

**NORTHWEST ARCTIC BOROUGH ASSEMBLY
ORDINANCE 12-03**

**AN ORDINANCE OF THE NORTHWEST ARCTIC BOROUGH REVISING TITLE
9 OF THE BOROUGH CODE TO INCLUDE RESEARCH STANDARDS, AND FOR
RELATED PURPOSES**

WHEREAS: the Planning Department staff and Borough legal counsel have reviewed the existing Borough Standards at Chapter 9.25 of the Borough Code and recommended revisions to address research projects conducted in the Borough; and

WHEREAS: the proposed amendment to Chapter 9.25 of the Borough Code follows the *Principles of Conduct of Research in the Arctic*, as prepared by the Interagency Social Science Task Force in response to a recommendation by the Polar Research Board of the National Academy of Sciences and at the direction of the Interagency Arctic Research Policy Committee (reference web site <http://www.nsf.gov/od/opp/arctic/conduct.jsp>); and

WHEREAS: On September 26, 2012, the Planning Commission reviewed and approved the proposed changes to Title 9 in PC-12-07, and recommended Assembly approval and adoption of Section 9.25.020(V); and

WHEREAS: the Assembly has determined that it is in the Borough's best interest to revise Title 9 to establish research guidelines for studies conducted in the Northwest Arctic Borough as provided in Section 9.25.020(V).

NOW THEREFORE BE IT ENACTED by the Northwest Arctic Borough Assembly as follows:

Section 1: Section 9.25.020 of the Borough Code shall be amended to add the following section:

9.25.020(V) Research Projects and Scientific Studies

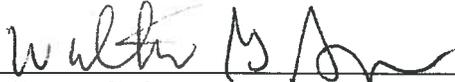
These standards for research projects in the Northwest Arctic Borough intend to promote mutual respect and communication between researchers, scientists, and Borough residents. All researchers and scientists working in the Northwest Arctic Borough have an ethical responsibility to the region's culture, environment and people. The following standards shall apply as appropriate for researchers and scientist in all fields, and it shall be the principal investigator's responsibility to implement and adhere to these measures:

1. Research projects and scientific studies within the Northwest Arctic Borough shall obtain informed, written consent of project participants, including but not limited to city and tribal councils. Principal investigators shall inform the Northwest Arctic Borough and an affected city or tribal governments of planned research projects that will be performed in the region. Researcher's duty to inform continues after Title 9 permit approval has been obtained.
2. At a minimum, projects shall provide written explanations of the purposes, goals, timeframe and research project's sponsoring institutions and affiliations while identifying the person in charge and any other investigators involved in the project.
3. Principal investigators shall consult with the Northwest Arctic Borough and any tribal councils or city governments in the project area for project development, planning and implementation.
4. Research, scientific results, and final reports should be explained in non-technical terms and shall be shared and communicated to the Northwest Arctic Borough, tribal councils and city governments as applicable.
5. Subject to the requirements for anonymity and participants' informed consent preferences, project publications shall credit those contributing to the research project by acknowledging the "Intellectual Property Rights" of individual Borough residents participating in the research.
6. In cases where confidential information is communicated, anonymity must be guaranteed in both the original use of data and in its deposition for future use. If anonymity cannot be guaranteed, the subjects shall be informed of the possible disclosure and consequences of becoming involved in the research.
7. All research involving children (under 18 years old) must be fully justified in terms of goals and objectives, and shall never be undertaken without the written consent of their parents or legal guardians.
8. Any recordings, video, audio, photography, or other means of documenting research participants must be specifically identified and agreed to by the participants in advance. If additional uses are needed, the participant or their agent must be contacted to consent to the new use.
9. The use and deposition of human tissue samples shall be based on the written consent of the subjects or next of kin.
10. Projects shall follow all other relevant federal, state, and local regulations and/or policies pertaining to cultural, environmental and health protection.
11. When "Traditional Knowledge" is sought and used as part of the research project, it is recommended that the persons involved shall be compensated at a fair rate.

12. Sacred sites, cultural materials (including artifacts), and cultural property shall not be disturbed or removed without the consent of the Northwest Arctic Borough and any affected communities. The precise location of specific sites may not be published without the consent of the Northwest Arctic Borough. All work related to such areas and material shall be conducted in accordance with federal, state and local laws and regulations.

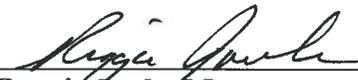
Section 2: This is code ordinance shall become effective immediately upon approval.

PASSED AND ADOPTED THIS 3rd DAY OF JANUARY 2013.



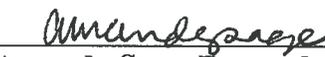
Walter G. Sampson, Assembly President

PASSED AND APPROVED THIS 3rd DAY OF JANUARY 2013.



Reggie Joule, Mayor

SIGNED AND ATTESTED THIS 3rd DAY OF JANUARY 2013.



Amanda Sage, Borough Clerk

ATTEST:

First Reading: November 28, 2012.

Second Reading: January 3, 2013.

