

**TITLE 2 – GOVERNMENT ADMINISTRATION  
PART II – DEPARTMENTS; DIVISIONS  
CHAPTER 2-9 ENROLLMENT DEPARTMENT**

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*Legislative History:       Adopted on December 5, 2007 by Resolution No. C12-193-07 and Ordinance No. 21-07. Approved by Bureau of Indian Affairs on January 31, 2009.*

*Amended on April 6, 2016 by Resolution No. C04-44-16 and Ordinance No. 09-16*

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**SUBCHAPTER A       GENERAL PROVISIONS**

**Section 10       Purpose (2 PYTC § 2-9-10)**

The purpose of this chapter is to establish the Enrollment Department of the Pascua Yaqui Tribe and to provide authorization and guidance for its operation.

**Section 20       Shot Title; Codification (2 PYTC § 2-9-20)**

This ordinance shall be known as the “Pascua Yaqui Enrollment Department Ordinance of 2016.”

**Section 30       Establishment (2 PYTC § 2-9-30)**

- (A) Pursuant to Article III of the Constitution of the Pascua Yaqui Tribe, the Enrollment Department is hereby established as a Department in the Executive Branch of the Pascua Yaqui Tribe Government.
- (B) If any section or part of this Chapter is later determined to be void or unenforceable, the remainder of this Chapter shall nevertheless remain in full force and effect, unless this Chapter, without said void or unenforceable section or part, fails in its purpose.

**Section 40       Purpose of Department (2 PYTC § 2-9-40)**

- (A) The Enrollment Department shall review, research, and make written recommendations to the Tribal Council on the eligibility of applicants for membership or other enrollment matters.
- (B) Recommendations made by the Enrollment Department shall be based on documents provided by the applicant or member and such other information as may be obtained by the Office in the normal course of inquiry concerning enrollment matters.
- (C) The Enrollment Department shall be responsible for handling all written and oral communications relating to enrollment matters.
- (D) The Enrollment Department shall be responsible for the maintenance of all enrollment records.
- (E) The Enrollment Department shall be available to lend appropriate assistance to the Tribal Council in all enrollment matters.

- (F) Enrollment Regulations: The Enrollment Department from time to time, adopt appropriate regulations governing its procedures under this Ordinance and is hereby authorized to develop such regulations.

**Section 50 Mission (2 PYTC § 2-9-50)**

The mission of the Enrollment Department is to carry out the responsibilities of enrollment as deemed necessary by the Pascua Yaqui Tribe Constitution and Membership Ordinance. The Enrollment Department will maintain and protect the tribal membership roll and the documentation provided for and by tribal members and applicants.

**SUBCHAPTER B DIRECTOR**

**Section 60 Creation and Appointment (2 PYTC § 2-9-60)**

- (A) The position of Director of Enrollment (“Director”) is hereby created.
- (B) The Director shall not be deemed to be a “tribal officer” as defined in Article VII of the Constitution of the Pascua Yaqui Tribe; and
- (C) The Director shall be nominated by the Chairperson and must be approved by the Tribal Council by majority vote of the entire Council. Approval by the Tribal Council will constitute appointment to the position of Director.
- (D) The Director shall be a full-time and will be paid compensation commensurate with his or her skills, education, experience, and responsibilities within the standards of compensation established by Tribe.
- (E) The Director shall report to and will be directly supervised by the Chairman.
- (F) The Director serves at the pleasure of the Tribal Council and may be removed from that position only by a majority vote of the entire Tribal Council.

**Section 70 Duties of Director (PYTC § 2-9-70)**

- (A) The Department shall be administered under the supervision and direction of the Director.
- (B) The Director shall:
  - (1) Select, appoint, and hire employees necessary to carry out the laws, regulations, policies, and programs adopted by Tribal Council.
  - (2) Prescribe such rules and regulations as the Director determines necessary or appropriate to administer and manage the functions of the Director or the Department. The Director, in promulgating rules and regulations, shall prescribe such rules and regulations in accordance with Pascua Yaqui law.
  - (3) Subject to the Tribe’s Fiscal Management Ordinance, negotiate such contracts, grants, leases, cooperative agreements, or other similar transactions with Federal or other public agencies (including State and local governments) and private organizations and persons, and to make such payments, by way of advance or reimbursement, as the Director may determine necessary or appropriate to carry out functions of the Department.

- (4) Develop and implement internal policies for the efficient and effective administration of the Department.
- (5) Assure that the personnel policies and procedures are accurately and fairly applied in all matters as it pertains to personnel management and administration.
- (6) Be responsible for managing all financial transactions, managing grants and contracts, purchasing, and personnel actions on behalf of the Department.
- (7) Advise and make recommendations to the Chairperson and Tribal Council on all matters concerning the Enrollment Department's objectives.
- (8) Maintain signatory authority for the department, except as may be permissibly delegated.

## **SUBCHAPTER C ORGANIZATION**

### **Section 80 Enrollment Department (2 PYTC § 2-9-80)**

- (A) The Enrollment Department shall consist of a Director and such functions necessary for the execution of mandated responsibilities and duties.
- (B) The Enrollment Department shall employ personnel; and, the Director shall have the power to contract with professional service firms, as the Director determines, consistent with the laws of the Tribe and approved budgetary authority.
- (C) The Enrollment Department shall maintain a current organizational chart. The organizational chart shall accompany its annual budget submission and any budget modifications during the fiscal year in accordance with the Tribe's Fiscal Management Ordinance.
- (D) The Enrollment Department is delegated the authority and responsibility for processing applications for membership into the Pascua Yaqui Tribe, making corrections to and maintaining the Pascua Yaqui Membership Roll and records.

### **Section 90 Enrollment Screening Committee (2 PYTC § 2-9-90)**

- (A) An Enrollment Screening Committee is hereby established to assist the Enrollment Department. The Enrollment Screening Committee is authorized to review applications for membership and provide recommendations of approval or rejection for membership, disenrollment, blood quantum modifications and any other enrollment matter that is submitted for review.
- (B) The Enrollment Screening Committee shall consist of seven (7) committee members and three (3) alternate members who are Pascua Yaqui Tribal Members and at minimum sixty-two (62) years of age. The Committee Members shall be nominated by the Enrollment Director, Enrollment Screening Committee, and/or Tribal Council and appointed by Tribal Council Resolution. The Enrollment Director shall make every attempt to insure a fair representation of the Yaqui Communities of New Pascua, Old Pascua, Guadalupe, Yoem Pueblo, Coolidge and Penjamo.
- (C) The Enrollment Screening Committee shall adopt bylaws, subject to Tribal Council approval, regarding rules and procedures for the membership and the governance of the Enrollment Screening Committee.

## **SUBCHAPTER D        AUTHORIZED PROGRAMS**

### **Section 100        Authorized Programs (2 PYTC § 2-9-100)**

The Enrollment Department shall have the following authorized programs, and such other programs as the Tribal Council or the Chairperson may assign:

- (A) Enrollment Services, which include, but is not limited to, the processing of applications for membership and blood quantum modifications, custodian of records, and maintaining official tribal roll.
- (B) Tribal Enhanced/Identification Card, which include program administration, recorder-keeping, background checks, and eligibility determinations.
- (C) Delayed Birth Certificate Program, which includes assisting qualified tribal members obtain birth certificates from the state of Arizona.
- (D) If a program is authorized by the Tribal Council, it may terminate such program at any time, and such termination shall act as a revision to this Chapter.
- (E) If a program is authorized by the Chairperson, it may be terminated, in whole or in part, by either the Chairperson or Tribal Council.

## **SUBCHAPTER E        PROGRAM EVALUATION AND MONITORING**

### **Section 110        Program Evaluation and Monitoring (2 PYTC § 2-9-110)**

- (A) The Enrollment Director must conduct ongoing evaluation of all programs under his or her control.
- (B) The Enrollment Director must monitor all programs under his or her control on a regular basis.
- (C) In the event the Enrollment Department discovers any substantive irregularity in a program under his or her control, he or she must report that irregularity immediately to the Chairperson.

### **Section 120        Reporting (2 PYTC § 2-9-120)**

- (A) The Director of Enrollment shall advise the Chairperson regarding:
  - (1) Current fiscal year budget, including month and year to date results and budget revisions;
  - (2) Statistical data regarding tribal enrollment and membership;
  - (3) Employment, recruitment, and training;
  - (4) Grants obtained and contracts let, including number, dollar, and purpose;
  - (5) Major projects, activities, and significant issues for the Enrollment Department;
  - (6) Major internal and external audit findings, with action plans to address negative findings.
- (B) As request by Tribal Council or the Chairperson, the Director shall provide specific reports on any of its operations and activities.

**DISPOSITION TABLE**

| <b>Former Section</b> | <b>New Section</b> |
|-----------------------|--------------------|
| <b>Article Three</b>  | <b>2 PYTC 2-9</b>  |
| Section 1301          | 2 PYTC 2-9-10      |
| NEW                   | 2 PYTC 2-9-20      |
| NEW                   | 2 PYTC 2-9-30      |
| NEW                   | 2 PYTC 2-9-40      |
| NEW                   | 2 PYTC 2-9-50      |
| NEW                   | 2 PYTC 2-9-60      |
| NEW                   | 2 PYTC 2-9-70      |
| NEW                   | 2 PYTC 2-9-80      |
| NEW                   | 2 PYTC 2-9-90      |
| NEW                   | 2 PYTC 2-9-100     |
| NEW                   | 2 PYTC 2-9-110     |
| NEW                   | 2 PYTC 2-9-120     |