAC/LIEC, and as applicable the state of Minnesota
- c) **FINANCE:** The Superintendent/School Director shall develop annual operational budgets and spending plans by program area; submit them for Board approval; and monitor, review and revise them throughout the year.
- d) **STUDENT COUNTS:** The Superintendent/School Director shall ensure the timely completion and accuracy of the student attendance and transportation data in compliance with the Indian School Equalization Program.
- e) **SCHOOL BOARD:** The Superintendent/School Director shall ensure timely submission or monthly activity reports to Board within each program area; provide verbal updates on programs; and encourage attendance at meetings by program coordinators and management.
- f) **ACADEMIC:** The Superintendent/School Director shall ensure ongoing challenges and revision of academic expectations in order to develop comprehensive, documented K-12 outcomes.
- g) **OPERATING POLICY:** The Superintendent/School Director shall develop and recommend for adoption by the Board all internal policies and practices.
- h) **COMMUNITY RELATIONS:** The Superintendent/School Director shall establish and maintain high-profile visibility throughout the community; develop positive relationships and function as primary public relations representative of the School System.
- i) **SCHOOL CLIMATE:** The Superintendent/School Director shall support and encourage a culture-oriented curriculum and a continuous knowledge of Anishinaabe custom and tradition.
- j) **COMMUNICATIONS:** The Superintendent/School Director shall play a positive and active leadership role in fostering team relationships; lead by

example and model effective communication and empowerment behaviors.

- k) **STAFF MANAGEMENT:** The Superintendent/School Director shall provide clear direction and establish performance expectations to achieve continuous staff improvement and shall manage transfers, promotions as well as evaluations, recognition and performance correction.
- l) **NETWORKING:** The Superintendent/School Director shall actively participate in professional organization and related task forces and committees and shall serve as liaison for the School system with other schools and educational agencies.
- m) **HEALTH AND SAFETY:** The Superintendent/School Director shall ensure the safe and healthy operation of the School system's facilities, grounds and equipment.
- n) The Superintendent/School Director shall recommend hires and terminations to the Board
- o) The Superintendent/School Director shall carry out such other responsibilities and authorities as the Board may assign.

These By-Laws were revised by a 2/3 vote of the Bug-O-Nay-Ge-Shig School Board on July 14<sup>th</sup>, 2022