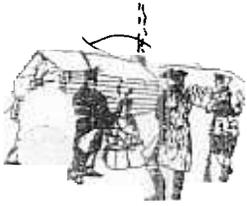


Oneida Tribe of Indians of Wisconsin

BUSINESS COMMITTEE



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.



UGWA DEMOLUM YATEHE
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

P.O. Box 365 • Oneida, WI 54155
Telephone: 920-869-4364 • Fax: 920-869-4040

EMERGENCY RULE RESOLUTION

Oneida Nation School Board/Memorandum of Agreement

RESOLUTION # 1-31-01-A

WHEREAS, the Oneida Tribe of Indians of Wisconsin is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States, and

WHEREAS, the Oneida General Tribal Council is the governing body of the Oneida Tribe of Indians of Wisconsin, and

WHEREAS, the Oneida Business Committee has been delegated the authority of Article IV, Section 1 of the Oneida Tribal Constitution by the Oneida General Tribal Council, and

WHEREAS, the Oneida General Tribal Council adopted the Oneida Nation Administrative Procedure Act by Resolution 8-19-91-A to ensure consistency of law and rule making procedures, and

WHEREAS, the Oneida Nation Administrative Procedures Act, Resolution 8-19-91-A, Section VI allows the immediate adoption of a resolution or amendment to an ordinance or rule by the Oneida Business Committee where an emergency requires such an adoption to preserve the public health, safety or general welfare of the tribal community, and

WHEREAS, the Oneida School Board Policy adopted by the Oneida General Tribal Council on February 14, 1983 and the Memorandum of Agreement entered into by the Oneida Business Committee and Oneida Tribal School Board on March 21, 1988 are obsolete, and

WHEREAS, the aforesaid Oneida School Board Policy and Memorandum of Agreement are detrimental to the operation of the Oneida Nation School system, specifically those practices dealing with personnel for hiring, suspension, expulsion, hearings, firings, and all other personnel processes, and

WHEREAS, the policy and agreement are obsolete and affect the ability of the school to function properly, harm the morale of the school's administration including teachers, staff and school board members, and ultimately affect students, parents and the community as a whole, and

WHEREAS, the Oneida Tribal School Board, by the aforementioned policy and MOA stipulations, are involved in day-to-day activities that should be the ultimate responsibility of the Oneida Tribal School Administration;

NOW THEREFORE BE IT RESOLVED, that all processes for hiring, firing, suspension, performance evaluations, and other personnel discipline practices including hearing and appeals adhere to existing tribal personnel policies, and the following chain of authority: Administrative staff and principals report to the Administrator; Teachers, Teachers' Aides, Substitute Teachers and teaching staff report to principals; and

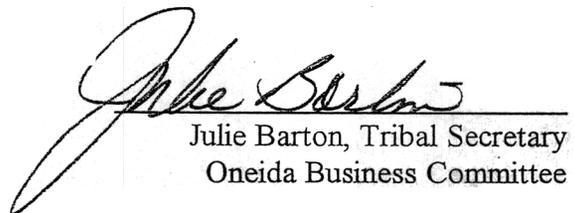
NOW THEREFORE BE IT FURTHER RESOLVED, that the Oneida Tribal School Board will be responsible for the processes that affect the Administrator only; and

NOW THEREFORE BE IT FURTHER RESOLVED, that the Oneida Nation School System will follow the Oneida Administrative Procedure Act and Oneida Human Resource Department policies and procedures to the fullest extent in dealing with personnel, and all other laws, ordinances, policies and/or procedures that may pertain; and

NOW THEREFORE BE IT FINALLY RESOLVED, that this amendment to the Oneida School Board Policy and Memorandum of Agreement shall be effective immediately and remain in effect for six (6) months unless extended for a second and final six (6) month period, and said action shall be published as required and noticed to the impacted parties for immediate relief and implementation to stabilize the present situation of unrest and imbalance within our Oneida Tribal School that negatively affects the health, education, and welfare of our students.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum. 7 members were present at a meeting duly called, noticed and held on the 31st day of January, 2001; that the foregoing resolution was duly adopted at such meeting by a vote of 6 members for; 0 members against, and 0 members not voting; and that said resolution has not be rescinded or amended in any way,


Julie Barton, Tribal Secretary
Oneida Business Committee