

**FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA
RESERVATION BUSINESS COMMITTEE
CODE OF ETHICS**

I. PURPOSE

The purpose of this Code of Ethics is to establish ethical standards for the Fond du Lac Reservation Business Committee, its advisory bodies, committees, contractors and professional agents. All those acting on behalf of the Band are entrusted to act in accordance with the highest ethical standards and to carry out their official duties in such a manner as to serve the best interests of the Band.

II. AUTHORITY

This Code is enacted pursuant to Article VI, Section 1 of the Minnesota Chippewa Tribe Constitution, and the Bylaws of the Fond du Lac Band, FDL Ord. #01/64.

III. DEFINITIONS

- (a) **'Elective office'** means any office regularly filled by a vote of the eligible members of the Band.
- (b) **'Committee members'** are those appointed by the elected officials.
- (c) **'Immediate family'** means spouse, domestic partner, parent, child, sibling, grandparent, and grand child.
- (d) **'Conflict of interest'** means a real or apparent incompatibility between an official's personal interests and his or her duties to serve the interests of the Fond du Lac Band.
- (e) **'Personal interests'** means result or effect of an official's actions which uniquely benefits the official or his or her immediate family. Personal interests do not necessarily occur when an official acts on a matter or issue that results in an incidental benefit to immediate family, and may be determined by an objective review of the circumstances surrounding the action and its beneficial effects.

IV. STANDARDS OF ETHICAL CONDUCT

The following represents standards of conduct important to the maintenance of trust and ethical behavior for officials of the Fond du Lac Band:

- (a) Any elected or appointed official of the Band shall treat service to the Band as a solemn public trust with fiduciary responsibility to the Band requiring that they place loyalty to the Band and its constitution, laws and ordinances above personal and private gain.
- (b) Any elected or appointed official of the Band shall not hold financial interests that conflict with the conscientious performance of his or her obligations to the Band.
- (c) Any elected or appointed official of the Band shall protect and conserve Band property and only use it for duly authorized purposes.
- (d) Any elected or appointed official of the Band shall disclose instances when they believe there is fraud, waste, abuse, and corruption to the appropriate authorities.
- (e) Any elected or appointed official of the Band shall conduct all official business in accordance with the laws of the Band and other applicable law. If there is a question as to the legal standard applicable in any given situation, the official may consult with and rely upon the advice of the Fond du Lac Tribal Attorney.
- (f) Any elected or appointed official of the Band may not use their position or office to obtain a personal gain of substantial value for the personal benefit of his or her immediate family. For the purpose of this section, substantial value is defined as items exceeding \$100 in value and must be disclosed to the Reservation Business Committee for approval. Cultural gifts may not be subject to this valuation.
- (g) Any elected or appointed official of the Band shall not threaten, intimidate, or discipline any employee in reprisal for the employee acting within the scope of the employee's official duties.
- (h) Any elected or appointed official of the Band shall not solicit or accept, directly or indirectly, anything of value if the gift could reasonably be expected to influence the vote, official actions, or judgment of the official, and could

reasonably be considered a reward for any official action or inaction.

- (i) Any elected or appointed official of the Band shall not make public statements on behalf of the Band without obtaining approval from the Reservation Business Committee or Band Chairperson.
- (j) Any elected or appointed official of the Band shall not disclose materials pertaining to matters discussed in executive session except by a consent of the Reservation Business Committee.
- (k) Any elected or appointed official of the Band shall not take any official action or participate in a decision with respect to a matter if it will have a direct and predictable effect on the financial interest of the official or immediate family member. Any official in such situation shall recuse himself or herself from participating in a discussion and/or vote on the matter.

V. REPORTING AND INVESTIGATING VIOLATIONS

Any person who, in good faith, or has reason to believe that an official subject to this Code has committed a violation may report such violation in writing to the Reservation Business Committee. The report shall include:

- (a) The name of the person, and their official position with the Band;
- (b) The nature of the alleged violation, including the date, time, place, and persons involved or who may have knowledge pertinent to the alleged violation. The report must clearly state the provision(s) of this Code which have been violated; and
- (c) A signed statement attesting that the information provided is true, accurate and complete to the best of the informant's knowledge. The name of the person reporting the alleged violation shall be kept confidential to the highest extent possible, if requested by the person reporting the alleged violation.

The RBC shall investigate the allegations, or may assign any part of such investigation to an appropriate investigative agency. Upon completion of such investigation, the RBC shall take appropriate punitive or remedial action, censure, restitution, removal from

office, or such other punishments or remedies as are just and equitable, provided that actions taken towards members of the RBC must comport with Article X of the Minnesota Chippewa Tribe Constitution. Frivolous complaints or unsubstantiated allegations will not be tolerated, and may be subject to civil action.

Adopted by Resolution #1055/10 of the Fond du Lac Reservation Business Committee on February 16, 2010.