

## LEGISLATIVE SUMMARY SHEET

Tracking No. 0295-19

**DATE:** September 26, 2019

**TITLE OF RESOLUTION:** AN ACTION RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE, AMENDING THE NAVAJO OFFICE OF STANDARDS, CURRICULUM, AND ASSESSMENT DEVELOPMENT PLAN OF OPERATION

**PURPOSE:** The purpose of this legislation is to approve amendment to the plan of operation for the Navajo Office of Standards, Curriculum, and Assessment Development.

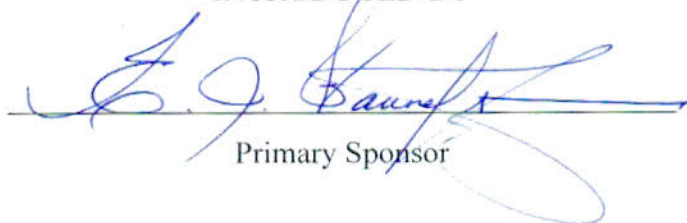
This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD: 288  
Website Posting Time/Date: 9/30/19 11:45 AM  
Posting End Date: 10/05/19  
Eligible for Action: 10/06/19

# Health Education & Human Services Committee

## PROPOSED STANDING COMMITTEE RESOLUTION 24<sup>th</sup> NAVAJO NATION COUNCIL—First Year, 2019

INTRODUCED BY

  
Primary Sponsor

TRACKING NO. 0295-19

### AN ACTION

RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES  
COMMITTEE, AMENDING THE NAVAJO OFFICE OF STANDARDS,  
CURRICULUM, AND ASSESSMENT DEVELOPMENT PLAN OF OPERATION

BE IT ENACTED:

#### SECTION ONE. AUTHORITY

The Health, Education and Human Services Committee is the oversight committee for Department of Dinè Education and as such is empowered to adopt, amend, or rescind its Plan of Operation. 2 N.N.C. § 401(C)(1).

#### SECTION TWO. FINDING

- A. Proposed Amendments to the Plan of Operation for the Office of Standards, Curriculum, and Assessment Development (“OSCAD”) are attached as **Exhibit A**.
- B. The Department of Justice reviewed the amendments to the Plan of Operation for OSCAD and determined the amendment to the Plan of Operation to be legally sufficient. The review documents are attached as **Exhibit B**.

1 C. The Navajo Nation Board of Education approved amendments to OSCAD's  
2 Plan of Operation. Navajo Nation Board of Education Resolution NNBEJE-537-  
3 2019, dated June 13,2019, is attached as **Exhibit C**.

4  
5 **SECTION THREE. APPROVAL**

6 The Health, Education and Human Services Committee of the Navajo Nation Council  
7 approves amendments to the Plan of Operation for the of Standards, Curriculum, and  
8 Assessment Development as indicated in **Exhibit A**.



DEPARTMENT OF DINÉ EDUCATION  
OFFICE OF STANDARDS, CURRICULUM AND ASSESSMENT DEVELOPMENT  
PLAN OF OPERATION

SECTION I. ESTABLISHMENT OF OFFICE OF STANDARDS, CURRICULUM AND ASSESSMENT DEVELOPMENT

1. There is hereby established the Office of Standards, Curriculum, and Assessment Development within the Department of Diné Education of the Navajo Nation Government Executive Branch.

~~The Office of Diné Culture, Language and Community Services (ODCLCS) was established in 1995 by the Government Services Committee of the Navajo Nation Council by Resolution GSC 81-95. In April 2001, the Government Services Committee of the Navajo Nation Council amended the Plan of Operation by Resolution No. GSCAP-35-01. The Office of Diné Culture, Language and Community Services is located within the Department of Diné Education under the Executive Branch of the Navajo Nation Government.~~

~~To support the establishment of the Department of Diné Education as a State Education Agency and to meet the mandates of the Sovereignty in Education Act of 2005, the Department has restructured, whereby amending Government Services Committee Resolutions: GACAP 35-01, GSCIN 12-04, and GSCMY 19-07. Consequently, the following four programs: ODCLCS, ODSMT, OMET, and NCA have aligned into three new programs based on organizational functions with specific job positions and budgets to ensure that programs reflect the academic language and cultural needs of Indian students. One of these new program is the Office of Standards, Curriculum, and Assessment Development that will provide technical assistance to schools and educators in their quest of school improvement and closing the achievement gap.~~

SECTION II. PURPOSE

1. The purpose of the Office of Standards, Curriculum, and Assessment Development is to perpetuate Diné language/culture, history, and government in early childhood programs, elementary, secondary and post-secondary schools, including tribal organizations and communities.

SECTION III. GOALS

1. The goals of the Office of Standards, Curriculum, and Assessment Development are to plan, promote, develop and implement Diné language, culture, history, character development, and government programs in schools on and near the Navajo Nation as follows:
- a. Create and publish instructional materials and testing instruments for the teaching of Diné Navajo language and culture.
  - b. Incorporate Diné language and culture data as part of the academic achievement profiles and assessment measurements, i.e. Adequate Yearly Progress (AYP).
  - c. Coordinate with other Department of Diné Education programs, Diné College and Navajo Technical University College in providing resources

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Memorandum of Agreement between the States of NM, UT, AZ, and the Navajo Nation.

2. Promote, preserve and perpetuate Diné language, culture, history, character development, and government by stipulating mandatory inclusion of these important subjects into the school curricula.
3. Encourage early childhood education and all elementary and secondary schools serving the student population to promote and perpetuate Diné language, culture, history, character development, and government for the preservation of the Diné Way of Life.
4. Coordinate with school administrators, teachers, paraprofessionals, school board members, parents, community members and students in developing and implementing standards and curriculum for Diné language, culture, history, character development, and government.
5. Coordinate with State Departments of Education and federal education agencies, to plan, promote, develop and implement Diné language, culture, history, character development, and government programs in schools on and near the Navajo Nation.

#### SECTION VI. LEGISLATIVE OVERSIGHT

The Health, Education and Human Service Committee ~~Education Committee~~ of the Navajo Nation Council is the oversight committee for the Department of Diné Education pursuant to 2 N.N.C. §401(c)482 and 484.

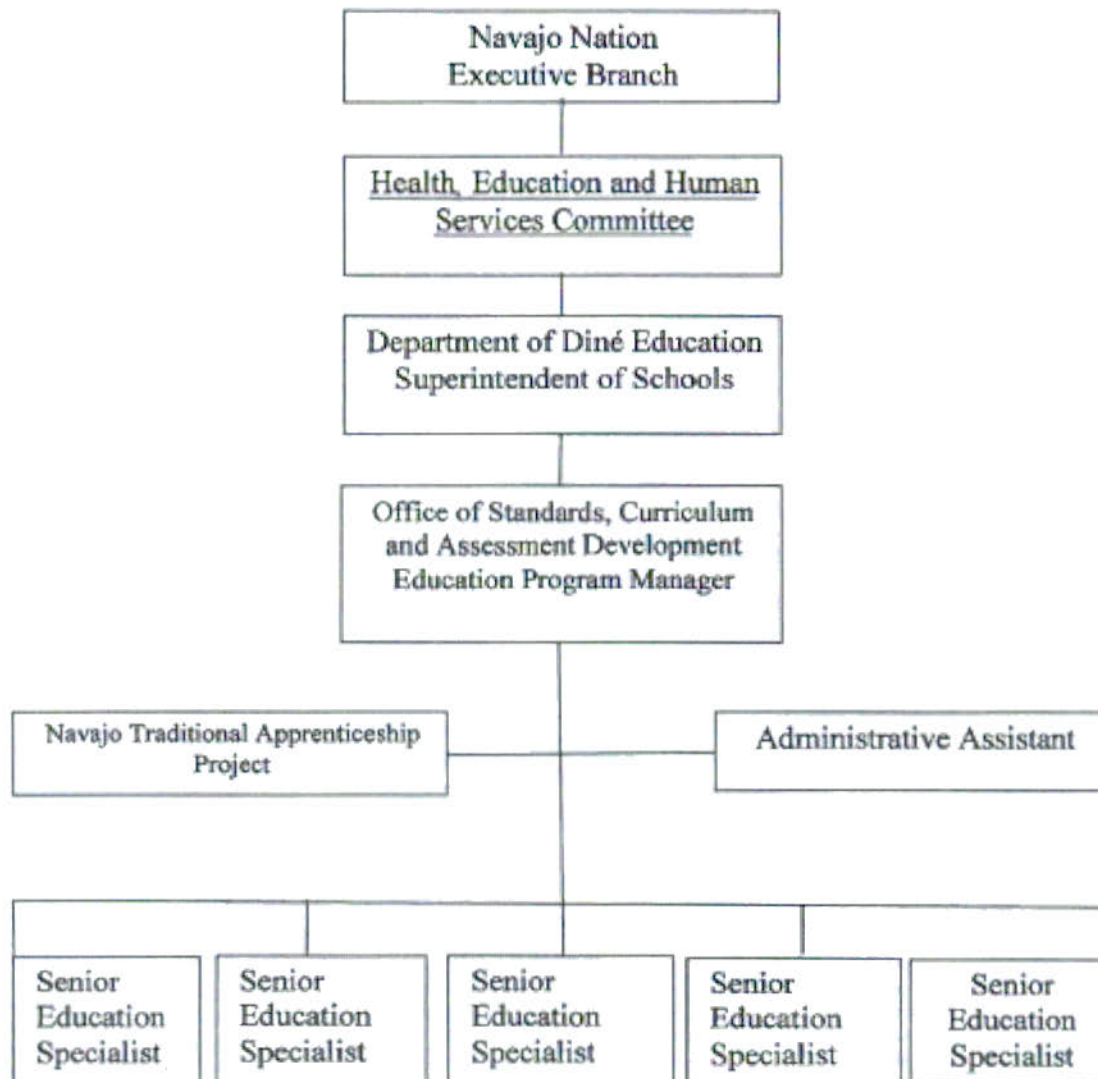
#### SECTION VII. AMENDMENTS

The Plan of Operation for the Office of Standards, Curriculum and Assessment Development may be amended by the Health, Education and Human Service Committee of the Navajo Nation Council upon recommendations of the Navajo Nation Board of Education as deemed necessary. ~~The Board may forward recommendations for amendments to this Plan of Operation to the Education Committee, and the Education Committee would make final recommendations for amendments of this Plan of Operation to the Government Services Committee of the Navajo Nation Council.~~

## ORGANIZATIONAL CHART

EXHIBIT "A"

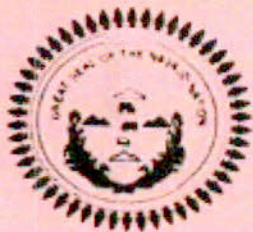
### OFFICE OF STANDARDS, CURRICULUM AND ASSESSMENT DEVELOPMENT





EXHIBIT

B



# NAVAJO NATION DEPARTMENT OF JUSTICE

## DOCUMENT REVIEW REQUEST FORM

☐ RESUBMITTAL

(April 2019)



DOJ

DATE / TIME

☐ 7 Day Deadline

DOC #:

SAS #:

UNIT:

\*\*\* FOR NNDJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED. \*\*\*

### CLIENT TO COMPLETE

DATE OF REQUEST: 5/3/2019

DIVISION: Of Education

CONTACT NAME: Vangee Nez

DEPARTMENT: OSCAD

PHONE NUMBER: 871-6728

E-MAIL: vangeenez@nndode.org

TITLE OF DOCUMENT: RESUB: Amend the plan of operation for Office of Standards, Curriculum &amp; Assessment Development

### DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: 5/6 @ 8:26 REVIEWING ATTORNEY/ADVOCATE: Jm

DATE TIME OUT OF UNIT: 5/7/19

### DOJ ATTORNEY / ADVOCATE COMMENTS

Legally Sufficient.

REVIEWED BY: (Print)

Date / Time

SURNAMED BY: (Print)

Date / Time

Jay C. McCray 5/7/2019 11:43 am  
Left voicemail for

V. Blackheart 5/7/19 1:09 PM

DOJ Secretary Called: Vangee Nez

for Document Pick Up on 5/7/19 at 1:32 PM By: [Signature]

PICKED UP BY: (Print)

DATE / TIME:

NNDJ/DRRF-July 2013



**EXECUTIVE OFFICIAL REVIEW**Title of Document: OSCAD Plan of Operation Contact Name: NEZ, VANGEEProgram/Division: DEPT OF DINE EDUCATIONEmail: vangeenez@nndode.org Phone Number: 928-871-7760/6728

APR 9 2019

☐ **Business Site Lease** Sufficient Insufficient

1. Division: \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

2. Office of the Controller: \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

(only if Procurement Clearance is not issued within 30 days of the initiation of the E.O. review)

3. Office of the Attorney General: \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

☐ **Business and Industrial Development Financing, Veteran Loans, (i.e. Loan, Loan Guarantee and Investment) or Delegation of Approving and/or Management Authority of Leasing transactions**

1. Division: \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

2. Office of the Attorney General: \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

☐ **Fund Management Plan, Expenditure Plans, Carry Over Requests, Budget Modifications**

1. Office of Management and Budget: \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

2. Office of the Controller: \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

3. Office of the Attorney General: \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

☐ **Navajo Housing Authority Request for Release of Funds**

1. NNEPA: \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

2. Office of the Attorney General: \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

☐ **Lease Purchase Agreements**

1. Office of the Controller: \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

(recommendation only)

2. Office of the Attorney General: \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

☐ **Grant Applications**

1. Office of Management and Budget: \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

2. Office of the Controller: \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

3. Office of the Attorney General: \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

☒ **Five Management Plan of the Local Governance Act, Delegation of an Approving Authority from a Standing Committee, Local Ordinances (Local Government Units), or Plans of Operation/Division Policies Requiring Committee Approval**

1. Division: Y. C. S. 46 Date: 4-29-19 ☒ ☐

2. Office of the Attorney General: V. Blumenthal Date: 5/2/19 ☐ ☒

☐ **Relinquishment of Navajo Membership**

1. Land Department: \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

2. Elections: \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

3. Office of the Attorney General: \_\_\_\_\_ Date: \_\_\_\_\_ ☐ ☐

☐ **Land Withdrawal or Relinquishment for Commercial Purposes**

Sufficient    Insufficient

1. Division:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **Land Withdrawals for Non-Commercial Purposes, General Land Leases and Resource Leases**

1. NLD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. F&W	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. HPD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
4. Minerals	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
5. NNEPA	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
6. DNR	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
7. DOJ	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **Rights of Way**

1. NLD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. F&W	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. HPD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
4. Minerals	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
5. NNEPA	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
6. Office of the Attorney General:	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
7. OPVP	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **Oil and Gas Prospecting Permits, Drilling and Exploration Permits, Mining Permit, Mining Lease**

1. Minerals	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. OPVP	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. NLD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **Assignment of Mineral Lease**

1. Minerals	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. DNR	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. DOJ	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **ROW (where there has been no delegation of authority to the Navajo Land Department to grant the Nation's consent to a ROW)**

1. NLD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. F&W	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. HPD	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
4. Minerals	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
5. NNEPA	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
6. DNR	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
7. DOJ	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
8. OPVP	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **OTHER:**

1. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
4. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
5. _____	_____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>





NAVAJO NATION DEPARTMENT OF JUSTICE  
OFFICE OF THE ATTORNEY GENERAL


DOREEN N. MCPAUL  
Acting Attorney General

CHERIE ESPINOSA  
Acting Deputy Attorney General

ATTORNEY-CLIENT PRIVILEGE

**MEMORANDUM:**

TO : Dr. Vangee Nez, *Education Program Manager*  
Office of Standards, Curriculum & Assessment Development  
Department of Dine' Education

FROM:   
Jay C. McCray, *Staff Attorney*  
Human Services and Government Unit  
Office of the Attorney General/ NNDOJ

DATE : March 21, 2019

RE : **Resolution No. HEHSCO-031-12**

On March 20, 2019 the Department of Justice ("DOJ") received a Request for Services from the Office of Standards, Curriculum & Assessment Development ("OSCAD"). OSCAD requested the DOJ to provide a copy of Resolution No. HEHSCO-031-12.

Resolution No. HEHSCO-031-12 was passed by the Health, Education and Human Service Committee on October 30, 2012. Resolution No. HEHSCO-031-12 changed the Department name from Office of Dine' Culture, Language and Community Services to the Office of Dine' Standards, Curriculum and Assessment. DOJ has attached a copy of Resolution No. HEHSCO-031-12.

If you have any questions, please contact my office at (928) 871-6935.

JM/lb.137



**NAVAJO NATION DEPARTMENT OF JUSTICE**  
**OFFICE OF THE ATTORNEY GENERAL**

DOREEN N. MCPAUL  
Acting Attorney General

KIMBERLY A. DUTCHER  
Acting Deputy Attorney General

**MEMORANDUM**

**TO: ALL CONCERNED**

**FROM:**   
Kandis Martine, Assistant Attorney General  
Human Services & Government Unit  
Office of the Attorney General/ NNDOJ


**DATE:** April 8, 2019

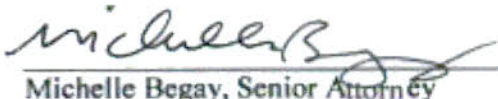
**SUBJECT: Standing Delegation of Authority**

Please be advised that the personnel listed below, in order of succession, are delegated authority to act in the capacity of the Assistant Attorney General, Human Services and Government Unit, during my absence from time to time because of travel or leave, from the office. Also, the personnel listed below, in order of succession, will have surname authority for Unit matters during my absence.

This authorized delegation will include all routine duties of the Assistant Attorney General, Human Services & Government Unit. Any matters regarding personnel issues will be held for my review/decision upon my return to the office. This Standing Delegation of Authority supersedes all previous Unit delegations. Thank you for your cooperation.

**ADMINISTRATIVE REVIEW:**

  
Cherie Espinosa, Principal Attorney  
Human Services & Gov't Unit

  
Michelle Begay, Senior Attorney  
Human Services & Gov't Unit

  
Daniel Watts, Senior Attorney  
Human Services & Gov't Unit

**SURNAME AUTHORITY:**

  
Veronica Blackhat, Assistant Attorney General  
Natural Resources Unit

  
Paul Spruhan, Assistant Attorney General  
Litigation & Employment Unit

  
LaTonia B. Johnson, Assistant Attorney General  
Economic & Community Development Unit





**DEPARTMENT OF DINÉ EDUCATION  
THE NAVAJO NATION**

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



Jonathan Nez  
President

Myron Lizer  
Vice-President

**NNBEJE-537-2019**

**RESOLUTION OF THE  
NAVAJO NATION BOARD OF EDUCATION**

**Relating to Education; Approving Amendments to the Plan of Operation for the Office of Standards, Curriculum, Assessment Development (OSCAD)**

**WHEREAS:**

1. The Navajo Nation Board of Education (hereinafter the “Board”) is the education agent in the Executive Branch for the purposes 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 (hereinafter the “Department”). 10 N.N.C. §106(G)(3).
2. The Department of Diné Education 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 Board. 10 N.N.C. §107(B).
3. Pursuant to 10 N.N.C. §106(G)(2), “(t)he Board is authorized to solicit funds, propose budgets and plans of operation, create positions, and establish organization relationships...”
4. The Health, Education and Human Services Committee of the Navajo Nation Council, as the oversight committee, can adopt, rescind, or amend the plan of operation for the Department of Diné Education. 2 N.N.C. §401(B)(8) and 2 N.N.C. §401(C)(1).
5. The Board is in receipt of documentation and testimony supporting the amendments to the plan of operation for the Office of Standards, Curriculum, Assessment Development (OSCAD), which is attached hereto as “**EXHIBIT A.**” The Navajo Nation Department of Justice has also reviewed the proposed amendments and deemed them legally sufficient.
6. The Board further finds that these amendments to the plan of operation for the Office of Standards, Curriculum, Assessment Development (OSCAD) will improve the delivery and quality of services provided by the program.

**BOARD OF EDUCATION**

*Freda Nells, President · Priscilla B. Manuelito, Vice President · Dr. Victoria Yazzie, Secretary*

*Member: Sharon A. Toadecheenie*

*Dr. Tommy Lewis, Navajo Nation Superintendent of Schools*

**NOW THEREFORE BE IT RESOLVED AND ENACTED THAT:**

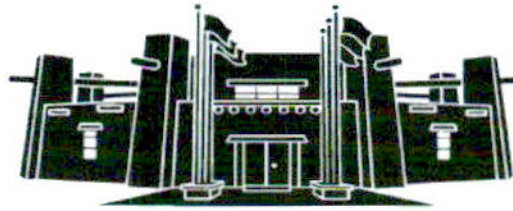
1. The Navajo Nation Board of Education hereby approves the amendments to the plan of operation for the Office of Standards, Curriculum, Assessment Development (OSCAD), which is attached hereto as **"EXHIBIT A."**
2. The Navajo Nation Board of Education further requests that the Health, Education and Human Services Committee of the Navajo Nation Council to approve amendments to the plan of operation for the Office of Standards, Curriculum, Assessment Development (OSCAD).
3. The Navajo Nation Board of Education hereby recommends and empowers the Superintendent of Schools to take any actions deemed necessary and proper to carry out the purposes of this resolution and directive.

**CERTIFICATION**

I hereby certify that the foregoing resolution was duly considered by the Board of Education of the Navajo Nation at a duly called meeting at Window Rock, AZ (Navajo Nation) at which a quorum was present, motion by Priscilla B. Manuelito and seconded by Sharon A. Toadecheenie and that the same was passed by a vote of 3 in favor; 0 opposed; 0 abstained, this 13th day of June 2019.

  
\_\_\_\_\_  
Freda Nells, President  
Navajo Nation Board of Education





## MEMORANDUM

TO: Honorable Edison J. Wauneka  
24<sup>th</sup> Navajo Nation Council

FROM:   
Kristen Lowell, Principal Attorney  
Office of Legislative Counsel

DATE: September 26, 2019

SUBJECT: **AN ACTION RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE, AMENDING THE NAVAJO OFFICE OF STANDARDS, CURRICULUM, AND ASSESSMENT DEVELOPMENT PLAN OF OPERATION**

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

Please ensure that this particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees' powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

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

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0295-19

SPONSOR: Edison Wauneka

TITLE: An Action Relating To The Health, Education And Human Services Committee, Amending The Navajo Office of Standards, Curriculum, And Assessment Development Plan Of Operation

*Date posted:* September 30, 2019 at 11:45 AM

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.*