

SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY EDUCATION BOARD BY-LAWS

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ARTICLE I: NAME and AUTHORITY

The name of this body shall be the Salt River Pima-Maricopa Indian Community (SRPMIC) Education Board. The Board derives its authority from the Salt River Ordinance 258-2000, as amended, issued by Salt River Pima-Maricopa Indian Community Council.

ARTICLE II: PURPOSE

The purpose of the SRPMIC Education Board shall be to conduct the general business of the Education Division with all of its institutions and programs.

ARTICLE III: MEMBERS

Section A. APPOINTMENT. The SRPMIC Education Board shall consist of nine voting members appointed by Council and Superintendent/Director of Education, who shall sit as an ex-officio non-voting member.

Section B. QUALIFICATIONS. The qualifications of the members are set by the Ordinance.

1. Members shall serve until the expiration of his/her term or until replaced by Council.
2. Board members shall serve staggered terms for three years each or until removed by SRP-MIC Council.
3. Board members must be able to pass fingerprint and background check.

Section C. REMOVAL

1. A member of the Education Board can be removed and replaced only by Council.
2. A majority of the Education Board members can vote to seek Council action to remove a Board member.

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3. The Board may recommend Council action to remove a member for cause such as, but not limited to, excessive absences, breach of fiduciary responsibility, malfeasance, misfeasance, criminal activity, failure to pass a criminal background check, material noncompliance with Section III E below, nepotism or improper preferential treatment.

Section D. COMPLAINT. A complaint of violation of Board Code of Ethics can be filed against an individual Board member. Such complaint must be filed in writing by the complainant and submitted to the Board Chairperson or through the Board Secretary to the Board Chairperson. The Board will establish the procedure for handling the complaint. The Education Board’s decision will be final. All requests for removal of a Board member must originate with the Education Board who will submit such a request to the Community Council.

Section E. ETHICS AND CONFLICT OF INTEREST

1. Conflict of Interest. Board members having a direct or indirect pecuniary or personal interest in any matter and are present at a Board meeting in which the matter is the subject of consideration, shall;
 - a. As soon as practicable after the commencement of the meeting disclose the interest and the general nature thereof,
 - b. Withdraw from his/her place as a member and
 - i. In the case of a closed meeting, leave the room for the duration of the consideration of the matter, and
 - ii. In the case of a meeting that is open to the public, leave the room for the duration of the consideration of the matter
 - c. Refrain from taking any part in the consideration or discussion of the matter and from voting on any question relating to the matter, and
 - d. Refrain from attempting in any way, whether before, during or after the meeting, to influence the decision of the Education Board with respect to the matter.
2. Ethics. In addition to the specific conflict provision above, Board members are required to comply with the Salt River Pima-Maricopa Indian Community Education Board Ethics Code duly adopted by the Board and as it may be duly amended.

Section F. ATTENDANCE. Education Board members shall attend all duly noticed meetings. The staff secretary will keep a record of attendance of all members. Notification of absence shall be communicated to the secretary, Superintendent/Director and/or Chairperson prior to the meeting so the absence can be recorded as excused. If the absent member provides no excuse the Chairperson shall direct the minutes to reflect the member as absent.

Acceptable excused absences will consist of:

1. Death in the family
2. Illness
3. Medical family emergency
4. Unforeseen circumstances and acts of nature
5. Travel
6. Cultural related activities

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If a member fails to attend three consecutive meetings without an acceptable excuse, the Education Board shall consider recommendation of removal to the Community Council.

ARTICLE IV: OFFICERS, DUTIES AND TERMS OF OFFICE

Section A. OFFICERS. The officers of the Education Board shall be a Chairperson, Vice-Chairperson and Secretary elected annually by a simple majority of the Board for one year terms.

Section B. ELECTION OF OFFICERS. The Board may elect or appoint such other officers of the Board as it shall deem desirable at any meeting of the Education Board.

Section C. DUTIES. The duties and authority of each officer’s position shall be prescribed by the Education Board from time to time.

1. Chairperson shall serve as a member of the Adjudication Committee.

Section D. EXECUTIVE COMMITTEE. The officers of the Education Board, listed in Section A, shall compose an Executive Committee.

Section E. REMOVAL OF OFFICERS. The Board may remove an officer, either with or without cause, at any duly noticed meeting at which a quorum is present and a majority vote for removal is obtained.

ARTICLE V: MEETINGS

Section A. DEFINITIONS

1. A legal action means a collective decision, commitment or promise made by a majority of the members of the Education Board pursuant to the SRP-MIC Ordinance and Education By-laws.
2. A meeting is defined as a gathering of a quorum of members of the Education Board.

Section B. REGULAR MEETINGS. Regular meetings of the Education Board are to be held at such time and place as determined by the Education Board.

Section C. WORK SESSIONS & SPECIAL MEETINGS. These meetings may be held whenever and wherever determined by the Chairperson of the Board or by the number of Board members required to constitute a quorum.

Section D. NOTICE. Notice of meetings shall be publicly posted in such locations as determined by the Board not less than 24 hours prior to the holding of any meetings by the staff secretary of the Education Board. Such notice shall be a written notice or agenda, setting forth the time, place and items for consideration and approval by the Education Board.

Section E. PUBLIC MEETINGS

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1. All meetings of the Education Board shall be a public meeting and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings unless the Board membership constituting a quorum publicly votes to hold an executive session for any of the following reasons:
 - a. Personnel matters involving a specific individual
 - b. Confidential records
 - c. Legal advice provided by General Counsel
 - d. Discussion of pending or contemplated litigation with the General Counsel
 - e. Instruction of designated representatives concerning negotiations with employee organizations

2. No executive session may be held for the purpose of taking any legal action involving a final vote or decision.

Section F. COMPENSATION. Board members shall receive a stipend for attendance at every duly noticed regular meeting, special meeting, work session, etc. The stipend amount will be determined by the Education Board. Education Board Members shall not receive a stipend when arriving fifteen minutes, or more, late to duly noticed *regular* meetings. When an Education Board Member is fifteen minutes, or more, late they are welcome to attend and participate in the meeting. Education Board members shall attend all duly noticed meetings.

ARTICLE VI: ACTIONS BY THE BOARD

Section A. QUORUM. A quorum of the Education Board consists of a simple majority of the current voting membership. If no quorum is present, no transactions or business shall be conducted.

Section B. TIME LIMIT. If no quorum of the Board is present fifteen (15) minutes after the time noticed for the commencement of the meeting, the staff secretary shall record the names of those present. The members will then disperse and no notes shall be kept except the names of those members present.

Section C. LOSS OF QUORUM. If a quorum ceases to be present during the course of a meeting, the meeting shall immediately terminate as shall the taking of minutes.

Section D. MINUTES AND RECORDS. All Education Board meetings, except for standing or temporary subcommittees of the Board, shall provide for the taking of written minutes or a recording of all their session including executive sessions. For meetings other than executive session, such minutes or recording shall include but not limited to:

1. The date, time and place of the meeting.
2. The members of the Education Board recorded as either present or absent.
3. A general description of the matters considered.
4. An accurate description of all legal actions proposed, discussed or taken and the names of members who propose each motion. The minutes shall also include the names of the persons, as given, making statements or presenting material to the

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Education Board and a reference to the legal action about which they made statements or presented material.

- Minutes of an executive session shall only include paragraphs 1, 2 and 3 above and such other matter as may be deemed appropriate by the Education Board

Section E. The actions done and decisions made by a majority of the Education Board members present at a duly noticed meeting held at which a quorum is present are the actions and decisions of the Education Board.

ARTICLE VII: COMMITTEES

Section A. STANDING COMMITTEES. The Education Board may appoint Board Standing Committees by vote of the majority of its members at a duly noticed meeting at which a quorum is present. Not less than two Board members need to serve on each Board Standing Committee with each member serving at the pleasure of the Board.

Section B. DELEGATION OF AUTHORITY. The Education Board may delegate to any Board Committee any of the authority of the Education Board.

Section C. PERMANENT COMMITTEE. The only permanent committee of the Board is the Executive Committee which is composed of the Officers of the Education Board and the Superintendent/Director.

Section D. AD HOC SUPERINTENDENT/DIRECTOR EVALUATION COMMITTEE. The Education Board shall evaluate the Superintendent at least once each school year. The evaluation(s) shall relate to the Superintendent's duties, responsibilities, and progress toward established goals. The Education Board shall complete the evaluation no later than December 31. The Education Board will adhere to applicable policies.

ARTICLE VIII: BY-LAWS

By-laws may be adopted, suspended and amended, in whole or in part, upon a written recommendation of a member of the Board submitted at a regular meeting of the Board and accepted by a majority of the members. Approval of the Community Council is not required for these actions involving the by-laws.

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