



RESOLUTION NO. 015-213-LKH

**RESOLUTION OF THE GOVERNING BODY  
OF THE THREE AFFILIATED TRIBES  
OF THE FORT BERTHOLD INDIAN RESERVATION**

**A Resolution entitled, “*Authorization and Directive for the MHA Education Department and Fort Berthold District Court to Enforce for the Current Educational Truancy Law of the Three Affiliated Tribes*”**

**WHEREAS,** This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-laws under said Act; and

**WHEREAS,** pursuant to Article III, Section 1 of the Constitution and By Laws of the Three Affiliated Tribes, the Tribal Business Council is the governing body of the Tribes; and

**WHEREAS,** The Constitution of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the tribes and of the enrolled members thereof; and

**WHEREAS,** Pursuant to Article VI, Section 5 (l) of said Constitution, the Tribal Business Council has the power to adopt resolutions regulating the procedures of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and

**WHEREAS,** Article VI, Section 5 (d) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to negotiate with Federal, State and local governments on behalf of the Tribe and to advise and consult with representatives of the Interior Department on all activities that may affect the Fort Berthold Reservation; and

**WHEREAS,** The Three Affiliated Tribes’ Tribal Business Council and the MHA Education Department recognize all public and grant schools on the Fort Berthold Indian Reservation and their own respective handbook policies and procedures as they pertain to student attendance; and

**WHEREAS,** The Three Affiliated Tribes and the MHA Education Department are aware that each school’s student attendance policy contains a 10 day limit/rule for absences per semester; and

**WHEREAS,** The Three Affiliated Tribes recognizes a need to ensure and provide the necessary prevention-intervention and support services to students, parents, and guardians; and



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**WHEREAS,** The Three Affiliated Tribes established the MHA Nation Education Department to provide oversight and assess the educational needs of Fort Berthold; and

**WHEREAS,** The Three Affiliated Tribes Criminal Code contains a law for failure to send child to school; Section.1000.9; and

**WHEREAS,** The MHA Nation Education Department has identified a deficiency in the enforcement of the current tribal law pertaining to failure to send children to school; and

**WHEREAS,** The MHA Nation Education Department has developed a Truancy Enforcement Plan encompassing the 10-day attendance rule utilized by all 5 schools, identifying a stepped process for each phase of prevention, intervention, and enforcement of said rule; and

**WHEREAS,** The MHA Education Department along with all 5 of the Fort Berthold Schools are requesting enforcement of the Tribal Code "Failure to Send Children to School Code" not exceeding the current minimum and maximum allowable penalties already contained in the code and proposes as follows; and

**NOW THEREFORE BE IT RESOLVED,** that the MHA Education Department recommends enforcement of Tribal code Section 1000.9 failure to send child to school by the Fort Berthold District Court and the MHA Education Department.

**NOW THEREFORE LET IT BE RESOLVED,** that the Three Affiliated Tribes Tribal Business Council adopts the Truancy Prevention-Intervention Plan submitted and referenced in this resolution and attached hereto; and

**(SIGNATURE PAGE TO FOLLOW)**



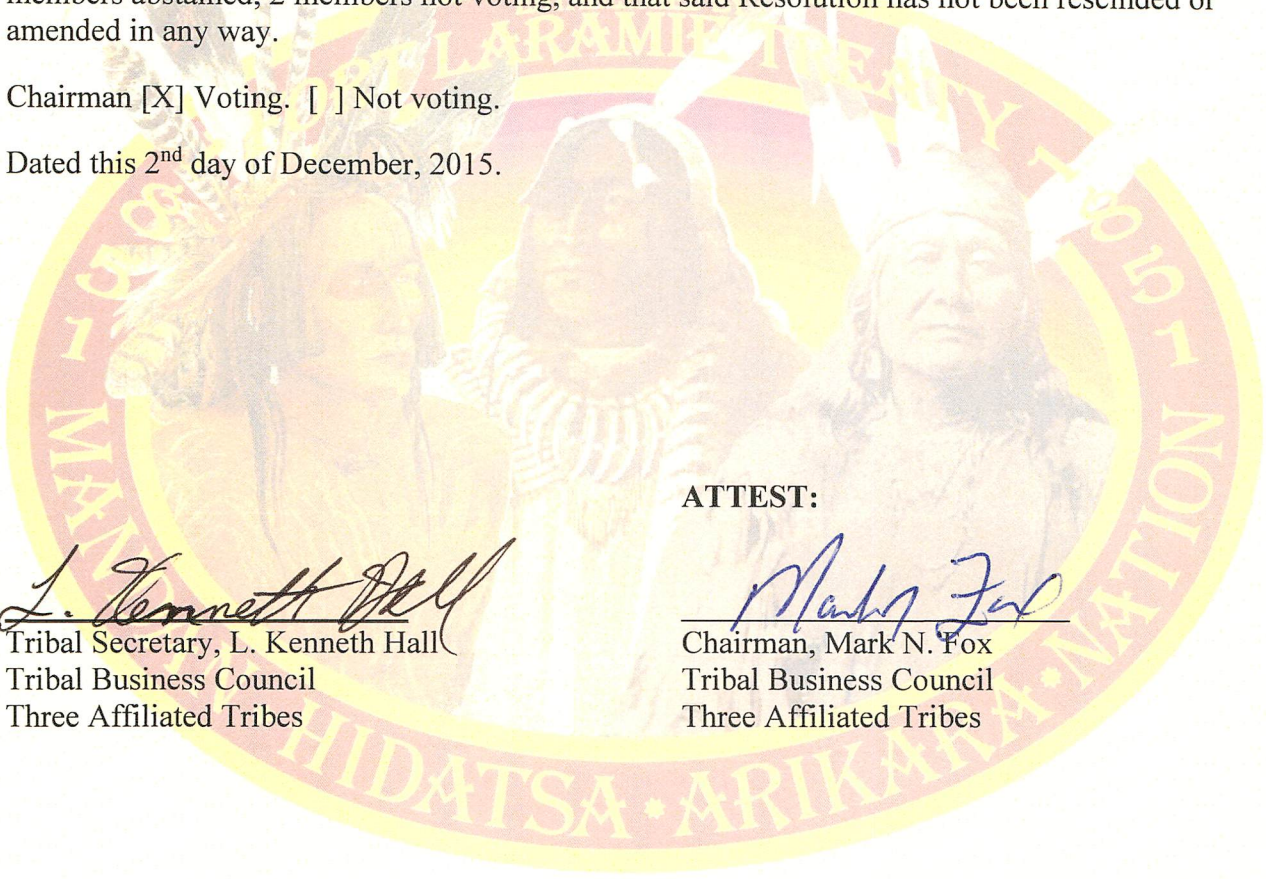
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**CERTIFICATION**

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 7 were present at a Special Meeting thereof duly called, noticed, convened, and held on the 2<sup>nd</sup> of December, 2015; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 2 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman  Voting.  Not voting.

Dated this 2<sup>nd</sup> day of December, 2015.

  
L. Kenneth Hall  
Tribal Secretary, L. Kenneth Hall  
Tribal Business Council  
Three Affiliated Tribes

**ATTEST:**

Mark N. Fox  
Chairman, Mark N. Fox  
Tribal Business Council  
Three Affiliated Tribes