

**TULSA PUBLIC SCHOOLS
JOHNSON O'MALLEY
INDIAN EDUCATION PARENT COMMITTEE
BY-LAWS**

**ARTICLE I
REFERENCE**

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

**ARTICLE II
NAME OF THE COMMITTEE**

SECTION 1. The name of the committee shall be the TULSA PUBLIC SCHOOLS JOHNSON O'MALLEY INDIAN EDUCATION PARENT COMMITTEE herein referred to as the JOM-IEPC for brevity purposes.

SECTION 2. The principal office for the committee shall be maintained in the City of Tulsa, Oklahoma. The offices of project are designated as the repository of all JOM-IEPC records. The principal meeting place for JOM-IEPC business to be at a Tulsa Public Schools facility.

**ARTICLE III
PURPOSE OF THE COMMITTEE**

SECTION 1. The establishment and the work of the JOM-IEPC are to comply with the rules and regulations as found in the Federal Register, Vol. 40 No. 213, Tuesday, November 4, 1975. (Refer to 25 CFR Indians Sec. 273.16 Powers and Duties of Indian Education Committees and Sec. 273.17 Programs approved by an Indian Education Committee to complete the purpose.)

SECTION 2. **Additional functions of the JOM-IEPC are:**

- A. To offer advice, assistance and recommendations:
 - 1. Planning
 - 2. Approving
 - 3. Implementing
 - 4. Evaluation
 - 5. Recommending

- B. To promote the welfare and academic achievement of Indian children and youth in home, school, community and tribe.
- C. To participate in identifying and assessing the needs of Indian students and setting priorities for program components to meet the unique educational and cultural needs of Indian students.
- D. To insure, by observation, that federal or tribal monies for Indian Education are not used to supplant state or local education agency funds for general education. (Ref. Sec. 273.34 CFR)
- E. To bring into closer relationship the home and the school so parents, and teachers may cooperate in the education of Indian children.
- F. The organizational papers and by-laws of the JOM-IEPC may include additional duties which would permit the committee:
 - 1. Participate in negotiations concerning all contracts under this part.
 - 2. Take an annual assessment of the learning needs of Indian children in the community affected.
 - 3. Have access to all reports, evaluations, surveys and other program and budget related documents determined necessary by the JOM-IEPC to carry out its responsibilities subject only to the provisions of 273.49.
 - 4. Request periodic reports and evaluations regarding the JOM-Indian Education Program.
 - 5. Hear grievances related to programs in the educational plan
 - 6. Meet regularly with the professional staff serving Indian children and with the local education agency.
 - 7. Hold JOM-IEPC meetings on a regular basis which are open to the public.

SECTION 3.

Members of the JOM-IEPC shall have no powers to bind any member of the Tulsa Public School District to any debt, liability or obligation without an express written authorization for the party to be bound. JOM-IEPC shall have no powers beyond those stated in these by-laws, and shall insure that the policies remain in parallel with current established policies in effect in Tulsa Public Schools.

ARTICLE IV
MEMBERSHIP

SECTION 1.

According to Sub-part A, Sec. 273.15 of November 4, 1975 regulations an Indian Education Committee is to be elected from among the parents (including persons acting “in loco parentis”) except school officials of eligible Indian students enrolled in the schools affected by a sub-contract under this part. Those eligible to serve on the committee must be parents, or persons acting in loco parentis of Indian children enrolled in Tulsa Public Schools, except that family members of program staff, school board members, those persons who have a prior felony conviction, and/or

registered sex offenders and/or violent crime offenders are not eligible to serve JOM-IEPC.

SECTION 2. The membership of the JOM-IEPC shall be composed of up to ten (10) members.

SECTION 3. Membership of the JOM-IEPC is comprised of the following members:
A. Chairperson
B. Vice-Chairperson
C. Secretary
D. Members at large

SECTION 4. When vacancies on the JOM-IEPC occur, the Chairperson may appoint another parent to the vacancy.

SECTION 5. A member of the JOM-IEPC may be removed from office and/or membership by two-thirds majority vote of all of the members of the committee present.

SECTION 6. A member may resign in writing, to the JOM-IEPC. Membership automatically terminates when a member's children no longer attends Tulsa Public Schools.

SECTION 7. JOM-IEPC members will hold office for two (2) program years. (July 1 through June 30)

SECTION 8. All JOM-IEPC members must have formal authorization by action (motion recorded in minutes) to represent or speak on behalf of the JOM-IEPC.

ARTICLE V **EXECUTIVE BOARD**

The Executive Board of the JOM-IEPC will consist of the following officers:
Chairperson, Vice-Chairperson and Secretary

- SECTION 1.** Officer's duties
- A. Duties of the Chairperson shall be:
 - a. Assuring compliance with the JOM Rules and Regulations
 - b. Chairing all regular and special JOM-IEPC meetings.
 - c. Serve as the official representative of the JOM-IEPC to Tulsa Public School District in all matters pertaining to the education of JOM eligible students.
 - d. Maintain a current JOM eligible parent list.
 - e. Assure that the JOM Rules and Regulations and By-Laws are disseminated to interested parents and community.
 - f. Is a non-voting member of the board unless there is a tie.
 - g. Prepared the agenda for each meeting.

- h. With Vice-Chairperson, will appoint membership to all special committees as needed.
- B. Duties of the Vice-Chairperson shall be:
 - a. Assume the duties of the Chairperson in the event of their absence or vacancy.
 - b. Submit news items, notices, and any pertinent information to appropriate media as needed.
 - c. Arrange for speakers and special programs.
 - d. With Chairperson, appoint membership to special committees.
- C. Duties of the Secretary
 - a. Keeping minutes of all JOM-IEPC meetings.
 - b. Maintain a list of the addresses and telephone numbers of each member of the committee.

SECTION 2. Terms for office for JOM-IEPC Executive Board shall be for a minimum of two (2) years. (July 1 through June 30)

SECTION 3. Any member of the JOM-IEPC Executive Board may be removed or resign for the following reasons.

- A. An EB member may resign for personal reasons by giving a written resignation to the Chairperson.
- B. An EB member shall automatically be removed from membership if the member has been absent without excuse from three (3) consecutive regular meetings.
- C. An EB member shall be automatically removed from membership if the member does not meet the qualifications for eligible membership as a parent, student, or TPS staff member.
- D. An EB member can be removed by affirmative vote of two-thirds majority of all of the JOM-IEPC members present for gross misconduct, or felony convictions, or for divulging confidential information.

SECTION 4. A vacancy may be filled by appointment by the Executive Board. The appointment will remain in effect for the remainder of the unexpired term.

ARTICLE VI **ELECTIONS**

SECTION 1. Voting for membership on the JOM-IEPC shall be held during the month of MAY.

- SECTION 2.**
- A. Three (3) JOM-IEPC members will be elected in odd calendar years.
 - B. Two (2) JOM-IEPC members will be elected in even calendar years.

- SECTION 3.** There shall be no proxy votes nor any transfer of membership from one person to another.
- SECTION 4.** All nominations will be made from the floor by parents/guardians of JOM eligible students.
- SECTION 5.** All nominations require a second.
- SECTION 6.** All voting will be done by secret ballot with majority voting ruling.
- SECTION 7.** In case of a tie, another vote will be taken by secret ballot. In the event of a second tie, the Chairperson will be allowed to vote.
- SECTION 8.** The first order of business will be the election of officers

ARTICLE VII
MEETINGS

- SECTION 1. Meeting Times and Locations**
Regular meetings will be held monthly on the second Tuesday of the month. There will be no meeting in the months of June & July.
- SECTION 2. Agenda**
- A. The agenda for each meeting shall be prepared by the chairperson. Individual members of the JOM-IEPC are encouraged to submit agenda items for the chairperson or present their proposals formally under the agenda item of "New Business".
 - B. An item may be placed on the agenda by contacting the chairperson at least five (5) days prior to the regular meeting date.
 - C. In accordance with the Oklahoma Meeting Act, an agenda must be posted at the place of the regular meeting at least twenty-four (24) hours in advance of the meeting.
- SECTION 3. Quorum**
A quorum shall consist of (1) JOM-IEPC Board Member and (2) JOM-IEPC members.
- SECTION 4. Special Meetings**
Special meetings may be called by the chairperson or by petition of at least three (3) JOM-IEPC members. A quorum will be as stated for regular meetings.
- SECTION 5. Meeting Protocol**
All meetings will be conducted in accordance with Parliamentary Procedures and the adopted by-laws.

SECTION 6. Executive Session

Executive session meeting (no minutes or recording are to be made in this session) the participants of an executive session are not to discuss or disclose the issues made known during the executive session. An executive session may be called by any two (2) members of the JOM-IPAC, before or during a regular JOM-IEPC meeting. To qualify for an executive session the issue must be one of the following:

- A. Personnel matters.
- B. Misconduct of a JOM-IEPC member.
- C. Dealing with sensitive issues pertaining to the program.
- D. Once out of session a formal motion of action must be brought up at the regular meeting. (Table, vote up or down on an issue)

ARTICLE VIII
COMMITTEES

SECTION 1. Subcommittees

The JOM-IEPC shall create such subcommittees as may be required to promote its objectives. Each subcommittee can be created by majority vote of a quorum at any general JOM-IEPC meeting. The chairperson of the subcommittee shall be appointed by the JOM-IEPC chairperson. The subcommittee chairperson shall select the members of their committee.

SECTION 2.

When requested, committees will report to the JOM-IEPC their progress and will submit recommendations to be acted upon by the JOM-IEPC. These actions will become a part of the minutes of that particular meeting.

ARTICLE IX
BY-LAWS

SECTION 1.

Any amendment to these by-laws must conform to the purpose of the JOM-IEPC as stated in ARTICLE III and must conform to requirements Federal Register, Vol. 40 No. 213, Tuesday, November 4, 1975. (Refer to 25 CFR Indians Sec. 273.16 Powers and Duties of Indian Education Committees and Sec. 273.17 Programs approved by an Indian Education Committee to complete the purpose.)

SECTION 2.

By-laws may be amended under provisions of SECTION 1 of this article by a two-thirds majority vote of all members of the JOM-IEPC present while meeting in official session.

SECTION 3.

Any amendment approved under the provisions of this article must be recorded in the official minutes.

SECTION 4. It shall be the policy of the JOM-IEPC to use these by-laws as the structure of the committee. Any conflict of interpretation of these by-laws shall be settled by the majority vote of the JOM-IEPC present in official session.

ARTICLE XI
GRIEVANCE PROCEDURES

- SECTION 1.** Formal grievances or complaints in regard to the JOM-IEPC will be filed in the following manner:
- A. The aggrieved shall, in writing, file their grievance with the JOM-Chairperson and one copy to the Indian Education Manager.
 - B. A grievance committee will be appointed by the JOM-IEPC executive board and will consist of five (5) unbiased and impartial persons selected from the total JOM-IEPC membership; one of which will be a school district designated selected by the Indian Education manager.
 - C. The parties involved have the right to object to the appointment of any member of the grievance committee.
 - D. Upon receipt of a formal grievance, the grievance committee will have ten (10) working days to review the grievance, interviewing the concerned parties, if necessary, and decide the outcome of the grievance. If the grievance cannot be resolved within the specified time, then the JOM-IEPC may request additional time from the complainant.
 - E. A written decision will be given to the concerned parties on the eighth working day from the date of receipt by the committee.
 - F. If the grievance cannot be resolved by the JOM-IEPC, the committee may forward the complaint with all investigative documents, findings and/or recommendations to the district's Executive Director of Federal & Special Programs.
- SECTION 2.** All decisions issued by the grievance committee or the Executive Director of Federal & Special Programs will be considered final.
- SECTION 3.** Grievances pertaining to Indian Education staff shall be handled according to Tulsa Public Schools Board of Education Policy.

ARTICLE X
RATIFICATION

These by-laws shall be declared adopted by the JOM-Indian Parent Advisory Committee when passed by a two-thirds majority vote of the general membership present at a regularly scheduled meeting.

These by-laws were approved by the general membership of the JOM-Indian Education Parent Committee on the 8th day of October, 2019.

IN WITNESS THEREOF:

Hether Cuervo

Chairperson

Agnes Chusey

Vice-Chairperson

[Signature]

Indian Education Manager