

RESOLUTION OF THE
NAVAJO NATION COUNCIL

23rd NAVAJO NATION COUNCIL -- Fourth Year, 2018

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, BUDGET AND FINANCE, NAABIK'ÍYÁTI', AND NAVAJO NATION COUNCIL; APPROVING SUPPLEMENTAL FUNDING FROM THE UNRESERVED, UNDESIGNATED FUND BALANCE IN THE AMOUNT OF \$1,000,000.00 TO THE DEPARTMENT OF DINÉ EDUCATION, OFFICE OF NAVAJO NATION SCHOLARSHIP AND FINANCIAL ASSISTANCE AND WAIVING 12 N.N.C. § 820(E) AND (F)

BE IT ENACTED:

Section One. Authority

- A. The Navajo Nation established the Health, Education and Human Services Committee as a Navajo Nation Council standing committee and as such gave the Committee oversight over matters impacting the health of the Navajo Nation and its tribal organizations, entities, and enterprises. 2 N.N.C. § 401(B) (1).
- B. The Navajo Nation established the Budget and Finance Committee (BFC) as a Navajo Nation Council standing committee and as such empowered BFC to review and recommend to the Navajo Nation Council the management of all funds. 2 N.N.C. §§ 164 (A) (9), 300 (A), 301 (B) (2).
- C. The Navajo Nation Council established the Naabik'íyáti' Committee as a Navajo Nation standing committee and as such proposed legislation that requires final action by the Navajo Nation Council shall be assigned to the Naabik'íyáti' Committee. 2 N.N.C. §§ 164 (A) (9), 700 (A).

Section Two. Findings

- A. The Title 12 Finance Act Supplemental Appropriation requirements include:
 - 1. Pursuant to 12 N.N.C. § 820(L), when the Controller identifies additional sources of revenues above and beyond the initial or current revenue projections, supplemental appropriations may be allocated by the Navajo Nation Council.
 - 2. Pursuant to 12 N.N.C. § 820 (L), "Supplemental appropriations made from non-recurring revenues shall only be made for non-recurring operations or purposes,

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BE IT ENACTED:

Section One. Authority

- A. The Navajo Nation established the Health, Education and Human Services Committee as a Navajo Nation Council standing committee and as such gave the Committee oversight over matters impacting the health of the Navajo Nation and its tribal organizations, entities, and enterprises. 2 N.N.C. § 401(B) (1).
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- C. The Navajo Nation Council established the Naabik'íyáti' Committee as a Navajo Nation standing committee and as such proposed legislation that requires final action by the Navajo Nation Council shall be assigned to the Naabik'íyáti' Committee. 2 N.N.C. §§ 164 (A) (9), 700 (A).

Section Two. Findings

- A. The Title 12 Finance Act Supplemental Appropriation requirements include:
 - 1. Pursuant to 12 N.N.C. § 820(L), when the Controller identifies additional sources of revenues above and beyond the initial or current revenue projections, supplemental appropriations may be allocated by the Navajo Nation Council.
 - 2. Pursuant to 12 N.N.C. § 820 (L), "Supplemental appropriations made from non-recurring revenues shall only be made for non-recurring operations or purposes,

as set forth at § 820 (F). The Controller of the Navajo Nation shall be responsible for designating recurring and non-recurring revenues and purposes."

3. Pursuant to 12 N.N.C. § 820(M), all requests for annual operating funds and supplemental funds shall be submitted to the Office of Management and Budget ("OMB") for budget impact analysis.
- B. This is a funding request for a supplemental appropriation from the Unreserved, Undesignated Fund Balance in the amount of \$1,000,000.00.
- C. The Office of Navajo Nation Scholarship & Financial Assistance's funding request is for the scholarship fund. See **Exhibit A**.
- D. The supplemental funding request forms are attached as **Exhibit A**.
- E. The Office of Management and Budget has been informed of this request in order to provide a Budget Impact Analysis as required by 12 N.N.C. § 820(M).
- F. The Office of the Controller has provided a memorandum dated April 13, 2018, indicating the balance in the Unreserved, Undesignated Fund Balance as of April 11, 2018, is \$10,073,560. This memorandum is provided to meet the requirements of 12 N.N.C. 820 (L); the Controller of the Navajo Nation has designated the funds as recurring. This memorandum is attached as **Exhibit B**.
- G. The Navajo Nation finds it in the best interest of the Navajo people to approve this supplemental appropriation request.

Section Three. Approving the Waiver of 12 N.N.C. § 820(E) and (F)

The Navajo Nation hereby approves the waiver of 12 N.N.C. § 820(E) and (F) regarding the restriction on recurring and non-recurring costs.

Section Four. Approving the Supplemental Appropriation from the Unreserved, Undesignated Fund Balance in the Amount of \$1,000,000.00 to the Office of Navajo Nation Scholarship & Financial Assistance

- A. This supplemental appropriation of \$1,000,000.00 shall be from that amount of funds that exceeds the minimum fund balance of the Unreserved, Undesignated Fund Balance as determined by the Office of the Controller and to Business Unit Number 109008.

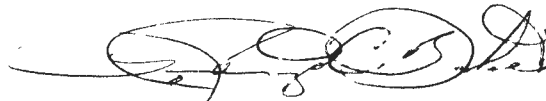
B. The Navajo Nation hereby approves the supplemental appropriation from the Unreserved, Undesignated Fund Balance to the Office of Navajo Nation Scholarship & Financial Assistance for Business Unit 109008 for \$1,000,000.00.

Section Five. Effective Date

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

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 21 in favor and 00 opposed, on this 17th day of April 2018.



LoRenzo C. Bates, Speaker
23rd Navajo Nation Council

4-27-18

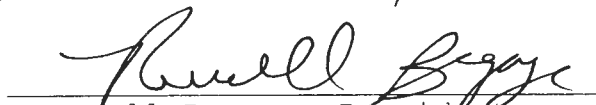
Date

Motion: Honorable Nelson S. BeGaye
Second: Honorable Steven Begay

Speaker Bates not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

1. I hereby sign into law the foregoing legislation, pursuant to 2 N.N.C. §1005 (c)(10), on this 7th day of May 2018.



Russell Begaye, President
Navajo Nation

2. I hereby veto the foregoing legislation, pursuant to 2 N.N.C. §1005 (c)(11), on this _____ day of _____ 2018 for reason(s) _____ expressed in the attached letter to the Speaker

Russell Begaye, President
Navajo Nation

3. I hereby exercise line item veto pursuant to the 2010, certified Initiative, over the supplemental appropriations approved herein by the Navajo Nation Council; on this _____ day of _____ 2018.

Russell Begaye, President
Navajo Nation

OCT 4 2017



Appendix K

THE NAVAJO NATION
SUPPLEMENTAL FUNDING PROPOSAL SUMMARY

PART I. Business Unit No.: 109008 Program Title: Office of Navajo Nation Scholarship & Financial Assistance
Department of Diné Education
Division/Branch: Executive Branch Amount Requested: \$1,600,000 Phone No.: (928) 871-7424
Prepared By: Rose Graham Email Address: rosegraham@navajo-nsn.gov

PART II. REASON FOR REQUEST AND STATEMENT OF NEED:

\$2,000,000.00 in scholarship funding is a significant loss. Already, there aren't enough funds to award everyone so the 6,400 denials will increase by an additional 600 students. In 2016, a total of 16,895 college students applied for funding through ONNSFA. With additional funds provided by the Navajo Nation Council, the scholarship budget was \$20,434,982. 51% received of those who applied received funds and 49% of the applicants were denied.

PART III. CONTINGENCY PLAN IF REQUEST IS NOT FUNDED:

The amount of award to college students will be an average of \$1,500 for undergraduates and \$3,000 for graduate students as well as strict adherence to the deadline dates, which will leave out students who are attending schools that are not traditional semester calendars such as online schools.

PART IV. ALTERNATIVE FUNDING SOURCES BEING PURSUED:

We will pursue alternative funding sources such as the Permanent Trust fund and we continue to pursue agreements where we can match funds or cost-share agreements with colleges and universities.

PART V. AFFIRMATION IS PROVIDED THAT THE PROPOSAL INFORMATION IS COMPLETE AND ACCURATE AND THE APPROPRIATE BRANCH CHIEF RECOMMENDS APPROVAL.

[Signature] ^{AG/10/9}
REVIEWED BY: Division Director's Signature / Date 10/10/17

[Signature] 10/10/17
RECOMMEND APPROVAL: Branch Chief's Signature / Date



**DEPARTMENT OF DINÉ EDUCATION
THE NAVAJO NATION**

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

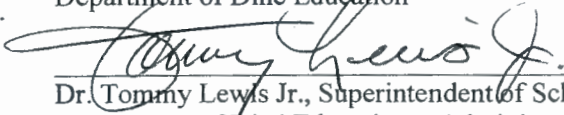


Russell Begay
President

Jonathan Nez
Vice-President

MEMORANDUM:

TO: Program Managers and Staff
Department of Diné Education

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

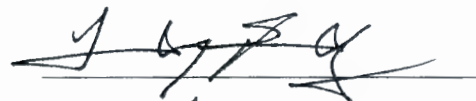


DATE: June 1, 2017

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

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

ACKNOWLEDGED

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

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

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

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

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

BOARD OF EDUCATION

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

THE NAVAJO NATION
PROGRAM BUDGET SUMMARY

FY'2018

PART I. Business Unit No.: 109008		Program Title: Office of Navajo Nation Scholarship & Financial Assistance-NN Teacher Education Division/Branch:		Executive	
Prepared By: Hon. Dwight Witherspoon		ah : No.: (928) 871-6380		Email Address: dwitherspoon@navajo-nsn.gov	

PART II. FUNDING SOURCE(S)		Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY			Fund Type Code	(A) NNC Approved Original Budget	(B) Proposed Budget	(C) Difference (Column B + A)
Undesignated Unreserved Fund Balance		4/1/18 to 09/30/18	\$ 1,000,000.00	100%							
					2001	Personnel Expenses					0
					3000	Travel Expenses					0
					3500	Meeting Expenses	1	\$ 8,000.00			\$ 8,000.00
					4000	Supplies					0
					5000	Lease and Rental					0
					5500	Communications and Utilities					0
					6000	Repairs and Maintenance					0
					6500	Contractual Services					0
					7000	Special Transactions					0
					8000	Public Assistance	1	\$ 722,500.00	\$ 1,000,000.00	\$ 1,722,500.00	
					9000	Capital Outlay					0
					9500	Matching Funds					0
					9500	Indirect Cost					0
					TOTAL		\$	730,500.00	\$ 1,000,000.00	\$ 1,730,500.00	



PART IV. POSITIONS AND VEHICLES		(D)	(E)
Total # of Positions Budgeted:		0	0
Total # of Permanently Assigned Vehicles:		0	0

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

<p><i>Rose Graham</i></p> <p>SUBMITTED BY: Program Manager's Printed Name</p> <p><i>Rose Graham</i> 4.17.18</p> <p>SUBMITTED BY: Program Manager's Signature and Date</p>	<p><i>Dwight Witherspoon</i></p> <p>APPROVED BY: Division Director/Branch Chief's Printed Name</p> <p><i>Dwight Witherspoon</i></p> <p>APPROVED BY: Division Director/Branch Chief's Signature and Date</p>
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THE NAVAJO NATION
PROGRAM PERFORMANCE CRITERIA

FY 2018

PART I. PROGRAM INFORMATION:		Business Unit No.: 109008										Program Name/Title: Office of Navajo Nation Scholarship & Financial Assistance - NN Teacher Education									
PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:																					
Resolution No: GSCMY-19-07 "Approving the plans of operation for offices and programs within the Department of Diné Education, which includes ONNSFA and NN Teacher Education Program. Purpose: ONNSFA provides merit-based scholarships and financial need based assistance to enrolled members of the NN pursuing undergraduate and graduate degrees or vocational education. The NN Teacher Education Program provides educational assistance to current Navajo teachers or Navajo teacher candidates pursuing undergraduate or graduate studies in the field of Teacher Education. Financial aid services are provided at five Agency field offices throughout the Navajo Nation.																					
PART III. PROGRAM PERFORMANCE CRITERIA:																					
1. Program Performance Area:																					
Provide Scholarship and Financial Assistance																					
Goal Statement:																					
Number of eligible Full-Time Graduate students awarded																					
2. Program Performance Area:																					
Provide Scholarship and Financial Assistance																					
Goal Statement:																					
Number of Part-Time Graduate students awarded																					
3. Program Performance Area:																					
Provide Scholarship and Financial Assistance																					
Goal Statement:																					
Number of Full-Time Undergraduate students awarded																					
4. Program Performance Area:																					
Provide Scholarship and Financial Assistance																					
Goal Statement:																					
Number of Part-Time Undergraduate students awarded																					
5. Program Performance Area:																					
Provide Scholarship and Financial Assistance																					
Goal Statement:																					
Number of Vocational Education students awarded																					
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.																					
Rose Graham, Program Manager II Program Manager's Printed Name											Dr. Tommy Lewis, Jr., Superintendent of Schools Division Director/Branch Chief's Printed Name										
 Program Manager's Signature and Date											 Division Director/Branch Chief's Signature and Date										

SUB ACCT	POS NO	JOB TYPE	POSITION TITLE	EMP ID	WRKSITE CODE	FY 2017 ACTUAL		FY 2018 PROPOSED	
						G/S	SALARY	HOURS	BUDGET

THE NAVAJO NATION

SUMMARY OF CHANGES TO BUDGETED POSITIONS

PART I. PROGRAM INFORMATION:								
Program Name/Title: Office of Navajo Nation Scholarship & Financial Assistance - NN Teacher Education						Business Unit No.:	109008	
PART II. PERSONNEL/POSITION CHANGES:								
(A) Type of Change	(B) Sub Acct Object Code	(C) Position Number	(D) Job Type / Class Code	(E) Position Title	(F) Employee ID No. or Vacant	(G) Salary	(H) Fringe Benefit	(I) Total (Col. G + H)
								-
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							PAGE TOTAL:	-

FY 2018

THE NAVAJO NATION
EXTERNAL CONTRACT AND GRANT FUNDING INFORMATIONPage 6 of 6
BUDGET FORM 6

OCT - 4 2017

PART I. PROGRAM INFORMATION:			
Program Name/Title: Office of Navajo Nation Scholarship & Financial Assistance - NN Teacher Educatic		Funding Period: January 1, 2018 to December 31, 2018	
Contract/Grant No.: A17AV00096		K #: K1807XX	
		Prepared by: Sheila Tsosie, Senior Accountant	
PART II. PURPOSE OF FUNDING AND MATCH FUNDS REQUIREMENT			
PART III. BUDGET INFORMATION:			
(A) Major Object Code and Description	(B) Current Award Fiscal Year	(C) Anticipated Funding Fiscal Year	(D) Difference Columns (C) - (B)
2001 Personnel Expenses	1,823,161	1,823,161	-
3000 Travel Expenses	87,500	87,500	-
3500 Meeting Expenses	-	-	-
4000 Supplies	70,861	70,861	-
5000 Lease and Rental	28,000	28,000	-
5500 Communication and Utilities	73,000	73,000	-
6000 Repairs and Maintenance	44,000	44,000	-
6500 Contractual Services	-	-	-
7000 Special Transaction	63,000	63,000	-
8000 Assistance	9,535,650	9,535,650	-
9000 Capital Outlay			-
9510 Matching - Cash			-
9610 Matching - In - Kind			-
9710 Indirect Cost (Overhead) Allocation			-
TOTALS:	11,725,172	11,725,172	-
PART IV.			
MATCH FUNDS - No. of Positions:			
MATCH FUNDS - Required GF Cash Match:			
Required GF In-Kind Match:			
Required GF % Match:			
Contracting Officer's Signature / Date:			
PART V. ACKNOWLEDGEMENT:			
Submitted by (print): Rose Graham, Program Manager II		Approved by (print): Dr. Tommy Lewis, Jr., Superintendent	
Signature/Date: <u>Rose Graham 10-4-17</u>		Signature/Date: <u>Tommy Lewis 10-4-17</u>	



**DEPARTMENT OF DINÉ EDUCATION
THE NAVAJO NATION**

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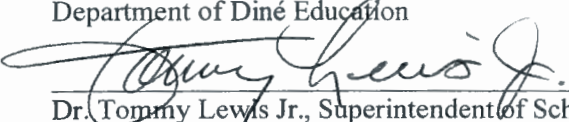


Russell Begay
President

Jonathan Nez
Vice-President

MEMORANDUM:

TO: Program Managers and Staff
Department of Diné Education

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

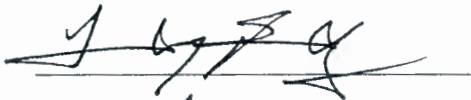

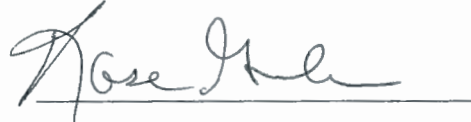
DATE: June 1, 2017

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

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Department of Diné Education – Administration
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North Central Association /AdvancED (NCA/AdvancED)
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Office of Navajo Nation Scholarship and Financial Assistance (ONNSFA)

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Dr. Tommy Lewis, Superintendent of Schools



THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE-PRESIDENT

Memorandum:

EXHIBIT "B"

To: Navajo Nation Delegates
Navajo Nation Government

From: *Robert Willie*
Robert Willie, Accounting Manager
Office of the Controller

Date: April 13, 2018

Subject: Legislation 0445-17- UUFB -- Dept. of Dine Education Office of Navajo Nation
Scholarship and Financial Assistance

The Office of the Controller has reviewed the above referenced document.

1. The un-audited balance of the UUFB is \$10,073,560 as of April 11, 2018; there are a number of other supplemental requests that will be considered by the Navajo Nation Council in the near future. This supplemental request is for a total of \$1,600,000 to fund qualified applicants scholarships that had to be denied because of funding issues. Also please be reminded that the UUFB balance is unaudited and is subject to change pending the completion of the FY 2017 audit.
2. The costs for this request we determined are RECURRING costs.
3. Important Note: Our office is currently monitoring the Nation's actual minerals revenue to-date versus the projected revenues for FY 2018. Additionally, our office has started the revenue projection task for the upcoming 2019 operating budgets. Being that minerals revenue levels are decreasing, we recommend the Nation spend the UUFB in a prudent and conservative manner for these reasons The Navajo Nation actual minerals revenue to date vs. the projection for FY 2018 is a real concern going forward as well as for the upcoming Fiscal 2019 therefore is this type of spending prudent as there may be possible shortfall in revenue in the near future which would affect the UUFB.

If you should have any questions you can contact me at tribal extension X6125.

NAVAJO NATION

RCS# 1056

4/17/2018

Spring Session

08:44:16 PM

Amd# to Amd#

Legislation 0445-17:

PASSED

MOT BeGaye, N

Approving Supplemental Funding

SEC Begay, S

from the UUFB to DODE Ofc of NN
Scholarship & Financial Assistan

Yea : 21

Nay : 0

Excused : 0

Not Voting : 3

Yea : 21

Begay, K

Chee

Hale

Smith

Begay, NM

Crotty

Jack

Tso

Begay, S

Damon

Perry

Tsosie

BeGaye, N

Daniels

Phelps

Witherspoon

Bennett

Filfred

Slim

Yazzie

Brown

Nay : 0

Excused : 0

Not Voting : 3

Shepherd

Bates

Pete