

**PUEBLO de SAN ILDEFONSO
ENROLLMENT POLICIES AND PROCEDURES**

In determining membership, the tribe is exercising the most important of its sovereign powers. This manual is designed to assist the Pueblo in establishing and following standard membership requirements and establishing procedures for enrollment. Within these procedures, the Pueblo de San Ildefonso has decided on all the qualifications of membership for tribal purposes. Tribal purposes include such issues as, but not limited to voting in tribal elections, holding tribal offices or living on tribal lands.

The Tribal Enrollment Office has been established to ensure adherence to the enrollment policies and to carry out the procedures. The Enrollment Office is also tasked with carrying out these duties in a responsible manner where confidentiality of information is key. Every effort will be made to protect the confidentiality of information in regard to private details.

Fairness to all applicants is also a primary enrollment duty for which the enrollment policies and procedures are vitally important.

1. APPLYING FOR ENROLLMENT:

Requirements:

- A. The individual must have an immediate family member (need to define lineal ancestor to the 3rd degree) enrolled with **the Pueblo de San Ildefonso**.

- B. The individual to be enrolled must have $\frac{1}{4}$ degree minimum of San I Indian Blood. (**need community input**)

B.2

Required Paperwork:

- A. Pueblo de San Ildefonso Application for Enrollment Form which includes:

- 1. Pueblo de Sn Ildefonso Birth Report Form.

2. Copy of Birth Certification or Baptismal Certificate.
3. Copy of the mother/father's Certificate of Indian Blood, if enrolled with another Tribe.
4. Copy of the Statement of Paternity, if parents are not married.
5. If the couple is married, the statement of paternity is not required, however, a copy of the Marriage Certificate is required.
6. If Applicant is a Minor or Legally Incompetent and an Application is submitted by a person other than Applicant's Parent(s):

Enrollment Office Approval:

Enrollment Clerk processes the paperwork with the following information on the bottom of the Pueblo de San Ildefonso Application for Enrollment Form:

- (1) Tentative Enrollment Number. The number used is the next available number in sequence.
- (2) Total Degree of Indian Blood (mother and father's blood combined). See attached chart.

The application for enrollment must be presented to the Governor with the individual present. Parent(s) and legal guardian(s) must be present if the individual is a minor. Applicants are informed of a date and time of the meeting.

Governor reviews the Enrollment Application and may present questions to the individual. If approved, the Governor will sign off on the application as will the Enrollment Clerk. If consensus cannot be made a process may be in place to include the Tribal Council.

The tentative enrollment number will become the individual's permanent number. The Enrollment Clerk prepares a new Certificate of Indian Blood (CIB) form for the newly enrolled tribal member. A copy of the CIB is given to the individual and the original is filed with the Enrollment Office. The newly enrolled individual's name and information is added to the Current enrollment list.

(Need to discuss time frame)

2. CALCULATION OF DEGREE OF INDIAN BLOOD:

Having San I blood would be included.

Would we consider having ancestry tree developed to trace family lineage?

Basic rule: The child's Indian blood degree is 1/2 of the combined Indian blood of his parents, as shown mathematically.

Mother's blood degree + Father's blood degree ÷ 2 = Child's blood degree

For example: {Father} 4/4 +(Mother) 1/4 ÷ 2 = (Child) 5/8

Blood degree should be reduced to the lowest fraction. The attached chart (Chart for Calculating Quantum of Indian Blood) has most simple calculations done.

If paternity has not been established, only 1/2 the Indian blood of the enrolled parent may be counted.

3. PROBATIONARY PERIOD: (look at changing header)

After enrollment, an enrolled individual will be on a five (5) year probationary status. Admission to tribal membership is subject to reservation of the Pueblo's right to revoke the admission, with or without cause, any time during five years from the date of enrollment. Successful completion of the five-year probation period entitles the individual to recognition as a regular member of the Pueblo of San Ildefonso with all of the rights and responsibilities of membership under the Pueblo's custom, tradition, and written laws.

Needs to be followed and seen through.

What is eligible when on probation? (TC will put together and share lists for this)

Changing the years for probationary.

What constitutes an infraction? Community hours.

4. RELINQUISHMENT

Relinquishment is the case where a tribal member voluntarily and officially gives up his or her right to membership. It is entirely the choice of the individual and is not an action that can be initiated by the Tribe or another person.

If a person is competent, the tribe may not refuse a member the right to relinquish.

Required Paperwork:

- A. Relinquishment Form

It is required that any individual who wants to relinquish their enrollment and

rights from Pueblo de San Ildefonso must fill out the Relinquishment Form and submit it to the Enrollment Clerk, who then forwards the request to the Governor.

Governor Response/Signature:

The Governor may meet with the individual requesting to relinquish their rights with the Pueblo (and also the parent(s) or legal guardians if the individual is a minor). Once the individual signs the relinquishment form and it is accepted by the Enrollment Clerk, they are no longer an enrolled member of Pueblo de San Ildefonso. Written documentation of the relinquishment must be signed by the individual requesting relinquishment and the Governor and the Enrollment Clerk and must be notarized. This information is added to the current enrollment list and kept on file.

5. CONDITIONAL RELINQUISHMENT

In certain cases, an individual may wish to relinquish their enrollment rights with the Pueblo de San Ildefonso so that they may enroll in another tribe. In these cases, conditional relinquishment would take place whereby relinquishment becomes effective on the date that the individual is accepted into the other tribe.

The membership of minors may be relinquished by the parents or legal guardian. Minors, whose parents relinquished their membership, may be allowed to enroll or reapply for Pueblo de San Ildefonso membership when they become the age of eighteen or older and will follow the standard enrollment procedures.

Required Paperwork:

1. Relinquishment Form - Includes the statement:
“I, ____, hereby relinquish my membership in the Pueblo de San Ildefonso, provided that I am accepted as a member by the _____ tribe.”
2. Documentation of Enrollment/Membership Acceptance from Other Tribe

It is required that any individual who wants to relinquish their enrollment and rights from Pueblo de San Ildefonso must fill out the Conditional Relinquishment Form, which includes the relinquishment statement, and submit it to the Enrollment Clerk, who then forwards it to the Governor. If acceptance into the other tribe is not met, the person’s membership is not relinquished.

Governor and Enrollment Clerk Response/Signature:

The Enrollment Clerk presents the relinquishment request to the Governor, The Governor meets with the individual requesting to relinquish their rights with the Pueblo (and also the parent(s) or legal guardians if the individual is a minor). Once the individual signs the relinquishment form and it is accepted by the Enrollment Office, they are no longer an enrolled member of Pueblo de San Ildefonso. Written documentation of the relinquishment must be signed by individual requesting relinquishment and the Governor and Enrollment Clerk and must be notarized. This information is added to the current enrollment list and kept on file. (What is the current process?)

6. DUAL ENROLLMENT:

Dual enrollment exists when a person is actually enrolled in two tribes at the same time. The Pueblo de San Ildefonso specifically prohibits dual enrollment. An individual who is currently enrolled in another tribe is not eligible for membership in the Pueblo de San Ildefonso.

The Pueblo de San Ildefonso may deny membership to an individual whose name appears as an enrollee on the current enrollment list of another tribe. In cases where a person's enrollment status is uncertain, the Enrollment Clerk may request written verification from another tribe to determine if the person is or is not enrolled with that tribe. If it is determined that the person is enrolled in two tribes, the individual will be requested to relinquish membership in one of the tribes. It is entirely the individual's choice as to which tribal membership to relinquish.

If the dual enrollee refuses to relinquish membership in either tribe, the Pueblo de San Ildefonso may pursue a disenrollment action. In such a case, the Pueblo de San Ildefonso must prove that the person is a dual enrollee by obtaining written verification of enrollment directly from the other tribe in which the person is enrolled. Disenrollment procedures may then be followed.

7. Disenrollment

Disenrollment is an official action taken by a tribe to remove an individual's name from the membership roll. Accurate records must be kept on file of the disenrollment procedure from beginning to end.

The following are the only grounds for disenrollment:

1. Dual Enrollment - If a member is found to be enrolled in another tribe and has refused to relinquish membership in either tribe within two (2) weeks after being notified, disenrollment action may be taken.
2. Enrollment Based on False Information - Disenrollment may be pursued if a person is found to have been enrolled on the basis of false information or error.
3. Abandonment - See Section 8, page 6.
4. Grounds for disenrollment

To provide due process of Law, the following procedures shall take place for disenrollment:

NOTICE: Written notice specifying why an individual is going to be disenrolled shall be hand-delivered or sent by certified mail, return receipt requested. The person will be informed that they have a right to explain why they should not be disenrolled and that they have two (2) weeks to schedule a hearing before the Governor and Enrollment Office for this purpose. Failure to schedule a hearing within this time period will forfeit their right to a hearing and disenrollment will proceed.

HEARING: With the Governor and Enrollment Office, the person may explain why he or she should not lose the right to membership or discuss any other relevant issues.

APPEAL: After the hearing, the Governor and Enrollment Office will determine if the person should be disenrolled. If such a determination is made, the individual must be notified of their right to appeal the decision in Tribal Court.

OFFICIAL DISENROLLMENT:

If disenrollment is the final determination. The individual who is disenrolled must be sent a hand-delivered or certified letter stating that he or she is no longer a member of the tribe as of the resolution date.

All disenrollment actions must be approved by the Governor and Enrollment Office.

8. ADOPTIONS:

There are several adoptions with Pueblo de San Ildefonso. These individuals have an Enrollment Number from Pueblo de San Ildefonso, but they are not listed on the Official Enrollment Roll. The only person who has access to those records, located at the BIA, Northern Pueblos Agency, is the Governor of the Pueblo

The need for confidentiality on adoptions is acknowledged, however, some problems may arise from not having this information documented.

9. MARRIAGES:

Required Paperwork:

1. Marriage Report Form
2. Copy of the Marriage Certificate

The Enrollment Clerk records and enters the Marriage and combines the couple as a family on the Enrollment Roll. The Enrollment Clerk does not get a copy of the marriage certificate, any forms submitted to the Governor's office for signature verifying that this individual is married will not be sign by the Governor. A copy of the marriage certificate will be kept on file.

10. DIVORCES:

Required Paperwork:

1. Divorce Report Form
2. Copy of the Divorce Decree

The Enrollment Clerk records and enters the Divorce on record. A copy of the Divorce Decree will be kept on file.

Divorce records provide information necessary in the enrollment applications of children born to the couple as well as for consideration in housing and other related tribal programs.

11. DEATHS

Required Paperwork:

3. Death Report Form
4. Copy of the Death Certificate

The Certificate can be filled out by the family or the Enrollment Clerk. The Governor signs the acknowledgment of death.

Deceased individuals are removed from the current enrollment records and the enrollment number is not re-issued. A copy of the Death Certificate must be provided by the family to the Enrollment Office for completion of the Death Report. However, if it is not, the Death Report is filled to the best of the Enrollment Clerk's knowledge.

12. CHANGING/CORRECTION BLOOD DEGREE:

Changes in Indian blood degree may be required in two situations.

- A. **Mathematical Error:** A mathematical error may have resulted in listing of an incorrect blood degree. In this case, the Enrollment Clerk of individual who notices the error must bring it to the attention of the Governor. Once the error has been verified, all persons whose blood degree will be affected by the change shall be notified. A written record must be kept of the blood degree before and after the change as well as an explanation of why the change was made.

The current enrollment list will be amended to reflect the change.

- B. **New Information/information Not Previously Provided:** There are cases where paternity information was not provided at the time of initial enrollment, however, such information has later been provided and verified, such as through an official Statement of Paternity. Provision of the father's Indian blood degree information will change the blood degree of the child. In these cases, the mother must provide to the Enrollment Office a written request for such a change along with the supporting documentation. The request will be presented to the Governor for review and authorization to make the change. The current enrollment list will be amended to reflect any resulting changes in blood degree and a CIB issued.

13. AMENDMENTS TO THE PUEBLO OF SAN ILDEFONSO POLICIES AND PROCEDURES:

To amend any part of the enrollment policy, the same body who established the policy, Tribal Council with community input, must vote to alter or amend and adopt such change through Tribal Council Resolution.

14. SPECIAL CASES:

The Tribal Council retains the power to waive or make exceptions to these policies and procedures when they find that the waiver or exception is in the best interest of the Pueblo de San Ildefonso, and that extraordinary circumstances (which must be specified in writing) are found to exist.

Attachments are not attached to this document.

DRAFT

