

RESOLUTION OF THE
HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
OF THE NAVAJO NATION COUNCIL

23RD NAVAJO NATION COUNCIL - First Year, 2015

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE; EXTENDING TIME FOR APPROVAL OF THE SCHOOL BOARD APPORTIONMENT PLAN ORIGINALLY DUE BY NOVEMBER, 2015

BE IT ENACTED:

SECTION ONE. FINDINGS

- A. The Health, Education and Human Services Committee (HEHSC) is established as a standing committee of the Navajo Nation Council with oversight committee for the Department of Diné Education (DODE) and is responsible for developing and approving a school board apportionment plan. 2 N.N.C. §§ 400(A); 401(C)(1); and 11 N.N.C. §§ 2 and 11.
- B. On or before the first Monday of November 2003 and every four years thereafter, HEHSC shall set the size of each Local Community School Board and shall apportion the number of school board seats among the Chapter or Chapters represented in each Local Community School Board. 11 N.N.C. § 11(B).
- C. The Navajo Nation Code was amended in 2012 to allow HEHSC, for the purposes of public comment and collecting data, to extend the time for the approval of the apportionment plan. 11 N.N.C. § 11(B); see also CJA-06-12 attached as Exhibit A.
- D. This apportionment shall be based at a minimum on the number of students attending from one or more Chapters. Each local community School Board shall provide to HEHSC and DODE current and accurate information regarding the number of students attending the Local Community School. 11 N.N.C. § 11(D).
- E. The apportionment plan shall be developed by HEHSC with opportunity for input from NBOES, parents, local school boards, chapters, school board organizations and DODE. 11 N.N.C. § 11(C).
- F. A Local Community School Board shall consist of not less than three or more than seven members based upon the current adopted apportionment plan. 11 N.N.C. § 11(A).

- G. On August 27, 2015, the Navajo Board of Election Supervisors (NBOES) sent a letter to Chairman of HEHSC informing the Committee that a final apportionment plan was due to be approved no later than November 2, 2015. See Letter from NBOES attached as Exhibit B.
- H. Pursuant to 11 N.N.C. § 2(H), HEHSC shall allow at least sixty (60) days for interested persons to provide comments. Comments received shall be in writing and maintained by DODE.
- I. Additionally, the Committee may - but is not required to - hold public hearings at the schools, chapters, communities or agencies affected by the proposed reapportionment plan. 11 N.N.C. § 2(H).
- J. In order to allow for time to develop the school board apportionment plan and allow enough time for the required public comment period, DODE requests an extension of time for the approval of the apportionment plan. See Letter from DODE attached as Exhibit C.
- K. It is in the best interests of the Navajo Nation to extend the time for approval of the school board apportionment plan in accordance with 11 N.N.C. § 11(B) so that there may be additional time for collecting data and the sixty (60) day public comment period. Should an extension be ordered, NBOES shall adjust, if necessary, the opening filing period for elective school board positions. 11 N.N.C. § 11(B).

SECTION TWO. EXTENDING TIME FOR APPROVAL OF THE SCHOOL BOARD APPORTIONMENT PLAN ORIGINALLY DUE NOVEMBER, 2015

The Navajo Nation hereby extends the time for final approval and adoption of the school board apportionment plan by the Health, Education and Human Services Committee to be on or before February 26, 2016 pursuant to 11 N.N.C. § 11(B).

SECTION THREE. DIRECTIVES TO LOCAL COMMUNITY SCHOOL BOARDS AND THE DEPARTMENT OF DINÉ EDUCATION

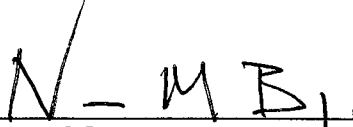
- A. The Navajo Nation hereby directs each Local Community School Board to provide the Division of Diné Education with current and accurate information regarding the number of students attending the Local Community School in accordance with 11 N.N.C. § 11(D) by October 30, 2015, so that DODE may prepare and make the presentation of the proposed school board apportionment plan on or before December 11, 2015.
- B. The Navajo Nation hereby directs the Department of Diné Education, working in conjunction with all other relevant entities, to

present a proposed reapportionment plan on or before December 11, 2015, so that HEHSC may make suggested comments and changes.

- C. All suggested comments and changes from HEHSC must be incorporated into the proposed reapportionment plan no later than December 21, 2015, in order to begin the statutorily prescribed sixty (60) day public comment period.

C E R T I F I C A T I O N

I hereby certify that the foregoing resolution was duly considered by the Health, Education and Human Services Committee of the Navajo Nation Council at a duly called meeting at Tsaile, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 4 in favor and 0 opposed, this 23rd day of September 2015.



Honorable Norman M. Begay, Vice-Chairperson
Health, Education and Human Services Committee

Motioned: Honorable Amber Kanazbah Crotty
Seconded: Honorable Nathaniel Brown
Vice-Chairperson not voting



CJA-06 -12

RESOLUTION OF THE
NAVAJO NATION COUNCIL

22ND NAVAJO NATION COUNCIL - Second Year 2012

AN ACT

RELATING TO LAW AND ORDER, HEALTH EDUCATION AND HUMAN SERVICES AND THE NAVAJO NATION COUNCIL; AMENDING 11 N.N.C §§ 2, 11 AND 22 FOR PURPOSES OF AUTHORIZING THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE TO EXTEND THE TIME FOR APPROVAL OF LOCAL COMMUNITY SCHOOL BOARD APPORTIONMENT PLANS

BE IT ENACTED:

Section 1. Findings and purpose

1. Pursuant to 11 N.N.C. § 11 (B), apportionment plans for Local Community School Boards are approved "[o]n" or before the first Monday of November 2003 and every four years thereafter" by the Education Committee of the Navajo Nation council. These apportionment plans set the size of each school board and apportion the number of school board seats among the Chapter or Chapters represented on each Board. Latest apportionment plan attached as Attachment "1" hereto (2007 Navajo Nation Local Community School Board Apportionment Plan, as approved by EC-34-07 and amended by ECJA-01-08, for use in the 2008 Chapter Elections)

2. Proposed school board apportionment plans require input from and consultation with the public and various entities, including chapters, school board organizations and the Dine Department of Education. 11 N.N.C. § 11 (C). The duration for this comment period is set at 60 days. 11 N.N.C. § 2 (H). Hearings for the 2012 - 2014 apportionment plans are currently set for January 2012.

3. The Navajo Supreme Court has state - "Navajo common law speaks to consultation as giving participants ample freedom to speak, be heard, and opportunity to present written comments." *Rough Rock Community School v. Navajo Nation*, 7 Nav. R. 313, at 317 (Nav. Sup. Ct. 1998).

4. With the reduction of the size of the Navajo Nation Council from 88 to 24 delegates, the number of committees was also reduced. Some committees, such as the Education Committee, Public Safety Committee, Judiciary Committee and the Ethics and Rules Committee no longer exist. Their functions however, to the extent practicable, were redistributed among the five new standing committees. CAP-10-11. Because of the reduction of the size of the Council and with fewer standing committees, it is necessary to redistribute and/or delegate authority in various areas of law, including education and apportionment.

Section 2. Amending the Navajo Election Code

The Navajo Nation Election Code is amended as follows:

Title 11. Elections

Chapter 1. Navajo Election Code of 1990

Subchapter 1. General Provisions

§ 2. Definitions

H. "Consultation" as used in 11 N.N.C. § 11 shall mean notice of the proposed school board apportionment plan, and an opportunity to comment on the proposed apportionment plan. The ~~Education~~ Health, Education and Human Services Committee of the Navajo Nation Council shall allow at least 60 days for person interested to provide comments. Comments received shall be in writing, and maintained by the Division of Diné Education. The ~~Education~~ Health, Education and Human Services Committee may, but is not required to, hold hearings at the schools, chapters, communities or agencies affected by the proposed ~~reapportionment~~ plan. To the extent the ~~Education~~ Health, Education and Human Services Committee holds hearings on any proposed ~~reapportionment~~ plan, the ~~Education~~ Health, Education ad Human Services Committee may impose reasonable restrictions including, but not limited to, the length of time witnesses may present testimony.

§ 11. Composition of School Board; Apportionment for School Board Election

- A. A Local Community School Board shall consist of not less than three or more than seven members based upon the current adopted apportionment plan.
- B. On or before the first Monday of November 2003 and every four years thereafter, the Education Health, Education and Human Services Committee of the Navajo Nation Council shall set the size of each Local Community School Board and shall apportion the number of school board seats among the Chapter or Chapters represented in each Local Community School Board. This apportionment shall establish election precincts for each Local Community School Board containing approximately equal numbers of students attending the Local Community at the time of the apportionment. The Health, Education and Human Services committee, for purposes of public comment or collecting data, may extend the time for approval of an apportionment plan. Should an extension be ordered, the Navajo Board of Election Supervisors shall adjust, if necessary, the opening filing period for elective school board positions.
- C. The apportionment plan shall be developed by the Education Health, Education and Human Services Committee with the opportunity for input provided to the Navajo Board of Election Supervisor, parents, local school boards, chapters, school board organizations such as agency school boards, and the Navajo Division of Diné Education, pursuant to 11 N.N.C § 2(H). The Education Health, Education and Human Services Committee may receive input either in writing or through oral testimony.
- D. The apportionment plan shall be based at a minimum on the number of students attending from one or more Chapters. Each Local community School Board shall provide to the Education Health, Education and Human Services Committee and the Division of Diné Education current and accurate information regarding the number of students attending the Local Community School for use in development of the apportionment plan by October 2003 and every four years thereafter.

4. With the reduction of the size of the Navajo Nation Council from 88 to 24 delegates, the number of committees was also reduced. Some committees, such as the Education Committee, Public Safety Committee, Judiciary Committee and the Ethics and Rules Committee no longer exist. Their functions however, to the extent practicable, were redistributed among the five new standing committees. CAP-10-11. Because of the reduction of the size of the Council and with fewer standing committees, it is necessary to redistribute and/or delegate authority in various areas of law, including education and apportionment.

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- E. The Education Health, Education and Human Services Committee shall adopt the apportionment plan and provide the plan to the Navajo Board of Election Supervisors for use in school board elections.
- F. A school board member shall be permitted to serve the entire remaining period of his or her duly elected term prior to application of an apportionment plan which would eliminate the school board position held by that school board member.

Title 11. Elections
Chapter 1 Navajo Election Code of 1990
Subchapter 2. Filing for Elections

§ 22 Time of filing

- A. Except as otherwise provided by law, There shall be a 90-day filing period beginning 180 days prior to a primary election and ending 90 days thereafter. However, for those elective positions which lack a candidate after the primary election has been conducted, candidate application shall be filed within the filing period set by the Navajo Board of Election Supervisors.
- B. For special elections, candidate applications shall be filed pursuant to the special election provisions of this Title.

Section 3. Effective date

The amendments enacted shall be effective pursuant to 2 N.N.C. §221(b). The amendments shall be applicable for the 2012 Chapter Elections and thereafter.

Section 4. Codification

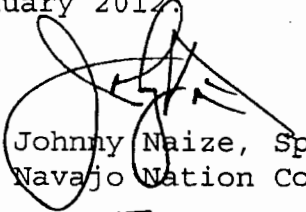
The provisions of this Act which amend or adopt new sections of the Navajo Nation Code shall be codified by the Office of Legislative Counsel. The Office of Legislative Counsel shall incorporate such amended provisions in the next codification of the Navajo Nation Code.

Section 5. Savings Clause

Should any provision of this Act be determined invalid by the Navajo nation Supreme Court, or the District Courts of the Navajo nation without appeal to the Navajo Nation Supreme Court, these provisions of the Act which are not determined invalid shall remain the law of the Nation.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the 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 17 in favor and 2 opposed, this 26th day of January 2012.


Johnny Naize, Speaker
Navajo Nation Council

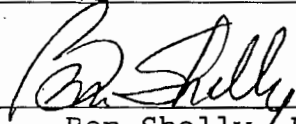
Feb. 07, 12

Date

Motion: David Tom
Second: Charles Damon, II

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I hereby sign into law the foregoing legislation, pursuant to 2 N.N.C. §1005 (C) (10), on this _____ day of FEB 13 2012 2012.



Ben Shelly, President
Navajo Nation

2. I hereby veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (C) (11), this _____ day of _____ 2012 for the reason(s) expressed in the attached letter to the Speaker.

Ben Shelly, President
Navajo Nation

LEGISLATIVE SUMMARY SHEET

Tracking No. 0512-11

DATE: December 22, 2011

TITLE OF RESOLUTION: AN ACT RELATING TO LAW AND ORDER, HEALTH, EDUCATION AND HUMAN SERVICES AND THE NAVAJO NATION COUNCIL; AMENDING 11 N.N.C. §§ 2, 11 AND 22 FOR PURPOSES OF AUTHORIZING THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE TO EXTEND THE TIME FOR APPROVAL OF LOCAL COMMUNITY SCHOOL BOARD APPORTIONMENT PLANS

PURPOSE: This bill proposes to amend 11 N.N.C. §§ 2, 11 and 22 for purposes of authorizing the Health, Education and Human Services committee to extend the time for approval of local community school board apportionment plans

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 to review each proposed resolution in detail.

5-DAY COMMENT PERIOD Start: <u>28 DEC 2011</u> End: <u>01 JAN 2012</u> Signature: <u>[Signature]</u>
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LAW AND ORDER
COMMITTEE

THENCE
HEALTH, EDUCATION &
HUMAN SERVICES COMMITTEE

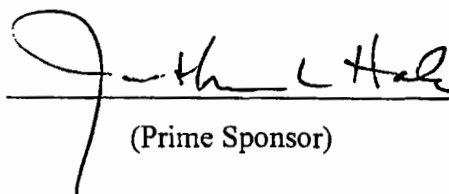
THENCE
NABIK'ÍYÁTI' COMMITTEE

THENCE
NAVAJO NATION COUNCIL

PROPOSED NAVAJO NATION COUNCIL RESOLUTION

22nd NAVAJO NATION COUNCIL -- First Year, 2011

INTRODUCED BY


(Prime Sponsor)

TRACKING NO. 0512-11

AN ACT

RELATING TO LAW AND ORDER, HEALTH, EDUCATION AND HUMAN SERVICES
AND THE NAVAJO NATION COUNCIL; AMENDING 11 N.N.C. §§ 2, 11 AND 22 FOR
PURPOSES OF AUTHORIZING THE HEALTH, EDUCATION AND HUMAN
SERVICES COMMITTEE TO EXTEND THE TIME FOR APPROVAL OF LOCAL
COMMUNITY SCHOOL BOARD APPORTIONMENT PLANS

BE IT ENACTED:

Section 1. Findings and purpose

1. Pursuant to 11 N.N.C. § 11(B), apportionment plans for Local Community School Boards are approved "[o]n or before the first Monday of November 2003 and every four years thereafter" by the "Education" Committee of the Navajo Nation Council. These apportionment plans set the size of each school board and apportion the number of school board seats among the Chapter or Chapters represented on each board. Latest apportionment plan attached as Attachment "1" hereto (2007 Navajo Nation Local Community School Board Apportionment Plan, as approved by ECD-34-07 and amended by ECJA-01-08, for use in the 2008 Chapter Elections).

2. Proposed school board apportionment plans require input from and consultation with the public and various entities, including chapters, school board organizations and the Dine

1 Department of Education. 11 N.N.C. § 11(C). The duration for this comment period is set at
2 60 days. 11 N.N.C. 2(H). Hearings for the 2012 - 2014 apportionment plan are currently set
3 for January 2012.

4 3. The Navajo Supreme Court has stated - "Navajo common law speaks to consultation as
5 giving participants ample freedom to speak, be heard, and opportunity to present written
6 comments." *Rough Rock Community School v. Navajo Nation*, 7 Nav. R. 313, at 317 (Nav.
7 Sup. Ct. 1998).

8 4. With the reduction of the size of the Navajo Nation Council from 88 to 24 delegates,
9 the number of committees was also reduced. Some committees, such as the Education
10 Committee, Public Safety Committee, Judiciary Committee and the Ethics and Rules
11 Committee no longer exist. Their functions however, to the extent practicable, were
12 redistributed among the five new standing committees. CAP-10-11. Because of the
13 reduction of the size of the Council and with fewer standing committees, it is necessary to
14 redistribute and/or delegate authority in various areas of law, including education and
15 apportionment.

17 **Section 2. Amending the Navajo Election Code**

18 The Navajo Nation Election Code is amended as follows:

20 **Title 11. Elections**

21 **Chapter 1. Navajo Election Code of 1990**

22 **Subchapter 1. General Provisions**

23 ****

24 **§ 2. Definitions**

25 H. "Consultation" as used in 11 N.N.C. § 11 shall mean notice of the proposed school
26 board apportionment plan, and an opportunity to comment on the proposed apportionment
27 plan. The ~~Education~~ Health, Education and Human Services Committee of the Navajo
28 Nation Council shall allow at least 60 days for person interested to provide comments.
29 Comments received shall be in writing, and maintained by the Division of Diné Education.
30 The ~~Education~~ Health, Education and Human Services Committee may, but is not required

1 to, hold hearings at the schools, chapters, communities or agencies affected by the proposed
2 reapportionment plan. To the extent the Education Health, Education and Human Services
3 Committee holds hearings on any proposed reapportionment plan, the Education Health,
4 Education and Human Services Committee may impose reasonable restrictions including, but
5 not limited to, the length of time witnesses may present testimony.

6 ****

7 **§ 11. Composition of School Board; Apportionment for School Board Elections**

8 A. A Local Community School Board shall consist of not less than three nor more than
9 seven members based upon the current adopted apportionment plan.

10 B. On or before the first Monday of November 2003 and every four years thereafter, the
11 Education Health, Education and Human Services Committee of the Navajo Nation
12 Council shall set the size of each Local Community School Board and shall apportion
13 the number of school board seats among the Chapter or Chapters represented in each
14 Local Community School Board. This apportionment shall establish election precincts
15 for each Local Community School Board containing approximately equal numbers of
16 students attending the Local Community School at the time of the apportionment. The
17 Health, Education and Human Services Committee, for purposes of public comment or
18 collecting data, may extend the time for approval of an apportionment plan. Should an
19 extension be ordered, the Navajo Board of Election Supervisors shall adjust, if
20 necessary, the opening filing period for elective school board positions.

21 C. The apportionment plan shall be developed by the Education Health, Education and
22 Human Services Committee with the opportunity for input provided to the Navajo
23 Board of Election Supervisors, parents, local school boards, chapters, school board
24 organizations such as agency school boards, and the Navajo Division of Diné
25 Education, pursuant to 11 N.N.C. § 2(H). The Education Health, Education and Human
26 Services Committee may receive input either in writing or through oral testimony.

27 D. The apportionment plan shall be based at a minimum on the number of students
28 attending from one or more Chapters. Each Local Community School Board shall
29 provide to the Education Health, Education and Human Services Committee and the
30 Division of Diné Education current and accurate information regarding the number of

1 students attending the Local Community School for use in development of the
2 apportionment plan by October 2003 and every four years thereafter.

3 E. The ~~Education~~ Health, Education and Human Services Committee shall adopt the
4 apportionment plan and provide the plan to the Navajo Board of Election Supervisors
5 for use in school board elections.

6 F. A school board member shall be permitted to serve the entire remaining period of his or
7 her duly elected term prior to application of an apportionment plan which would
8 eliminate the school board position held by that school board member.

9 ****

10 Title 11. Elections

11 Chapter 1. Navajo Election Code of 1990

12 Subchapter 2. Filing for Elections

13 ****

14 § 22. Time of filing

15 A. Except as otherwise provided by law, ~~There~~ shall be a 90-day filing period beginning 180 days
16 prior to a primary election and ending 90 days thereafter. However, for those elective positions
17 which lack a candidate after a primary election has been conducted, candidate applications shall
18 be filed within the filing period set by the Navajo Board of Election Supervisors.

19 B. For special elections, candidate applications shall be filed pursuant to the special election
20 provisions of this Title.

21 ****

24 Section 3. Effective date

25 The amendments enacted herein shall be effective pursuant to 2 N.N.C. §221(B). The
26 amendments shall be applicable for the 2012 Chapter Elections and thereafter.

28 Section 4. Codification

29 The provisions of this Act which amend or adopt new sections of the Navajo Nation
30 Code shall be codified by the Office of Legislative Counsel. The Office of Legislative

1 Counsel shall incorporate such amended provisions in the next codification of the Navajo
2 Nation Code.

3
4 **Section 5. Savings Clause**

5 Should any provision of this Act be determined invalid by the Navajo Nation Supreme
6 Court, or the District Courts of the Navajo Nation without appeal to the Navajo Nation
7 Supreme Court, those provisions of the Act which are not determined invalid shall remain the
8 law of the Nation.

ATTACHMENT "1"

RESOLUTION OF THE
EDUCATION COMMITTEE
OF THE NAVAJO NATION COUNCIL
21TH NAVAJO NATION COUNCIL - Second Year, 2008
INTRODUCED BY

Leonard Anthony

AN ACTION


Legislation No. 0033-08; Relating to Education; amending
Resolution ECD-34-07, the 2007 School Board Apportionment
Plan

BE IT ENACTED:

01. The Navajo Nation, following consideration of all input received from all sources, hereby amends Resolution ECD-34-07 by approving the amendments to the 2007 School Board Apportionment Plan, hereto attached as Exhibit A.
- ~~XX~~02. The Navajo Nation hereby provides the 2007 School Board Apportionment Plan, as amended, to the Navajo Election Administration for use in the 2008 Navajo Nation election.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Education Committee of the Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same passed by a vote of 4 in favor, 0 opposed, and 0 abstained, on this 14th day of January, 2008.


ANDY R. AYZE, Chairperson
Education Committee
NAVAJO NATION COUNCIL

Motion: Elmer Milford
Second: Raymond Maxx

**2007 NAVAJO NATION
LOCAL COMMUNITY SCHOOL BOARD
APPORTIONMENT PLAN**

CENTRAL NAVAJO AGENCY

NAME OF SCHOOL	2007 SCHOOL BOARD APPORTIONMENT
01. Black Mesa Community School, Inc.	<u>Four (4) Member Board:</u> 2 - Black Mesa 2 - Pinon / Forest Lake
02. Chinle Boarding School	<u>Five (5) Member Board:</u> 2 - Many Farms 2 - Chinle 1 - Round Rock / Rough Rock / Lukachukai / Tsaile
03. Cottonwood Day School	<u>Four (4) Member Board:</u> 2 - Tselani 1 - Whippoorwill 1 - Tachee / Blue Gap / Low Mountain
04. Jeehdeez'a Academy, Inc.	<u>Four (4) Member Board:</u> 1 - Whippoorwill 1 - Low Mountain 1 - Pinon / Jeddito / Blue Gap 1 - Whippoorwill / Low Mountain
05. Lukachukai Community School, Inc.	<u>Five (5) Member Board:</u> 4 - Lukachukai 1 - Tsaile/Wheatfields / Round Rock
06. Many Farms High School	<u>Five (5) Member Board:</u> 1 - Lukachukai 1 - Many Farms 1 - Round Rock 1 - Chinle 1 - Tselani / Cottonwood
07. Nazlini Community School, Inc.	<u>Four (4) Member Board:</u> 3 - Nazlini 1 - Chinle / Sawmill / Kinlichee

EXHIBIT "A"

08. Pinon Community School, Inc.	<u>Four (4) Member Board:</u> 2 – Pinon 1 – Whippoorwill / Hard Rock 1 – Blue Gap / Forest Lake
09. Rough Rock Community School, Inc.	<u>Five (5) Member Board:</u> 2 – Rough Rock 1 – Chinle Agency 1 – Fort Defiance Agency 1 – Western Agency / Eastern Agency / Northern Agency
10. Tse Nitsaa Deez'ahi' Dine' Bi' Olta' (Rock Point Community School)	<u>Five (5) Member Board:</u> 4 – Rock Point 1 – Round Rock / Mexican Water

Total Member Board: 45

EASTERN NAVAJO AGENCY

NAME OF SCHOOL	2007 SCHOOL BOARD APPORTIONMENT
01. Alamo Navajo School Board, Inc.	<u>Five (5) Member Board:</u> 5 – Alamo
02. Baca/Dlo' Ay Azhi Community School	<u>Five (5) Member Board:</u> 2 – Baca 2 – Thoreau 1 – Casamero Lake / Smith Lake
03. Breadsprings Day School	<u>Four (4) Member Board:</u> 2 – Bread Springs 2 – Red Rock
04. ChiChiITah/Jones Ranch Community School	<u>Four (4) Member Board:</u> 3 – Chichiltah/Jones Ranch 1 – Red Rock / Manuelito / Bread Springs
05. Dibe Yazhi Hasbitiin, Olta	<u>Four (4) Member Board:</u> 1 – Casamero Lake 1 – Little Water 1 – Smith Lake / Mariano Lake 1 – Crownpoint
06. Dzilh-na-o-dith-hle Community School, Inc.	<u>Four (4) Member Board:</u> 2 – Nageezi 1 – Huerfano 1 – Counselor
07. Hanna'dli Community School/Dorm, Inc.	<u>Four (4) Member Board:</u> 3 – Huerfano 1 – Pueblo Pintado / Nageezi
08. Lake Valley Navajo School	<u>Four (4) Member Board:</u> 2 – Lake Valley 1 – White Rock 1 – Crownpoint / Becenti
09. Mariano Lake Community School	<u>Four (4) Member Board:</u> 2 – Pinedale 1 – Mariano Lake 1 – Mariano Lake / Smith Lake
10. Na'Neelzhiin Ji Olta', Inc.	<u>Four (4) Member Board:</u> 4 – Na Neelzhiin

11. Ojo Encino Day School	<u>Four (4) Member Board:</u> 3 – Ojo Encino 1 – Counselor
12. Pueblo Pintado Community School	<u>Four (4) Member Board:</u> 1 – Torreon 1 – Ojo Encino 1 – Pueblo Pintado 1 – Whitehorse Lake
13. Ramah Navajo School Board, Inc. (Pine Hill Schools)	<u>Five (5) Member Board:</u> 4 – Ramah 1 – Eastern Agency
14. T'iists'oozi Bi'Olta (Crownpoint)	<u>Five (5) Member Board:</u> 3 – Crownpoint 1 – Little Water / Dalton Pass 1 – Becenti / Standing Rock
15. To'Hajiilee Community School, Inc.	<u>Five (5) Member Board:</u> 5 – Tohajiilee
16. Tse'ii'ahi' Community School (Standing Rock)	<u>Four (4) Member Board:</u> 1 – Standing Rock 1 – Coyote Canyon 1 – Nahodishgish 1 – Crownpoint
17. Wingate Elementary School	<u>Five (5) Member Board:</u> 1 – Churchrock 1 – Iyanbito 1 – Manuelito / Rock Springs / Tseyatoh 1 – Red Rock / Bread Springs 1 – Pinedale / Mariano Lake
18. Wingate High School	<u>Five (5) Member Board:</u> 1 – Pinedale 1 – Churchrock 1 – Red Rock / Chilchiltah/Jones Ranch / Bread Springs 1 – Iyanbito 1 – Eastern Agency

Total Member Board: 79

FORT DEFIANCE AGENCY

NAME OF SCHOOL	2007 SCHOOL BOARD APPORTIONMENT
01. Ch'oosghai Community School, Inc.	<u>Five (5) Member Board:</u> 1 - Twin Lakes 1 - Tohatchi 1 - Coyote Canyon 1 - Naschitti 1 - Mexican Springs
02. Crystal Boarding School	<u>Four (4) Member Board:</u> 1 - Red Lake 1 - Sawmill 1 - Crystal 1 - Fort Defiance
03. Dilcon Community School, Inc.	<u>Four (4) Member Board:</u> 3 - Dilcon 1 - Indian Wells / Whitecone / Teesto
04. Greasewood Springs Community School, Inc.	<u>Four (4) Member Board:</u> 2 - Greasewood Springs 1 - Steamboat 1 - Cornfields / Jeddito / White Cone
05. Hunters Point Boarding School	<u>Four (4) Member Board:</u> 1 - Fort Defiance 1 - St. Michaels 1 - Oak Springs 1 - Lupton
06. Kin Dah Lich'I', Olta, Inc.	<u>Four (4) Member Board:</u> 2 - Kinlichee 1 - Ganado 1 - Cornfields
07. Pine Springs Boarding School	<u>Four (4) Member Board:</u> 1 - Houck 1 - Lupton 1 - Nahata Dzil 1 - Oak Springs
08. Seba Dalkai Boarding School	<u>Four (4) Member Board:</u> 3 - Teesto 1 - Dilcon / Indian Wells

09. Tiisyaakin Residential Hall, Inc.	<u>Four (4) Member Board:</u> 1 – Chinle / Many Farms / Rough Rock 1 – Jeddito / Steamboat 1 – Dilcon / Greasewood Springs / Cornfields 1 – Nahata Dzil / Houck
10. Wide Ruins Community School, Inc.	<u>Four (4) Member Board:</u> 2 – Nahata Dzil 1 – Wide Ruins / Klagetoh 1 – Houck / Lupton
11. Winslow Residential Hall, Inc.	<u>Four (4) Member Board:</u> 1 – Dilcon 1 – Bird Springs / Leupp / Tolani Lake 1 – Teesto 1 – Chinle Agency

Total Member Board: 45

NORTHERN NAVAJO AGENCY

NAME OF SCHOOL	2007 SCHOOL BOARD APPORTIONMENT
01. Aneth Community School	<u>Four (4) Member Board:</u> 3 – Aneth 1 – Red Mesa
02. Aztec High School Dormitory, Inc.	<u>Four (4) Member Board:</u> 2 – Shiprock 1 – Sanostee / Sheep Springs / Two Greyhills 1 – Teec Nos Pos / Beclabito
03. Beclabito Day School	<u>Four (4) Member Board:</u> 1 – Shiprock 1 – Beclabito 1 – Gadiiahi 1 – Teec Nos Pos
04. Cove Day School	<u>Four (4) Member Board:</u> 3 – Cove 1 – Red Valley
05. Navajo Preparatory School, Inc.	<u>Five (5) Member Board:</u> 1 – Chinle Agency 1 – Fort Defiance Agency 1 – Northern Agency 1 – Eastern Agency 1 – Western Agency
06. Nenahnezad Community School	<u>Four (4) Member Board:</u> 1 – Nenahnezad 1 – Upper Fruitland 1 – San Juan / Hogback 1 – Shiprock
07. Red Rock Day School	<u>Four (4) Member Board:</u> 3 – Red Valley 1 – Cove
08. Sanostee Boarding School	<u>Four (4) Member Board:</u> 4 – Sanostee
09. Shiprock Associated Schools, Inc.	<u>Five (5) Member Board:</u> 3 – Shiprock 1 – Hogback / Gadiiahi 1 – Sanostee / Red Valley / Cove

10. T'iis Nazbas Community School	<u>Four (4) Member Board:</u> 2 - Teec Nos Pos 1 - Sweet Water / Red Mesa 1 - Shiprock / Beclabito
11. Tohaali' Community School	<u>Four (4) Member Board:</u> 2 - Two Greyhills 1 - Sanostee 1 - Newcomb / Sheep Springs

Total Member Board: 46

WESTERN NAVAJO AGENCY

NAME OF SCHOOL	2007 SCHOOL BOARD APPORTIONMENT
01. Chilchinbeto Community School, Inc.	<u>Four (4) Member Board:</u> 4 – Chilchinbeto
02. Dennehotso Boarding School	<u>Four (4) Member Board:</u> 4 – Dennehotso
03. Greyhills Academy High School, Inc.	<u>Five (5) Member Board:</u> 3 – Tuba City / Tonalea 1 – Cameron / Hard Rock / Kaibeto 1 – Western Agency
04. Kaibeto Boarding School	<u>Five (5) Member Board:</u> 5 – Kaibeto
05. Kayenta Community School	<u>Five (5) Member Board:</u> 4 – Kayenta 1 – Oljato
06. KinLani Bordertown Dorm, Inc.	<u>Four (4) Member Board:</u> 1 – Tuba City 1 – Shonto/ Navajo Mountain / Kayenta 1 – Hard Rock / Tonalea 1 – Western Agency
07. Little Singer Community School	<u>Four (4) Member Board:</u> 3 – Bird Springs 1 – Tolani Lake / Leupp
08. Leupp Schools, Inc.	<u>Four (4) Member Board:</u> 2 – Leupp 1 – Bird Springs 1 – Tolani Lake
09. Naa Tsis'Aan Community School, Inc.	<u>Four (4) Member Board:</u> 4 – Navajo Mountain
10. Richfield Residential Hall, Inc.	<u>Four (4) Member Board:</u> 1 – Tuba City 1 – Kayenta 1 – Kaibeto / Lechee 1 – Shonto / Oljato
11. Rocky Ridge Boarding School	<u>Four (4) Member Board:</u> 4 – Hard Rock

EXHIBIT "A"

12. Shonto Preparatory School, Inc.	<u>Five (5) Member Board:</u> 3 – Shonto 1 – Inscription House 1 – Tonalea / Kaibeto
13. Tonalea Day School	<u>Four (4) Member Board:</u> 4 – Tonalea
14. Tuba City Boarding School	<u>Five (5) Member Board:</u> 4 – Tuba City 1 – Cameron / Coalmine / Badaway / Tonalea

Total Member Board: 61

EXHIBIT "A"

COMPOSITION GUIDE OF LOCAL COMMUNITY SCHOOL BOARD MEMBERS

- 1) Up to 99 students enrolled = 4 Board Members
- 2) 100 to 299 students enrolled = 4 Board Members
- 3) 300 to 400+ students enrolled = 5 Board Members

**LEGISLATIVE BRANCH
NAVAJO NATION**

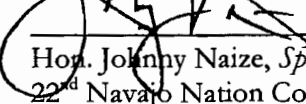


HONORABLE JOHNNY NAIZE
Speaker, 22nd Navajo Nation Council

December 27, 2011

MEMORANDUM

TO : *Honorable Members*
Law and Order Committee
Health, Education and Human Services
Nabik'iyati' Committee
Navajo Nation Council

FROM : 
Hon. Johnny Naize, *Speaker*
22nd Navajo Nation Council

SUBJECT : **ASSIGNMENT OF LEGISLATION**

Pursuant to 2 N.N.C. § 164 (A)(4), this memorandum serves to inform and advise you that I assign the following legislation to the Law and Order Committee; Health, Education and Human Services Committee; Nabik'iyati' Committee and the Navajo Nation Council:

Legislation No. 0512-11

RELATING TO LAW AND ORDER; HEALTH, EDUCATION AND HUMAN SERVICES AND THE NAVAJO NATION COUNCIL; AMENDING 11 N.N.C. §§ 2, 11 AND 22 FOR PURPOSES OF AUTHORIZING THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE TO EXTEND THE TIME FOR APPROVAL OF LOCAL COMMUNITY SCHOOL BOARD APPORTIONMENT PLANS

As the Committee assigned to consider the legislation, Legislation No. 0512-11 must be placed on the Law and Order Committee; Health, Education and Human Services Committee; Nabik'iyati' Committee and the Navajo Nation Council's agenda at the next regular meeting for final consideration.

ATTACHMENT: Legislation No. 0512-11

xc: Hon. Ben Shelly, *President*
The Navajo Nation
Harrison Tsosie, *Attorney General*
Mark Grant, *Controller*
Honorable Jonathan L. Hale, Council Delegate (*Prime Sponsor*)

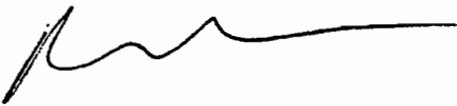
Office of Legislative Counsel
Telephone: (928) 871-7166
Fax: (928) 871-7576



Johnny Naize
Speaker of the Navajo Nation Council

MEMORANDUM

To : Jonathan Hale, Council Delegate
Navajo Nation Council

From : 
Ron Haven, Attorney
Office of Legislative Counsel

Date : December 22, 2011

Re : Proposed bill - AN ACT RELATING TO LAW AND ORDER,
HEALTH, EDUCATION AND HUMAN SERVICES AND THE
NAVAJO NATION COUNCIL; AMENDING 11 N.N.C. §§ 2, 11 AND
22 FOR PURPOSES OF AUTHORIZING THE HEALTH,
EDUCATION AND HUMAN SERVICES COMMITTEE TO EXTEND
THE TIME FOR APPROVAL OF LOCAL COMMUNITY SCHOOL
BOARD APPORTIONMENT PLANS

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction. If you are satisfied with the proposed resolution, please sign the proposed resolution where it indicates "INTRODUCED BY" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment.

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.

OLC # 12-137-1

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0512-11_____ SPONSOR: Jonathan Hale

TITLE: An Action Relating to Law and Order; Health, Education and Human Services; and the Navajo Nation Council: Amending 11 N.N.C. §§2, 11 and 22 For Purposes of Authorizing the Health, Education and Human Services Committee to Extend the Time for Approval of Local Community School Board Apportionment Plans

Date posted: December 28, 2011 at 11:35am

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) 871-7590**

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.*

**THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY**

LEGISLATION NO.: 0512-11

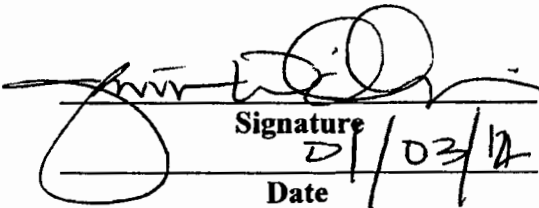
SPONSOR: Honorable Jonathan Hale

TITLE: An Action Relating to Law and Order; Health, Education and Human Services; and the Navajo Nation Council: Amending 11 N.N.C. §§2, 11 and 22 For Purposes of Authorizing the Health, Education and Human Services Committee to Extend the Time for Approval of Local Community School Board Apportionment Plans

POSTED: December 28, 2011 at 11:35am

5 DAY Comment Period Ended: January 01, 2012

Digital Comments received: None Received.



Signature

Date 01/03/12

**LAW AND ORDER COMMITTEE
22nd NAVAJO NATION COUNCIL**

SECOND YEAR 2012

COMMITTEE REPORT

Mr. Speaker,

The **LAW AND ORDER COMMITTEE** to whom has been assigned:

NAVAJO LEGISLATION NO. 0512-11

AN ACT RELATING TO LAW AND ORDER; HEALTH, EDUCATION, AND
HUMAN SERVICES AND THE NAVAJO NATION COUNCIL; AMENDING
11 N.N.C. §§2, 11 AND 22 FOR PURPOSES OF AUTHORIZING THE
HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE TO
EXTEND THE TIME FOR APPROVAL OF LOCAL COMMUNITY SCHOOL
BOARD APPORTIONMENT PLANS. *(Sponsored by Jonathan Hale)*

Has had it under consideration and report the same with a recommendation for **DO NOT PASS**, with no amendments:

and therefore referred to **HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE**.

Respectfully submitted,



Edmund Yazzie, Chairperson
Law and Order Committee of the
22nd Navajo Nation Council

Date: January 9, 2012

The vote was 0 in favor and 3 opposed

Motion: Alton Joe Shepherd

Second: Duane S. Tsinigine



22nd NAVAJO NATION COUNCIL – SECOND YEAR 2012

**The HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE
NAVAJO NATION COUNCIL to whom has been assigned:**

LEGISLATION NO. 0512-11

Has had it under consideration and report the same with the recommendation that it
DO PASS with no amendments.

And therefore referred the same to **NABIK'ÍYÁTI' COMMITTEE OF THE NAVAJO
NATION COUNCIL.**

A handwritten signature in cursive script, reading "Charles Damon".

Charles Damon, Vice Chairperson
Health, Education and Human Services Committee

Dated: January 11, 2012

Motioned by: Honorable Dwight Witherspoon

Seconded by: Honorable Walter Phelps

Vote: 4 in Favor, 0 Opposed and 0 Abstain

NAA BIK'IYATI' COMMITTEE REPORT
22ND NAVAJO NATION COUNCIL – SECOND YEAR 2012

Mr. Speaker:

The **NAA BIK'IYATI' COMMITTEE**, to whom has assigned:

LEGISLATION NO. 0512-11

Introduced by Jonathan Hale

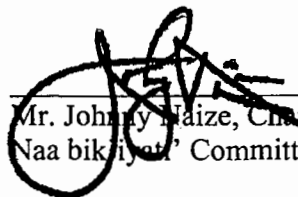
AN ACT

Relating to Law and Order, Health, Education and Human Services and the Navajo Nation Council; Amending 11 N.N.C. §§ 2, 11 and 22 For Purposes Of Authorizing The Health, Education and Human Services Committee To Extend The Time For Approval Of Local Community School Board Apportionment Plans.

has had it under consideration and reports the same with a **DO PASS** with NO AMENDMENTS.
and thence referred to the Navajo Nation Council.

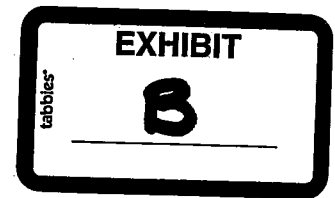
CERTIFICATION

I, hereby certify that the foregoing legislation was duly considered by the Naa bik'iyati' Committee of the Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed with a vote of 10 in favor and 3 opposed this 17th day of January 2012.



Mr. Johnny Waize, Chairperson
Naa bik'iyati' Committee

MOTION: Walter Phelps
SECOND: Katherine Benally




THE NAVAJO NATION

BOARD OF ELECTION SUPERVISORS

MEMORANDUM

TO : Jonathan Hale, Chairman
Health, Education & Human Services Committee

FROM: 
Rodger Martinez, Chairman
Navajo Board of Election Supervisors

DATE: August 27, 2015

SUBJECT: School Board Apportionment Plan

The Navajo Board of Election Supervisors at its regular meeting on August 27, 2015 discussed several items, including the matter of an apportionment plan for school boards for use in the upcoming 2016 Chapter Elections. The Health, Education and Human Services Committee is responsible for developing and approving school board apportionment plans. 11 N.N.C. §§ 2 and 11. Under the Election Code, new school board apportionment plans must be developed and approved every 4 years (beginning November 2003). 11 N.N.C. §11(B). The next school board apportionment plan must be approved no later than November 2, 2015. *Id.*

In the development of a school board apportionment plan, the Health, Education and Human Services Committee must solicit and obtain comments. 11 N.N.C. § 2(H). In this process, the Navajo Election Code requires input from the "Navajo Board of Election Supervisors, parents, local school boards, chapters, school board organizations, such as agency school boards, and the Navajo Division of Dine Education." 11 N.N.C. § 11(C). As you likely know, the law mandates a minimum 60-day comment period (before the adoption of a plan).¹

Right now, the timeframe for adopting a school board apportionment plan is limited. The Navajo Nation, at the direction of the Health, Education and Human Services Committee, must prepare for public hearings. Comments must be solicited. And a final apportionment plan no later than November 2, 2015. This strict time period ensures a timely apportionment plan for each and every school board election. The lack of a timely apportionment plan impacts candidate filing periods, which for the upcoming elections is scheduled to open March 3, 2016. All school board positions will be up for election and it is crucial that all these positions are properly apportioned. We need to ensure that everyone is represented on an equal basis.

¹ With the requirement that school board apportionment plans be adopted no later than "the first Monday of November" (preceding school board elections), a draft plan would be helpful for purposes of soliciting informed comments.

MEMO TO JONATHAN HALE
RE: SCHOOL BOARD APPORTIONMENT PLAN
AUGUST 27, 2015 – PAGE TWO

In your public hearing notices please provide notices to us, the Navajo Election Administration and Navajo Board of Election Supervisors. Also, can we get a report from the Health, Education and Human Services Committee on the status of plans to formulate and implement a new School Board apportionment plan for use in the next upcoming Chapter Elections for 2016?

Thank you for your attention and anticipated prompt response. All questions and correspondences regarding this notice and inquiry should be provided through the Navajo Election Administration at its central office in Window Rock. The contact number is (928) 871-6396 or 7263.

xc: NBOES Members
Health, Education & Human Services Committee
Director, Navajo Division of Education



**DEPARTMENT OF DINÉ EDUCATION
THE NAVAJO NATION**

P.O. Box 670 · Window Rock, Arizona 86515
PHONE (928) 871 – 7475 · FAX (928) 871 – 7474



Russell Begaye
President

Jonathan Nez
Vice-President

September 11, 2015

Jonathan Hale,
Chairperson

Norman M. Begay,
Vice-Chairperson

Nelson Begaye,
Member

Nathaniel Brown,
Member

Amber Crotty,
Member

Herman Daniels, Jr.,
Member

Health, Education, and Human Services Chairperson
NAVAJO NATION COUNCIL
P.O. Box 3390
Window Rock, AZ 86515



RE: School Board Apportionment Plan

Dear Honorable Health, Education, and Human Services Committee Members:

I sincerely apologize for not being able to personally attend the September 11, 2015 committee meeting regarding school board apportionment. The Department of Diné Education has met with the Navajo Elections Administration on this matter and we anticipate presenting an apportionment plan by December 2015. In the meantime, we are requesting an extension of the statutory timeline (11 N.N.C. 11(B), amended by CJA-06-12) to collect additional data and accurate information to present an apportionment plan tentatively by December 2015.

According to our meeting with the Navajo Elections Administration and review of the Election Code, the last month to enact an apportionment plan is by the end of February 2015. I have assigned several Department staff to coordinate with the Navajo Elections Administration on this matter. If you have any questions or concerns, please do not hesitate to contact me. Thank you.

Sincerely,

Dr. Tommy Lewis, Superintendent of Schools
Department of Diné Education

CC: Edison Wauneka, Executive Director/Navajo Elections Administration
Timothy Benally, Asst. Superintendent/ Department of Diné Education
Dr. Florinda Jackson, Education Program Manager/Office of Diné Accountability & Compliance
Members/Navajo Nation Board of Education

BOARD OF EDUCATION

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Dr. Tommy Lewis, Superintendent of Schools