

FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA

HUMAN SERVICES ADVISORY BOARD BYLAWS

ORDINANCE #01/07, AS AMENDED

Adopted pursuant to Resolution #1092/07 of the Fond du Lac Reservation Business Committee on April 10, 2007.

Amended by Resolution #1349/16 of the Fond du Lac Reservation Business Committee on October 11, 2016.

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**ARTICLE 1
AUTHORITY, PURPOSE & SCOPE**

SECTION 101 AUTHORITY

This Ordinance is enacted pursuant to the inherent sovereign authority of the Fond du Lac Reservation Business Committee (RBC), as the governing body of the Fond du Lac Band of Lake Superior Chippewa, as recognized under Section 16 of the Indian Reorganization Act, 25 U.S.C. § 476, the Indian Self-Determination and Education Assistance Act, 25 U.S.C. § 450 et seq., the Indian Health Care Improvement Act, 25 U.S.C. § 1601 et seq., and Article VI of the Revised Constitution of the Minnesota Chippewa Tribe.

SECTION 102 PURPOSES; CREATION OF THE HUMAN SERVICES ADVISORY BOARD

The Fond du Lac Reservation Business Committee recognizes that the delivery of health and human services by the Fond du Lac Band to its eligible service population must be administered with the highest professional standards and in a manner which respects and reflects the culture, values and traditions of the Band. Towards these purposes, the RBC has created the Human Services Advisory Board to monitor the scope, quality and manner of service delivery, to facilitate outreach and accessibility of services to the community, to advise the RBC regarding the adequacy and effectiveness of policies and procedures, and to perform such other functions as are described in these Bylaws.

SECTION 103 RESPONSIBILITIES OF THE HUMAN SERVICES ADVISORY BOARD

The Human Services Advisory Board shall have the following responsibilities:

- a. The Board shall monitor the human services available to the eligible population, and shall make recommendations to the RBC, Executive Director and the Director of the Human Services Division.

- b. The Board, in cooperation with the Human Services Division, shall be responsible for providing training to new members as they are appointed.
- c. The Board, in cooperation with the Human Services Division, shall be responsible for education to the community regarding division policy and procedures through focus groups and other available forums.
- d. The Board, in corporation with Human Service Division, shall have input into the development and evaluation of internal responses to the Continuous Quality Improvement (CQI), Institutional Review Board (IRB) and other administrative committees/Boards, as requested by the Human Services Director.
- e. The Board members shall be responsible for the distribution of information on Human Service programs to their district through various means as appropriate.
- f. Each Board member is responsible for attending informational seminars and meetings to maintain current knowledge in the fields of Human Service programs.

**ARTICLE II
MEMBERSHIP**

SECTION 201 MEMBERSHIP

The Fond du Lac Human Services Advisory Board will be composed of eight members: two from Cloquet, two from Sawyer, two from Brookston, and two from Duluth.

SECTION 202 APPOINTMENT

The Reservation Business Committee shall appoint members to the Human Services Advisory Board. The RBC may solicit interested candidates through publication to the community, or the Advisory Board may nominate candidates for membership to the RBC. Members will serve a four-year term, and may be reappointed by the RBC for additional terms.

SECTION 203 VOTE

Each member of the Human Services Advisory Board shall have one vote.

SECTION 204 EX-OFFICIO MEMBERS

The Associate Director of the Human Services Division will serve on the Advisory Board as an ex-officio member. Other ex-officio members may be appointed by the Reservation Business Committee. Ex-officio members may not vote.

SECTION 205 REMOVAL OF BOARD MEMBERS

If a member of the Advisory Board is absent for more than two consecutive meetings without reasonable cause, that member will be removed by a majority vote of the Board. The vacancy will then be reported by the Chairperson of the Advisory Board to the Reservation Business Committee, and the RBC shall fill the vacancy in accordance with Section 202.

SECTION 206 RESIGNATION

A member of the Human Services Advisory Board may resign from the Board by providing a written notice of resignation to the Chairperson. The vacancy will then be reported by the Chairperson to the Reservation Business Committee, and the RBC shall fill the vacancy in accordance with Section 202.

**ARTICLE III
OFFICERS AND DUTIES**

SECTION 301 OFFICERS

The officers of the Fond du Lac Fond du Lac Human Services Advisory Board shall be Chairperson, Vice Chairperson, and Secretary.

- a. **Chairperson.** The Chairperson shall call the meetings to order and preside over meetings. In addition, the Chairperson may appoint members to any ad hoc committee created by the Advisory Board. Specific requests or concerns that need to be addressed to the Reservation Business Committee shall be made by the Chairperson or by the designated ad hoc committee members. The Chairperson will act as a community spokesperson for the Human Services Advisory Board especially during Special Events.

- b. **Vice-Chairperson.** The Vice-Chairperson shall serve in the absence of the Chairperson and assume all duties and responsibilities of the Chair, including orientation of new Board Members.

- c. **Secretary.** The Secretary shall perform the following responsibilities:
 - 1. Keep proper records for all meetings of the Board;
 - 2. Assure that proper notices of meetings are published;
 - 3. Assure that all Board members are notified of meetings and agendas in a timely manner;
 - 4. Issue such public information as authorized by the Board;
 - 5. Assure that minutes of previous meetings are supplied to all the members as required by these Bylaws; and
 - 6. Perform such other duties as may be assigned to him or her by the Board or are required by these Bylaws.

In the absence or inability of the Secretary to act, the Chairperson or other designated Board member may act in his or her place. The above responsibilities may be assigned by the Secretary to the Administrative Assistant provided to the Board by the Human Services Division.

SECTION 302 ELECTION OF OFFICERS; TERMS OF OFFICE; VACANCIES

- a. All officers of the Board shall be nominated from the floor and elected by a secret ballot.

- b. Each officer of the Board shall be elected for a term of two (2) years. The officer shall assume office immediately upon election. This proviso does not preclude the re-election of an officer.
- c. In the case of filling a vacancy, the position shall be filled as soon as practicable by electing a successor to the expired term of office.
- d. The Chairperson and Secretary shall be elected in an alternate year to the Vice-Chairperson.

ARTICLE IV
BOARD COMMITTEES

SECTION 401 **COMMITTEES**

There shall be no standing committees of the Board. However, there may be appointed special committees to study issues and perform tasks. The Chairperson shall appoint these committees for certain expressed purposes and periods of time.

ARTICLE V
MEETINGS OF THE BOARD

SECTION 501 MEETINGS OF THE BOARD

All business of the Human Services Advisory Board shall be conducted in accordance with the procedures set forth under these Bylaws and any other applicable meeting requirements issued by the Fond du Lac Reservation Business Committee. Meetings will be open to the public and held in a place available to the public. Matters of a confidential nature shall only be discussed and decided in executive session.

SECTION 502 REGULAR MEETINGS

The Board shall meet on a regular basis at times determined by the Board. Meetings will be ordinarily held at the Min-No-Aya-Win Human Services Building in Cloquet, Minnesota on the second Wednesday of the month. Meetings may be held at other times and places as the Chairperson or the Director of the Human Services Division may set, and circumstances may require.

- a. A public notice of the regular meeting of the Human Services Advisory Board shall be posted seven (7) days before the meeting. The public notice shall state the dates, times, and place for each regular meeting. Notice of general meetings will be published in the “Fond du Lac Reservation Paper.”
- b. In the event of any rescheduling of regular meetings a notice stating the date, time and place of the meeting shall be posted at least eighteen (18) hours before the meeting.

SECTION 503 SPECIAL MEETINGS

The Chairperson or any four (4) members of the Board may call a special meeting. The Director of the Human Services Division may recommend a special meeting to the Board. Members will be notified of a special meeting by phone call and a written notice of the date, time, place, and purpose of the special meeting. No business shall be conducted at a special meeting other than that which the meeting is called for. A public notice stating the date, time, and place of any special meeting shall be posted at least eighteen (18) hours before the meeting.

- a. Service of the notice for a special meeting shall be by one or more of the following:

1. Delivering the notice to the Board member personally at least eighteen (18) hours before the special meeting is to take place.
2. Leaving the notice in a conspicuous place at the Board Member's residence or with some person of suitable age and maturity of the house hold at least eighteen (18) hours before such meeting is to take place.
3. Depositing the same in a U.S. Post Office receptacle enclosed in a sealed envelope plainly addressed to each member at his or her last known residence at least forty-eight (48) hours before the meeting is to take place.
4. Electronic mail or facsimile to the Board member at least eighteen (18) hours before the special meeting, to an address or facsimile number provided by the Board member for such purpose, provided such notice is accompanied by a telephone call to the Board member's residence or business at least eighteen (18) hours before the special meeting.

SECTION 504 QUORUM, VOTING, AND ROLL CALL VOTING

- a. At all meetings of the Fond du Lac Human Services Advisory Board, whether regular or special, fifty percent (50%) of the entire membership of the Board shall constitute a quorum to do business. If a quorum is not present for a meeting, a majority of those present may adjourn the meeting to a future date.
- b. No act of the Board is valid unless voted upon at a legal meeting by a majority of the Board, and a proper record is made of the vote. A roll call vote may be requested by a Board member.

SECTION 505 LEGAL COUNSEL

If requested by the Board, legal counsel shall be present at regular or special meetings. Legal counsel must be notified by the Chairperson or the Director of Human Services, and should have twenty-four (24) hours notice. Unless specifically approved by the Reservation Business Committee, the legal counsel of the Board shall be the Fond du Lac Tribal Attorney.

**ARTICLE VI
MEETING PROCEDURES**

SECTION 601 AGENDA FOR REGULAR MEETING

The Chairperson, with the assistance of designated Human Services Division staff, shall prepare an agenda with necessary supporting reports and documents for each regular meeting. The agenda, with supporting materials, shall be available no later than three (3) calendar days prior to the day of the meeting. The agenda may be modified by the Chairperson, if without objection, or upon a majority vote of the Board.

SECTION 602 ORDER OF BUSINESS

The Chairperson, shall call the meeting to order on the appearance of a quorum. The order of business for a Regular Meeting shall be as follows:

- a. Call to Order
- b. Roll Call
- c. Additions and Deletions to the Agenda
- d. Limited Public Comment Regarding Agenda
- e. Program/Department Updates
- f. Director of the Human Services Division Report
- g. Special Reports
- h. New Business
- i. Old Business
- j. Public Comment
- k. Executive Session (if necessary)
- l. Adjournment

SECTION 603 PUBLIC PARTICIPATION IN PUBLIC MEETINGS

- a. Individuals and delegations are welcome to attend meetings of the Fond du Lac Human Services Advisory Board, and may address the Board during the section of the agenda designated for public comment. No person may speak for more than three (3) minutes unless the time limit is waived by the Chairperson, if without objections, or by a majority vote of the Board members present. When a large number of speakers are to be heard, the Chairperson, if without objections, or by a majority vote, the Board members present may shorten the time for each speaker and/or set limits on the time and number of persons to be heard on a given subject.

- b. Defamatory or abusive personal remarks are always out of order. The Chairperson of the Board may terminate the speaker's privileges if, after being warned, the speaker persists in improper conduct or remarks. If an individual or group persists in improper conduct, the Chairperson may order the removal of any person, by Police.

SECTION 604 MINUTES

The Secretary shall keep a written or printed record of each regular or special meeting of the Board. Copies of the minutes of the Board meetings, except for executive sessions, will be available for the public. Proposed minutes to Board meetings shall be available for inspection (but not copying) no later than eight (8) business days after the meeting. They will be delivered to Board members with the Board agenda prior to the Board meeting. Approved minutes shall be made available to the public no later than five (5) business days after the Board has approved the minutes.

SECTION 605 PARLIAMENTARY PROCEDURES AND AUTHORITY

- a. In general, unless otherwise stated in these Bylaws, the Board shall act by resolution or motion brought by a Board member, seconded by another Board member, and approved by the majority of the Board. If a motion has been brought forward and seconded, a motion to call the question shall end debate and require a vote on the main motion or resolution. A motion to table may be made at any time and is non debatable. A motion to adjourn may be made at any time and takes priority over any other motion.
- b. When there is any question regarding procedures not address by theses bylaws or Tribal law, the current edition of "Robert's Rules of Order Newly Revised" shall govern in all cases to which they are applicable and in which they are not inconsistent with these bylaws or Tribal law.

**ARTICLE VII
BOARD AND BOARD MEMBER CONDUCT
INTERACTION WITH THE PUBLIC AND WITH HUMAN SERVICES
EMPLOYEES**

SECTION 701 GENERAL GUIDELINES FOR CONDUCT

- a. The Human Services Advisory Board has a responsibility to conduct itself collectively and individually, in matters consistent with these Bylaws, as well as with laws, policies and standards of conduct applicable and appropriate to the human services profession. Towards these purposes, the Board will enforce upon itself whatever discipline is needed to govern and discharge its duties effectively and efficiently. The discipline of the Board and its individual members shall include, but are not limited to, attendance, respect of others, proper decorum, confidentiality with sensitive information, and speaking with one voice to the public. , and adherence to the policies and rules of the Human Services Advisory Board. The Board will not allow any officer, individual, or committees of the Board to hinder or be an excuse for not fulfilling the Board's responsibilities in a professional and responsible manner.

- b. The Board will take appropriate action to enforce the obligations imposed in these Bylaws, including without limitation, limiting and suspending Board privileges, public censure, or other such actions the Board deems appropriate.

- c. Each Board member is subject to and shall conform his or her behavior in accordance with Board and general Human Services policy regarding ethical and professional conduct. Failure to abide with the Guidelines for Conduct may result in expulsion from the Board. Questions concerning the Guidelines for Conduct should be directed to the Director of Human Services or brought up at Board meetings. Violations are to be reported immediately to the Director of Human Services.

SECTION 702 CONFIDENTIAL INFORMATION

- a. At times, Board members will necessarily receive confidential or sensitive information concerning individual patients, staff, or information that, if disclosed, could have adverse consequences to the client, Human Services Division, or the Fond du Lac Band. Board members shall keep confidential all information of a confidential or sensitive nature and shall not disclose any confidential information received during any meeting of the Board. Discussion about a client with anyone except authorized persons or outside of

authorized areas is expressly forbidden, and shall be reported by the Chairperson to the Reservation Business Committee.

SECTION 703 INTERACTION WITH CLIENTS

- a. Board members are not to make suggestions to clients about treatment or remedies. Clients should be referred to the specific Human Services provider responsible for the solution to the specific problems.
- b. Board members are not to question clients about their private affairs. If the client wants to talk, the Board member may listen; but do not repeat what the client says except to authorized personnel. Whenever possible, the Board member should avoid making clients dependant on his/her services or position.
- c. Board members are not to become personally involved with clients. This does not mean that one should not care about the clients or that one should not have an interest in helping them. Board members should not have a selfish interest in the client for whatever reason. This includes but is not limited to romantic interest, interests for financial gain, or to gain special privileges. Board members will ensure fair representation of community concerns and will not be overly sensitive to family and personal issues.

SECTION 704 INTERACTION WITH HUMAN SERVICES STAFF AND ADMINISTRATION

- a. Board members shall not discuss personal or family-related matters with Human Services staff during Board meetings. Such conduct creates the appearance of impropriety or unethical conduct, and to avoid the use of undue and inappropriate influence over Human Services staff and administration.
- b. The Board recognizes the rights of the staff and administration to hold private meetings and to carry on day-to-day business without participation of Board Members. Accordingly, it is improper for Board members to:
 1. Attend or participate in private meetings of staff and administration where Human Services business is to be considered unless the Board member has been invited to attend as an observer only, or the Board as a whole is invited to attend and decides to participate, or the Board member has been officially designated by the Board to attend or participate.
 2. Participate in the day-to-day operations of the Human Services Division.

3. Intercede with staff, administration, or standing committee on behalf or any person or program.
4. Threaten, harass or intimidate any staff, client, or administration member or anyone doing business with the Human Services Division.
5. Borrow money, solicit funds, or accept gratuities of any kind from any staff, client, or administration member.

SECTION 705 COMMUNICATIONS AND REQUEST FOR INFORMATION

In order to assure that internal and external communications between the Board, the public, clients, staff, and administration are clear and represent the unity and the integrity of the Board acting as a whole, these policies will be followed as individual responsibilities of each Board member:

- a. Individual Board members requesting information on a particular subject or client must go through the Chairperson. The Chairperson will place the request on the next Board meeting agenda for consideration of the Board.
- b. Individual Board members with questions regarding the operation of the Human Services Division such as inquires concerning employment, staffing, client complaints, question about administrative decision, or complaints or questions about the facilities, shall bring these concerns to the Director of Human Services for consideration and possible action.
- c. Individual Board members are to avoid criticism of the clients, staff, administration, or programs of the Human Services Division. The public confidence in the Human Services Division programs is maintained only through a positive public approach. If there is reason for criticism, submit it to the Director of Human Services, or the authorized representative who is responsible for correcting that problem.
- d. When discussing community concerns, issues involving the Human Services Division, and actions taken by the Board or administration, Board members must be careful to delineate between opinions that are personal and held as an individual citizen versus opinions that reflect officially approved policies or actions of the Human Service Advisory Board.
- e. Except when authorized, discussion of confidential programs or divisional planning activities outside of the agency is not appropriate.
- f. Board members shall not purport to act for, bind, or commit the Human Service Division to any act or course of conduct.

SECTION 707 COMMUNICATIONS WITH TRIBAL OFFICIALS, PUBLIC OFFICIALS AND COMMUNITY

When in contact with Tribal officials, public officials or the community, Board members should maintain consistency with established Board decisions, policies, and plans. Coordinate contacts with the Board Chairperson or the Program Development Coordinator for the Human Services Division.

SECTION 708 RELATIONSHIP WITH THE PRESS

Board members are to refer inquiries from reporters to the Director of the Human Services Division.

SECTION 709 CONFLICT OF INTEREST

- a. If a Board member's business, relationship to a client, or involvement in another activity constitutes a conflict of interest, then the Board member will (a) disclose to the Board such conflict or potential conflict; (b) remove himself/herself from discussion regarding any issue which involves the Board member; and (c) refrain from voting on any such issue.
- b. Conflict of interest includes, without limitation:
 - 1. Serving as an officer or director of a corporation that does business with the Human Services Division;
 - 2. Having financial interest in a corporation doing business with the Human Services Division; or
 - 3. Having the potential to have a direct personal benefit from action taken by the Board.

Disclosure: Members shall immediately disclose to the Board any conflict of interest that arises.

Solicitation and Vendors: No Board member shall directly or indirectly solicit any contract between the Board or Human Services Division and an outside company. No Board member will contact vendors in regards to contracts or purchases. The Director of Human Service will handle all actions of this type.

ARTICLE VII
COMPENSATION AND REIMBURSEMENT OF EXPENSES

SECTION 801 COMPENSATION

The Human Services Advisory Board members have the option of collecting a \$50.00 stipend for each meeting attended. The stipend is accessed through Fond du Lac Accounting and is taxable.

SECTION 802 TRAVEL EXPENSES

The Reservation Business Committee recognizes the value of membership and attendance of Board members at conferences, workshops, and meetings at the state, regional, and national level. All travel for the Board is subject to approval by the Advisory Board Chairperson and the Reservation Business Committee. Any travel by Board members will be subject to the travel policies of the RBC.

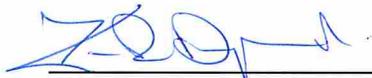
**ARTICLE IX
AMENDMENT OR RESCISSION**

SECTION 901 AMENDMENT OR RESCISSION

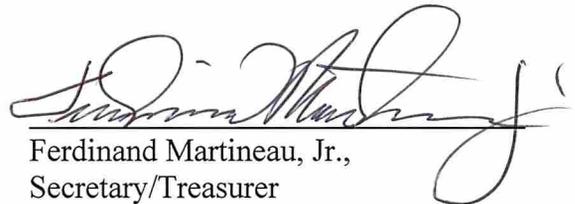
The provisions of these Bylaws may be amended or rescinded by Resolution of the Fond du Lac Reservation Business Committee.

CERTIFICATION

We do hereby certify that the foregoing Ordinance #01/07 was duly presented and adopted by Resolution #1092/07 by a vote of 3 for, 0 against, 0 silent, with a quorum of 4 being present at a Special Meeting of the Fond du Lac Reservation Business Committee held on April 10, 2007 on the Fond du Lac Reservation; and subsequently amended by Resolution #1349/16 on October 11, 2016.



Kevin R. Dupuis, Sr.
Chairman



Ferdinand Martineau, Jr.,
Secretary/Treasurer