WHITE EARTH

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Johnson O'Malley Program Guide

Updated February 2026

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INTRODUCATION TO JOHNSON O'MALLEY (JOM)

LEGISLATION

Under the Johnson O'Malley Act (25 U.S.C. § 5341 et seq.) and its implementing regulations at 25 C.F.R. Part 273, the Bureau of Indian Education (BIE) provides assistance through contracts with states and public school districts, Tribal organizations, and Indian Corporations, for the purpose of financially assisting efforts designed to meet the specialized and unique educational needs of eligible Indian students. In 2018, Congress updated JOM with the JOM Supplemental Indian Education Program Modernization Act, P.L. 115-404 which directed BIE to complete a rulemaking process to (1) determine how the regulatory definition of "eligible Indian student" may be revised to clarify eligibility requirements for contracting parties under JOM, (2) determine, as necessary, how the funding formula may be clarified and revised to ensure full participation of contracting parties and provide clarity on the funding process under JOM, and (3) reconcile and modernize the rules to comport with activities of the contracting parties under JOM. BIE published a revised 25 C.F.R. Part 273 on February 25, 2020 (85 Fed. Reg. 10938).

PURPOSE AND SCOPE

25 CFR 273.101

The purpose of this is to set forth the process by which the Secretary will enter into contracts for the education of Indian students under the Johnson-O'Malley Act. Such contracts are for the purpose of financially assisting those efforts designed to meet the specialized and unique educational needs of eligible Indian students, including supplemental programs and school operational support, where such support is necessary to maintain established State educational standards.

Indian students from age 3 years through grade 12, except those who are enrolled in Bureau or sectarian operated schools, shall be eligible if they meet the required criteria and provide the required documentation as described in 25 CFR 273.112 and as interpreted by the Bureau of Indian Education as referenced in the BIE's publication of the final JOM rule (85 Fed. Reg. 10938 (Feb. 25, 2020)). See *Eligibility* on Page 12.
Note: Members of Canadian tribes are not eligible.

The purpose of JOM is to provide supplementary financial assistance to meet the unique and specialized educational needs of Indian Children. These supplementary funds are not to take the place of federal, state, or local funds.

Supplemental programs and activities may include educational support items. Funds may be used for academic remediation, tutoring, preschool programs, summer school classes, cultural enrichment, field trips, transportation, and school supplies.

JOM funds are contracted to tribes, tribal organizations, public school districts and state departments of education.

JOM AND TRIBAL PRIORITY ALLOCATIONS (TPA)

The JOM Program was transferred to the TPA activity of the Tribal Budget System in FY 1996. The TPA allows tribes to prioritize and determine funding levels for various programs funded under TPA, giving Tribes flexibility in reprogramming to meet their independent funding needs. A methodology was developed to distribute JOM funds to tribal TPA bases using the FY 1995 student count. This base is used in determining per pupil allocations to TPA and non-TPA Public Law 93-638 contracts with tribes and tribal organizations.

INDIAN EDUCATION COMMITTEE ELIGIBILITY & ELECTIONS

THE INDIAN EDUCATION COMMITTEE (IEC)

25 CFR 273.115

When a school district to be affected by a contract(s) for the education of Indians has a local school board composed of a majority of Indians, the local school board may act as the Indian Education Committee; otherwise, the parents of Indian children may elect an Indian Education Committee from among their number or a Tribal governing body(ies) of the Indian Tribe(s) affected by the contract(s) may specify one of the following entities to serve as the Indian Education Committee:

1) A Local Indian Committee or Committees 25 CFR 273.106; or
2) An Indian Advisory School Board or Boards 25 CFR 273.106.

The Tribal governing body(ies) of the Indian Tribe(s) affected by the contract(s) may specify one of the entities listed above at its discretion if the Indian Education Committee was established prior to January 4, 1975.

To avoid conflict of interest or giving the appearance of a conflict of interest, school officials or their spouses or persons directly involved in the oversight of the JOM Program should not be eligible to serve on the IEC and this should be reflected in the bylaws.

The term "Parent" includes a legal guardian or other person standing in loco parentis (a Latin phrase defined as "in place of a parent" or "acting as a temporary guardian of a child). The general common law meaning refers to a person who has put him/herself in the situation of a lawful parent by assuming the obligations incident to the parental relation without going through the formalities necessary to legal adoption. It embodies the two ideas of assuming parental status and discharging the parental duties. The key in determining whether the relationship is found is the intention of the person allegedly in loco parentis to assume the status a parent toward the child. The intent to assume such parental status can be inferred from the acts of the parties. Other factors which are considered in determining whether in loco parentis status had been assumed are (1) the age of the child; (2) the degree to which the child is dependant on the person claiming to be standing in loco parentis; (3) the amount of support, if any, provided; and (4) the extent to which duties commonly associated with parenthood are exercised. (The definitions of the term "in loco parentis" are often context specific and no court or regulation has defined the term exhaustively. The presence of a biological parent in the home may foreclose another from holding status of "in loco parentis".)

WHO IS RESPONSIBLE FOR CONDUCTING AN ELECTION?

The IEC is, in accordance with their bylaws, responsible for conducting IEC elections. The IEC may have a nonpartisan person act as the election judge and conduct the election. The election procedures should be part of the IEC bylaws.

WHO IS ELIGIBLE TO VOTE?

Any parent or legal guardian of eligible JOM students enrolled within the district is eligible to vote. This means that both parents of a child are eligible to vote. Voting by proxy is not allowed. Students are not allowed by federal regulation to vote or hold a position on the IEC.

ELECTION PROCESS INFORMATION

- Nominations will be solicited, published and kept on file at the project's office;
- An election board will be established by the IEC consisting of an election judge and clerks (which will be responsible for counting all ballots determined by voter registration, determining and certifying the election results);
- Selection of IEC will be determined by majority vote;

- Election results shall be published within the Indian community;
- Elections will be conducted according to bylaws (secret ballot – containing alphabetically the names of those nominated and eligible; incumbents should be identified);
- If a regular member resigns or is removed from the committee membership, the nominee with the next highest number of votes may become a regular member by appointment or as stipulated in the bylaws, and
- Used ballots should be maintained for 60 days or as stipulated in the bylaws.

IEC RESPONSIBILITIES

CORE ETHICAL STANDARDS FOR IECs

- **Commitment to Children:** Prioritize the safety, well-being, and development of all children above personal agendas.
- **Confidentiality:** Maintain strict privacy regarding student records, family information, and sensitive committee discussions, sharing information only when necessary for safety or authorized reasons.
- **Respect and Inclusion:** Treat all parents, staff, and students with dignity and respect, valuing cultural differences and diverse backgrounds.
- **Professional Boundaries:** Avoid conflicts of interest, such as using the position for personal gain or undue influence.
- **Constructive Communication:** Engage in open, honest, and respectful dialogue, aiming to resolve conflicts collaboratively.
- **Advocacy:** Act as advocates for quality education and work to develop supportive and productive partnerships with all students and families.

WHAT ARE THE POWERS AND DUTIES OF THE IEC?

25 CFR 273.117, 25 CFR 273.118

- Attend JOM IEC meetings and trainings
- Complete required annual documents and JOM reports
- Conduct parent committee elections
- Participate fully in the planning, development, implementation, and evaluation of all programs, including both supplemental and operational support, conducted under a contract or contracts pursuant to this part. Such participation includes further authority to:
    1) Recommend curricula, including texts, materials, and teaching methods to be used in the contracted program or programs;
    2) Approve budget preparation and execution;
    3) Recommend criteria for employment in the program;
    4) Nominate a reasonable number of qualified prospective educational programmatic staff members from which the contractor would be required to select; and
    5) Evaluate staff performance and program results and recommend appropriate action to the contractor.
    - Approve and disapprove all programs to be contracted under this part. All programs contracted require the prior approval of the appropriate Indian Education Committee.
    - Secure a copy of the negotiated contract(s) that includes the program(s) approved by the Indian Education Committee.
    - Recommend cancellation or suspension of a contract(s) under § 273.194.

ADDITIONAL AUTHORITIES AN IEC CAN EXERCISE

The organizational papers and by-laws of the IEC may include additional powers and duties that would permit the Committee to:

- Participate in negotiations concerning all contracts;
- Make an annual assessment of the learning needs of Indian children in the community affected;
- Have access to all reports, evaluations, surveys, and other program and budget related documents determined necessary by the Committee to carry out its responsibilities, subject only to the provisions of § 273.180;
- Request periodic reports and evaluations regarding the Indian education program;
- Establish a local grievance policy and procedures related to programs in the education plan;
- Meet regularly with the professional staff servicing Indian children and with the local education agency;
- Hold committee meetings on a regular basis which are open to the public; and
- Have such additional powers as consistent with these regulations.

STRUCTURE OF THE IEC

White Earth Nation shall have one unified White Earth Indian Education Committee (WEIEC) composed of one representative and one alternate from each participating school district. Each WEIEC representative will be responsible for:

- Completing all required JOM documentation for their respective districts.
- Conducting and submitting the annual needs assessment results for their respective district.
- Reviewing and updating the district's JOM budget and Education Plan.
- Ensuring timely submission of required reports and documents.
- Maintaining communication with parents, community members, and the White Earth Student Financial Services Office.
- Representing the educational interests and priorities of their district's Native students.
- Participating in monthly WEIEC meetings and any special meetings as needed.
- Collaborating with school leaders, teachers, and staff to support the educational needs of students.
- Monitoring program outcomes and providing feedback to improve services
- Ensuring compliance with federal, tribal, and local policies governing the JOM program.
- Participating in professional development and training opportunities related to JOM program administration.

IEC OFFICERS AND DUTIES

Officers may consist of a chairperson, vice chairperson and secretary. However, there may be other officer positions if determined by the IEC which should be included in the bylaws. Officers are selected by majority vote at the first official IEC meeting upon completion of the election.

CHAIR

Presides at the regular and special meetings, sets the agenda with the assistance of JOM Project Coordinator/Indian Education staff member, signs all official documents (education plan, vouchers, budget, evaluation, revisions, and modifications) and votes only in the event of a tie.

VICE-CHAIR

Assumes the duties of the chair when he/she is absent from a meeting or when the chair resigns from the committee.

SECRETARY

Keeps complete records of all meetings, is custodian of all records, submits copies of all IEC minutes to the White Earth JOM Coordinator and will submit all documents to the Chair or newly elected Secretary within 14 days after expiration of their term.

IEC MEETINGS

- The IEC shall meet monthly/quarterly at a time and place determined by the IEC. In addition to these meetings, special meetings may be held at the call of the Chair. The call for a special meeting must state time, place, and purpose of the meeting and must be called at the minimum of 48 hours in advance of the meeting date or according to bylaws.
- The order of business at IEC meetings may include the following: roll call, agenda announcement (including changes, additions, or deletions), approval of minutes, old business, new business, staff reports, activities, and community forum.
- Notice of meetings will be published or posted within the community for interested parents, grandparents, students, and community members who wish to attend.
- Notice of all regular meetings shall be sent to each IEC member at least 7 days in advance of the meeting. All meeting notices must include the date, time, and place. All meetings will follow parliamentary procedure. One-half of the members plus one of the IEC members of record shall constitute a quorum to conduct official committee business. With presence of a quorum, the Chair will announce the agenda for the meeting.
- The Chair will recognize members of the Indian community who wish to address the committee during the time set aside on the agenda for that purpose.
- The Chair will announce results of each vote and will declare the meeting adjourned when the committee so votes or where applicable at the time prescribed in the event of a sudden emergency affecting the safety of those present.

IEC SUBCOMMITTEES

Subcommittees may be formed as needed. The function of the subcommittees will be to facilitate the operation of the IEC by carrying out business that does not require the input of the full IEC or by doing preliminary work to prepare for some action to be taken by the full IEC at a later time. The Chairperson of each subcommittee shall be appointed by the IEC Chair, who shall also designate the life (timeframe) of each subcommittee upon its creation.

Membership of working subcommittees must be members of the IEC.
There are several reports and other items that all White Earth JOM projects are required to submit throughout the year and must be IEC reviewed/approved:

IEC REPORTING REQUIREMENTS & DOCUMENTS

ANNUAL IEC MEMBERSHIP LIST – Form Sample Page 19

The IEC membership list includes the names of the current IEC members and identifies the chair, vice-chair, secretary, and any other offices. It should state when the most recent election was held and when the next election is scheduled. This listing must be submitted to the White Earth Student Financial Services office.

BYLAWS – REVIEWED ANNUALLY – Form Sample Page 28-31

25 CFR 273.116

The JOM regulations require every IEC to adopt organizational documents and bylaws. Under 25 C.F.R. § 273.116, the IEC and its members must establish procedures under which the IEC serves. Such procedures must be set forth in the IEC's organizational documents and bylaws, which the IEC must file in copy with the BIE Director, together with a list of its officers and members. Each IEC has the responsibility of drafting, amending, approving, reviewing, and annually ratifying their project bylaws (even if there are no changes.) These actions are to be documented in the IEC Meeting Minutes when completed.

The bylaws are rules used by the IEC to govern the group consistently and fairly as long as they comply with 25 CFR Part 273 and any other applicable federal law or regulation. The purpose of the IEC shall be to determine

the unique educational needs of eligible Indian students and carry out the powers and duties of the IEC as described in 25 C.F.R. § 273.117 and any additional authorities exercised according to 25 C.F.R. § 273.118. To achieve this, the IEC shall participate fully in the implementation, development, operation and evaluation of the JOM Program.

The local IEC shall establish and publicize procedures for electing an Indian Education Committee. The method of the election should be stated in the bylaws under Election of Members. The Indian Education Committee may add other bylaw articles as needed. Parent/Community Participation - under 25 C.F.R. § 273.116: The existence of an IEC shall not limit the continued participation of the rest of the Indian Community in all aspects of programs contracted under this part.

The bylaws should include: The name of the JOM IEC, the purpose of the JOM IEC, membership criteria, election criteria (procedure, election of officers, terms of office and removal procedures), grievance procedures, powers and duties of JOM IEC, officers (chair, vice-chair, secretary and any other officers), meeting information (notices, agenda, quorum and special meetings), parliamentary procedures, amendment procedures, policies and ratification.

IEC MEETING MINUTES

Minutes are official records of IEC meetings. They document decisions made by the JOM IEC pertaining to their respective JOM project. Minutes of all IEC meetings are to be submitted to the White Earth Student Financial Services office.

ANNUAL NEEDS ASSESSMENT SURVEY & RESULTS – Form Sample Page 22-23

The information provided below is not intended to dictate the process by which an IEC may conduct an assessment of the educational needs of students, or an annual assessment of the learning needs of students.

25 C.F.R. § 273.115: The IEC determines the unique educational needs of eligible Indian students.

25 CFR Section 273.118(b): The IEC by-laws may permit the IEC to make an annual assessment of the learning needs of Indian children in the community affected.

A Learning Needs Assessment is a process designed to gather information about the specialized and unique educational and culturally related needs of eligible Indian students. It provides direction for the development of programs to meet specific needs. The results from the survey will be used to develop the goals and objectives for the JOM program.

When conducting a learning needs assessment, sufficient time and effort should be devoted to ensuring accurate results. It does not have to be a complicated process. Needs are developed from a study of current data or from collected information specific to student learning needs within the district. From this information, a clear, concise, credible list of student learning needs can be objectively determined.

Each IEC may design a survey to gather information about the specialized and unique educational and cultural needs of the community's students. Each IEC may also determine the survey's distribution and content.

Guidelines for Developing a Survey Instrument

Determine what questions you will ask: Involve parents, students, teachers and administrators to identify as many students' specialized and unique educational and culturally related needs as possible.

Decide how the survey will be designed.

A. Needs will be ranked from high to low
B. Yes or No type questions

C. Written comments

Determine how the survey will be distributed.

1. Email
2. Electronic Survey
3. Mail
4. Supply distribution
5. Telephone
6. Door-to-door
7. Face-to-face
8. Newspaper questionnaires
9. Delivered through students
10. Group meetings

Collect the answers: Organize the answers in a cumulative form to determine the areas with highest responses.

Obtain objective information to document the existence of the needs identified.

1. Dropout rates
2. Academic achievement levels
3. Standardized test scores
4. Attendance records
5. Number of students participating in school activities (e.g., band, athletics)
6. School grades

Rank those needs on a priority basis.

1. Look at the total cost, the time it will take, and the space available to meet those needs.
2. Examine other programs to coordinate service under the JOM Program with local, State or Federal programs. JOM funds should be used to supplement existing programs and to meet the specialized and unique educational and culturally related needs of as many students as possible.

ANNUAL PUBLIC HEARING OR NEWSLETTER

A public hearing is a meeting called by the IEC to inform the public about the JOM program. Results of the needs assessment are made available for review and comment. The public hearing is an opportunity for the IEC to get additional parent and community input to consider when developing the education plan.

A copy of the public hearing notice (such as a newspaper clipping) must be submitted to the Student Financial Services offices. The notice should state the date, time, and meeting location of the public hearing. Minutes taken at the public hearing are also to be submitted to the WE SFS office. The meeting notice should be posted 1-2 weeks prior – or according to bylaws – to give ample preparation time for those who wish to attend.

EDUCATION PLAN – Form Sample Page 24-26

Projects have the option to complete a one-, two- or three-year Education Plan.

Note: A Needs Assessment survey must still be done annually.

25 CFR 273.119

The Education Plan is to be developed after the public hearing has been held.

The Education Plan is the written document contains educational objectives that adequately address the educational needs of the Indian students and assures that the contract is capable of meeting such objectives. The education plan must contain:

- The education programs developed and approved by the Indian Education Committee(s);
- Educational goals and objectives that adequately address the educational needs of the Indian students to be served by the contract;

- Procedures for addressing hearing grievances from Indian students, parents, guardians, community members, and Tribal representatives relating to the program(s) contracted. Such procedures must provide for adequate advance notice of the hearing;
- Established State standards and requirements that must be maintained in operating the contracted programs and services;
- A description of how the State standards and requirements will be maintained;
- A requirement that the White Earth Reservation Business Committee and White Earth Student Financial Services Program comply in full with the requirements concerning meaningful participation by the Indian Education Committee;
- A requirement that education facilities receiving funds be open to visits and consultations by the Indian Education Committee(s), Tribal representatives, Indian parents and guardians in the community, and by duly authorized representatives of the Federal and State Governments;
- An outline of administrative and fiscal management procedures to be used by the White Earth Student Financial Services Program;

- Justification for requesting funds for operational support. The public school district must establish in its justification that it meets the requirements given in § 273.126(b). The information given should include records of receipt of local, State, and Federal funds;
- Budget estimates and financial information needed to determine program costs to contract for services. This includes, but is not limited to, the following:
    - State and district average operational cost per pupil;
    - Other sources of Federal funding the applicant is receiving, the amount received from each, the programs being funded, and the number of eligible Indian students served by such funding;
    - Administrative costs involved, total number of employees, and total number of Indian employees;
    - Costs that parents normally are expected to pay for each school;
    - Supplemental and operational funds outlined in a separate budget, by line item, to facilitate accountability; and
    - Total number of employees for each special program and number of Indian employees for that program;
- The total enrollment of school or district, by age and grade level;
- The eligible Indian enrollment—total and classification by Tribal affiliation(s) and by age and grade level;
- The total number of school board members and number of Indian school board members;
- Government equipment needed to carry out the contract;
- The period of contract term requested;
- The signature of the authorized representative of applicant; and
- Written information regarding:
    - Program goals and objectives related to the learning needs of potential target students;
    - Procedures and methods to be used in achieving program objectives, including ways whereby parents, students and communities have been involved in determining needs and priorities;
    - Overall program implementation including staffing practices, parental and community involvement, evaluation of program results, and dissemination thereof; and
    - Determination of staff and program effectiveness in meeting the stated needs of target students.
- All programs, components and activities must be in the Education Plan.
- The Education Plan contains the needs assessment survey results and identifies methods to be used in evaluating the program.

DOES AN EDUCATION PLAN NEED TO BE APPROVED BY THE BIE DIRECTOR? 25 CFR 273.120
The Secretary will not enter into any contract for the education of Indians unless:

- The White Earth Student Financial Services Program has submitted an education plan to the BIE Director; and
- The BIE Director has determined that the education plan contains educational objectives that adequately address the educational needs of the Indian students who are to be beneficiaries of the contract, and that the contract is capable of meeting such objectives.

ANNUAL BUDGET – Form Sample Page 20

The JOM budget is an IEC-approved document that outlines how JOM funds will be allocated. The required signature of the IEC Chair on the budget form signifies that the IEC has fully reviewed and approved the proposed expenditures. Budget development must be guided by the results of the Needs Assessment Survey and align with the goals and objectives outlined in the Education Plan. Once completed, the final budget must be submitted to the Student Financial Services Program for review to ensure compliance with established guidelines.

The White Earth IEC will collaborate to create a finalized list of allowable budget expenditures and their maximum amounts, applicable to all students. This list may be updated annually to reflect the priorities identified in the Education Plan and the Needs Assessment.

TRIANNUAL REPORTS – Form Sample Page 27

WEIEC will complete three triannual reports throughout the academic year. The information requested includes program objectives, activities underway, and evaluation of activities, accomplishments, IEC information, and student information.

STUDENT CERTIFICATION

JOM STUDENT LIST

A JOM student list identifies students attending the district who are JOM eligible. This list is maintained by the White Earth Student Financial Services Office and each IEC. Student certification forms must be submitted to the White Earth Student Financial Services office so student JOM eligibility can be determined. This determination is made by the WE JOM office after review of JOM Certification Forms and any supporting documents on file. School districts do not verify JOM eligibility.

JOM STUDENT CERTIFICATION FORMS – Form Sample Page 17-18

A JOM Student Certification form is a one-page form which is to be completed by the parent/guardian for each student wishing to receive JOM services. The form has several sections of student information followed by a request for release of information that includes a signature and date. The final section is verification of information and must be completed and signed by a tribal official. All Indian students who wish to utilize JOM services must have a completed/verified JOM Student Certification form on file at the White Earth Student Financial Services office.

ELIGIBILITY (updated May 2024)

25 CFR 273.112

An Indian student is eligible for benefits provided by a JOM contract if the student is:

(a) From age three (3) years through grade(s) twelve (12);

(b) Not enrolled in a Bureau-funded school or sectarian school (except the student is eligible if enrolled in a previously private school controlled by an Indian Tribe or Tribal organization); and

(c) Is either:

(1) A member of an Indian Tribe as defined in 273.106.

(2) At least one-fourth (1/4) degree Indian blood of a federally recognized tribe, or combination of multiple federally recognized tribes, according to parental lineage and available records as defined in § 273.106 (Key terms); or
(3) At least one parent or grandparent (living or deceased) who is a member of a federally recognized tribe as noted in the April 2024 BIE JOM Eligibility Memo

Note: Students who are not enrolled must provide documentation of lineage or blood quantum, most commonly a birth certificate and parent(s) enrollment information or a certification of descendancy with blood quantum listed. Members of Canadian tribes are not eligible.

REQUESTS FOR PAYMENT OR REIMBURSEMENT

REQUIREMENTS FOR REQUESTS FOR PAYMENT OR REIMBURSEMENT – Sample Page 21

White Earth JOM Request for Payment forms are used to request payment for JOM expenditures. The process for payment of JOM expenditures will be as follows:

1. Complete a White Earth JOM Request for Payment form
    a. Must include
        - who is to be paid,
        - current address of who is to be paid,
        - explanation/justification of expenditure,
        - amount to be paid, and
        - LIEC approval signature.
2. One of the three following items **must** accompany the complete voucher
        - an invoice
        - receipt
        - district printout from the business office identifying the expenditures to be reimbursed
          NOTE: Expenses must correlate directly to the approved IEC JOM budget.
3. Include a copy of the meeting minutes that show the specific approved expenses.
4. Complete a W-9 for the individual or organization receiving the funds (must be renewed annually).
5. Submit request to White Earth Student Financial Services for review, approval, and processing.

EXPENSES

EDUCATIONAL SUPPORT ITEMS (formerly Parental Cost Assistance)

Under federal regulatory authority, educational support items are allowed "at the option of the committee and approved in the JOM contract."

Educational support items are necessary items for a student involved in an academic or school related extracurricular activity. These funds cannot be used to supplant other services available through the BIA or other federal & state monies.

EDUCATIONAL SUPPORT GUIDELINES

- Only items approved by the IEC and the White Earth Student Financial Services Program may be purchased
- Eligible items are those required for class participation.
- No cash payments to students or parents
- Any item the school is required to purchase will not be an eligible item
- All items purchased become the property of the student for whom it was purchased, except for lease-purchase items, such as band instruments

- When educational support items are purchased in quantity (such as school supplies) to be distributed to eligible JOM students, a signature sheet will be required (date, item received and signature of student or parent)
- IEC expenses are included in educational support items: the IEC can provide for reasonable cost of meetings, trainings, or workshops
- Some JOM projects provide educational support item funds for unique student expenses

A "rule of thumb" guideline: If a school requires an educational support item but parents are expected to pay for it, then it could be deemed an allowable educational support item expense.

White Earth will not allow educational support items if they are not included in the education plan. If they are included, the IEC must adopt guidelines stating expenditure limits. The guidelines may be based on financial need (such as the National Free or Reduced Student Lunch Guidelines) or be inclusive of any eligible JOM student. Any cost that is normally provided by the school will not be an allowable educational support item.

DE MINIMUS PARTICIPATION (Must be IEC Approved)

De Minimus Participation shall be interpreted as non-eligible participation that is insignificant in terms of affecting the cost of the program or activity and is not denying the participation of any eligible students. *Example: If a project is planning an activity such as a fieldtrip, guest speaker, or cultural activity, and there will be no additional cost to the program, the non-eligible student(s) may participate.*

HOW CAN THE FUNDS BE USED UNDER THE JOHNSON O'MALLEY ACT?

25 CFR 273.113

An entity may use the funds available to provide educational benefits to eligible Indian students to:

A. Establish, carry out programs, or expand programs in existence before the contract period that provide:
    a. Remedial instruction, career, academic, and college-readiness counseling, and cultural programs;
    b. Selected courses related to the academic and professional disciplines; or
    c. Important needs, such as school supplies and items that enable recipients to participate in curricular and extra-curricular programs; and
B. Purchase equipment to facilitate training for professional trade skills and intensified college preparation programs.

CAN FUNDS BE USED FOR SUBCONTRACTORS?

25 CFR 273.145

The Bureau may make contract funds under the Johnson-O'Malley Act available directly only to Tribal organizations, States, public school districts, and Indian corporations. However, Tribal organizations, States, public school districts, and Indian corporations receiving funds may use the funds to subcontract for necessary services with any appropriate individual, organization, or corporation.

MUST OTHER FEDERAL, STATE, AND LOCAL FUNDS BE USED?

25 CFR 273.143

Contract funds under this part supplement, and do not supplant, Federal, State and local funds. Each contract must require that the use of these contract funds will not result in a decrease in State, local, or Federal funds that would be made available for Indian students if there were no funds under this part.

State, local and other Federal funds must be used to provide comparable services to non-Indian and Indian students prior to the use of contract funds.

Except as hereinafter provided, the school lunch program of the United States Department of Agriculture (USDA) constitutes the only federally funded school lunch program for Indian students in public schools. Where Indian students do not qualify to receive free lunches under the National School Lunch Program of

USDA because such students are non-needy and do not meet the family size and income guidelines for free USDA lunches, plans prepared pursuant to § 273.119 may provide, to the extent of funding available for Johnson-O'Malley programs, for free school lunches for those students who do not qualify for free USDA lunches but who are eligible Indian students under § 273.112.

ALLOWABLE EDUCATIONAL SUPPORT ITEMS (See Allowable Cost Guidance from BIE July 2022)

BASIC SCHOOL SUPPLIES

Backpack	Paper	Pens/Pencils	Pencil Bag/Pouches
Crayons	Colored Pencils	Markers	Highlighters
Paints	Chalk	Art Paper	Ruler
Pencil Sharpener	Calculator	3-Ring Binders	Assignment Book
Pocket Folders	Tab Dividers	Index Cards	Loose Leaf Paper
Spiral Notebooks	Composition Book	Primary Journal	Graph Paper
Construction Paper	Scissors	Supply Box	Tape Dispenser & Tape
Paper Clips	USB Flash Drive	Stapler & Staples	Staple Remover
Disinfecting Wipes	Kleenex Tissues	Rest Mat	Padlock for Locker
Face Masks	Gloves	Hand Sanitizer	Hand Wipes
Phy Ed/Gym Shoes	Post-it Dispenser & Post-it Note Pads		Expo Erasers & Board
White-out Tape or Correction Fluid		Glue (Liquid or Stick)	

ACADEMIC EXPENSES

Eyeglasses or Contacts	Eye Exam (if possible recommend IHS for exam)
iPad/Chromebook/Laptop Fees	Jetpacks (Wi-Fi)
Headphones	Student Technology Fees
Lab Fees	Tutors
Student Tutors	Therapeutic Items (weighted blanket, etc)
Book Fairs	
ACT Test Fee and/or ACT Test Preparation (one per academic year)	

CURRICULAR EXPENSES

Band Instrument Rental & Supplies	School Field Trips

EXTRA-CURRICULAR PROGRAM EXPENSES

Sports/Team Shoes (cap amount)	Sports/Team Jackets (cap amount)
School Uniform Assistance	Graduation Caps/Gown/Sashes
Lunch & Snack Fees	Drug/Alcohol Education Prevention
Educational Conferences	Summer Youth Education Camps
Drivers Education Fees	Sports Physical (cap amount/one per academic year)
After School Program (Lite Refreshments/Snacks – sandwiches, cookies punch)	
JOM Senior Banquet (Lite Refreshments – sandwiches, cookies, cake, punch)	
Awards Program (Lite Refreshments – sandwiches, cookies, cake, punch)	

REMEDIAL INSTRUCTION EXPENSES

Instruction/Educational Aides – Aids in Basic Skills Development in Math, English, Reading, or Technology/Computer

COLLEGE & CAREER READINESS EXPENSES

College and Career Day Workshops	College and Career Day Visits
Career Opportunities	Job Skills Training
Higher Education Outreach	Career Prep Classes and Skills Application Fee
Cost Per Credit Hour and Supplies	Certification Test Fee

Tools	Equipment
Safety Gear	College Courses (dual enrollment)

CULTURAL PROGRAM EXPENSES

Beading Activity	Belt Weaving Activity
Sewing Material	Native Language/Literature/History Activity
Native Cultural Art/Music Activity	Native Cultural Enrichment Activity (local needs)
Native American/Alaska Native Heritage Speakers Activity	
Native Cultural Food Classes	Native American Student Dance Troupe
Native American Student Color Guard	Native American Student Drum Group
Powwow (JOM Sponsored Pow-wow)	Native Cultural/History Field Trips

STUDENT INCENTIVES ***(Academic Incentives related to Academic Achievement)***

Sashes (Graduating Seniors)	Gift Cards & Gift Certificates
Sports Bags/Backpacks	Picnics
Activity/Fun Days	Plaques/Trophies/Certificates

T-Shirts, Jackets, Hooded Sweatshirts (School Logos and/or Imaging)
Local Field Trips (Zoo, Theatres, Theme Park)

INDIAN EDUCATION COMMITTEE (a.k.a. JOM Parent Committee) § 273.127
Professional Development/In-Service Training/Workshops/Conferences
IEC Per Diem and Mileage for Approved Travel
Stipends for Attendance (meetings)
Lite Refreshments at IEC Meetings

Unallowable examples (but not limited to):

Class Rings	Personal Clothing	Class or Senior Photos
Yearbooks	Letter Jackets	Livestock
Graduation Announcements	Social Dances	Full Meals
Awards & Award Banquets	Cash Prizes	Door Prizes

Personal Transportation Costs (transporting to/from school, sports events, etc)

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WHITE EARTH NATION

JOHNSON O'MALLEY
STUDENT CERTIFICATION FORM

STUDENT INFORMATION

Students Full Name (First, Middle, Last) _____ Other Name at Birth _____ Date of Birth _____

School Attending _____ Grade Level _____ School Year _____

Tribe/Agency _____ Enrollment Number _____ Social Security Number _____

Student Enrollment Status: ☐ Enrolled ☐ 1st Degree Descendant ☐ 2nd Degree Descendant

CUSTODIAL RESIDENCE

(Check all that Apply)

☐ Natural Parent ☐ Foster Parent ☐ Adoptive Parent
☐ Legal Guardian ☐ Other Family Member ☐ Other _____

Guardian Name (First, Last) _____ Email _____ Phone Number _____

Mailing Address _____ City _____ State _____ Zip _____

☐ Physical Address (Check box if same as Mailing) _____ City _____ State _____ Zip _____

RELEASE OF INFORMATION:

I authorize the White Earth JOM Program and their designated person(s) to obtain/research my child's tribal membership and/or blood quantum to determine JOM program eligibility.

I authorize the White Earth JOM Program, School personnel and their designated person(s) to obtain/research my child's school records and information.

In the event my child should transfer schools, I further authorize the White Earth JOM Program to share this certification with the new school.

I am aware that my child's information will be disclosed to JOM Indian Education Committee Members.

This release is in effect until my child graduates, or I revoke in writing. I understand that if I revoke this release of information my child may no longer be eligible for the JOM Program.

Guardian Signature: _____ **Date:** _____

Tribal JOM Official Use Only

	Documents Needed: B. Cert:	CIB	Received B. Cert:	CIB:			Application Approved	Denied
Student	☐	☐	☐	☐	W-9	☐	☐	☐
Parents	☐	☐	☐	☐	Direct Deposit	☐		
Grand Parent	☐	☐	☐	☐	Verified by:	_____		

Notes: _____

_____

ENROLLMENT BIOLOGICAL INFORMATION

***If Student is 2nd generation descendant, Grandparent Information is needed ***

PARENTS *(Required)*

_____ _____ _____
Biological Mother's Full Name (First, Middle, Last) Maiden Date of Birth

☐Non-Indian
☐American Indian Tribe/Agency _____ _____
Enrollment Number

_____ _____
Biological Father's Full Name (First, Middle, Last) Date of Birth

☐Non-Indian
☐American Indian Tribe/Agency _____ _____
Enrollment Number

MATERNAL GRANDPARENTS ***

_____ _____ _____
Biological Grandmother's Full Name (First, Middle, Last) Maiden Date of Birth

☐Non-Indian
☐American Indian Tribe/Agency _____ _____
Enrollment Number

_____ _____
Biological Grandfather's Full Name (First, Middle, Last) Date of Birth

☐Non-Indian
☐American Indian Tribe/Agency _____ _____
Enrollment Number

PATERNAL GRANPARENTS ***

_____ _____ _____
Biological Grandmother's Full Name (First, Middle, Last) Maiden Date of Birth

☐Non-Indian
☐American Indian Tribe/Agency _____ _____
Enrollment Number

_____ _____
Biological Grandfather's Full Name (First, Middle, Last) Date of Birth

☐Non-Indian
☐American Indian Tribe/Agency _____ _____
Enrollment Number

APPLICATION CHECKLIST

☐ Completed Application
☐ Other Documents: _____
☐ Student's Birth Certificate
☐ Parent's Birth Certificate
☐ W-9 Form
☐ Direct Deposit

*****Tribal Enrollment Official Use Only*****

TRIBAL ENROLLMENT OFFICE/VERIFICATION OF INFORMATION (Please check appropriate box):

The above-named student **does** meet the JOM eligibility criteria as determined by the BIA/BIE:
☐Student is an enrolled member of the
☐Student is a 1st or 2nd generation descendant.
☐Parent is an enrolled member of the
☐Grandparent is an enrolled member of the

Tribe: _____
(CIB/CDIB for enrolled member is required for JOM Verification per BIE)

The above-named student **does not** meet the eligibility criteria for the following reason(s):
☐Birth Record/Birth Certificate is needed to verify enrollment.
☐No information was found regarding enrollment for student/family.

Enrollment Official:_____ Date:_____

School Year _____

Date Completed _____

JOHNSON O'MALLEY
LOCAL INDIAN EDUCATION COMMITTEE (IEC)
IEC MEMBERSHIP LIST

IEC School / Name: _____

TITLE	NAME
Chair	
Vice-Chair	
Secretary	

Most Recent Election Date	
Next Election Date	

School Year _____

JOHNSON O'MALLEY
LOCAL INDIAN EDUCATION COMMITTEE (IEC)
IEC FINAL ANNUAL BUDGET

Date Completed _____

IEC School / Name: _____

Basic School Supplies	**$**_____
Academic Expenses	**$**_____
Curricular Expenses	**$**_____
Extra-Curricular Program Expenses	**$**_____
Remedial Instruction Expenses	**$**_____
College & Career Readiness Expenses	**$**_____
Cultural Program Expenses	**$**_____
Student Incentives	**$**_____
IEC Training & Travel Expenses	**$**_____
IEC Meeting Stipends	**$**_____
IEC Meeting Lite Refreshment Expenses	**$**_____
IEC Publication Costs (flyers, printing, postage, etc)	**$**_____
IEC Supplies (office supplies, technology, etc)	**$**_____
Other	**$**_____
Other	**$**_____
Other	**$**_____
Other	**$**_____
Other	**$**_____
Other	**$**_____
Other	**$**_____
Other	**$**_____
Other	**$**_____
TOTAL BUDGET	**$**_____

The IEC has met and approved this budget. All expenditures are supplemental to the existing school program(s) and will have direct student educational/cultural benefits.

IEC Chair Signature:	Date:

JOHNSON O'MALLEY
LOCAL INDIAN EDUCATION COMMITTEE (IEC)
REQUEST FOR PAYMENT / REIMBURSEMENT

IEC SCHOOL / NAME: _____

REMIT TO:

Name _____

Meeting Date: _____ Address _____

_____

Student Name(s) *can attach printout if multiple	Description of Expenses	Amount

IEC Chair Signature	Date

Please complete the following for faster processing:

- ☐ Please attach one of the three following items:
  1. Invoice
  2. Receipt
  3. District printout from the business office identifying the expenditures to be reimbursed

  ***Please include a list of students that will receive item(s), if applicable*
- ☐ Include a copy of the meeting minutes that show the specific approved expense(s).
- ☐ Complete a W-9 for the individual or organization receiving the funds (must be renewed annually).
- ☐ Submit all documents to White Earth Student Financial Services for review, approval, and processing.

School Year _____

Date Completed _____

JOHNSON O'MALLEY
LOCAL INDIAN EDUCATION COMMITTEE (IEC)
NEEDS ASSESSMENT SAMPLE

School Name	
Grade	
Gender	☐ Male ☐ Female ☐ Other

From the list, or other issues you write in, please rate these issues as they relate to the well being of your student.
1 being least important, 5 being most important

***These examples can be modified**	**1**	**2**	**3**	**4**	**5**
Access to Technology	O	O	O	O	O
Summer Instruction	O	O	O	O	O
In-School Tutoring	O	O	O	O	O
Drop-out Prevention	O	O	O	O	O
Credit Accrual/Recovery (for HS students)	O	O	O	O	O
Meals/Snacks at School	O	O	O	O	O
Books	O	O	O	O	O
Materials	O	O	O	O	O
Supplies	O	O	O	O	O
Postsecondary/Career Counseling	O	O	O	O	O
Transportation	O	O	O	O	O
Cultural Instruction	O	O	O	O	O
Language Instruction Specify: _____	O	O	O	O	O
Mentoring/Coaching	O	O	O	O	O
Access to Extra-Curricular Activities	O	O	O	O	O
Student Assessment/Prep (SAT, ACT, other)	O	O	O	O	O
Teacher Professional Development	O	O	O	O	O
	O	O	O	O	O
	O	O	O	O	O
	O	O	O	O	O
	O	O	O	O	O
	O	O	O	O	O
	O	O	O	O	O
	O	O	O	O	O
Other:	O	O	O	O	O
Other:	O	O	O	O	O
Other:	O	O	O	O	O
Other:	O	O	O	O	O

Any Additional Comments or Suggestions:

Please Return Survey by _____(date)

School Year _____

Date Completed _____

JOHNSON O'MALLEY
LOCAL INDIAN EDUCATION COMMITTEE (IEC)
NEEDS ASSESSMENT RESULTS

IEC SCHOOL / NAME: _____

**Please attach a copy of your survey information*	Assigned Priority Rank	Grade Level(s)	Number of Students with Need
Item 1			
Item 2			
Item 3			
Item 4			
Item 5			
Item 6			
Item 7			
Item 8			
Item 9			
Item 10 Note: Please add more as needed.			
		THIS WILL BE A DUPLICATE TOTAL (SOME STUDENTS COUNTED MORE THAN ONCE)	

Please list effective years:
1 Year Plan _____-_____
2 Year Plan _____-_____
3 Year Plan _____-_____
Approved Date: _____

JOHNSON O'MALLEY
LOCAL INDIAN EDUCATION COMMITTEE (IEC)
EDUCATION PLAN

IEC SCHOOL / NAME: _____

The following supplemental programs and education objectives were planned, developed, and approved by the Indian Education Committee (IEC). The IEC oversees the implantation and evaluation of the supplemental programs. This plan adequately addresses the unique and specialized educational needs of the Indian students who are to be the beneficiaries of the program. This plan is capable of meeting the objectives outlined.

Please add additional information as needed.

Give a brief description of the communities, school(s), and students to be served.

Total Eligible Indian Enrollment:	**Total Enrollment of School or District:**
Pre-K ____ Grades K-4 _____ Grades 5-8____Grades 9-12_____	Pre-K ____ Grades K-4 _____ Grades 5-8____Grades 9-12_____

Eligible Enrollment – Tribal Classification		
Student Tribal Affiliation	**Age(s)**	**Grade Level(s)**

Total Number of School Board Members:	**Total Number of Indian School Board Members:**

Procedure for addressing grievances from Indian students, parents, guardians, community members, and Tribal Representatives relating to the JOM Program:

Please list educational goals and objectives that adequately address the educational needs of the Indian students to be served.

Item #1	***Enter Needs Assessment Item / Question #1***
Results	*Enter Results of Item/Question here*
Goal	*General Statement of End Results*
Objective	*Defines specific outcomes in measurable terms.*
Evaluation	*How will you evaluate if you have been successful? Please list tools, data, or other sources that you will use to determine this.*

Item #2	***Enter Needs Assessment Item / Question #2***
Results	
Goal	
Objective	
Evaluation	

Item #3	***Enter Needs Assessment Item / Question #3***
Results	
Goal	
Objective	
Evaluation	

Item #4	*Enter Needs Assessment Item / Question #4*
Results	
Goal	
Objective	
Evaluation	

Item #5	*Enter Needs Assessment Item / Question #5*
Results	
Goal	
Objective	
Evaluation	

Please list any special equipment needed to carry out the goals/objectives:

Please list any state standards and/or requirements that must be maintained in operating the programs and services:

Description of how the state standards and requirements will be maintained:

- ☐ The school/district will comply in full with the requirements concerning meaningful participation by the IEC
- ☐ The school/district will be open to visits and consultations by the IEC, Tribal Representatives, Indian parents and guardians in the community, and by duly authorized representatives of the Federal and State Governments

IEC Chair Signature:	Date:	School/District Representative Signature:	Date:

Please Check
- ☐ Fall (Sept-Nov)
- ☐ Winter (Dec-Feb)
- ☐ Spring (Mar-May)

JOHNSON O'MALLEY
LOCAL INDIAN EDUCATION COMMITTEE (IEC)
IEC TRIANNUAL REPORT

IEC SCHOOL / NAME: _____

NOTE: The information on this report should cover the Johnson O'Malley Program and eligible Johnson O'Malley students only.

School JOM Contact Name:	Phone/Email:

REQUIRED ANNUAL JOM DOCUMENTATION:

- ☐ IEC Membership List — Date Completed: _____
- ☐ IEC Bylaw Review — Date Completed: _____
- ☐ Needs Assessment Survey and Results — Date Completed: _____
- ☐ Notice of Public Hearing or Newsletter — Date Completed: _____
- ☐ Education Plan (1-, 2-, or 3-Year Plan) — Date Completed: _____
- ☐ Annual Budget — Date Completed: _____

STUDENT SUMMARY			
Number of JOM Eligible Students Counted		Number of JOM Students Actually Served (to date)	
Grade Levels Counted		Grade Levels Served (to date)	

BUDGET SUMMARY		
FY Allocation Amount		**Notes:**
Spend-Down Funds, if any		
Funds Utilized To Date		
Remaining Funds		

IEC MEETING DATES:

ACCOMPLISHMENTS AND/OR ACTIVITES UNDERWAY:

UNIQUE PROBLEMS ENCOUNTERED:

IEC Chair Signature:	Date:

School Year _____

Date Completed _____

JOHNSON O'MALLEY
LOCAL INDIAN EDUCATION COMMITTEE (IEC)
BYLAWS *Template*

ARTICLE I: Name of the Committee

The name of this committee shall be the [COMMUNITY/SCHOOL] Indian Education Committee.

ARTICLE II: Purpose of the Committee

The purpose of each individual IEC should reflect the unique educational needs of eligible Indian students. The following are only examples of what the IECs may consider the purpose of the JOM program.

A. To promote the welfare of Indian children and youth in the home, school, community and tribe.

B. To raise the school achievement standards of Indian children.

C. To promote the educational benefits of incorporating cultural relevance into the day-today educational activities of eligible Indian students.

ARTICLE III: Membership

Section 1: Establishment of the Indian Education Committee

A. The IEC is to be elected pursuant to 25 C.F.R.§273.115.

B. The IEC shall be composed of ## members.

Section 2: Election of Members of the IEC

A. New members are elected in an open meeting for a term of # years by a majority vote of parents (in attendance) of eligible Indian students.

B. A selected number of members are elected in odd-calendar years with the remaining members elected in even-calendar years.

C. Membership in the IEC cannot be transferred.

D. The IEC may have the option of infinite terms - no restrictions on the number of terms.

Section 3: Annual Elections/Community Voting Rights

A. The Annual Election meeting shall be held on the weekday of (month) or at a date that the IEC determines.

B. Nominations for the IEC shall be taken from the floor by an eligible voter at a duly called meeting.

C. Votes shall be cast by secret ballot and tallied visibly so that all in attendance will know the results.

D. The responsibilities of a newly elected IEC member include:

1. Attend scheduled IEC meetings.

2. Assist other IEC members in planning and implementing program/special events.

E. Newly elected IEC members shall take their positions as IEC members at the first official meeting of the new Indian Education Committee.

Section 4: Voting Rights of the IEC Members

A. Each member shall have one vote in any matter submitted to the IEC for a general vote.

B. Proxy voting and absentee balloting shall not be permitted.

C. A member may abstain from voting on any matter.

D. The majority vote will prevail.

Section 5: Termination of Membership

A. Any member may resign by writing a resignation letter to the IEC.

B. A member shall be automatically removed from membership in the IEC for the following reasons:

1. The member does not attend any regular or special committee meetings for # consecutive months.
2. The member's child is no longer enrolled in the affected school district.
3. For action or behavior that discredits the IEC.

Section 6: Vacancies

A. By affirmative vote of committee members, a vacancy can be filled.

B. The IEC shall elect by majority vote, an eligible JOM parent to fill the vacated position until the next annual election.

C. If the Chairperson's position is vacated, the next officer will hold it until a new chairperson is elected.

Section 7: Powers and Duties

In accordance with 25 CFR § 273.117, the IEC shall be vested with the authority to:

A. Participate fully in the planning, development, implementation and evaluation of all programs conducted under a JOM contract. Such participation shall include:

1. Recommend curricula, including texts, materials, and teaching methods to be used in the contracted JOM program(s).
2. Approve budget preparation and execution.
3. Recommend criteria for employment in the JOM program.
4. Nominate a reasonable number of qualified prospective educational programmatic staff members from whom the JOM contractor will be required to select.
5. Evaluate staff performance and program results and recommend appropriate action to the JOM contractor.

B. Approve and disapprove all programs to be contracted under 25 CFR Part 273. All JOM programs contracted under 25 CFR Part 273 require the prior approval of the appropriate IEC.

C. Secure a copy of the negotiated contract(s) that includes the programs approved by the IEC.

D. Recommend cancellation or suspension of the contract(s) under 25 CFR § 273.194.

E. In accordance with 25 C.F.R. § 273.118, the organization papers and by-laws of the IEC may include the following additional powers:

1. Participate in contract negotiations.
2. Conduct an annual assessment on the learning needs of the Indian children in the affected community.
3. Have access to all reports, evaluations, surveys and other program and budget related documents determined necessary by the IEC to carry out its responsibilities, subject only to the provisions of 25 CFR § 273.180.
4. Request periodic reports and evaluations regarding the JOM program.
5. Establish a local grievance policy and procedures related to programs in the Education Plan.
6. Meet regularly with the professional staff serving the Indian children and with the local education agency.
7. Hold regularly scheduled IEC meetings, which are open to the public.
8. Have such additional powers as are consistent with 25 CFR Part 273.

ARTICLE IV: Officers, Members and Their Duties

The officers of the IEC shall be the chairperson, vice-chairperson, and a secretary/treasurer. Other officers may be appointed as the committee elects.

Chairperson

The Chairperson shall perform all duties incidental to the office of chairperson and such other duties as may be prescribed by the IEC from time to time. Specific duties may include: to preside over all general committee meetings, signing all letters, reports, and other duties as assigned.

Vice-Chairperson

The Vice-Chairperson shall assume the role of chairperson in his/her absence. Other duties of the Vice-Chairperson are ensuring that membership of the IEC is consistent with federal regulations, arranging for speakers and special programs, and other duties as assigned.

Secretary / Treasurer

The Secretary/Treasurer shall keep the minutes of all meetings and provide minutes to the IEC and other such persons deemed necessary. They shall ensure that all notices are given in accordance with the provisions of these by-laws, keep all IEC records, distribution of financial reports, and keep a list of the address and telephone numbers of each IEC member. The Secretary/Treasurer shall perform other duties as prescribed.

Members At-Large

Members At-Large shall be present and participate fully in the scheduled IEC meetings and perform other duties as required.

ARTICLE V: Meetings

The Indian Education Committee shall hold regularly scheduled meetings. A majority of the members present may adjourn the meeting.

Section 1: Regular Meetings

- **A.** The date and the time of regular meetings will be decided by a majority vote at the first organizational meeting of each year.
- **B.** Notice of regular meetings shall be in writing and posted with the date, hour, and location of the meeting.
- **C.** Notices shall be mailed to each IEC member not less than 5 days before the date of each meeting.
- **D.** A copy of the agenda shall be enclosed with the notice.
- **E.** All regular meetings shall be open to the public in compliance with the Open Meeting Act.

Section 2: Special Meetings

- **A.** Called by the IEC Chairperson or by a majority vote of the committee.
- **B.** All IEC members shall be notified in advance of the special meeting.
- **C.** Agenda items must be limited to the item(s) of concern.
- **D.** All regular meetings shall be open to the public in compliance with applicable law.

Section 3: Executive Sessions

No minutes or recordings are to be made in this session. The participants of an executive session are not to discuss or disclose the issues made known in the executive session. Any two members of the IEC may call an executive session before or during a regular IEC meeting. To qualify for an executive session, the issue must be one of the following:

- **A.** Personnel matters
- **B.** Misconduct of an IEC member
- **C.** Dealing with sensitive issues pertaining to the program.

Once out of session, a formal motion of action that maintains confidentiality of the issues discussed must be brought up at the regular meeting.

Section 4: Quorum

A simple majority of the Committee is required to constitute a quorum necessary for the transaction of the Indian Education Committee's business. No decision of the IEC shall be valid unless there is a majority vote of the members constituting a quorum.

Section 5: Agenda

1. The Chairperson shall prepare the agenda for each meeting. Individual members of the Indian Education Committee are encouraged to submit agenda items for the Chairperson or present their proposals formally under the agenda item of "New Business."
2. An item may be placed on the agenda by contacting the chairperson at least 5days prior to the regular meeting date.
3. The agenda must be posted at the place of the regular meeting at least 24 hours before the meeting. Article VI: Parliamentary Authority The _____ will conduct their meetings in accordance with Parliamentary Procedures.

ARTICLE VII: Amending the Bylaws

The by-laws may be amended at any regular meeting by a majority vote of the members of the IEC in attendance, provided that the amendment is to carry out the purpose and objectives of the IEC as provided in 25 CFR Part 273.

ARTICLE VIII: Grievance Procedures

If the IEC chooses to include Grievance Procedures as an additional power and duty pursuant to 25 C.F.R. § 273.118. The grievance procedures for complaints from Indian students, parents and JOM staff regarding program(s) contracted under JOM shall be as follows:

1. The complainant shall submit his/her grievance in writing to the local IEC for investigative review and action.
2. Upon receipt of a written complaint, the IEC shall, within fifteen (15) working days, make an investigation, document and submit its findings to the complainant. If the complaint cannot be resolved within the specified time, then the IEC may request additional time from the complainant.
3. If the complaint cannot be resolved by the IEC to the satisfaction of the complainant, the Committee shall forward the complaint with all investigative documents, findings and/or recommendations to the appropriate local level JOM Contractor official. The appropriate level official shall proceed as follows:
    a. Schedule a meeting with the local IEC within ten (10) working days after receiving a complaint.
    b. A grievance committee consisting of _____will review the complaint, investigative document(s), findings and/or recommendations.
    c. This committee will make every effort to resolve the complaint.
    d. Within _____ working days of this meeting, the Grievance Committee will contact the complainant with a final decision.

ARTICLE IX: Ratification

These by-laws shall be declared adopted by the IEC when passed by majority of the committee's full membership, at a general meeting of the Committee. These by-laws are approved by the [NAME OF SCHOOL] IEC at a regular meeting on [DAY, MONTH, YEAR]. Signatures: • Chairperson: • Vice-Chairperson: • Secretary: • Member:

This White Earth Nation Johnson O'Malley (JOM) Program Guide has been revised and updated to reflect the most current guidance received from the Bureau of Indian Education (BIE), 25 CFR Part 273 – Education Contracts Under Johnson O'Malley Act, and 25 CFR Part 273 Final Rule dated 2/25/2020 and the Allowable Cost Guidance received in July 2022.

	Signature	**Date**
Bureau of Indian Education	Carmen Vanderventer (reviewed via email) JOM Program Specialist, Office of Sovereignty in Indian Education (SIE)	3/10/2022
White Earth Education Director	Dana Goodwin Director of Education	3/14/2022
White Earth Legal Department	Submitted to Legal for Review	3/14/2022
White Earth RBC	Michael Fairbanks White Earth Chairman	3/18/2022