

**Resolution #90-175-TL**

**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,** Public Law 100-297, Title V, Part 8, Section 5203, Items No. 3 and 4 state that Congress "... declares that a major goal of the United State is to provide the resources, processes, and structures which will enable tribes and local communities to effect the quantity and quality of educational services ..." and "... affirms the reality of the special and unique educational needs of Indian people ... These may be met through a grant process."; and
- WHEREAS,** Public Law 100-297, Title V, Part A & B provides for grants for the operation and administration of tribally controlled schools by tribal organizations in a manner which provides for greater self-determination, true local control, more realistic, financial conditions without diminution of federal responsibility; and
- WHEREAS,** Public Law 93-638, As Amended, provides for contracting of non-education related Bureau of Indian Affairs functions; and
- WHEREAS,** Under the Three Affiliated Tribes Tribal Business Council's Resolution #89-94-TL authorization was given to the Mandaree Public School Board (and the other Reservation School Boards) to apply for an individual grant for school operations as provided in P.L. 100-297, and also under that Resolution and a subsequent May 22, 1989 Tribal Education Committee Meeting the Reservation Schools were to allocate an agreed upon portion of their grant administration funds to the Tribal Education Department; and

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**WHEREAS,** Grant authority at the Mandaree School included academic operations as well as other supplemental educational funding including Alcohol/Substance Abuse, Chapter I, Special Education (P.L. 94-142), food service, and transportation; and

**WHEREAS,** At this time the Bureau of Indian Affairs Fort Berthold Agency retains the Plant Management functions and responsibilities at the Mandaree School (approximately \$251,400 total with 80%/\$201,400 for educational and educational related facilities and 20%/\$50,000 for non-educational facilities), with the Area and Central Offices maintaining the School on the "Facilities Improvement & Repair (FIR) List"; and

**WHEREAS,** The Mandaree School Board has determined that it is in the best interests of the School District and its operations that it also assumes the Bureau of Indian Affairs Mandaree Plant Management education and education-related facilities functions and responsibilities under the grant option of P.L. 100-297, and the Plant Management non-education related facilities under a P.L. 93-638 contract; and

**NOW, THEREFORE, BE IT RESOLVED,** that the Tribal Business Council of the Three Affiliated Tribes hereby authorizes the Mandaree Public School Board to make application to the Bureau of Indian Affairs to contract the Mandaree Plant Management non-education related facilities functions and responsibilities under Public Law 93-638, and to make application for the education and education-related Plant Management facilities functions and responsibilities to operate on a grant basis as allowed under P.L. 100-297, with this authorization being subject to the following:

1. Should the Mandaree School Board wish to make application to the BIA for any remaining education/education-related functions or facilities to operate on a grant basis or for non-education related functions or facilities to operate on a 638 Contract basis, it must first seek review and authorization from the Tribal Business Council of the Three Affiliated Tribes.
2. The Mandaree School Board, with respect to the existing operating grant, the proposed new Plant Management grant for the education and education-related facilities, and the BIA Contract for non-education related facilities, shall comply with all of the Financial Obligations and Reporting Requirements listed

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(Item 2 Continued)

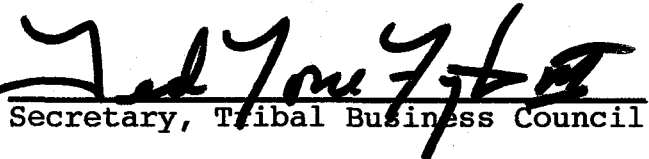
in the authorizing Resolution #89-94-TL, which includes payment of the current 1990 Tribal Education Department Billing of \$12,863.

BE IT FURTHER RESOLVED, that the Bureau of Indian Affairs shall maintain the Mandaree School's position on its Facilities Improvement & Repair(FIR) List and that it will continue to reduce the backlog of schools that have accumulated on that list.

C E R T I F I C A T I O N

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, 5 were present at a Special Meeting thereof duly called, noticed, convened, and held on the 13th day of August, 1990; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated the 13th day of August, 1990.

  
Secretary, Tribal Business Council

**ATTEST:**  
  
Chairman, Tribal Business Council