

TITLE 10
MEMBERSHIP AND ENROLLMENT

- SECTION 1.10.01: General Provisions
- SECTION 1.10.02: Authority
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- SECTION 1.10.10: Relinquishment of Tribal Membership
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- SECTION 1.10.12: Amendments to the Gwichyaa Gwich'in Tribal Membership and Enrollment Ordinance

SECTION 1.10.01
General Provisions

This Ordinance is intended to govern the membership requirements and enrollment procedures of the Gwichyaa Zhee Gwich'in Tribal Government. The basic requirements for Tribal Membership are outlined in Article 2 of the Gwichyaa Zhee Gwich'in Tribal Constitution. This Ordinance is intended to provide clarification and procedures to those basic membership requirements

SECTION 1.10.02
Authority

The Gwichyaa Zhee Gwich'in Tribal Council shall have the authority to approve applicants who are lineal descendants of base roll members in the Tribal Council's regular course of business. The Tribal Council shall also have the authority to disenroll members as described under the circumstances outlined in Section 11 of this Ordinance, provided that an affirmative vote of at least five (5) Tribal Council members shall be required to take such action. Disenrollment of tribal members shall only apply under the circumstances outlined in Section 11 of this Ordinance. The power to adopt new Native Tribal Members shall be reserved to the Tribe as described in Section 3 of this Ordinance. Appeals of the GZG Tribal Council's decisions concerning Tribal Membership for lineal descendants or disenrolled members may be made according to the provisions of Section 8 of this Ordinance.

SECTION 1.10.03***Membership Requirements*****A. Basic Membership Requirements**

Article 2 of the Gwichyaa Zhee Gwich'in Tribal Constitution outlines the basic membership requirements for the Gwichyaa Zhee Gwich'in Tribal Government.

B. Lineal Descendants

Lineal descendants of the base roll members shall automatically be eligible for membership in the Gwichyaa Zhee Gwich'in Tribal Government, provided that lineal descendants over the age of 18 who are enrolled to another tribe must relinquish that membership in order to be eligible for enrollment in the Gwichyaa Zhee Gwich'in Tribal Government.

C. Children of Members

Children of members include both biological and adopted Native children under Tribal and State Law. Parents and guardians may not relinquish tribal eligibility or disenroll their minor children from the Gwichyaa Zhee Gwich'in Tribal Government. Minor children shall either be formally enrolled into the Gwichyaa Zhee Gwich'in Tribal Government or be members in the Gwichyaa Zhee Gwich'in Tribal Government by virtue of their eligibility until they reach 18 regardless of whether or not the parents or guardians enroll them into another tribe. Children who have not been formally enrolled to the Gwichyaa Zhee Gwich'in Tribal Government and wish to be formally enrolled may apply upon reaching 18 years of age.

SECTION 1.10.04***Dual Enrollment***

Dual enrollment is not permitted except for minor children less than 18 years of age.

SECTION 1.10.05***Confidentiality*****A. Secured Records**

All enrollment records are confidential and shall be kept in a secured area and only be accessed by the Gwichyaa Zhee Gwich'in Tribal Council or by persons specifically authorized by the Tribal Council, except that a list of members names may be made available to Tribal Members or other parties upon approval by the Tribal Council.

SECTION 1.10.06***Enrollment Procedures*****A. Application for enrollment**

Applications forms shall be made available at the Gwichyaa Zhee Gwich'in Tribal Council Office. Application forms are also located in the Appendix of this Code. Persons wishing to apply for enrollment in the Gwichyaa Zhee Gwich'in Tribal Government shall submit an application to the Gwichyaa Zhee Gwich'in Tribal Council. The Tribal Council shall mail applications upon request.

B. Reviewing applications

Applications shall be reviewed for accuracy and completeness by the Gwichyaa Zhee Gwich'in Tribal Council, or by a designee of the Tribal Council. If an application is incomplete, the applicant shall be contacted for additional information or documentation for determining eligibility. It is the applicant's responsibility to provide evidence of eligibility in the Gwichyaa Zhee Gwich'in Tribal Government. In general, acceptable documents demonstrating proof of eligibility include certified copies of birth certificates, baptismal records, paternity affidavits, adoption records, and affidavits from family members. The preferred documents for proof of eligibility are certified copies of birth certificates however other documents listed may be used depending on individual circumstances. Applications may be deferred when there is a question of eligibility and shall not be considered denied.

C. Approval, disapproval, and deferring applications for lineal descendants of base roll members

After applications have gone through the review process, the Gwichyaa Zhee Gwich'in Tribal Council may approve or defer applications for persons who claim to be lineal descendants of base roll members. The GZG Tribal Council may only disapprove an application from a person who claims to be a lineal descendant if the person cannot prove lineal descendant. All GZG Tribal Council Meetings at which enrollment decisions are being made shall be open to the Tribal Membership and any tribal member who wishes to speak shall be given an opportunity to do so. Persons who wish to appeal may do so under the procedure outlined in Section 9 of this Ordinance.

D. Notification

Applicants shall be notified within 60 days of approvals and disapprovals by the Gwichyaa Zhee Gwich'in Tribal Council. Notification to applicants who are disapproved shall be made in writing through certified mail or presented in person and filing a "Statement of Service" form. Notice of disapproval shall include the reason why the applicant was disapproved and information about the appeals process.

SECTION 1.10.07***Representatives of Minors, Handicapped, and Mentally Incompetent Persons***

Minor children, handicapped persons, and mentally incompetent persons may be represented by parents, legal guardians, or other adult Tribal Members as recognized by the Gwichyaa Zhee Gwich'in Tribal Council.

A. Parents or legal guardians may submit applications for their minor children and sign tribal enrollment cards on their behalf, and apply for services on their behalf. Parents or legal guardians may not disenroll their minor children.

B. Responsible adult GZG Tribal Members may submit applications and sign tribal enrollment cards on behalf of handicapped and mentally incompetent persons who are unable to do it for themselves.

C. All mailings, notifications and appearances on behalf of applicants shall be directed to the representatives of minor children, handicapped, and mentally incompetent persons.

SECTION 1.10.08
Appeals Process

Persons who claim to be lineal descendants of base roll members, and who have been disapproved or disenrolled may appeal the decision to an Appeals Committee established for this purpose. The Committee shall be composed of five (5) adult resident Tribal Members whose names have been randomly picked from a Tribal Roll of resident Tribal Members. Prior to randomly selecting the 5 committee members, GZG Tribal Council Members and the parents and children of the person making the appeal shall be deleted from the Roll and shall not be permitted to serve on such a Committee. The decision of the Appeals Committee shall be final unless the appeals committee violates the fundamental requirements of membership into the Gwichyaa Zhee Gwich'in Tribal Government.

SECTION 1.10.09
Maintaining the GZG Tribal Membership Roll

A. Information on the Roll

The following information about approved tribal members shall be recorded on the Gwichyaa Zhee Gwich'in Tribal Membership Roll:

1. Name in alphabetical order by last name first, followed by first name and middle name
2. Gender
3. Date of birth
4. Resolution number of the resolution approving membership
5. Date of enrollment
6. Mailing address
7. Social Security number
8. Other information may be recorded in the remarks column.

B. Information Changes

Tribal members or their representatives shall be responsible for informing the Gwichyaa Zhee Gwich'in Tribal Council of name, address, or other changes affecting the membership roll.

C. Updating the Membership Roll

The Gwichyaa Zhee Gwich'in Tribal Membership roll shall be kept updated by the Tribal Governance Director/Staff.

SECTION 1.10.10***Relinquishment of Tribal Membership***

A Tribal Member may voluntarily give up his or her membership in the Gwichyaa Zhee Gwich'in Tribal Government, provided that minors, or parents or guardians may not give up membership for their minor children. Forms for relinquishment shall be provided by the Gwichyaa Zhee Gwich'in Tribal Council. The form shall be complete, signed, notarized and submitted to the Gwichyaa Zhee Gwich'in Tribal Council and will be final.

SECTION 1.10.11***Disenrollment***

By affirmative vote of at least five (5) Tribal Council members, the GZG Tribal Council shall have the authority to remove persons from the tribal roll and revoke the privileges of membership under the following conditions:

1. An applicant falsifies information on the enrollment application in order to be eligible for enrollment; or
2. Any Tribal Member that violates any ordinance that specifies that a violation of the ordinance is subject to immediate Disenrollment.

Appeals concerning disenrollment decisions may be made under the provisions of Section 9 of this Ordinance.

SECTION 1.10.12***Amendments to the Gwichyaa Zhee Gwich'in Tribal Membership and Enrollment Ordinance***

Repeal of, or amendments to, this Gwichyaa Zhee Gwich'in Tribal Membership and Enrollment Ordinance may only be made by an affirmative vote of at least 30 percent of those entitled to vote cast their ballots.

TITLE 11
COOPERATIVE AGREEMENTS

SECTION 1.11.01: Intertribal Agreements

SECTION 1.11.02: State, Federal, and Private Party Agreements

SECTION 1.11.03: Representation of the Gwichyaa Gwich'in Tribal Government by State, Federal, or by Other Entities

SECTION 1.11.01
Intertribal Agreements

The Gwichyaa Zhee Gwich'in Tribal Council shall have the power, not inconsistent with the Gwichyaa Zhee Gwich'in Tribal Constitution and Ordinances, to enter into intertribal agreements for the benefit of the Tribal Members.

SECTION 1.11.02
State, Federal, and Private Party Agreements

The Gwichyaa Zhee Gwich'in Tribal Council shall have the power not inconsistent with the Gwichyaa Zhee Gwich'in Tribal Constitution and Ordinances, to enter into agreements with the State of Alaska or other states, with the United States Federal Government, or with private parties for the benefit of the Tribal Members.

SECTION 1.11.03
Representation of Gwichyaa Zhee Gwich'in Tribal Government by State and Federal Agencies or any Other Entities

All State and Federal agencies and all other entities that represent the interests of the Gwichyaa Zhee Gwich'in Tribal Government shall consult with and coordinate with the Gwichyaa Zhee Gwich'in Tribal Council. No entity shall receive funding on behalf of the interests of the Gwichyaa Zhee Gwich'in Tribal Government without the permission of the Gwichyaa Zhee Gwich'in Tribal Council.

TITLE 12
EDUCATION ORDINANCE

SECTION 1.12.01: General Provisions
SECTION 1.12.02: Authority and Declaration of Policy
SECTION 1.12.03: Jurisdiction
SECTION 1.12.04: Liberal Construction
SECTION 1.12.05: Severability

SECTION 1.12.01
General Provisions

This Ordinance shall be known as the Education Ordinance.

SECTION 1.12.02
Authority and Declaration of Policy

Education of Gwichyaa Zhee Gwich'in Tribal members is vital to the cultural and economic existence of the Gwichyaa Zhee Gwich'in Indian Tribe. This Education Ordinance is enacted pursuant to the inherent sovereign authority of the Gwichyaa Zhee Gwich'in Indian Tribe in accordance with the Constitution of the Native Village of Fort Yukon, IRA Indian Tribe and applicable federal law. By this Ordinance and the regulations adopted under it, the Gwichyaa Zhee Gwich'in Indian Tribe intends to ensure that the education of Gwichyaa Zhee Gwich'in Tribal members is a quality education: effective in preparing tribal members for their futures; appropriate to the unique needs of tribal members; and relevant to the heritage of the Gwichyaa Zhee Gwich'in Indian Tribe.

SECTION 1.12.03
Jurisdiction

The provisions of this Ordinance shall apply to the fullest extent of the sovereign jurisdiction of the Gwichyaa Zhee Gwich'in Tribal Government authorized by the Constitution of the Native Village of Fort Yukon, IRA, and applicable federal law. The provisions of this Ordinance shall apply to and be in conformity with all agreements and other cooperative arrangements entered into by the Gwichyaa Zhee Gwich'in Indian Tribe designed to ensure a quality education to Tribal members. The provisions of this Ordinance shall apply to all persons who are eligible to receive educational services and benefits from the Gwichyaa Zhee Gwich'in Tribal Government.

SECTION 1.12.04
Liberal Construction

This Ordinance shall be liberally construed to give full effect to the objectives and purposes for which it was enacted.



SECTION 1.12.05
Severability

If any provision of this Ordinance, or its application to any person legal entity or circumstance, is held invalid, the remainder of the Ordinance, or the application of the provision to other persons, legal entities, or circumstances, shall not be effected.

TITLE 12-A
EDUCATION COMMITTEE

SECTION 1.12A.01: Role of the Education Committee
SECTION 1.12A.02: Education Committee Membership and Officers
SECTION 1.12A.03: Vacancy, Removal, and Resignation
SECTION 1.12A.04: Meetings and Voting
SECTION 1.12A.05: Compensation and Reimbursement

SECTION 1.12A.01
Role of the Education Committee

- A. Education Committee Established. There is hereby established the Gwichyaa Zhee Gwich'in Education Committee (hereinafter "Education Committee").
- B. Role of the Education Committee. The Education Committee shall act in an advisory capacity to the Tribal Council and shall have the authority to:
 - 1. Examine education issues, gather facts and establish the necessary comprehensive planning process which shall coordinate resources to monitor, improve and create education systems for the benefit of Gwichyaa Zhee Gwich'in Tribal members; and
 - 2. Recommend a comprehensive planning process for education systems to the Tribal Council; and
 - 3. Regulate all aspects of education to ensure that Gwichyaa Zhee Gwich'in Tribal members receive a quality education: effective in preparing tribal members for their futures; appropriate to the unique needs of tribal members; and relevant to the heritage of the Gwichyaa Zhee Gwich'in Tribal Government.

SECTION 1.12A.02
Education Committee Membership and Officers

A. Composition and Appointment. There shall be six (6) members of the Education Committee selected as follows:

- 1. The Tribal Council shall appoint three (3) enrolled Gwichyaa Zhee Gwich'in Tribal members to the Education Committee;
- 2. The Tribal Council shall appoint one (1) Tribal Council member (or a designee) to the Education Committee;
- 3. The four (4) appointed Education Committee members shall by consensus select one (1) tribal community member, who may or may not be an enrolled tribal member, to the Education Committee; and
- 4. The Education Director shall be a permanent member of the Education Committee.

B. Officers.

1. The Education Committee shall select by consensus the following officers:
 - a) Chairperson;
 - b) Vice-Chairperson; and
 - c) Recording Secretary.
2. The selection of officers shall be held at the first meeting of the Education Committee following the beginning of each fiscal year (October 1).
3. The Education Director shall not be an officer.

SECTION 1.12A.03***Vacancy, Removal and Resignation***

A. Vacancy. The Tribal Council may, on its own or at the request of the Education Committee, declare a position on the Education Committee to be vacant if an Education Committee member is unwilling or unable to fulfill their duties, provided:

1. The Tribal Council appoints a member to fill the vacant position and to serve the remainder of the unexpired term, except in the case of the vacancy of the community member position which is to be selected by the four appointed members of the Education Committee; and
2. Notice of any proposed removal pursuant to sub-section (b) below must be in writing, state the reason for the proposed removal and be delivered to the member at least 14 days prior to the review by Tribal Council.

B. Removal. The Education Committee shall submit to the Tribal Council a "Notice of Proposed Removal and Declaration of Vacancy" for review pursuant to subsection (a) above to request that a member of the Education Committee may be removed for the following reasons:

1. For failure to attend two consecutive meetings without prior notice to the Education Committee stating the reason for their absence; and
2. For cause by a unanimous vote of the remaining members (e.g. breach of confidence).

C. Resignation. A member of the Education Committee may resign the position. Such resignation must be in writing and submitted to the Education Committee and the Tribal Council.

SECTION 1.12A.04
Meetings and Voting

A. Meetings.

1. The Education Committee shall schedule regular monthly meetings.
2. Special meetings may be called by the Chairperson, or by a majority of the members of the Education Committee upon two days written notice to each member, stating the place, day and hour of the meeting and the specific purpose(s) for which the special meeting was called.
3. For the purpose of conducting business, a quorum of four (4) members shall be required for any regular or special meeting.

B. Voting. Each member of the Education Committee shall have one vote on matters requiring a vote by the members, except that the Education Director shall only vote in the case of a tie. Education Committee decisions shall be by simple majority vote of the members present.

SECTION 1.12A.05
Compensation and Reimbursement

The Education Committee members shall receive no compensation for their services; however, pursuant to tribal reimbursement policies, reimbursement for travel, meals, etc. may be paid to Education Committee members from education funds.

TITLE 12-B
OPERATION OF TRIBAL EDUCATION PROGRAMS

SECTION 1.12B.01: Duties of the Education Director and Education Committee

SECTION 1.12B.02: Relationship of the Education Committee to the Tribal Council

SECTION 1.12B.01

Duties of the Education Director and Education Committee

- A.** Duties of the Education Director. In addition to other duties assigned by the Tribal Council, the Executive Director, or the Education Committee, the Education Director shall:
1. Identify and contact key individuals who will supply education information to the Education Committee;
 2. Identify and review education issues for the Education Committee;
 3. Serve as a sounding board for Education Committee issues and ideas;
 4. Conduct and compile tribal education needs assessment using education reports and data from schools, other education programs and entities, and surveys of parents, community members, Tribal Council members, and educators.
- B.** Duties of the Education Committee. The Education Committee shall have the following duties:
1. Review Tribal Council priorities with key contact individuals and community members and gain their views and insights;
 2. Draft tribal education goals based on the priorities, review draft goals with the Tribal Council, explain the impact of the goals on current tribal and non-tribal schools and education programs, and gain approval or revision and approval of the goals from Tribal Council;
 3. Develop materials to use in explaining tribal education goals and priorities to schools, education programs, and state and federal agencies;
 4. Meet with school boards, governing bodies of other education programs and entities, and state and federal education agencies to:
 - a) Explain and discuss tribal education priorities and goals;
 - b) Determine how these tribal education priorities and goals support or conflict with existing situations in schools and programs or their rules and policies; and
 - c) Begin developing options for cooperative efforts between the Tribe and non-tribal programs and agencies tied to increasing education achievement by and success of tribal students.
 5. Keep the Tribal Council informed of tribal and non-tribal reaction to implementing the tribal education goals and to addressing the Tribal Council's education priorities; identify and develop strategies for overcoming any obstacles;
 6. Monitor tribal education problems and progress; develop any needed revisions in program objectives and plans; implement the revisions as appropriate;

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7. Meet with non-education tribal programs such as law enforcement, tribal court, and social services to:
 - a) Discuss need for assisting schools in addressing tribal education needs and problems; and
 - b) Develop strategies and plans for coordinating tribal resources on addressing the needs and problems (*e.g.* truancy, child welfare, *etc.*).
 8. Work in cooperation with the Cultural Committee to identify and gather materials on tribal history, language, culture, and values to:
 - a) Meet with educators and school officials to review the materials and discuss the value of using them in schools and education programs; and
 - b) Jointly develop strategies and plans for integrating them into formal education processes in classes and through teacher training.

SECTION 1.12B.02

Relationship of the Education Committee to the Tribal Council

- A. Communication. The line of communication between the Tribal Council and the Education Committee shall be through the Chairperson of the Education Committee.
- B. Council Approval. Except as otherwise provided in this Ordinance, a decision of the Education Committee shall be final only upon Tribal Council approval.
- C. Reports to Council. The Education Committee shall make written quarterly reports to the Tribal Council of its recommendations, actions and decisions. The Education Committee shall meet with the Tribal Council each quarter to review progress and problems, and to plan the priorities for each quarter and each year.

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TITLE 12-C
POLICIES AND PROCEDURES

SECTION 1.12C.01: General Policies and Procedures

SECTION 1.12C.02: Process for Complaint and Appeals

SECTION 1.12C.03: Records and Confidentiality

SECTION 1.12C.01

General Policies and Procedures

- A.** Expenditures - Committee Action Required. No member of the Education Committee shall be authorized to expend funds, commit any funds, or take action with respect to any matter, whether or not formally brought to the Education Committee for resolution, without prior authorization of the Education Committee.
- B.** Liability of Committee Members. No individual Education Committee member shall be held liable for any action taken by the Education Committee. The Education Committee shall be considered a department of the Gwichyaa Zhee Gwich'in Tribal Government
- C.** Additional Policies and Procedures. Except as already provided for within this Ordinance, the Education Committee may establish additional Education Committee Policies and Procedures to fulfill its duties for review and approval by the Tribal Council. The Education Committee may assist the Education Director in the formulation of Education Program Policies and Procedures.
- D.** Review. The Education Committee shall annually review the Education Committee Policies and Procedures and the Education Program Policies and Procedures.

SECTION 1.12C.02

Process for Complaint and Appeals

- A.** Written Notice of Complaint. Any person who, as an applicant or grantee of any education program administered through the Gwichyaa Zhee Gwich'in Tribal Education Department, is aggrieved by a decision of the Education Department or Education Committee may file a notice of complaint as follows:
 - 1. The Notice of Complaint shall be in writing, dated and signed by the aggrieved party;
 - 2. The Notice of Complaint shall include a concise statement of relief requested; and
 - 3. A copy of the Notice of Complaint shall be given to the Education Committee Chairperson and to the Education Director.
- B.** Education Committee Decision. Within five (5) working days of receipt of the Notice of Complaint, the Education Committee Chairperson shall set a date for hearing before the Education Committee:
 - 1. A closed hearing shall be held within 30 days of receipt of the Notice of Complaint;

2. At the closed hearing, the aggrieved party shall be given the opportunity to present any testimony, documents or other evidence to support the complaint; and
3. At the end of the closed hearing, the Education Committee shall adjourn the hearing and shall meet in closed session to render a final determination;
4. The Education Committee shall inform the aggrieved party of its final determination in writing within five (5) working days of the hearing.

C. Appeal from Final Determination. Any person who is aggrieved by a final determination of the Education Committee pursuant to sub-section (b) above, may appeal the decision to the Tribal Council.

1. The aggrieved party shall file a written Notice of Appeal with the Tribal Council and shall be added to the agenda of the next regular Tribal Council meeting.;
2. The aggrieved party shall attach to the written Notice of Appeal, copies of the original Notice of Complaint and supporting documentation presented at the hearing;
3. Upon the filing of the Notice of Appeal, the Education Committee Chairperson shall provide any record of the hearing to the Tribal Council;
4. The Education Committee Chairperson, or his designee, shall attend the Tribal Council meeting at which the appeal is to be heard;
5. The appeal shall be heard in a closed session of the Tribal Council meeting;
6. The Tribal Council shall reverse a final determination of the Education Committee only upon a finding that the final determination of the Education Committee was arbitrary, capricious, or an abuse of discretion (e.g. unreasonable, outside their authority, etc.).

SECTION 1.12C.03 ***Records and Confidentiality***

A complete file of original documents and related information shall be established and maintained within the Education Department regarding any action or decision by the Education Committee related to a hearing and/or appeal. All records and documents, including any evidence or information, gathered as a result of a hearing and/or appeal shall be held in confidence by the Education Committee and any related program. Any partial or full release of information to any agency or individual other than those related to the appeal shall require the appellant's written consent

TITLE 13
ECONOMIC DEVELOPMENT ORDINANCE

SECTION 1.13.01: General Provisions
SECTION 1.13.02: Authority and Declaration of Policy
SECTION 1.13.03: Jurisdiction
SECTION 1.13.04: Liberal Construction
SECTION 1.13.05: Severability

SECTION 1.13.01
General Provisions

This ordinance shall be known as the Gwichyaa Zhee Gwich'in Tribal Economic Development Ordinance.

SECTION 1.13.02
Authority and Declaration of Policy

Economic Development is vital to the cultural and economic existence of the Gwichyaa Zhee Gwich'in Tribal Government. This gwichyaa Zhee Gwich'in Tribal Economic Development Ordinance is enacted pursuant to the inherent sovereign authority of the Gwichyaa Zhee Gwich'in Tribal Government in accordance with the Constitution of the Native Village of Fort Yukon, IRA and applicable federal law. By this Ordinance and the regulations adopted under it, the Gwichyaa Zhee Gwich'in Tribal Government intends to ensure that economic development by the Gwichyaa Zhee Gwich'in Tribal Government is done in an effective and comprehensive process to ensure long term viability of the enterprise(s) and develop skills of tribal members for their occupational futures; appropriate to the unique needs of tribal members; and relevant to the heritage of the Gwichyaa Zhee Gwich'in Tribe.

SECTION 1.13.03
Jurisdiction

The provisions of this Ordinance shall apply to the fullest extent of the sovereign jurisdiction of the Gwichyaa Zhee Gwich'in Tribe authorized by the Constitution of the Native Village of Fort Yukon, IRA, and applicable federal law. The provisions of this Ordinance shall apply to and be in conformity with all agreements and other cooperative arrangements entered into by the Gwichyaa Zhee Gwich'in Tribal Government designed to ensure economic self-sufficiency for the Gwichyaa Zhee Gwich'in Tribe. The provisions of this Ordinance shall apply to all persons who are employed by the Gwichyaa Zhee Gwich'in Tribal Government and appointed by the Gwichyaa Zhee Gwich'in Tribal Council to serve on advisory committees, task forces, or tribal enterprises.

SECTION 1.13.04
Liberal Construction

This Ordinance shall be liberally construed to give full effect to the objectives and purposes for which it was enacted.

SECTION 1.13.05
Severability

If any provision of this ordinance, or its application to any person, legal entity or circumstance, is held invalid, the remainder of the Ordinance, or the application of the provision to other persons, legal entities, or circumstance, shall not be effected.

TITLE 13-A
ECONOMIC DEVELOPMENT ADVISORY COMMITTEE

- SECTION 1.13A.01: Role of the Economic Development Advisory Committee
SECTION 1.13A.02: Economic Development Advisory Committee Membership and Offices
SECTION 1.13A.03: Vacancy, Removal and Resignation
SECTION 1.13A.04: Meetings and Voting Compensation and Reimbursement

SECTION 1.13A.01
Role of the Economic Development Advisory Committee

- A. Economic Development Advisory Committee Established. There is hereby established the Gwichyaa Zhee Gwich'in Tribal Economic Development Advisory Committee (hereinafter "Advisory Committee").
- B. Role of the Economic Development Advisory Committee. The Economic Development Advisory Committee shall act in an advisory capacity to the Tribal Council and shall have the authority to:
1. Solicit community input on economic development projects and priorities; and
 2. Review draft list of economic development goals and objectives prepared by Economic Development Planner; and
 3. Review strategic plan to meet goals and objectives prepared by Economic Development Planner; and
 4. Review draft OEDP with Economic Development Staff; and
 5. Assist Economic Development Planning Staff in soliciting labor market and other economic development data.

SECTION 1.13A.02
Economic Development Advisory Committee Membership and Offices

- A. Composition and Appointment. At their discretion, the Gwichyaa Zhee Gwich'in Tribal Council may appoint 3 to 5 members to the Economic Development Advisory Committee selected as follows:
1. The Tribal council shall appoint enrolled Gwichyaa Zhee Gwich'in Tribal members and Gwichyaa Zhee Gwich'in community members to the Economic Development Advisory Committee, reserving one seat on the Task Force for the Director of Economic Development, or his or her designee, who shall be a non-voting member of the Advisory Committee, regardless of his or her affiliation (Tribal member or not).
 2. Two members of the local business community may be selected as nonvoting members, regardless of his or her affiliation (Tribal member or not).

B. Officers.

1. The Economic Development Advisory Committee shall select by consensus the following Gwichyaa Zhee Gwich'in Tribal member officers.

- a) Chairperson:
- b) Vice-Chairperson; and
- c) Recording Secretary. This may be delegated to Economic Development Staff.

2. The selection of officers shall be held at the first meeting of the Economic Development Advisory Committee following the beginning of each fiscal year.

SECTION 1.13A.03
Vacancy, Removal and Resignation

A. Vacancy. The Tribal Council may, on its own or at the request of the Economic Development Advisory Committee, declare a position on the Advisory Committee to be vacant if a Advisory Committee member is unwilling or unable to fulfill their duties, provided:

1. The Tribal council appoints a member to fill the vacant position and to serve the remainder of the unexpired term; and
2. Notice of any proposed removal pursuant to sub-section (b) below must be in writing, state the reason for the proposed removal and be delivered to the member at least 14 days prior to the review by Tribal Council.

B. Removal. The Economic Development Advisory Committee shall be submit to the Tribal Council a "Notice of Proposed Removal and Declaration of Vacancy" for review pursuant to subsection (a) above to request that a member of the Economic Development Advisory Committee may be removed for the following reasons:

1. For failure to attend two consecutive meetings without prior notice to the Economic Development Advisory Committee stating the reason for their absence; and
2. For cause by a unanimous vote of the remaining members (e.g. breach of confidence).

C. Resignation. A member of the Economic Development Advisory Committee may resign the position. Such resignation must be in writing and submitted to the Advisory Committee and the Tribal Council.

SECTION 1.13A.04
Meetings and Voting

A. Meetings.

1. The Economic Development Advisory Committee shall schedule no less than four meetings per year.
2. Special meetings may be called by the Chairperson, or by a majority of the members of the Economic Development Advisory Committee upon two days written notice to each member, stating the place, day and hour of the meeting and the specific purpose(s) for which the special meeting was called.
3. For the purpose of conducting business, a quorum of fifty percent plus one (50% + 1) members shall be required for any regular or special meeting. Each member of the Economic Development Advisory Committee shall have one vote on matters requiring a vote by the members. Economic Development Advisory Committee decisions shall be by simple majority vote of the members present.

SECTION 1.13A.05
Compensation and Reimbursement

Economic Development Advisory Committee members shall receive no compensation for their services; however, pursuant to tribal reimbursement policies, reimbursement for travel, meals, etc. May be paid to Economic Development Advisory Committee members from Department of Economic Development funds, but only with prior approval from the Director of Economic Development and as funding allows.

TITLE 13-B
OPERATION OF ECONOMIC DEVELOPMENT PROGRAMS

SECTION 1.13B.01: Duties of the Economic Development Advisory Committee

SECTION 1.13B.02: Relationship of the Economic Development Advisory Committee to the Tribal Council

SECTION 1.13B.01
Duties of the Economic Development Advisory Committee

A. Duties of the Economic Development Director. In addition to other duties assigned by the Tribal Council, or the Tribal Manager, the Economic Development Director shall:

1. Identify and assign key individuals and/or employees who will supply economic development information to the Economic Development Advisory Committee;
2. Identify and review economic development issues for the Advisory Committee;
3. Serve as a sounding board for Economic Development Advisory Committee issues and ideas.

B. Duties of the Economic Development Advisory Committee. The Advisory Committee shall have the following duties:

1. Review Tribal Council economic development priorities with individuals and community members and gain their views and insights;
2. Assist the Economic Development Department to draft tribal overall economic development goals based on the priorities, review draft goals with the Tribal Council, and gain approval or revision and approval of the goals from Tribal Council;
 - a. Explain and discuss tribal economic development priorities and goals;
3. Keep the Tribal Council informed of tribal and non-tribal reaction to implementing the tribal economic development goals and to addressing the Tribal Council's economic development priorities; identify and develop strategies for overcoming any obstacles;
 - a. Develop strategies and plans for coordinating tribal resources to address the needs and problems of economic development (e.g. shortage of developable land, funding for capital construction, job training, lack of job opportunities, etc.)
4. Work in cooperation with the Cultural Committee to identify and gather materials on Tribal history relating to sites proposed for economic development to ensure the protection of historically significant sites, artifacts, etc.

SECTION 1.13B.02***Relationship of the Economic Development Advisory Committee
To the Tribal Council***

A. Communication. The line of communication between the Tribal Council and the Economic Development Advisory Committee shall be through the Chairperson of the Advisory Committee.

B. Council Approval. Except as otherwise provided in this Ordinance, a decision of the Economic Development Advisory Committee shall be final only upon Tribal Council approval.

C. Reports to Council. The Economic Development Advisory Committee shall make written quarterly reports to the Tribal Council of its recommendations, actions and

decisions. The Advisory Committee shall meet with the Tribal Council each quarter to review progress and problems, and to plan the priorities for each quarter and each year.

TITLE 13-C**POLICIES AND PROCEDURES**

SECTION 1.13C.01: General Policies and Procedures

SECTION 1.13C.02: Process for Complaint and Appeals

SECTION 1.13C.03: Records and Confidentiality

SECTION 1.13C.01***General Policies and Procedures***

A. Expenditures-Advisory Committee Action Required. No member of the Economic Development Advisory Committee shall be authorized to expend funds, commit any funds, or take action with respect to any other matter, whether or not formally brought to the Advisory Committee for resolution, without prior authorization of the Tribal Council.

B. Liability of Advisory Committee Members. No individual Economic Development Advisory Committee member shall be held liable for any action taken by the Advisory Committee. The Economic Development Advisory Committee shall be considered an agency of the Gwichyaa Zhee Gwich'in Tribal Government.

C. Additional Policies and Procedures. Except as already provided for within this Ordinance, the Economic Development Advisory Committee may establish additional Economic Development Advisory Committee Policies and Procedures to fulfill its duties for review and approval by the Tribal Council. The Advisory Committee may assist the Department of Economic Development in the formulation of Economic Development Advisory Committee Program Policies and Procedures.

D. Review. The Economic Development Advisory Committee shall annually review the Economic Development's goals and objectives for the coming fiscal year for Tribal Council Approval.

SECTION 1.13C.02
Process for Complaint and Appeals

A. Written Notice of Complaint. Any person who, as an applicant or grantee of any Economic Development program administered through the Gwichyaa Zhee Gwich'in Tribal Department of Economic Development, is aggrieved by a decision of the Department of Economic Development or Economic Development Advisory Committee may file a notice of complaint as follows:

1. The Notice of Complaint shall be in writing, dated and signed by the aggrieved party;
2. The Notice of Complaint shall include a concise statement of relief requested; and
3. A copy of the Notice of Complaint shall be given to the Economic Development Advisory Committee Chairperson and to the Executive Director.

B. Economic Development Advisory Committee Decision. Within five (5) working days of receipt of the Notice of Complaint, the Advisory Committee Chairperson shall set a date for hearing before the Economic Development Advisory Committee:

1. A closed hearing shall be held within 30 days of receipt of the Notice of Complaint;
2. At the closed hearing, the aggrieved party shall be given the opportunity to present any testimony, documents or other evidence to support the complaint; and
3. At the end of the closed hearing, the Economic Development Advisory Committee shall adjourn the hearing and shall meet in closed session to render a final determination;
4. The Economic Development Advisory Committee shall inform the aggrieved party of its final determination in writing within five (5) working days of the hearing.

C. Appeal from Final Determination. Any person who is aggrieved by a final determination of the Economic Development Advisory Committee pursuant to sub-section (b) above may appeal the decision to the Tribal Council.

1. The aggrieved party shall file a written Notice of Appeal with the Tribal Council and shall be added to the agenda of the next regular Tribal Council meeting;

2. The aggrieved party shall attach to the written Notice of Appeal, copies of the original Notice of Complaint and supporting documentation presented at the hearing;
3. Upon the filing of the Notice of Appeal, the Economic Development Advisory Committee Chairperson shall provide any record of the hearing to the Tribal Council;
4. The Economic Development Advisory Committee Chairperson, or his designee, shall attend the Tribal Council meeting at which the appeal is to be heard;
5. The appeal shall be heard in a closed session of the Tribal Council meeting;
6. The Tribal Council shall reverse a final determination of the Economic Development Advisory Committee only upon a finding that the final determination of the Advisory Committee was arbitrary, capricious, or an abuse of discretion (e.g. unreasonable, outside their authority, etc.)

SECTION 1.13C.03
Records and Confidentiality

A complete file of original documents and related information shall be established and maintained within the Department of Economic Development regarding any action or decision.