

LUMBEE TRIBE OF NORTH CAROLINA

CLLO-2014-0918-02

September 18, 2014
June 16, 2022
Amendment #1

“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 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 on an IRB approval.

Section 2: MEMBERSHIP

The membership of the Lumbee Health Board will include: 1 Chair of the Tribal Council’s Health and Human Services Committee, 1 Chair of the Tribal Council’s 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: TERM LIMITS

The terms of the 5(five) Lumbee Health Board members shall be as follows:

Health Committee Chairperson:	Elected annually
Education Committee Chairperson:	Elected annually
Tribal Chairman Appointee:	Maximum of 3 years not to exceed the term of the Tribal Chairman

A method of chance will be used to determine the term of office of the 2(two) remaining members under this section. The remaining members shall serve staggered terms with 1(one) member serving a 4(four) year term, and 1(one) member serving a 5(five) year term. Thereafter, these 2(two) members shall serve a 5-year term, for a maximum of 2(two) full terms.

Section 4: THE INSTITUTIONAL REVIEW BOARD

The Chair and Vice-Chair of the IRB, the IRB committee members, and the 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 the 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 5: PERFORMANCE REPORT

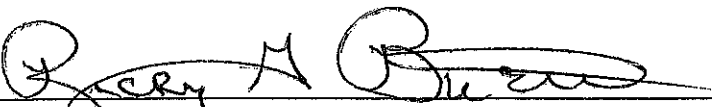
The Tribal Council Health Committee shall provide periodic reports to the Committee members, Tribal Council, and Tribal Administration regarding the status of projects and research from reports supplied by the researcher and/or grant programs.

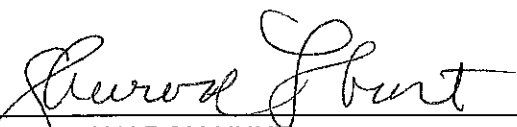
Section 6: SAVING CLAUSE

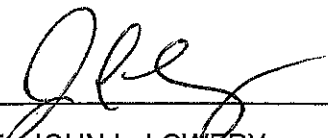
In the event that any phrase, provision, part, paragraph, subsection, or section of this ordinance is found by a court of competent jurisdiction to violate the Constitution, laws, or ordinances of the Lumbee Tribe of North Carolina, such phrase, provision, part, paragraph, subsection, or section shall be considered to stand alone and to be deleted from the 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 (IRB)", ADOPTED AT A MEETING OF THE TWENTY-ONE (21) MEMBER TRIBAL COUNCIL OF THE LUMBEE TRIBE OF NORTH CAROLINA WHERE 17 MEMBERS WERE PRESENT, CONSTITUTING A QUORUM, THIS THE 16th DAY OF JUNE 2022, BY A VOTE OF 17 YES 0 NO 0 ABSTENTION(S) AND 0 RECUSE.

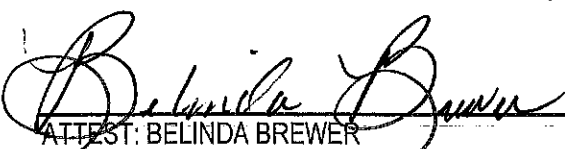

ATTEST: RICKY BURNETT 6/16/22
Date
Speaker, Tribal Council of the Lumbee Tribe of North Carolina

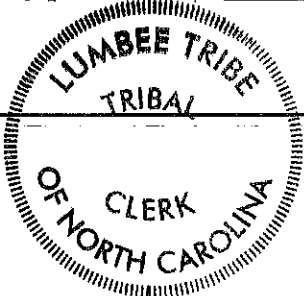

ATTEST: SHARON HUNT 6/16/22
Date
Secretary, Tribal Council of the Lumbee Tribe of North Carolina


ATTEST: JOHN L. LOWERY 6/17/22
Chairman, Lumbee Tribe of North Carolina

POSTING

CLLO 2014-0918-02 "ESTABLISHMENT AND OPERATION OF AN INSTITUTIONAL REVIEW BOARD (IRB)", duly posted on the 16th day of June, 2022


ATTEST: BELINDA BREWER 6/16/22
DATE
Tribal Clerk Designee, Lumbee Tribe of North Carolina





Lumbee Tribe of North Carolina
The Desk of the Tribal Clerk

Record of Posting

Tribal Ordinance: CLLO-2014-0918-01 "ESTABLISHMENT AND OPERATION OF AN INSTITUTIONAL REVIEW BOARD (IRB)"

Posted Date: 06/16/2022

Presented to Tribal Chairman for Review: 06/16/22

Signature or Veto date: _____

Reason for Veto: _____

Other: _____

John L. Lowery Date
Tribal Chairman of the Lumbee Tribe of North Carolina

Belinda Brewer Date
Tribal Clerk Designee of the Lumbee Tribe of North Carolina

**ROLL CALL VOTE RESULTS TO AMEND
CLLO-2014-0918-02 “ESTABLISHMENT AND OPERATION OF A LUMBEE HEALTH
BOARD (LHB)” AMENDMENT #1**

17 FOR, 0 AGAINST, 0 ABSTENTION(S)

District 1:	Billy Oxendine	ABSENT
District 2:	Sharon Hunt	YES
	Gerald Goolsby	YES
District 3:	Harold Smith	YES
	Pam Hunt	YES
District 4:	Jody Bullar	YES
District 5:	Wendy Moore	YES
	Carrington Locklear	YES
District 6:	Larry Chavis	YES
	Richard Jones	ABSENT
District 7:	Nanci Locklear	YES
	Yvonne Dial	YES
	Rudy Locklear	YES
District 8:	Corbin Eddings	ABSENT
District 9:	Dewey J McNeill	YES
District 10:	Bobby Emanuel	YES
District 11:	Chocajuana Oxendine	YES
District 12:	Shelley Strickland	ABSENT
	Annie Taylor	YES
District 13:	Ricky Burnett	YES
District 14:	Homer Fields	YES