

Tribal Council Procedure
Individual Request to Discuss Closed Session Matter in Open Session

Authority: In accordance with Article IV, Section 6(e) of the Constitution, the Tribal Council hereby promulgates the following procedure for Closed Session matter requested by individuals in open session.

Closed Session Matter: The Article IV, Section 6(d) of the Constitution identifies three matters that are presumed to be placed in Closed Session.

Open Meetings; Closed Sessions. All meetings of the Tribal Council shall be open to the Tribal Membership. However, the Council may meet in closed session for the following purposes:

1. Personnel Matters, provided the employee in question did not request a public meeting, or
2. Business matters involving consideration of bids or contracts which are privileged or confidential, or
3. Claims by and against the Tribe.

It is the determination of the Tribal Council that there is a presumption that the matter will be placed in Closed Session unless specifically waived by the individual to have the discussion in Open Session.

Waiver of Closed Session Presumption: An individual can waive the presumption of the Closed Session requirement by either:

1. *Agenda Item:* Filing an Agenda Request form which identifies the matter to be discussed and requests that the matter be placed in open session; or
2. *Public Comment Item:* By stating for the record – “I hereby waive my right to have this matter discussed in closed session.”

Notice by Speaker: The Tribal Council Speaker shall identify when a matter being discussed in Open Session meets the criteria stated in the Constitution for placement in Closed Session and shall notify the individual of this right and his or her ability to waive that right on the record. Provided that, the individual shall have the primary responsibility of identifying Closed Session matters and waiver of the right to have discussion in Closed Session.

Posting: This procedure shall be posted at the Little River Band Community Center; Little River Tribal Office; Little River Band Health Center; and Little River Band Downtown Office Building. Further, this procedure is forwarded to the Community Relations Office for consideration to be published in the Tribal newsletter.