

LEGISLATIVE SUMMARY SHEET

Tracking No. 0406-17

DATE: October 3, 2017

SUBJECT RELATING TO AN EMERGENCY; NAVAJO NATION COUNCIL,
APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED,
UNDESIGNATED FUND BALANCE IN THE AMOUNT OF SEVEN
HUNDRED THOUSAND DOLLARS (\$700,000.00) FOR THE DINÉ
SCHOOL ACCOUNTABILITY PLAN OF THE DEPARTMENT OF DINÉ
EDUCATION

PURPOSE: The purpose of this legislation is to approve a supplemental appropriation for
\$700,000.00 for the Diné School Accountability Plan.

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate review the proposed resolution in detail.

5-DAY BILL HOLD PERIOD: SNOWH
Website Posting Time/Date: 11:00am 10/5/17
Posting End Date: 10/10/2017
Eligible for Action: 10/11/2017

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
23rd NAVAJO NATION COUNCIL – Third Year, 2017

INTRODUCED BY

Jonathan L. Hale

(Prime Sponsor)

TRACKING NO. 0406-17

AN ACTION

RELATING TO AN EMERGENCY; NAVAJO NATION COUNCIL: APPROVING
SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND
BALANCE IN THE AMOUNT OF SEVEN HUNDRED THOUSAND DOLLARS
(\$700,000.00) FOR THE DINÉ SCHOOL ACCOUNTABILITY PLAN OF THE
DEPARTMENT OF DINÉ EDUCATION

BE IT ENACTED:

Section One. Authority

- A. The Navajo Nation Council is the governing body of the Navajo Nation. 2
N.N.C. § 102 (A)
- B. Pursuant to 2 N.N.C. § 164 (A)(16) “Matters constituting an emergency shall
be limited to the cessation of law enforcement services, and disaster relief
services, fire protection services or other direct services required as an
entitlement under the Navajo Nation or Federal law, or which directly threaten
the sovereignty of the Navajo Nation. Such an emergency matter must arise
due to the pressing public need for such resolution(s) and must be a matter
requiring final action by the Council.”

1 C. The Title 12 Appropriations Act Supplemental Appropriation requirements
2 include:

- 3 1. When the Controller identifies additional sources of revenues above
4 and beyond the initial or current revenue projections, supplemental
5 appropriations may be allocated by the Navajo Nation Council. 12
6 N.N.C. § 820(L).
- 7 2. Supplemental appropriations made from non-recurring revenues shall
8 only be made for non-recurring operations or purposes, as set forth at
9 § 820(F). The Controller of the Navajo Nation shall be responsible for
10 designating recurring and non-recurring revenues. 12 N.N.C. § 820(L).
- 11 3. All requests for annual operating funds and supplemental funds shall be
12 submitted to the Office of Management and Budget (“OMB”) for budget
13 impact analysis. 12 N.N.C. § 820(M).

14 **Section Two. Findings**

- 15 A. This is a funding request for the Department of Diné Education for the Diné
16 School Accountability Plan. See Exhibit A.
- 17 B. The loss this funding will severely affect the Navajo Nation’s ability to
18 exercise its sovereignty in the critical area of education of the children of the
19 Navajo Nation.
- 20 C. The Diné School Accountability Plan:
 - 21 1. Represents the Navajo Nation’s exercise of sovereignty in Education
22 and addresses student learning and achievement;
 - 23 2. Holds tribally controlled schools on the Navajo Nation to academic
24 standards embedded in the common core academic standards;
 - 25 3. Preserves the Diné culture language, history, government and
26 character building of students from a Diné perspective;
 - 27 4. Provides opportunities for teachers to build cultural and academic
28 learning communities in the school;
 - 29 5. Directs schools to prepare students to be college and career ready;

6. Allows schools to build on culture content and cultural infusion in core academic areas;
7. Provides a foundation for students to be academically and culturally prepared to meet the challenges of the world;
8. Improves academic instruction in the classroom;
9. Emphasizes character development in education;
10. Closes the academic achievement gap on the Navajo Nation

D. This funding request is supported by the Vice-President of the Navajo Nation. See Exhibit D.

E. The supplemental funding request forms are attached as Exhibit B.

F. The Office of Management and Budget has been informed of this request.

G. The Office of the Controller has provided a memorandum dated September 8, 2017 indicating the balance in the Unreserved, Undesignated Fund Balance as of September 8, 2017 is \$31,258,307. This memorandum is provided to meet the requirements of 12 N.N.C, 820 (L), however the Controller of the Navajo Nation has not designated the funds as recurring or non-recurring. This memorandum is attached as Exhibit C.

H. The Navajo Nation finds it in the best interest of the Navajo people to approve this supplemental appropriation request.

Section Three. Approving the Supplemental Appropriation from the Unreserved, Undesignated Fund Balance in the Amount of \$700,000.00 for the Department of Diné Education's Diné School Accountability Plan.

A. This supplemental appropriation of \$700,000.00 shall be from that amount of funds that exceeds the minimum fund balance of the Unreserved, Undesignated Fund Balance as determined by the Office of the Controller and to Business Unit Number to be determined.

B. The Navajo Nation hereby approves the supplemental appropriation from the Unreserved, Undesignated Fund Balance to the Diné Department of Education, Business Unit Number To Be Determined for \$700,000.00.

Section Four. Effective Date

The provisions of this Act shall become effective in accord with 2 N.N.C. § 221(B).

September 29, 2017



DINE SCHOOL ACCOUNTABILITY PLAN

Greeting from the Department of Dine Education, Navajo Nation. As you are aware, the Dine School Accountability Plan (DSAP) was approved and signed by the U.S. Department of Education and U.S. Department of Interior on September 27, 2016. As result of this historic signing, the Navajo Nation has been afforded the opportunity develop the Dine School Accountability Plan as defined by Every Student Succeeds Act (ESSA) for Navajo education. The Navajo Nation was extended an additional year to implement Phase I of DSAP. The attached budget is funds the requirements of fulfilling this expectation from the federal government. The official letter of extension is attached for your reference and information.

The DSAP is being developed to be implemented in Phases. Phase 1 is meeting all federal requirement as defined by Title1 Part A of the ESSA. As such, we have hosted 3 teacher institutes for our Navajo teachers to develop an accountability plan for our Navajo students and schools. The first institute was in Flagstaff, Arizona. The second one, as in Albuquerque, New Mexico, and the third was in Tse Bonito, New Mexico. Each institute had a specific target and agenda to begin development of our accountability system. Our Navajo teachers have done excellent work. The Navajo Nation teachers and DODE have commenced the work for DSAP Phase I year implementation. Much more needs to be completed in the next year.

The work for the upcoming year will be calling on teachers to formulate 5 solution teams. The purpose of these teams will be to assist schools that are being challenged academically in language arts and math. Solutions teams will visit these schools to initiate intervention plans to improve the quality of instruction and to identify sources of student learning difficulties. Expertise from our schools will help shape the Dine School Accountability Plan.

The Dine School Accountability Plan (DSAP): *The Dine School Accountability Plan (DSAP) provides an academic framework for schools to implement the Navajo Sovereignty in Education Act of 2005 passed by the Navajo Nation Council. The DSAP is a long range tribal plan to improve the quality of life for NN Students within the parameters of the Every Student Succeeds Act (ESSA).*

- 1. DSAP represents the Navajo Nation's exercise of sovereignty in Education.**
 - i. A fundamental and significant component of DSAP is the implementation of the Dine Content Standards. Intervention to sustain the preserve Dine language and culture is now at the school level.*
- 2. DSAP is the framework to implement Title 10 of the NN code.**
 - i. NNC passed the Sovereignty of Education Act in 2005. DSAP is the implementation of the Sovereignty in Education Act of 2005 at the school and classroom level. DSAP is designed to create a Dine Education system to improve the life of NN students meeting all requirements of ESSA.*
- 3. DSAP addresses student learning and student achievement.**
 - i. Closing the achievement gap on the NN is the goal of DSAP. At present there is a significant achievement gap between NN students and others in all academic core subjects.*
- 4. DSAP addresses improving the academic instruction in the classroom.**
 - i. Evidence based instruction by infusing Dine culture content in academic core subjects for teachers is the foundation of DSAP to close the achievement gap.*
- 5. DSAP is designed to emphasize character development in education.**
 - i. In DSAP character development of NN students has been identified as the most significant factor in NN student academic achievement. Character development is standard built in DSAP.*
- 6. The DSAP is designed to close the academic achievement gap on the NN.**
 - i. DSAP is grounded in scientific rigor and is data driven. Research on the NN with 800 NN students highlighted that students have a strong and intense desire to learn their culture and language. In our research NN students with a foundation in Dine culture and language have demonstrate greater gains on state assessment than other student groups.*
- 7. DSAP holds tribally controlled schools on the NN to academic standards embedded in the common core academic standards.**
 - i. Presently, the academic accountability with tribally controlled schools is limited. When a school elects to surrender from the confines of BIE and*

migrate to the NN DODE they become a tribally controlled schools. As such, the DSAP provides an accountability plan to regulate and monitor their academic progress.

8. DSAP preserves the Dine culture, language, history, government, and character building of students from a Dine perspective.

- i. Dine Content standards is declared as an additional academic indicator in the DSAP. The voice of the students has evolved through research that Dine content standards explains 45% of the academic achievement variance in our data analysis.*

9. DSAP provides opportunities for teachers to build cultural and academic learning communities in the school.

- i. The power of placed based learning has been documented as an affective teaching strategy to promote student learning. It was evidenced in the NN Rural Systemic Initiative cultural infusion professional development of over 300 teachers.*

10. DSAP directs schools to prepare students to be college and career ready.

- i. The NN higher education institutions, Dine College and Navajo Technical University, have consistently made it known that a significant number of NN student attending their schools are not academically prepared when they enter the first year of the college programs. There are too academic remedial classes and resources directed to this group of students. DSAP is designed to better prepare students in math, reading, writing, and science to become career and college ready students.*

11. DSAP allows schools to build on culture content and cultural infusion in core academic areas.

- i. DSAP allows schools to create an academic culture grounded in affective teaching and learning. Dine values and standards are the fundamental pillars of this culture.*

12. DSAP provides a foundation for students to be academically and culturally prepared to meet the challenges of world.

- i. DSAP provides opportunities for teachers, schools, parents, tribal leaders and most off all students to productive, resourceful, respectfully, cultural grounded, and professional members of society. It is the building block for success in school, community, and one's profession.*

FY 2018

THE NAVAJO NATION PROGRAM BUDGET SUMMARY

EXHIBIT

R

Page 1 of 5
BUDGET FORM 1

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Diné School Accountability Plan</u>		Division/Branch: <u>Executive/Education</u>	
Prepared By: <u>Joseph Kaulaity</u>		Phone No.: <u>928-871-7475</u>		Email Address: <u>josephkaulaity@nndode.org</u>	

PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY				
UUF REQUEST	10-01-17 to 09-30-18	700,000.00	100		Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference (Column B - A)
				2001 Personnel Expenses			479,470	479,470
				3000 Travel Expenses			19,695	19,695
				3500 Meeting Expenses			0	0
				4000 Supplies			21,416	21,416
				5000 Lease and Rental			0	0
				5500 Communications and Utilities			53,000	53,000
				6000 Repairs and Maintenance			0	0
				6500 Contractual Services			70,000	70,000
				7000 Special Transactions			6,419	6,419
				8000 Public Assistance			50,000	50,000
				9000 Capital Outlay			0	0
				9500 Matching Funds			0	0
				9500 Indirect Cost			0	0
				TOTAL		\$0.00	700,000.00	700,000
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		0	7	
TOTAL:				Total # of Permanently Assigned Vehicles:		0	0	
		\$700,000.00	100%					

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

<u>Dr. Calvin White, Education Administrator</u> SUBMITTED BY: Program Manager's Printed Name <u>[Signature]</u> SUBMITTED BY: Program Manager's Signature and Date	<u>Dr. Tommy Lewis, Jr., Superintendent</u> APPROVED BY: Division Director/Branch Chief's Printed Name <u>[Signature]</u> APPROVED BY: Division Director/Branch Chief's Signature and Date
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FY 2018

**THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA**

**Page 2 of 5
BUDGET FORM 2**

PART I. PROGRAM INFORMATION:Business Unit No.: NEWProgram Name/Title: Diné School Accountability Plan**PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:****PART III. PROGRAM PERFORMANCE CRITERIA:**

1. Program Performance Area: Provide professional development in math content for 34 BIE schools.

1st QTR		2nd QTR		3rd QTR		4th QTR	
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual

4 10 10 10

Goal Statement:

Work with 30 teachers to define best practices to teach math at the elementary and secondary level.

5		10		10		5	
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2. Program Performance Area: Provide professional development in language arts for 34 BIE schools

Goal Statement:

Work with 30 teachers to define best practices in language arts at the elementary and secondary level.

4		10		10		10	
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3. Program Performance Area: Provide technology support services to the NEIS development

Goal Statement: Work with 34 BIE schools and 13 DODE programs to meet FERPA requirements.

10		15		15		7	
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4. Program Performance Area: Provide technology support to the NEIS infrastructure development

Goal Statement: Work with 34 BIE schools and 13 DODE programs to improve technology.

10		15		15		7	
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5. Program Performance Area: Meet with the greater Navajo public on DSAP.

Goal Statement: Provide 5 public hearings on Phase 1 and Phase 2 of DSAP

1		1		1		2	
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PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.

Dr. Calvin White, Education Administrator

Program Manager's Printed Name

Program Manager's Signature and Date

Dr. Tommy Lewis, Jr., Superintendent

Division Director/Branch Chief's Printed Name

Division Director/Branch Chief's Signature and Date

FY 2018

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

Page 3 of 5
BUDGET FORM 4

PART I. PROGRAM INFORMATION:				
Program Name/Title: <u>Diné School Accountability Plan</u>		Business Unit No.: <u>NEW</u>		
PART II. DETAILED BUDGET:				
(A)	(B)	(C)	(D)	
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code	
	2001 PERSONNEL EXPENSES		479,470	
	Employee Salary, Fringe benefits, Salary adjustments, and Merit payments for eligible personnel.			
2110	Regular			
	2120 Six (6) Regular Full-Time positions \$ 339,809.00	339,809		
2900	Fringe Benefits			
	2900 Regular \$405,599 X 41.10% = \$166,701.19 \$ 139,661.00	139,661		
	3000 TRAVEL EXPENSES		19,695	
	Monthly mileage and fleet rental. Meals, lodging and air fare directly related to program business and other miscellaneous travel expenses for ODSI staff on the Diné Content Standards ("DSAP") and Using Data Process as prescribed in the DSAP. Staff will be working with Solutions Teams, Using Data Process Teams to implement Phase I & II of DSAP. Travel to schools on the Navajo Nation and State Education Offices.			
3230	Travel Expenses ODSI	16,695		
	3240 Per Diem Meals \$ 1,680.00			
	3250 \$89/Per 15.06 Nightx \$ 1,340.00			
	3260 POV @ 25,000*\$0.54=\$13,375 \$ 13,375.00			
	3290 Other \$ 300.00 \$ 16,695.00			
3310	Air	3,000		
	3320 Commercial Air \$ 3,000.00 \$ 3,000.00			
TOTAL		499,165	499,165	

FY 2018

**THE NAVAJO NATION
DETAILED BUDGET AND JUSTIFICATION**

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BUDGET FORM 4**

PART I. PROGRAM INFORMATION:				
Program Name/Title: _____		Diné School Accountability Plan		Business Unit No.: _____ NEW
PART II. DETAILED BUDGET:				
(A)	(B)	(C)	(D)	
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code	
	4000 SUPPLIES		5,000	
	General Desktop supplies, folders, envelopes, pens, dividers, binders, paper, printer cartridges, printing of instruction material and publication material. DSAP Solutions Team and			
4200	Non Capital Assets	20,000		
	4230 Non-Cap Computer Equipment \$ 20,000.00			
4410	Operating Supplies	5,000		
	4420 General Operating Supplies			
	4440 Non-Cap Computer Software			
	4450 Postage, Courier, Shipping			
	4530 Printing/Binding/Photocopying			
	4540 Books/Periodicals/Subscription			
	5500 COMMUNICATIONS		53,000	
	Internet connectivity for the NNODE & programs including internet services required for the Navajo Education Information System, data warehouse, data sharing for DSAP.			
	Internet (estimated at \$48,000 annually for data infrastructure, security and data warehousing, functional connectivity with school networks compliant with federal regulations.			
5570	Internet (estimated at \$4,000 per mos)	53,000		
	6500 CONTRACTUAL SERVICES		75,000	
	and the current educational legislative agenda such as the Every Student Succeeds Act and state initiatives, laws, prepare for submittal re-write requirement for Phase II for the US			
	Department of Education and Interior for approval.			
6520	Consulting	75,000		
	7000 SPECIAL TRANSACTIONS		6,419	
7710	Insurance Premiums	6,419		
	7765 Policy Payment (General Liability); \$405,599 divided by \$100 = \$4,055.99 \$ 3,398.09			
	7767 Workmans Comp \$572,300/100 x .63 = \$3,605.49 \$ 3,020.66			
	8000 ASSISTANCE		50,000	
	Curriculum relates to capacity building for Educators, Stakeholders involved in closing the academic achievement gap including implementation of the Diné School Accountability			
	Plan, Using Data Process, Institutes and workshop promoting such initiatives. Expenses for Teachers and Stakeholders include purchase of resources (books, materials,			
	professional presentations), facility use, supplies and sustenance.			
8300	Participant/Training \$ 50,000.00	50,000		
TOTAL		209,419	189,419	

FY 2018

THE NAVAJO NATION
SUMMARY OF CHANGES TO BUDGETED POSITIONS

Page 5 of 5
BUDGET FORM 5[illegible]



**DEPARTMENT OF DINÉ EDUCATION
THE NAVAJO NATION**

P.O. Box 870 · Window Rock, Arizona 86515
PHONE (928) 871 - 7475 · FAX (928) 871 - 7474



Russell Begay
President

Jonathan Nez
Vice-President

MEMORANDUM:

TO: Program Managers and Staff
Department of Diné Education

FROM: 
Dr. Tommy Lewis Jr., Superintendent of Schools
Department of Diné Education - Administration

DATE: June 1, 2017

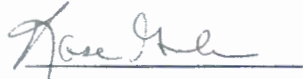
SUBJECT: STANDING DELEGATION OF AUTHORITY - FY 2017 (REVISED)

During my absence from the office, the following individuals are authorized to act on my behalf, in the order they are placed, to ensure the proper and uninterrupted functioning of the Department of Diné Education by performing the routine duties required of the Superintendent of Schools:

ACKNOWLEDGED

1. **Dr. Timothy Benally, Assistant Superintendent**
Department of Diné Education - Administration
2. **Dr. Anselm Davis, Education Program Manager**
North Central Association /AdvancED (NCA/AdvancED)
3. **Ms. Rose Graham, Department Manager II**
Office of Navajo Nation Scholarship and Financial Assistance (ONNSFA)





This delegation authorizes my designee to review and approve all routine administrative, financial and personnel documents, with the understanding that they will consult with me as necessary. However, all requests for Off Reservation Travel (ORT) will follow the process outlined in the memo distributed on March 20, 2013, authorizing only the Superintendent and the Assistant Superintendent to approve those requests.

Please continue to bring all documents requiring the review and approval of the Superintendent of Schools to the Department of Diné Education-Administration Office.

If you have any inquires relative to this matter, contact the DODE Administration Office at 928-871-7475. Your cooperation is expected and appreciated.

XC: Honorable Russell Begaye, President, The Navajo Nation
Honorable Jonathan Nez, Vice President, The Navajo Nation
Arbin Mitchell, Chief of Staff, Office of the President/Vice President.
Pearline Kirk, Controller, Office of the Controller
Dominic Beyal, Executive Director, Office of Management and Budget

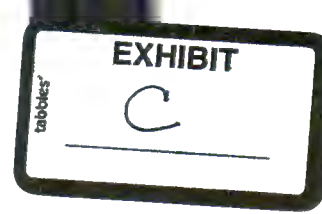
BOARD OF EDUCATION

Bennie Begay, President · Gloria Johns, Vice President · Delores Greyeyes, Secretary
Members: Dolly C. Begay · Dr. Pauline Begay · Dr. Bernadette Todacheene · Patrick D. Lynch · Merlene Burbank
Dr. Tommy Lewis, Superintendent of Schools



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE-PRESIDENT



Memorandum

Date: September 8, 2017

To: Honorable Russell Begaye, President
Office of the President/Vice President

Honorable Lorenzo Bates, Speaker
Navajo Nation Council

Honorable Thomas J Holgate, Acting Chief Justice
Judicial Branch

From: 
Pearline Kirk, Controller
Office of the Controller

Subject: Financial Update-(General Fund Revenue, Expenditures, UUFB)

The gross General Fund Revenues, (see Exhibit "A"), as of August 31, 2017 is \$203,053,235, (see Footnote 1). The total General Fund set asides is \$ \$51,749,599 (Footnote 2). The Net Revenue for the General Fund is \$151,303,727 (see Footnote 3). The permanent fund income transfer is \$24,411,000 (Footnote 4). The reserve taken for the permanent fund income transfer is \$2,885,000 (Footnote 5). The grand total revenue for the General Fund is \$172,829,727 (see Footnote 6) which is 98.78% of the projection.

Next, are the total expenditures by Branch, (see Exhibit "B"), as of August 31, 2017, the Legislative Branch has expenditures of \$14,836,331 (see Footnote 1a); encumbrances of \$822,493 (see Footnote 1b) with a remaining budget of \$3,307,669 (see Footnote 1c). The Executive Branch expenditures are \$162,500,722 (see Footnote 2a); encumbrances are \$7,206,122 (see Footnote 2b) with a remaining budget of \$37,797,219 (see Footnote 2c). The Judicial Branch expenditures are \$11,718,156 (see Footnote 3a); with encumbrances of \$73,692 (see Footnote 3b) and remaining budget of \$2,356,349 (see Footnote 3c). Total General Fund expenditures are \$189,055,209 (see Footnote 4a); total encumbrances are \$8,102,307 (see Footnote 4b) with an overall remaining budget of \$43,461,236 (see Footnote 4c).

The updated Undesignated Unreserved Fund Balance (UUFB), (see Exhibit "C") as of September 8, 2017 is \$31,258,217. The Fiscal Year 2016 audited numbers were approved via CJY-51-17 and an amount of \$11, 728,198 that was previously reserved for debt service for capital projects was returned back to the UUFB with the approval of CJY-50-17. These two amounts have been incorporated into this new schedule.

Thank you, if you should have any question please feel free to call me at tribal extension X6308.



THE NAVAJO NATION
General Fund Revenue Schedule
(Unaudited)
August 31, 2017

FY 2017

GENERAL FUND REVENUE	Original Budget	Revised Budget	Actual Revenue Received	Revenue to be collected	% Revenue of Total
TNN: ROYAL; GAS; OIL	\$ 24,700,000	\$ 24,700,000	22,503,079	\$ 2,196,921	91.11
TNN: COAL REVENUES	55,850,000	55,850,000	51,709,402	4,140,598	92.59
TNN:OTR MINERALS REV			79,149	(79,149)	
TNN: LAND REVENUES	58,450,000	58,450,000	59,393,523	(943,523)	101.61
TNN: BUSINESS FEES			80,415	(80,415)	
TNN: INTEREST INCOME	1,600,000	1,600,000	4,249,477	(2,649,477)	265.59
TNN: TAX REVENUES	64,150,000	64,150,000	63,125,774	1,024,226	98.40
COURT FINES + FEES	400,000	400,000	379,897	20,103	94.97
TNN: OTHER REVENUES	500,000	500,000	1,270,889	(770,889)	254.18
BIA: ROYAL; GAS; OIL			111,327	(111,327)	
BIA: COAL REVENUES			114	(114)	
BIA:OTR MINERALS REV				-	
BIA: LAND REVENUES			150,280	(150,280)	
TOTAL REVENUE	\$ 205,650,000	\$ 205,650,000	203,053,325	(1) \$ 2,596,675	98.74
LESS:SET ASIDES					
CAPITAL OUTLAY MATCH	\$ (2,000,000)	\$ (2,000,000)	(2,000,000)	\$ -	100.00
LAND FUND TRANSFER	(4,113,000)	(4,113,000)	(4,061,067)	(51,933)	98.74
PERMANENT FUND TRNSF	(24,678,000)	(24,678,000)	(24,366,399)	(311,601)	98.74
WATER RIGHTS CLAIM FU	(2,000,000)	(2,000,000)	(2,000,000)	-	100.00
DINE' HIGHER EDUCATIO	(11,200,000)	(11,200,000)	(11,200,000)	-	100.00
VETERANS TRUST FUND S	(8,226,000)	(8,226,000)	(8,122,133)	(103,867)	98.74
TOTAL SET ASIDE	\$ (52,217,000)	\$ (52,217,000)	\$ (51,749,599)	(2) \$ (467,401)	99.10
SUB TOTAL	\$ 153,433,000	\$ 153,433,000	\$ 151,303,727	(3) \$ 2,129,273	98.61
PERMANENT FUND INCOME TRANSFER					
OTHER REVENUE TRANSFER	\$ 24,411,000	\$ 24,411,000	\$ 24,411,000	(4) \$ -	100.00
LESS: PF FIVE-YEAR CONTINGENCY	(2,885,000)	(2,885,000)	(2,885,000)	(5) -	100.00
TOTAL PFI TRANSFER	\$ 21,526,000	\$ 21,526,000	\$ 21,526,000	\$ -	100.00
NET PFI TRANSFER	\$ 21,526,000	\$ 21,526,000	\$ 21,526,000	\$ -	100.00
GRAND TOTAL	\$ 174,959,000	\$ 174,959,000	\$ 172,829,727	(6) \$ 2,129,273	98.78

(1) Gross General Fund Revenues

(2) Total Set Asides for General Fund Revenue

(3) Net General Fund Revenue

(4) Permanent Fund Income allocation to General Fund

(5) Permanent Fund income allocation reserve (CO-54-16)

(6) Grand total General Fund Revenues

EXHIBIT "A"

Prepared by:
General Accounting
9/8/2017



FY 2017 EXHIBIT "B"

The Navajo Nation Budget Status_Income Statement As of August 31, 2017

Branch / Object Account	Original Budget	Revised Budget	Actual Expenses	Encumbrances	Budget Available	% Available
LEGISLATIVE BRANCH						
2001 - Personnel Expenses	\$ 10,851,778	\$ 12,278,822	\$ 10,019,465		\$ 2,259,357	18.40
3000 - Travel Expenses	1,321,631	1,765,310	1,572,327	46,213	545,274	30.89
3500 - Meeting Expenses	159,932	399,828	210,861	-	204,416	51.13
4000 - Supplies	196,565	744,878	455,884	31,130	248,147	33.32
5000 - Lease & Rental	212,423	226,684	178,129	10,417	50,024	22.07
5500 - Communications & Utilities	119,335	158,833	134,035	-	60,813	38.83
6000 - Repairs & Maintenance	44,547	152,091	74,100	7,525	57,978	38.12
6500 - Contractual Services	541,691	1,553,786	963,771	462,824	197,091	12.68
7000 - Special Transactions	294,373	619,408	411,587	42,876	239,264	38.63
8000 - Assistance	-	-	-	-	-	-
9000 - Capital Outlay	20,000	1,089,274	815,172	221,509	586,817	54.88
9500 - Matching & Indirect Cost	-	-	-	-	-	-
Total LEGISLATIVE BRANCH	\$ 13,562,275	\$ 18,966,493	\$ 14,836,331	(1a) \$ 822,493	(1b) \$ 3,307,669	(1c) 17.44
EXECUTIVE BRANCH						
2001 - Personnel Expenses	\$2,554,098	\$ 85,757,946	\$ 67,342,879	\$ -	\$ 18,415,068	21.47
3000 - Travel Expenses	9,498,593	9,498,299	8,499,697	8,235	990,367	10.43
3500 - Meeting Expenses	981,047	1,713,064	1,321,407	-	391,657	22.86
4000 - Supplies	5,400,663	7,963,841	4,549,358	897,024	2,517,459	31.61
5000 - Lease & Rental	1,751,399	1,689,091	1,198,102	28,114	444,875	28.65
5500 - Communications & Utilities	7,305,568	8,123,429	6,513,700	589,673	1,020,057	12.56
6000 - Repairs & Maintenance	3,914,876	8,788,252	5,571,378	1,030,316	2,186,567	24.88
6500 - Contractual Services	4,653,568	12,866,818	5,849,248	2,804,782	3,212,809	24.97
7000 - Special Transactions	10,316,377	11,986,749	10,083,552	322,516	1,580,681	13.19
8000 - Assistance	41,728,697	48,837,782	45,579,345	1,174,985	2,083,432	4.27
9000 - Capital Outlay	764,670	2,746,354	1,563,730	350,497	832,127	30.30
9300 - Other Income and Expense	-	-	-	-	-	-
9500 - Matching & Indirect Cost	7,552,457	7,552,457	3,430,328	-	4,122,131	54.58
Total EXECUTIVE BRANCH	\$ 176,423,011	\$ 207,504,063	\$ 162,500,722	(2a) \$ 7,206,122	(2b) \$ 37,797,219	(2c) 18.22
JUDICIAL BRANCH						
2001 - Personnel Expenses	\$ 12,523,143	\$ 12,586,722	\$ 10,812,000		\$ 1,754,722	13.96
3000 - Travel Expenses	433,784	419,940	243,969	-	175,971	41.90
3500 - Meeting Expenses	-	26,807	10,955	-	15,852	59.13
4000 - Supplies	68,291	378,953	241,164	27,553	110,236	29.09
5000 - Lease & Rental	9,000	45,670	19,012	-	26,658	58.37
5500 - Communications & Utilities	69,206	90,472	68,386	-	22,087	24.41
6000 - Repairs & Maintenance	-	210,010	99,988	46,094	63,927	30.44
6500 - Contractual Services	-	89,627	50,671	-	38,956	43.46
7000 - Special Transactions	103,339	274,160	172,011	44	102,105	37.24
8000 - Assistance	-	-	-	-	-	-
9000 - Capital Outlay	-	45,834	-	-	45,834	100.00
9300 - Other Income and Expense	-	-	-	-	-	-
Total JUDICIAL BRANCH	\$ 13,206,743	\$ 14,148,196	\$ 11,718,156	(3a) \$ 73,692	(3b) \$ 2,356,349	(3c) 16.65
GRAND TOTAL:	\$ 203,192,029	\$ 240,618,752	\$ 189,055,209	(4a) \$ 8,102,307	(4b) \$ 43,461,236	(4c) 18.06

Footnotes:

Legislative Branch

- (1a) Legislative Expenses
- (1b) Legislative Encumbrances
- (1c) Legislative Budget Available

Executive Branch

- (2a) Executive Expenses
- (2b) Executive Encumbrances
- (2c) Executive Budget Available

Judicial Branch

- (3a) Judicial Expenses
- (3b) Judicial Encumbrances
- (3c) Judicial Budget Available

Total General Fund

- (4a) General Fund Expenses
- (4b) General Fund Encumbrances
- (4c) General Fund Budget Available

EXHIBIT "C"

Memo Dated Sept. 8, 2017

Financial Update



Undesignated, Unreserved, Fund Balance (UUFB) September 8, 2017

09-30-16 UUFB balance <u>(Audited)</u> CJY-15-17		26,763,946
Less Supplementals:		
CO-55-16 Election	510,616	
CN-58-16-Budget	3,848,764	
CJA-05-17 Bennett Freeze	254,656	
CAP-22-17-Dine Bii Association	239,200	
CJN-34-17 Summer Youth Employment	2,161,748	
CJY-37-17- Transportation Stimulus Election	218,943	7,233,927
Total UUFB less Supplementals		19,530,019
Add:		
CJY-50-17 Deposit into UUFB.		11,728,198
UUFB 09-08-17		<u><u>31,258,217</u></u>

Prepared by: General Accounting

9/8/2017

5:00 PM



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

September 29, 2017



Honorable Jonathan Hale, Chair, NNC HEHSC
Honorable Seth Damon, Chair, NNC, BFC
Honorable Lorenzo Bates, Chair, NNC, NABI

Honorable Chair Persons,

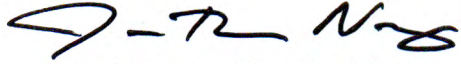
I am writing in support of the Navajo Nation Department of Diné Education's (NNDODE) submission of a supplemental budget targeting the Undesignated Unreserved Fund Balance (UUFB) in the amount of \$700,000 for fiscal year 2018 (FY 18). The purpose of NNDODE's request is to continue to implement the Diné School Accountability Plan (DSAP) for school year 2017-2018. As you are aware, the DSAP was approved and signed by the U.S. Department of Education (USDOE) and U.S. Department of Interior (USDOI) on September 27, 2016. As a result of this historic signing, the Navajo Nation has been afforded the opportunity to develop academic accountability as defined by the Every Student Succeeds Act (ESSA) for Navajo students. Attached is the initial approval letter from USDOE and USDOI. Also included is the approved extension letter for SY 2017-18 for you reference and information.

The DSAP is being developed to be implemented in several Phases. Phase 1 is meeting all federal requirements as defined by Title 1, Part A of the ESSA. As such, NNDODE has hosted three teacher institutes for our Navajo teachers to develop an accountability plan for our Navajo students and schools. Each institute had a specific target and agenda to begin development of our accountability system. Our Navajo teachers have done excellent work to provide the needed guidance as first responders to the education of our Navajo students. Their work needs to continue into this school year. The NNDODE proposed the DSAP budget which contains the need for funds to execute and continue work to fully implement DSAP Phase 1. I am confident our teachers will provide the needed interventions to improve the quality of education to our Navajo students.

This year, we will be calling on teachers to formulate five solution teams. The purpose of these teams will be to assist schools that are being challenged academically in language arts and math. Solution teams will visit these schools to initiate intervention plans to improve the quality of instruction and to identify sources of student learning difficulties. We are seeking your nomination of two teachers, or a principal, to represent each school, and to serve one of the five teams. We had announced this strategy at the last two institutes. Expertise for your schools will help shape the Diné School Accountability Plan.

We appreciate your work and tremendous effort directed to improve the education of our Navajo students. Please call me at (928) 871-7001 for any questions you may have regarding this matter.

Respectfully,

A handwritten signature in black ink, appearing to read "Jonathan Nez". The signature is fluid and cursive, with the first name "Jonathan" and last name "Nez" clearly distinguishable.

Jonathan Nez, Vice President
THE NAVAJO NATION



September 20, 2016

Mr. Tommy Lewis
Superintendent, Navajo Nation Diné
Department of Education
P.O. Box 670
Window Rock, Arizona 86515

Dear Mr. Lewis:

We are writing in response to the Navajo Nation's (Tribe) request that the Secretary of the Department of the Interior (DOI) and the Secretary of the Department of Education (ED) approve the Navajo's accountability workbook under section 1116(g)(1)(B) of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001 (NCLB), and 25 C.F.R. §§ 30.104(b)–30.108. The accountability workbook governs the accountability system required by Title I, Part A of the ESEA. We are pleased to grant the Navajo approval to implement the first phase of its request for school years (SY) 2015–2016 and 2016–2017.

Under DOI's regulations at 25 C.F.R. § 30.104(a), each school funded by DOI's Bureau of Indian Education (BIE) must use the standards, assessments, and definition of adequate yearly progress (AYP) of the state in which the school is located, unless the tribal governing body or school board waives the BIE's definition and proposes an alternative approved by the Secretaries of DOI and ED under section 1116(g)(1)(B) of the ESEA, as amended by NCLB, and 25 C.F.R. §§ 30.104(b)–30.108. Section 1116(g)(1)(B) of the ESEA, as amended by NCLB, requires the Secretaries to approve such a request unless they determine that the request does not meet the requirements of section 1111(b) of the ESEA, as amended by NCLB, taking into account the unique circumstances and needs of such school or schools and the students served.

We appreciate the Tribe's efforts to develop this request, which is based on thoughtful consideration by the Tribe to develop a system that will better serve the needs of Navajo children and reflects years of work with DOI and ED. As a result of this request, assessment results will be comparable across Navajo schools in multiple states and, therefore, your educators can work together to support and inform instruction. Administrators can also develop strategies to improve schools based on common data. During the drafting of the Tribe's request, Congress reauthorized the ESEA by passing the Every Student Succeeds Act (ESSA), which was signed into law on December 10, 2015, and which takes effect with respect to Title I, Part A beginning in SY 2017–2018. Consistent with the transition provisions of the ESSA, this approval is being granted for SY 2015–2016 and SY 2016–2017 under the ESEA, as amended by NCLB. As we transition to a new law, we look forward to working with you as you consider how to develop a system of accountability for SY 2017–2018 and beyond, which is consistent with the new requirements, including regulations that may be issued by DOI and ED.

To support an orderly transition to the new requirements under the ESEA, as amended by the ESSA, states are not required to submit annual measurable objectives or calculate AYP for SY 2014–2015 through SY 2016–2017. Consequently, those are not part of the approved Navajo accountability workbook, a copy of which is enclosed with this letter. The Tribe's request includes several key elements necessary for the Navajo's Diné Department of Education (DoDE) to unify its system of

accountability for its schools, which are located in New Mexico, Utah, and Arizona. The Tribe has adopted and is implementing a common set of college- and career-ready standards in reading/language arts and mathematics for all of its schools, rather than implementing the standards and assessments of New Mexico, Utah, and Arizona, as it did previously pursuant to BIE regulations.

For SY 2015–2016, the DoDE administered the same aligned assessment system in all its schools, the Partnership for Assessment of Readiness for College and Careers (PARCC), in reading/language arts and mathematics, as formally approved by the DOI in a letter dated March 8, 2016. For SY 2015–2016, the DoDE administered alternate assessments for students with the most significant cognitive disabilities based on the academic achievement standards in the States in which the schools were located. The DoDE will use attendance as its “other academic indicator” for elementary and middle grades and a 4-year adjusted cohort graduation rate for high schools. For SY 2016–2017, the DoDE will implement the accountability provisions set forth in the accountability workbook.

In order for the Navajo to implement its system of accountability in SY 2015–2016, the Navajo requested a waiver of DOI’s regulation in 25 C.F.R. § 30.113(f)(2), which requires an approved alternative definition of the AYP to become effective at the start of the school year following its approval. Given that DOI previously approved the Navajo to adopt and implement college- and career-ready content standards and to administer an assessment system aligned to those standards, the Secretary of the Interior hereby grants the Tribe a waiver of 25 C.F.R. § 30.113(f)(2), pursuant to 25 C.F.R. § 1.2, on the basis that permitting the Navajo Nation to implement its system of accountability during SY 2015–2016 is in the best interest of the students and the Tribe.

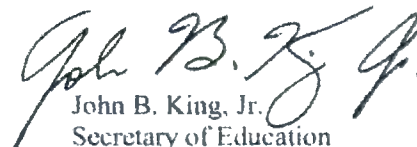
We congratulate the Navajo Nation on approval of the first phase of its accountability workbook and thank you for the work you and the staff at DoDE have done to secure that approval. We look forward to continuing to support the DoDE as it implements its accountability system and works to improve academic achievement and the quality of instruction for all of its students.

If you need any additional assistance, please contact Mr. Jeffrey Hamley at DOI: jeffrey.hamley@bie.edu or Mr. Robert Salley or Mr. Matthew Stern at ED: OSS.BIE@ed.gov.



Sally Jewell
Secretary of the Interior
U.S. Department of the Interior

Sincerely,



John B. King, Jr.
Secretary of Education
U.S. Department of Education

Enclosure

cc: Russell Begaye, President of the Navajo Nation
Jonathan Hale, Chairman, Health, Education, and Human Services Committee, 23rd Navajo
Nation Council



The Honorable Tommy Lewis
Superintendent
Navajo Nation Diné Department of Education
PO Box 670
Window Rock, AZ 86515

Dear Superintendent Lewis:

We are writing in response to the Navajo Nation's (Navajo) existing waiver of the Bureau of Indian Education's (BIE) standards, assessments and accountability system. We are granting Navajo a one-year extension of its waiver through school year (SY) 2017-2018.

On March 8, 2016, the U.S. Department of Interior's (DOI) Acting Assistant Secretary of Indian Affairs granted a waiver of DOI's regulations under 25 C.F.R. §§ 30.104(a) to permit the Navajo to implement common standards and common aligned assessments in its schools for reading/language arts and mathematics for SY 2015-2016. The Navajo's proposed comprehensive accountability system, detailed in the Diné Accountability Workbook, was approved on September 20, 2016 for SYs 2015-2016 and 2016-2017 by both the Department and DOI agencies, using the Secretary of DOI's authority in 25 C.F.R. § 1.2, and both the Secretary of DOI and the Secretary of the U.S. Department of Education's (ED) authority in section 1116(g)(1)(B) of the ESEA, as amended by the No Child Left Behind Act.

With the reauthorization of the ESEA, as amended by the Every Student Succeeds Act (ESSA), section 8204(c) of the ESEA requires BIE to use a negotiated rulemaking process to develop regulations to define the standards, assessment and an accountability system consistent with section 1111 of the ESSA for the schools funded by the BIE. To support an orderly transition to the new requirements, ED and BIE have agreed that BIE will complete the negotiated rulemaking in time for new BIE regulations to be effective for SY 2018-2019. Pending completion of the negotiated rulemaking process, ESEA section 1111(k) determines the standards and assessments that each BIE funded school must use based on its accrediting authority.

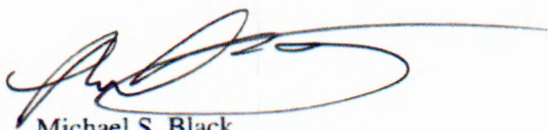
With this one-year extension, the Navajo will be able to continue to implement the standards and assessments previously approved and the accountability provisions set forth in its accountability workbook through SY 2017-2018. Beyond this timeframe, in order to continue implementing its own standards, assessments, and accountability, the Navajo must submit a new request to the Secretaries for SY 2018-2019 that is consistent with the amended ESEA.

Our decision to grant this extension is based on the determination that the Navajo's ability to continue implementing its waiver will promote locally tailored strategies to improve educational

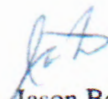
outcomes for all students, close achievement gaps, and to improve instruction. This extension is being granted pursuant to the Secretary of DOI's academic indicator and assessment approval authority in ESEA section 1111(k)(2) and the Secretary of ED's orderly transition authority in ESEA as amended by the ESSA.

We appreciate our continued relationship with the Navajo and remain committed to working with you. Thank you for your commitment and continued focus on improving academic achievement for all of your students. If you need any additional assistance please do not hesitate to contact Dr. Jeffrey Hamley at DOI or Mr. Robert Salley at ED at: jeffrey.hamley@bic.edu or OSS.BIE@ed.gov.

Sincerely,

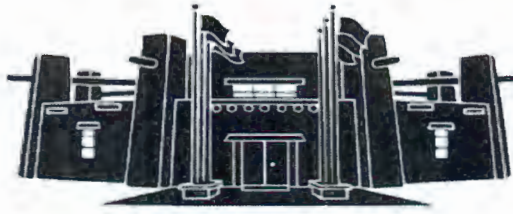


Michael S. Black
Acting Assistant Secretary
of Indian Affairs
U.S. Department of the Interior



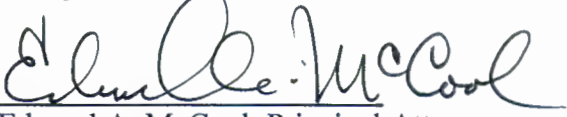
Jason Botel
Acting Assistant Secretary
of Elementary and Secondary Education
U.S. Department of Education

cc: Russel Begay, President of the Navajo Nation
Jonathan Hale, Chairman Health, Education,
and Human Services Committee



MEMORANDUM

TO: Honorable Jonathan Hale
Navajo Nation Council

FROM: 
Edward A. McCool, Principal Attorney
Office of Legislative Counsel

DATE: October 3, 2017

SUBJECT: RELATING TO AN EMERGENCY; NATION COUNCIL APPROVING
SUPPLEMENTAL FUNDING FROM THE UNRESERVED,
UNDESIGNATED FUND BALANCE IN THE AMOUNT OF SEVEN
HUNDRED THOUSAND DOLLARS (\$700,000.00) FOR THE DINÉ
SCHOOL ACCOUNTABILITY PLAN OF THE DEPARTMENT OF DINÉ
EDUCATION

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge. Please ensure that this particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§500, 501. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0406-17_

SPONSOR: Jonathan Hale

TITLE: An Action Relating to an EMERGENCY; Navajo Nation Council;
Approving Supplemental Funding from the Unreserved, Undesignated Fund
Balance in the Amount of Seven Hundred Thousand Dollars (\$700,000.00)
for the Dine School Accountability Plan of the Department of Dine Education

Date posted: October 5, 2017 at 11:00AM

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

23rd NAVAJO NATION COUNCIL COMMITTEE REPORT Third Year 2017

The **NAVAJO NATION COUNCIL** to whom has been assigned:

NAVAJO NATION LEGISLATION #0406-17

An Action Relating to an EMERGENCY; Navajo Nation Council; Approving Supplemental Funding from the Unreserved, Undesignated Fund Balance in the Amount of Seven Hundred Thousand Dollars (\$700,000.00) for the Dine School Accountability Plan of the Department of Dine Education.

SPONSOR: *Honorable Jonathan L. Hale*

CO-SPONSOR: *Honorable Seth Damon*

Has had it under consideration and reports the same **TABLED WITH NO AMENDMENT(S)**.

Respectfully Submitted,



Honorable LoRenzo C. Bates, Speaker
23rd NAVAJO NATION COUNCIL

17 October 2017

TABLING MOTION

Motion to table to October 18, 2017.

Motioned by: Honorable Walter Phelps

Seconded by: Honorable Jonathan Perry

Vote: 13 in Favor, 00 Opposed (Speaker Bates Not Voting)

MAIN MOTION:

Motioned by: Honorable Otto Tso

Seconded by: Honorable Steven Begay

Vote:

NAVAJO NATION

RCS# 859

NNC Fall Session

10/17/2017
08:39:10 PM

Amd# to Amd#

Table Legislation 0406-17
to 10/18/17

PASSED

MOT Phelps
SEC Perry

Yea : 13

Nay : 0

Not Voting : 10

Yea : 13

Begay, K
Begay, S
BeGaye, N
Brown

Chee
Damon
Perry

Phelps
Shepherd
Slim

Smith
Tso
Yazzie

Nay : 0

Not Voting : 10

Bates
Begay, NM
Bennett

Crotty
Daniels
Filfred

Hale
Jack
Pete

Tsosie
Witherspoon