



MILLE LACS BAND OF CHIPPEWA INDIANS

Legislative Branch of Tribal Government

RESOLUTION 42-84

A RESOLUTION TO ESTABLISH GUIDELINES FOR MEMBERS TO REVIEW BAND RECORDS.

WHEREAS, the Mille Lacs Band of Chippewa Indians is in need of guidelines that shall serve to provide direction for staff in the handling of requests for record reviewing, of the Office of Management & Budget, and;

WHEREAS, the Tribal Executive Committee at a regular meeting adopted guidelines for members to review tribal records, and encouraged Reservation Business Committees' to do the same.

NOW THEREFORE, the Mille Lacs Band of Chippewa Indians adopts the following guidelines which shall serve to provide direction for staff in the handling of requests for reviewing records of the Office of Management and Budget:

1. Only enrolled members may review Band records. Requests of corporations, associations, partnerships or groups will not be honored.
2. All requests from enrolled Band members must be in writing and state specifically what documents they desire to review. The requests to review documents must state the purpose of the review. The Band government could not function if all of its records were constantly being reviewed. The Band Administration could be harassed by excessive, unreasonable requests that would bring Band government to a standstill. Consequently, any request to review Band records must be reasonable and related to a reasonable purpose. The Senior Accountant may grant the written request if it meets all of these guidelines. The Senior Accountant shall refer all denials and questionable requests to the Band Assembly at their next meeting and they may affirm the action taken by the Senior Accountant or overrule his/her decision and allow the request on such terms as they see fit and their decision shall be final.
3. The Senior Accountant shall, if a request to review records is honored, set aside a room or space for such a review. A Band employee shall be directed to remain with said records at all times. Said records may not be removed from the designated space. Only one enrolled Band member shall be allowed to examine Band records at a time.

4. The Senior Accountant shall not allow records to be removed or examined at any time when to do so could affect or interfere with any ongoing audit or inspection by Band or other auditors.
5. All inspections of Band records shall be done at a time that is convenient for the Band's administrative staff to release said records and not to interfere with their day-to-day work or at least with a minimum disturbance.
6. There shall be allowed a maximum of one-half hour for any enrolled member to examine Band records in any one day so as to minimize the interference with Band business and administration. There shall be allowed for any one request a total of one-half hour to review Band records.
7. Any enrolled member's request to copy Band records that complies with these guidelines shall be made in writing and shall specify the document to be copied. Any request for copies shall be accompanied by the payment of a fee of twenty cents {20¢} per page to be copied. Said payment shall be by cash, money order or cashier's check sufficient to pay said copy fee.
8. The right to review or examine Band records may be revoked for any enrolled member who created a disturbance or conducts him or herself in such a manner as in the judgement of the Senior Accountant or his authorized representative is disturbing or interfering with the operation of the Band's administrative office.
9. Band employee time shall not be used to interpret, analyze or give opinions relating to Band records.
10. The right to examine or inspect Band records does not extend to non-band members or to persons representing enrolled Band members absent express written authority from the Band Assembly.
11. The right of any enrolled member to review or obtain copies of Band records may be suspended or revoked by the Senior Accountant, Speaker of Assembly, or Band Assembly if they determine an enrolled member is merely acting on behalf of a non-eligible person or organization to obtain Band records. Any eligible Band member whose rights are so suspended or revoked may appeal the decision in writing to the Band Assembly within ten {10} days of being notified in writing by the Senior Accountant, Speaker of Assembly, or the Band Assembly. They may grant a Band Assembly hearing to such person and their decision is final.

12. Privacy of Band members and employees shall be protected. Band employee records such as employment applications, health records, employment reprimands, tax deductions and other individual personal data shall not be released to anyone without the written permission of the employee or member whose records are being sought. Individual employee's salaries or pay shall not be disclosed without their written consent. The pay scale for a job position may be released.
13. No information relating to births, deaths, marriages, divorces, adoptions or information relating to the financial status of an employee or enrolled member shall be released without their written consent.
14. Confidential litigation or proposed litigation reports and other correspondence from attorneys representing the Mille Lacs Band or its constituent Districts shall not be released to enrolled members. To do so could allow it to be obtained by opposing legal counsel or adversaries and jeopardize the outcome of a pending court case or proposed litigation.
15. Request to examine Band records shall not be construed to include District records in the possession of the Band.

NOW THEREFORE BE IT RESOLVED, that the foregoing Resolution No. 42-84 was duly concurred with and adopted at a formal session of the Band Assembly in Legislative Council assembled, a quorum of Legislators being present, held on May 1, 1984 at Vineland, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly to be affixed to this Resolution.



Douglas Sam, Speaker of the Assembly

In concurrence with the action of the Speaker of the Assembly, we, the Administration Policy Board, hereunto recommend to have set the hand of the Chief Executive to this Resolution.



Arthur Gahbow, Chief Executive

OFFICIAL SEAL OF THE BAND