

St. Francis Indian School

SICANGU OYATE HO, INC. BYLAWS
(Voice of the Burnt
Thigh People)



2019-2020

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(Voice of the Burnt Thigh People)

As revised August 17, 1990 ("Executive Director" deleted), February 19, 1992 (fiscal year change), April 13, 1992 (executive assistant change and clarification on board powers), July 6, 1992 (court order on eligibility of voters in recall), July 20, 1992 (changes and clarification), August 14, 1992 (quorum), August 1994 (Code of Ethics and changes), August 16, 1994 (quorum and increase in number of directors), September 25, 1995 (quorum and reduced/restructured districts), December 6, 1995 (annual meeting date change/add Code of Ethics (P and P)/committee changes/nepotism change/election procedure change), February 7, 1996 (changes and clarifications), March 2T 1996 (decrease in number of regular meetings per year), April 17, 1996 (clarification/sign-in register/roll call at end of meeting), June 24, 1996 (change in executive assistant duty), April 3, 1997 (clarify election procedure), September 24, 1997 (enrolled member status), November 19, 1997 (Superintendent/CEO name change and limit voting powers and terms of employee and student representatives), January 26, 1998 (change and clarification), March 4, 1998 (change), May 20, 1998 (employee rep. change)F June 17, 1998 (student body rep. change), November 17, 1999 (change Tribal Ed. Rep. to ex-officio member), August 7, 2000, (change the Tribal Ed. Rep. to voting member status), December 17, 2001 (change Tribal Ed. Rep. to ex-officio member), February 20, 2002 (change the Tribal Education Representative to voting member status), February 22, 2002 (change in vacancies procedure for unexpired terms), February 28, 2002 (add an election procedure to fill unexpired terms, and add 'Superintendent/CEO' uniform throughout articles), July 1 , 2002 (define custodial parent(s) and legal guardian(s)) clarify rules for employee representatives change in election procedures, clarify Superintendent/CEO and CEO term, clarify rules for representatives, add oath of office), August 21, 2002 (employee representative section change month of term) October 8, 2002, (increase in number of directors), September 29, 2003 (add Codes of Conduct Standards with Penalties), October 29, 2003 (repealed enrolled member status), October 21 , 2004 (change in Board member drug test results from public to confidential), in accordance with Article X — Amendment of Bylaws. September 1 1, 2018 (comply with tribal resolutions, RST Election Code, etc.), September9, 2019.

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ARTICLE I School Board Membership

Section 1 - Requirements for Membership

Membership shall be open to any member of the Rosebud Sioux Tribe, including the parents and guardians of students enrolled at St. Francis Indian School. <*Amended 7/20/92, **Amended 4/17/96, ***Amended 7/1/02, 9/11/18>

Section 2 - Membership Roster

Membership**shall be evidenced by tribal enrollment card or enrollment number. <*Amended 4/13/92, **Amended 4/20/92, ***Amended 7/1/02, 9/11/18>

Section 3 - Termination of Membership

Any Board member may withdraw from the School Board upon compliance with such uniform terms and conditions as the Board may prescribe.

The Board may, by majority vote of the quorum present, expel any member who fails to comply with any provisions of the Articles, Bylaws, Rules, Regulations or Policies adopted by the Board. Should an incident of failure to comply with any provisions of the Articles, Bylaws, Rules, Regulations or Policies be reported to the Board, the Board Chairman shall call for an investigation. The incident shall be documented during the investigation process. When the investigation has been completed and a failure has occurred the Board Chairman shall provide written notice to the Board Member stating the justification for removal within fifteen (15) business days. The Board member will have no more than five (5) business days to request a hearing. The request must be in writing and signed by the Board member. The request must be delivered to the

Superintendent/CEO in a sealed envelope addressed to the Board Chairman by certified mail. The envelope must be clearly marked REQUEST FOR HEARING on the front of the envelope with the Board member's name, contact information and date. This request must be received on the close of business within the five (5) business day time period. There shall be no extension of the request timeline. A hearing shall be held within thirty (30) calendar days of the receipt of the written request by the Board member. Should a Board member not request a hearing or fails to submit a timely request or fails to attend the hearing, the Board member may be expelled by the Board. <*Amended 7/20/92, 9/11/18, 9/18/19>

ARTICLE II - MEETING OF THE SCHOOL BOARD

Section 1 - Annual Meeting of the School Board

An annual meeting of the Board shall be held, *for transaction of such other business as may properly come before such meeting. <*Amended 12/6/95, 9/18/19>

Section 2 - Special Meetings of the School Board

Special Board meetings may be called at the discretion of the Chairman or by order of the Board, setting forth the date on which such special board meeting shall be held, and the reason or reasons for the calling of such special board meeting. <*Amended 8/14/92, 9/18/19>

This Section may be amended or repealed only by vote of a majority *present voting members of the Board, provided that a proposed amendment or repeal must be taken at a meeting of the Board held in accordance with the Bylaws. <*Amended 8/25/89>

Section 3 - Place and Time of Meetings

Each Board meeting shall be held at the place and time specified in the notice thereof,

Section 4 - Notice of Meetings of the Board

Written notice of each board meeting shall be given three (3) day prior to such meeting is to be held, by posting notice on a conspicuously placed bulletin board at Administrative Office of the School, and by mail, handbill, newspaper or such additional means as the Board shall deem effective. The notice shall state the purpose or purposes for which the meeting is called and time and place thereof, and, if a notice of a special board meeting, it shall state by whose order the meeting was called. <Amended 8/25/89>

This Section may be amended or repealed only by vote of a majority *present voting members of the Corporation, provided that a proposed amendment or repeal must be taken at a meeting of members of the Corporation held in accordance with the Bylaws. <*Amended 8/25/89>

Section 5 - Quorum

The presence at any meeting of a majority of School Board members shall be necessary and sufficient to constitute a quorum for transaction of business.
Amended 8/14/92, 9/25/95, 9/11/18, 9/18/19>

In the absence of a quorum, the meeting is canceled. <Amended 8/14/92>

This section may be amended or repealed only by *vote of majority present voting members at a meeting of the members of the Board held in accordance with these Bylaws. <*Amended 8/25/89>

Section 6 – Organization

At each meeting of members of the School Board, the *Chairman of the Board, or in the case of his/her absence, the Vice *Chairman shall act as *Chairman thereof.

The Secretary, or in the case of his/her absence, the person whom the *Chairman of the meeting shall appoint as Secretary of the meeting, shall act as such.
<*Amended 7/20/92, 9/18/19>

Section 7 - Voting

Each voting member present at a board meeting shall be entitled to cast one vote on any and all matters which shall come before such meeting. At any meeting all matters shall be decided by the affirmative vote of the majority of voting members present at such meeting, except those matters otherwise expressly regulated by another specific Section of these Bylaws. Voting by proxy is not allowed.

This Section may be amended or repealed only by a vote of a majority *present voting members of the Corporation, provided that a proposed amendment or repeal must be undertaken at a meeting held in accordance with these Bylaws. <*Amended 8/25/89>

Section 8 - Meeting Expense

To receive meeting expenses, the voting member must answer roll call at the meeting. <Amended 7/20/92, 8/3/94, 4/17/96, 9/11/18, 9/18/19>

ARTICLE III - SCHOOL BOARD

<Amended 9/18/19>

Section 1 – Board Member Selection

<Amended 9/18/19>

1. Voting Members: **/**No more than seven (7) members shall be chosen from the membership during the tribal elections for council representatives held according to the Rosebud Sioux Tribe Constitution and By-Laws. Members of the board shall possess minimum qualifications including having a good moral character, good standing in the general community, supported by a background check, and applicable experience and background in education. <*Amended 7/20/92 **9/25/65, ***10/8/02, 9/11/18, 9/18/19>

One of the **1***voting members **|* **shall be chosen *from/and by the Tribal Education Committee. <*Amended 8/2589, **11/1799, 8/1700, 12/17/01, 2/20/02>

*One member shall be an ex officio non-voting member chosen from the student body, with the board term running from September to May of each school year. *** <*Amended 2/7/96, **11/19/97, ***6/17/98, 9/11/18, 9/18/19>

*One member shall be an ex officio non-voting member chosen from all staff members ****according to the Employee Association By-Laws. This term will ***begin the current *****September of each school year. <*Amended 2/7/96, **11/16/97, 5/20/98, ***7//02, 8/21/02, 9/1118>

No Board member shall *make decisions regarding an immediate family member, if employed by the school. <*Amended 12/6/95, **7/20/92, ***9/24/97, ****10/29/03, 9/11/18>

The *Superintendent/CEO or ** Chief Educational Officer (CEO) of St. Francis Indian School shall serve as ex-officio members without voting power. <*Amended April 13, 1992, **Amended 11/19/97, ***2/28/02>

*Staff members who have a student or students enrolled at SFIS shall not be eligible for candidacy for the School Board according to Personnel Policies and Procedures. <*Personnel Policies and Procedures Amendment, 6/30/99, Amended 9/18/19>

2. Nonvoting Members: *The Board may appoint nonvoting representatives from each of the following: St. Francis Indian School Alumni, ** and other organizations as may be deemed appropriate. <*Amended 7/20/92, **2/7/96>

Section 2 - Powers

The activities, affairs, and property of the Board shall be managed, directed, controlled, and its powers exercised by, and vested in, the Board, except as otherwise provided by these Bylaws. <*Amended 4/13/92, 9/11/18>

Section 3 - Nomination of Candidates for the Board and Election Procedure

<*Amended 9/25/95, 9/11/18>

A candidate for the School Board shall comply with Rosebud Sioux Tribe Resolution 07-126.

The School Board election procedure shall comply with Rosebud Sioux Tribe Election Ordinance 86-10.

Section 4 - Tenure of Office

<**Amended 2/7/96>

The term of office shall be three (3) years, expiring in *September, and at that time the election procedure will take place to fill the next terms. The Board, however, shall devise a plan for staggered terms so that no more than three terms expire each year. ** <*Amended 12/6/95, 3/4/98, **2/7/96>

Section 5 - Recall of Directors

Any school board member absent and unexcused by the Board from three (3) consecutive Board meetings or more than fifty (50) percent of the Board meetings during any one year shall give up the position without further action. <*Amended 7/20/92, 9/18/19>

Section 6 - Vacancies

Subject to the provisions of the Bylaws with respect to filling vacancies *under this section, See Article III, Section 1 and 4 of By-laws. Any other vacancy on the Board shall be filled by vote of a majority of the remaining school board members. <*Amended 7/20/92, **2/22/02, 9/11/18>

Section 7 - Conflict of Interest

A school board member shall disqualify him/herself from any decision related to any financial dealings between the Corporation and him/herself or his/her immediate family. Immediate family includes; parents, spouse, children, siblings, spouse's siblings, grandchildren, aunts and uncles.

A school board member shall disqualify him/herself from any decision related to a personnel action involving his/her immediate family.

A school board member shall disqualify him/herself from any decision related to a disciplinary action involving his/her child who is a student at St. Francis Indian School.

A school board member shall disqualify him/herself from any decision related to a consideration of him/herself as an employee of the school*. <*Amended 11/19/97>

Any other conflict of interest situation may be raised by a school board member involving his/her status as a school board member and referred to the School Board for a decision.

* School board members that represent the staff members and students shall disqualify him/herself from any decision related to student disciplinary matters or any related matters involving students. <Amended 1/26/98>

For purposes of this Section, immediate family means mother, father, brother, sister, son, daughter, husband or wife. In a conflict of interest situation, any ruling shall be made by the School Board at a regular or special meeting.

Section 8 - Code of Ethics

*Each Sicangu Oyate Ho, Inc. Officer and each School Board Member shall:

1. Take part as representatives of parents and guardians in Board/Committee meetings, respect confidentiality and privacy of any person cited in Executive Session, and be disqualified from any decision-making in any conflict of interest cited in Article III, Section 7 of the By-Laws.
2. Support the enforcement of the School Board decisions on policy and procedures, or work with the Board for change in the best interest of parents and guardians', staff, students, and SOH Inc.

3. Exercise authority only when the School Board is in Session and/or when delegated by the School Board to represent it. He/she shall have no authority to act alone for the Board.

4. Conduct himself/herself in an orderly manner and in accordance with the goals found in the St. Francis Indian School Philosophy; as an elected and responsible official he/she shall respect all persons; take and honor the oath of office as a party legally bound to abide by the Code of Ethics.

5. In regard to the public:
 - a. Represent without bias Sicangu Oyate Ho, Inc., St. Francis Indian School, or similar organizations to which he/she belongs,
 - b. Take adequate precaution to separate his/her personal opinions from his/her school responsibilities,
 - c. Avoid distorting the facts on educational matters in direct or indirect public expressions*
 - d. Allow a colleague to use political and citizenship rights and institutional privileges if not for private gain or promotion of political candidates or partisan political activities,
 - e. Accept no gratuities, gifts, or favor that may impair their professional judgment, nor offer any favors, services, or thing of value for special advantage.

6. Agree to the Code: If under the influence of drugs or alcohol and threatening or disrupting any school function or threaten any employee, he/she shall be directed by the ***Chairman, **Superintendent/CEO or *Chief Educational Officer (CEO), or designee to leave the school premises, and that law officials will be called if needed. Persons other than Board members identified as being in the same situation as described will be subject to the same treatment. <*Amended 11/19/97, **2/2/02, ***9/18/19>

*It shall be the policy of the St. Francis Indian School Board that service on the School Board requires those holding positions to be alcohol and drug free.

No person shall attend any meeting of the School Board while under the influence of alcohol or drugs.

Any person convicted of any crime involving the use of alcohol or possession or distribution of drugs, whether the crime be a misdemeanor or felony, shall be cause for removal from the School Board or a disqualification from seeking any position on the School Board.

School Board members shall be subject to random drug testing in accordance with policy and procedure established by the School Board. ** The results of drug tests on **school board members, staff and employees shall be kept confidential. <*Amended on 9/29/03, **10/21/04>

7. School Board members shall attend all scheduled Board meetings where immediate/crucial decisions need to be made.
8. School Board members shall not use any school resources, including but not limited to money, equipment, property, credit cards, phones and automobiles.

**Also* Each Sicangu Oyate Ho, Inc. Officer and each Board Member will:

- a. View service on the SOH Inc. Board of Education as an opportunity to serve my community, tribe, state, and nation because I believe education is the best means to promote the welfare of our people and to preserve tribal self-governance.
- b. Work unremittingly to help the people in my community understand the importance of education and to support willingly the highest level of education we can afford.
- c. Make decisions in terms of the best interests of the educational welfare of children. I will seek to provide an educational opportunity equally open to all children regardless of ability, race, creed, sex} sexual orientation, or location of residence.
- d. Recognize that my responsibility is not to run the schools but to see that they are well run. I will confine my board action to policymaking, planning, and appraisal.
- e. I will refuse to represent special interests or partisan politics or to use the school for personal gain or for the gain of friends or supporters.
- f. Arrive at conclusions only after I have discussed matters full with members of the professional staff and board members. Once a decision has been reached by the majority of the board assembled at the meeting, I will support it graciously.
- g. Recognize that authority vests with the whole board assembled in meeting(s) and that I have no legal status to bind the board outside of a meeting.
- h. Support and protect school personnel in performance of their duties. I will vote only for competent and trained technical and professional personnel who have been properly recommended by the appropriate administrative officer.
- i. Refer all complaints, including my personal criticisms, to the appropriate administrative officer and only after failure of administrative solution will discuss such matters at a regular school board meeting.
- j. Observe and enforce tribal laws, applicable state and federal laws and regulations pertaining to education.
- k. Respect the limited intent and scope of executive session and respect privileged communications from executive sessions and other administrative sources.
- l. Fully commit to preventing child abuse, including, but not limited to, all forms of neglect and other physical, emotional, psychological and sexual abuse. I am

dedicated to providing the best and safest care for the children I serve, including employing and retaining only those persons suitable for regular contact with and/or control over children.

It shall be the policy that any board member against whom any specific allegation of child abuse is made shall be automatically suspended from the position requiring no contact with or control over children until the decision is made by appropriate official(s) that the allegation is unfounded. A general allegation that a board member is a child abuser/molester, with a specific current charge of abuse, shall be referred to Law Enforcement and Child Protection Services. This policy does not assume guilt on the part of the board member, but rather places safeguarding of children as its highest priority. BIAM, Supplement 4, 1.1, <* Amended 12/6/95, ** 8/7/00>

ARTICLE IV - MEETINGS OF SCHOOL BOARD

Section 1 - Annual Meeting

The annual meeting of the Corporation shall be held to conduct required business at a time and place set by the Board. <9/18/19>

Section 2 - Regular Meetings

The Board shall have at least *twelve (12) regular public meetings each year. The first such meeting will be that called after the annual meeting. Subsequent meetings shall be held at **monthly intervals during the school year at a time and place selected by the Board. <Amended 7/20/92, *3/27/96, **1/26/98, 9/18/19>

Section 3 - Special Meetings

Special meetings of the School Board may be called by the President *and/or majority of the School Board members, and it shall thereupon be the duty of the Secretary to cause such notice of meeting to be given as hereinafter provided. <*Amended 7/20/92>

The Chairman calling the meeting shall fix the time and place, unless these Bylaws or the Board by resolution otherwise provide. The purpose of the meeting shall be specified in the notice of the meeting. <Amended 9/18/19> {See also Article III, Sec. 2}

Section 4 - Notice of School Board Meetings

Written notice of the time, place and purpose of any special meeting of the School Board shall be delivered to each member not less than three (3) days previous

thereto, either personally or by mail, or electronically, or at direction of the Chairman.
<Amended 9/18/19)

If mailed, notice shall be deemed to be delivered when deposited in the United States Post Office Mail addressed to each member at his/her address as it appears on the records of Sicangu Oyate Ho, Inc., with postage thereon prepaid at least (3) days prior to the meeting.

Section 5 - Waiver of Notice

Attendance of a member at a meeting constitutes a waiver of the notice of the meeting except where a member attends a meeting for the express purpose of objecting to the transaction of business because the meeting is not lawfully called or convened.

Section 6 – Quorum

A majority of the School Board constitutes a quorum, provided that if less than a majority are present at said meeting, a majority present may adjourn the meeting from time to time, and provided further, that the Secretary shall notify absent Members of the time and place of such adjourned meeting. The act of the majority present at a meeting at which a quorum is present shall be the act of the School Board.

Section 7 – Organization

At each meeting of the School Board, the *Chairman of the Board shall act as *Chairman thereof, or in case of his/her absence, the Vice-*Chairman. The Secretary, or in case of his/her absence, the person whom the *Chairman of the meeting shall appoint as Secretary of the meeting shall act as such. <*Amended 7/20/, 9/18/19>

Section 8 - Voting

At ail meetings of the School Board, except as otherwise expressly required by these Bylaws, all matters shall be decided by vote of a majority present at the meeting*. <*Amended 7/20/92>

ARTICLE V – OFFICERS

Section 1 - Titles and Qualifications

Officers of the Corporation shall include a *Chairman of the Board, Vice-*Chairman, Secretary, and Treasurer, who shall be appointed by the Board or pursuant to delegation of power in accordance with the provisions hereof. Any person may hold any two or more

offices of the Corporation except those of *Chairman, Vice-*Chairman, and Secretary.
<*Amended 7/20/92, 9/18/19l>

Section 2 Time of Appointment and Term of Office

The *Chairman and Vice-*Chairman may be appointed at the first meeting of the Board, and all officers shall be elected annually thereafter by the School Board at its reorganization meeting. <Amended 9/18/19>

Each officer shall hold office until close of appointment of officers at the next meeting of the Board, **after the elections, except that each officer appointed at the *first meeting of the Board shall serve until close of appointment of officers at the **first meeting of the Board, **of the following year, and thereafter until his/her successor shall have been elected and shall qualify, or until death, resignation, or removal, <*Amended 7/20/92, 2/7/96>

Section 3 - Resignation

Any officer may resign any time by delivering written resignation to the *Chairman of the Board, or the Secretary. The acceptance of any such resignation, unless required by the terms thereof, shall not be necessary to make the same effective. <*Amended 7/20/92, 9/18/19>

Section 4 - Removal

Any officer may be removed for cause, by majority vote of all Board members present at a hearing. There shall be notice of a hearing given to the Officer by the Chairman no less than 10 calendar days from the hearing date. The notice must specify the purpose or purposes for removal including but not limited to a failure to comply with any provisions of the Articles, Bylaws, Rules, Regulations or Policies adopted by the Board. The Board shall appoint a Hearing Officer to conduct the hearing from within or outside the Board. <Amended 9/18/19>

Section 5 - Vacancies

Any vacancy in an office may be filled for the unexpired portion of the term by the Board. Candidates shall conform eligibility requirements in Article III – School Board, Section 1, subsection Voting Members. <Amended 9/18/19>

Section 6 - The *Chairman and Vice Chairman of the Board

The *Chairman of the Board shall preside at all meetings of the Board and the Corporation, and shall have such other powers and duties not inconsistent with these Bylaws as may be assigned to him/her from time to time by the Board. In the absence

of the *Chairman, the Vice-*Chairman will have these powers. <*Amended 7/2092, 9/18/19>

Section 7 - The Secretary

The Secretary shall perform in general all duties not inconsistent with the Bylaws, as are incidental to the office of Secretary, or as may be determined from time to time by the Board.

Section 8 - The Treasurer

The Treasurer shall to the extent delegated by the Board:

- a. Have the care of, receive, and give receipt for monies due and payable to the Corporation.
- b. Deposit all monies received by him/her in the name of the Corporation in such banks, trust companies, or other depositories as from time to time may be designated by the Board.
- c. Have charge of the disbursement of the monies of the Corporation in accordance with the directions of the Board.
- d. Enter or cause to be entered regularly in the books to be kept by him/her under his/her direction for that purpose a complete and correct account of all monies received and disbursed by him/her for the accounts of the Corporation.
- e. Render a statement of his/her accounts to the Board at such times as may be requested.
- f. Exhibit the books of the accounts of the Corporation and all other securities, vouchers, papers and documents of the Corporation in his/her custody to any member or designee of the Board upon request.
- g. In general, have such other powers and perform such other duties, not inconsistent with the Bylaws, as are incidental to the office of the Treasurer, or as may be determined from time to time by the Board.

Section 9 - Bonds of Officers

The Treasurer and any other officer or agent of Sicangu Oyate Ho, Inc., charged with responsibility for custody of its funds or property, shall give firm bond in such sum and with such surety as the Board shall determine. The Board, in its discretion, may also require any other officer, agent, or employee of Sicangu Oyate Ho, Inc., to give bond in such amount and with such surety as it shall determine.

Section 10 - Annual Reports

The Board shall present at each annual meeting of members of the Corporation an annual report of the Corporation*s activities during the preceding fiscal year and such

reports required by all applicable statutes. Such report shall include a detailed breakdown of service costs incurred by the Corporation during the preceding fiscal year, as well as current fiscal year as of June 30. Service costs are defined as those costs which would not have been incurred by the Corporation but for its desire to benefit students of St. Francis Indian School.

Section 11 - **/**/** Superintendent/CEO or * *Chief Educational Officer

<*Amended 8/17/90, **11/19/97, ***2/28/02, ****7/1/02>

A **/**/** Superintendent/CEO or * *Chief Educational Officer (CEO) of schools shall be hired by the Board to serve under an employment contract issued for a term to be determined by the Board ****(but the term of the contract shall not be for more than three years), and whose function shall be to:

1. Serve as ex-officio member of the Board and its Committees as their chief school administrator on a day-to-day basis.
2. Administer school and school-related programs in accordance with Board policies and procedures for fiscal, personnel, program, and due process management.
3. Make final administrative recommendations to the Board on behalf of the school and school-related programs.
4. Supervise the Principals and other Administrative Staff. <Amended 9/18/19>
5. Perform administrative duties that may be required under, tribal, applicable state and federal law.

Section 13 Business Manager

<*Amended 11/19/97, **2/28/02>

A Business Manager shall be hired by the **Superintendent/CEO or *Chief Educational Officer (CEO) of schools with final approval by the Board to serve under an employment contract issued annually at the same time as other staff members of the school, whose function shall be to:

1. Enforce the fiscal management policies and procedures under supervision of the * *Superintendent/CEO or *Chief Educational Officer (CEO).
2. Take administrative action on budgets, ordering, and expenditures before they go to the **Superintendent/CEO or *Chief Educational Officer (CEO) for sign-off.
3. Advise the **Superintendent/CEO or *Chief Educational Officer (CEO) in the area of fiscal management.
4. Perform school business manager duties that may be required by tribal, applicable state and federal law.

Section 14 Principal

<*Amended 11/19/97, **2/2/02>

A Principal for a certain block of grades, usually secondary and elementary, will be hired by the **Superintendent/CEO or *Chief Educational Officer (CEO) of schools with final approval of the Board, whose function shall be to:

- 1 Administer certain grade levels under supervision of the * *Superintendent/CEO or *chief educational officer (CEO) and in accordance with Board policies and procedures on fiscal, personnel, program, and due process management.
- 2 Enforce the Student Handbook or other appropriate manuals for student behavior.
- 3 Advise the * *Superintendent/CEO or *chief educational officer (CEO) on recommendations to be made to Board.
- 4 Perform principal duties that may be required by tribal, state, and federal law.

ARTICLE VI - BOARD AND COMMITTEES

Section 1 - The Board

<*/**Amended 11/19/97, **2/28/02, ***7/1/02>

The Board shall also serve as the Board of Education for St. Francis Indian School, and as such its functions shall be to:

1. Take final action on budgets and expenditures presented by the **Superintendent/CEO or *Chief Educational Officer (CEO), employment dismissal of personnel presented by him/her, school or school-related programs and projects as recommended by him/her and due process hearings for staff, students, and parents.
2. Take final action on policies and procedures in respect to fiscal personnel, program, and due process management, final action on any other policy or procedure within its jurisdiction, any action that may be required of a board of education under tribal, state, and federal law.
3. Possess no authority as an individual Board member except when in session with the Board and when delegated by the Board to represent it.
4. Abide by a Code of Ethics for Board members.
- **5. The Staff Representative and Student Body Representative are ex officio non-voting members as stipulated in Article III – School Board, Section 1 – Board Member Selection, Subsection 1 – Voting members. The Staff Representative and Student Body Representative will not participate in Executive Sessions ***unless invited by the Board by majority vote. Confidential matters shall be withheld from the Staff Representative and Student Body Representative.

Section 2 - Other Committees

*In regard to the areas of the Personnel, and Evaluation Committees, all Board members **with exception of the Staff Representative and Student Body Representative, shall be required to serve on each Committee and meet only as necessary. **The Staff Representative and Student Body Representative shall not be seated on committees. The Grievance Committee shall be a committee of at least two members. The Finance Committee is to use the Consent method of approval, <*Amended December 6, 1995 and * *Amended November 19, 1997>*Reserving power to veto, the Board shall delegate monitoring to the following committees, provided the committees report activities to Board:

1. The function of the Grievance Committee shall be to: (a) monitor student, employee, and parent due process, (b) hold any hearings required by law to insure due process, (c) clarify policy and procedure to the Administration in due process, and (d) recommend to the Board changes in policies and procedure in due process.

From time to time the Board may want to meet as a Committee in areas of finance, personnel, and evaluation (programs) between regular meetings of the Board. These Committees shall be delegated monitoring:

1. The function of the Finance Committee shall be to: (a) monitor budget reports and expenditures, (b) hold hearings as required for programs or project approval, (c) clarify policy and procedure to the Administration in fiscal management, and (d) recommend to the Board changes in policies and procedure in fiscal management.
2. The function of the Personnel Committee shall be to: (a) monitor personnel contracts, (b) clarify policy and procedure to the Administration in personnel management, and (c) recommend to the Board changes in policies and procedures in personnel management.
3. The function of the Evaluation Committee shall be to: (a) monitor the operation of school and school-related programs, (b) make on-site visits to review programs, (c) clarify policy and procedure to the Administration in program management, and (d) recommend to the Board changes in policies and procedure in program management.
4. Parent Action Committee (PAC) consisting of parents or *legal guardians, staff, students, and other interested persons may volunteer to assemble for the purpose of establishing a pathway for involvement of the Community in Indian education. Some areas for involvement are: determining the philosophy of education for the community, solving behavior problems, attaining sound legislation, raising standards of education. The PAC will interact with the Superintendent/CEO.

<Amended 7/20/92, 9/18/19>

The Parent Action Committee could develop a set of goals as well as guidelines to be used in any area of education reviewed. The goals and guidelines could be

provided to the Superintendent for consideration by the School Board at their Annual Meeting. The degree of volunteer involvement by the Parent Action Committee should be determined by the Superintendent/CEO in conjunction with the Board and should be detailed in writing and clarified as the program progresses. <Amended 9/18/19>

The Parent Action Committee shall inform the public of any meetings and shall disseminate minutes to the Superintendent/CEO. The Parent Action Committee could utilize the Warrior Newsletter and any other forms of communication for such announcements as approved by the Board. <*Amended 4/1/92, 9/18/91>

ARTICLE VII - DEPOSITS, CHECKS, LOANS, CONTRACTS, ETC.

Section 1 - Deposit of Funds

All funds of the Corporation not otherwise employed shall be deposited in such banks, trust companies, or other reliable depositories as the Board from time to time may determine.

Section 2 - Checks Etc.

All checks, drafts, endorsements, notes and evidence of indebtedness of the Corporation shall be signed by such officer or officers or agent or agents of the Corporation, and in such manner as the Board from time to time may determine. Endorsement for deposits to the credit of the corporation shall be made in such manner as the Board from time to time may determine.

Section 3 - Loans

No loans or advances shall be contracted on behalf of the Corporation and no note or other evidence of indebtedness shall be issued in its name, unless and except as authorized by the Board, and in accordance with provisions of Article VII, Section 2 - Executive Committee. Any such authorization may be general or confined to specific instances, and may include authorization to pledge as security for loans or advances so authorized, any and all securities and other personal property at any time held by the Corporation,

Section 4 — Contracts

Any officer authorized by the Board may, in the name and on behalf of the Corporation enter into contracts or execute and deliver those instruments that are authorized by the Board. Any authorization may be general or confined to specific instances.

Without such authorization of the Board, no officer or other agent of the Corporation may enter into any contract or execute and deliver any instrument in the name and on behalf of the Corporation.

ARTICLE VIII COMPENSATION AND CONTRACTS WITH SCHOOL BOARD MEMBERS

Section 1 - Compensation of School Board Members

<Amended 9/18/19>

Board Members shall serve as such without salary. The Board may authorize payment of reasonable expenses incurred by voting Members in the performance of their duties. Non-voting members will receive payment for specific reasonable expenses incurred, such as mileage to meetings or mileage, hotel and meals for any Board Retreats where they are invited by action of the Board.

The Board shall fix compensation of Board members or other agents of the Corporation.

No Member or officer may receive, directly or indirectly, any salary from the Corporation.

This Section shall may be amended or repealed only by vote of a majority present voting members of the Corporation, said approver to be obtained at a meeting of the members. <Amended 8/25/89>

Section 2 - Contracts with School Board Members

No School Board Member shall be interested, directly or indirectly, in any transaction relating to the operations conducted by the School, nor in any contract transaction relating to the furnishing of services or supplies to the School unless:

1. Each such transaction shall be authorized by a majority at a meeting at which the presence of such Member is not necessary for such authorization, and
2. Any potential conflict of interest issue be addressed according to Article III – School Board, Section 7 and Section 8

ARTICLE IX INDEMNIFICATION OF MEMBERS AND OFFICERS

<Amended 9/18/19>

Section 1 - Indemnification

Any person (and his/her heirs, executors, and administrators) made or threatened to be made a party to any action, suit, or proceeding by reason of the fact that he/she is or was a Director or Officer of the Corporation, shall be indemnified by the Corporation against any and all liability and the reasonable expenses, including attorney fees and disbursements, incurred by him/her (or his/her heirs, executors, and administrators) in connection with the defense or settlement of such action, suit or proceeding, or in connection with any appearance therein, except in relation to matters as to which it shall be adjudged in such action, suit, or proceeding that such Director is liable for negligence or misconduct in the performance of his/her duties. Such right of indemnification shall not be deemed exclusive of any other rights to which said Director or Officer (or such heirs, executors and administrators) may be entitled apart from this Article.

ARTICLE X - AMENDMENT OF BYLAWS

Except as otherwise provided in the By-Laws, they may be amended or repealed, and a new By-Law or By-Laws * be enacted by two-thirds (2/3) of the members of the Board present at any meeting of the Board; the notice or waiver of notice which shall have specified or summarized the changes proposed to be made.
<*Amended July 20, 1992>

ARTICLE XI - SEAL

The Corporate seal of Sicangu Oyate Ho, Inc., shall be one which is designed by a member, and is approved by a majority of its members.

ARTICLE - MISCELLANEOUS

Section 1 - Fiscal Year

The fiscal year shall be July 1 of each year to June 30 of the following year.
<*Amended 2/19/92>

Section 2 Conduct of Meeting

The conduct of all meetings shall be according to Roberts' Rules of Order to the extent that said Rules are consistent with the laws of the Rosebud Sioux Tribe and said Rules shall be the final authority.

Section 3 - Oath of Office

<*Amended 7/1/02>

According to the code of ethics as cited in Article III, Section 8, Item 4, page 9, new Board members and Sicangu Oyate Ho, Inc. officers (Executive Assistant, Superintendent/CEO or Chief Educational Officer, Business Manager, and Principals) shall take an oath of office before assuming their duties, as follows (chairman/person reads the oath of office):

"Do you (name) do hereby solemnly swear that you will support and defend all Treaties and Constitutions of the Rosebud Sioux Tribe ca against all enemies; carry out faithfully and impartially the duties of a board member; cooperate, promote and protect the best interests of parents, employees and students of St. Francis Indian School; vote according to your conscience, and hold in trust, confidential matters, in accordance with the By-laws of Sicangu Oyate Ho, Inc." (Person says, "t do.") <Amended 9/18/19>

Certified

Chairman, Sicangu Oyate Ho Inc.

Date