

MONTANA INDIAN EDUCATION ASSOCIATION (MIEA)
CONSTITUTION AND BY-LAWS
2000 (revised) & 2001 (revised) 2002 (revised) 2003 (revised)
2004 (revised) 2005 (revised) 2008(revised) 2010 (revised)

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MIEA Constitution and By Laws 2000-2004

ARTICLE I - Name

Section A: This organization will be known as the Montana Indian Education Association (MIEA).

ARTICLE II - Purposes of MIEA

Section A: The following purposes will be the guidelines used by the Association to establish and maintain communication and the promotion of unity among all American Indian and Alaskan Natives for the express purpose of continual communication and ongoing evaluation of local education procedures.

1. To aid in development and recommendation of curricula and methodology relative to educational programs provided to Indian students in federal, parochial, private, tribal and public schools. Other entities to be included are the Headstart Programs, pre-school, Tribal Colleges, post-secondary institutions, Tribal Education Departments and parent groups.

2. To promote a cooperative approach in assisting to solve educational problems for all American Indians and Alaskan Natives by establishing partnerships and collaborations with educational institutions and organizations, parents, students, and interested individuals.

3. To support positive educational and historical societies and associations, programs or studies, dealing with or involving American Indians and Alaskan Natives, to create, through an increased awareness of the true history, contributions and cultural differences of the American Indian, a positive place in society.

4. To function as a liaison for information concerning American Indian and Alaskan Natives educational opportunities, scholarships and historical information for the tribal peoples in the membership area and, at the request of local education bodies, act as a screening agency for programs involving Indian education.

5. To recommend and advance to the Tribal, Federal, state, and local governments possible legislation which would improve the educational and leadership level of Indian people and encourage the active participation of members and American Indian and Alaskan Natives to developing a stronger voice in development and implementation of laws and policies that impact American Indian and Alaska Native Education.

Section B: The organization is organized exclusively for charitable, religious, educational, and/or scientific purposes under section 501(c)(3) of the Internal Revenue Code.

No part of the net earning of the organization shall inure to the benefit of, or be distributable to, its members, trustees, officers or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization 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. Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or corresponding section of any future federal tax code. (New Section B amendment approved April 8, 2002, at MIEA Conference)

6. To assist in the coordination of all agencies, Tribal, state, local, federal and private, in assuring that the Indian students and other American Indians and Alaskan Natives receive full benefits of these agencies during their educational experience.

7. To disseminate information concerning educational programs and procedures to all members and interested parties.

8. To encourage and assist local educational associations and committees in assuring involvement of all Indians in working for the promotion of this Association.

ARTICLE III - Membership

Section A - Regular Membership:

1. The membership of this organization shall be open to anyone interested in improving education opportunities for American Indians and Alaskan Natives.
2. Membership fees will be paid immediately upon joining the Association.
3. All paid members of this organization will have voting privileges.

Section B - Affiliate Organization Membership:

Any organization that supports the MIEA Purposes as outlined in Article II can apply for membership to the Board of Directors of MIEA as an Affiliate Organization. The Board of Directors will review the application and take action at a regularly called Board meeting.

Affiliate Organizations will not be allowed a vote at the annual membership meeting or at Board of Director's meetings, but their active participation will be encouraged at both.

ARTICLE IV - Meetings of the MIEA

Section A: The Association will meet at least once each year. Special meetings of the Association will be held as determined by the Board of Directors.

ARTICLE V - Board of Directors Membership, Purpose, Board Composition and Terms of Office, Elections, Vacancies, Meetings, and Board Expenses

Section A - Membership: The Board of Directors will consist of the duly elected representatives of the Association. It may include, as an ex-officio member, the immediate past Chairperson of the Association.

Section B - Purpose: The Board of Directors will be the only policy making Board of the Association. The Board will have full charge of the property and business of the organization with full power and authority to manage and conduct the same, subject to the instructions of the general membership. It will plan and direct the work necessary to carry out the program and/or plans adopted at the annual meeting and promote the purposes of the Association.

The Board will create and designate such special committees as it may deem necessary. The Board will establish policies and procedures for its ongoing operations. (Revised and approved April 2010)

Section C - Board Composition and Terms of Office: : The Board of Directors will be composed of 10 members elected at large from the Association membership at the annual convention.

1. The following categories will be the Board's composition:

A. There will be ~~six (6)~~ seven (7) General Board Member positions with two (2) serving three (3) year terms, ~~three (3)~~ four (4) serving two (2) year terms, and one (1) serving a one (1) year term. *(revisions approved at the 2008 Conference)*

~~B. There will be one (1) Parent Board Member who represents parent/guardian concerns serving a one (1) year term. (Revision approved at the 2004 Conference)~~

~~Of the seven ~~six~~ seven board positions listed in A ~~and B above~~, at least four (4) must live on or near the boundaries of four (4) of the seven (7) Indian reservations in Montana to insure adequate representation of the majority of the Indian Reservations in Montana. ~~and Wyoming~~. In the event that a minimum of four (4) of the seven (7) reservations cannot be represented, this will be reduced to three (3) of the seven (7) reservations. (revisions approved at the April 2004 Conference and 2008 Conference)~~

B. B. The remaining three (3) positions will be as follows:

a. ~~Two (2) One (1) must be student a high school student and a postsecondary student who resides in and attends high school or a post secondary institution in Montana or Wyoming with each serving a one year term. (revisions approved at the April 2004 Conference and 2008 Conf.)~~

b. ~~One (1) member Two (2) members must live in an urban community and represent urban Indian education issues and will serve a ~~one (1)~~ two (2) year term. The State of Montana will be divided into two districts (see map) with each district having one Urban Representative position on the MIEA Board of Directors. (revisions approved at the April 2004 Conference) (This amendment will take effect at the 2005 Elections)~~

C. C. All of the above ten (10) members with the exception of the student members must be at least 18 years of age or older.

~~E. D. All of the above ten (10) members must be members (in good standing) of the MIEA.~~

~~F. E. All of the MIEA Board of Directors must be residents of Montana ~~or Wyoming~~. (Revised and approved March 4, 2001) and an enrolled member or descendant of an American Indian tribe and/or Alaskan Native. (Revised and approved April 2010)~~

Section D - Nominations and Elections of Board:

1. Nominations

- A. Members will be provided with information on Board vacancies in the Annual Conference publications and at registration during the annual convention.
- B. Each member may nominate to the Board of Directors.
- C. Each nomination must be accompanied by a biographical sketch of the nominee.
- D. The list of nominations should be compiled and presented at the annual convention.
- E. Nominees for the Board must be enrolled or a descendent of an American Indian Tribe and/or Alaskan Native. (Revised and approved April 2010).

2. Elections:

- A. Elections will be held during the annual conference by secret ballot with all eligible members who are in attendance at the conference voting for all open Board positions with the following exception: High school student members will be eligible to vote only for the high school representative. (revised and approved April 2010). No proxies will be allowed.

Section E- Vacancies on the Board of Directors:

- 1. In case of a vacancy on the Board of Directors, the Board of Directors shall fill the vacancy at their next regularly scheduled meeting by nomination and vote of the Board of Directors from the current MIEA membership until the end of the term, which was vacated.

Section F- Meetings of the Board of Directors:

- 1. The Board of Directors will meet at least once per quarter at a time and place designated by the Chairperson.
- 2. Upon the petition of one-third (1/3) of the Board members, the Board must convene within thirty days from the date of the petition.
- 3. A quorum of the Board of Directors will consist of a minimum of four (4) Board members at a duly called and noticed meeting (revised and approved March 4, 2001)

4. In all proceedings of the Board of Directors not covered by its Constitution or By-Laws, the Board of Directors as well as the Association will be governed by Roberts Rule of Order, Revised Edition.

5. Meetings of the Board of Directors may be held by a telephone conference call, but shall be limited to specific agenda items that need the Board's attention and agenda item/s must be approved by a quorum of the Board. Notice of such meeting shall be made by the Chairperson, Vice-Chairperson, or Secretary at least five (5) days prior to the meeting with agenda item/s specifically noted. (revised and approved March 4, 2001)

6. At least three members of the Executive Board of the MIEA Board that consists of the Chairperson, Vice-Chairperson, Secretary, and Treasurer may hold Executive Board meetings for the purpose of matters that need the immediate attention of MIEA and a report must be filed with the MIEA Board of Directors at their next scheduled meeting of any such actions. (revised and approved March 4, 2001)

Section G - Board Expenses: Expenses for meetings of the Board of Directors and activities of members approved by the Board will be paid by the Association at a rate established by the Board.

ARTICLE VI - Officers and Committees of the Board of Directors: Positions, Elections, Duties, Vacancies

Section A - Officer Positions: The officers of the Association will be Chairperson, Vice-Chairperson, Secretary, and Treasurer.

Section B - Elections:

1. All Board Officers will be elected yearly at the first regular official meeting of the MIEA Board of Directors from among the Board's membership by nomination and election by the majority of the Board members present.

Section C - Duties of Officers:

- 1. The Chairperson will be the chief executive officer and will preside at all annual meetings, Board of Directors' meetings, and other meetings called by the Association.
- 2. The Vice Chairperson will preside at all Association meetings in the absence of the Chairperson and will perform such other duties as the Chairperson and the Board of Directors designate.

of its property will be distributed to any of its members and all of its assets shall be distributed for one or more exempt purposes within the meaning of Section 501 (C) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. The Association's Board of Directors shall, at its discretion, identify a qualified recipient organization which shall, if possible, also be a non-profit Indian organization, preferably having purposes similar to those of the Association. (Section VIII amendments approved April 8, 2002, at MIEA Conference)

ARTICLE IX - Bylaws

Section A: Bylaws consistent with the Constitution will be adopted or amended from time to time by a majority vote of members present at the regular annual convention. Two weeks notice of any changes will be required.

ARTICLE X - Amendments to the Constitution

Section A - Amendments: Amendments to the Constitution may be made at any annual meeting of the Association. Proposals to amend the constitution may be initiated by the Board of Directors or by a petition signed by at least twenty (20) members of the Association and delivered to the Chairperson sixty (60) days prior to voting. Copies of such amendments will be made available to all members of the Association at least two (2) weeks prior to voting, proposals to be presented at the annual convention of the Association will have been publicized to all members at least two (2) weeks prior to the Convention.

Section B - Approval of Amendments: A majority of the Association members will be required to vote and approve the amendments at their annual convention or by a mail voting ballots.

ARTICLE XI - Repository

Section A: The Association will develop a repository for materials of Indian historical value. Such a repository will be established for the express purpose of keeping pertinent information relative to the organization's purpose and goal.

The Association will further serve to develop Indian material to disseminate for educational purposes and will lend support to preserving and protecting from exploitation the Indian culture of music, art, literature, costumes, and other areas-- including artifacts, reflecting the Indian culture.

3. The Secretary will serve as the secretary of the Association and the Board of Directors, will keep the records of all the meetings, maintain membership files and records, keep all other official records of the Association including any IRS reporting requirements, and prepare reports as required.

4. The Treasurer will collect and receive all monies due, be responsible for the collection of dues, will be the custodian of these monies and will deposit them in a bank designated by the Board of Directors. The Treasurer will have the authority to sign check drafts on behalf of the Association and by vote of the Board of Directors. The Treasurer will prepare fiscal reports for the Board of Directors and Membership and keep all official financial records of the Association, including IRS reporting requirements.

Section D - Vacancies of Officers:

1. In case any officer of the Board of Directors other than Chairperson is declared vacant for any reason, the Chairperson will appoint a temporary replacement from the present members of the Board of Directors. A permanent replacement to complete the term of office will be appointed by the Board of Directors at their next quarterly meeting.

2. In case the Office of Chairperson is declared vacant, the Vice Chairperson will assume the responsibilities of the Chairperson and the Board of Directors will elect one of their members to fulfill the unexpired term at their next regularly scheduled meeting.

Section E. Committees:

1. Committees of the Association, both standing and special, may be created to promote the purposes of the Association.

ARTICLE VII - Local Chapters

Section A: Members of the Association will promote the establishment of local chapters in order to involve more Indian people working toward the goals of the Association.

ARTICLE VIII - Property of the Association

Section A: All property of the Association will be subject to the control and management of the Board of Directors. Upon the dissolution of the Association, none

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ARTICLE I - Membership Dues

Section A - Dues: All dues for members will be determined and approved by the majority of members in attendance at the annual convention of the Association.

Section B - Dues payments: All dues will be due and payable at the Annual Convention. Membership will be in one-year increments.

Section C: New members will pay dues immediately upon joining the Association.

Section D: Membership dues:

Adult	\$40.00	<u>\$60</u>
Student (K-Higher Ed)	\$20.00	<u>\$30</u>
College must be at least half-time		
Senior Citizens (60 and older)	Free	
Affiliate Organizations	\$150	<u>\$250</u>

Dues revised and approved April 2010.

ARTICLE II - Board of Directors

Section A - Appointments of subordinate personnel: The Board of Directors will have the power to appoint subordinate personnel, committees, agents, and representatives to carry out the purpose of the Association.

Section B - Meetings: The Chairperson will notify members of the Board of Directors at least two (2) weeks prior to any meeting. Special meetings may be called by the Chairperson with approval of one-third (1/3) of the Board of Directors. Such approval may be obtained by telephone, email or fax and properly recorded as to time and date.

Section C - Attendance: Offices will be declared vacant if the officers or other members of the Board of Directors miss two noticed meetings during the year without giving prior notification in writing, by email, fax, or telephone to the Chairperson or the Secretary.

Section D - Agenda: Board meeting agenda's will be established by the Chairperson and as requested by Board members one week prior to the ensuing meeting to allow for notification of the Agenda to the members of the Board. Agenda items can be added at Board meetings with the approval of the majority of the Board members present.

ARTICLE XII - Communications and Information Newsletter

Section A - Newsletter: A newsletter will be published periodically covering the activities of the Association and including other information involving American Indian and Alaska Natives. The editor of the Newsletter and frequency of distribution will be determined by the Board of Directors. The newsletter is to be sent to other sections of the country to inform others of the Association's activities.

Section B - Communications: MIEA Board of Directors will strive to maintain ongoing communications with the membership they represent and with other organizations to insure that members are kept informed of events and activities of the Board and to strengthen communications and relationships with other appropriate educational organizations.

ARTICLE III - Recall

At least fifteen (15) percent of the MIEA members will have the right to demand the recall of any of the elected officers of the MIEA. The vote of the majority of the members in such a recall will be conclusive and binding.

ARTICLE IV - Referendum

At least fifteen (15) percent of the MIEA members will have the right to demand a referendum on any enacted or proposed decision or resolution of the Board of Directors. The vote of the majority of the members in such a referendum will be conclusive and binding.

ARTICLE V - Amendments

These bylaws may be amended by a majority vote of MIEA members in attendance at the annual convention, providing that every member has been notified of the proposed amendments at least two weeks prior to the meeting. Amendments will be effective when adopted.

**DULY ADOPTED AT THE MIEA BOARD OF DIRECTORS MEETING
MARCH 4, 2000, AND APPROVED BY A MAJORITY VOTE OF THE
MEMBERSHIP OF MIEA AT THE APRIL 2000 CONFERENCE, GREAT
FALLS, MONTANA.**

REVISED BY THE MIEA BOARD OF DIRECTORS AND APPROVED BY THE MEMBERSHIP AT THE ANNUAL 2001 CONFERENCE IN HELENA, MONTANA, MARCH 4-6, 2001. (Revisions made are underlined and dated)

REVISED BY THE MIEA BOARD OF DIRECTORS AND APPROVED BY THE MEMBERSHIP AT THE ANNUAL 2002 CONFERENCE IN GREAT FALLS, MONTANA, APRIL 8, 2002 (Revisions made are underlined dated)

REVISED BY THE MIEA BOARD OF DIRECTORS AND APPROVED BY THE MEMBERSHIP AT THE ANNUAL 2003 CONFERENCE IN HELENA, MONTANA, APRIL 1, 2003. (Change was from *Montana-Wyoming Indian Education Association to Montana Indian Education Association*).

REVISED BY THE MIEA BOARD OF DIRECTORS AND APPROVED BY THE MEMBERSHIP AT THE APRIL 2005 CONFERENCE. (Changes included revising number of reservations to be represented from 5 to 4, taking reference to Wyoming out of Board membership criteria, taking out Parent Rep and adding two Urban Reps from 2 sections of state)

REVISED BY MIEA BOARD OF DIRECTORS AND APPROVED BY THE MEMBERSHIP AT THE APRIL 2008 CONFERENCE (Changes include eliminates the College Student Representative position and increases the General Board positions from six (6) to seven (7) positions with the additional General Board position being a 2-year term)

REVISED BY THE MIEA BOARD OF DIRECTORS AND APPROVED BY THE MEMBERSHIP AT THE APRIL 2010 CONFERENCE. (Changes included adding the policies and procedures duty for Board, limiting Board membership to American Indian or Alaska Native, students vote for high school student only, and membership fees raised).