

LUMBEE TRIBE OF NORTH CAROLINA

CLLO-2014-0918-02

Date: September 18, 2014

“ESTABLISHMENT AND OPERATION OF AN INSTITUTIONAL REVIEW BOARD (IRB)”

WHEREAS, The Lumbee Tribe of North Carolina, (“Lumbee Tribe”) is a recognized American Indian Tribe of the State of North Carolina, subject to the Constitution of the Lumbee Tribe of North Carolina (“Tribal Constitution”) and its inherent powers of self-governance; and,

WHEREAS, Article VII, Section 1 of the Tribal Constitution delegates all legislative authority to the Tribal Council of the Lumbee Tribe of North Carolina (“Tribal Council”); and,

WHEREAS, The Lumbee Tribe of North Carolina is the recipient of federal, and state grant funds that require IRB approval.

WHEREAS, The Lumbee Tribe of North Carolina is responsible for the protection of its tribal membership;

THEREFORE, Be it enacted by the Tribal Council as the governing body of the Lumbee Tribe of North Carolina the following ordinance that shall be cited as
**“ESTABLISHMENT AND OPERATION OF AN INSTITUTIONAL REVIEW BOARD
ORDINANCE (IRB).”**

SECTION 1: PURPOSE

To establish a board and process for the review and approval of all research involving human subjects (Tribal Membership). An IRB is required by federal law to review and approve all research proposals that involve human subjects; that is, any research involving people including adults, children and infants. Special protections are accorded to minors, prisoners, pregnant women and disadvantaged populations. This board will monitor all research projects implemented where tribal members are research subjects. This board will also review all research grants to determine if they meet the criteria of an IRB approval.

SECTION 2: MEMBERSHIP

The membership of the IRB will include: 1 Chair of the Tribal Council’s Health and Human Services and 1 Chair of the Education Committee, 1 community health professional, 1 community education professional and 1 Tribal Chairman appointee. This is a total of 5 seats on the IRB.

SECTION 3: THE INSTITUTIONAL REVIEW BOARD

The Chair and Vice-Chair of the IRB, the IRB committee members and Tribal Administration, will create all forms, agreements and policies regarding the creation and

implementation of the board activities and the research and grant proposals submitted for approval by Lumbee Tribe of NC.

All research implemented by the Lumbee Tribe of NC, Lumbee Tribe staff, or outside agency at any location (including research conducted as part of a classroom exercise or course requirements) must undergo an IRB review and have a protocol application on file with the IRB Chair.

The IRB shall have 30 days to review, change or amend, and approve the proposed project. Upon approval by the Health Committee and IRB, the project shall be forwarded to the full Tribal Council for final review during the next monthly business meeting.

Upon the approval of the project by Tribal Council, the Tribal Chairman shall provide certified authorizing signatures from Tribal administration. In the event, he/she is unable to sign or refuses to sign, the Tribal Administrator shall sign the approval documents.

SECTION 4: PERFORMANCE REPORT

The Tribal Council Health Committee Chair shall provide periodical reports to the Committee members, Tribal Council, and Tribal Administration regarding the status of projects and research from reports supplied by the researcher and/or grant programs.

SECTION 5: SAVING CLAUSE

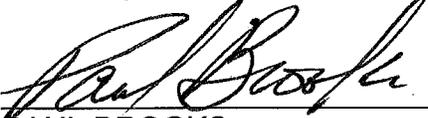
In the event that any phase, provision, part, paragraph, subsection, or section of this ordinance is found by court of competent jurisdiction to violate the Constitution, laws, or ordinances of the Lumbee Tribe of NC, such phase, provision, part paragraph, subsection or section shall be considered to stand alone and to be deleted from this ordinance, the entirety of the balance of the ordinance to remain in full and binding force and effort.

CERTIFICATION

THIS CLLO-2014-0918-02 "ESTABLISHMENT AND OPERATION OF AN INSTITUTIONAL REVIEW BOARD ORDINANCE (IRB)." ADOPTED AT A MEETING OF THE TWENTY-ONE (21) MEMBER TRIBAL COUNCIL OF THE LUMBEE TRIBE OF NORTH CAROLINA WHERE ____ MEMBERS WERE PRESENT, CONSTITUTING A QUORUM, THIS THE 18TH DAY OF SEPTEMBER, 2014 BY A VOTE OF ____ YES, ____ NO, AND ____ ABSTENTION(S).

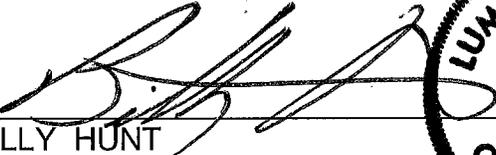

ATTEST: LESAUNDRI HUNT 9/23/14
Speaker, Tribal Council of the Lumbee Tribe of North Carolina DATE

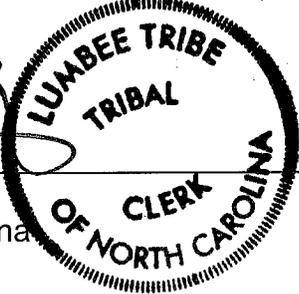

ATTEST: LINDA REVELS 9-18-14
Secretary, Tribal Council of the Lumbee Tribe of North Carolina DATE


PAUL BROOKS 10/23/14
Chairman, Lumbee Tribe of North Carolina DATE

POSTING

This CLLO-2014-0918-02 "ESTABLISHMENT AND OPERATION OF AN INSTITUTIONAL REVIEW BOARD ORDINANCE (IRB)." duly posted on this the 23rd day of September, 2014.


ATTEST: BILLY HUNT 9/23/14
Tribal Clerk, Lumbee Tribe of North Carolina DATE





Lumbee Tribe of North Carolina

The Desk of the Tribal Clerk

Record of Posting

Tribal Ordinance: CLLO-2014-0918-02

Posted Date: 9/23/14

Presented to Tribal Chairman for Review: 10/23/14

Signature or Veto date: 10/23/14

Reason for Veto:

Date presented to Tribal Council Liaison: 10/23/14

Date presented to Tribal Council Secretary (via mailbox): 10/23/14

Handwritten signature of Paul Brooks in cursive.

Paul Brooks
Tribal Chairman of the Lumbee Tribe of North Carolina

Date

Handwritten signature of Billy Hunt in cursive.

Billy Hunt
Tribal Clerk of the Lumbee Tribe of North Carolina

10/23/14
Date

ROLL CALL VOTE RESULTS TO ADOPT
CLLO-2014-0918-02,
“ESTABLISHMENT AND OPERATION OF AN
INSTITUTIONAL REVIEW BOARD (IRB)”
16 YES, 2 NO, 0 ABSTENSION(S)

District 1:	Evan Davenport	YES
District 2:	Terry Hunt	YES
	Janie Oxendine McFarland	YES
District 3:	Lesaudri Hunt	YES
	Alton Locklear	YES
District 4:	Jonathan Locklear	YES
District 5:	Bobby Oxendine	YES
	Charles Bullard	NO
District 6:	McDuffie Cummings	YES
	Larry Townsend	ABSENT FOR VOTE
District 7:	Robert Chavis	ABSENT FOR VOTE
	Jan Lowery	YES
	Terry Campbell	YES
District 8:	Daniel Jones	ABSENT FOR VOTE
District 9:	Anita Hammonds Blanks	YES
District 10:	Terry Collins	NO
District 11:	Linda Revels	YES
District 12:	Areatha Patterson	YES
	Walter Lowery	YES
District 13:	William Maiden	YES
District 14:	Homer Fields	YES