

ORDINANCE OF THE OGLALA SIOUX TRIBAL COUNCIL
OF THE OGLALA SIOUX TRIBE
(An Unincorporated Tribe)

ORDINANCE OF THE OGLALA SIOUX TRIBAL COUNCIL OF THE OGLALA SIOUX TRIBE AMENDING ORDINANCE NO. 20-57 WHICH ADOPTED AN EDUCATIONAL INSTITUTIONS COVID-19 HEALTH ORDER FOR REOPENING SCHOOLS ON THE PINE RIDGE INDIAN RESERVATION.

WHEREAS, the Oglala Sioux Tribe adopted its Constitution and By-laws by referendum vote on December 14, 1935, in accordance with the Indian Reorganization Act of 1934, and under Article III of the Oglala Sioux Tribe Constitution, the Oglala Sioux Tribal Council is the governing body of the Oglala Sioux Tribe, and

WHEREAS, under Article IV, Sections 1(f), 1(k), 1(m), and 1(w), of the Tribal Constitution, the Tribal Council has the authority to manage all economic affairs of the Tribe, protect and preserve the property of the Tribe, adopt laws governing the conduct of persons on the Pine Ridge Indian Reservation, and adopt laws protecting and promoting the health and general welfare of the Tribe and its members, and

WHEREAS, in the exercise of these powers, the Tribal Council adopted Ordinance No. 20-57 (Sep. 1, 2020), to adopt an Educational Institutions COVID-19 Health Order for Reopening Schools, and

WHEREAS, Ordinance No. 20-57 establishes guidelines for educational institutions on the Reservation for the 2020-2021 academic year, including requirements for reopening, and

WHEREAS, the intent of the Educational Institutions COVID-19 Health Order for Reopening Schools enacted by Ordinance No. 20-57 is to ensure that essential educational services continue on the Reservation while slowing the spread of COVID-19 to the maximum extent possible, and

WHEREAS, among other things, Ordinance No. 20-57 requires educational institutions on the Reservation to adopt reopening plans that meet the minimum requirements in Ordinance No. 20-57 and to submit those plans to the Education Committee of the Tribal Council at least fourteen (14) days prior to reopening schools, and as of this date, several educational institutions on the Reservation have adopted reopening plans and submitted them to the Education Committee of the Tribal Council, and

WHEREAS, Ordinance No. 20-57 established certain restrictions on extracurricular activities, including athletic and non-athletic activities, for the Fall 2020 semester and Ordinance No. 20-57 called



Upon the Tribal Council to enact further laws governing extracurricular activities for the Spring 2021 semester, and

WHEREAS, the Tribal Council enacts this Ordinance to amend the Educational Institutions COVID-19 Health Order for Reopening Schools adopted by Ordinance No. 20-57 (Sep. 1, 2020), and to enact a plan governing extracurricular activities at educational institutions on the Reservation for the Spring 2021 semester, now

THEREFORE BE IT ORDAINED, that the Oglala Sioux Tribal Council hereby amends Section 4 of Ordinance No. 20-57 (Sep. 1, 2020), to read in its entirety as follows (with additions underlined and in bold):

4. Plan Required.

All educational institutions on the Reservation shall adopt a reopening plan and submit their plan to the Education Committee at least fourteen (14) days prior to reopening schools. Each plan must meet the minimum requirements set forth in this Health Order. An educational institution may follow more stringent guidelines than set forth herein, but it may not allow for less stringent requirements.

The Education Committee shall review the proposed plans and either (1) approve or deny the plans or (2) refer the plans to the Tribal Council to approve or deny the plans. A denied plan may be revised and resubmitted for approval. No school shall be permitted to reopen absent an approved plan.

Plans may be amended, and minimum requirements may change as circumstances warrant. Any changes made by the educational institution must be presented to the Education Committee and either (1) approved by the Education Committee or (2) referred by the Education Committee to the Tribal Council and approved by the Tribal Council.

BE IT FURTHER ORDAINED, that the Oglala Sioux Tribal Council hereby amends Section 15 of Ordinance No. 20-57 (Sep. 1, 2020) to read in its entirety as follows (with additions underlined and in bold and deletions in strikethrough):

15. Resumption of Athletic and Non-Athletic Extracurricular Activities.

~~The Tribal Council shall adopt an Ordinance governing extracurricular activities for the Spring 2021 semester.~~



All educational institutions on the Reservation shall adopt a plan for the resumption of athletic and non-athletic extracurricular activities for the Spring 2021 semester and submit

their plans to the Education Committee. Such plans shall include adequate measures to protect the health and general welfare of students, staff, administrators, and the general public and to prevent the spread of COVID-19.

The Education Committee shall review the proposed plans and either (1) approve or deny the plans or (2) refer the plans to the Tribal Council to approve or deny the plans. The Education Committee or the Tribal Council shall only approve a proposed plan if it determines that the plan includes adequate measures to protect the health and general welfare of students, staff, administrators, and the general public and to prevent the spread of COVID-19. A denied plan may be revised and resubmitted for approval. No school shall be permitted to resume athletic or non-athletic extracurricular activities absent an approved plan.

Extracurricular activity plans may be amended, and minimum requirements may change as circumstances warrant. Any changes made by the educational institution must be presented to the Education Committee and either (1) approved by the Education Committee or (2) referred by the Education Committee to the Tribal Council and approved by the Tribal Council.

BE IT FURTHER ORDAINED that this Ordinance shall go into effect immediately.

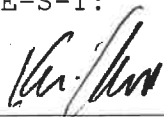
C-E-R-T-I-F-I-C-A-T-I-O-N

I, as undersigned Secretary of the Oglala Sioux Tribe, hereby certify that this Ordinance was enacted by a vote of: 18 For; 1 Against; 1 Abstain; and 0 Not Voting; during a REGULAR SESSION held on the 4TH day of JANUARY 2021.



STACY L. TWO LANCE
Secretary
Oglala Sioux Tribe

A-T-T-E-S-T:



KEVIN KILLER
President
Oglala Sioux Tribe

