

**POKAGON BAND OF POTAWATOMI INDIANS
TRIP POLICY FOR
MICHIGAN INDIAN ELDER ASSOCIATION CONFERENCES**

1. PURPOSE.

- (a) In honor and recognition of the role of Elders in protecting and promoting the culture of the Band, the Elders Council was established to provide guidance and advice to the Band.
- (b) The Band is a constituent member of the Michigan Indian Elders Association (“MIEA”), the purpose of which includes to, aid and assist in improving the economic, social, health and spiritual wellbeing of Native American elders of Michigan by providing a forum in which such elders may speak, learn, grow and exercise control over their environment.
- (c) As a result of the Band’s involvement in MIEA, Elders regularly attend MIEA Conferences which advance and promote the recognized social and cultural needs of the Elders and the Band.
- (d) The purpose of this Policy is to state the eligibility requirements; registration procedures; and rules governing trips to attend MIEA Conferences offered by the Band to Elders.

2. DEFINITIONS.

- (a) “Band” means the Pokagon Band of Potawatomi Indians.
- (b) “Bus Policy” means the Band’s Bus Policy.
- (c) “Band Bus” or “Band Buses” mean the passenger buses purchased by the Band for carrying out official functions, duties and responsibilities, including by the Elders Council.
- (d) “Citizen” means a duly enrolled member of the Band.
- (e) “Contact Person” means the representative of the Elders Council assigned by the Elders Council to fulfill the requirements of this Policy and the Bus Policy, as applicable, for a MIEA trip.
- (f) “Elder” or “Elders” means a duly enrolled member of the Band who is at least fifty-five (55) years of age.

- (g) “Elders Council” means the representative body of the Elders comprised of Elders elected by the Elders.
- (h) “Include” or “Including” will be deemed to be followed by the words “without limitation”.
- (i) “Policy” means this Trip Policy for Michigan Indian Elder Association Conferences.
- (j) “Trip Deposit” means the deposit which a Trip Participant must pay to secure registration for a MIEA trip.
- (k) “Trip Notice” means the notice which must be posted and published to solicit interest from Elders in participating in a MIEA trip.
- (l) “Trip Participant” means all persons participating in a MIEA trip, including Elders, their spouses, and the Contact Person.

3. **BUS USE.**

- (a) When a Band Bus is available, and is suitable for a MIEA trip, the Contact Person must ensure that a Band Bus is utilized for the trip, unless waived by the Tribal Council. All use of Band Buses must be in accordance with the Bus Policy.
- (b) When Subparagraph 3(a) does not apply, a Trip Participant shall utilize a GSA or Band vehicle; provided such vehicle is available and the Trip Participant is eligible to utilize such vehicle.
- (c) When neither Subparagraph 3(a) or 3(b) apply, a Trip Participant may utilize a privately owned vehicle and may be reimbursed for mileage at the then applicable rate; provided: (i) at least three (3) Elders traveled in the same privately owned vehicle; and (ii) all reimbursement shall be subject to applicable laws, rules, regulations, policies and procedures.

4. **ELIGIBILITY.**

- (a) Only Elders are eligible to participate in MIEA trips offered by the Band; provided, however, the spouse of an Elder may accompany the Elder on such trips, regardless of whether the spouse is a Citizen or an Elder.
- (b) An Elder must have attended at least four (4) Elders Council business meetings in the prior twelve (12) month period measured from the first date of registration for a MIEA trip; provided, however that the following shall be exempt from such

requirement: (i) MIEA delegates (but not alternate MIEA delegates); and (ii) any person who occupies a seat on the Elder Council (Chairperson, Vice-Chairperson, Secretary, Treasurer, and a Member At-Large).

5. TRIP NOTICE.

Within a reasonable time after becoming aware of a scheduled MIEA conference, the Contact Person must post conspicuously within the Elders Hall, and/or publish in the Tribal Monthly Newspaper, a Trip Notice, which must state:

- (a) destination of the trip;
- (b) departure location, date and time;
- (c) return location, date and time;
- (d) location to register;
- (e) date and time of registration;
- (f) amount of Trip Deposit;
- (g) deadline to pay Trip Deposit;
- (h) the name of the Contact Person and a contact telephone number; and
- (i) any other information deemed necessary by the Contact Person.

6. TRIP REGISTRATION.

- (a) To register for a MIEA trip, a Trip Participant must:
 - (i) register in person in accordance with the Trip Notice (a person may not register any other person, except an Elder may register his or her spouse);
 - (ii) provide the Elder's enrollment number, address and telephone number; as applicable; and
 - (iii) pay the Trip Deposit in accordance with the Trip Notice.
- (b) Trip Participants are solely responsible for confirming registration for all MIEA trips, including timely receipt of the Trip Deposit.

- (c) Space is limited for all MIEA trips. Trip Participants will be placed on a registration list in descending order based upon the date and time of registration.

7. **TRIP DEPOSIT.**

- (a) The Trip Deposit will be Twenty-Five and 00/100 Dollars (\$25.00) per person.
- (b) The Trip Notice must grant Trip Participants at least five (5) calendar days from the date of registration stated in the Trip Notice to pay the Trip Deposit.
- (c) If a Trip Deposit is not paid in accordance with the Trip Notice, the Trip Participant will be removed from the registration list.
- (d) All Trip Deposits will be returned to Trip Participants at the end of the MIEA trip prior to departure.
- (e) Any person who paid the Trip Deposit, but fails to participate in a trip, for any reason whatsoever, will forfeit the Trip Deposit; provided however, the Trip Deposit will be returned if such person did not participate in the trip:
 - (i) due to a legitimate emergency which prevents participation in the trip, as determined by the Contract Person, such as an accident or death in the family; or
 - (ii) in accordance with Subparagraph 9(f), at the request of the Contact Person because such person is sick or ill; or because such person failed to provide the Contact Person the required physician certification.
- (f) A Trip Deposit cannot be transferred, assigned or credited to any other person for any reason whatsoever.

8. **BUS RULES.** At all times while on a Band Bus, a GSA vehicle, or a Band vehicle, as applicable, Trip Participants must:

- (a) not engage in any illegal activity;
- (b) not be under the influence or possess, use, or sell alcohol or illegal drugs;
- (c) not smoke or chew any tobacco product;
- (d) not cause damage to the Band Bus or vehicle or any property of another;
- (e) not cause injury to another person;

- (f) not use profane or abusive language;
- (g) not be loud, disruptive or distracting;
- (h) not possess any firearm, any knife with a blade longer than three (3) inches, or any other weapon;
- (i) not engage in any activity which threatens the health or safety of others;
- (j) remain seated when the Band Bus is moving, except when necessary for official purposes or to use the restroom;
- (k) wear seat belts if available;
- (l) be orderly and properly dispose of all litter and trash;
- (m) not wear heavily scented perfume or other products; and
- (n) abide by all lawful directives of the Band Bus driver.

9. **TRIP RULES.**

- (a) **Compliance.** Trip Participants must conduct themselves in a safe, respectful, courteous, and lawful manner at all times while on a MIEA trip and, accordingly, must strictly comply with:
 - (i) all applicable rules, regulations, policies and procedures of: (1) the Band; and (2) all other places or establishments visited during the trip, including any lodging establishment; and
 - (ii) all applicable statutes, codes, acts, ordinances, laws, and rules and regulations of every governing authority.
- (b) **Seating.** The Contact Person may assign Trip Participants Band Bus seats. In such event, Trip Participants must use the assigned bus seat the entire MIEA trip, unless the Contact Person authorizes a seat change.
- (c) **Luggage.** If travel is by Band Bus, then Trip Participants: (i) may bring a small carry-on and no more than one (1) piece of luggage; (ii) shall limit shopping to items which can be stored in the carry-on or luggage; (iii) shall ensure that all luggage contains a completed identification tag; and (iv) shall be solely responsible for loading, unloading and the security of all luggage and all other personal belongings.
- (d) **On Time.** Band Buses will depart at scheduled times and will not wait for any Trip Participant. Trip Participants are solely responsible for being present on the

Band Bus at scheduled departure times. If a Band Bus departs without a Trip Participant for any reason whatsoever, or a Trip Participant is required to exit the bus pursuant to Subparagraph 10(a) of this Policy, the Trip Participant shall be solely responsible for arranging alternate transportation at the Trip Participant's sole cost.

- (e) **Self-Sufficient.** Trip Participants must be self-sufficient, or accompanied by a spouse who is able to provide all necessary assistance. The Band will not provide any type of aide service to Trip Participants while on a MIEA trip and Trip Participants are solely responsible for all medications. Trip Participants should not venture off alone while at destinations, but should travel with other Trip Participants at all times.
- (f) **Illness.** If travel is by Band Bus, then: (i) prior to departure, the Contact Person may request, but not require, that any person who is sick or ill not participate in a MIEA trip; and (ii) the Contact Person may require certification from a physician that any person is able to participate in a trip; provided such person must be informed of any such requirement at least fourteen (14) days prior to the date of departure stated in the Trip Notice. Any person who does not provide such certification shall not participate in a MIEA trip.
- (g) **Trip Cancellation.** The Contact Person may cancel a MIEA trip at any time, including due to insufficient participation or inclement weather or other hazards. If a trip is cancelled prior to departure, the Contact Person shall use reasonable efforts to publicize the cancellation. A cancelled trip may be rescheduled. Unless a trip is rescheduled, and a Participant wishes to participate in such trip, the trip deposit will be returned.
- (h) **Expenses.** Prior to a MIEA Trip, the Contact Person will provide Trip Participants with a written statement of amounts to be paid by the Band in connection with the MIEA trip. Trip Participants shall be solely responsible for all other costs, expenses, fees, assessments and amounts, including all assessments for damages or violating non-smoking rules.
- (i) **Excess Amounts.** If any Trip Participant is paid any per-diem or other amount for which he or she is not entitled, including pursuant to any applicable Band policy, then the Elders Council shall send such person a written demand for payment. The Trip Participant must repay such per-diem or other amount within ten (10) calendar days of the date stated in the written demand for payment. Acceptance of a per-diem or any other amount constitutes agreement to the foregoing obligation.
- (j) **Attendance.** A Trip Participant must attend the entire MIEA conference during all scheduled times. Accordingly, Trip Participants must be on time and must not leave the MIEA Conference early.

10. **VIOLATIONS.**

- (a) Any Trip Participant, who violates any provision of this Policy, will be subject to appropriate remedial action, including:
 - (i) the Band Bus driver may require such person to exit the Band Bus at an appropriate location;
 - (ii) the Elders Council may declare such person ineligible for future MIEA trips for a period of up to two (2) years;
 - (iii) the Elders Council may require such person to repay on demand all amounts paid by the Band in connection with the MIEA trip; and/or
 - (iv) the matter may be referred to law enforcement.
- (b) The Elders Council may deem any violation of this Policy by any person accompanying an Elder on a MIEA trip to be a violation by both the Elder and such person.
- (c) All alleged violations of this Policy shall be reported to the Contact Person who may investigate the alleged violations.
- (d) If the Contact Person believes that a Trip Participant violated this Policy and that the violation should be reported to the Elders Council, then the following shall apply:
 - (i) the Elders Council shall schedule a meeting for the sole purpose of addressing the alleged violation(s) and appropriate remedial action(s);
 - (ii) the Elders Council shall prepare a written notice which describes the alleged violation(s) and states the date, time and location of the meeting;
 - (iii) the written notice shall be hand delivered or sent by first class U.S. mail to the Trip Participant at least ten (10) calendar days prior to the date of the meeting;
 - (iv) the Contact Person and the Trip Participant shall be afforded an opportunity at the meeting to address the alleged violation(s) (without the assistance of legal counsel), including to call and question witnesses;
 - (v) the Trip Participant may participate in the meeting in person or by telephone with prior notice to the Elders Council; and

- (vi) the Elders Council shall decide (by motion or resolution) whether the Trip Participant violated this Policy and the appropriate remedial action(s) pursuant to Subparagraph 10(a) of this Policy. The Contact Person shall abstain from any such vote.
 - (e) All decisions of the Elders Council under Paragraph 10 of this Policy shall be final and not subject to review or appeal, including but not limited to, pursuant to the Band's Grievance Policy.
11. **NO WAIVER.** No provision of this Policy, including Subparagraph 9(d), shall be deemed waived by past practice. Trip Participants should expect all provisions of this Policy to be strictly enforced.
 12. **DISTRIBUTION.** The Elders Council shall ensure that this Policy is posted in Elders Hall and that copies of this Policy are available upon request. The Contact Person shall provide all Trip Participants with a copy of this Policy at the beginning of a MIEA trip, and shall answer any questions regarding this Policy.

HISTORY

Elder Trip Policy for Michigan Indian Elder Association Conferences, enacted June 11, 2012 by Res. No. 12-06-11-04; Amended February 18, 2013 by Res. No. 13-02-18-02