



SHINGLE SPRINGS BAND OF MIWOK INDIANS
 Shingle Springs Rancheria, (Verona) Tract, California
 5281 Honpie Road, Placerville CA 95667
 P.O. Box 1340, Shingle Springs CA 95682
 (530) 676-8010 office; (530) 676-8033 fax

RESOLUTION 2014-04

SUBJECT: APPROVAL OF THE TRAINING AND DEVELOPMENT DEPARTMENT POLICIES AND PROCEDURES.

WHEREAS, the Shingle Springs Band of Miwok Indians (the "Tribe") is a federally recognized Indian tribe eligible for the special programs and services provided by the United States to Indians because of their status as Indians and is recognized as possessing powers of self-government; and

WHEREAS, the Shingle Springs Tribal Council is the duly-elected governing body of the Tribe and is authorized to act on behalf of the Tribe; and

WHEREAS, the Tribe currently operates several programs which are facilitated by the Tribe's Training and Development Department including, but not limited to, a GED Program, Career Training Program, Career Planning Program, Higher Education Program, Youth Internship Program and Adult Occupational Training Program; and

WHEREAS, the Tribe formerly operated the Tribal Development Program which was facilitated by the Tribe's Red Hawk Casino and whose functions have since been absorbed by the Tribe's Training and Development Department; and

WHEREAS, the Youth Internship Program, Higher Education Program and former Tribal Development Program each currently have stand-alone policies which govern their operation; and

WHEREAS, the Training and Development Department is in need of policies and procedures; and

WHEREAS, the "Training and Development Department Policies and Procedures" have been created to provide guidance to the department, describe its functions and consolidate the current policies of the programs the department operates; and

WHEREAS, the Tribal Council has reviewed the "Training and Development Department Policies and Procedures" and have determined that they are consistent with the Tribe's goals in operating the Training and Development Department and its associated programs in an organized fashion; and

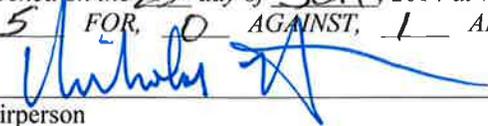
NOW THEREFORE, BE IT RESOLVED that the Tribal Council hereby approves the attached "Training and Development Department Policies and Procedures" as a Policy of the Tribe, and authorizes the Chairman or his designee to execute any and all documents and agreements necessary as may be required to give effect to the transactions, herein contemplated, and to take such other actions as may hereby be necessary and appropriate to carry out the obligations there under.

BE IT FURTHER RESOLVED, that the Tribe's previous "Higher Education Program Policy", "Youth Internship Program Policy" and " Tribal Development Program Policy(s)" are revoked as policies for those programs are now included in the Training and Development Department Policies and Procedures; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

CERTIFICATION OF RESOLUTION 2014-04

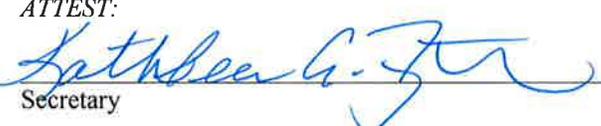
As a duly-elected official of the Shingle Springs Band of Miwok Indians, I do hereby certify that, at a meeting duly called, noticed, and convened on the 23rd day of Jan, 2014 at which time a quorum of 12 was present, this resolution was duly adopted by a vote of 5 FOR, 0 AGAINST, 1 ABSTAINED, and said resolution has not been rescinded or amended in any form.



 Chairperson

January 23, 2014

 Date

ATTEST:


 Secretary

January 23, 2014

 Date



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TRAINING AND DEVELOPMENT DEPARTMENT POLICIES AND PROCEDURES

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SECTION I
DEPARTMENT OVERVIEW

(A) PURPOSE.

The Shingle Springs Band of Miwok Indians (“Tribe”) created the Training and Development Department for the purpose of improving Tribal Member career and educational success. The Training and Development Department accomplishes this by offering different “Programs” which support educational and career success. Programs available may change from time to time as data from Tribal demographic surveys is collected indicating Tribal Member needs.

(B) ELIGIBILITY.

All Training and Development Department Programs are for Tribal Members. Some Programs may from time to time be open to additional attendees, such as Tribal employees, Tribal Member family members or the greater community. Collectively all those participating in Training and Development Department Programs are referred to as “Participants.” Tribal Administration reserves the authority to limit participation in any particular Program to Tribal Members only.

(C) PROGRAMS.

The Training and Development Department administers several Programs. These Programs currently consist of:

1. Career Training Program
2. Career Planning Program
3. GED Program
4. Youth Internship Program
5. Adult Occupational Training Program
6. Tribal Higher Education Program

(D) DEPARTMENT STAFF.

Training and Development Department staff shall include the Training and Development Director, Training and Development Department Coordinator(s) and Training and Development Assistant(s).

(E) BUDGET.

The Training and Development Department budget is approved annually by the Tribal Council. Modifications to the approved budget may only be approved by the Tribal Council.

(F) FORMS.

Forms or other documents needed to fully implement Training and Development Department Programs may be created and revised at the direction of the Tribal Council, or their designee, as necessary to fully implement the Program without need for amendment to these Policies and Procedures.

(G) FRAUD.

Any Participant found to be using false or misleading statements, omitting or misrepresenting facts or altering or forging documents to obtain eligibility, assistance or benefits will be immediately disqualified from ALL Training and Development Department Programs. Those suspected of the above actions will always be referred to Tribal Court. Individuals found to have committed fraud against the Tribe are not eligible for Training and Development Department Programs without express written permission from the Tribal Council.

(H) CONFIDENTIALITY.

Maintaining confidentiality is a requirement of being a Training and Development Department Program Participant. All Participants must sign a confidentiality statement and will be dismissed from the Training and Development Department Program for any confidentiality violation.

(I) SOVEREIGN IMMUNITY.

Nothing contained within these Policies and Procedures shall be construed as a waiver of the sovereign immunity of the Tribe.

(J) AMENDMENTS.

These Policies and Procedures, or any section herein, may be amended by a majority vote of the Tribal Council.

(K) SEVERABILITY.

If any provision, clause, sentence or paragraph of these Policies and Procedures is held to be invalid, the invalid portions shall not affect the remaining portions which shall remain in full force and effect.

SECTION II
APPLICATION AND ASSESSMENT

(A) APPLICATION REQUIREMENT.

All Participants in any Training and Development Department Program must fill out an appropriate application for the Program in which they are applying for.

(B) ASSESSMENT REQUIREMENT.

All Participants in any Training and Development Department Program must complete the appropriate assessment for the Program in which they are applying for if an assessment exists for that particular program. The assessment process will help Program staff determine Participant needs.

(C) RECORDS.

Information obtained in the application and assessment process will be kept confidential remaining in the Training and Development Department files. Documents or other types of information pertaining to the individual participant including their progress, participation or attendance in any Training and Development Department Program will not be released without express written permission from the participant. The Participants peers, employers, parents or other family members do not have access to Participant files.

SECTION III
CAREER TRAINING PROGRAM

(A) PURPOSE.

The purpose of the Career Training Program is to improve work skills by offering general training in areas including, but not limited to, communication skills, reading and writing skills, computer skills, professionalism, cultural sensitivity or other types of work readiness.

(B) ELIGIBILITY.

All Tribal Members are eligible for the Career Training Program whether they are employed or unemployed, work for the Tribe or work elsewhere. Additionally, Career Training Programs are often available to Tribal and Red Hawk Casino employees and family members of Tribal members.

(C) FACILITATION.

Career Training Programs are generally performed in the form of a presentation or workshop and usually lead by a facilitator. The facilitator may be an employee, a paid facilitator from an educational institution or relevant specialty or another individual.

(D) CERTIFICATE OF TRAINING.

Those who complete a Career Training Program will receive a Certificate of Training. Copies of Certificates of Training will be kept in the Training and Development Department so that they are easily accessible to those trained. When the individual trained is also an employee of the Tribe, a copy of their Certificate of Training will be sent to Human Resources to be added to their employee file.

SECTION IV
CAREER PLANNING PROGRAM

(A) PURPOSE.

The purpose of the Career Planning Program is to facilitate progression in a Participant's career through support and planning assisted by Training and Development Department staff. This is accomplished by setting up a career plan.

(B) ELIGIBILITY.

All Tribal Members who are currently employed, whether by the Tribe or elsewhere, are eligible for the Career Planning Program.

(C) FACILITATION.

Career Planning will be facilitated by a staff member of the Training and Development Program, generally the Coordinator(s).

(D) GOAL SETTING.

The Participant, with the help of the Coordinator, will identify goals for their career. This step is very much tailored for individuals to coincide with what they would like to do. Goals may include moving up in a current line of work, moving to a different line of work or excelling in a current position.

(E) PLANNING.

The Participant, with the help of the Coordinator, will identify steps to obtaining their identified career goals. Some plans may be relatively simple while others will have many steps. The identified goals of the individual will determine the complexity of the plan. Changes in an established plan may be made from time to time upon discussion with the Coordinator. Changes in career plans do not supersede any established policies of the Tribe where funds have been obligated for completion of a task.

(F) COMPONENTS.

Components of a Participant's plan may include, but is not limited to, participation in the Career Training Program, Higher Education Program, GED Program or other Programs of the Tribe or elsewhere as they may become available.

(G) PARTICIPANT RESPONSIBILITIES.

It is the responsibility of the Participant to take an active role in their success. Training and Development Department staff will assist the Participant in completion of the steps necessary to obtain goals however they will not complete the steps for them. It is also the responsibility of the Participant to have realistic expectations as to the duration of time and effort necessary to complete goals. All good things take time and effort.

(H) CAREER PLANNING PROGRAM RESPONSIBILITIES.

The Career Planning Program is responsible for providing support and assistance to Participants. This includes, but is not limited to, researching training and educational opportunities for the Participant, encouraging the Participant along the way and making referrals to Tribal or outside resources for the benefit of the Participant. This does not include advocating on behalf of a Participant in their employment within the Tribe or elsewhere. The Career Planning Program does not get involved with Participant disciplinary action as it applies to their being an employee or a Member of the Tribe.

SECTION V
GED PROGRAM

(A) PURPOSE.

The purpose of the GED Program is to improve Tribal Member career success. According to the U.S. Department of Education, National Center for Education Statistics, people who have a high school diploma or GED earn 24% more than people who do not. (*The Condition of Education 2013 (NCES 2013-037)*, *Annual Earnings of Young Adults 2013*.) The Tribe wishes to assist Tribal Members in securing gainful employment by earning their GED. This is accomplished by preparing Participants to take their GED exams.

(B) ELIGIBILITY.

Any Tribal Member who is at least seventeen and a half years old, does not already have a GED or high school diploma and who is not able to attend high school, is eligible for the GED Program. Additionally, Tribal employees are currently eligible to attend as the Tribe requires all Tribal employees to have a GED or high school diploma.

(C) COURSE DESCRIPTION.

General academic classes are offered in several subject areas including, but not limited to, math, English writing, reading, social studies and typing. Academic classes available are subject to change based on GED requirements as they change from time to time. The class is designed to offer group or one-on-one instruction in a small-group environment and includes computer learning. Modes of instruction may change dependent on the needs of the program or the students.

(D) FACILITATION.

The GED Program will contract with outside educational organizations to facilitate the GED class. Organizations contracted with and instructors may change based on community need.

(E) PARTICIPANT RESPONSIBILITIES.

It is the responsibility of the participant to take an active role in their success. Attendance to and participation in class is necessary to successfully complete the program. Not attending or fully participating in class will reduce the likelihood that a Participant will pass their GED exam. Ultimately, success in obtaining a GED is directly proportionate to the amount of effort the Participant puts into preparing for their exam.

(F) ASSISTANCE FROM STAFF.

For Participants who actively attend and participate in GED class, Training and Development Department staff can assist in the following with obtaining documentation from educational institutions attended to determine current needs and scheduling of and transportation to exams.

SECTION VI
YOUTH INTERNSHIP PROGRAM

(A) PURPOSE.

The Youth Internship Program is intended to assist Tribal Member youth (“Interns”) in acquiring job skills while they are full time students. This section describes how Interns will gain knowledge of different work settings, improve their work ethic and, through participation, learn which types of work best suits their skills and interests.

(B) ELIGIBILITY.

1. Must be an enrolled member of the Shingle Springs Band of Miwok Indians; and
2. Must maintain a 2.0 grade point average or better, or “C” grades or better, or if not receiving letter grades “satisfactory” or “pass” marks in all courses taken during the school year; and
3. Must, if under 18, have a work permit; and
4. Must be a full-time student. A “Full-Time Student” is:
 - i. In high school; or
 - ii. Attending college full time (taking at least twelve (12) units); or
 - iii. Attending a technical or trade school; or
 - iv. Enrolled in the Tribe’s GED Program; and
5. Must have graduated middle school (Internships can begin the summer before high school.)
6. Must be at least 13 years old; and
7. Must not be older than 24 years old.

(C) SCHEDULED BREAKS.

During scheduled breaks (summer vacation, breaks between semesters, etc.) youth may start or continue internships as they are still considered “Full-Time Students” during these scheduled breaks. No monitoring of grades is required during scheduled breaks.

(D) DOCUMENTATION REQUIRED.

Interns must present all of the following:

1. Tribal enrollment card; and
2. Photo ID; and
3. A copy of their school schedule except during scheduled breaks; and
4. A copy of their most recent grades except during scheduled breaks; and
5. Interns who are in high school must supply a work permit except during scheduled breaks.

(E) REQUEST FOR INTERN.

Department and Program Directors (“Directors”) may request an Intern for a specific purpose by writing a brief request which must include:

1. A description of the work the Intern will do.
2. How many hours per week the Intern will work.
3. A description of where the Intern will be stationed.

The Tribal Administrator, or his or her designee, will review and approve or disapprove all requests. Directors may not request a particular youth to be their department’s intern. Once their request is approved Director’s must choose from the intern pool.

(F) APPLICATION PROCESS.

Internship applicants will:

1. Fill out an Internship Application and turn it in to the Training and Development Department; and
2. Schedule a time to take a career questionnaire.

(G) CAREER QUESTIONNAIRES.

All Youth Internship Program participants will complete a mandatory career questionnaire. There are no wrong answers to questions in the career questionnaire. No applicant will be denied as a participant in the Youth Internship Program based on their career questionnaire. Information in the career questionnaire will form the basis for which Directors will select Interns.

(H) SELECTION OF INTERNS.

Directors may choose Interns from those individuals who have been accepted into the Program. This ensures that only those Interns enrolled in school and receiving satisfactory grades may intern. Through the career questionnaire, Directors will get an opportunity to review all current applicant packets and choose an applicant based on their information. No information regarding the applicant’s name, gender, age, marital status, parenting status, disability or family affiliation within the Tribe will be available prior to making an offer. Information regarding the applicant’s skills, special areas of interest, career and personal goals, as well as applicant’s personal statements regarding community, family and contributing to the Tribe will be available to Directors prior to making an offer. Applications will be reviewed in the above manner to promote fairness in opportunity among youth of all ages, genders, marital or parenting statuses, disabilities and family affiliations within the Tribe and to ensure that applicants are placed in an internship which will best suit them.

(I) INTERNSHIP OFFER.

After reviewing all eligible applicants, Directors who have an approved Intern request may offer an internship to the applicant of their choosing. An applicant has five (5) business days to respond to the offer. If the applicant does not accept or respond, the Director may review all of the approved applications again and offer another applicant the internship.

(J) HOURS PER WEEK.

Interns may work as little as one (1) hour per week and may work up to forty (40) hours per week depending on work permit limitations and the amount of work available. In no circumstance may an Intern work over forty (40) hours per week.

(K) LENGTH OF INTERNSHIP.

Internships may last at minimum one (1) day in duration (for a special event) and may last several years as long as the intern continues to be a full time student. Interns are encouraged to try internships in a variety of departments or programs however may stay in one area if they find it particularly suits them.

(L) PAYMENT.

All Interns will receive hourly pay equivalent to California State minimum wage. There will be no exceptions and Interns are not eligible to receive raises. In this way, Interns can feel free to Intern in the department they desire or move to a different Internship without differences in payment rates being a deterrent. This also will help motivate Interns to take steps necessary to become a regular employee where they could earn more.

(M) BUDGETING.

Youth Interns, those who are 24 or under, will be paid out of the Tribe's designated youth budget.

(N) LIMITATIONS.

Due to Tribal and Federal laws, license, certification, school and safety requirements, some tasks cannot be performed by Interns. Examples of tasks some Interns may not be able to perform due to their age or lack of proper licenses or certifications may include, but are not limited to, the following: Operation of certain types of equipment or vehicles, working in gaming areas, certain healthcare tasks and tasks in which a minor cannot be sufficiently insured. Additionally, Tribal rules applying to those eligible to work with children, elders, physically and mentally disabled individuals, and cash handling apply to Interns.

(O) GRADE MAINTENANCE.

The Tribe will not allow any young person to Intern if doing so is detrimental to their education. Any participant whose grades fall below a 2.0 or “C” average, “Pass” or “Satisfactory” or who are not in good standing with their Tribal GED Program according to their teacher have one (1) month to bring all grades up to standards. If after one (1) month their grades are still substandard, they will be removed from their internship by the Training and Development Program.

(P) REMOVAL.

Interns may at times misbehave or fail to do their work. Many are young people who test their boundaries, are working on their maturity and are learning their work ethic. Although Directors will make an effort to be patient while these youth transition into a life which includes responsibility, certain actions or lack of actions may necessitate that a Participant be processed out of a particular Internship. The Training and Development Department will make every effort to help place Interns in an internship which is most compatible for them, and will help facilitate a change in internship when necessary, however, at times certain individuals are not ready to intern.

(Q) INDEPENDENT CONTRACTOR.

Interns will work as independent contractors and will not be considered employees of the Tribe eligible for benefits.

SECTION VII
ADULT OCCUPATIONAL TRAINING PROGRAM

(A) PURPOSE.

The Adult Occupational Training Program is intended to assist Tribal Member adults (“Adult Interns”) in acquiring job skills while they are concurrently enrolled in the Tribe’s GED Program. This section describes how Adult Interns will have the opportunity to work while they obtain their GED.

(B) ELIGIBILITY.

1. Must be an enrolled member of the Shingle Springs Band of Miwok Indians; and
2. Must be enrolled in the Tribe’s GED Program; and
3. Must be at 25 years of age (if younger, they would qualify for the Youth Internship Program instead.)

(C) SCHEDULED BREAKS.

During scheduled breaks (summer vacation, holiday breaks, etc.) Adult Interns may continue to work as they are still considered Full-Time Students during these scheduled breaks.

(D) DOCUMENTATION REQUIRED.

Adult Interns must present all of the following:

1. Tribal enrollment card; and
2. Photo ID; and
3. Written verification that they are enrolled in the Tribe’s GED Program.

(E) WORK TO BE PERFORMED.

Adult Interns will work for the Tribal Administration Department. They will be assigned work by Tribal Administrator, or his or her designee, which may be in any department or office location of the Tribe. Adult Interns do not choose what type of work they do or which department or office site they work at. Location of and type of work may be consistent or may change daily based on which departments and/or office locations require extra workers at any particular time. Adult Interns are to communicate with Tribal Administration regularly regarding their work assignment and location.

(F) APPLICATION PROCESS.

Candidates for the Adult Occupational Training Program will:

1. Fill out an Adult Occupational Training Program Application and turn it in to the Training and Development Department; and
2. Schedule a time to take a career questionnaire.

(G) CAREER QUESTIONNAIRES.

All Adult Occupational Training Program candidates will complete a mandatory career questionnaire. There are no wrong answers to questions in the career questionnaire. No candidate will be denied admittance to the Adult Occupational Training Program based on their career questionnaire. Information in the career questionnaire will form the basis for which Tribal Administration will assign work.

(H) HOURS PER WEEK.

Adult Interns may work as little as one (1) hour per week and may work up to forty (40) hours per week depending on their availability and the amount of work available. In no circumstance may an Adult Intern work over forty (40) hours per week.

(I) LENGTH OF INTERNSHIP.

Adult Internships may last at minimum one (1) day in duration (for a special event) and may last indefinitely as long as the intern continues to be enrolled and actively participating in the Tribal GED Program. Any non-compliance with GED Program participation, including being late to or missing classes will result in the Adult Intern losing their privilege to work.

(J) PAYMENT.

All Adult Interns will receive hourly pay equivalent to California State minimum wage. There will be no exceptions and Adult Interns are not eligible to receive raises. In this way, Interns will be motivated to take steps necessary to become a regular employee where they could earn more.

(K) BUDGETING.

Adult Interns will be paid out of the Tribe's Administration budget.

(L) REMOVAL.

Adult Interns may at times misbehave or fail to do their work. Certain actions or lack of actions may necessitate that an Adult Intern be processed out of the Adult Occupational Training Program. Those participating in the Adult Occupational Training Program are not employees and as such are not entitled to progressive disciplinary action prior to removal.

(M) INDEPENDENT CONTRACTOR.

Adult Interns will work as independent contractors and will not be considered employees of the Tribe eligible for benefits.

SECTION VIII
HIGHER EDUCATION PROGRAM

(A) PURPOSE.

The Higher Education Program is set forth to promote higher education within our Tribal community in order to break the cycle of limited education and to encourage Tribal Members to become self-sufficient and successful. This Higher Education Program Policy (“Policy”) describes guidelines for which Tribal Members participating in higher education (“Students”) may receive funding for their education through the Tribe.

(B) HIGHER EDUCATION.

“Higher Education” is study beyond the level of secondary education. Institutions of higher education include, but are not limited to, colleges and universities and professional, vocational and trade schools or training programs.

(C) STUDENT REQUIREMENTS FOR FUNDING.

1. Must be an enrolled member of the Shingle Springs Band of Miwok Indians; and
2. Must submit a Free Application for Federal Student Aid (“FAFSA”) unless they can demonstrate that they are ineligible to receive federal aid due to income or type of schooling requested does not meet FAFSA criteria; and
3. Must have maintained a minimum 2.0 GPA or the equivalent during the previous semester (unless this is the student’s first semester) or, if the program does not give out letter grades, pass all classes with satisfactory marks.

(D) PROGRAM BUDGET.

The Higher Education Funding Program has a limited annual budget and will provide education funding to students until the total budget has been expended for the current year. Students may apply for funding at any time however, funding depends on the availability of funds in the program budget at any given time. The maximum amount individual Students may receive, unless recommended by the Training and Development Department, is \$5,000.00 per year.

(E) ELIGIBLE COSTS.

Eligible costs include, but are not limited to, the following:

1. Tuition, class, testing and all other fees required
2. Required books, hardware and software
3. Other supplies as required in the class description or syllabus
4. Semester parking passes

(F) INELIGIBLE COSTS.

Ineligible costs include, but are not limited to, the following:

1. Living expenses (rent, utilities, childcare, etc.)
2. Transportation expenses (mileage, gas, vehicle maintenance, bus passes, etc.)
3. Payment for previous educational costs
4. Student loan payments

(G) STUDENT COMPUTERS.

A computer may be given to Students when the Student signs a Higher Education Program Student Computer Agreement. The computer is the Students to keep provided they complete the class for which they received the computer. The cost of computer hardware and software provided will be applied to the \$5,000.00 per year maximum per individual.

(H) RESPONSIBILITY TO COMPLETE SCHOOL.

By accepting funding, the Student agrees that they will complete the classes for which the Tribe has paid for with a passing grade. If the Student does not complete class with a passing grade, they will be responsible for reimbursing the Tribe for any tuition, books, supplies or other education-related costs provided by the Tribe for the specific class not passed.

(I) MEDICAL HARDSHIP EXEMPTION FOR NON-COMPLETION.

In the event that a Student does not complete courses which the Tribe has paid for due to medical situation, a Medical Hardship Exemption for Non-Completion must be obtained to excuse the Student from reimbursing associated school costs. The Medical Hardship Exemption for Non-Completion must be signed by a medical doctor and certifies that the Student was unable to attend classes due to a medical reason.

(J) RESPONSIBILITY TO GIVE BACK TO THE COMMUNITY.

By accepting funding, the Student agrees that they will give back to the community within the same calendar year that they receive assistance. For every \$100 the Tribe spends on higher education, the student will give back one (1) hour of their time. This can be accomplished in one of the following ways.

1. Employment with the Tribe; or
2. Volunteering to do Community Service for the Tribe in accordance with the Tribes Community Service Policy; or
3. Performing community service elsewhere.

SECTION IX
CERTIFICATION

As a duly-elected official of the Shingle Springs Band of Miwok Indians, I do hereby certify that, at a meeting duly called, noticed, and convened on the 23rd day of JANUARY, 2014 at which time a quorum of 6 was present, this policy was duly adopted by a vote of 5 FOR, 0 AGAINST, 1 ABSTAINED, and said policy has not been rescinded or amended in any form.



Tribal Council Chairperson

January 23, 2014
Date

ATTEST:



Tribal Council Secretary

January 23, 2014
Date