

**RESOLUTION OF THE  
WHITE MOUNTAIN APACHE TRIBE OF THE  
FORT APACHE INDIAN RESERVATION**

**WHEREAS,** tribal member Etheline Cosen has come before the Tribal Council this date and complains that she was forced to resign from the Chaghache Day Care Center by the Director and Board Members; and

**WHEREAS,** Ms. Cosen complains that she was not provided an adequate grievance procedure, that there are conflicts of interest between the Board and the Executive Director of the Day Care Center because of close family relationships, that the Board is not impartial, nor does it represent a cross-section of the community, that she was forced to resign without due process, and that the Day Care Center does not abide by its own Personnel Policies which state that criticism will be resolved through agreements; and

**WHEREAS,** Ms. Cosen identifies other problems; and

**WHEREAS,** Ms. Cosen is joined by two co-workers, Mona Lupe and Leona Clendon, who voice similar complaints and support Ms. Cosen's complaints; and

**WHEREAS,** the Tribal Council is concerned that the Board of Directors may not be complying with its Tribal Council Charter, which terminates November 1997, and which was initially approved in November 1992 for a period of five years; and

**WHEREAS,** the Tribal Council is also concerned that there may not be adequate and impartial grievance procedures, that there may be conflicts of interest, and that elections may not have been timely held as required by the Articles of Incorporation and By-Laws; and

**WHEREAS,** the Council is also requested to protect from retaliation the workers at the Day Care Center who support Ms. Cosen, including but not limited to Mona Lupe, Leona Clendon, and Marilyn Massey.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby recommend to the Chaghache Day Care Center Board of Directors that it reconsider the termination of Etheline Cosen, and that she be reinstated pending resolution of her outstanding complaints before an impartial Board of Directors through an adequate grievance procedure that will afford due process and a full airing and resolution of the complaints that she has in respect to the directorship or management of the Day Care Center and the Director's views in respect to job performance.

**Resolution No. 04-97-071**

**BE IT FURTHER RESOLVED** by the Tribal Council that it directs the Chaghache Day Care Center Board of Directors to provide information to the Tribal Council through the office of the Tribal Chairman proving that the bi-annual elections have been timely held as required by the Articles of Incorporation and By-Laws, that grievance procedures have been adopted, that conflicts of interest have been resolved between the Board and the directorship so that employees have an impartial Board to review their grievances.

**BE IT FURTHER RESOLVED** by the Tribal Council that it hereby advises the Chaghache Day Care Center Board of Directors that if the foregoing matters are not resolved and information forthcoming to the Tribal Council in respect to compliance with By-Laws and bi-annual elections that the Tribal Council will consider sanctions, including but not limited to re-examination of the Chaghache Day Care Center, Inc.'s compliance with its Charter and the possibility of the Tribe taking over the Day Care Center as a tribal department, subject to the rules and regulations and personnel policies of the White Mountain Apache Tribe.

The foregoing resolution was on April 3, 1997 , duly adopted by a vote of nine for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by the White Mountain Apache Tribal Constitution, including Article IV, Sections 1 (a), (h), (i), (k), (s), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe on September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

  
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Chairman of the Tribal Council

  
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Secretary of the Tribal Council