

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

- WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and
- WHEREAS, The Constitution of the Three Affiliated Tribes 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, The Three Affiliated Tribes Business Council has the power pursuant to Title I, Pub. Law 81-874, to ensure that the local Education Agencies (LEA's) on the Fort Berthold Indian Reservation conform to the purpose and intent of the above-referenced law;
- WHEREAS, A group of concerned Indian parents have petitioned the Tribal Business Council for the right to be designated its enforcement agent, so that a particular LEA, the New Town School District #1, conforms to the law embodied in both statute and regulations regarding both the policies and procedures relating to the utilization of Pub. Law 81-874 monies on the Fort Berthold Reservation;
- WHEREAS, The regulations set forth in 34 C.F.R., Part 223 provides that the powers of the designated agent include ensuring that the LEA's conform to the following regulations set forth at 34 C.F.R. Section 223.10: (1) that parents have an opportunity to comment on the participation of Indian children on an equal basis with all other children educated by LEA; (2) that parents may make recommendations regarding programmatic changes in the LEA's Educational Program to meet the needs of the Indian children served by LEA; (4) that the parents are to be actively consulted and involved in the planning and development of the Education Program of the LEA; (5) that the parents are to be afforded the opportunity to present their overall views on the LEA's Educational Program and its operation;
- WHEREAS, The provisional Pub. Law 874 board shall meet regularly with the school board and its administrators;
- WHEREAS, The Three Affiliated Tribes Business Council believes that it is imperative that its designated agent participate now in the formulation of the LEA's Educational plan and program as they affect Indian students attending the New Town School District #1;

WHEREAS, The Three Affiliated Tribes Business Council has been informed that by September 1, 1986, the designated agent, as described below, shall present to the Tribal Business Council, for its approval, a Constitution and Bylaws that conforms to both governing federal and tribal law for the implementation of the above described responsibilities;

WHEREAS, The Three Affiliated Tribes Business Council believes that it is important for its designated agent to have the clear authorization necessary to allow it to exercise its responsibilities vested in it by federal and tribal law regarding the utilization by the Local Education Agencies of Pub. Law 874 funds on the Fort Berthold Reservation;

NOW THEREFORE, BE IT RESOLVED, that the Three Affiliated Tribes Business Council hereby empowers its designated agent - composed of the following individuals: Darryl Hall, Elgin Crows Breast, Terry Red Fox, Buddine Stewart, Lorraine Mutchler, Florence Brady, Wilbur Spotted Wolf, Renetta Smith and Gilma Conko - to enforce the provisions of law described above. However, this power, granted to the designated agent is to lapse on September 1, 1986 and be replaced by a constitutionally authorized body such as may be approved by the Three Affiliated Tribes Business Council.

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 11 members of whom 7 constitutes a quorum, 11 were present at a REGULAR Meeting therefore duly called, noticed, convened, and held on the 13 day of MARCH, 1986; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 10 members, 0 members opposed, 0 members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 13th day of March, 1986.

Jah Margo
Secretary, Tribal Business Council

ATTEST:

Colye A. ...
Chairman, Tribal Business Council