

FOND DU LAC ORDINANCE #03/93, as amended

CHARTER AND BYLAWS OF THE
FOND DU LAC HEAD START PROGRAMS PARENT POLICY COUNCIL

Adopted by Resolution #1088/93, April 1, 1993

Amended by Ordinance #08/93, adopted by Resolution #1156/93 of the Fond du Lac Reservation Business Committee dated June 3, 1993

Amended by Ordinance #02/96, adopted by Resolution #1059/96 of the Fond du Lac Reservation Business Committee dated February 22, 1996.

Amended by Resolution #1169/10 of the Fond du Lac Reservation Business Committee on May 11, 2010.

Amended by Resolution #1001/14 of the Fond du Lac Reservation Business Committee on January 8, 2014.

FOND DU LAC ORDINANCE #03/93, as amended

CHARTER AND BYLAWS OF THE
FOND DU LAC HEAD START PROGRAMS PARENT POLICY COUNCIL

Pursuant to the authority granted by Article VI of the Revised Constitution of the Minnesota Chippewa Tribe, and as recognized under Section 16 of the Indian Reorganization Act, 25 U.S.C. § 476, the Fond du Lac Reservation Business Committee, as the Governing Body of the Fond du Lac Band of Lake Superior Chippewa, does hereby charter and prescribe the bylaws for the Fond du Lac Head Start Programs Parent Policy Council to engage in those activities prescribed herein relating to the operation of the Fond du Lac Head Start and Early Head Start Programs.

101. **Name.** The name of the organization shall be the Fond du Lac Head Start Programs Parent Policy Council (hereinafter referred to as the "Policy Council").

102. **Purposes.** The purposes of the Policy Council shall be to promote the successful operation of the Fond du Lac Head Start and Early Head Start Programs by coordinating an ongoing dialogue between parents and staff of the Programs; to advise the Fond du Lac Reservation Business Committee with respect to the development and implementation of the Programs in a manner which is consistent with the objectives and regulations prescribed by the United States Department of Human Services; and to facilitate the utilization of all available community resources towards the achievement of Program objectives.

103. **Attributes.** The Policy Council is a subdivision of the Fond du Lac Band of Lake Superior Chippewa, and the actions taken by the Policy Council shall be imbued with those privileges and immunities inherent to the Fond du Lac Band, except as limited herein. Nothing in this Charter and Bylaws shall be deemed or construed as a waiver of the sovereign immunity of the Fond du Lac Band, or to constitute consent by the Fond du Lac Reservation Business Committee or the Policy Council to suit, except as provided herein.

104. **Membership.** The Policy Council shall consist of six (6) members and two (2) alternates, who shall be selected by the procedures prescribed under Article 105 of this Charter and Bylaws, at least fifty percent (50%) of whom shall be the parent or guardian of a child currently enrolled in the Head Start or Early Head Start Programs, plus representatives of the community; and at

least one of whom shall represent each Head Start and Early Head Start Center operated under this Charter and Bylaws. The maximum period of membership on the Policy Council for any individual shall be three (3) years.

105. **Selection of Members.** Members of the Policy Council shall be selected according to the following procedures:

- a. Each September the Policy Council shall hold elections for all six (6) positions on the Policy Council. All parents or guardians of children currently enrolled in the Fond du Lac Head Start or Early Head Start Programs shall be eligible to vote in those elections. Each Policy Council member will read and sign a code of conduct and confidentiality acknowledgment form.
- b. The Policy Council shall notify the Reservation Business Committee of the election results within ten (10) days of the election, and shall make such recommendations to the Reservation Business Committee for appointments to the Policy Council as are consistent with Article 104 of this Charter and Bylaws.
- c. The Reservation Business Committee shall make the final decision with respect to all appointments to the Policy Council and the Head Start Director will notify the appointees.
- d. The Reservation Business Committee may appoint temporary members to the Policy Council, consistent with Article 104 of this Charter and Bylaws, as necessary to serve out the remainder of existing terms on the Policy Council. The Reservation Business Committee may request and consider the recommendations of the Head Start Programs Parent Policy Council in making such temporary appointments.

106. **Removal or Suspension of Members.** A member of the Policy Council may be removed by the Reservation Business Committee for misconduct, malfeasance, missing three (3) consecutive meetings of the Policy Council, which shall include any Special Meetings called in accordance with Section 109(b), disqualification under Article 104 of this Charter and Bylaws, or crimes of moral turpitude. Where a member of the Policy Council has been charged with a crime of moral turpitude, or where the Reservation Business Committee has considered reliable allegations of such conduct, the Reservation Business Committee may suspend that member until such time as that member has been exonerated of those charges or allegations. The Policy Council may recommend removal or suspension of a Policy

Council member to the Reservation Business Committee for any of the above-stated reasons, provided that the conduct at issue is reasonably substantiated.

107. **Officers.** The Policy Council shall elect from among its members a Chairperson, a Vice-Chairperson, a Secretary/Treasurer, and such other officers as may be necessary to Program purposes, subject to the approval of the Reservation Business Committee. Elections shall occur during the first meeting of the term year, or at the earliest convenience of the Policy Council. The Chairperson shall preside at all meetings of the Policy Council or, in the absence of the Chairperson, the Vice-Chairperson shall preside. The Chairperson shall have the responsibility to see that all the functions of the Policy Council are satisfactorily conducted and shall perform all general responsibilities which are inherent to that office. The Secretary shall prepare and maintain the minutes of the Policy Council and shall provide copies of Policy Council minutes to the Reservation Business Committee within ten (10) days of approval. An officer may be removed from that office by majority vote of a quorum of the Policy Council and approval of the Reservation Business Committee.

108. **Functions of the Policy Council.**

- a. **Mandatory Functions.** The Policy Council shall perform the following mandatory functions:
1. Serve as a link between public and private organizations, the Delegate Agency Policy Committees, Neighborhood Councils, the Grantee, the Reservation Business Committee and the community it serves.
 2. Have the opportunity to initiate suggestions and ideas for program improvements and to receive a report on action taken by the administering agency with regard to its recommendations.
 3. Plan, coordinate and organize agency-wide activities for parents with the assistance of staff.
 4. Approve the selection of Delegate Agencies.
 5. Recruit volunteer services from parents, community residents and community organizations, and mobilizes community resources to meet identified needs.

6. Distribute Parent Activity funds to Policy Committees.

b. **Advisory Functions.** The Policy Council shall advise the Reservation Business Committee, to the extent that the Reservation Business Committee expressly delegates such responsibilities to the Policy Council by separate Ordinance, on the following matters related to the operation of the Fond du Lac Head Start Programs:

1. Establishment of the goals of the Head Start and Early Head Start Programs and identification of the means of achieving those goals consistent with this Charter and Bylaws and federal guidelines.
2. Development of plans to utilize available community resources towards the achievement of Programs purposes and objectives.
3. Recommendation of criteria for the selection of participant children consistent with federal regulations.
4. Establishment of such subcommittees as are necessary to the achievement of Program objectives as provided under Article 110 of this Charter and Bylaws and applicable federal guidelines.
5. Recommendation of which services should be provided to neighborhood centers.
6. Recommendation of such supplemental personnel policies to those of the Reservation Business committee as are necessary to comply with federal regulations, including criteria for hiring and firing Head Start and Early Head Start staff, career development plans and grievance procedures.
7. Recommendation of the hiring and firing of the Head Start Division Director and staff. The Policy Council may appoint one of its members to participate in the screening and interview process in employee selection.
8. Identification of child development needs in the area to be served.
9. Monitor the Programs to assure the acquisition of space, equipment and supplies sufficient to meet Program requirements.

109. **Meetings.** All meetings of the Policy Council shall be conducted in accordance with the Rules of Order and Code of Conduct prescribed under Articles 112 and 113 of this Charter and Bylaws.

- a. **Regular Meetings.** Regular Meetings of the Policy Council shall be held once a month. A written notice of a Regular Meeting must be sent to each member of the Policy Council by the Secretary who shall inform members by mail, email, or in person, at least seven (7) calendar days prior to the meeting, specifying the agenda, place, date and time of the meeting.
- b. **Special Meetings.** Special Meetings of the Policy Council may be called by the Chairperson or by any three (3) members of the Policy Council. A written notice must be sent to each member of the Policy Council by the Secretary, who shall inform members by mail, email, or in person, at least three (3) calendar days prior to the meeting specifying the purpose, place, date and time of the meeting and shall include the names of those members responsible for calling the meeting. No business shall be conducted at the Special Meeting except as specified in the written notice.
- c. **Executive Sessions.** The Chairperson or a majority of the Policy Council may call an executive session after a legally-convened meeting of the Policy Council, having established a quorum and by a majority vote of members present, for the consideration of matters of a highly sensitive or confidential nature, or for consultation with the tribal attorney relating to matters of a legal nature. Consistent with Subsection (e) of this Article, an Executive Session shall be only for the purpose of enabling a full and frank discussion, and any vote taken must be in an open meeting.
- d. **Quorum.** A quorum shall consist of at least three (3) members, at least one of whom shall be the Chairperson or Vice-Chairperson. If a quorum is present, the affirmative vote of the majority of members present shall be necessary for the adoption of any matter voted upon. A majority of members present, though less than a quorum, may adjourn the meeting.
- e. **Open Meeting Requirement.** All meetings of the Policy Council shall be open to the interested public. Head Start and Early Head Start staff may attend at the request of the Policy Council. Participation by interested parties shall be in accordance with the Rules

of Order prescribed under Article 112 of this Charter and Bylaws.

- f. **Absences**. If a Policy Council member must miss a regular or duly-called special meeting, he/she will contact the Policy Council Chairperson, either by phone or email, and inform him/her of their need to be absent from the meeting. If the Chairperson must miss a meeting, he/she will contact the Vice-Chairperson, either by phone or email, and inform him/her their need to be absent from the meeting. The members' absence will be duly noted in the Policy Council minutes of the meeting from which the member is absent.

110. **Subcommittees**. The Policy Council may establish from its membership standing or ad hoc subcommittees to work on any special problems or projects related to the following areas: budget, social activities, education, and personnel.

111. **Funds**. The Policy Council shall obtain money necessary to the achievement of Program objectives through fund raising projects or such other means as are deemed necessary and appropriate by the Policy Council. All Policy Council funds shall be deposited in an account established for the Policy Council with the Fond du Lac Program Accounting Department. The Policy Council shall determine by vote what debts are to be paid from that account. All Policy Council expenditures shall be authorized by both the Chairperson and the Secretary/Treasurer.

112. **Rules of Order**. All meetings of the Policy Council shall be conducted in accordance with Robert's Rules of Order.

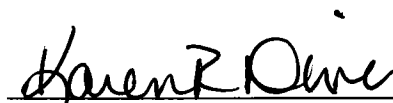
113. **Policy Council Code of Conduct**. The following standards of conduct shall apply to members of the Policy Council in carrying out Policy Council functions:

- a. The purposes of the Policy Council are coordinative and advisory and not administrative, and the performance of administrative and professional functions within the Programs should be left to the appropriate staff, who should be accorded the respect and consideration due professional personnel.
- b. The Policy Council is not a political body, and the use of one's membership in the Policy Council to advance personal positions which are not directly related to the Policy Council's purposes is inappropriate.

- c. The authority of the Policy Council resides in the Policy Council as a body and only extends to the functions set forth in this Charter and Bylaws, and an individual member has no authority to represent the Policy Council outside official meetings unless specifically delegated such a function by the Policy Council consistent with the purposes of the Policy Council as set forth in this Charter and Bylaws.
- d. All Policy Council business should be conducted in an ethical and above-board manner, and the procedures for holding meetings prescribed under Article 109 of this Charter and Bylaws must be strictly observed.
- e. The confidentiality of matters discussed in executive session must be strictly maintained.

114. Amendments. This Charter and Bylaws shall only be amended by separate Resolution of the Reservation Business Committee.

We do hereby certify that the foregoing Ordinance was duly presented and adopted by Resolution #1088/93, by a vote of 2 for, 0 against, 0 silent, with a quorum of 3 present at a Special Meeting of the Fond du Lac Reservation Business Committee held on April 1, 1993; and subsequently amended by Ordinance #08/93 adopted by Resolution #1156/93 on June 3, 1993; Ordinance #02/96 adopted by Resolution #1059/96 on February 22, 1996; Resolution #1169/10 on May 11, 2010, on the Fond du Lac Reservation and by Resolution #1001/14 on January 8, 2014.



Karen R. Diver
Chairwoman



Ferdinand Martineau, Jr.
Secretary/Treasurer