



CENTRAL CONSOLIDATED SCHOOL DISTRICT

**District Administration Complex
P.O. Box 1199, Shiprock, NM 87420
US Hwy 64 Old High School Rd
Administration • 505-368-4984 • Fax 505-368-5232**

A Community of Learners Dedicated to Building Lives
**BY-LAWS OF JOHNSON O'MALLEY INDIAN EDUCATION COMMITTEE
SY 2017-2018**

ARTICLE I NAME

The name of this Committee shall be the Johnson O'Malley Indian Education Committee (JOM IEC).

ARTICLE II PURPOSE

The purpose of the Johnson O'Malley Indian Education Committee is for planning, approval, operation, and appraisal of the Johnson O'Malley programs. The JOM IEC is established in accordance with 25 U.S.C. §452-7 and 25 CFR §273 which pertains to Education Contracts under the Johnson O'Malley Act, in partnership with Central Consolidated School District (CCSD) being the Local Educational Agency (LEA).

ARTICLE III POWERS AND DUTIES

The powers and duties of the JOM IEC shall be the following:

- A. Participate fully in the planning, development, implementation, and evaluation of the JOM program through an annual assessment, approve or disapprove contracted services, and conduct-program monitoring visits.
- B. Approve and recommend to the Board of Education, JOM program and budget proposals;
- C. Obtain and supply information on the views of Indian parents and students concerning the unique educational and culturally related academic needs of Indian students in the JOM program;
- D. Establish priorities based upon the needs assessment to develop the JOM Application;
- E. Provide regular JOM IEC reports to respective chapters, communities and schools;
- F. Serve on district school improvement committees, participate in school parent meetings, and conduct school monitoring visits;
- G. Act as a hearing committee for any individual or group who may wish to propose revisions or to file grievances regarding the District's JOM funded programs;

- H. Review and recommend curricula, including texts, materials, and teaching methods used in the JOM programs;
- I. Assist CCSD by recommending criteria for employment in the JOM Program;
- J. Each member shall receive copies of each JOM negotiated contract approved by the JOM IEC;
- K. Recommend to the Commissioner through the appropriate Bureau contracting officer, cancellation or suspension of a contract(s), which contains the program(s) approved by the JOM IEC, if the contractor fails to permit the JOM IEC to exercise its powers and duties;
- L. Fully participate in negotiating the CCSD JOM contract with the Navajo Nation;
- M. Each member shall receive copies of reports, evaluations, and surveys, and other program and budget-related documents determined necessary by the JOM IEC to carry out its responsibilities;
- N. No JOM IEC member may participate in any committee action when a member of his/her immediate family is in a JOM-funded position.
- O. All JOM IEC members must be given prior formal authorization at a duly called meeting, with a motion and a second recorded in the minutes, to represent or speak on behalf of the IEC.
- P. JOM IEC shall exercise its authority only during duly called IEC meetings.
- Q. JOM IEC members shall not act or speak on behalf of the JOM IEC as an individual; members may continue to speak as parents.
- R. JOM IEC members are expected to attend all meetings in its entirety in order to fully participate in the discussion and to cast a vote.
- S. JOM IEC members shall receive training to gain knowledge and skills of JOM IEC role and responsibilities.
- T. Meet regularly with the professional staff serving Indian children and with the local education agency.
- U. Hold committee meetings on a regular basis which are open to the public.
- V. JOM IEC members shall participate in at least one public hearing organized and hosted by CCSD to address the needs of the program such as student achievement reports and parent input.

ARTICLE IV MEMBERSHIP

SECTION 1 - MEMBERSHIP OF JOM IEC

Eligible Members

- A. Thirteen (13) members shall constitute the membership of the JOM IEC. One (1) parent representative from each of the following chapters:
1. Beclabito Chapter
 2. Tiis Tsoh Sikaad (Burnham) Chapter
 3. Gadii'ahi (Cudeii) Chapter
 4. Naschitti Chapter
 5. Nenahnezad Chapter
 6. Newcomb Chapter
 7. San Juan Chapter
 8. Tsé Ał Náozt'íi (Sanostee) Chapter
 9. Tooh' Hal'tsooi' (Sheepsprings) Chapter
 10. Shiprock Chapter
 11. Tse Daa Kaan (Hogback) Chapter
 12. Tohaali/Bis Dah Litso (Toadlena/Two Grey Hills) Chapter
 13. Upper Fruitland Chapter
- B. A parent representative (committee member) is any person who is the parent/legal guardian or person acting in loco parentis of an Indian student who possesses a Certificate of Indian Blood (CIB) on file and is currently enrolled in CCSD.
- C. Chapter parent representatives must provide a resolution by the chapter.
- D. Parents who are employed with CCSD may not serve on the JOM IEC.
- E. The Cultural Heritage Center will coordinate with the JOM IEC the eligibility of members.
- F. All members will serve a 2-year term.

CONFLICT OF INTEREST DISCLOSURE FORM

Pursuant to Chapter 199, Section 1, of the NMSA 1978 Nepotism; and School Board Policy G-0700 Staff Conflict of Interest.

22-5-6 Nepotism Prohibited

- A. A local superintendent shall not initially employ or approve the initial employment in any capacity of a person who is the spouse, father, father-in-law, mother-in-law, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister, sister-in-law, of a member of the local school board or the local superintendent. The local school board may waive the nepotism rule for family member of a local superintendent.
- B. Nothing in this section shall prohibit the continued employment of a person employed on or before July 1, 2009.

THIS FORM MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS ANY FAMILY MEMBER EMPLOYED WITH THE DISTRICT.

“Contract” means any agreement for the procurement of items of tangible personal property, services, professional services, or construction.

“Family Member” means spouse, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister, sister-in-law.

“Person” means any corporation, partnership, individual, joint venture, association of any other private legal entity.

SECTION 2 - VOTING RIGHTS

Each JOM IEC member is entitled to one (1) vote on JOM IEC matters. Each eligible voting member may cast a vote on each matter submitted to a vote of the JOM IEC.

SECTION 3 - ATTENDANCE

All JOM IEC members are expected to attend each meeting and stay for entire meeting. An absence will be excused if a member contacts the Cultural Heritage Center (CHC) and/or JOM IEC Officers 24-hours prior to the meeting or in case of immediate emergency.

SECTION 4 - TERMINATION OF MEMBERSHIP

Any member may be terminated from membership during a duly-called regular meeting on the JOM IEC for any of the listed reasons. Termination will be approved by a majority vote of the JOM IEC.

- The member who does not attend meetings and stay for entire meeting, (regular, special meetings, work and training sessions) of the JOM IEC for two (2) consecutive meetings.
- The member no longer wishes to serve on the JOM IEC, submitted a letter of resignation with a copy provided to their local chapter.
- If a JOM IEC member’s child is no longer enrolled in CCSD.

SECTION 5 - VACANCY

If the position of Chairperson should become vacant, the Vice-Chairperson will assume the role of the Chair. The JOM IEC shall elect a new Vice-Chairperson from among the JOM IEC members.

If the position of an IEC member becomes vacant, the CHC will notify through a letter to the respective chapter of the IEC vacancy.

Any vacancy which occurs on the JOM IEC for any reason shall be filled by election for the remaining term of the vacant position as provided in Section 2 above. The election shall be held as soon as is reasonably practical.

ARTICLE V OFFICERS AND DUTIES

SECTION 1 – IEC OFFICERS

The officers of the JOM IEC will be the Chairperson, Vice-Chairperson, and Secretary.

SECTION 2 - ROLES AND RESPONSIBILITIES OF OFFICERS

CHAIRPERSON

The Chairperson shall perform all duties incidental to the office of the Chairperson and such other duties as may be prescribed by the JOM IEC from time to time. The Chairperson shall act on behalf of the JOM IEC, by recorded by motion, of the JOM IEC. Specific duties are:

1. To preside over all general meetings.
2. Prepare the meeting agendas in conjunction with the JOM Coordinator.
3. Sign on behalf of the JOM IEC, all letters, reports and other committee documents as required with authority given by the JOM IEC to do so.
4. The Chairperson may appoint a JOM IEC member to serve as Vice or Secretary when he/she is not available.

VICE-CHAIRPERSON

The Vice-Chairperson shall:

1. Assume the role of the Chairperson in his/her absence.
2. Ensure that membership on the JOM IEC is consistent with the federal regulations.
3. Arrange for speakers and special programs.
4. Shall perform such other duties as may be prescribed by the committee from time to time.

SECRETARY

The Secretary shall:

1. In conjunction with CHC will distribute to the JOM IEC prior to the meetings the following:
 - a. Staff reports
 - b. The minutes of the previous committee meeting
2. Record and type the minutes of the regular and special meetings.
3. Shall provide minutes to the JOM IEC and to such other persons the JOM IEC may indicate.
4. He/She shall see that all notices are given in accordance with the provisions of these by-laws.
5. Keep a list of the address and telephone numbers of each JOM IEC member.
6. The secretary shall perform other such duties as prescribed by the JOM IEC from time to time.
7. The Secretary, in five (5) days shall provide the JOM IEC minutes to the CHC.

The CHC shall maintain the official minutes of the JOM IEC meetings. The JOM IEC Secretary, along with the CHC, shall have the full responsibility to provide copies of the minutes to the JOM IEC members.

SECTION 3 – ELECTION OF IEC OFFICERS

The election of JOM IEC officers shall be held during a duly-called, regular meeting announced to the public via newspaper, radio, newsletter, or letter.

JOM IEC officers shall be nominated and elected at the meeting by JOM IEC members.

SECTION 4 – TERMS OF IEC OFFICERS

The JOM IEC will elect three (3) officers. The officers will be Chairperson, Vice-Chairperson and Secretary. The officers will be elected on an annual basis and serve one (1) year. The election will take place at a duly-called regular meeting of the school year. Officers may be re-elected to serve more than one (1) year.

Parents may serve only as long as their children are actively enrolled in CCSD.

ARTICLE VI MEETINGS OF THE JOM IEC

SECTION 1 - MEETING REQUIREMENTS

- The JOM IEC regular meeting schedule will be developed one (1) school year in advance.
- The JOM IEC members will submit suggested agenda items to Chairperson at least ten (10) days prior to a scheduled meeting.
- Chairperson or Vice-Chairperson will submit five (5) days prior to schedule meeting all agenda items to the CHC.
- The CHC will advertise a press release no less than three (3) days prior to the meeting by fax, e-mail, and CCSD website.

SECTION 2 - REGULAR MEETINGS

Regularly scheduled business meetings will be held on the first Monday of every month, for ten (10) months in the calendar year. A pre-determined time and place will be established. All business meetings of the JOM IEC will be open to the public.

The JOM IEC meetings will be publicly advertised by fax, e-mail, and CCSD website.

SECTION 3 - SPECIAL MEETINGS & WORK SESSIONS

The Chairperson may call special meetings and work sessions of the JOM IEC during a duly-called regular meeting. Members shall be notified by telephone, e-mail, text, or postal mail three (3) days before the meeting.

SECTION 4 - SPECIAL COMMITTEE

The CHC may establish an ad hoc committee, which shall consist of appointed JOM IEC and non-JOM IEC members. An ad hoc committee shall be established as needed. All final decisions are reserved for the JOM IEC. The ad hoc committee will report to the JOM IEC as requested.

SECTION 5- IN-SERVICE AND TRAININGS

JOM IEC will attend JOM Navajo Nation regional conferences, state and national trainings/conferences. JOM IEC may attend up to two (2) state and national training/conferences.

SECTION 6 - QUORUM

A simple majority of half plus one of JOM IEC membership shall constitute a quorum for official transaction of JOM IEC business. Decisions made by a quorum of members present at a regular and/or special meeting shall be an act of the JOM IEC.

Members will wait no more than 30 minutes for a quorum to be present.

SECTION 7- OPEN MEETINGS

JOM IEC meetings shall be open to the general public in accordance with the New Mexico Open Meetings Act.

SECTION 8 - RULES OF ORDER

JOM IEC will conduct their meetings in accordance with Parliamentary procedures.

ARTICLE VII COMPENSATION

SECTION 1 - MEETINGS

All JOM IEC members will be compensated for attending JOM IEC regular meetings, special meetings, work and training sessions at a stipend rate of \$75.00.

JOM IEC members who do not attend the meetings and/or stay for entire time will not be compensated. The meeting minutes will indicate the name of JOM IEC attendees and will be used as the official record of attendance.

SECTION 2 - PER DIEM

JOM IEC members will be reimbursed for approved travel expenses incurred for in-state and out-of-state travel, consistent with CCSD procurement policies regarding per diem when travel is required for JOM IEC official business, conferences and training.

Per Diem will be paid within seven (7) working days once all required documents are submitted to the CHC.

If travel expenses are paid and a JOM IEC member fails to attend due to non-emergency reasons, the member will be required to reimburse the JOM program for all expenses paid. The member may find an alternate JOM IEC to attend in his/her place, if possible.

SECTION 3 – STIPEND

JOM IEC members will be paid a \$75.00 stipend for attending ten (10) regular meetings and stay entire meeting with a quorum, three (3) special meetings with a quorum, seven (7) work or training sessions, and Fall and Spring School Monitoring Visits.

ARTICLE VIII AMENDMENTS

The JOM IEC, with the advisement of the CHC, shall have the power to alter or amend these By-Laws at any time, by two thirds (2/3) affirmative vote of current JOM IEC members, provided that the alteration or amendment is to carry out the purpose of the JOM IEC as herein above expressed. Any amendment must conform to CFR Title 25 (Indians Part 273) and be approved by CCSD Board of Education.

ARTICLE IX GRIEVANCE PROCEDURES

Grievance procedures for complaints from CCSD Indian students, parents, and CHC staff related to program(s) contracted under Johnson O'Malley shall be as follows:

SECTION 1:

The complainant shall submit a grievance in writing to the JOM IEC for investigation, review and action.

- A. Upon receipt of the written complaint, the JOM IEC shall, within fifteen (15) working days, conduct an investigation and submit its findings in writing to the complainant. If the complaint cannot be resolved within the specified time, the JOM IEC may request additional time from the complainant.
- B. The Chairperson with the approval of the JOM IEC can elect an ad hoc committee to pursue complaint.
- C. If the complaint cannot be resolved by the JOM IEC ad hoc to the satisfaction of the complainant, the JOM IEC ad hoc shall forward the complaint with all investigative documents, findings, and/or recommendations to the CCSD Human Resources Department.

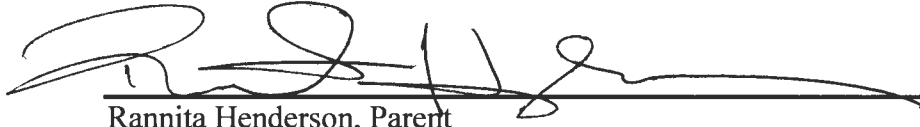
**ARTICLE X
APPROVAL OF BYLAWS**

SECTION 1 - Approval of By-Laws by JOM IEC

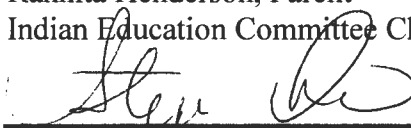
- A. The JOM IEC By-Laws were approved on 3rd of May 2017 during a duly constituted meeting with a vote of:

- B. Motion: Kerlena Tso
Second: Susie Wood

- C. Vote: 8 in favor, 0 opposed, 2 abstained



Rannita Henderson, Parent
Indian Education Committee Chairperson



Stephanie John, Parent
Indian Education Committee Vice-Chairperson



Cindy Jim, Parent
JOM IEC Secretary

SECTION 2 - Approval of By-Laws by Board of Education

- A. The JOM IEC By-Laws were approved on _____ of _____, 2017 by the CCSD Board of Education with a vote of:

- B. Motion: _____; Second: _____

- C. VOTE: _____ in favor, _____ opposed, _____ abstained

Dr. Colleen W. Bowman, CCSD Superintendent

Adam J. Begaye, CCSD School Board President