

FOND DU LAC RESERVATION

BUSINESS COMMITTEE

WM. HOULE, Chairman
PETER J. DIFOE, Sec /Treas-
DENNIS W. OLSON SR Executive Director
Spiritual Leadership

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CHARTER

FOND DU LAC COMMUNITY COLLEGE

I. NAME

This agency of the Fond du Lac Band of Lake Superior Chippewa shall be known as the Fond du Lac Community College.

II. PURPOSE

The Fond du Lac Community College is established to provide an opportunity for the post-secondary education of enrolled members of the Fond du Lac Band of Lake Superior Chippewa and any others eligible according to the rules and policies as set forth by the Articles of the Fond du Lac Community College.

III. STATUS

The Fond du Lac Community College is an agency of the Fond du Lac Band of Lake Superior Chippewa.

IV. GOVERNING BOARD

The Fond du Lac Community College Board is delegated the authority to establish all rules and regulations of the Fond du Lac Community College, which shall be called the Articles, necessary to carry out the purpose of the Fond du Lac Community College, and to enter into contracts approved by the Board.

V. MEMBERSHIP OF THE BOARD

(a) The Board will consist of thirteen persons: The chair of the Board will be the chair of the Reservation Business Committee; the Secretary-Treasurer of the Board will be the Secretary-Treasurer of the Reservation Business Committee; there shall be three representatives of the community on the board who shall be the three district representatives on the Fond du Lac Reservation Business Committee. In addition ten (10) members at

large will be appointed by the Reservation Business Committee and they will be Indian members from the service area.

(b) Election to a position on the Fond du Lac Reservation Business Committee shall constitute an election to the Board.

(c) Removal of Members: Any member of the Board, or any officer or agent elected by the Board, may be removed by the Board, with or without cause, whenever in its judgment the best interests of the Fond du Lac Community College would be served thereby.

VI. MEETINGS

(a) The Board shall meet the first Tuesday of each month and whenever else it is deemed necessary.

(b) The meetings of the Board will be separate from meetings of the Fond du Lac Reservation Business Committee, although they may be held before, after, or during a recess of any Fond du Lac Reservation Business Committee meeting.

(c) Notice for meetings: Meetings may be called by any member of the Board upon 24 hour notice to all other Board members. Members of the Board may orally waive the 24 hour notice provision.

(d) Quorum: Seven members of the Board shall constitute a sufficient quorum to conduct business.

VII. SOVEREIGN IMMUNITY

The sovereign immunity of the Reservation shall extend to the Board, the Fond du Lac Community College, and all of its employees and agents during the course of their duties. An offer by the Board or the Board's agent to settle any claim presented to it will not constitute a waiver of sovereign immunity.

VIII. AMENDMENTS

The Fond du Lac Reservation Business Committee may amend or revoke the charter whenever it shall so vote; such amendments or revocation will provide for the satisfaction of any contracts or agreements entered into by the Board or the Board's agent.


PART IX

- (a). Inurement of Income. No part of the net earnings of the Community College shall inure to the benefit of, or be distributable to, its members, officers, trustees or

other private persons except that the Community College shall be authorized and empowered to pay reasonable compensation for services rendered.

- (b). Legislative or Political Activities. No substantial part of the activities of the Community College shall be the carrying on of propaganda or otherwise attempting to influence legislation and the Community College shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.
- (c). Operational Limitations. Notwithstanding any other provision of these articles, the Community College shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from Federal income tax under section 501 (c) (3) of the Internal Revenue Code of 1954 (or the corresponding provisions of any future United States Internal Revenue Law) or (b) by a corporation, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code of 1954 (or the corresponding provisions of any future United States Internal Revenue Law).
- (d). Dissolution Clause. Upon the dissolution of the Community College, the Board of Directors shall, after paying or making provisions for the payment of all the liabilities of the Community College, dispose of all of the assets of the Community College exclusively for the purpose of the Community College in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious or scientific purposes as shall at the time qualify as an exempt organization or organizations under Section 501 (c) (3) of the Internal Revenue Code of 1954 (or the corresponding provisions of any future United States Internal Revenue Law) as the Board of Directors shall determine.

We do hereby certify that the foregoing Charter and Articles were duly presented and adopted by a vote of 4 for, 0 against, with a quorum of 5 being present at a Special Meeting of the Fond du Lac Reservation Business Committee held on April 29, 1987, at Cloquet, Minnesota.


William J. Houle, Chairman


Peter J. Defoe, Sec./Treas.

ARTICLES
OF
THE FOND DU LAC COMMUNITY COLLEGE

I. PURPOSE

These articles are to provide for the orderly conduct of the affairs and business of the Fond du Lac Community College.

II. SCOPE

The articles will contain the rules, regulations and policies for the activities of the Fond du Lac Community College, the Board, and the employees and agents of the Fond du Lac Community College.

III. STRUCTURE OF THE FOND DU LAC COMMUNITY COLLEGE

(a) The Board is the governing body of the Fond du Lac Community College. The Board shall designate the Director of Education of the Fond du Lac Reservation Business Committee to serve as Chief Executive Officer for communication between the Board and the Community College.

(b) The Chief Executive Officer will be assisted by the Administrator of the Fond du Lac Community College. The Administrator shall report to the Board's agent, the Chief Executive Officer. The Chief Executive Officer or his delegate will report to the Board monthly on the affairs of the College.

(c) The employees, staff, and volunteers of the Community College will be responsible to the Administrator who in turn is responsible to the Chief Executive Officer, who shall be responsible to the Board.

IV. PERSONNEL POLICY

The personnel policy of the Fond du Lac Reservation Business Committee will serve as the personnel policy of the Fond du Lac Community College unless amended by the Community College Board.

V. STUDENT HANDBOOK

(a) The Administrator shall annually present to the Board for approval a Student Handbook which will inform the students of the rules of the College and the student's rights and privileges.

(b) The approval of the Student Handbook is an

adoption of its provisions to these articles.

VI. ADMISSION TO THE COLLEGE

(a) The Fond du Lac Community College is a public college for the enrolled members of the Fond du Lac Band, who are eligible to attend, as stated in the Student Handbook.

(b) For all others the following priority system will be used for admittance:

1. Enrolled members of the Minnesota Chippewa Tribe
2. Other Indians
3. All others

VII. CONTRACTS, AND AGREEMENTS, AND PAYMENTS

(a) Only the Board may make the final and binding approval of any contracts or make agreements and make payments over \$500.00 except for payments issued according to a schedule approved by the Board.

(b) The fiscal records of the College shall be maintained and managed by the Fond du Lac Accounting Department, which will follow generally accepted rules of accounting and the Fond du Lac Reservation Business Committee accounting policies and rules, absent a contract or other legal requirement to the contrary.

(c) In order to be valid, all requests for disbursements must bear the signature of the Director of Education, or the signature of a delegate who has been authorized in writing by the Director of Education.