



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

A Resolution entitled: *“Approval of Certain Waivers pursuant to 25 CFR § 1.2 with regard to Education Program Regulations at 25 CFR Subchapter E - Education.”*

- 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 pursuant to said Act; and
- WHEREAS,** The Constitution of the Three Affiliated Tribes, also known as the Mandan, Hidatsa, and Arikara Nation (“Tribe” or “MHA Nation”), generally 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,** Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribe; and
- WHEREAS,** Article VI, Section 5 (l) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies; and
- WHEREAS,** Article VI, Section 5(d) provides that the Tribe has the authority to negotiate with Federal, State, and local governments, and to advise and consult with the representatives of the Interior Department on all activities of that Department that may affect the Fort Berthold Reservation; and
- WHEREAS,** The Tribal Business Council has a vested interest in the education of its children, which is a top priority, and seeks to promote the educational development of the children of the Tribes through available means; and
- WHEREAS,** The Tribal Business Council is also concerned about the health and safety of the children of the Fort Berthold Reservation, including through this COVID pandemic which continues to persist; and
- WHEREAS,** Mandaree Day School has come forward to request approval of certain waivers pursuant to U.S. Code of Federal Regulations (CFR) section 1.2 with regard to Subchapter E – Education Regulations because the ongoing COVID-19 pandemic has rendered traditional educational methods impracticable or potentially injurious to the health and safety of students, families, and educators; and
- WHEREAS,** The waivers requested are in the following areas: transportation, instructional hours, instructional programs, field trip, intramural programs (limited), K-12 programs (might be impacted), student activities, promotion, accreditation (might be impacted), and other (hard to fill positions are unfilled);



WHEREAS, The Tribal Business Council has considered the matter, and the means by which the children will continue to be educated, and believes that approving the aforementioned waivers is in the best interests of the students, families, and educators at Mandaree Day School.

NOW, THEREFORE, BE IT RESOLVED that the Tribal Business Council of the Three Affiliated Tribes hereby approves waivers pursuant to 25 CFR section 1.2 with regard to the 25 CFR Subchapter E – Education regulatory requirements as indicated above on behalf of Mandaree Day School for the fall of School Year 2020-2021 as part of the Tribe’s efforts to ensure that a quality education will be provided for the students served at our schools during the COVID-19 pandemic.

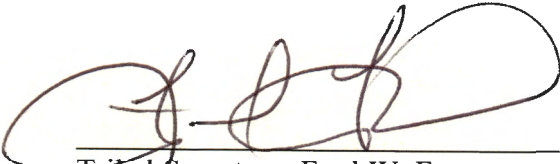
CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 8th day of October, 2020, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

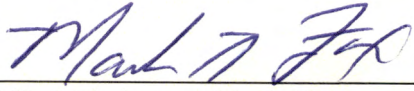
Chairman [X] Voting. [] Not Voting.

Dated this 8th day of October, 2020.

ATTEST:



Tribal Secretary, Fred W. Fox
Tribal Business Council



Tribal Chairman, Mark N. Fox
Tribal Business Council