

WHITE EARTH TRIBAL AND COMMUNITY COLLEGE

GOVERNANCE OF THE INSTITUTION

PART 1 – CHARTER

The White Earth Reservation Tribal Council, pursuant to its' inherent authority, hereby charters the White Earth Tribal and Community College as a non-profit public corporation. This revised Charter supercedes the initial Charter approved on February 5, 1998 (Resolution #29-98-002).

Article I. **NAME**: The name of this non-profit public corporation will be the White Earth Tribal and Community College (hereinafter referred to as the "College").

Article II. **PRINCIPLE OFFICE**: The principal office of the College will be located at the White Earth Tribal and Community College, 210 South Main Street, P.O. Box 478, Mahnomen, MN 56557.

Article III. **DURATION**: The existence of the College will be perpetual.

Article IV. **GOVERNANCE AND AUTHORITY OF THE BOARD OF TRUSTEES**: The White Earth Reservation Tribal Council hereby establishes the White Earth Tribal and Community College Board of Trustees as the governing body of the White Earth Tribal and Community College and delegates authority to the Board of Trustees to establish all rules and regulations, consistent with the provisions of this Charter.

Article V. **PURPOSES AND POWERS**: The College is organized exclusively for educational purposes. Such purposes include establishing, maintaining, and operating an institution of higher education on the White Earth Reservation. The College will provide curricula and programs leading to degrees, diplomas and certificates. The College will promote scholarly research, preserving Anishinabe language, history, and culture, and other educational activities to serve the people of the White Earth Reservation and surrounding communities. The purposes specified herein will be construed both as purposes and powers. In furtherance of such purposes, the College shall have the power to do such other lawful activities which may be necessary, useful and desirable to foster, accomplish or attain its' purposes.

Article VI. **LIMITATIONS**: No part of the net earnings of the college will inure to the benefit of, nor be distributed to, its' members, trustees, officers of other private agencies, except that the college shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments in furtherance of the purposes set forth in Article IV, above.

Article VII. **LIMITED LIABILITY:** The members, officers and trustees of the corporation will not be personally liable for any of the obligations of the corporation.

Article VIII. **DISSOLUTION:** The College may be dissolved only upon the affirmative vote of a super majority of seven voting members of the White Earth Tribal and Community College Board of Trustees.

Upon the dissolution or liquidation of the College, the Board of Trustees will, after paying or making provision for the payment of all of the liabilities of the College, dispose of all of the assets of the College exclusively for the purposes of the College to any organization or organizations organized and operated exclusively for charitable or educational purposes as shall at the time qualify as a tax exempt organization or organizations under section 501(c)(3) of the Internal Revenue code of 1954 (or the corresponding provision of any future United States Internal Revenue Law) as the Board of Trustees shall determine. Any College assets not so disposed will be disposed of by the White Earth Reservation Tribal Court, to an organization or organizations which are organized and operated exclusively for charitable or educational purposes.

Article IX. **BY-LAWS:** The By-Laws of the College Board of Trustees will be adopted by the Board of Trustees at a regular meeting or at any special meeting of the Board of Trustees that is duly called for that purpose. The purpose of the Board of Trustees By-Laws is to identify the overall structure and operations of the Board of Trustees.

The By-Laws of the College Board of Trustees may be amended by a two-thirds majority vote of the Board of Trustees, provided, however, that the By-Laws or amendments to the By-Laws of the College shall not be inconsistent with any applicable law of the provisions of this Charter.

Article X. **AMENDMENTS TO THIS CHARTER:** This may be amended by a two-thirds majority vote of the Board of Trustees of the College.

Article XI. **REPORTING TO THE TRIBAL GOVERNING AUTHORITY:** The President of the College will be responsible for providing annual, or as otherwise requested, reports to the White Earth Reservation Tribal Council. The purpose of this reporting function is to establish and maintain effective communication regarding institutional activities, goals, accomplishments, needs, and other pertinent data and information.

Article XII. **CHARTER ENACTMENT DATE:** This Charter was approved at a duly convened and held meeting of the White Earth Tribal and Community College Board of Trustees on May 17, 2000, and was duly enacted by the White Earth Reservation Tribal Council and effective on May 18, 2000.