Muscogee (Creek) Nation

Johnson O' Malley Program

FY-2016

Handbook

If all else fails…here's a list of numbers to call Muscogee (Creek) Nation

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SECTION 1

- **Historical Background**
- **Legislative History**
- **Code of Federal Regulations (CFR 25-273)**

HISTORICAL BACKGROUND OF JOM

In 1871, Congress discontinued the policy of treaty agreements with Indian tribes. For the next half century the Federal Government continued to assume the major responsibility for Indian education through the actual operation of Government schools or by paying the equivalent of "non-resident" tuition to public school districts enrolling Indian children. This early effort was implemented by legislative authority contained in the BIA's Appropriation Act of February in Regulations adopted in that Act are still nominally in effect as Part 33, Title 25 Indians, although superseded under the authority of the JOM Act. For the most part, the educational efforts focused primarily on Indian reservations which were surrounded by public domain or territorial status land.

The transition of responsibility for Indian children from the Federal government to individual states is a direct result of two basic factors. (1) the organization into States formerly in territorial status, each state recognizing in its constitution the responsibility to equally provide education opportunities for all State citizens; and (2) the Citizenship Act of 1924 granting American citizenship to all Indians residing within the continental United States. Therefore, by virtue of Indian citizenship and Indian rights under the 14th Amendment of the U.S. Constitution, the responsibility for the education of the American Indian is primarily that of each State and local school district.

Although the legal responsibility of equality in education for America's children rests with the states it is recognized in basic state laws, the Federal Government also recognizes its responsibility for assisting states under certain circumstances. The JOM Act of April 15, 1934 (48 Stat. 596), as amended by the Act of June 4, 1936 (49 Stat. 1458), is such a circumstance.

LEGISLATIVE HISTORY OF JOM

The JOM Act (73 Cong., 2nd Session, Chs. 146-1481 April 16 1934 (Title 25 452-455) provided the Secretary of the Interior with the authority to arrange with the states or territories for the education, medical attention, agricultural assistance, relief of distress and social welfare of the Indian and for other purposes.

In 1934, Hiram W. Johnson was Chairman of the Senate Committee on Indian Affairs and Thomas P. O'Malley was Chairman of the House Committee on Indian Affairs. Mr. Johnson introduced the bill S2571, in February of 1934. The report of the Senate Committee (S. Rpt. 511) was identical with that of the House (H. Rpt. 864), and stressed the bill was designed to handle *"Indian problems with those States in which the Indian tribal life is largely broken up and in which the Indians are to a considerable extent mixed with the general population."* It was felt that where such circumstances prevailed, health and other problems were "so intermixed with that of the general health of the community that it is difficult to separate the two." The committee felt separate white and Indian health facilities were "uneconomical and contrary to efficient administration." By this bill the state could handle the services to both white and Indians with the Federal Government bearing the added expense for services to the Indian population. The committee noted the Indian Service had already established the precedent of arranging with many local communities to take Indian children into the public schools, but…lacked the authority to transfer such functions on the broader basis to the States.

Prior to 1958, the JOM Program was a basic Federal Aid program specifically designed to assist public school districts to educate Indian children from reservations and other Indian-owned, tax-exempt land areas. On August 12, 1958, Public Law 81-874, administered through the Department of Health, Education and Welfare, providing financial assistance to public schools was amended to include assistance for educating Indian children. This broader based Federal aid program met most of the basic financial needs of eligible school districts. Subsequently, the JOM program became a supplementary aid program geared to offset the financial deficit of unmet extraordinary and exceptional cases of need. Funds were available for operational purposes as distinguished from construction needs.

JOM funds were made available to states based on separate plans negotiated between BIA and the respective States or tribal corporations for the express purpose of supplemental Federal assistance for educating Indian children in public schools. These funds, in turn, were administered by the States or tribal corporations to local school districts.

The purpose of the regulations established in Part 273 of Public Law 93-638, the Indian Self-Determination and Education Assistance Act was to set forth the application and approval process for education contracts under the JOM Act. Any State, school district, tribal organization or Indian corporation is eligible to apply for a contract.

These regulations were written to ensure the maximum participation of Indian parents in the development of programs for eligible Indian students.

SUBPART M—INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT PROGRAM
PART 273-EDUCATION CONTRACTS UNDER JOHNSON-O'MALLEY ACT

25 CFR 273

273.4 Policy of maximum Indian participation
The meaningful participation in all aspects of educational program development and implementation by those affected by such programs is an essential requisite for success. Such participation not only enhances program responsiveness to the needs of those served, but also provides them with the opportunity to determine and affect the desired level of educational achievement and satisfaction which education can and should provide. Consistent with this concept, maximum Indian participation in the development, approval and implementation of all programs contracted under this part shall be required.

Subpart B—Application Process
273.11 Eligible applicants
(a) Any State, school district, tribal organization or Indian corporation is eligible to apply for contracts for supplemental or operational support programs. For the purposes of this part, previously private schools as defined in S273.2(n) are considered tribal organizations.
(b) States, school districts, or Indian corporations shall apply for contracts for supplemental or operational support programs as required in this part.
(c) Tribal organizations must comply with the following requirements to obtain contracts for supplemental programs or operational support:
(1) The applications submitted by the tribal organizations shall meet the requirements in S273.20 in addition to those in S271.14 of this chapter.
(2) The requirements in Sections 271.1 through 271.27, 271.41 through 271.52, 271.54, 271.61 through 271.66, and 271.81 through 271.84 shall apply to such contracts with tribal organizations.
(3) The provisions in Sections 271.71 through 271.77 of this chapter concerning retrocession and reassumption of programs do not apply to a tribal organization retroceding a contract for supplemental programs or operational support as the Bureau does not operate education programs authorized to be contracted under the Johnson-O'Malley Act. However, the tribal organization may retrocede such a contract and the Bureau will then contract with a State, school district, or Indian corporation under this part for the supplemental programs or operational support.
(4) The requirements in Sections 273.12 through 273.18, 273.20, 273.21, 273.31 through 273.38, 273.41, 273.51 and 273.52 shall apply to such contracts with tribal organizations.
(5) The requirements in 41 CFR part 14H-70 shall apply to such contracts with tribal organizations. [40 FR 51303, Nov. 4. 1975, as amended at 41 Fr 5098, Feb. 4, 1976]

S 273.12 Eligible students.
273.12 ELIGIBLE STUDENTS
Indian students, from age 3 years through grade(s) 12, except those who are enrolled in Bureau or sectarian operated schools, shall be eligible for benefits provided by a contract pursuant to this part if they are ¼ or more degree Indian blood and recognized by the Secretary as being eligible for Bureau services. Priority shall be given to contracts (a) which would serve Indian students on or near reservations and (b) where a majority of such Indian students will be members of the tribe(s) of such reservations (as defined in S 273.2(o)).
Note: This section was amended by Public Law 99-228 Section (f)(1) [which states]"…is a member of or at least one-fourth degree Indian blood descendent of a member of an Indian tribe which is eligible for the special programs and services provided by the United States through the Bureau of Indian Affairs to Indians because of their status as Indians."
Note: There is no mentioned requirement of a "Certificate of Indian Blood." 273.13 Proposals eligible for contracts.
(a) Any proposal to contract for funding a program which meets the definition of a supplemental program given in 273.2(t) will be considered an eligible proposal under this part.
(b) (1) To contract for operational support, a public school district shall be required to establish as part of the proposal that:
(i) It cannot meet the applicable minimum State standards or requirements without such funds.
(ii) It has made a reasonable tax effort with a mill levy at least equal to the State average in support of educational programs.
(iii) It has fully utilized all other sources of financial aid, including all forms of State aid and Pub. L. 874 payments. The State aid contribution per pupil must be at least equal to the State average.
(iv) There is at least 70 percent eligible Indian enrollment within the school district.
(v) It shall clearly identify the educational needs of the students intended to benefit from the contract.
(vi) It has made a good faith effort in computing State and local contributions without regard to contract funds pursuant to this part.

(vii) It shall not budget or project a deficit by using contract funds pursuant to this part.

(2) The requirements given in paragraph (b)(1) of this section do not apply to previously private schools.

(c) At his discretion, the Commissioner may consider as eligible a proposal to contract under which a school district will be reimbursed for the full per capita costs of educating Indian students who meet all of the following:

(1) Are members of recognized Indian tribes.

(2) Do not normally reside in the State in which the school district is located.

(3) Are residing in Federal boarding facilities for the purposes of attending public schools within the school district.

273.14 Preparing the education plan.

A prospective contractor in consultation with its Indian Education Committee(s) shall formulate an education plan and submit it to the appropriate Area Director as a part of the application to contract required by S 273.20. Such plan shall become a part of any contract awarded. The education plan shall contain:

(a) The education programs approved by the Indian Education Committee(s) as required in 273.17.

(b) Other requirements for the education plan given in 273.18.

273.15 Establishment of an Indian Education Committee.

(a) When a school district to be affected by a contract(s) for the education of Indians pursuant to this part has a local school board not comprised of a majority of Indians, the tribal governing body(s) of the Indian tribe(s) affected by the contract(s) under this part shall specify one of the following entities to serve as the Indian Education Committee for the purpose of this part:

(1) An Indian Education Committee to be elected from among the parents (including persons acting *in loco parentis* except school administrators or officials) of eligible Indian students enrolled in the school(s) affected by a contract(s) under this part; or

(2) A local Indian committee established pursuant to section 305(b)(2)(B)(ii) of the Act of January 23, 1972 (86 Stat. 235) and existing prior to January 4,1975; or

(3) An Indian advisory school board or Indian Education Committee established pursuant to the Johnson-O'Malley Act and existing prior to January 4, 1975.

(b) When the local school board is not composed of a majority of Indians and the tribal governing body(s) of the Indian tribe(s) affected by a contract(s) under this part determine which of the entities provided for in paragraph(s) of this section is to serve as the Indian Education Committee for the purpose of this part, it shall notify the Area Director of such determination by January 15 preceding the school year for which the contract will be let.

(c) The Indian Education Committee established under paragraph (a) of this section and its members shall establish procedures under which the Committee shall serve. Such procedures shall be set forth in the Committee's organizational documents and by-laws. Each Committee shall file a copy of its organizational documents and by-laws with the appropriate Area director, together with a list of its officers and members as soon as practicable after the Committee is organized.

(d) The existence of an Indian Education Committee shall not limit the continuing participation of the rest of the Indian community in all aspects of programs contracted under this part.

273.16 Powers and duties of Indian Education Committee.

(a) Consistent with the purpose of the Indian Education Committee, each such Committee shall be vested with the authority to:

(1) 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 shall include further authority to:

i. Recommend curricula, including texts, materials, and teaching methods to be used in the contracted program or programs.

ii. Approve budget preparation and execution.

iii. Recommend criteria for employment in the program.

iv. Nominate a reasonable number of qualified prospective educational programmatic staff members from which the contractor would be required to select.

v. Evaluate staff performance and program results and recommend appropriate action to the contractor.

(2) Approve and disapprove all programs to be contracted under this part. All programs contracted pursuant to this part shall require the prior approval of the appropriate Indian Education Committee.

(3) Secure a copy of the negotiated contract(s) which include the program(s) approved by the Indian Education Committee.

(4) Recommend to the Commissioner through the appropriate Bureau contracting officer cancellation or suspension of a contract(s) which contains the program(s) approved by the Indian Education Committee if the contractor fails to permit such Committee to exercise its powers and duties as specified by this section.

(b) The organizational papers and by-laws of the Indian Education Committee may include additional powers and duties which would permit the Committee to:

(1) Participate in negotiations concerning all contracts under this part.
(2) Make an annual assessment of the learning needs of Indian children in the community affected.
(3) Have access to all reports, evaluations, surveys, and other program and budget related documents determined necessary by the Committee to carry out responsibilities, subject only to the provisions of Sections 273.49.
(4) Request periodic reports and evaluations regarding the Indian education program
(5) Hear grievances related to programs in the education plan
(6) Meet regularly with the professional staff serving Indian children and with the local education agency
(7) Hold committee meetings on a regular basis which are open to the public.
(8) Have such additional powers as are consistent with these regulations.

273.17 Programs approved by Indian Education Committee.

(a) All programs contracted under this part shall:

(1) Be developed and approved in full compliance with the powers and duties of the Indian Education Committee as set out in Sections 273.16 and as may be contained in the Committee's organizational documents and by-laws.
(2) Be included as a part of the education plan provided for in Section 273.14.

(b) No program contracted pursuant to this part shall be changed from the time of its original approval by the Indian Education Committee to the end of the contract period without the prior approval, in writing, of the Committee.

(c) Programs developed or approved by the Indian Education Committee pursuant to this part may, at the option of such Committee, include funds for the performance of Committee duties, including the following:

(1) Member's attendance at regular and special meetings, workshops and training sessions, as the Committee deems appropriate.
(2) Such other reasonable expenses incurred by the Committee in performing its primary duties, including the planning, development, implementation and evaluation of the program.

273.18 Additional requirements for education plan

In addition to incorporating the programs approved by the Indian Education Committee(s) as required by Sections 273.14(a), the education plan prepared by the prospective contractor shall:

(a) Contain educational goals and objectives which adequately address the educational needs of the Indian students to be served by the contract.
(b) Incorporate the program or programs developed and approved by the Indian Education Committee(s). As provided in Sections 273.17(b), changes in such programs must have prior written approval of the Indian Education Committee(s).
(c) Contain procedures for hearing grievances from Indian students, parents, community members, and tribal representatives relating to the programs contracted under this part. Such procedures shall provide for adequate advance notice of the hearing.
(d) Identify established State standards and requirements which shall be maintained in operating programs and services contracted under this part.
(e) Describe how the State standards and requirements will be maintained.
(f) Provide that the contractor shall comply in full with the requirements concerning meaningful participation by the Indian Education Committee as required by Section 273.4.
(g) Provide that educational facilities receiving funds shall be open to visits and consultations by the Indian Education Committee(s), tribal representatives, Indian parents in the community, and by duly authorized representatives of the Federal and State Governments.
(h) Outline procedures of administrative and fiscal management to be used by the contractor.
(i) Contain justifications for requesting funds for operational support. The public school district must establish in its justification that it meets the requirements given in Section 273.13(b). The information given should include records of receipt of local, State, and Federal funds.

(j) Include budget estimates and financial information needed to determine program costs to contract for services. This includes, but is not limited to, the following:
  (1) State and district average operational cost per pupil.
  (2) 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.
  (3) Administrative costs involved, total number of employees, and total number of Indian employees.
  (4) Costs which parents normally are expected to pay for each school.
  (5) Supplemental and operational funds outlined in a separate budget, by line item, to facilitate accountability.
  (6) Total number of employees for each special program and number of Indian employees for that program.

(k) State the total enrollment of school or district, by age and grade level.

(l) State the eligible Indian enrollment-total and classification by tribal affiliation(s) and by age and grade level.

(m) State the total number of school board members and number of Indian school board members.

(n) List Government equipment needed to carry out the contract.

(o) State the period of contract term requested.

(p) Include the signature of the authorized representative of applicant.

(q) Provide written information regarding:
  (1) Program goals and objectives related to the learning needs of potential target students.
  (2) 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.
  (3) Overall program implementation including staffing practices, parental and community involvement, evaluation of program results, and dissemination thereof.
  (4) Determination of staff and program effectiveness in meeting the stated needs of target students.

SECTION 2

Student Roster Procedures

- **Procedures & Verification**
- **Student Count & Roster**
- **Transmittal Form/ Student Count FY16**
- **Enrollment Sheet**
- **Blood Quantum Requirements**

STUDENT COUNT
And
ROSTERS

COUNT WEEK

Count Week is the first full week in October which is October 5-9 this year. At the end of Count Week, all schools will be required to tabulate and count their eligible JOM student enrollment, which ends that week.

Each school will be required to *email/fax in their count number* on the Student Count Transmittal form, and *should reach our office by Friday of the third week of October* which is October 16, 2015. Student Transmittal forms are located in the Roster Section of the JOM Handbook.

Schools will have until November 13, 2015 to submit all student verifications and other changes to their rosters, ie: transfers, drop-outs, re-activate, inactivate, etc., for all students seeking eligibility.

October 2015

Mon	Tue	Wed	Thurs	Fri
			1	2
5 **Start**	6 ⇨	7 ⇨	8 ⇨	9 **End**
	COUNT	WEEK		
12 ⇨ Send In	13 ⇨ Send In	14 ⇨ Send In	15 ⇨ Send In	16 **Transmittal Form Deadline**
19	20	21	22	23

November 2015

Mon	Tue	Wed	Thurs	Fri
2	3	4	5	6
9	10	11	12	13 **Enrollment Forms Due**
16	17	18	19	20
23	24	25	26	27

FINAL ROSTER

The final roster will be printed in January and the student count, after adjustments, will be mailed to the schools. If, for some reason, schools feel their final count is inaccurate they will have ten days after receipt of the final roster printout to make a claim. After the ten-day period, the count **CANNOT AND WILL NOT CHANGE**. The Count will stand as final.

JOM ENROLLMENT
PROCEDURES AND VERIFICATION

An important segment for the JOM program is the enrollment process and student certifications. First and most importantly, is that the student qualifies for the JOM program by meeting the JOM criteria and eligibility. This verification is accomplished in the Creek Nation JOM office. Secondly, forms need to be properly filled-out and all proper documents need to be attached and submitted to the Creek Nation JOM office for verification. Procedures that must be followed:

Eligibility

- The student must be enrolled with a federally recognized tribe.
- **Eligible students-237.12 ELIGIBLE STUDENTS** (Code of Federal Regulations (CFR) 25, Part 273.12 Indian students, from age 3 years through grade(s) 12, except those who are enrolled in Bureau or sectarian operated schools, shall be eligible for benefits provided by a contract pursuant to this part if they are ¼ or more degree Indian blood and recognized by the Secretary as being eligible for Bureau services. ***(Federal tribes whose citizenship is determined by lineage may have less than a ¼ degree on the CDIB card.)***
- Also accepted is a parent's tribal citizenship card or a CDIB card of a federally recognized tribe **if the parent's blood degree is 1/2 or more** with the student's original state certified birth certificate.

Proper Documentation

- When submitting an enrollment form to the Creek Nation JOM office for verification, a copy of their tribal citizenship card, tribal letter verifying citizenship or CDIB card must be attached to the form.
- If the student is being verified by using their parent's card, the parent's tribal citizenship card or CDIB card must be submitted along with an original state certified copy of the child's birth certificate. These two documents will need to be attached to the enrollment form when submitting for verification. We do not and will not accept anything other than **state certified birth certificates**. Hospital certificates will not be accepted.
- Enrollment forms must be correctly filled-out with correct documentation or the forms will be returned and the process will be stopped until proper documentation is presented.

Count Week

- This is the week we count enrolled JOM students and the student must be actively enrolled in the school. This count number is utilized in determining funding amounts for schools. Count week is always the first full week of October and the count of students stops on Friday of that first week. That number becomes your school's Count number. The JOM student count number **must be ăŜyŕ to the JOM office by Friday of the following week on the transmittal form** ŕ2 ŕKŜ ŘI·ŕI· ŎfŜ₩ʔΣ LJ₩ŜŦŜ₩I·ōfè ōè ŜY I·ʎf ŕŦI·ÈŜă I·₩Ŝ I·ŎŎŜLJŕI·ōfŜŕ¢Transmittal forms are included in the handbook and on our website www.muscogeenation-nsn.gov.
- Schools will have until the end of the third week in November to submit all student enrollment forms for verification of JOM students for the school year 2015/2016 count, and for other changes to their roster, i.e. transfers, drop-outs, etc.

Roster

- The final roster will be printed in January and the student count, after adjustments, will be sent to the schools on the final roster printout. If for some reason schools feel their final count is inaccurate, they will have ten days after receipt of the final roster to make a change.

Muscogee (Creek) Nation Johnson-O'Malley
TRANSMITTAL FORM
STUDENT COUNT FY16

Please fax this form to the Muscogee (Creek) Nation JOM Office by OCTOBER 16, 2015 at 918-732-7844 or email to mbrowne@MCN-NSN.gov

TO: Muscogee (Creek) Nation
Johnson O'Malley Department

FROM: _____
(School Name)

SUBJECT: Transmittal and School Certification of Official Johnson O'Malley Student Count FY16.

DEADLINE DATE: October 16, 2015

Submitted is the accurately completed Student Count for:

_____
School Name

There are a total of _____ students who are eligible to be counted during the official count week is **OCTOBER 5 - 9, 2015**.

I certify that the information contained herein is correct for the specified week and that the count was performed in accordance with Federal regulations.

Submitted by:

_____
Signature Date

_____
(Print) Title/Name of Contractor Representative

JOHNSON-O'MALLEY ENROLLMENT FORM

Today's Date_____

Enrollment FY_____

Verified by:_____
MCN JOM OFFICE

STUDENT NAME:_____ COUNTY: _____

SCHOOL DISTRICT NAME:

DATE OF BIRTH	GENDER	GRADE	TRIBE	DEGREE

STUDENT JOM ID#_____
(Assigned by JOM Office)

Please attach a copy of tribal citizenship card or CDIB card to the front of this form.

FRONT OF CARD

BACK OF CARD

REMARKS:

STUDENT STATUS: ACTIVE ☐ INACTIVE ☐

TRANSFERRED TO:_____ TRANSFERRED FROM:_____

June 2010

The information below depicts Oklahoma area tribes' blood quantum requirements for enrollment. To be eligible for the Johnson O'Malley program, a student must be enrolled (or eligible for enrollment) with one of the tribes listed below; or be ¼ total blood degree descendant of a tribal member of a federally recognized tribe, with written documentation. For students seeking Scholarship or Adult Education services they must meet tribal standards for enrollment and blood quantum requirements herein listed.

TRIBE	BLOOD QUANTUM REQUIRED FOR MEMBERSHIP
Absentee-Shawnee	1/4 degree Absentee-Shawnee blood
Alabama-Coushatta	1/2 degree, or by adoption
Apache	1/8 degree Apache blood
Caddo	1/16 degree Caddo blood
Cherokee	Any degree - Descendant of tribal member
Cherokee-Shawnee (Jay, OK)	Any degree - Descendant of tribal member
Cheyenne-Arapaho	¼ degree – with 1 parent enrolled
Chickasaw	Any degree – Descendant of tribal member
Choctaw	Any degree – Descendant of tribal member
Citizen Band Potawatomi	Any degree – Descendant of tribal member
Comanche	1/8 degree Comanche blood
Creek	Any degree – Descendant of tribal member
Delaware of Eastern Oklahoma	Any degree – Descendant of tribal member
Delaware of Western Oklahoma	1/8 degree Absentee Delaware blood
Eastern Shawnee	Any degree – Descendant of tribal member
Ft. Sill Apache	1/16 degree Ft. Sill Apache blood
Iowa of KS and NE	Any degree – Descendant of tribal member
Iowa of Oklahoma	1/16 degree Iowa (of OK) blood, w/one parent enrolled
Kickapoo of KS and MO	1/4 degree Kickapoo (of KS & MO) blood
Kickapoo of Oklahoma	1/4 degree Kickapoo (of OK) blood
Kickapoo Traditional of Texas	1/4 degree Kickapoo (of TX) blood
Kiowa	1/4 degree Kiowa blood
Kaw	Any degree – Descendant of tribal member
Miami	Any degree – Descendant of tribal member
Modoc	Any degree – Descendant of tribal member
Osage	Any degree – Descendant of tribal member
Otoe-Missouria	1/8 degree Otoe-Missouria blood
Ottawa	Any degree – Descendant of tribal member
Pawnee	1/8 degree Pawnee blood
Peoria	Any degree – Descendant of tribal member
Ponca	1/8 degree Ponca blood
Prairie Band Potawatomi	1/4 degree Prairie Band Potawatomi blood
Quapaw	Any degree – Descendant of tribal member
Sac and Fox of Missouri	1/8 degree – born to member of tribe
Sac and Fox of Oklahoma	1/8 degree Sac and Fox (of OK) blood
Seminole	Any degree – Descendant of tribal member
Seneca-Cayuga	Any degree – Descendant of tribal member
Tonkawa	1 parent enrolled per A-21-38 and 1977
Wichita	1/8 degree Wichita or Affiliated Tribes
Wyandotte	Any degree – Descendant of tribal member
United Keetowah Band of Cherokee	1/4 degree Keetowah Band blood

The above is representation of Oklahoma area tribes only. If you have questions concerning out-of-state tribal requirements for enrollment eligibility, please contact that tribe.

SECTION 3

IEC Responsibilities

- **IEC Roles & Responsibilities**
- **IEC Officer Duties**
- **Being a JOM IEC member means…**
- **JOM Parent Committee Training**

ROLES AND RESPONSIBILITIES OF THE EDUCATION COMMITTEE & SCHOOL DISTRICT

The rules and regulations (25 CFR 273) give considerable space to the roles and responsibilities of the Indian Education Committee and the School District. Listed are the Roles and Responsibilities of both the IEC and the School District in accordance with the federal code of regulations. The specific areas of the federal regulations are listed by each "Role" item.

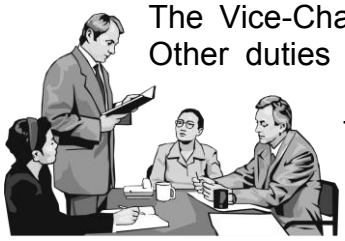
Indian Education Committee		School District
273.16	Participate in planning and development of Johnson-O'Malley Program.	Incorporate the committee's input into development of the program.
273.15(d)	Participation of the Indian community must be sought.	Contractor/Sub-Contractor must utilize Community input in developing program.
273.16	Approve all programs prior to submission. Approve budget Preparation and execution.	Submit to Contractor which will then submit to the Muscogee Creek Nation. Implement Program. Provide fiscal management and financial reports to the IEC.
273.17	Approve changes in program and budget by written approval.	Submit changes to the Contractor which will then submit to the Muscogee Creek Nation for contract modification. Implement change in program.
273.16	Participate in program evaluation and implementation.	Report regularly to Indian Education Committee on progress of program achievement of goals and objectives. Provide an Annual report to Muscogee Creek Nation.
273.16(iv)	Screen and recommend Prospective staff.	Hire staff.
273.16(iii)	Recommend criteria for Employment.	Write in costs as part of education plan.
273.16(v)	Evaluate staff and recommend action to contractor.	Implement recommendations within Framework of contract requirements.
273.16	Request a copy of the negotiated contract.	Provide a copy of complete contract to Education Committee.
273.16	Develop by-laws.	Make the by-laws part of the request for a IEC to review and approve

IEC Officer Duties

Chairperson

The Chairperson shall perform all duties incidental to the office of chairperson and such other duties as may be prescribed by the Indian Education Committee from time to time. Specific duties are to preside over all general committee meetings and sign all letters, reports, and other committee papers as required. The Chairperson may only vote on a motion to break a tie or as deemed by the IEC according to their by-laws. The Chairperson carries out the actions of the IEC in accordance to the JOM Application.

Vice-Chairperson



The Vice-Chairperson will assume the role of the chairperson in his/her absence. Other duties of the Vice-Chairperson are: ensure that membership on the Indian Education Committee is consistent with federal guidelines and arrange for speakers and special programs. He/she shall perform such other duties as may be prescribed by the committee from time to time.

Secretary

The Secretary shall keep the minutes of the meetings, regular, special, and emergency, and shall provide minutes to the Committee, school administrator, and to such other persons the Committee may indicate. He/she shall see that all notices are given in accordance with the provisions of these by-laws, be custodian of the Committee's records, keep a list of the address and telephone numbers of each Committee member. The Secretary shall perform other duties as prescribed by the Indian Education Committee from time to time.

Members

The members of the IEC shall attend the IEC meetings, have full voting rights and assist the IEC officers and JOM staff in the program design, implementing and evaluating the JOM program.

Being an IEC Board Members does not give any one member any authority. You are an IEC Board Member during the Board meeting. You may not represent yourself as an IEC Board Member on any occasion unless you have been given authority, by motion of the IEC to represent yourself as such.

IEC Members are to vote on any issue (motion) that is brought before the Board. The only reason that an IEC member would abstain from voting would be in a conflict of interest issue.

Being a JOM Parent Committee Members means:

1. To do what is best for the program and not necessarily what you want for your own child.
2. To vote on every issue that is brought before the Committee, unless it would be a conflict of interest.
3. That you were elected by the JOM parents to represent them and their children.
4. That you support the efforts of the JOM staff and that you will be their advocate within the school district.
5. To listen to the concerns of students, parents, and staff and try to the best of your ability to help.
6. That you account for every federal dollar spent within the JOM program in your school.
7. That you will make every effort to work with the school district or tribal education office to implement the program design that was suggested by the communities needs assessment.
8. That you care and want to make a difference in the lives of the students.

Sometimes being a Parent Committee Member means to looks at every possible solution to a problem and be willing to accept the best solution even if it may not have been the solution you thought of. Always keep an open mind, stand united as a committee and support the staff with positive interaction.

What are you expected to do as an IEC member?

1. To attend JOM/IEC meetings and trainings
2. To approve and sign the JOM application and attachments
3. To approve and sign the JOM Budget and Revisions
4. To approve and sign the JOM Annual Report
5. To conduct parent committee elections
6. To attend and sign off on the JOM evaluation monitoring
7. To screen and recommend prospective staff
8. To recommend criteria for employment
9. To develop the IEC bylaws
10. To perform an annual Needs Assessment of the program

What Materials should the subcontractor give the IEC?

1. The BIA/JOM handbook
2. Copy of the JOM Federal Regulations 273
3. JOM/IEC Parent Committee listing
4. The JOM bylaws for your program
5. A full copy of the programs JOM application
6. A copy of the states open meeting act
7. Guidelines for parliamentary procedures
8. A copy of the program's Annual Report
9. A copy of the Annual Monitoring findings

IEC Election / Voting

1. **Who is Responsible for conducting an election?**
The Indian Education Committee is in accordance with their bylaws. The IEC may have a non partisan person act as the election judge and conduct the election. The election procedures should be part of the IEC by-laws.

2. **Who can run for the Indian Education Committee?**
According to the Federal regulations (25 CFR part 273.15 (1)), The IEC is elected from parents, legal guardians or person acting in loco parentis of eligible Indian students enrolled in the school(s) affected by the contract. To avoid conflict of interest or give the appearance of a conflict of interest, school officials or their spouses, persons directly involved in oversight of the Muscogee Creek Nation JOM Program should not be eligible to serve as committee members.

3. **Who is eligible to vote?**
Any parent, legal guardian or person acting in loco parentis of eligible Indian students enrolled within the contract school system. This means that both parents of a child are eligible. Voting by proxy should not be allowed at any time. Students are not allowed by federal regulation to vote or hold a position on the IEC.

JOM Parent Committee Training

A specific meeting must be set aside for Parent Committee Training. This is a requirement for program Compliance. The Parent Committee Training must include the following:

1. A review of Federal Regulations

2. Review of the By-Laws
   a. Any changes made
   b. Ratification by the new IEC

3. Review of the Previous Needs Assessment
   a. Review of form
   b. Review of results

4. Program Application
   a. Goals and Objectives
   b. Budget Distribution

5. How to Run an Effective Meeting
   a. Officer Duties
   b. Meeting Agenda
   c. Meeting Minutes
   d. Making Motions
   e. Elections

6. Review of Program Compliance List

7. Signature page showing date of training and those attending

DEADLINE FOR SUBMISSION OF FORM December 11, 2015

(form is located in Section 5 of handbook)

SECTION 4

Program Information

- **Education Support/Sample Goals & Objectives**
- **Annual Needs Assessment Summary/Example of Survey**
- **Program Goals & Objectives**
- **What Items JOM funds may be used on…**
- **Expenditure Claim Procedures**

EDUCATIONAL SUPPORT

Educational support funds are for purchasing necessary items for a student involved in an academic or school-related activity. The type of aid that is provided should enable the student to fully participate in the educational programs available through the school.

The local Indian Education Committee (IEC) is responsible for determining the eligibility of students and items to be purchased.

Only items approved by the IEC, LEA and JOM office may be purchased.

All educational support funds will be paid and accounted for by the JOM contractor.

All items purchased with educational support funds become the property of the eligible student for whom it was purchased, except for lease-purchase items such as band instruments.

Educational support items include but are not limited to:
School supplies, shop supplies, instrument rental, lab fees,
PE clothing, test fees, graduation gowns, cultural supplies/materials, sports activities, extra-curricular supplies, science projects and eligible incentive awards.

SAMPLE GOALS AND OBJECTIVES

PARTS OF A PERFORMANCE OBJECTIVE
A well constructed objective will say the same thing to everyone and show the same outcome. In other words, no surprises! To ensure that everyone is fairly together in this idea, a performance objective should include the following four parts:
***** **WHO** relates to the person to perform the activity?
***** **WHAT** is to be known or done?
***** **WHEN** relates to a specific point in time when something will have been learned or completed.
***** **HOW** will it be measured relates to assessment techniques.

EXAMPLE 1:
In school X, it is identified that during the school year the Indian High school students had an absenteeism rate of 25% as compared to 7% for the other high school students. The Indian Education Committee is concerned about the absenteeism rate and indicates a desire to reduce the rate by at least 10%.
OBJECTIVE:
The current year absenteeism rate of 25% for Indian High school students will be reduced by 10% by … (end of school; semester; etc.,) JOM staff will identify and offer incentives for students to attend class.
ANALYSIS:
The Committee's intent to reduce the absenteeism rate is clear and the time frame for the objective is met. Now a program can be developed to reduce the rate of absenteeism.

EXAMPLE 2:
The needs assessment results indicate the importance of providing basic school supplies to eligible students
OBJECTIVE:
100% of JOM students will be provided the opportunity to begin the school year with basic school supplies. Distribution dates and times will be published in the local newspaper, Muscogee Nation News and newsletters.

(EXAMPLE)
JOM NEEDS ASSESSMENT SURVEY

---

1. PLEASE CHECK BELOW ANY NEEDS THAT SHOULD BE PROVIDED THROUGH THE **JOM PROGRAM** TO NATIVE AMERICAN STUDENTS.

_____ A. Tutoring: Elementary _____ Secondary _____

_____ B. Indian Cultural Programs

_____ C. Math/Science Improvement

_____ D. Reading/Language Improvement

_____ E. School Supplies

_____ F. Career Counseling or Higher Education Orientation

_____ G. Educational Support (list) _____

_____ H. Other Suggestions: _____

2. SELECT YOUR CHOICE OF THE THREE (3) MOST IMPORTANT NEEDS LISTED ABOVE.

   1. _____
   2. _____
   3. _____

3. HOW DO YOU THINK YOUR JOM FUNDS COULD BE USED TO ENABLE INDIAN STUDENTS TO EQUALLY PARTICIPATE IN ANY SCHOOL ACTIVITIES?

   _____

   _____

4. PLEASE CHECK THE CATEGORY THAT BEST DESCRIBES YOU:

   _____ PARENT/GUARDIAN _____ IN LOCO PARENTIS

   PLEASE COMPLETE AND RETURN BY: _____

ANNUAL NEEDS ASSESSMENT SUMMARY

Each Indian Education Committee is required by federal regulations to conduct the needs assessment process on an annual basis. As an IEC member, the responsibility for developing, printing, distribution and compiling of the results lies with the entire JOM IEC committee.

Parents, students and school administrators or teachers may fill out a needs assessment survey but only the **PARENTS** responses are to be used in prioritizing the top three (3) choices. The students are secondary and those by school administrators or teachers would be used only as an information resource.

GUIDELINES FORMAT & DISTRIBUTION

1. Decide survey design. Surveys should include either yes or no type questions, written comments, or selective ranking, etc. Review annually for any necessary changes.
2. Determine what questions and items will be used. Remember that your Title VII program may already be addressing one or more of your needs assessment items.
3. Obtain objective information to document the existence of the identified need items. Drop-out rates, attendance records, student grade reports, etc.
4. Decide effective distribution method. Look at previous methods and initiate the most successful.
   A. Mail or e-mail **B.** Telephone **C.** Door to Door **D.** Student hand delivery
   Look at using incentives for a higher return of parental surveys.
5. Collect the returned survey results and prioritize according to needs ranked highest.
6. Determine which prioritized needs will be addressed in your JOM program. Remember that the application budget should reflect the program results.
7. Set time lines for each step of the Needs Assessment process and submission deadlines for effective time management.
   A. IEC review of needs assessment survey to be used.
   B. Set distribution date of needs assessment survey. (**at least 2 months prior to JOM application deadline**)
   C. Deadline for submission of surveys distributed
   D. Date set for tallying responses and prioritizing needs.
   E. Preparation date for JOM program application utilizing the prioritized needs in addressing the education goals and objectives.

NEEDS ASSESSMENT PROCESS EVALUATION

1. **Is the Needs Assessment reviewed on an Annual Basis?**
2. **Does the Needs Assessment reflect the needs of the community?**
3. **Did the Needs Assessment survey form allow for community concerns through written comments or need for any public hearing?**
4. **Did the IEC use the prioritized Needs Assessment results to list their goals and objectives in the JOM application education plan?**

NEEDS ASSESSMENT CHECK LIST

1. **Why have a Needs Assessment?**
   A. Direction of Program (Objectives) and Parent Committee.
   B. To write the goals and objectives under the education plan of each New JOM application.

2. **How to Develop a Needs Assessment Survey**
   A. Borrow forms from other JOM Programs.
   B. 'Fine Tune' with your own community/Native American Population/School.
   C. Keep up with changes in opinions and within your community.
3. **When should you send them out?**
   A. At least two (2) months prior to the JOM application deadline to Creek Nation
4. **Who should complete the survey?**
   A. The Parents of eligible JOM students attending school in their respective district.
   B. Students, school administrators and teachers may complete one, but they should be kept separate and complied separately from parents. By federal regulation, PARENTS HAVE THE GREATER VOICE.
5. **What process can you use to get the survey out to the parents?**
   A. By mail or school newsletter
   B. School supplies distribution time, school activities or functions and IEC meetings.
   C. Direct calling (Remember student confidentiality)
   D. Home delivery through students.
6. **How to use the information?**
   A. Compile the information (staff and/or IEC).
   B. Rate and prioritize answers according to importance selected
   C. Report findings at the Parent Committee (IEC) meeting.
   D. Compare with budget. Make sure there's no overlap of services with another program.
   E. Write Goals and Objectives based on the prioritized top three items selected on the Needs survey.
7. **Use Incentives to have a greater return on your Needs Assessment**
   A. Your program budget allows for incentive purchases in the IEC budget.

WHAT ITEMS THE JOM FUNDS MAY BE USED ON

There are a number of different types of programs which school districts and Tribal Contractors can operate. These programs should be developed according to the needs of the eligible Indian students as determined through a needs assessment conducted by the parent committee and/or contractor. The amount of Johnson O'Malley funds available to the contractor will also determine which programs can be reasonably and successfully implemented and operated.

Another factor to be taken into consideration when planning activities is to ensure that Johnson O' Malley funds are used to support existing programs (supplemental) and not replacing programs that are being provided by another funding resource (supplanting).

A. **Supplemental Programs** – Programs that support and are in addition to existing programs in the public schools. Johnson O'Malley funds **cannot** be used to replace existing programs but may be used to support or enhance the regular school programs.
B. **Supplanting Programs** – Supplanting means establishing or building programs using Johnson O' Malley funds which the school should already be providing from their regular budget. Johnson O' Malley funds **cannot** be used to replace funds which should be provided for existing programs. Supplanting is not legal in Johnson O' Malley programs.

Examples of some types of programs currently being conducted through JOM:

Tutorial/Aides – Under this program, tutors or aides are provided to assist the classroom instructors. Tutors provide one-on-one assistance to students needing special attention. Aides provide general assistance to a group of students, but may also provide one-on-one assistance if the situation calls for it.

Teacher Aide – Assist teachers with skills reinforcement.

Tutors – Provide tutoring on a scheduled basis.

Head start/Kindergarten Enrichment – Funds identified for this service may be utilized in a variety of ways, such as staff, supplies and equipment.

Home School Coordinator – Personnel, normally someone from within the community, employed to assist the school, parents and students with school related issues such as attendance, grades or other problems.

Alternative Program – Funds utilized for this component provides for staff, supplies and equipment in an alternative setting and uses different methods and techniques than the students experience in a more traditional program.

Indian Education Committee Activities – Funds budgeted for this activity enables members of the Indian Education Committee to participate in training and attending educational workshops and provides opportunities to share information with other Johnson O' Malley programs.

Cultural Activities – Cultural activities in the form of art, music, literature, history enrichment projects, field trips and speakers are an important part of Native American heritage. Local community resource people are asked to provide enrichment activities to schools.

Substance Abuse Counseling – Unique counseling programs for those students with poor scholastic and attendance records who may have undetected alcohol or drug abuse problems.

Career Development Counseling – Activities designed to inform students of career opportunities, job skills or higher education programs available.

Educational Support – In order to ensure that program funds for this purpose are expended in a manner to meet the greatest need, the IEC, with input from the contractor, should develop eligibility guidelines and specific areas where assistance may be provided. The type of aid that is provided should enable the student to fully participate in the educational programs available through the school.

Education Incentive Awards – Incentive awards for students who have excelled and meet one or more of the following criteria. The awards should be based on citizenship, good/perfect attendance, academic achievement (grades), active school participation, active leadership or potential artistic ability (fine arts, music, drama, dance, Native American cultural/crafts), sports achievement and improved attitude/behavior.

Pro-Rata – Tribal contractors and state and local school officials should be cautioned about non-eligible students participating in its program and activities funded solely through JOM funds. Whenever such participation is of significant percentage and impact, provisions should be made to prorate the cost with other funding sources.

EDUCATIONAL SUPPORT GUIDELINES

♦ No reimbursement will be made for items not included in an approved educational support budget.
♦ An itemized voucher or invoice, purchase order or copies of actual receipts must be used as documentation of purchase.
♦ No cash payment will be made to any parent or student
♦ Schools are required to furnish certain items for students. Any item that the school furnishes to other students as part of their school policy will not be an eligible item for JOM funds.
♦ When Educational Support items are purchased in quantity, such as school supplies to be distributed to eligible students a signature sheet will be required showing the date, item received and the signature of the student or parent. This sheet needs to be retained for monitoring purposes and will be reviewed by the monitoring agent.
♦ A JOM contractor may choose to enter into an agreement with a local merchant to purchase school supplies, etc. through a voucher or invoice from the merchant must clearly show the student's name and item(s) purchased.

ELIGIBLE INCENTIVE AWARDS

JOM Programs may provide incentive awards for students who have excelled and meet one or more of the following criteria. The awards should be based on citizenship, perfect/good attendance, academic achievement (grades), active school participation active leadership or potential artistic ability (fine arts, music, drama, dance, Native American cultural or Native American crafts), sports achievement and improved behavior/attitude. Items for the incentive program should be a one-time presentation to the student and are usually not required for school participation. Items may include, but are not limited to:

1. T-shirts (imprinted with emblems)
2. Plaques, trophies, certificates
3. Sports bags/back packs
4. Jackets(for sports or club achievement) (only a portion of cost allowed)
5. Gift certificates (monetary)
6. Local Field trips(zoo, theatres)
7. Door prizes
8. Awards banquets
9. Books
10. Picnics, traditional meals
11. Activities day, fun days
12. Cultural awards/honor powpow.
13. Cap & Gown

NO STUDENT CASH AWARDS ALLOWED

ITEMS NOT ELIGIBLE

1. Announcements
2. Class Rings
3. College class tuition (Concurrent Enrollment Fees)
4. * Field trips for extracurricular activities that only include a select number of students and not offered to all eligible JOM students in grade level. **(See exception below)**
5. Home School Costs
6. Portrait Packages

Exception to item 4: Those activities could be allowed as an incentive limited at per eligible student cost. ($60.00)

INDIAN EDUCATION COMMITTEE EXPENSES

1. Training (In-Service, Conference, Workshops)
2. Food costs will be reimbursed **only** for election meetings, special events and after school programs.
3. Mileage to and from meetings/training sessions

TRIBAL/COMMUNITY PROJECTS

The JOM contractor may choose to provide as part of the project, activities for parents, youth and JOM staff designed to improve educational opportunities. Activities may be carried out directly by the contractor or coordinated through the local JOM programs. Activities may include:

1. Youth educational projects
    a) Summer youth education camps
    b) Youth training sessions
2. Parent/student projects
    a) Activity days
    b) Craft sharing
3. Parent/JOM staff training sessions
    a) Networking with federal, state, local, tribal resources

KC/What items JOM funds

Expenditure Claims

All expenditure Claims submitted to the Creek Nation JOM office must have attached itemized receipts. All expenditures, except for the 100 and 200 codes must be accounted for. Items of verification include:

1	**Field trips**	A listing of all students attending JOM sponsored field trips must be attached to claim.
2	**Supplies**	A copy of the receipt for all supplies purchase with JOM dollars must be attached.
3	**Travel**	A copy of the mileage form, hotel receipt and or per diem must be attached
4	**Food**	A listing of those students, parents and staff whose cost is being reimbursed must be attached
5	**Property**	Those non expendable items purchased with JOM are not considered equipment inventory. An inventory listing showing ID number and location of item must be submitted at the end of the fiscal year. Property purchased under the JOM program is and remains the property of the Muscogee (Creek) Nation.
6	**Training**	A listing of those IEC/staff who attend training, cost must be attached to claim.

Expenditure claims will not be paid until all required documentation is submitted to Creek Nation.

Procedures for FY 2016:

ACCORDING TO THE BUREAU OF INDIAN AFFAIRS, AREA OFFICE - EXPENDITURE CLAIMS MUST BE SUBMITTED ON A QUARTERLY BASIS (Small schools bi-annually / must have a wavier on file)

See JOM Calendar provided in the back of handbook for due dates

1. Annual expenditure claims are not an acceptable practice for the Creek Nation JOM Program.

3. An expenditure summary is submitted to Creek Nation from the school district finance department

4. Creek Nation JOM Program reviews receipts and approves expenditure claims

5. The expenditure claim is submitted to Creek Nation Accounting Department for payment

6. A copy of the expenditure claim will be e-mailed to the designated school personnel.

7. An e-mail or phone call will be made in regard to a 'disallowed' claim due to lack of documentation or an unapproved item within the application proposal.

SECTION 5

IEC Forms & Testing Material

- **Application – FY17**
- **Annual Report – FY16**
- **Budget Revision**
- **IEC Election Certificate**
- **IEC Pre & Post Test**
- **Inventory Listing Form**
- **JOM Parent Committee Training**
- **Oklahoma Open Meeting Act**

  County Clerk Mtg. Dates Form
- **Parent Committee Trainers Test**
- **School Supply Distribution Form**
- **Tutoring Log**

FY 17
Johnson-O'Malley
Application for Contract
Part I

Summary of Contents — Contract Summary

Instructions: The purpose of Johnson-O'Malley funds are to provide programs to meet the special education needs of eligible JOM children and to make available, program funding for allowable administrative and Indian Education Committee costs.

The application consist of four parts as summarized below:

PART I CONTRACT SUMMARY	Page(s)
The Summary of Contents provides a preview of the application and the forms to be completed.	1
This page covers contractor identification, basic information, and signatures of the contractor's authorized representative, the Indian Education Committee (IEC) chairperson and MCN JOM Manager.	2
Privacy Act & Paper Reduction Act Statement and Service/School Locations, & Enrollment information	3
The Budget Summary / Justification page showing the consolidation of all projected program costs. The Contract Administration, IEC and Program budgets provided the detailed breakdowns and justifications. The total amounts are entered in the appropriate category of the Budget Summary.	4
PART II CONTRACT ADMINISTRATION	
"Assurances" outlines the contractor's responsibilities in the administration of the contract.	5
PART III PROGRAMS	
Needs Assessment Priority List: This describes how the special educational needs of Indian students were assessed, **priority needs identified and how these needs will be met.**	6
Education Plan: This describes the program(s), based on the needs assessment, designed to meet the special educational needs of JOM Indian students. Should describe in detail each program component, e.g. home-school counselor, pre-school programs, and cultural enrichment. Use additional sheets as needed.	7
PART IV INDIAN EDUCATION COMMITTEES (IEC)	
The contractor must have an IEC that fully participates in program development and implementation. The duties are outlined in 25 CFR 273.16 and allowable reasonable costs are contained in 273.18. Should be used to explain the IEC's activities and projected budget needs in carrying out its responsibilities.	8
PART V APPLICATION CHECK LIST	
This section is a check list for all documents that should be attached to the Application	9

FY 17

MUSCOGEE CREEK NATION JOM PROGRAM

Education Contracts under Johnson-O`Malley Act
Application and Regulatory Reporting Requirement 25 CFR 273

1. Name of Public School District

_____

_____
Address:

_____
city state zip

Contact Person:

_____
Title:

_____
Address:

_____

Telephone _____
E-mail _____

1.Eligible Student Count _____

Date submitted to: _____
Muscogee (Creek) Nation JOM Office

2. Proposed Budget $_____

Proposed Contract Period: _____
(Months)

Sub-Contractor Certification:
The data in this application is true and correct, the document has been duly authorized by the appropriate officials of the applicant and the applicant will comply with attached assurances.

Name & Title of Authorized Representative

_____

_____

Signature:_____

Date:

Indian Education Committees:

The Indian Education Committee has participated fully in the planning and development of this contract application.

Certification of Indian Education Committee Chairperson

Signature: _____

Date:_____

FOR INTERNAL USE ONLY
To be completed by Muscogee Creek Nation JOM Manager:
Certification:
I certify the application has been reviewed in accordance with standards set forth in CFR, Johnson-O`Malley regulations, and is hereby recommended for approval.

Date Received:_____

Date Forwarded:_____

Amount Approved:_____

Title: **JOM Manager**

Signature:_____

Johnson-O'Malley
Application for Contract
PART I

SERVICE LOCATION , PRIVACY ACT AND PAPER REDUCTION ACT STATEMENT

a. The authority to request this information is in **Public Law 93-638,** The Indian Self-Determination and Education Assistance Act of 1975.
b. This information is required in order to obtain supplemental educational assistance programs for eligible Indian children.
c. The information is collected and used to determine the amount of funding to be allotted to contractors serving eligible JOM Indian students; to approve funding for supplemental programs to meet the special needs of Indian students that are in compliance with appropriate statutes and regulations.
d. The routine use of this information is to ensure proper administration in the implementation of programs, for documentation, and accountability purposes. The effect of not providing the information would mean that Indian children would not receive supplemental education programs to meet their special needs.

II. Student Enrollment-Total Combined School Enrollment Indian and non-Indian (273.18(k)

Name of School	Ages 3 yrs.	4 yrs.	Elementary School	Jr. High School	High School	Totals
Totals						

II. Eligible Indian Enrollment

Community/ School	Ages 3 yrs.	4 yrs.	Elementary School	Jr. High School	High School	Totals
Totals						

Johnson O'Malley
Application for Contract
Part I
Contract Budget Summary

Instructions: In the spaces provided below summarize the total contract budget by category. The justification should reflect the items/ services that will be purchased in that category

OCAS Code	Category	JUSTIFICATION FOR BUDGET AMOUNTS	Proposed Budget
100	**Personnel/Salaries** (payroll staff)		
200	**Fringe Benefits**		
300	**Consultants/Contractual Services** (non-payroll staff, cultural instructors, presenters, tutors)		
400	**Purchased Property** (repair and maintenance Services)		
500	**Other Purchased Services** (student transportation, staff travel, contracted food services, postage, telephone, printing, advertising, mileage)		
600	**Supplies & Materials** (office, paper products, copier supplies, student supplies, food & Milk, books, periodicals, magazines, workbooks)		
700	**Property** - (Equipment, audio visual, computers, furniture)		
800	**Other Program cost-** (dues, fees, conference Registration fees)		
800	**IEC Cost** (Stipend, training/ conference fees, awards Banquet, food cost, incentives, IEC travel etc..)		
		TOTAL	

_____ _____
JOM Committee Chairperson Date School Administrator Date

Johnson-O`Malley
Application for Contract
Part II

Required Assurances **Contract Administration**

The contractor assures that they will comply with the statutes, regulations, and policies of the program under the Johnson-O`Malley Act and contract provisions. **(Regulations: 25 CFR 271, 273, and 276).**

(1) All reasonable steps were taken to obtain maximum Indian participation in the development, approval, and implementation of all contracted programs herein proposed **(273.4).**

(2) All students counted for services are eligible. A current list of eligible JOM Indian students showing degree of Indian Blood, Grade, and Tribal affiliation will be sent to the appropriate JOM staff during student count week.

(3) The IEC' (s) for this application have participated fully in the planning and development of this application and are vested with all powers and duties as outlined by regulation **(273.16).**

(4) The application as approved by the IEC will not be changed or revised without the written approval of the IEC **(273.17).**

(5) The education facilities where the programs are to be conducted shall be open to visits and consultations **(273.18 (g).**

(6) That the contract funds shall supplement, and not supplant, other funds and that use of these funds will not result in a decrease of other funds. **(273.34).**

(7) That other funds shall be used provide comparable services to non-Indian and Indian students, prior to the use of Johnson-O`Malley funds for the provision of supplementary program services to Indian children **(273.34, 273.41).**

(8) That Indian preference will be exercised in all hiring, training, and subcontracting in programs under this application **(273.45).**

(9) That the required public liability insurance coverage will be in effect covering programs contracted and said insurance will be applied for with this application **(273.46)**

(10) The required record keeping system covering all required topics will be maintained for programs applied for with this application **(273.47).**

(11) Access to contract records and documents will be allowed to authorized representatives of the Comptroller General and the Secretary of the Interior **(273.48).**

(12) Access to all-confidential records will be allowed to the Indian people which the contract affects and other interested parties **(273.49).**

(13) A detailed annual report will be submitted to the MCN JOM office within 90 days following the ending date of each contract year **(273.50).**

(14) All student records and confidential records/report will be maintained following the ending date of each contract year **(273.54).**

(15) A current set of Indian Education Committee by-laws which meet the criteria set forth in **(273.15 (c)** has been given and reviewed with IEC members.

(16) Records of property purchased with contract funds will be maintained.
Records of this MCN property will include description, manufacturer's serial number acquisition date and cost **(276.11 (e).**

(17) An annually conducted inventory of government property assigned to the contract is on file for review.

(18) Procedures established for hearing and responding to grievances from Indian students, parents, community members and tribal representatives are attached **(273.18(c).**

(19) Contract funds will not be used for capital outlay or debt retirement **(273.35).**

(20) Attach copies of any subcontracts to be used in carrying out this contract.

(21) Each IEC member will receive a copy of the completed application **(273.16).**

(22) Local school districts will be responsible to insure against lost or damaged JOM property. The school shall maintain the property in a reasonable state of repair consistent with the intended use and educational purposes **(273.44).**

(23) Educational needs will be assessed and prioritized by the Indian Education Committee **(273.16(b) (2).**

(24) School will make available standardized test scores for needs assessments.

(25) JOM staff employed with the school district will attend all training services sponsored by the Muscogee Creek Nation.

(26) The school district and the Indian Education Committee will participate in monitoring processes.

(27) In compliance as a minimum requirement of the Oklahoma Open Meeting Act, all scheduled meetings for the school year shall be filed with the County Clerk. All regular and special-called JOM meeting shall be conducted on school or tribally owned property. Basic parliamentary procedures utilizing Parliamentary Procedures will be observed.

(28) All parents of eligible Indian students may serve and participate in all IEC activities and functions of the respective school district in which their children are enrolled, regardless of residence.

(29) In no instance shall there be discrimination against Indians or schools enrolling such Indians **(273.38) (273.42) .**

(30) IEC annual elections will comply with standardized voting policies and procedures as prescribed in the Muscogee Creek Nation JOM Handbook and IEC approved governing By-Laws and is to be used by all Muscogee Creek Nation JOM contractors.

(31) A JOM Handbook will be distributed to all JOM Schools and Indian Education Committees annually in advance of each School Program Year. The Creek Nation JOM Handbook will implement and set forth specific requirements for the administration of the Johnson-O`Malley Program. Please refer to the handbook for specific information and blank program forms.

IEC Member initial:_____ School Administration initial_____

Johnson O'Malley
Application for Contract
PART III
Needs Assessment Priority List

I. Describe the method by which the needs assessment and ranking process was carried out. Include the method of assessment of other education program services available and the involvement of the Indian Education Committee, parents, students and the Indian/Native community.

II. List the education needs of Indian students in priority order as determined by the required needs assessment.

A. Priority needs of Indian students demonstrating those needs	**B.** Total # of students demonstrating need:	**C.** Are Services other than JOM provided to address these needs?		**D.** Supplementary Funding source and amount	**E.** # of students served by Column D	**F.** Are these services sufficient?		**G.** Will JOM be used to address these needs?		**H.** # of JOM students served?
1.		yes	no			yes	no	yes	no	
2.		yes	no			yes	no	yes	no	
3		yes	no			yes	no	yes	no	
4		yes	no			yes	no	yes	no	
5		yes	no			yes	no	yes	no	
6		yes	no			yes	no	yes	no	
7		yes	no			yes	no	yes	no	

Johnson O'Malley
Application for Contract
PART III

Education Plan

Instructions: Describe each program components, e.g. home school counselor, pre-school program, cultural enrichment below and on a separate sheet if needed. Enter cumulative totals on appropriate line in the Contract Budget Summary on page 5.

Name of school / pre-school/ project site:_____
No.(#) of JOM eligible students counted: Pre-K____ K-6____ 7-12_____
No (#) of JOM eligible students to be served: Pre-K____ K-6____ 7-12_____
Length of Program: _____ to _____ (date)

1 **Program and Staffing Needs**	2. **Educational Goals**

3 **Measurable Objectives**	4. **Activities**

Application for Contract
PART IV

IEC Activities and Budget ***Indian Education Committee Listing***

NAME / OFFICE	ADDRESS	TELEPHONE

Instructions: The contractor **must** have an IEC that fully participates in program development and implementation. The duties are as outlined in 273.17 (c). In carrying out its responsibilities, the IEC may have activities such as regular meetings. workshops, travel cost, etc. Items numbered 5-7 will describe the activities and cost. The cost will also be entered in the Contract Budget Summary, page 4 under the OCAS 800 code

1. Describe the IEC's activities regarding the planning and development of this application.

2 Describe the IEC's activities regarding implementation and operation of the programs proposed in this application.

3 Describe the IEC's activities regarding monitoring, evaluation, and staff effectiveness for the program components in this application.

4 Does the contractor and IEC need training to increase the IEC effectiveness in carrying out their program responsibilities? If so, describe the type of training needed and cost that may be incurred.

5 List travel, meetings, and other expenses with itemized cost. (Stipend, travel, conference fees etc..)

Application for Contract
PART V

Application Check List

Please note that the following documents are attached to the Application or it will be considered incomplete and will not be processed.

Items Required	Complete	Not complete
1. FY ___ Needs Assessment	☐	☐
a. Approving Minutes of Discussion and Prioritizing	☐	☐
b. Needs Assessment Survey Form and Results	☐	☐
2. Minutes Approving FY ___ Application	☐	☐
3. Check Signatures on all Documents	☐	☐

_____ _____
JOM Chairperson JOM Coordinator

ANNUAL REPORT FORM

FY 16 ANNUAL REPORT

PAGE 1:

1. **Complete all requested information:**
   a. **List Contractor Name, School, Tribe or IEC**
   b. **List Contact Person (program coordinator/director)**
   c. **List Contract Number (7 characters, beginning with MCN)**
   d. **List Address, City, State, Zip Code and Telephone Number**
   e. **List Contract Period**

2. **List all schools/project sites served**

3. **Signatory Authority: The individual who is authorized to sign the contract documents must sign on the line entitled, " Contractor's Representative." The report will be returned if it is not signed.**

PAGE 2 - SECTION II:

1. **Complete all sections for each page utilized.**

2. **Refer to your contract to see how many approved education plans were included in your application (include any approved modifications if the education plans were revised). If your approved application contained three (3) education plans, you will need to copy page 2 three times and complete an education plan for each component.**

3. **All information needed (except objectives achieved) for Section II A. (1) will come from the education plans in your approved application, including the measurable objectives. It is your responsibility to meet the objectives, as outlined in your education plan(s), and to be able to document whether or not the stated objectives were met.**

PAGE 3:

Indian Education Committee Report: All sections are to be completed by the Indian Education Committee (parent committee). It is a vital component of the Annual Report. The page must be signed and dated by the IEC Chairperson. The report will be returned if it is not completed and signed by the IEC chairperson. PLEASE ATTACH IEC MINUTES SHOWING APPROVAL OF THIS ANNUAL REPORT

JOHNSON O'MALLEY
ANNUAL REPORT
FISCAL YEAR 2016

SCHOOL DISTRICT_____

PROGRAM CONTACT PERSON_____

E-MAIL _____

ADDRESS:_____ CITY_____ STATE _____ ZIP _____

TELEPHONE: _____ FAX _____

CONTRACT PERIOD: **10/1/15– 9/30/16**

SCHOOL / PROJECT SITES CONTAINED IN THIS CONTRACT

NAME	ADDRESS
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

SIGNATORY AUTHORITY

SIGNATURES:

School Representative _____date_____

MCN Field Specialist _____date_____

MCN JOM Program Manager _____date_____

Duplicate as needed

JOHNSON O'MALLEY - ANNUAL REPORT

Section II

SECTION II TO BE COMPLETED FOR **EACH EDUCATION GOAL AND RESPONDING MEASURABLE OBJECTIVE** LISTING IN YOUR CONTRACT UNDER PART III # 6 & 7

Name of school/pre-school/project site _____

Person in charge_____

No. Of eligible students actually served Pre-K_____ K-6_____ 7-12_____

No. Of students actually served Pre-K_____ K-6_____ 7-12_____

A. (1) **QUANTITATIVE EVALUATION OF EFFECTIVENESS OF PROGRAMS IN MEETING STATED OBJECTIVES.**
Describe the activities that were carried out during the year to meet the objectives as outline in your approved Education Plan.

Program	Grade Level

This section must include your measurable objective quantitative results showing %'s or number based statistics

Measurable objectives for the period covered by the contract	Objectives Achieved (explain)

Evaluation (2) If objective were not achieved or fully achieved, describe problems encountered and recommended corrective actions. (Describe any unusual achievements or successes.)

B. Comments: (Regarding administrative, fiscal, and/or programmatic aspects)

JOHNSON O'MALLEY - ANNUAL REPORT
Section III

INDIAN EDUCATION COMMITTEE REPORT

School/Project Site: _____ Administrator _____

Number of Indian Education Committee members: _____

Briefly explain how the IEC was involved in the planning, implementation and evaluation of the Johnson-O'Malley programs.

Does the IEC, after receiving the annual report, recommend the continued operation of the entire Johnson O'Malley program described?

_____ Yes, (comments)

_____ Yes, with changes/alternations (explain)

_____ No, (explain)

What was the average number of IEC members who attended the Johnson O'Malley meetings? _____

How many meetings were held: _____

Dates of meetings _____ _____ _____

_____ _____ _____

_____ _____ _____

_____ _____ _____

_____

SIGNATURE: IEC Chairperson DATE

<u>Please attach IEC minutes showing approval of this annual report</u>

FY _16___ REVISION

Part 1

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

Muscogee Creek Nation Education Contracts under Johnson-O'Malley Act

Application and Regulatory Reporting Requirement 25 CFR 273

---

1. Name of Public School District

_____PUBLIC SCHOOL_
Title

_____
Address: Address:

_____
city state zip

Contact Person:

_____

_____

_____

Telephone _____
E-mail _____

---

1. **FY**___Eligible Student count _____

2. Revised Budget Amount $_____

Date submitted to: _____
Muscogee (Creek) Nation JOM Office

Proposed Contract Period: _____
(Months)

_____
Starting Date Ending Date

Sub-Contractor/School District Certification
The data in this application is true and correct. The document has been duly authorized by the Appropriate officials of the applicant and the applicant will comply with attached assurances if asistance is approved.

Name Title of Authorized School District Representative

_____

_____ _____

Signature_____

Date: _____

Indian Education Committees:
The Indian Education Committee has participated fully in the planning and development of this contract application.
Date:_____

Certification of Indian Education Committee Chairperson

Signature: _____

_____

FOR INTERNAL USE ONLY
To be completed by Muscogee Creek Nation JOM Manager
Certification: Date
I certify the application has been reviewed in accordance with standards set forth in CFR, Johnson-O`Malley regulations, and is hereby recommended for approval.

Date Received:_____
Forwarded:_____

Amount Approved: _____

Signature _____

Contract Revised Budget Summary

Muscogee Creek Nation JOM

Part II

FY _____

School: _____

Student Count_____

OCAS code	Category	JUSTIFICATION for budget increase or decrease	Original budget	Revised budget
100	Personnel / Salaries (payroll staff)			
200	Fringe Benefits			
300	Consultants/Contractual Services (non-payroll staff, contract staff, cultural instructors, presenters, tutors)			
400	Purchased Property Services (non-payroll staff, contract staff, cultural instructors, presenters, tutors)			
500	Other Purchased Services (student transportation, staff travel, contracted food services, postage, telephone, printing, advertising, mileage)			
600	Supplies & Materials (Office, paper products, copier supplies, student supplies, food & milk, books, periodicals, magazines, workbooks)			
700	Property (equipment, audio visual, computers, furniture)			
800	Other **Program Cost** (due, fees, conference registration fees)			
	IEC Cost (stipend, training/conference fees, awards banquet, food cost, incentives, IEC travel)			
		TOTALS		

_____ _____

JOM Committee Chairperson date **School Administrator date**

PART III

Education Plan

Instructions: Complete this section **ONLY** if the program goals and objectives will change due to the budget revision. If no changes in program design are affected by the budget revision please disregard this section.

1. Name of school / pre-school/ project site:_____

2. No. of eligible students counted: Pre-K____ K-6____ 7-12_____

3. No. of JOM eligible students to be served: Pre-K____ K-6____ 7-12_____

4. Length of Program: _____ to _____ (date)

5. Program and Staffing Needs	6. **Educational Goals**

7. Measurable Objectives	**8. Activities**

FY____REVISION

Muscogee Creek Nation Education Contracts

Under the Johnson O' Malley Program

Please complete the following check list to assure completeness of the FY____Revision

Page			✔
1	Part I	Revision Signature Approval	
2	Part II	Contract Revised Budget Summary	
3	Part III	Education Plan – If applicable	
	Please Attach	IEC Minutes showing approval of the FY__Budget Revision	

We thank you for your promptness upon completing your FY__Budget Revision.
If you have any questions, please contact this office at (918) 732-7840.

Regina Keith	Program Manager	918-732-7839
Terry Fish	Administrative Assistant	918-732-7843
Anita Battenfield	Field Specialist	918-732-7840
Billy Proctor	Field Specialist	918-732-7842
Shelly Browne	Data Clerk	918-732-7841

IEC ELECTION CERTIFICATE

MUSCOGEE CREEK NATION 2015-2016
JOM INDIAN EDUCATION COMMITTEE

School Name _____

Please complete according to the number of IEC members stated in your by-laws.
Each IEC Member must have a current **HOME** address listed or this certificate in not valid.
You may fax the completed form to (918) 732-7844 or e-mail to abattenfield@mcn-nsn.gov or bproctor@mcn-nsn.gov

Title	Name	Home Address street , city, zip	e-mail address	phone	term expires
Chairperson					
Vice-Chair					
Secretary					
Member					
Member					
Member					
Member					

We hereby certify that the Johnson-O'Malley Indian Committee election was held on the _____ day of _____ at a duly called meeting held at (location)_____ at (time)_____ and that the election was held in compliance with the JOM regulations (CFR 273.15)

_____ _____

IEC Chairperson date School Administrator date

IEC Training
Pre and Post Test

Name _____ school district_____

1. What is the JOM Federal Regulation number?
   pre post

2. According to the JOM Federal Regulations, who can be on the Parent Committee?
   pre post

3. What section of the federal regulations pertains to the establishment of the Indian Education Committee?
   pre post

4. According to the JOM Federal Regulations, how many parent committee members do you need?
   pre post

5. According to the JOM Federal Regulations, who has vested authority?
   pre post

6. What is the first thing you need to complete before writing your application?
   pre post

7. Finish this sentence, "Set yourself up for _____".
   pre post

8. Once you write your goals, then what do you write?
   pre post

9. What three basic documents should the IEC receive prior to their meeting?
   pre post

10. Finish this sentence, "IEC Roles and _____."
    pre post

11. It is recommended to use _____ instead of Robert Rules of Order.
    pre post

12. What is mandated that each IEC completed each year?
    pre post

13. How often should you conduct a needs assessment?
    pre post

14. How often should you ratify your by-laws?
    pre post

15. According to the federal regulations what are the income guidelines to quality for JOM?
pre post

16. A measurable objective should have some type of _____.
pre post

17. Who is responsible for conducting the IEC elections?
pre post

18. Who must sign the JOM application to make it valid?
pre post

19. Who conducts the needs assessment?
pre post

20. What should be the 3rd article of any IEC by-laws?
pre post

21. Who conducts the IEC meetings?
pre post

22. How does the IEC establish what their programs goals and objectives are?
pre post

23 How many students are elected to the JOM IEC?
pre post

24. The funding you receive from the BIE is based on what?
pre post

25. What makes a student eligible for JOM services?
pre post

26. Who has a right to vote to elect the parent committee?
pre post

27. According to the federal regulations, who is responsible for completing the needs assessment?
pre post

28. Which officer on IEC cannot make motions?
pre post

29. How often can you submit a budget revision?
pre post

MUSCOGEE CREEK NATION
JOM SCHOOL PROGRAM
FY Inventory Listing

School Name _____

Please complete and submit to the Creek Nation JOM Office. A review of your FY 2015 claims will be compared to assure that all items purchased by your JOM program have been listed. If an item was a shared cost with another program, please indicate. You may fax the completed form to (918) 732-7844 or e-mail to abattenfield@mcn-nsn.gov or bproctor@mcn-nsn.gov

purchase order #	amount of item	cost shared w/what program	actual cost to JOM program	School District tag number	location of item

I hereby certify that the Johnson-O'Malley Program has purchased the above items and that they are tagged with a school district ID number and that the items are being used within the school district to the benefit of the JOM students. I also certify that the above items are not being for personal use and that the above items are remaining on school district property at all times.

I also certify that if for some reason the JOM Program is dissolved within this school district that all JOM inventory remains the property of the Muscogee Creek Nation JOM Program.

_____ _____

IEC Chairperson date School Administrator date

kc/inventory form

MUSCOGEE CREEK NATION 2015-2016
JOM PARENT COMMITTEE TRAINING

School Name _____

Please complete according to the number of IEC members stated in your by-laws. You may fax the completed form to (918) 732-7844 or e-mail to abattenfield@mcn-nsn.gov,or bproctor@mcn-nsn.gov

Title	Chairperson	Vice-Chair	Secretary	Member	Member	Member
Printed Name and Signature						
Review of Federal Regulations	☐	☐	☐	☐	☐	☐
Review of By-Laws	☐	☐	☐	☐	☐	☐
Review Previous Needs Assessment	☐	☐	☐	☐	☐	☐
Program Application _____ Budget	☐	☐	☐	☐	☐	☐
How to Run An Effective Meeting	☐	☐	☐	☐	☐	☐
Review Program Compliance List	☐	☐	☐	☐	☐	☐

We hereby certify that the above Committee members attended a Parent Committee Training on _____, 20____ addressing the topics listed above.

_____ _____

IEC Chairperson date JOM Director/Coordinator date

kc/Parent Committee Training

MUSCOGEE (CREEK) NATION
JOHNSON O'MALLEY PROGRAM
FY 20____
Indian Education Parent Committee
Regular Meeting Dates

_____ Name of School District

_____ Name of Program Coordinator

MONTH	DATE	TIME	LOCATION
September			
October			
November			
December			
January			
February			
March			
April			
May			
June			
July			
August			
September			

Dates above should be filed with the County Clerk by December 11th, of each calendar year.

Please specify when your IEC Meetings are held? Monthly _____ Quarterly _____

OKLAHOMA OPEN MEETING ACT

Type of Meeting	Definition	Public Filing	Public Notice	Executive Session	Change
*Regular	Regularly scheduled Meeting at which the regular business of the public body is conducted.	December 11	24 hours	yes	10 days/ASAP
*Special	Any meeting of a public body other than a regularly scheduled meeting or emergency meeting	48 hours	24 hours	yes	10 days/ASAP
*Emergency	A meeting called to deal with an emergency situation when time requirements for public notice would be impractical and increase the likelihood of injury, damage or immediate financial loss.	None	None	No	N/A
*Continued/ Reconvened	A meeting assembled for the purpose of finishing business Appearing on an agenda of a Previous meeting.	None	Original meeting	Yes	10 days/ASAP

JOM Parent Committee Training
Trainers Test

Some of the JOM Program Coordinators may opt to give their own IEC training instead of having the parents attend trainings provided by the MCN/JOM Program. This is fine as long as the trainer covers all of the areas that are mandated. The following trainers test is provided to you. Once completed and returned to the MCN/JOM Program, your test will be evaluated and you will be notified of the results. This test is our assurance that each trainer fully understands the JOM and is able to train their parent committee members to the best of their ability. We will be assured that the trainer has a full understanding and knowledge of the requirements.

If you have already conducted your own IEC training you will need to submit this test for FY 2015-16. If your IEC members have attended the Regional Meetings, that will count as their mandated training, but if they have not attended and you as the Director plan to give the training, you must pass the following test.

1. This test is given to allow you to conduct your own IEC Training instead of having your IEC attend the regional trainings.

2. As a trainer you must pass this test with an average of 85% in order to conduct the IEC training.

3. You will be allowed to take this test as many times as needed to meet the required 85%.

4. This is an open book test. You are allowed to use any information (Directors' handbook, IEC handbook, Federal Code of Regulations etc.) to assist you. You can even call the MCN/JOM office and ask where to find the answers if you can't locate it. We are not trying to make this a burden; we just want to make sure that all areas are covered.

5. The object of the test is not that you memorize the material, but you know where it is and how to use the materials provided to you.

6. The MCN/JOM Program wants to make sure that each of our 45 IEC's are being trained in the same manner and that there is consistency in meeting compliance of the MCN/JOM and federal regulations.

7. Once you passed this test, you will receive a certificate as a trainer for the IEC signed by the JOM Manager. You will maintain that certificate for five years. A renewal certificate will be issued after that.

8. You can send this in by e-mail once completed no need to come to the office.

9. You will be notified of the results and your certificate will be mailed to you and placed in your school file.

Trainers Test

name _____
school district_____
e-mail _____
date_____

	QUESTION	ANSWER	GRADE
1	What is the number for the federal code of regulations that govern the JOM programs?		
2	These regulations were written to ensure what?		
3	The JOM funds come from what department within the federal government?		
4	Eligible JOM students range from how old to what grade?		
5	What sections of the federal code of regulations pertain to the IEC ?		
6	What section of the federal code of regulations states the following: "Consistent with the purpose of the IEC, each such committee shall be vested with the authority to:"		
7	What is the major difference between the JOM IEC and Title VII committees?		
8	When is the Student Count Week?		
9	What makes a student eligible for JOM services?		
10	Each MCN/JOM Program is given a budget allocation based on what?		

11	What has been the standing allocation per JOM student given by the MCN/JOM program?		
12	Finish this sentence: IEC Roles & ….		
13	Where should the description of your IEC officers be listed?		
14	Under what page heading does it read: "To do what is best for the program and not necessarily what you want for your own child."		
15	Who is responsible for conducting the IEC election in accordance with what?		
16	Who is eligible to vote at an IEC election? List the three		
17	Parent Committee Training must cover six required areas. List them		
18	What three basic documents should the IEC receive 5 days prior to their meetings?		
19	Educational support funds are for the purchase of what?		
20	A performance objective should include four parts – list them.		
21	Who, by federal regulation conducts the annual needs assessment?		
22	The annual needs assessment by federal regulations should be completed by whom?		
23	List the five deadlines you should set with your IEC in planning for your annual needs assessment.		
24	On your "Needs Assessment Check List" what does item number 7 say?		

25	Explain the difference between supplemental programs and supplanting programs. (in your own words)		
26	List the 6 items not eligible as incentive awards.		
27	All expenditures claims submitted to MCN/JOM Program must have what documentation attached?		
28	IEC By-laws must be ratified at least how often?		
29	According to the federal regulations, how many IEC must you have?		
30	It is recommended that you have what type of terms for the elected IEC?		
31	Who can nominate someone to run for the IEC?		
32	It is recommended to use what instead of "Roberts Rules of Order"?		
33	How many IEC members do you need to make a quorum?		
34	In loco parentis – is considered one "who has daily….."		
35	Who calls the IEC meetings to order?		
36	Who on the IEC ensures membership is consistent with federal regulations?		
37	How often can you do a Budget Revision?		
38	Each IEC meeting should be filed with who to ensure compliance with the open meeting act?		
39	Each measurable objective must have some type of what?		
40	Finish this sentence: "Set yourself up for _____"		
		Total score Must have at least 34 correct for 85%	
		Passed or Failed	

Signature of MCN/JOM staff reviewing test _____

JOM SCHOOL SUPPLY DISTRIBUTION

SCHOOL NAME _____

DATE	STUDENT NAME	GRADE	PARENT/GUARDIAN NAME	ISSUED BY:

JOM TUTORING LOG

TUTOR NAME _____ MONTH _____

Student Name	Date	Time In	Time Out	Subject	Comments

Tutor Signature _____ Date _____

SECTION 6

By-Laws

- **Program By-Laws**
- **Sample By-Laws**

Recommendations/Suggestions

(Name of Your School/Program)

INDIAN EDUCATION COMMITTEE BY-LAWS

The following are by-laws that have been established and approved by the (Your program name) JOM Indian Education Committee.

ARTICLE I - Reference

In accordance with the Indian Self Determination and Education Assistance Act - Johnson O'Malley Act of 1934, 25 CFR Part 273 of the federal regulations., a Parent Committee selected in accordance with federal regulations, will adopt and abide by reasonable by-laws for the conduct of the project for which assistance is sought.

ARTICLE II - Name

The name of this committee shall be the (Your program name) JOM Indian Education Committee.

ARTICLE III - Purpose

The establishment and the work of the parent committee are to comply with the rules and regulations as found in the Federal Register, Vol. 40, No 213, Tuesday, Nov. 4, 1975. (Refer to 25 CFR Indians Sec. 273.16 Powers and Duties of Indian Education Committees and Sec. 273.17 Programs approved by an Indian Education Committee to complete the purpose.)

(The following are only examples. You should design your own purpose for your school. You may have only one purpose and not three. Ask yourself, "what are we trying to accomplish with this program?")

Section 1. To promote the welfare of Indian children and youth in home, school, community and tribe.

Section 2. To raise the standards of school achievement of Indian children.

Section 3. To bring into closer relationship the home and the school so that parents and teachers may cooperate intelligently in the education of Indian children and youth.

ARTICLE IV - Membership

Section 1. Establishment of the Indian Education Committee

A. According to Sub-Part A, Sec. 273.15 of the Nov. 4, 1975 regulations and Indian Education Committee is to be elected from the parents/ legal guardians (including persons acting in "loco parentis")

B. The Indian Education Committee shall be composed of 5 members. Comprised of the Chairperson, Vice chair, secretary and two at-large members. (The IEC may be comprised of any number of members. There is no specific number listed in the regulations. You may also have a treasurer and sergeant at-arms if so desired)

C. All IEC members must have formal authorization by action (motion recorded in minutes) to represent or speak on behalf of the IEC.

Section 2. Election **of the 5** (or whatever number of members you decided on) Members of the IEC

A. New members are elected in an open meeting for a term of two years by a majority vote of parents/ legal guardians of eligible Indian students in attendance in a public school within the **(Name)** School District.

B. Two members are elected in odd calendar years and three members elected in even calendar years. **(It is good business to rotate members so that there wouldn't be a totally new IEC who didn't know the program)**

C. Membership in the Indian Education Committee cannot be transferred.

D. Members may run for a second, two year term if reelected by the community.

E. The IEC elections are to elect the IEC members and not an election of officers. Officers are to be elected by the IEC members themselves at their first re-organizational meeting.

Section 3. Annual Elections / community voting rights

A. The Annual Election meeting shall be held on the **(last weekday)** of **(the month)**, or at date as near to that day as determined by the IEC.

B. Nominations for new IEC members shall be taken from the floor by an eligible voter at the duly called Annual meeting. (An eligible voter being a parent or legal guardian of an eligible JOM student, if you give out the ballots at the door when the parents check in, just by having a ballot will denote that they are eligible)

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

D. The IEC Chairperson or designee shall act as the election judge for the Annual meeting. (The election judge should be a non-voting, non partisan person and of no relation to those running for the IEC)

E. The IEC will also have the option of having the election judge preside over the election of Officers at the first official meeting of the new Indian Education Committee

Section 4. Election Voting Procedures -

A) Election procedures: The **(Name)** JOM Parent Committee is made up of **5** parents or legal guardians of eligible JOM students.

B) Eligibility to run for the IEC: According the Federal Regulations - Sub part a, Section 273.15 "the Indian Education Committee is to be elected for the parents (including persons acting "in loco parentis" - legal guardian) except school officials of the eligible Indian student on the schools affected by the subcontract under this part." (This is where you might want to insert the provision of extended family members acting "in loco parentis")
To avoid conflict of interest or give the appearance of a conflict of interest, school officials or their spouses, persons directly involved in oversight of the name of the tribe JOM Program (if this is in for a tribal contract) should not be eligible to serve as committee members.

C) Nominations at the Annual Meeting:

1. Nominations for new members shall be taken from the floor at the Annual meeting.

a. The Nominator must be an eligible JOM parent or guardian.

b. Votes shall be cast by secret ballot and tallied by the election judge

c. Each person nominated will have an opportunity to give a 3 minute (you can set any time limit, but it would be good to give them an opportunity to speak) speech explaining why they want to serve on the committee.

d. The top (2 or 3) vote recipient, depending on it being an odd or even year, will be seated as the new IEC members. (notice this is the seating of IEC members. The officers should be selected by the newly elected IEC board members. This way the board selects their own leadership and you don't scare off potential parents who don't want to be chairperson or vice chair)

e. What are the responsibilities of an IEC member:

1. Attend monthly meetings

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

Section 5. Voting Rights - for IEC meetings

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

B. Proxy voting and absentee balloting shall not be permitted

C. An IEC member may abstain only from a conflict of interest that is determine valid by the chairperson. If there is no conflict, the IEC member must cast a vote.

D. The Chairperson may only vote in case of a tie among the other members.

Section 6 Termination of Membership

A. Any IEC member may resign by giving a written resignation to the parent committee.

B. An IEC member shall be automatically removed from membership on the Indian Education Committee for the following reasons:

1. The member does not attend any regular or special meetings of the committee for 2 consecutive months. (you may set your own time limit, ie.. 2 consecutive meetings, 3 out or 5 meetings, ...)

2. The child of the member is no longer enrolled in the **(Name)** school district.

3. For action or behavior that brings discredit to the **(Name)** IEC/JOM Program. (you may want to list the type of behavior, but always make sure you add "but not limited too"....)
4. A recall petition towards an IEC member signed by __#___ JOM parents shall call for action of removal if just cause has been sited and that the IEC member has been given warning of such action. The cause for the recall petition may be: (you can list what causes you see fit)

Section 7 Vacancies

A. Names of the nominated candidates, who were not elected to the IEC at the Annual Meeting, will be listed as alternates and will be utilized as alternates for any member of the IEC who resigns, is terminated or otherwise ineligible to serve on the IEC.
B. If the alternates are not able to serve, the IEC shall select by majority vote, an eligible JOM parent to fulfill the vacant IEC term.
C. By affirmative vote of members of the committee, a vacancy can be filled.
D. The new member will only serve the remain time of the vacancy.
E. If the new member replaces an IEC officer, that officer position does not transfer to the new member.
F. The newly elected IEC member will only serve only for the unexpired portion of the term of the vacancy left by the IEC member.
G. An election among the IEC members shall be held to replace the officer whose position has become vacant. (This means that there could be a reassignment of the officers during the year)

Section 8 Powers and Duties

A. Recommend curriculum, including texts, materials and teaching methods to be used in the contract programs
B. Approve budget preparation and execution
C. Recommend criteria for employment in the program
D. Nominate up to three qualified prospective staff members from which School District would select for interview and review for hire.
E. Evaluate job positions and program results and make recommendations to the School District Administration.
F. Secure and have available a copy of the sub-contract application on file.
G. Recommend cancellation or suspension of approved program if the **(Name)** School District fails to permit committee to exercise powers and duties.
H. The organizational papers and by-laws of the Indian Education Committee may include additional powers and duties which would permit the Committee:
   1. Participate in negotiations concerning all contracts under this part.
   2. Make an annual assessment of the learning needs of Indian children in the community affected.
   3. Have access to all reports, evaluations, surveys and other program and budget related documents determined necessary by the Committee to carry out is responsibilities, subject only to provisions of 273.49.
   4. Request periodic reports and evaluations regarding the Indian Education program. **(Staff reports)**
   5. Hear grievances related to programs in the education plan.
   6. Meet with the **(Name)** JOM staff serving the Indian children and with local education agencies.
   7. Hold committee meetings on a regular basis which are open to the public.
   8. Review and approve the Annual Program Report.
   9. Have such additional powers as are consistent with these regulations

ARTICLE V - Officers

The officers of the Indian Education Committee shall be a chairperson, vice-chair and secretary. Other officers may be appointed as the committee elects. (or other offices if so desired)

Section 1. Election , Terms of Office and Officers selection

The Indian Education Committee shall be elected by a majority vote at the annual committee election, the committee members shall serve for two years.

A. Nomination from floor by an eligible JOM parent / guardian
B. Individual ballots
C. Ballots counted individually in a visible manner.
D. Newly elected IEC members shall take their positions as IEC members, at the first official meeting of the new Indian Education Committee
E. The current IEC members shall maintain their positions as the IEC until the completion of the Annual Election Meeting. The presiding Chairperson (or a remaining officer from the current IEC, if the Chairperson is not re-elected) shall call the first official meeting of the „new" IEC members.
F. Officers (Chair, Vice chair and Secretary) shall be elected by the IEC at the first official meeting of the new Indian Education Committee. This will be considered an the re organizational meeting.
G. Each officer of the IEC shall hold their office from annual meeting to annual meeting.

Section 2. Officer Vacancies

A vacancy of an officer of the Indian Education Committee during the year may be filled by a majority vote of the IEC members present at a regular/special meeting. The newly elected officer shall serve only for the unexpired portion of the year term.

The officer position may also be left vacant until the following annual meeting if so desired. (This would be beneficial if close to the annual meeting time)

Section 3. Removal

Any officer may be removed by a (two-thirds) vote of all members present whenever it is in the best interest of the committee according to ARTICLE IV, Section 6,(B).

Section 4. Duties of the Officers and IEC Members At-Large.

A. Chairperson

The chairperson shall perform all duties incidental to the office of the chairperson and such other duties as may be prescribed by the Indian Education Committee from time to time. The chairperson shall act on behalf of the IEC, by recorded by motion, of the IEC.

Specific duties are:

1. To preside over all general meetings
2. Prepare the meeting agendas in conjunction with the JOM Coordinator.
3. Sign on behalf of the IEC, all letters, reports and other committee documents as required with authority given by the IEC to do so.

B. Vice-Chairperson

The vice-chairperson shall:

1. Assume the role of the chairperson in his/her absence.
2. Ensure that membership on the Indian Education Committee is consistent with the federal regulations
3. Arrange for speakers and special programs.
4. Shall perform such other duties as may be prescribed by the committee from time to time.

C. Secretary

The Secretary shall:

1. Distribute to the IEC prior to the meetings the following:
   A. The agenda prepared by the Chairperson.
   B. The minutes of the previous committee meeting
   C. Staff reports
   D. Financial reports.
2. Keep the minutes of the regular, special and emergency meetings.
3. Shall provide minutes to the committee and to such other persons the committee may indicate.
4. He/She shall see that all notices are given in accordance with the provisions of these by-laws.
5. Be custodian of the committees records.
6. Keep a list of the address and telephone numbers of each committee member.
7. The secretary shall perform other such duties as prescribed by the Indian Education Committee from time to time.

D Members At-Large

1. To be present at monthly meetings
2. To participate fully in the IEC meetings
3. Perform other such duties as prescribed by the IEC from time to time.

E All IEC members must have formal authorization by action (motion recorded in minutes) to represent or speak on behalf of the IEC.

ARTICLE VI - Meetings

The Indian Education Committee shall meet not less than **(___)** times a year including the Annual Meeting. A majority of the members present at any meeting may adjourn the meeting. All meetings will be held using parliamentary procedures to conduct an orderly meeting. IEC meetings must be held in accordance with the school districts (contractor) meeting policies. The IEC shall vote on all issues brought before them in accordance with the approved agenda.

Section 1. Regular Meetings

A. The date and time of the regular IEC meeting shall be the third (3rd) Monday of each month. (this can vary from IEC to IEC)

B. Notice of the regular meetings shall be published in the local newspaper stating the date, hours and location of the meeting.

C. IEC (monthly) packets shall be mailed to each member not less than 5 days prior to each meeting. The Monthly packets shall include:

1. The Agenda
2. Copy of the last IEC meeting minutes
3. Staff Reports
4. Financial Reports
5. All regular meetings shall be open to the public.

Section 2. Special Meeting

Special meetings of the IEC may be called by the Chairperson or by a majority vote of the committee. All IEC members shall be given a two day notice by telephone of the special meeting. The IEC members must be given the purpose of the Special meeting. Agenda items must be limited to those areas of concern causing the call of the special meeting. No other items may be added or discussed during the meeting.

Section 3 Informal meetings of the IEC

Informal meetings (work sessions) are conducted when a quorum of the IEC is not established at a regular or special meetings. No formal action (motions) will be taken at any informal meeting unless by action of the IEC noted from a previous meeting where the IEC has approved the Officers to act on behalf of the IEC.

Section 4 Executive Session meeting (no minutes or recording are to be made in this session) The participants of an executive session are not to discuss or disclose the issues made known the executive session. An executive session may be called by any two members (this number can vary) of the IEC, before or during a regular IEC meeting. To qualify for an executive session, the issue must be one of the following:

A. Personnel manners
B. Misconduct of an IEC member
C. Dealing with sensitive issues pertaining to program
D. Once out of session a formal motion of action **must** be brought up at the regular meeting. (Table, vote up or down on an issue)

Section 5 Quorum: The presence of a simple majority of the committee shall be required to constitute a quorum necessary for the transaction of the business of the Indian Education Committee. No decision of the committee shall be valid unless there is a majority vote of the members constituting a quorum. (the number needed for a quorum may be any number, as long as it is stated in the by-laws. The IEC members once agree on the number for a quorum must remember that if an action is taken and they are not present to vote, they give up that opportunity to do so by the number they establish as a quorum)

Section 6 Agenda

A. The agenda for each meeting shall be prepared by the chairperson. 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".

B. An item may be placed on the agenda by contacting the chairperson at least 5 days prior to the regular meeting date.

C. In accordance with the Oklahoma Open Meeting Act an agenda must be posted at the place of the regular meeting at least 24 hours in advance of the meeting.

ARTICLE VII - Parliamentary Authority

The (Name) JOM Indian Education Committee will conduct their meetings in accordance with Parliamentary Procedures.

ARTICLE VIII -Amending the By-Laws

The By-Laws shall be amended only at a 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 parent committee as sited in Article III, sections 1-3. Any amendment must conform to the rules and regulations of the federal register, code of federal regulations 25 CFR, Part 273.15

ARTICLE IX - Ratification

These by-laws shall be declared adopted by the Indian Education Committee when passed by majority of the full membership of the committee at a regular meeting of the IEC.

ARTICLE X - Grievance Procedure (Option - can be made separate from the by-laws)

Grievance procedures for complaints from **(Name)** Indian students, parents and JOM staff relating to program(s) contracted under Johnson-O"Malley shall be as follows:

Section 1 The complainant shall submit a grievance in writing to the Indian Education Committee for investigative review and action.

A. Upon receipt of a written complaint, the IEC shall, within **15** (you pick the number of days that bests your needs) working days, make an investigation document and submit its findings to the complainant. If the complaint cannot be resolved with the specified time, the Indian Education Committee may request additional time from the complainant.

B. If the complaint cannot be resolved by the Indian Education Committee to the satisfaction of the complainant, the IEC shall forward the complaint with all investigative documents, findings, and /or recommendations to the School District Administration..

Section 2 The School District Administrator shall proceed as follows:

A. Schedule a meeting with the IEC Chairperson within **10** (you pick the number of days that bests your needs) working days after a complaint has been received.

B. A grievance committee consisting of: the School Administrator, IEC Chairperson and a IEC member, (or any number of IEC members) will review the complaint, investigative documents, findings, and /or recommendations.

C. Within 10 working days of this meeting, the School Administrator will contact the complainant to review the grievance committee disposition in resolving the complaint.

D. If the complainant is not satisfied, the School Administrator will forward the complaint with all investigative documents, findings, and /or recommendations to the JOM Program Manager for review and action.(you may use this if needed)

E. The findings of the Manager (or who ever you choose to be the final word) shall be final.

ARTICLE XI - Ratification

These By-Laws shall be declared adopted by the Indian Education Committee when passed by majority of the full membership of the committee, at a general meeting of the committee.

Theses By-Laws are approved by the **(Name)** Indian Education Committee at a regular meeting held on _____, 20___

IN WITNESS THEREOF,

_____	_____
Chairperson	Vice-Chairperson
_____	_____
Secretary	School District Representative

The signatures may include all the IEC members, the Chairperson and School District Representative or a limited number of IEC members. The bylaws must be signed and dated to be valid. Minutes of the IEC meeting where the minutes where approved must also be submitted along with the by-laws to show that the IEC voted to approve.

Definition of "in loco parentis"

This definition is provided so that tribes would have the option to allow grandparents, and other extended family members who are raising their grandchildren, nieces and nephews the opportunity to serve on the JOM parent committee. Within the Indian communities it is unlikely that extended family members have legal custody (court documentation) of the children they provide 24 hour care for. This definition is provided to offer the JOM program the ability to include those extended family members, who are the primary care givers, the responsibility to be involved in the education of their grandchildren.

> ***In loco parentis*** is a Latin phrase defined as: "in the place of a parent". The English language definition is: "Acting as a temporary guardian of a child." (Black"s Law Dictionary).
>
> Johnson-O"Malley Indian Education Committee members, who are exercising ***in loco parentis***, should also have daily responsibility for a student"s health, safety and welfare.

PARENT – The term parent includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with who the child lives, or a person who is legally responsible for the child"s welfare).

The term "in loco parentis, according to is generally accepted common law meaning, refers to a person who has put himself 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 has been assumed are (1) the age of the child; (2) the degree to which the child is defendant 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 the status of "in loco parentis."

SECTION 7

IEC Meeting Guidelines

- **IEC Meeting Training Material**
- **IEC Minutes Form**
- **IEC Agenda Outline (Sample)**
- **Election & Voting Procedures**

_____ IEC Agenda

Date and Time

1. **Call to Order**

   I call this meeting to order at _____

2. **Invocation**

   At this time I would like to ask _____ if he/she would open the JOM IEC meeting with a word of prayer.

   Who ever you ask – allow them to give the prayer in the fashion they see fit.

3. **Roll Call – establishment of a quorum**

   Would the Secretary please call roll to establish a quorum of the IEC

   The Secretary would call the roll with each IEC Board member answering "here". Once the roll call is done, the Secretary would then say

   ___ IEC member present ____ absence

   - a quorum has been established or

   - a quorum is not established

   If a quorum is established then the Chair would go on with business

   If a quorum is not established the Chair would announce that **"no quorum is established and we will now turn this meeting into a working session with no business to be conducted at this time"**

4. **Approval of the agenda**

   The Chair would say – **"At this time we move to agenda item number 4 – approval of the agenda" I ask for a motion to approve the agenda"**

   IEC MEMBER – "I move that the agenda be approved"

   IEC MEMBER – "I second the motion"

   The Chair would then ask for any discussion – if no one has a discussion point then the Chairperson would call for a vote. **YOU CANNOT HAVE A DISCUSSION OF ANY MOTION BEFORE THERE IS A SECOND**

   "Is there any discussion on the motion?" hearing none

   All those in favor of the motion to approve the agenda; please say aye, those opposed please say nay

   OR

   "Is there any discussion on the motion?" If an IEC member would like to change, add or delete an item to the agenda they can do that prior to the vote of the motion.

IF there is a discussion the IEC member must ask to be acknowledged by the Chairperson. The Chair would say **"the chair recognizes _____"**

Then the IEC member would have an opportunity to ask their question of clarification on the motion. The discussion must be limited to the motion.

IF you need to change the agenda or table an item you can simply ask the maker of the motion to allow the motion with changes.

The Chair would say "With the approval of the maker of the motion, the motion will read to approve the agenda with changes". Make sure the maker of the motion approves of the changes.

All those in favor of the motion to approve the agenda; please say aye, those opposed please say nay

5. **Approval of the minutes**

The Chair would say – **"At this time we move to agenda item number 5 – approval of the minutes"**

The Chairperson would ask for a motion to approve the minutes

"I ask for approval of the minutes for _____, 2014"

IEC MEMBER – "I move that the minutes be approved"

IEC MEMBER – " I second the motion"

The Chair would then ask for any discussion – if no one has a discussion point then the Chairperson would call for a vote. **YOU CANNOT HAVE A DISCUSSION OF ANY MOTION BEFORE THERE IS A SECOND**

"Is there any discussion on the motion?" Hearing none

All those in favor of the motion to approve the agenda; please say aye, those opposed please say nay

Motion passed or failed

OR

"Is there any discussion on the motion?" If an IEC member would like to change, add or delete an item to the agenda they can do that prior to the vote of the motion.

IF there is a discussion the IEC member must ask to be acknowledged by the Chairperson. The Chair would say **"the chair recognizes _____"**

Then the IEC member would have an opportunity to ask their question of clarification on the motion. The discussion must be limited to the motion.

IF you need to change the minutes or table an item you can simply ask the maker of the motion to allow the motion with changes.

The Chair would say "With the approval of the maker of the motion, the motion will be to approve the agenda with changes". Make sure the maker of the motion approves of the changes.

All those in favor of the motion to approve the agenda; please say aye, those opposed please say nay

Motion passed or failed

6. **Public Comment**

The Chair would say **"At this time we move to agenda item number 6 – Public Comment. The IEC Board would like to open the floor for any JOM parent to address the IEC with their concerns. I invite you to please stand, give your name and the ages of your children."**

If there is no one wanting to address the IEC, you would just say - **"Seeing no parent wanting to address the IEC Board, we thank you for coming to listen to the meeting and if you have a question during the meeting, I will allow time for your question to be addressed."**

7. **Reports:**

"At this time we move to agenda item number 7 – item A Reports.

First report will be from the Program Coordinator regarding the program goal and objectives

This is where Tina would give her report of the program progress. She should review the measurable objectives and let the IEC know how close the program is coming in obtaining their goals. This is also where she would speak about the different school activities, ie.. back to school night, school supplies, college prep class, field trips etc….

"We thank you Tina for that report and now we will address item B the program financial report / expenditure claims."

This is where Tina would give the financial report or budget revision report

"We thank you Tina for that report"

8. **IEC Business Items**

"At this time we move to agenda item number 8– IEC Business Items

As the Chairperson you would ask Tina **"Is there are any items of business that need to be addressed at this meeting"**

Bylaw ____ Needs Assessment ____ Revision ____ Application ___ Monitor ____

Tina would be the one to let the IEC know which items need to be address and voted on. She should be able to go over the item of business and explain what needs to be done for the program to go forward. On any item that needs a motion to approve you will need to do the follow:

"I ask for a motion to _____" (ex. approve the budget revision)

IEC MEMBER – "I move to _____" (ex. Approve the budget revision

IEC MEMBER – "I second the motion"

The Chair would then ask for any discussion – if no one has a discussion point then the Chairperson would call for a vote.

"Is there any discussion on the motion?" Hearing none you continue. IF there is a discussion, you need to allow that person to speak then you move forward.

All those in favor of the motion to approve the agenda; please say aye, those opposed please say nay

Motion carried or failed

9. **Old Business** The Chair should ask **" Is there any old business to be brought before the IEC Board?"** If none just move on. If an item was tabled at the last meeting this is where they can be revisited.

10. Announce date of next meeting

"At this time we move to agenda item number 10 – announcing our next IEC meeting date. Our next meeting will be on _____ at _____ here. We invite you to please come back and be part of the meeting again. We thank you for coming and hope to see you at the next meeting"

11. Adjournment

The Chairperson would ask for a motion to adjourn

"I ask for a motion to adjourn"

IEC MEMBER – "I move to adjourn"

IEC MEMBER – "I second the motion"

All those in favor of the motion to adjourn; please say aye, those opposed please say nay Motion carried or failed

REMEMBER AT ALL TIMES THAT IF YOU MAKE A MOTION AND YOU DECIDE AFTER THE DISCUSSION THAT YOU WANT A TOTALLY DIFFERENT MOTION YOU CAN VOTE THE MOTION DOWN AND PUT A NEW MOTION ON THE FLOOR.

_____ IEC Minutes

Date _____and Time_____

Start a sign in sheet for the audience

1. Call to Order

The meeting was called to order by _____ at _____.

2. Invocation

_____ was asked to give the invocation .

3. Roll Call – establishment of a quorum **Staff**

name _____ _____

_____ _____

_____ _____

_____ _____

_____ _____

Special guest _____

Madam Chair we have ___ IEC members present & ____ absence

a quorum has been established _____

or

a quorum is not established _____

4. Approval of the agenda

Motion # _____ Motion was made by _____ seconded by _____

To approve the agenda.

Discussion: _____

_____

_____

Vote ayes _____ nays _____

ACTION: **Passed** _____
Failed _____
None taken _____

5. **Approval of the minutes**

Motion # _____ Motion was made by _____

Seconded by _____ to approve the minutes.

Discussion: _____

_____

_____

Vote ayes _____ nays _____

ACTION: **Passed** _____
Failed _____
None taken _____

6. **Public Comment**

Name _____

Comment Summary_____

_____

_____

Name _____

Comment Summary_____

_____

_____

Name _____

Comment Summary_____

_____

_____

Name _____

Comment Summary_____

_____

_____

7. Reports:

A. Indian Education Director (Coordinator) or Staff report Program Goals and Objectives

_____

_____

_____

_____

B. Program Financial Report / expenditure claims

_____

_____

_____

_____

8. IEC Business Items

Bylaw: Needs Assessment: Revision: Application: Monitor: Annual Report: Election:

Item _____

Motion # _____ Motion was made by _____

Seconded by _____ to approve the _____.

Discussion: _____

_____

_____

Vote ayes _____ nays _____

ACTION: Passed _____
Failed _____
None taken _____

Item _____

Motion # _____ Motion was made by _____

Seconded by _____ to approve the _____.

Discussion: _____

_____

_____

Vote ayes _____ nays _____

ACTION: Passed _____
Failed _____
None taken _____

9. Old Business

Item _____

Motion # _____ Motion was made by _____

Seconded by _____ to approve the _____.

Discussion: _____

_____

_____

_____

_____

Vote ayes _____ nays _____

ACTION: Passed _____
Failed _____
None taken _____

10. Announce date of next meeting

The next IEC meeting will be held on _____ at _____

11. Adjournment

Motion # _____ Motion was made by _____

Seconded by _____ to approve the _____.

Discussion: _____

_____

_____

Vote ayes _____ nays _____

ACTION: Passed _____
Failed _____
None taken _____

Adjourned at _____

Certification: I Certify That The Minutes Represented Here Are An Accurate Record Of The Discussion Which Took Place At This Meeting.

_____ _____ _____ _____
SECRETARY **Date** **CHAIRPERSON** **Date**

_____ IEC Agenda

Date _____

Time_____

Location _____

1. Call to Order

2. Invocation

3. Roll Call – establishment of a quorum

4. Approval of the agenda

5. Approval of the minutes

6. Public Comment

7. Reports:
   A. Indian Education Director (Coordinator) or Staff report Program Goals and Objectives
   B. Program Financial Report / expenditure claims

8. IEC Business Items that may be considered
   A. Bylaw
   B. Revision
   C. Monitor
   D. Election
   E. Needs Assessment
   F. Application
   G. Annual Report
   H. other

9. Old Business

10. Announce date of next meeting

11. Adjournment

IEC Public Hearing / Election

Date _____ Time_____Location _____

1. Call to Order / Welcoming – By the Chairperson

   As part of the welcoming, explain that this meeting is designed as a public hearing and that the parents will have an opportunity to speak. Ask the parents not to fill out the needs assessment until later in the meeting. This way they will have a better understanding of what they want to happen in the coming year.

2. Invocation – Always a good thing to start with

3. Roll Call – establishment of a quorum

   If the public hearing is being heard by the IEC and if the hearing will call for action (motions) than a quorum will need to be established

4. Approval of the agenda

   The public hearing must have an agenda to keep order and for the audience to know the order of business. This also may be the time to ask if they want any changes to the agenda

5. Approval of the minutes

   If the public hearing is acting in place of a regular IEC meeting and the IEC will be conducting business, then the minutes of the last meeting may be addressed and approved OR the minutes can be tabled until the next IEC meeting.

6. Reports:

A. Indian Education Director (Coordinator) or Staff report Program Goals and Objectives.

   During this section, you would have the staff or IEC explain the JOM Program Goals and Objectives. They are stated in your application. Explain that the goals are based on the annual needs assessment and that each parent should take the time to fill it out towards the end of the school year.

B. Program Financial Report / expenditure claims

   During this section, you would explain how the JOM funds are being used and if there are any other funding sources that assist the program. Example: If you have Title IX and JOM you can explain which program funds what or if programs are co-funding to make them work.

C. Program updates

   During this section, you would have the staff give an overview of the programs that are available through JOM. How the parents can get their children involved and who they can contact.

7. Public Comment

Remember that a public hearing is not a debate but a format for the JOM parents and student to voice their opinions. The IEC may not agree with their opinions but their opinions ARE important to the program. My advice if it turns into a debate is to say "Thank You for your opinions and the IEC will take it under consideration." You are not there to change their minds just to listen to them and inform them of the program and how their input will assist in the planning. Explain that the public hearing along with the written needs assessment will be used to develop the JOM Application for FY 15.

If you have a small group, have everyone stand up and introduce themselves. If you have a large group ask those who wish to speak to please (either stand where they are and address the IEC or come to the front and address the IEC). Make sure they give their name (for the one taking the minutes) and the ages of their children in the JOM program. This way you would know for sure that the people speaking are JOM eligible parents. You can also have students give their testimonies at this time.

You may want to set some type of guidelines:

1. 3 minutes per person to speak
2. No interruptions while a person has the floor
3. Comments must pertain to the JOM program.
4. Comments should be what you like about the program, what you dislike and what changes you would like to see.

If no one wants to speak, encourage them asking a specific parent what they like about the program. Pick people out of the audience and ask them what they would change. Just get them talking. Ask the children what they like.

18. Election You would take nominations from for the open seats, remember that I recommend that you elect parent committee members and not officers. Officers should be elected by the parent committee once they are all seated. If you hold an election by office then parents won't run if the only position open is chairperson. You would scare away potential parents. If you first elect them on the committee and then let them select their leadership it makes it easier. Follow the sample in the By-laws, article V, section 1.

19. Closing

Let the parents know that the IEC will review their comments and try to make the improvements in the JOM Program. Thank them for coming and have prepared some door prizes.

19 Door Prizes (you can give tickets out when the parents turn in their needs assessment)

According to federal regulations, a JOM can purchase incentive items, such as door prizes for the parents. This incentive clause was made to encourage parents to become actively involved in their children education. You can buy gift cards, or gifts but try to keep them within a reasonable price range.

20. Announce date of next IEC meeting

Let the parent know when the next IEC meeting will be and encourage the parents to come.

21. Adjournment

You may ask for a closing prayer or just dismiss

SECTION 8

Program Compliance

- **Program Compliance/ Monitoring Check Sheet**

MUSCOGEE CREEK NATION JOM PROGRAM
PROGRAM COMPLIANCE/MONITOR CHECK SHEET

- Used during the Annual Contract Compliance monitor visit
- Assures that each Creek Nation JOM Contractors are meeting reporting requirements according to 25 CFR 273 JOM Regulations
- Is only used to assure compliance and will not reflect in a dollar increase or decrease
- After the Annual Contract Compliance Monitor, copies of the final evaluation will be forwarded to the contractor
- Items required for submission to the MCN JOM program include: Current FY application, Revision, IEC listing, IEC By-Laws, Needs Assessment results, Annual Report, and Parent Committee Training form. Each document must have attached minutes of approval from the IEC. Expenditure claims do not need IEC approval.
- Reviewed areas during the Annual Contract Compliance Monitor visit to show compliance of current FY JOM application include: Needs Assessment, Program Budget & Education Plan
- Items verified during Annual Contract Compliance monitor visit include: Student records, OK Open meeting Act, Property/Inventory listing, Required assurances, Trainings attended by Staff & IEC, and if the annual report is submitted by deadline with the Goals & Measurable objectives addressed. IEC election, Advertisement of IEC meetings and meeting dates, information provided to IEC, IEC monthly /quarterly packets that contain the following documents: financial report,agenda, copy of last IEC minutes, and any staff reports. Packets must be given to IEC no less than 5 days prior to each meeting.

MUSCOGEE CREEK NATION
JOM PROGRAM
FY 2016 JOM Contractors Program Compliance/Monitor Check Sheet

The Muscogee Creek Nation will conduct an Annual Contract Compliance monitor visit is to assure that each JOM Contractor is meeting reporting requirements according to 25 CFR 273 JOM Regulations and applicable Oklahoma state requirements. In most cases of the items listed below, copies of the item will need to be attached to the monitoring sheet for proof of compliance. A copy of the final evaluation will be forwarded to the contractor, with copies made available to the program coordinator and IEC. The monitoring instrument is only used to assure compliance and will not reflect in a dollar increase or decrease based on the findings.

Date of Monitoring	**Name of School**
Funding Allocation	**# of Eligible Students**
Name of Contact Person	**MCN Representative**

yes	no	Item	Verification
Following items are mandated by federal regulations to be submitted to the MCN JOM Program			
		a. Application (submitted by deadline, signed and dated)	
		b. Revision (submitted with corrected amount)	
		c. Bylaws (ratified within the current school year)	
		d. IEC certification form (showing IEC with HOME address)	
		e. Needs assessment form and results (Were the needs assessment results used to develop the goals and objectives?)	
		f. Annual Report (FY 15 report submitted by Nov. 20, 2015) Were measurable objectives attained?	
		g. Required assurances (initialed by the IEC and Administrator)	
		h. Student eligibility requirements (transmittal form / submission of enrollment forms)	
		i. FY15 budget claims (submitted on a quarterly basis, expended by Sept. 30, 2015)	
		j. Inventory listed with serial #, cost, purchase date & location	
During the Annual Program Compliance Monitor, an IEC member is required to participate and address each item listed below. Copies of requested items should be provided.			
yes	**no**	**IEC MEETINGS:** a. IEC meeting held regularly (Copy of advertisements)	
		b. Elections held according to By-laws	
		c. Method of advertisement of meetings (copy submitted)	
		d. Agenda, minutes, staff report and financial reports provided prior to each meeting	
		e. How did the IEC assist with the needs assessment ?	
		f. What IEC trainings were attended?	

		g. Did all IEC Members receive Parent Committee Training?	
		IEC HANDBOOK: a. Each IEC member provided a handbook?	
		b. Copy of FY 15 Application, Budget Revision provided?	
		c. Parliamentary procedure guidelines provided?	
		d. Copy of JOM Federal Regulations?	
		e. Listing of all staff job descriptions	
		f. Officers roles and responsibilities	
		g. Oklahoma Open Meeting Act	
		h. Copy of the FY15 Annual Report	
Student Files & Records			
		a. Student files maintained and secure. (Where are they kept)	
		b. Student file system maintained (where kept)	
		c. **Individual student file records include:** 1. Grade monitoring (showing progress)	
		2. Supplies	
		3. Student involvement (tutoring, cultural activities, field trips)	
		4. Extracurricular sponsored cost / ACT fee payments	
Education Plan			
		a. Educational Goal design – were they met	
		b. Measurable Objective design – were they met	
		c. Activities designed to match Education Goal	
		d. Budget summary designed using program goals and objectives?	
		e. Copy of job descriptions submitted / match educational plan?	

Monitor conducted by: _____ Date _____

School Representative _____ Date_____

School Representative _____ Date_____

IEC Member _____ Date_____

SECTION 9

Program Information

- **FY-16 Calendar of Events**

Muscogee (Creek) Nation
Johnson-O'Malley Program
Calendar of Events
2015-2016

Date	July
31	Challenge Bowl Study Guide online- http://www.muscogeenation-nsn.gov/Pages/JOM/cbowl.html
Date	August
1	JOM Handbook - http://www.muscogeenation-nsn.gov/Pages/JOM/jomapps.html
7	In-Service Mail-Out -Email Hard Copy to Coordinators & IEC
25	Student Roster Mail-Out
25	Student Count Transmittal Form-Reminder Notice
Date	**September**
7	LABOR DAY HOLIDAY
11	**DEADLINE-** In-Service Registration
11	Notification for IEC Training Mail Out
24	**MCN JOM In-Service 9am - 2pm**
30	End of JOM FY-15 Fiscal Year
Date	**October**
1	New Fiscal Year FY 16
2	FY 16 Expenditures Begin
2	Belvin Hill Memorial Scholarship Info Mail Out
2	Challenge Bowl Mail Out
5th-9th	**Student Count Week**
9-Oct	**DEADLINE--**IEC Training Registration
16	**DEADLINE--** Student Transmittal
22	**IEC Training**
26	Advanced Placement Test Mail Out
30	In Service Mail Out
Date	**November**
2	JOM Monitoring Begins
5	Education & Training College and Career Expo 8-4
6	**DEADLINE--**Belvin Hill Memorial Scholarship Application
11	VETERANS DAY HOLIDAY
13	**DEADLINE**--Student Enrollment Forms
16	NATIVE AMERICAN DAY HOLIDAY
20	**DEADLINE--**Annual Report
20	**DEADLINE--**In-Service Registration - Christmas
26-27	THANKSGIVING HOLIDAY
30	Fy 15 Final Expenditure Claim Due
Date	**December**
8	**JOM In-Service**
11	**DEADLINE**--Challenge Bowl Registration--All Levels
11	**DEADLINE--** Submission of County Clerk IEC Meeting filings
11	**DEADLINE--** Submission of IEC Election List And Minutes
11	**DEADLINE**--Verification of IEC Training, Advertisement
11	**DEADLINE**--Advertisement of Meetings

24-25	CHRISTMAS HOLIDAY
TBA	**STATE** Wide Conference Mail Out
31	NEW YEARS EVE HOLIDAY

Muscogee (Creek) Nation
Johnson-O'Malley Program
Calendar of Events
2015-2016

Date	January
1	NEW YEARS HOLIDAY
8	**DEADLINE--**By-Laws and Minutes of approval due
18	JOM Academic Incentive Mail-Out
29	Completed Student Roster Mail-Out **(Tentatively)**
29	Advanced Placement Incentive Application Due
29	1st QTR FY 16 Expenditure Claim Due
Date	**February**
3	High School Challenge Bowl
TBA	**DEADLINE--** State-Wide Registration
5	Budget Revision Letters Mailed
10	Middle School Challenge Bowl
17	Elementary Challenge Bowl
Date	**March**
TBA	**State--Wide Conference**
7	Academic Incentive Due
11	**DEADLINE--**Submit FY16 Budget Revisions And Minutes
25	GOOD FRIDAY HOLIDAY
28	JOM Academic Incentive Selection
28	FY17 Application Notification Letter will be sent
Date	**April**
29	2nd QTR FY16 Expenditure Claim Due
Date	**May**
2	**DEADLINE--**JOM FY17 Needs Assessment and Grant Application with Minutes
30	MEMORIAL DAY HOLIDAY
Date	**June**
3	FY17 Application Award Letter will be sent
27	CREEK FESTIVAL HOLIDAY
Date	**July**
4	INDEPENDENCE DAY HOLIDAY
29	3rd QTR FY16 Expenditure Claim Due