

RESOLUTION OF THE  
NAABIK'ÍYÁTI' STANDING COMMITTEE  
24<sup>th</sup> NAVAJO NATION COUNCIL -- Fourth Year, 2022

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND THE NAABIK'ÍYÁTI' COMMITTEE; SUPPORTING THE TO'HAJIILEE COMMUNITY SCHOOL BOARD, INC. TO HIRE FOREIGN NATIONALS TO ADDRESS CRITICAL TEACHER SHORTAGES; AND REQUESTING THE BUREAU OF INDIAN EDUCATION, U.S. DEPARTMENT OF THE INTERIOR, AND THE U.S. STATE DEPARTMENT, TO FACILITATE AND APPROVE PERMANENT WORKER STATUS (ISSUANCE OF INDIVIDUAL GREEN CARDS OR EXTENSION OF INDIVIDUAL EXISTING J-1 VISAS PENDING ISSUANCE OF GREEN CARDS) FOR SUCH FOREIGN NATIONALS, PROVIDED THAT NO NAVAJO TRIBAL MEMBERS AND NO U.S. CITIZENS ARE DISPLACED BY THE HIRING OF SUCH FOREIGN NATIONALS

BE IT ENACTED:

WHEREAS,

- A. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council with the power to review and continually monitor the programs and activities of federal and state departments and to assist development of such programs designed to serve the Navajo People and the Navajo Nation through intergovernmental relationships between the Navajo Nation and such departments. 2 N.N.C. §§ 700(A), 701(A)(7). The Naabik'íyáti' Committee also has authority to coordinate all federal, county and state programs with other standing committees and branches of the Navajo Nation government to provide the most efficient delivery of services to the Navajo Nation. 2 N.N.C. § 701(A)(4).
- B. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council with the authority to establish educational policy on the Navajo Nation and is the final approval authority for grant schools on the Navajo Nation operating educational programs under the Indian Self-Determination and Education Assistance Act and Tribally Controlled Schools Act on behalf of the U.S. Department of the Interior, Bureau of Indian Education. 2 N.N.C. §§ 400(A), 401(B)(1)(4).
- C. To'hajiilee Community School Board of Education, Inc., a local community school board on the Navajo Nation, has been authorized by the Health, Education and Human Services Committee of the Navajo Nation Council to operate the To'hajiilee Community School on behalf of the Bureau of Indian Education, as a grant school authorized under the Indian Self

Determination and Education Assistance Act and the Tribally Controlled Schools Act.


- D. Children are the Nation's most precious resource and the To'hajiilee Community School has structured its educational system to support its Navajo students academically, socially/emotionally, culturally, and holistically, in the Navajo Life Way, and so that they may succeed in all they endeavor to achieve.
- E. There is a national shortage of teachers, and although the School has advertised, attended job fairs, and taken every available course of action to identify and hire qualified and eligible educators, including Navajo Tribal Members in accordance with Navajo Preference requirements, and including other U.S. Citizens, the School has been unable to fill numerous critical teaching positions at the To'hajiilee Community School including special education positions without filling such positions with qualified foreign nationals.
- F. Pursuant to federal law, including 8 C.F.R. Part 214 and 22 C.F.R. Part 62, a foreign national with the equivalent of a U.S. Bachelor's degree in either education or the subject matter (or related subjects) he or she intends to teach and a minimum of the equivalent of two years of post-degree full-time teaching experience, who is employed as a teacher at the time of application for a cultural exchange program in the United States, can be issued a temporary J-1 Visa for the purpose of teaching full-time in the United States in a primary or secondary accredited academic institution, such as the School, and the School is currently employing such foreign nationals with temporary J-1 Visas in critical teaching positions at the School that To'hajiilee Community School Board, Inc. was unable to fill with Navajo Tribal Members or U.S. Citizens.
- G. It is in the best interest of the Navajo Nation, the To'hajiilee Community School, and the Navajo students served by the School, for the Navajo Nation to support To'hajiilee Community School Board to continue to hire foreign nationals as educators for the School provided that no Navajo Tribal Members and no U.S. citizens are displaced by the hiring of such foreign nationals, and for To'hajiilee Community School Board to assist in achieving permanent worker status, i.e., a "green card," for such foreign nationals.

NOW, THEREFORE, BE IT RESOLVED,

- A. The Navajo Nation hereby supports the To'hajiilee Community School Board, Inc. to hire qualified foreign nationals as educators for the To'hajiilee Community School, provided that no Navajo Tribal Members and no U.S. Citizens are displaced by the hiring of such foreign nationals.
- B. The Navajo Nation hereby requests the Bureau of Indian Education, U.S. Department of the Interior, and the U.S. Department of State, to facilitate and approve permanent worker status (issuance of individual green cards or extension of individual existing J-1 Visas) for qualified foreign nationals serving as educators for To'hajiilee Community School, provided that no Navajo Tribal Members and no U.S. Citizens are displaced by such foreign nationals.

**CERTIFICATION**

I, hereby certify that the foregoing resolution was duly considered by the Naabik'íyáti' Committee of the 24<sup>th</sup> Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 20 in Favor, and 00 Opposed, on this 14<sup>th</sup> day of July 2022.

  
Honorable Seth Damon, Chairman  
Naabik'íyáti' Committee

July 18, 2022  
Date

Motion: Honorable Jamie Henio  
Second: Honorable Nathaniel Brown

Chairman Seth Damon not voting

# NAVAJO NATION

1307

7/14/2022

Naa'bik'iyati' Committee Regular Meeting

08:03:04 PM

Amd# to Amd#	New Business: Item M.	PASSED
MOT Henio, J	-Legislation 0112-22: Supporting	
SEC Brown	the To'hajilee Community School	
	Board, Inc. to Hire Foreign. . .	

**Yeas : 20**

**Nays : 0**

**Excused : 1**

**Not Voting : 2**

**Yea : 20**

Begay, E	Freeland, M	Slater, C	Tso, O
Begay, K	Halona, P	Stewart, W	Walker, T
Begay, P	Henio, J	Tso, C	Wauneka, E
Brown	James, V	Tso, D	Yazzie
Daniels	Nez, R	Tso, E	Yellowhair

**Nay : 0**

**Excused : 1**

Crotty

**Not Voting : 2**

Charles-Newton	Smith
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**Presiding Speaker: Damon**