

## LEGISLATIVE SUMMARY SHEET

Tracking No. **0046-21**

**DATE:** March 12, 2021

**TITLE OF RESOLUTION:** AN ACTION RELATING TO HEALTH, EDUCATION, AND HUMAN SERVICES AND NAABIK'ÍYÁTI' COMMITTEES; RESCINDING NABIAU-35-20, ENTITLED, "*AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'ÍYÁTI' COMMITTEES; RECOMMENDING THAT ALL SCHOOLS, PUBLIC AND PRIVATE, SERVING THE NAVAJO NATION, INCLUDING THOSE OPERATED BY THE STATE OF NEW MEXICO PUBLIC EDUCATION DEPARTMENT, THE STATES OF ARIZONA AND UTAH, AND ALL SCHOOLS OPERATED BY THE BUREAU OF INDIAN AFFAIRS AND THE BUREAU OF INDIAN EDUCATION, TO DELAY PLANS AND DECISIONS TO REOPEN SCHOOLS FOR THE 2020-2021 SCHOOL YEAR*"

**PURPOSE OF RESOLUTION:** This resolution, if approved, will rescind NABIAU-35-20, a resolution which recommended that *all schools, public and private, serving the Navajo Nation, including those operated by the State of New Mexico Public Education Department, the states of Arizona and Utah, and all schools operated by the Bureau of Indian Affairs and the Bureau of Indian Education, to delay plans and decisions to reopen schools for the 2020-2021 school year.* The proposed resolution introduced will rescind this previous action of the Navajo Nation.

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 BILL HOLD PERIOD: 15 Business Days  
Website Posting Time/Date: 03-17-21 5:08 PM  
Posting End Date: 03-22-2021  
Eligible for Action: 03-23-2021

Health Education & Human Services Committee  
Thence  
Naabik'iyáti' Committee

PROPOSED STANDING COMMITTEE RESOLUTION  
24th NAVAJO NATION COUNCIL – Third Year, 2021

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. 0046-21

AN ACTION

RELATING TO HEALTH, EDUCATION, AND HUMAN SERVICES AND  
NAABIK'ÍYÁTI' COMMITTEES; RESCINDING NABIAU-35-20, ENTITLED, "AN  
ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND  
NAABIK'ÍYÁTI' COMMITTEES; RECOMMENDING THAT ALL SCHOOLS, PUBLIC  
AND PRIVATE, SERVING THE NAVAJO NATION, INCLUDING THOSE OPERATED  
BY THE STATE OF NEW MEXICO PUBLIC EDUCATION DEPARTMENT, THE STATES  
OF ARIZONA AND UTAH, AND ALL SCHOOLS OPERATED BY THE BUREAU OF  
INDIAN AFFAIRS AND THE BUREAU OF INDIAN EDUCATION, TO DELAY PLANS  
AND DECISIONS TO REOPEN SCHOOLS FOR THE 2020-2021 SCHOOL YEAR"

WHEREAS:

- A. The Health Education and Human Services Committee of the Navajo Nation Council has oversight over the Navajo Nation Department of Diné Education. 2 N.N.C. § 401 (C) (1).
- B. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council. It has the authority 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. § 701(A)(7).

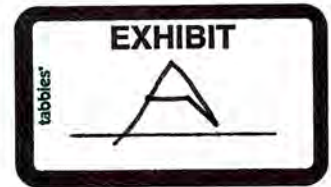
1 C. On August 13, 2020, the Naabik'iyáti' Committee passed resolution NABIAU-35-20,  
2 entitled "*An Action Relating To Health, Education And Human Services And*  
3 *Naabik'iyáti' Committees; Recommending That All Schools, Public And Private,*  
4 *Serving The Navajo Nation, Including Those Operated By The State Of New Mexico*  
5 *Public Education Department, The States Of Arizona And Utah, And All Schools*  
6 *Operated By The Bureau Of Indian Affairs And The Bureau Of Indian Education, To*  
7 *Delay Plans And Decisions To Reopen Schools For The 2020-2021 School Year.*"  
8 NABIAU-35-20 attached as Exhibit A.

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10 NOW THEREFORE BE IT RESOLVED:

11 The Navajo Nation hereby rescinds NABIAU-35-20.  
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RESOLUTION OF THE  
NAABIK'ÍYÁTI' STANDING COMMITTEE  
24<sup>th</sup> NAVAJO NATION COUNCIL -- Second Year, 2020



AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'ÍYÁTI' COMMITTEES; RECOMMENDING THAT ALL SCHOOLS, PUBLIC AND PRIVATE, SERVING THE NAVAJO NATION, INCLUDING THOSE OPERATED BY THE STATE OF NEW MEXICO PUBLIC EDUCATION DEPARTMENT, THE STATES OF ARIZONA AND UTAH, AND ALL SCHOOLS OPERATED BY THE BUREAU OF INDIAN AFFAIRS AND THE BUREAU OF INDIAN EDUCATION, TO DELAY PLANS AND DECISIONS TO REOPEN SCHOOLS FOR THE 2020-2021 SCHOOL YEAR

**WHEREAS:**

- A. The Health, Education and Human Services Committee (HEHSC) is a standing committee of the Navajo Nation Council. It has the authority to review and recommend resolutions regarding certain matters, including health, education and social services. 2 N.N.C. §§ 164 (A)(9), 400 (A), 401 (B)(6)(a) (2012); see also CO-45-12.
- B. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council. It has the authority 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. §701(A)(7).
- C. The Navajo Nation has children attending public schools in the state of New Mexico, including schools in McKinley and San Juan Counties.
- D. Due to coronavirus (COVID-19), Governor Michelle Lujan Grisham, through executive order, closed New Mexico public schools for the period March 16, 2020 - April 3, 2020. See, [newmexico.gov](http://newmexico.gov). On March 27, 2020, with 136 confirmed cases for COVID-19 in the state, the March/April school closure was extended for the remaining school year. Gov. Lujan Grisham stated, "We're working very hard to contain the virus, and we have to continue to take aggressive steps to mitigate spread



and protect New Mexicans of every age all across the state. It is more important than ever that we make sure all New Mexicans are heeding the imperative to stay home." She also stated, "Keeping schools closed is one of the most important tools we have to support the social distancing that can help us reduce and mitigate the spread of the virus." See, *newmexico.gov*. (March 27, 2020). Schools were directed to develop "continuous learning plans." *Id.*

- E. The Bureau of Indian Education (BIE) manages elementary and secondary schools and dormitories located on Indian reservations, including the Navajo Nation. Within the Navajo Nation, there are Navajo Nation controlled schools, and schools operated under contracts or grants with the BIE. The BIE also provides funds for residential programs.
- F. Arizona public schools are scheduled to reopen August 17, 2020. New Mexico public schools are scheduled to reopen August 3, 2020. Bureau-operated schools are scheduled to reopen September 16, 2020.
- G. On June 20, 2020, the New Mexico Public Education Department (NMPED), through its written *Reentry Guidance*, announced plans to reopen schools (K-12) beginning in August for school year 2020-2021. See, *newmexico.gov* and **Exhibit A** (an excerpt from June 20, 2020 NM PED *Reentry Guidance*)
- H. COVID-19 cases continue to increase across the country at an alarming rate. For New Mexico, as of July 1, 2020, over 12,000 cases of Coronavirus were reported. Nearly 500 deaths were reported as well. See, *cv.nmhealth.org* (NM Department of Health). And within the Navajo Nation, health officials have reported the highest per capita rate of infection for COVID-19 in the United States.
- I. There are a number of comments from the general public, including teachers and students, against reopening of schools. These comments are attached as **Exhibit B**.
- J. Statistics also provide that New Mexico "ranks second among states in percent of positive cases that are under 20 years of age. In New Mexico, 12% of positive cases have been children

and adolescents; the national average is 3%." See, [cv.nmhealth.org](http://cv.nmhealth.org) (FAQ).

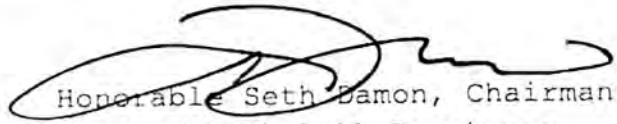
- K. Navajo children must be protected. In midst of the continuous rising cases of COVID-19 throughout the country, it is too early to reopen schools in the manner proposed by the New Mexico Public Education Department.

**NOW THEREFORE BE IT RESOLVED THAT:**

- A. The Navajo Nation strongly recommends that all schools, public and private, serving the Navajo Nation, including those operated by the State of New Mexico Public Education Department, The States of Arizona and Utah, schools operated by the Bureau of Indian Affairs and the Bureau of Indian Education, delay plans and decisions to reopen schools for the 2020-2021 school year.

**CERTIFICATION**

I, hereby certify that the foregoing resolution was duly considered by the Naabik'iyáti' 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 13<sup>th</sup> day of August 2020.

  
Honorable Seth Damon, Chairman  
Naabik'iyáti' Committee

August 19, 2020

Date

Motion: Honorable Mark A. Freeland  
Second: Honorable Pernell Halona

Chairman Seth Damon not voting



# Exhibit A

## Requirements for Reentry

NMPED's Reentry Guidance provides considerations, recommendations, and best practices to encourage a safe and successful school year. The following are important minimum requirements for all reentry.

The eight minimum requirements for reentry are:

- 1 To begin, all districts and schools across the state will be able to operate strictly according to hybrid guidelines. The Department of Health and Medical Advisory Team will regularly assess rates of the spread of COVID-19. Districts and schools will then follow the appropriate guidelines based on the designated safe reentry category.
- 2 Schools must participate in a surveillance and rapid response testing program for all staff.
- 3 Schools must adhere to the social distancing requirements of their designated category.
- 4 Schools should avoid large group gatherings.
- 5 Face coverings are required for all students and staff except while eating, drinking and exercising, with limited exceptions for students or staff who have medical reasons for not being able to wear a mask or face shield.
- 6 All staff must be screened on a daily basis, including a temperature check and review of potential symptoms. All sites must work with state and local health officials to have a plan for contact tracing. While not required, this is also recommended for students.
- 7 For transportation, all staff and students must wear face shields or masks. In addition:
  - a. A maximum of two students may sit together on a bus seat.
  - b. Schools in the yellow category should take all reasonable steps to limit bus seats to one student to the best of their ability.
- 8 Meals must be provided to students during in-person instruction and remote learning.

0159-20



Laberta Jean Largo <labertalargo13@gmail.com>

Fri 7/17/2020 10:58 AM

Re: comments <comments@navajo-nsn.gov>;

It's is not safe to go back to school

So please Navajo nation Council please be in Favor of not letting students go back to school

Sent from my iPhone

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## School year 20-21 reopening

Shileen Livingston <shhenderson@yahoo.com>

Thu 11/17/2020 10:59 AM

To: comments <comments@navajo-nsn.gov>;

Good morning,

As a parent I am very concerned and afraid for my children to return to in school sessions. Our family has personally been affected by Covid -19 and have lost 3 loved ones. I did my part in keeping my children home while in quarantine. I am concerned because I do not know if other parents are doing the same with their children or if they are taking them around to these known "hotspots." I would prefer to have them do completely online classes until it is completely safe to return. If they continue to see spikes and still decide to reopen schools, I will be applying for homeschooling. Thank you for listening and taking into consideration the concerns of parents throughout the Navajo Nation.

Sent from my iPhone

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# School delay due to Covid-19

Jamie Russette <jamierussette@yahoo.com>

Fri Jul 17/2020 10:30 AM

Re: comments <comments@navajo-nsn.gov>.

To whom it may concern;

I would like to voice my opinion and stance on the proposed school openings in August 2020. At this time the cases of COVID on the reservation and throughout our nation are at the highest levels they have been.

I don't see my children going back to school until there is a vaccine discovered, how could the State of New Mexico even consider putting out children's lives in danger! The governor of New Mexico Michelle Lujan Grisham will not even allow a movie theater to open because of the dangers, how could she think putting a classroom of twenty or more students together for eight hours a day safe!!

Children, because of their lack of understanding know the dangers of our situation. Do you really think they will be able to stand wearing a mask for more than eight hours a day! Do you really think they will keep their hands to themselves and not be able to touch their faces or other students?! Children are more prone to viruses and illnesses because of all the surfaces they touch, we cannot hope to put these vulnerable innocent lives in danger like this! My children have not been out in public since this started, the few time I have had to take them out while keeping a mask on them was challenging and I have four young children. Do you think one teacher with twenty students will be able to keep an eye on their masks or keep the twenty of them from touching surfaces or each other?! When one child gets sick in my home we all get sick! Just think if one child becomes exposed at home and unknowingly goes to school, how many more children will that child infect?! When those children in turn go home to their families they risk infecting everyone at home siblings, parents, vulnerable grandparents.

The state of New Mexico needs to stop and think about this! There are many alternatives available to keep students from going back to a classroom put them into place! Keep the interests of our children at heart first before you make these decisions!

I am very upset and it makes me sick to think of the Governor trying to push school among our already stressed parents and communities.

Keep our children safe New Mexico!

Jamie Russette  
PO Box  
Thoreau NM 87323  
505

Sent from my iPhone

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## Legislation 0159-20

Ryedale Edward Largo <rglapache03@gmail.com>

Fri 7/17/2020 10:39 AM

To: comments <comments@navajo-nsn.gov>;

I go to Miyamura high in Gallup it's part of the gmcs and this is my opinion  
I my self as a student do agree it is not safe to go back to school I have delt with this virus and I know how it feels I lost so  
many people of my family to this virus and I don't wanna give it to my family again if I catch it at school  
So please please Council think about us children on the Navajo Nation ❤️❤️

Sent from my iPhone

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# Untitled

Desiree Livingston <dlivingston560@gmail.com>

Fri 7/17/2020 10:39 AM

To: comments <comments@navajo-nsn.gov>;

It is not safe to go back to school during the covid-19 pandemic

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## considering covid for reopening school

Shasha Han <shan@navajotech.edu>

Fri 7/17/2020 10:39 AM

1/1 comments <comments@navajo-nsn.gov>

Hello,

My name is Shasha Han, I work at Navajo Technical University located in Crownpoint reservation. We have a big number of cases here which we don't even get informed where exactly those patients went. I am concerned about my 5 year old daughter going to school. I wish they would provide fully virtual classes otherwise I will not send my daughter to school. I would rather let her do homeschool. But my university informed us to go back to school, no one would watch her. For little children they are not able to wear a mask for a long time, they will touch things too. I notice many organizations here try to hide the information about people who get covid, that makes it even worse. No one is monitoring quarantined ones, they still go out and contact people after testing positive. Please consider doing virtual next semester or even the whole year. At this point, the most important thing is to stay alive.

Thanks

Shasha Han

Assistant math professor

Navajo Technical University

Lower Point rd hwy 371, crownpoint, NM 87313

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July 18, 2020

Lorinda Henio, Parent  
P.O. Box  
Church Rock, NM 87311  
[heniol@yahoo.com](mailto:heniol@yahoo.com)

This letter is in regards to the NM state school start up plan the governor has imposed.

As a parent, I have three children enrolled with the Gallup McKinley County School District. Majority of the students enrolled are Native American that are bused in from different parts of the reservation surrounding Gallup. I am very concerned about my children's health and safety to return back to a school classroom. As a parent I advocate on behalf of my children and have personally been involved by visiting 3 different schools periodically

during a school year. My children attend elementary, middle school and high school. My complaint to the school district has always been overcrowded classrooms/schools prior to this pandemic. Their response has always been teacher shortage.

So my top concern is how our children are able to practice social distancing in an over crowded school? Wearing a mask 8+ hours a day. Cleaning and sanitizing after each student seems impossible. The school buses have been overcrowded and two to a seat as proposed by GMCS does not met social distancing guidelines. There are just too many risk for our students to go back into a classroom setting.

My request is to delay school start until the numbers come down significantly. We can not risk our children's lives. The



health and safety of our children should  
be upmost priority.

Keep youth and elders safe. It's too soon to open school!

laMsCruz Cruz <lamsacruz@yahoo.com>

Sat 7/18/2020 1:51 PM

Re: comments <comments@navajo-nsn.gov>.

As a teacher with McKinley County public Schools , I love and respect the vibrant Dine and other native communities I've served teaching in Gallup. Every student who comes through our classroom door has an extended family. We have to consider the grandparents and relatives of our students. We have to protect the leaders, teachers, and healers of the future. Youth are precious and can not be replaced. Grandparents and elderly are precious and can not be replaced. Covid 19 is still killing . We do not know the long term disabilities this virus may cause. We must work to have safe schooling. We must teach without harming children and elders. We must extend remote learning and educational equality. It is not safe to have in person school yet. Thank you for your attention to this matter, Mary Luz Cruz

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# Reopening School for SY 2020/2021

Charlotte Ashley <ladmole2006@yahoo.com>

Sat 7/18/2020 1:53 PM

Re: comments <comments@navajo-nsn.gov>;

I am a grandmother to 3 young children. One in 1st, 5th and 8th at Thoreau Elementary and Middle Schools. I strongly disagree with school's reopening where students will be physically in schools. There is no vaccine available for COVID-19 and the numbers are still too high in McKinley county.

No one was prepared for all the problems this virus presented and no one has the answers except to wear a mask, social distancing and sanitize and disinfect. We are asking for a disaster putting children back in school exposing them to the high possibility of catching the virus and bringing it home.

I would strongly suggest online learning until January or February when there is a vaccine available and the positive case numbers are significantly low. I love my grandchildren and want them, as well as myself and my loved ones, to be around after this all blows over. We are dealing with a worldwide epidemic right now and we do not need to play with our children's lives by throwing them or ourselves into the hot fire.

Charlotte Livingston-Ashley  
Thoreau, New Mexico

Sent from Yahoo Mail for iPhone

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# Untitled

Tiania Sandoval <143tianiasandoval@gmail.com>

Sun 7/19/2020 9:36 PM

To: comments <comments@navajo-nsn.gov>;

No, it's not safe to go back to school

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## Regarding school opening

Pamela Whitman <pamelawhitman727@yahoo.com>

Sun 7/19/2020 9:30 PM

Re: comments <comments@navajo-nsn.gov>:

I Pamela Whitman am a grandian of my grandson who attends JFK school...I feel it is still not safe for him to go back...due to this virse...online would be more appropriate for them...like it says this virse does not discriminate...I caught it back in April...n I am still getting well from it... I've loss love one due to this virse. Your un standing us appreciate it. Any questions I can be reached by my email r phone 505

Sent from Yahoo Mail on Android

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# Opening schools

Catherine Begay <begaycatherine@yahoo.com>

Sun 7/19/2020 9:36 PM

To: comments <comments@navajo-nsn.gov>;

I am a Navajo language teacher. I teach at Navajo Pine High School on the Navajo reservation. I totally disagree that Gallup McKinley county school is opening school in August. I am afraid for the students and myself. Our Navajo children are precious as well as the teachers. The Covid-19 numbers are still raising and we need your help. We need a voice. A voice telling them the school's are opening too soon and it will be dangerous. The school district does not ask teachers what or how they feel about opening the schools. Just maybe Gallup McKinley county school will listen and take in to consideration if our leaders take action. Thank you.

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Re: parents comments

Dreday <andreatom45@yahoo.com>

Sun 7/19/2020 9:36 PM

In comments <comments@navajo-nsn.gov>:

To whom this may concern: I Andrea Yazzie would recommend online courses for my children, they attend Jefferson Elementary, Gallup Central High School and Miyamura high school. Thank you for your time and understanding if you have any questions please feel free to call or email at 928. andreatom45@yahoo.com.

Andrea Yazzie

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## Legislation 0159-20 School Delays

Monica Yazzie <monicayazzie@yahoo.com>

May 7/20/2020 9:10 PM

to comments <comments@navajo-nsn.gov>;

To whom it may concern,

As a parent, our voices are never heard from School Districts. I will not let my child go to school during this pandemic, seeing all the hotspots and extreme high cases of COVID and the aftermath of the virus of what it will do to the body, I will not take that chance to send my child to school even for a day. Please keep in mind, this virus puts mild to permanent damage to our health. The children who are dying, children who are carriers, children who suffer in health, as leaders re-entry needs promising guidelines. I saw the GMCS sports waiver form, you let your child participate, and if your child gets the COVID or if your child dies, you will not hold the school, the past, former or future board of directors responsible for this, how sad. This is not acceptable.

Monica

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# Schools opening

limitedarcher <limitedarcher@yahoo.com>

Mon 7/20/2020 9:10 PM

Re: comments <comments@navajo-nsn.gov>;

Hello. I am a parent of two children whom attend Gallup McKinley County Schools in Tohatchi NM.

I am not ok with the schools opening up anytime soon. There is no containment and no vaccine for the Covid 19. I have relatives whom have passed because of this virus; whom also did their best to wear masks, hand washing and staying home.

I am against the opening of in person school sessions and from home is best right now.

Why? Are there zoom meetings, teleconferences but our children to be put at risk in person and also the potential exposure for the children, staff and us adults at home and the rest of our family.

Thank you,  
Roxanne Thompson  
P.O. box  
Gamerco NM 87317

Sent from my Samsung Galaxy Smartphone

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# Untitled

Georgianna Desiderio <teddybearmat1105@gmail.com>

Mon 7/20/2020 9:10 PM

Re: comments <comments@navajo-nsn.gov>;

Navajo Nation Counsel Members,

I strongly advise you all to vote in favor, No. to our Dine children going back to school.

First, our Nation was hit hard by the coronavirus (Covid-19). Many people mock this virus as we went into the unknown, now we understand this virus is not a respecter of, gender, race, wealth, age.

Second, GMCS claims to have a strong plan! The CDC guidelines that McKinley county schools may have in place, is not good enough to ensure the safety of our children! Our children deserve a chance at a future!

The CDC of the United States of America guidelines fail! America has over 1 million deaths and is still accelerating at an alarming rate. The same guidelines Gallup McKinley County School state they are to follow??

Lastly, I urge you all to vote no!

Every single politician that is voted in their positions always claim

1. Our children, safety, future, education?

I ask you all these questions,

In the middle of this pandemic, How are you going to ensure our Dine/  
(children of ages, color, backgrounds)

Safety?

Future?

Education?

I am a parent, I do not wish any person feel the loss of any child. Our children are our future! Protect our children

Thank you.

Georgianna

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GLENADINE NAKATI  
P.O. Box  
CROWNPOINT, NM 87313

July 21, 2020

Dear Honorable Governor Michelle Lujan Grisham,

This letter is in support of Navajo Nation Legislation 0159-20. I support the Navajo Nation's request to delay the starting of the school year 2020/2021. As of current information the community of Crownpoint has 734 cases of COVID-19. The number of positive cases has been increasing on average of 8-10 cases a day. We are seeing a decline in positive cases due to the Navajo Nation's strict Shelter In Place orders and 57 hour Lock downs.

As an educator I am concerned for my safety, the safety of my colleagues, and most importantly the safety of our students. I feel that the COVID pandemic will continue to decrease with time. My colleagues and I are requesting that you, as the Governor of New Mexico, delay the start of the next school year. We feel that the extra time will allow for decline in the number of positive cases.

Thank you for your consideration of our ideas and for working to keep New Mexicans safe.

Sincerely,

Ms. Glenadine Nakati  
Kindergarten Teacher  
Crownpoint Elementary School  
Crownpoint, NM 87313  
[gnakati@gmcs.org](mailto:gnakati@gmcs.org)

# In person school

mthompson.2016@yahoo.com

Wed 2/22/2020 12:54 PM

to comments <comments@navajo-nsn.gov>;

I am a guardian of my niece and nephew whom attend Tohatchi elementary school. I am not ok with my kids going in person right now to attend school. There is no containment or vaccine for the Covid-19. It is unsafe for kids right now and for the teachers and family the kids come home too. Please keep our children safe for now. Would you as leaders send your child, grandchildren to a school building right now during the pandemic? Not me.

Melvin Thompson


Sent from Yahoo Mail on Android

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## Legislation No.\_0159-20\_

Candace Begay <[cfbegay@gmail.com](mailto:cfbegay@gmail.com)>

Wed 2/12/20 12:54 PM

 comments <[comments@navajo-nsn.gov](mailto:comments@navajo-nsn.gov)>

Good afternoon,

I am in full support of this legislation to DELAY the opening of Gallup McKinley County Schools. I have three children, one at Thoreau Elementary School, two at Thoreau Middle School.

I am entrusted with their health as their parent, and I have been successful this far. We have been abiding by the instructions handed down from our Navajo Nation President Johnathan Nez. My family has stayed home since March 2020, thus we have NOT contracted Covid19

The protective measures that I take - by teleworking from home, social distancing when getting essentials, staying home and enforcing my household to stay home during curfew hours have kept us safe thus far. How can I entrust someone else to take these protective measures for me? At the school level? I want my children safe. One of which has asthma.

If the school district wants to re-open schools, there should be an action plan for immune-compromised students/households. I have the means for my children to distance learn. I would like the Gallup McKinley County School district to take that into consideration. I understand the amount of kids we have in this school district is substantial. However, please and I beg of you - come up with some plans for online learning. This will allow more parent involvement in learning, which I fully support. It is up to us as parents to help educators at this time. Delay the reopening!!!!

Sincerely,

Candace Faith Begay

Phone: 505

Email: [cfbegay@gmail.com](mailto:cfbegay@gmail.com)

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## Schools reopening

Carol Heredia <cheredia\_28@yahoo.com>

Wed 1/22/2020 12:54 PM

[Comments](#) <comments@navajo-nsn.gov>

I have (2) high school aged children that will be attending school in Gallup with pre-existing medical conditions that require 504 health plans to ensure they have accommodations in place while attending school. With the current pandemic ongoing and the uncertainty of how long this virus will continue to linger, I have deep reservations about sending my kids to school. They both share the same sentiments about school. I do not want to risk my children's health and expose them to staff or their peers that could be asymptomatic and present with the COVID-19 virus. I have been following the news and some of the weak arguments in my opinion are that we need to send kids to school because they may be starving, be abused, or need human interaction. If these were severe problems, wouldn't they be a dire need to address these issues during the past months we've been social distancing? The Navajo people have been drastically affected by this vicious virus. Why do we want to put our kids at risk when there is not sound treatments or let alone hospital accommodations to treat a possible spike in patients being admitted? As a parent, I am asking the Navajo Nation elected officials to strongly consider what is best for our young people and ensure that our children are safe.

Thank you,  
Carol Heredia

WARNING: External email. Please verify sender before opening attachments or clicking on links.

## CUBA INDEPENDENT SCHOOL DISTRICT

**BOARD OF EDUCATION**  
DIANNA MAESTAS, President  
TAYLOR PINTO, Vice President  
VIVIAN KEETSU, Secretary  
ELIZABETH MARTIN, Member  
JAMES D. CASMUS, Member



**ADMINISTRATION**  
DR. KAREN SANCHEZ-GRIEGO Ed.D., Superintendent  
DR. MATT WILLIAMS Ph.D., Asst. Superintendent  
RHANNON CHAVEZ, Finance Director  
DR. PEDRO VALLEJO Ed.D., High School Principal  
ARSENIO JACQUEZ, Middle School Principal  
AMY ROMERO, Elementary School Principal

July 22, 2020

To whom it may concern,

Cuba Independent School District (CISD) is a public school in the state of New Mexico, under the New Mexico Public Education Department (NMPED). Under the *Reentry Guidelines* of the NMPED, CISD is among other schools in New Mexico to reopen schools in August 2020. CISD learned about the resolution carried forth by Council Delegate Edmund Yazzie of the Navajo Nation Council, recommending that the NMPED delay their plans and decisions to reopen schools for the 2020-2021 school year.

Cuba Independent School District is located in Cuba, NM, in Sandoval County, on the edge of the Easternmost portion of the Navajo Nation. A majority of our students (70%) are Navajo and live on the Navajo reservation. The communities that CISD serves face the same issues that our relatives all across the Navajo Nation face, which are further exacerbated by the pandemic. As we all know, our Navajo people were hit harder by COVID-19 as compared to other communities and as cases of the virus continue to rise, our communities have shown apprehension about sending their children back to school.

Cuba Independent School District supports the resolution brought forth by Mr Yazzie to recommend that the NMPED delay their plans and decisions to reopen schools for the 2020-2021 school year. Given the statistics provided in the resolution and the danger and fears surrounding the pandemic, it would be comforting for our students, parents, and communities to know that the safety of our students are at the forefront of our planning during this time. We ask that NMPED consider the hardships that our Navajo communities face when making the decision about requiring students to return back to school this year. We feel it would be safest for our students to continue in remote learning at this time. We support Mr. Yazzie and the resolution set forth here, as a decision in this matter will affect our school, our children, and our community.

Ahe'hee,

Raphaelita Phillips  
CISD Native American Student Support Program Director/ Indian Education Director  
[rphillips@cuba.k12.nm.us](mailto:rphillips@cuba.k12.nm.us)

## Legislation 0159-20

Rose Nofchissey <rose.nofchissey@gmail.com>

Thu 7/23/2020 9:53 AM

To comments <comments@navajo-nsn.gov>;

Ya'at'eeh, shinaat'aanii,

I'm a grandmother with grandkids in Arizona and New Mexico Navajo Nation. What I'm worried about is how the closing/reopening of schools severely impacts families, especially single parents. I'm relieved that President Nez extended the closure of tribal offices because many of our tribal employees are in the situation of not knowing how to get care for their children at home once they are ordered to go back to work. So please consider the various situations of the safety of our children and grandchildren.

Thank you.

Rose Nofchissey, Grandmother & Retired Teacher

Shiprock Chapter

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# NAVAJO NATION

615

Navajo Nation Naabikiyati Regular Meeting

8/13/2020

11:23:33 AM

Amd# to Amd#      Legis.No. 0159-20 (as amended)  
MOT Freeland, M      Recommending that the State  
SEC Halona, P      of New Mexico Public Education  
Department to Delay Plans...

PASSED

Yeas : 20

Nays : 0

Excused : 2

Not Voting : 1

## Yea : 20

Begay, E

Daniels

Nez, R

Tso, D

Begay, P

Freeland, M

Slater, C

Tso, O

Brown

Halona, P

Smith

Walker, T

Charles-Newton

Henio, J

Stewart, W

Wauneka, E

Crotty

James, V

Tso, C

Yazzie

## Nay : 0

## Excused : 2

Begay, K

Tso, E

## Not Voting : 1

Yellowhair


Presiding Speaker: Damon





## MEMORANDUM

To : Hon. Carl Slater, Delegate  
Navajo Nation Council

From :   
Ron Haven, Attorney  
Office of Legislative Counsel

Date : March 12, 2021

Re : AN ACTION RELATING TO HEALTH, EDUCATION, AND HUMAN SERVICES AND NAABIK'ÍYÁTI' COMMITTEES; RESCINDING NABIAU-35-20, ENTITLED, "AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'ÍYÁTI' COMMITTEES; RECOMMENDING THAT ALL SCHOOLS, PUBLIC AND PRIVATE, SERVING THE NAVAJO NATION, INCLUDING THOSE OPERATED BY THE STATE OF NEW MEXICO PUBLIC EDUCATION DEPARTMENT, THE STATES OF ARIZONA AND UTAH, AND ALL SCHOOLS OPERATED BY THE BUREAU OF INDIAN AFFAIRS AND THE BUREAU OF INDIAN EDUCATION, TO DELAY PLANS AND DECISIONS TO REOPEN SCHOOLS FOR THE 2020-2021 SCHOOL YEAR"

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. As to format, the resolution as drafted is legally sufficient. Regarding substance, as with any legislation, 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.

If you are satisfied with the proposed resolution, please sign it as "sponsor" 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. Ahéhee'.

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0046-21\_

SPONSOR: Carl Slater

**TITLE: An Action Relating to Health, Education, and Human Services and Naabik'iyáti' Committees; Rescinding NABIAU-35-20, Entitled, "An Action Relating to Health, Education, and Human Services and Naabik'iyáti' Committees; Recommending that All Schools, Public and Private, Serving the Navajo Nation, Including those Operated by the State of New Mexico Public Education Department, the States of Arizona and Utah, and All Schools Operated by the Bureau of Indian Affairs and the Bureau of Indian Education, to Delay Plans and Decisions to Reopen Schools for the 2020-2021 School Year"**

**Date posted: March 17, 2021 at 5:08PM**

Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto: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.*

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

**LEGISLATION NO.:** 0046-21

**SPONSOR:** Honorable Carl R. Slater

**TITLE:** An Action Relating to Health, Education, and Human Services and Naabik'iyáti' Committees; Rescinding NABIAU-35-20, Entitled, "An Action Relating to Health, Education, and Human Services and Naabik'iyáti' Committees; Recommending that All Schools, Public and Private, Serving the Navajo Nation, Including those Operated by the State of New Mexico Public Education Department, the States of Arizona and Utah, and All Schools Operated by the Bureau of Indian Affairs and the Bureau of Indian Education, to Delay Plans and Decisions to Reopen Schools for the 2020-2021 School Year"

**Posted:** March 17, 2021 at 5:08 PM

**5 DAY Comment Period Ended:** March 22, 2021

**Digital Comments received:**

<b>Comments Supporting</b>	<i>None</i>
<b>Comments Opposing</b>	1) Roxanne Lee 2) Regina Akee 3) Danielle Jim 4) Martha Saggboy
<b>Comments/Recommendations</b>	<i>None</i>

  
\_\_\_\_\_  
**Legislative Tracking Secretary  
Office of Legislative Services**

03/23/21      10:02 AM

**Date/Time**

# Comments for Legislation 0046-21

Roxanne Lee <leero@centralschools.org>

Mon 3/22/2021 3:53 PM

To: comments <comments@navajo-nsn.gov>;

1 attachments (1 MB)

Mesa Letter Requesting Remote\_02.19.2021\_1.pdf;

Greetings! My name is Roxanne Lee and I am the Principal at Mesa Elementary School in Shiprock NM and part of the Central Consolidated School District. We wrote the letter attached to our district administration requesting to remain remote and our efforts to provide remote learning for the remainder of the school year. Our request was denied and we are now in-person learning for (5) days a week (no day dedicated to the deep clean of the building); no temperature checks or screeners being done per NMPED; and with 3ft distance of classes. These are all concerns for myself and my colleagues as we are parents and educators!

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# MESA ELEMENTARY SCHOOL

**HOME OF THE ROADRUNNERS**

**PRE-K · K · 1 · 2 · 3 · 4 · 5**



Principal: Roxanne R. Lee

Counselor: Brittany K. Ashcroft

Receptionist: April Benally

February 19, 2021

Dear District Administration,

Mesa Elementary School has prepared for the safe return of our students and thus far we have (38) students on our hybrid list. We have 32% of our staff who have completed both 1 and 2 doses of COVID vaccines as of Friday, February 19. Despite preparing for a safe return to hybrid learning environment, on Tuesday, February 17, we had a positive notification of a staff member and consequently (6) staff who were notified to quarantine and be screened for COVID-19. Thus, prompting higher stress levels of possible exposure to COVID-19 in the building, increase in mental and emotional stress levels, and the psychological well-being of our staff, families and the community. Our Staff Survey indicates that 65% of Mesa staff stress levels are *High to Extremely High* should we go to Hybrid Learning (see survey attachment). Pursuant to local control, our staff has collectively decided to continue **REMOTE ONLY** instruction for the remainder of the school year beginning Monday, February 22, until Friday, May 28, 2021. We are not willing to risk the lives of our colleagues, our students, and all of our families. We love our community therefore, this remains the only responsible course of action.

According to the New Mexico Department of Health COVID Dashboard, San Juan County currently has a 5.01% positivity rate. While this is better than the previous period of reporting where our positivity rate was 12.17%, we still have triple the number of cases for the standard of 8 people in 100,000 people testing positive. Further, San Juan County has the third highest number of COVID-19 cases and number of deaths. New Mexico reached 100,000 cases on December 2, 2020. In a little over two months' time, our state has recorded an additional 76,211. Our state's first four COVID cases were reported on March 11th, so it took almost nine months to reach our first 100K cases. Now we have recorded 75% of this case total in only two months. This is a concern!

The Navajo Nation Department of Health is reporting 43 new cases and 13 deaths on February 18, 2021. Compare this to the numbers reported two weeks ago of 110 new cases and 9 deaths on February 4, 2021, the number of people dying from COVID-19 in our area remains high and at a constant level. Any attempt to relax regulations would be premature and unethical. While the rise in cases last month is not as extreme as November, any rise shows that individuals are continuing to hold in-person and social gatherings. The Shiprock Service Unit has re-surpassed the Gallup Service Unit for the second highest number of positive COVID-19 cases on the Navajo Nation behind Chinle Service Unit. Community spread remains uncontrollable for Shiprock and Upper

P.O. Box 1803 Shiprock, NM 87420

Phone: 505-368-4529

Fax: 505-368-5765



# **MESA ELEMENTARY SCHOOL**

***HOME OF THE ROADRUNNERS***

***PRE-K · K · 1 · 2 · 3 · 4 · 5***



*Principal: Roxanne R. Lee*

*Counselor: Brittany K. Ashcroft*

*Receptionist: April Benally*

Fruitland (February 16- Health Advisory Notice). Additionally, the Navajo Nation Reopening Status remains in "Red Code", which means high restrictions. The Navajo Nation is continuing Shelter-In-Place and Stay-At-Home Orders per amended Public Health Emergency Order No. 2021-003.

As NMPED is granting local control to school districts, we immediately request to keep our autonomy. CCSD has not implemented consistent policies across our district, instead has given Principals autonomy to decide what is best for their buildings, their staff, and their students. Mesa Elementary School will adhere to the resolution of the Navajo Nation Department of Dine Education (NNBEJA-691-2021) which requires schools on the Navajo Nation to remain remote for the remainder of the school year. We credit both our Diné and non-Diné staff for respecting tribal sovereignty, as well as our local government affiliations (see resolution attachments). Our District Administration has failed to acknowledge tribal sovereignty of the Navajo Nation.

In persevering through the Pandemic Learning Environment, Mesa Elementary has initiated, implemented and continues to modify/monitor for the needs of ALL students and their families under the core components of the Multi-layered System of Supports as follows:

- Consistent Bi-weekly Packet Days starting September 9<sup>th</sup>, 2020 with 100% Staff participation
- Parent Bi-weekly Packet Day participation percentages of 85% and above
- Increased opportunities for Parent Teacher Conferences
- Increased parent collaboration on weekly student academic progress
- Progress reporting on a weekly basis per "Mesa Parent Communication Logs" consistently submitted by Core Teachers
- Hosted (2) Parent Education Nights on December 14<sup>th</sup> (2 hours) and February 8<sup>th</sup> (2 hours) with two more sessions scheduled for March 22<sup>nd</sup> and May 17<sup>th</sup> ; Total of four parent sessions and an open house
- All teachers providing social emotional support for struggling families through weekly communication and providing community resources
- Quarterly Parent Surveys regarding Hybrid and Remote Preferences
- Quarterly Staff Surveys (See Attachment)
- High quality Instructional Packets and Material focused on ELA/Math/Science/ Social Studies and Specials (PE/ Technology/ Heritage/Music/ Art/ Counseling)
- Social Emotional Learning two afternoons a week for K-5<sup>th</sup> grades
- Special Education Teachers providing Tier III support via differentiated packets/ Google Classroom/Meet on a weekly basis

*P.O. Box 1803 Shiprock, NM 87420*

*Phone: 505-368-4529*

*Fax: 505-368-5765*



# MESA ELEMENTARY SCHOOL

**HOME OF THE ROADRUNNERS**

**PRE-K · K · 1 · 2 · 3 · 4 · 5**



Principal: Roxanne R. Lee

Counselor: Brittany K. Ashcroft

Receptionist: April Benally

- Core Teachers providing Tier II support via differentiated packets/ Google Classrooms/ Meet/ Zoom on a weekly basis
- Tutoring and homework support by all teachers on a voluntary basis
- 21<sup>st</sup> Program provides support for students grades 3<sup>rd</sup>-5<sup>th</sup> four days of the week
- Front Office continues to provide families with documents such as Self-Reliance/ Enrollment Verification/ Report Cards/ Update contact and address information
- Registration is now online and families only come to the building to provide a hardcopy or can email
- Health Office continues to provide hearing and vision screenings, KWEK Society supplies and health resources/information for families during Packet Days

Additionally, Albuquerque Public Schools, the largest school district in our state, decided on Wednesday, February 18, to remain remote for the remainder of the school year. Opening schools prematurely has the potential to increase risks for all stakeholders in the Navajo Nation. Please accept our exercising of local control in determining what is best for Mesa Elementary School staff and students in honoring our request to continue **REMOTE ONLY**. Our grade-level teachers will inform the Hybrid students and their families over the weekend or as soon as we district decision. We will also follow-up with a written letter on Monday, February 22<sup>nd</sup> during Packet Pick-up if needed. The majority of our staff have been with this district for five to ten years or longer. We have endured for our students, our school, and our community. Thank you for respecting our decision as a school!

Respectfully,

Mesa Leadership Team and Principal:

Roxanne Lee, Principal

Kelly Miller, Kindergarten

Teddianna Hayes, Kindergarten/MLSS/SAT

Rachael Charleston, 4<sup>th</sup> Grade/PAX

Danielle Jim, 4<sup>th</sup> Grade/ Safety Lead

Minerva Venturina, 5<sup>th</sup> Grade

Jeff Hammons, Gifted

Brittany Ashcroft, Counselor

Paden Avery, Health

Hope Garnenez, Financial Secretary

April Benally, Receptionist

Nicole Wayne, Art Teacher

P.O. Box 1803 Shiprock, NM 87420

Phone: 505-368-4529

Fax: 505-368-5765



# MESA ELEMENTARY SCHOOL

**HOME OF THE ROADRUNNERS**

**PRE-K · K · 1 · 2 · 3 · 4 · 5**



Principal: Roxanne R. Lee

Counselor: Brittany K. Ashcroft

Receptionist: April Benally

## Attachments:

- SY 20-21 Mesa Elementary COVID Survey Qtr. 3
- Resolution of Ghaadii'ahi/ To'koi Chapter dated February 9<sup>th</sup>, 2021
- Resolution of Shiprock Chapter dated February 11<sup>th</sup>, 2021

## Resource Links:

Public Health Emergency Order NO. 2021-003

[https://www.ndoh.navajo-](https://www.ndoh.navajo-nsn.gov/Portals/0/PDF/PHE/NDOH%20Public%20Health%20Emergency%20Order%202021-003%20Dikos%20Ntsaaigii-19.pdf)

[nsn.gov/Portals/0/PDF/PHE/NDOH%20Public%20Health%20Emergency%20Order%202021-003%20Dikos%20Ntsaaigii-19.pdf](https://www.ndoh.navajo-nsn.gov/Portals/0/PDF/PHE/NDOH%20Public%20Health%20Emergency%20Order%202021-003%20Dikos%20Ntsaaigii-19.pdf)

Office of the Navajo Nation President and Vice-President dated February 18, 2021

[https://www.opvp.navajo-](https://www.opvp.navajo-nsn.gov/Portals/0/Files/PRESS%20RELEASES/2021/Feb/FOR%20IMMEDIATE%20RELEASE%20-%2043%20new%20cases,%2015,917%20recoveries,%20and%2013%20more%20deaths%20related%20to%20COVID-19%20as%20Navajo%20Nation%20surpasses%20goal%20of%20administering%20100,000%20vaccine%20doses.pdf)

[nsn.gov/Portals/0/Files/PRESS%20RELEASES/2021/Feb/FOR%20IMMEDIATE%20RELEASE%20-%2043%20new%20cases,%2015,917%20recoveries,%20and%2013%20more%20deaths%20related%20to%20COVID-19%20as%20Navajo%20Nation%20surpasses%20goal%20of%20administering%20100,000%20vaccine%20doses.pdf](https://www.opvp.navajo-nsn.gov/Portals/0/Files/PRESS%20RELEASES/2021/Feb/FOR%20IMMEDIATE%20RELEASE%20-%2043%20new%20cases,%2015,917%20recoveries,%20and%2013%20more%20deaths%20related%20to%20COVID-19%20as%20Navajo%20Nation%20surpasses%20goal%20of%20administering%20100,000%20vaccine%20doses.pdf)

February 4, 2021 Totals

<https://nativenewsonline.net/currents/navajo-nation-reports-110-new-covid-19-cases-on-thursday>

Return to Red Status in November:

[https://www.ndoh.navajo-](https://www.ndoh.navajo-nsn.gov/Portals/0/PDF/PHE/NDOH%20Public%20Health%20Emergency%20Order%202020-029%20Amendment%20Dikos%20Ntsaaigii-19.pdf)

[nsn.gov/Portals/0/PDF/PHE/NDOH%20Public%20Health%20Emergency%20Order%202020-029%20Amendment%20Dikos%20Ntsaaigii-19.pdf](https://www.ndoh.navajo-nsn.gov/Portals/0/PDF/PHE/NDOH%20Public%20Health%20Emergency%20Order%202020-029%20Amendment%20Dikos%20Ntsaaigii-19.pdf)

Public Health Notice, January 21st:

[https://www.ndoh.navajo-](https://www.ndoh.navajo-nsn.gov/Portals/0/PDF/PHE/NDOH%20Public%20Health%20Emergency%20Order%202021-002%20Dikos%20Ntsaaigii-19.pdf)

[nsn.gov/Portals/0/PDF/PHE/NDOH%20Public%20Health%20Emergency%20Order%202021-002%20Dikos%20Ntsaaigii-19.pdf](https://www.ndoh.navajo-nsn.gov/Portals/0/PDF/PHE/NDOH%20Public%20Health%20Emergency%20Order%202021-002%20Dikos%20Ntsaaigii-19.pdf)

Health Advisory Notice, January 25th:

[https://www.navajo-](https://www.navajo-nsn.gov/News%20Releases/OPVP/2021/Jan/Navajo%20Department%20of%20Health%20identifies%2053%20communities%20with%20uncontrolled%20spread%20of%20COVID-19%20in%20latest%20Health%20Advisory%20Notice_all.pdf)

[nsn.gov/News%20Releases/OPVP/2021/Jan/Navajo%20Department%20of%20Health%20identifies%2053%20communities%20with%20uncontrolled%20spread%20of%20COVID-19%20in%20latest%20Health%20Advisory%20Notice\\_all.pdf](https://www.navajo-nsn.gov/News%20Releases/OPVP/2021/Jan/Navajo%20Department%20of%20Health%20identifies%2053%20communities%20with%20uncontrolled%20spread%20of%20COVID-19%20in%20latest%20Health%20Advisory%20Notice_all.pdf)

Navajo Nation COVID-19 Dashboard, updated February 18, 2021

<https://www.ndoh.navajo-nsn.gov/COVID-19/Data>

P.O. Box 1803 Shiprock, NM 87420

Phone: 505-368-4529

Fax: 505-368-5765



# Legislation No. 0046-21 and Legislation No. 0047-21

GINA AKEE <gina\_akee\_99@yahoo.com>

Mon 3/22/2021 3:52 PM

To: comments <comments@navajo-nsn.gov>;

Tuba City Elementary School Kindergarten Teachers  
Western Navajo Agency  
P. O. Box 2589  
Tuba City, AZ 86045

March 12, 2021  
To Whom It May Concern;

We oppose in-person learning. We support continuing Virtual Learning for the remainder of School Year 2020-2021, May 2021.

Recently, our Governor Ducey articulated that any State of Arizona Public School that does not return to "in person" teaching will not receive money from the State of Arizona. We as a Tribal Sovereign Nation can be exempt from this. We are Public School Educators for the Tuba City School District on the Navajo Reservation. We on the Navajo Reservation have been hit extremely hard by COVID. We are lacking in resources and constitute a high-risk population.

Our concerns are as follows. We recently have had a new, stronger strain of COVID on the Reservation. Our lack of sufficient health care has given us many problems, obstacles and barriers while dealing with the Virus. Many tribal members also lack everyday resources such as water, power and wood for heat. So far, simple things like social distancing and online learning have worked fairly well, to bring down the severity of outbreaks. For example, when Maricopa County opened up during the late Summer/early Fall it was disastrous. As a result, Phoenix became the worldwide hot spot.

Second, we feel our most important concern are for the elderly and family members with pre-existing health issues. A very large percentage of Navajo families reside with extended families, which include grandparents. Often, grandparents assist school age children while parents are working; many on the Reservation must travel long distances to work and can be away from home for weeks, due to the lack of employment opportunity locally. Hence, the elderly become caregivers for their grandchildren, which in turn leaves them vulnerable to COVID exposure. This is also a fear for Educators, Administrators and other school employees, since all have not yet been vaccinated. Dreadfully and unfortunately, we have suffered much heartache due to the loss of our own elderly relatives.

Third concern is the social behavior of kindergarten age students. At this young age, repercussions and consequences are not fully developed. They live in the moment. They can be impulsive, acting out before thinking logically. Can they comprehend the idea of 6 foot social distancing, and being required to wear a mask which can be removed easily? No. They will be required to wear a mask the entire school day, except during lunch time. Disposable masks may not fit well and ear loops can break easily. We are not prepared to provide numerous extra masks per day.

We believe it would be logical and even prudent to continue Distance Learning, at least for the remainder of SY 2020-2021. The idea of in-person learning can be revisited in the Fall. Johnathan Nez, Navajo Nation Tribal President, has been an advocate for continuing distance learning. So far, it has been as successful as possible, given the circumstances. In closing, we would like you to weigh the benefits vs. negatives. Nine more weeks of continuing a program that is working, both educationally, and health-wise, seems better than return to normal too soon. This could possibly set the health care system and our personal health back even further.

Thank you,  
Tuba City Elementary School Kindergarten Teachers  
Regina Akee, Kindergarten Teacher  
Corileen Phillips, Kindergarten Teacher  
Della Austin, Kindergarten Teacher  
Bernise Holliday, Kindergarten Teacher  
Diana Saganey, Kindergarten Teacher

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# Legislation No. 0046-21

Danielle Jim <jimda@centralschools.org>

Mon 3/22/2021 3:54 PM

To: comments <comments@navajo-nsn.gov>;

1 attachments (204 KB)

SHIPROCK FY2021\_Support for Online Learning\_CHAPTER Resolution.pdf;

Hello.

My name is Danielle Jim and I am of the Shiprock Community. Due to concerns of COVID and the safety surrounding it, I oppose having our reservations schools return to IN-PERSON learning of any kind. The push is the assumption that ALL residents (elders to 16 year olds have received vaccinations) have gotten vaccines, therefore, eliminating risks. It is too early to assume these are safe measures. In fact, many teachers themselves have opposed vaccinations, as well as Navajo community members. Many families have lost loved ones to this pandemic and rushing to return students to school environments provokes community spread, as it is unknown the interactions students are having at home and with who. As much as we'd like to trust, there is the fear of dishonesty of whereabouts and especially not having been vaccinated. Voices to return have been heard greatly, but what about the voices of those who oppose a return to in-person learning? Many also believe it is too soon and it is not safe for our Navajo communities.

Danielle Jim

Shiprock Community Educator

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## RESOLUTION OF THE SHIPROCK CHAPTER Shiprock, Navajo Nation



SUPPORTING AND REAFFIRMING THE RELATED TO EDUCATION BY THE 24TH NAVAJO NATION COUNCIL AND THE NAVAJO NATION BOARD OF EDUCATION: APPROVING AND REQUIRING THAT ALL NAVAJO NATION SCHOOLS PROVIDE VIRTUAL OR ONLINE LEARNING OPTIONS ONLY, WITH NO FACE TO FACE INSTRUCTION FOR THE SECOND SEMESTER OF THE 2020-2021 SCHOOL YEAR.

### WHEREAS:

1. The **Shiprock** Chapter of the Navajo Nation acts on this resolution pursuant to the authority conferred on the Chapter through Navajo Nation Code Title 26, Chapter 1, B. Purpose which states "Through adoption of this Act, the Navajo Nation Council delegates to Chapters governmental authority with respect to local matters consistent with Navajo Law, including custom and tradition" and the inclusivity provided by the Dine' Fundamental laws", and
2. The **Shiprock** Chapter recognizes the Navajo Nation Board of Education (hereinafter the "Board") is the education agent in the Executive Branch for the purpose of overseeing the operation of all schools serving the Navajo Nation. 10 N.N.C. §106 (A). The Board carries out its duties and responsibilities through the Department of Diné Education (hereafter the "Department"). 10 N.N.C. §106 (G)(3).
3. The **Shiprock** Chapter recognizes the Department is the administrative agency within the Navajo Nation with responsibility and authority for implementing and enforcing the educational laws of the Navajo Nation. 2 N.N.C. §1801(B); 10 N.N.C. §107(A). The Department is under the immediate direction of the Navajo Nation Superintendent of Schools, subject to the overall direction of the Board. 10 N.N.C. §107(B).
4. The **Shiprock** Chapter understands that the Navajo Nation has substantial authority and broad jurisdiction to regulate all matters within its territorial boundaries pursuant to its inherent sovereignty and the Treaty of 1868. This authority and Law 100-297 grant, Public Law 93-638 contract, Bureau of Indian Education-operated schools, higher education institutions, and all FACE programs, early childhood education programs, and Navajo Head Start programs located on the Navajo Nation.
5. The **Shiprock** Chapter membership understand that the Coronavirus disease ("COVID-19") is a global infecting substantial number of people, which has spread exponentially and increased globally, as indicated by the Centers for Disease Control ("CDC"), the World Health Organization ("WHO"), and other public health organizations located within the United States and regionally.
6. The **Shiprock** Chapter recognizes that the Board maintains that the COVID-19 pandemic highlights the importance of our multiple school systems (Bureau of Indian Education-funded, public, chapter, private) and the need for a consistent, coherent, actionable and fully resources plan to support every school district reopening during the 2020-2021 academic year.
7. The **Shiprock** Chapter understand that the schools should be guided by the latest health information from the Navajo Department of Health, Navajo Health Command Operations Center, and the Center for Disease Control and supplemented to the extend the Best Practice Guidance document and the Re-opening Status Schedule go beyond what those plans provide.
8. The **Shiprock** Chapter recognizes that the Navajo Nation's school re-opening guidelines were developed in consultation with stakeholders from BIE-funded schools, school leaders, BIE officials, parents, and other stakeholders. The guidelines affirm the work and efforts to support local school superintendents, school leaders, and administrators, parents, students, and other stakeholders to ensure a smooth transition to reopen schools, for the 2020-21 school year in a manner informed by health data, applicable and actionable CDC, Navajo Nation, state and local health agency guidance, while prioritizing the health and safety of students and staff.

CHAPTER OFFICIALS  
Nevina D. Kintahcheeny – President  
Debra A. Yazzie – Vice President  
Dr. J. Kalbah Begay – Secretary /Treasurer

GRAZING OFFICIAL  
Sarah Denatclaw-Begay  
President

FARM BOARD  
Beatrice Redfeather-Benally  
President

COUNCIL DELEGATE  
Eugenia Charles-Newton





## RESOLUTION OF THE SHIPROCK CHAPTER Shiprock, Navajo Nation



9. The **Shiprock** Chapter supports the October 20, 2020, the Navajo Nation Council approval of **Resolution CO-84-20**, "Opposing all in-person instruction at all schools intending to reopen within the Navajo Nation amidst COVID-19; supporting the Navajo Nation Board of Education in recommending virtual learning." **Resolution CO-84-20** is still in effect "(u)ntil the complete safety of all Navajo children can be assured by the federal and state governments, the Navajo Nation support virtual learning for all schools located on the Navajo Nation with an exception for limited target populations such as students with disabilities."
10. The **Shiprock** Chapter supports the COVID-19 data provided by the Center for Disease Control and the Navajo Nation's coordinated health command, the gating criteria to safely reopen schools presently remains at "0."

### NOW, THEREFORE, BE IT RESOLVED THAT:

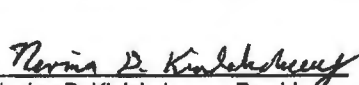
1. The **Shiprock** Chapter Elected Officials hereby supports the Navajo Nation Board of Education that approved and required all schools located on the Navajo Nation, including Public Law 100-297 grant schools, Public Law 93-638 contract schools, Bureau of Indian Education-operated schools, public schools, (including charter schools), private schools, parochial schools, higher educational institutions, early childhood programs including CCDF, Head Start, FACE Programs, and all other after-school programs provide virtual or online learning options only, without face-to-face instruction, until the Navajo Nation deems it safe to return to face-to-face instruction.
2. The **Shiprock** Chapter supports the Navajo Nation Council Resolution CO-84-20 and Navajo Nation Board of Education directive and empowers the Superintendent of Schools to take any action deemed as necessary and proper to carry out the safety of our students and staff.

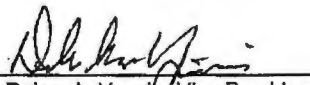
Motioned by: Debra A. Yazzie

Seconded by: Beatrice Redfeather

### CERTIFICATION

We hereby certify that the foregoing resolution was presented and considered at a duly called Chapter meeting VIA TELEPHONE CONFERENCE (ZOOM) as per temporary guidance for all chapters issued by NNDOJ MEMO dated May 26, 2020 (due to COVID19 Pandemic) a quorum was present and that the same was approved by a vote of 04 in favor, -0- opposed and 01 abstentions on this 11th day of February, 2021.

  
Nevina D. Kinlahcheeny, President

  
Debra A. Yazzie, Vice President

  
Dr. J. Kaibah Begay, Secretary/Treasurer

CHAPTER OFFICIALS  
Nevina D. Kinlahcheeny – President  
Debra A. Yazzie – Vice President  
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GRAZING OFFICIAL  
Sarah Denetclaw-Begay  
President

FARM BOARD  
Beatrice Redfeather-Benally  
President

COUNCIL DELEGATE  
Eugenia Charles-Newton

# Legislation 0046-21 & 0047-21

Mexican Water Chapter <mexicanwater@navajochapters.org>

Mon 3/22/2021 5:46 PM

To: comments <comments@navajo-nsn.gov>;

Cc: Amber K. Crotty <acrotty@navajo-nsn.gov>; Charlene Tso <charlaintso@navajo-nsn.gov>; Herman Daniels, Jr. <hdaniels@navajo-nsn.gov>; Mark Freeland <m.freeland@navajo-nsn.gov>; Nathaniel Brown <nbrown@navajo-nsn.gov>; Rickie Nez <rickienez@navajo-nsn.gov>; Seth Damon <sdamon@navajo-nsn.gov>;

My name is Martha Saggbay, I am a parent & serve on the Red Mesa Unified School District Governing Board as a member. I strongly oppose re-opening of the state operated school districts and all schools on Navajo Reservation because a lot of our Navajo people have not been vaccinated and it's too risky at this point to send our innocent children into a setting of the unknown, we have lost too many love ones and we can not risk our own children putting them in danger. I plea with you our leaders 24th Navajo Nation Council to make the best decision for your people who elected you into those positions. I would recommend continuing virtual learning, to continue to enhance the technology capabilities because we will still need that in the future.

WARNING: External email. Please verify sender before opening attachments or clicking on links.

Committee Report

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

LEGISLATION NO. 0046-21

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'IYATI' COMMITTEES; RESCINDING NABIAU-35-20, ENTITLED, "AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'IYATI' COMMITTEES; RECOMMENDING THAT ALL SCHOOLS, PUBLIC AND PRIVATE, SERVING THE NAVAJO NATION, INCLUDING THOSE OPERATED BY THE STATE OF NEW MEXICO PUBLIC EDUCATION DEPARTMENT, THE STATES OF ARIZONA AND UTAH, ALL SCHOOLS OPERATED BY THE BUREAU OF INDIAN AFFAIRS AND THE BUREAU OF INDIAN EDUCATION, TO DELAY PLANS AND DECISIONS TO REOPEN SCHOOLS FOR THE 2020-2021 SCHOOL YEAR"

Sponsor: Honorable Carl Roessel Slater  
Co-Sponsor: Honorable Edison J. Wauneka  
Co-Sponsor: Honorable Pernell Halona  
(Eligible for Committee Action March 23, 2021)

Has had under consideration and report the same with the recommendation that Legislation 0046-21 pass with one (1) amendment and no directive;

Amendment#1:

1. Page 1, line 19, in heading, insert new language at end, AND APPROVING NAVAJO NATION SCHOOL REOPENING PLAN .

2. Page 2, line 9, insert as new paragraph D - D. On March 16, 2021, the Navajo Nation Board of Education passed resolution NNBEMA-696-2021. Attached as Exhibit B. Among other actions, the Board of Education approved a Navajo Nation School Reopening Plan. This Reopening Plan essentially provides guidance on "reopening of schools on the Navajo Nation in the midst of the COVID-19 pandemic."

3. Page 2, in resolved section, line 11, insert A as a section designation.

4. Page 2, in resolved section, insert as new sections B and C as follows:

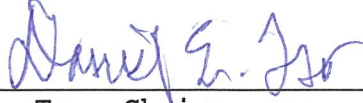
B. Subject to Public Health Orders of the Navajo Nation Department of Health, the Navajo Nation approves the Navajo Nation School Reopening Plan as provided through NNBEMA-696-2021.

C. The Navajo Nation Board of Education shall ensure that schools operating outside the Navajo Nation serving Navajo students who reside on the Navajo Nation are aware of the Navajo Nation School Reopening

Plan approved herein. The Navajo Nation Board of Education shall seek the cooperation of such schools in complying with the Reopening Plan.

and therefore referred the same to the **NAABIK'YATI COMMITTEE OF THE NAVAJO NATION COUNCIL AS FINAL AUTHORITY**

Respectfully Submitted,



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Daniel E. Tso, Chairperson  
Health, Education and Human Services Committee

Amendment No. One(1):

Motion by: Honorable Pernell Halona

Seconded by: Honorable Paul Begay Jr.

Vote: 05 in favor' 0 opposed; Chairperson Not Voting

Yeas: Pernell Halona, Carl R. Slater, Charlaine Tso, Edison J.

Wauneka, Paul Begay Jr.

Nays: none

Not Voting: Daniel E. Tso

Absent (excused):

**March 24, 2021 - Main Motion**

Motion by: Honorable Pernell Halona

Seconded by: Honorable Charlaine Tso

Vote: 5 in favor; 0 Opposed; Chairperson Not Voting

Yeas: Pernell Halona, Carl R. Slater, Charlaine Tso, Edison J.

Wauneka, Paul Begay Jr.

Nays: none

Not Voting: DETso

Absent (excused):



HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE  
Regular Meeting  
March 24, 2021

Roll Call  
Vote Tally Sheet

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

LEGISLATION NO. 0046-21

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'IYATI' COMMITTEES; RESCINDING NABIAU-35-20, ENTITLED, "AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'IYATI' COMMITTEES; RECOMMENDING THAT ALL SCHOOLS, PUBLIC AND PRIVATE, SERVING THE NAVAJO NATION, INCLUDING THOSE OPERATED BY THE STATE OF NEW MEXICO PUBLIC EDUCATION DEPARTMENT, THE STATES OF ARIZONA AND UTAH, ALL SCHOOLS OPERATED BY THE BUREAU OF INDIAN AFFAIRS AND THE BUREAU OF INDIAN EDUCATION, TO DELAY PLANS AND DECISIONS TO REOPEN SCHOOLS FOR THE 2020-2021 SCHOOL YEAR"

*Sponsor: Honorable Carl Roessel Slater*  
*Co-Sponsor: Honorable Edison J. Wauneka*  
*Co-Sponsor: Honorable Pernell Halona*  
*(Eligible for Committee Action March 23, 2021)*

Amendment No. One(1):  
Motion by: Honorable Pernell Halona  
Seconded by: Honorable Paul Begay Jr.  
Vote: 05 in favor' 0 opposed; Chairperson Not Voting  
Yeas: Pernell Halona, Carl R. Slater, Charlaine Tso, Edison J. Wauneka, Paul Begay Jr.  
Nays: none  
Not Voting: Daniel E. Tso  
Absent (excused):

**March 24, 2021 - Main Motion**  
Motion by: Honorable Pernell Halona  
Seconded by: Honorable Charlaine Tso  
Vote: 5 in favor; 0 Opposed; Chairperson Not Voting  
Yeas: Pernell Halona, Carl R. Slater, Charlaine Tso, Edison J. Wauneka, Paul Begay Jr.  
Nays: none  
Not Voting: DETso  
Absent (excused):



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Daniel E. Tso, Chairperson  
Health, Education and Human Services Committee



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Michele M. Cook, Legislative Advisor Pro Tem  
Health, Education and Human Services Committee

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0046-21

SPONSOR: Honorable Carl R. Slater


**TITLE: An Action Relating to Health, Education, and Human Services and Naabik'iyáti' Committees; Rescinding NABIAU-35-20, Entitled, "An Action Relating to Health, Education, and Human Services and Naabik'iyáti' Committees; Recommending that All Schools, Public and Private, Serving the Navajo Nation, Including those Operated by the State of New Mexico Public Education Department, the States of Arizona and Utah, and All Schools Operated by the Bureau of Indian Affairs and the Bureau of Indian Education, to Delay Plans and Decisions to Reopen Schools for the 2020-2021 School Year"**

Posted: March 17, 2021 at 5:08 PM

5 DAY Comment Period Ended: March 22, 2021

Digital Comments received:

Comments Supporting	1) Dane Smith 2) Carolyn Irvin
Comments Opposing	<i>None</i>
Comments/Recommendations	<i>None</i>

  
\_\_\_\_\_  
Legislative Tracking Secretary  
Office of Legislative Services

March 26, 2021 1:02 pm

Date/Time

# Support for Legislation 0046-21 and 0047-21

Dane Smith <gr8tdane505@gmail.com>

Thu 3/25/2021 4:38 PM

To: comments <comments@navajo-nsn.gov>;

Dear Honorable Council Delegates:

I am strongly urging your support for Legislation 0046-21 and 0047-21 to rescind online only instruction. In short, parents and students need to make the decisions themselves about what's best for their education. Online only instruction has been bad for our students and had a negative impact on their education.

Schools and districts should be allowed to reopen in a safe and smart manner with all proper precautions taken, while also respecting and honoring parent/student choice.

It seems misleading by the President to say that rescinding these legislations will lead to schools and classrooms being packed to capacity with no safety measures in place. It almost seems like scare tactics and misinformation to say that schools will become COVID-19 hotspots and putting kids and families in danger. Schools should be allowed to reopen in a safe manner with appropriate safety precautions and oversight in place.

It's not right when casinos on the Nation are allowed to reopen, while schools can't. Where's the logic or wisdom in that decision?

Vaccinations have been rapidly deployed, vaccinations are at high levels, and COVID-19 infections are down. I also understand that schools have been aggressively pushing to get their school staff (teachers) vaccinated and students over 16+ vaccinated.

Please examine facts, rather than gossip, rumors, and caving in to scare tactics when making this vote. In-person or online/virtual only instruction for students still remains parent choice. Allow parents the ability to make the decision about what is best for their kids. Don't take that away. Our kids and students deserve the very best education and online only isn't cutting it. Please vote YES to rescind Legislation 0046-21 and 0047-21. Thank you.

Sincerely,

Dane Smith  
Shiprock, NM

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## "Legislation No. 0047-21"

Carolyn Irvin <crirvin@mail.com>

Thu 3/25/2021 4:39 PM

To: comments <comments@navajo-nsn.gov>;

Ya'a't'eeh, I'm writing to have an input on decisions made on possible re-opening of schools for in-person instruction. In the March 22, 2021 Immediate Release it's stated that the leadership and staff members "top priority throughout this COVID-19 pandemic remains the health and safety of all of our people." Based on that statement, I would at this time support Legislation No. 0046-21.

First, Yes, it's understandable that our students are getting behind in classroom instruction but, safety must be the main concern at this time. Although the numbers are low there are other strands of the COVID that we still do not fully understand. I support 0046-21 because it allows some time for everyone to get vaccinated. This was a rather deadly sickness we encountered. Arizona and all states have school immunization requirements and maybe there will be some changes made to add on COVID-19 vaccine for students.

Second, The schools are following guidelines and are working with everyone. Attending school using virtual learning methods right now is wonderful. Everyone needs to take time to stress to students that they "have to" attend by whatever means: virtual, packet, phone, etc. The traditional educational philosophy teaching of our elders need to be adhered to. Students have to learn that it's up to them individually – progress is In their hands.

Lastly, Let me add on that Parents and Guardians of students also have to understand it's their job to help their children to get an education – not babysit or allow leisure time. Set some guidelines. Yes, students are getting behind but, it's a choice many (not all) parents and guardians are making. Remember that our elders say that our children are our asset we have to take care of them so they will be the best they can be. Educators are doing everything possible to be available for all students, it's up to the parents and guardians whether students fall behind or not. Students will do whatever they are allowed to do. All adult's must be there to provide and to instill positive choices.

Whomever takes the time to read this, Ahex'hee for taking the time to hear some of my concerns.

Respectfully,  
C. Irvin

Sent from Mail for Windows 10

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