

**RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION**

- WHEREAS**, the Tribal Council of the White Mountain Apache Tribe pursuant to Resolution 08-92-236 issued a Charter in perpetuity to the Cibecue Community Education Board, Inc. authorizing the Education Board to exercise the functions of a non-profit corporation; and
- WHEREAS**, the Cibecue Community Education Board, Inc., has operated and administered education and educational related programs and has developed operational, procurement, curriculum, personnel and financial policies under the provisions of Public Law 93-638 since August 17, 1983, and as a Grant School pursuant to Public Law 100-297, as amended, to operate the Cibecue School since July 1, 1989; and
- WHEREAS**, the Cibecue Community Education Board, Inc. has since April 2, 1990, also managed Facilities Management funds including but not limited to Operation and Maintenance (O&M), Major Improvement Repairs (MI&R), Minor Improvement Repairs (MI&R), Facilities Improvement Repairs (FI&R), Quarters Program (BIA)(QI&R), including School Construction and Portable Buildings and all programs for which the school may be eligible; and
- WHEREAS**, the Tribal Attorney's Legal Department and the Cibecue Community Education Board, Inc. has been advised by Bureau of Indian Affairs, Education, Department of Personnel that a recent interpretation of Public Law 100-297 by the Solicitor requires that the Cibecue Community Education Board, Inc., amend this Charter to add Facilities Management funding to its O&M Charter; and
- WHEREAS**, the Cibecue Community Education Board, Inc., request that the Tribal Council amend this Charter to confirm that the Cibecue Community Education Board Inc., has been authorized to receive any and all Facilities Management funding as identified in this resolution; and
- WHEREAS**, a proposed amended Charter is attached to this resolution by reference herein and the Cibecue Community Education Board Inc., requests that the Tribal Council issue said Charter in the form attached hereto in perpetuity.
- BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby grants the request of the Cibecue Community Education Board Inc. to amend the Charter issued to Cibecue Community Education Board Inc., to confirm authorization to receive and utilize Facilities Management funding and to ratify and make retroactive all uses of Facilities Management funding from Operation and

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Maintenance, Major Improvement Repairs, Minor Improvement Repairs, Facilities Improvement Repairs, Quarters Program (BIA), School Construction and Portable Buildings and all programs which the school was eligible to receive funds therefor and to otherwise continue the Community Education Board, Inc. authorization to include the following programs in its grant: Indian School Equalization Program (All programs), American Schools Act (BIA), American School Act (DOE), Title I (formerly Chapter I), Title V, Administrative Cost Funds and all other grant programs which the school has and may be eligible.

BE IT FURTHER RESOLVED by the Tribal Council that it hereby authorizes, issues and grants to the Cibecue Community Education Board, Inc., an Amended Charter in perpetuity in the form and content attached hereto.

BE IT FURTHER RESOLVED by the Tribal Council that it hereby authorizes and directs the Tribal Chairman, and in his absence the Vice Chairman, to execute the Amended Charter for the purposes set forth therein.

The foregoing resolution was on April 8, 1998 duly adopted by a vote ten for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (i), (s), (t), and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



Chairman of the Tribal Council



Secretary of the Tribal Council

AMENDED CHARTER

of the White Mountain Apache Tribe

Issued to

CIBECUE COMMUNITY EDUCATION BOARD, INC.

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

Be it known that the CIBECUE COMMUNITY EDUCATION BOARD, INC., having been previously granted a Charter in perpetuity by the White Mountain Apache Tribal Council on August 12, 1992, pursuant to Resolution 08-92-236 and the Tribal Council wishing to confirm the scope and authority of said Charter to the Cibecue Community Education Board, Inc., to operate education and educational related programs with full authority as a community controlled school under the White Mountain Apache Tribe and to confirm the authority and responsibility of the Cibecue Community Education Board, Inc., to continue operational, procurement, curriculum, personnel and financial policies under the provisions of Public Law 100-297 as amended and to continue to receive all Facilities Management funds, including but not limited to, Operational and Maintenance, Major Improvement Repairs, Minor Improvement Repairs, Facilities Improvement Repairs, Quarters Program (BIA)(QI&R), School Construction and Portable Buildings and all other programs which the school may be eligible, the Tribal Council by virtue of the sovereign power of the White Mountain Apache Tribe and the Constitution of the Tribe, hereby grants on this date, April 8, 1998, this

CHARTER


which authorizes said corporation to exercise the functions of a non-profit corporation as set forth in the Articles of Incorporation and Bylaws previously approved by the Tribal Council and made a part hereof, subject to the applicable laws of the United States and subject to all laws of the White Mountain Apache Tribe, in perpetuity, from this date, unless sooner revoked by authority of law or the White Mountain Apache Tribe. Said authorization shall include authority of the Cibecue Community Education Board, Inc., to operate and administer the Indian School Equalization Program (All programs), American Schools Act (BIA), American School Act (DOE), Title I (formerly Chapter I), Title V, Administrative Cost Funds and Facilities Management funds as following: Operational and Maintenance, Major Improvement Repairs, Minor Improvement Repairs, Facilities Improvement Repairs, Quarters Program (BIA)(QI&R), School Construction and Portable Buildings and to grant all programs for which the School Board may be eligible.

In witness whereof, I, RONNIE LUPE, the Chairman of the White Mountain Apache Tribe, hereby caused to be affixed at Whiteriver, Arizona this 8th day of April, 1998, my signature and the great seal of the White Mountain Apache Tribe.



Ronnie Lupe, Chairman
WHITE MOUNTAIN APACHE TRIBE

ATTEST:



Virginia M. Dalton, Secretary
WHITE MOUNTAIN APACHE TRIBE