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


Lesaudri Hunt
ATTEST: LESAUNDRI HUNT 
Speaker, Tribal Council of the Lumbee Tribe of North Carolina

Linda Revels
ATTEST: LINDA REVELS
Secretary, Tribal Council of the Lumbee Tribe of North Carolina

Paul Brooks
Chairman, Lumbee Tribe of North Carolina

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.

Billy Hunt
ATTEST: BILLY HUNT
Tribal Clerk, Lumbee Tribe of North Carolina
Record of Posting

Tribal Ordinance: 2014-098-02

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

Paul Brooks
Tribal Chairman of the Lumbee Tribe of North Carolina

Date

Billy Hunt
Tribal Clerk of the Lumbee Tribe of North Carolina

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 ABSTENTION(S)

District 1: Evan Davenport ....................... YES
District 2: Terry Hunt ............................ YES
Janie Oxendine McFarland ............ YES
District 3: Lesaundri 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