

**The Ho-Chunk Nation
and
The School District of Gale-Etrick-Trempealeau
Galesville, Wisconsin**

MEMORANDUM OF UNDERSTANDING AND MUTUAL SUPPORT

This Memorandum of Understanding and Mutual Support [hereinafter referred to as the MOU] addresses issues of mutual interest to the Ho-Chunk Nation and the School District of Gale-Etrick-Trempealeau [also known as "the Parties"] in Gale-Etrick-Trempealeau, Wisconsin—the education of school-age members of the Ho-Chunk Nation; and,

Whereas, the issues of mutual interest to the parties include promoting positive perceptions and improving the nature and scope of interactions between Ho-Chunk Nation tribal members and employees of the School District of Gale-Etrick-Trempealeau; and,

Whereas, the intention of this MOU is to provide a framework for respectful and cooperative communication that utilizes consensus building for improving programs that affect Ho-Chunk Nation tribal members; and,

Whereas, the parties intend to clarify their relationship in order to establish a common understanding regarding their roles, responsibilities, and procedures that will facilitate best practices between our agencies; and,

Whereas, the School District of Gale-Etrick-Trempealeau is a body politic, duly incorporated, organized and operated pursuant to Wisconsin Statutes, responsible for possession, care, control and management of the property and affairs of the school district, with the statutory authority to do all things reasonable within the comprehensive meaning of the terms of its duties and powers; and,

Whereas, the Ho-Chunk Nation's mission is to heal families in a way that is characteristic of the Ho-Chunk Nation's inherent cultural traditions, customs and values, and that addresses the well-being and protection of Ho-Chunk children, families, communities, and the Nation, with the goal of creating and implementing innovative programming that is proactive in nature and driven by the Ho-Chunk Nation's assertion of sovereignty; and,

Whereas, both the School District of Gale-Etrick-Trempealeau and the Ho-Chunk Nation have a responsibility for the provision of education to school-age tribal members, it is critical to the quality of services that staff and representatives from each party understand and consult with one another to ensure that needed services are provided in a manner that is efficient, timely, culturally appropriate and effective; and,

Whereas Tutor Specialists of the Ho-Chunk Nation and the School District of Gale-Etrick-Trempealeau have had in-person meetings and conversations as to the opportunity of working together; and,

Therefore, the Parties hereby resolve and agree that, in going forward; they will mutually

support and adhere to the following principles, and exert their best efforts in doing so:

I. Parties

School District of Gale-Etrick-Trempealeau
17511 North Main Street
Galesville, WI 54630
Phone No.: 608.582.4657

-----And-----

Ho-Chunk Nation
Education Department
W9814 Airport Rd.
Black River Falls, WI 54615
Phone No.: 715.284.2622

II. Purpose and Mission

This MOU outlines the collaboration between the Ho-Chunk Nation Education Department and the School District of Gale-Etrick-Trempealeau to provide tutoring services to Ho-Chunk students. The mission is to offer academic support and enrichment activities to Ho-Chunk Youth in grades K-12 through student mentorship, family support, and advocacy.

III. Scope of Services

1. The Tutor Specialists of the Ho-Chunk Nation Education Department will provide our students additional academic support and growth in-school, as requested by the student, parent/guardian, or teachers with these meetings scheduled at a time that does not interfere with core classes, and with prior arrangements made with each student's teacher(s) and school administrator.
2. The Tutor Specialists of the Ho-Chunk Nation Education Department will also serve as a liaison between students, parent(s)/guardian(s) and school officials; addressing areas such as achievements, concerns, behavior, IEP team meetings, monitor student attendance and grades.

IV. Responsibilities

1. School District of Gale-Etrick-Trempealeau
 - a. Collaboratively work with the Ho-Chunk Nation Education Department to accurately identify the students who could benefit and apply for tutor services.
 - b. Coordinate with Tutor Specialists on tutoring schedules and locations.
 - c. Provide necessary resources (e.g., classroom space, materials, internet access).
 - d. Provide requested information found on the parent/guardian-authorized Release of Information documentation submitted to the School District of

Gale-Etrick-Trempealeau by the Ho-Chunk Nation Education Department.

- e. Communicate with Tutor Specialists, as well as parent(s)/guardian(s).
2. Ho-Chunk Nation Education Department
 - a. Provide qualified tutors with approved background investigation and positive role mole appropriate for working with children in a classroom setting.
 - b. Deliver tutoring sessions to Ho-Chunk students that offer academic support and enrichment activities with the focus on meeting benchmarks and goals collaborated between the student, the parent(s)/guardian(s), and the School District of Gale-Etrick-Trempealeau.
 - c. Provide necessary resources (e.g., culturally-relevant materials, materials).
 - d. Communicate with the School District of Gale-Etrick-Trempealeau, as well as the students, and parent(s)/guardian(s).
 - e. Collaborate with school staff, to include attending meetings that focus on the student.

V. Communications

1. Regular communication between the School District of Gale-Etrick-Trempealeau and the Ho-Chunk Nation Education Department is essential.
2. No less than quarterly meetings will be held between parties to discuss progress, recommendations, challenges, and adjustments.
3. Both parties will promptly integrate the agreed upon actions/services that arise during the partnership.

VI. Dispute Resolution

The parties agree to utilize every means necessary to resolve disputes through mutually respectful dialogue to avoid polarization, resentment, and tension. The parties may seek assistance from the U.S. Department of Justice Community Relations Service, Wisconsin Department of Public Instruction, or any recognized formal dispute resolution service in Wisconsin. Each party reserves its right to pursue any and all remedies available under the law in the event the other party fails to comply with any legal obligation.

VII. Voluntary Agreement and Ethics Disclaimer

This MOU is the result of voluntary mediation between the parties and is not a result of duress, coercion, or undue influence. Nothing in this MOU should be taken as an admission of wrongdoing by both party, and the terms and conditions contained herein are non-contractual and create no independent contractual obligation and/or duties upon any of the parties hereto. It being distinctly understood and agreed that no party to this MOU shall institute or prosecute any judicial or administrative proceedings of any kind or nature to enforce any of the terms and conditions.

VIII. Terms of Agreement

All of the aforementioned tenets of this agreement shall be reviewed after five years from the date of signing. Signatory parties of this MOU at that time may choose to amend, extend or dissolve the agreement based on evidence of good faith, mutual compliance and benefits to the Ho-Chunk Nation and the School District of Gale-Ettrick-Trempealeau resulting from this relationship.

It is also understood that the parties of this MOU agree to work in earnest and convene themselves regularly during the annual terms specified to uphold the tenants of the MOU as described herein.

IX. Party and Third Party Rights

Nothing in this MOU is intended to create, nor shall anything in it be construed as creating, any rights to any third party entity or person that would not exist independently of this MOU.

X. Consummation and Ratification

IN WITNESS WHEREOF, the parties have executed and delivered this Agreement as of this Tenth day of April, 2024, and the signatories hereto personally represent that this agreement is executed pursuant to legal authorization by the organizations on behalf of which they are signing:

School District of Gale-Ettrick-Trempealeau:

Ho-Chunk Nation Education Dept.:

By: Scott Maline, Pupil Services Dir.
[Signature] 4/19/24

[Signature]
Ryan Cozin
[Signature]

Witnessed By: [Signature]
Ho-Chunk Nation Vice President



HO-CHUNK NATION LEGISLATURE
Governing Body of the Ho-Chunk Nation

**HO-CHUNK NATION LEGISLATURE
AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH
THE GALE-ETTRICK-TREMPEALEAU SCHOOL DISTRICT**

RESOLUTION 06-04-24 J

- WHEREAS,** on November 1, 1994, the United States Secretary of the Interior approved a new Constitution for the Ho-Chunk Nation, formerly known as the Wisconsin Winnebago Tribe; and
- WHEREAS,** the Ho-Chunk Nation ("Nation") is a federally recognized Indian Tribe, organized pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS,** Article V, Section 2(a) of the Ho-Chunk Nation Constitution ("Constitution") grants the Ho-Chunk Nation Legislature ("Legislature") the power to make laws, including codes, ordinances, resolutions, and statutes; and
- WHEREAS,** Article V, Section 2(b) of the Constitution grants the Legislature the power to establish Executive Departments, and to delegate legislative powers to the Executive branch to be administered by such Departments, in accordance with the law; any Department established by the Legislature shall be administered by the Executive; the Legislature reserves the power to review any action taken by virtue of such delegated power; and
- WHEREAS,** Article V, Section 2(d) of the Constitution grants the Legislature the power to authorize expenditures by law and appropriate funds to the various Departments in an annual budget; and
- WHEREAS,** Article V, Section 2(i) of the Constitution grants the Legislature the power to negotiate and enter into treaties, compacts, contracts, and agreements with other governments, organizations, or individuals; and
- WHEREAS,** Article V, Section 2(s) of the Constitution grants the Legislature the power to promote public health, education, charity; and such other services as may contribute to the social advancement of the members of the Ho-Chunk Nation; and
- WHEREAS,** the Nation's Tutor Services is a division of the Nation's Department of Education that strives to provide services in targeted enrichment and intervention to Ho-Chunk students; and
- WHEREAS,** the Nation's Tutor Services has the ability to provide tutoring services to Ho-Chunk students; and

WHEREAS, the Nation's Department of Education indicates that Ho-Chunk children within the Gale-Etrick-Trempealeau School District are eligible for tutor services free of charge; and

WHEREAS, the Nation's Department of Education is prepared to support this effort by providing additional staff and assistance; and

WHEREAS, the Nation's Department of Education now seeks to partner with the Gale-Etrick-Trempealeau School District to improve learning outcomes for Ho-Chunk students without incurring additional costs;

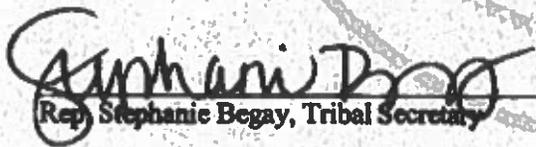
NOW THEREFORE BE IT RESOLVED that the Ho-Chunk Nation Legislature, pursuant to its Constitutional authority, hereby authorizes the Ho-Chunk Nation Department of Education to enter into a Memorandum of Understanding with the Gale-Etrick-Trempealeau School District to serve students who request services provided by the Ho-Chunk Nation Tutor Services Division; and

BE IT FURTHER RESOLVED that the Ho-Chunk Nation Legislature, by approving this Memorandum of Understanding, in no way waives its sovereign immunity, express or implied;

BE IT FURTHER RESOLVED that the Ho-Chunk Nation Legislature hereby authorizes the Vice President to sign any documents needed to execute this Memorandum of Understanding.

CERTIFICATION

I, the undersigned, as Secretary of the Ho-Chunk Nation Legislature, hereby certify that the Legislature of the Ho-Chunk Nation, composed of 13 members of whom 12, constituting a quorum, were present at a meeting duly called and convened and held on the 4th day of June, 2024, that the foregoing resolution was adopted at said meeting by an affirmative vote of 12 members, 0 opposed, and 0 abstaining, pursuant to the Article V, Section 2 (a) and (x) of the Constitution of the Ho-Chunk Nation approved by the Secretary of the Interior on November 1, 1994, and that the foregoing resolution has not been rescinded or amended in any way. I further certify that this is a verified copy of said resolution.


Rep. Stephanie Begay, Tribal Secretary

06.04.24
Date