

RESOLUTION OF THE
HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
of the 24th NAVAJO NATION COUNCIL-First Year, 2019

AN ACTION

RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE,
AMENDING THE NAVAJO NATION DEPARTMENT OF DINÉ EDUCATION OFFICE
OF SPECIAL EDUCATION AND REHABILITATION PLAN OF OPERATION

BE IT ENACTED:

SECTION ONE. AUTHORITY

The Health, Education and Human Services Committee is the oversight committee for Department of Diné 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 Department of Diné Education, Office of Special Education and Rehabilitation are attached as **Exhibit 2**.
- B. For reference, an unmarked copy of the amendments to the Plan of Operation is attached as **Exhibit 2**.
- C. The Navajo Nation Board of Education passed a Resolution (NNBEMY-524-2019), which is attached as **Exhibit 3**, approving these amendments
- D. The Department of Justice (DOJ) reviewed the amendments to the Plan of Operation for the Office of Special Education and Rehabilitation and offered suggestions for revision to the document submitted. The Office of Special Education and Rehabilitation revised the documents pursuant DOJ's suggestions. The review documents are attached as **Exhibit 4**.

SECTION THREE. APPROVAL

The Health, Education and Human Services Committee of the Navajo Nation Council approves amendments to the Plan of Operation for the Department of Diné Education, Office of Special Education and Rehabilitation as indicated in **Exhibit 2**.

CERTIFICATION

I, hereby, certify that the following resolution was duly considered by the Health, Education and Human Services Committee of the 24th Navajo Nation Council at a duly called meeting at Tuba City, (Navajo Nation) Arizona, at which quorum was present and that same was passed by a vote of 3 in favor, 0 opposed, on this 20th day of May 2019.

A handwritten signature in blue ink, appearing to read 'Paul Begay Jr.', is written over the printed name.

Paul Begay Jr., Pro Tem Chairperson
Health, Education and Human Services Committee
Of the 24th Navajo Nation Council

Motion: Honorable Edison J. Wauneka
Second: Honorable Nelson S. BeGaye



**DEPARTMENT OF DINÉ EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATION SERVICES
PLAN OF OPERATION**

SECTION I. ESTABLISHMENT OF OFFICE OF SPECIAL EDUCATION AND REHABILITATION SERVICES

There is hereby established, the Office of Special Education and Rehabilitation Services (OSERS) within the Department of Diné Education of the Navajo Nation Government, Executive Branch.

SECTION II. PURPOSE

The purpose of the Office of Special Education and Rehabilitation Services is to assure that eligible Navajo children and adults with disabilities achieve a level of independence, self-sufficiency and equal opportunity to live as productive Navajo citizens.

SECTION III. GOALS

The goal of the Office of Special Education and Rehabilitation Services is to provide quality rehabilitation, independent living and early intervention services to eligible Navajo children and adults with disabilities.

SECTION IV. STAFFING AND ORGANIZATION

A. Staffing

The Program Manager will be the administrator of the Office of Special Education and Rehabilitation Services. The Program Manager shall be under the general direction and guidance of the Assistant Superintendent of the Department of Diné Education. The Program Manager shall be hired on the recommendation of the Superintendent, Department of Diné Education and shall serve as an employee of the Navajo Nation Executive Branch under the Navajo Nation Personnel Policies Manual.

The Program Manager for the Office of Special Education and Rehabilitation Services is hereby authorized to assume the general responsibility for executing the purposes, function and responsibilities of the Office of Special Education and Rehabilitation Services and for overseeing the implementation of all program goals.

The Program Manager shall be authorized to recommend to the Superintendent of Schools with Department of Diné Education, additional positions as necessary to carry out the organizational purpose (s) and the Plan of Operation as stated herein. Additional positions shall be acquired in accordance with the duly approved hiring procedures within the Navajo Nation Personnel Policies and within the applicable budget rules established for conducting the annual Navajo Nation budget process.

All personnel shall be compensated in accordance with applicable provisions of the Navajo Nation Personnel Policies Manual.

B. Organization

The organizational chart of the Office of Special education and Rehabilitation Services is attached and incorporated herein as Exhibit A.

SECTION V. AUTHORITY AND RESPONSIBILITIES

The Office of Special Education and Rehabilitation Services is under the general supervision of the Program Manager and has the authority to:

- A. Assure culturally relevant vocational rehabilitation and independent living services to eligible Navajo and other American Indian people with disabilities residing on or near the Navajo Nation through funding with the U.S. Department of Education Rehabilitation Services Administration and other funding sources and service related to vocational rehabilitation, pursuant to the authority and requirements contained in Rehabilitation Act of 1973, as amended.
- B. Coordinate special education services in conjunction with the state education agencies, local education agencies and Navajo community schools for Navajo children with disabilities in accordance with the Individuals with Disabilities Education and Improvement Act (I.D.E.I.A), as amended.
- C. Develop quality training programs for individuals with disabilities to provide an infrastructure of services located on the Navajo Nation including the Food Service Vending program.
- D. Coordinate culturally relevant early intervention and home visiting services with the state lead agencies and local programs to eligible children aged 0-5, and their families through federal and state funding and other sources.
- E. Compile and maintain child count data and needs assessment information on the needs of children with disabilities, including adults with disabilities for planning and program expansion.
- F. Provide technical assistance and consultation to assist educational agencies in planning for the transition of students with disabilities from school to postsecondary education including vocational rehabilitation services.
- G. Network and partner with state, federal and tribal programs for the provision of culturally appropriate services to adult and children with disabilities.
- H. Research and obtain federal, state, tribal and private funding for expansion of programs and services for adults and children with disabilities.
- I. Provide technical assistance to schools, educational institutions and other service providers in the areas of rehabilitation and special education.

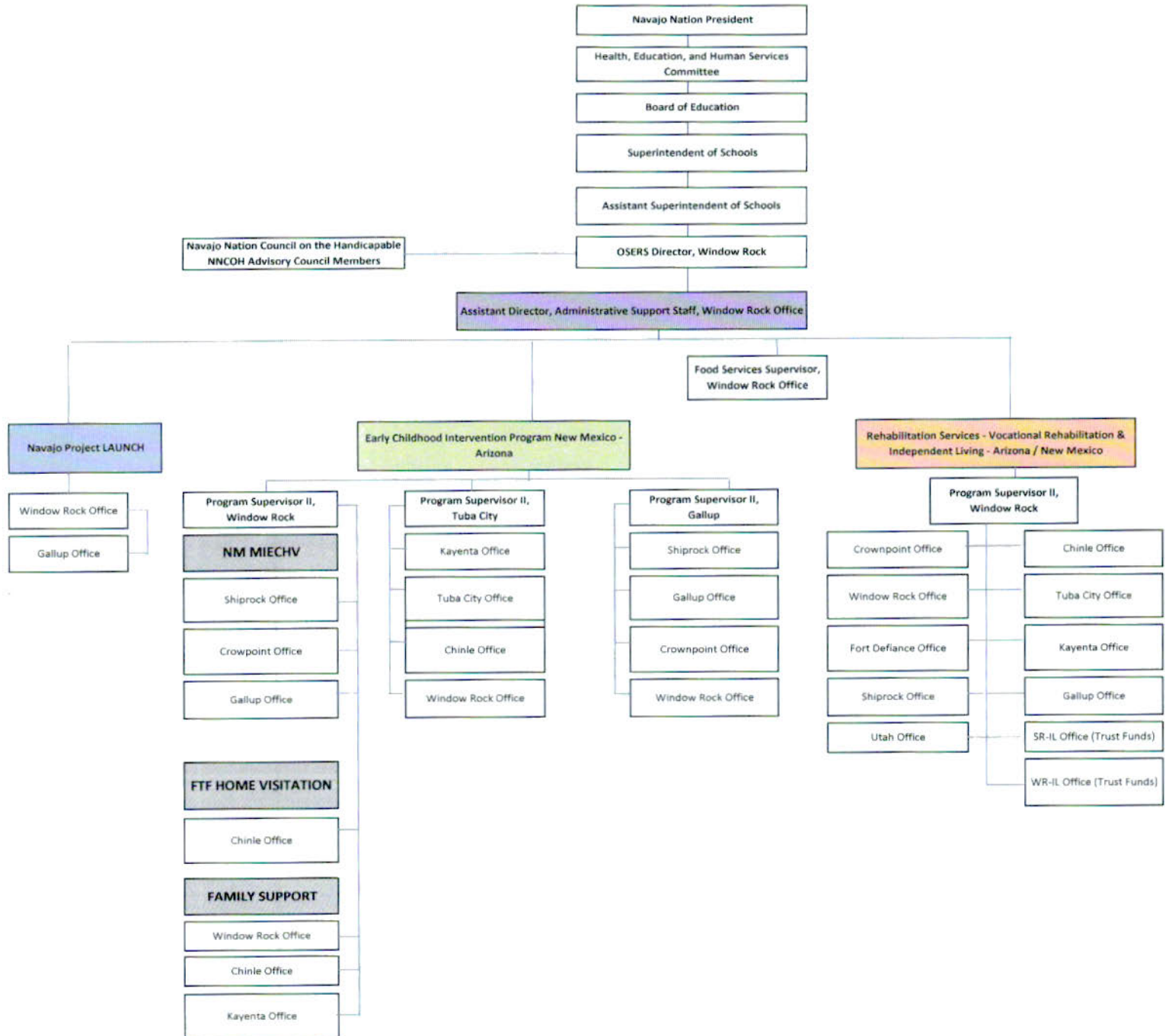
- J. Coordinate parent training activities for parents/families of children with disabilities and consumer advocacy for increasing the knowledge of parent's rights and empowerment of people with disabilities.
- K. Provide technical assistance and consultation to the Navajo Nation Advisory Council on Disability (NNACD) on advocacy for increasing and improving services for people with disabilities.
- L. Administer the Navajo Nation Trust Fund for Handicapped Services by determining funding priorities, releasing a Request for Proposals; and reviewing, awarding and monitoring grants in accordance with the Navajo Nation Trust Funds for Handicapped Services Rules and Regulations.
- M. Administer a Fund Management Plan.

SECTION VI. LEGISLATIVE OVERSIGHT

The Health, Education and Human Services Committee of the Navajo Nation Council is the oversight committee for the Department pursuant to 2 N.N.C. § 401 (C)(1).

SECTION VII. AMENDMENTS

Sections I through VI may be amended by the Health, Education, and Human Services Committee of the Navajo Nation Council upon the recommendation of the Navajo Nation Board of Education as deemed necessary.



**DEPARTMENT OF DINÉ EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATION SERVICES
PLAN OF OPERATION**

SECTION I. ESTABLISHMENT OF OFFICE OF SPECIAL EDUCATION AND REHABILITATION SERVICES

~~The Office of Special Education and Rehabilitation Services (OSERS) was established in 1995 and amended in 2004 by the Government Services Committee of the Navajo Nation Council, Resolution No. GSCJN-12-04. The~~ There is hereby established, the Office of Special Education and Rehabilitation Services (OSERS) ~~is located in~~ within the Department of Diné Education within the ~~Executive Branch~~ of the Navajo Nation Government, Executive Branch.

~~The activities of the OSERS Office of Special Education and Rehabilitation services shall be conducted by a Program Director~~ Manager ~~who shall be under the general direction of the Assistant Superintendent, Department of Diné Education.~~

SECTION II. PURPOSE

The purpose of the ~~OSERS Office of Special Education and Rehabilitation Services~~ is to assure that eligible Navajo children and adults with disabilities achieve a level of independence, self-sufficiency and equal opportunity to live as productive Navajo citizens.

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The goal of ~~the Office~~ OSERS is to provide quality rehabilitation, independent living and early intervention services to eligible Navajo children and adults with disabilities.

SECTION IV. STAFFING AND ORGANIZATION

A. Staffing

The ~~Program Director~~ Manager ~~will shall be the administrator of the Department of Diné Education, OSERS Office of Special Education and Rehabilitation Services. The Program Director~~ Manager ~~shall be under the general direction and guidance of the Assistant Superintendent of the Department of Diné Education. The Program Manager shall be hired on the recommendation of the Superintendent, Department of Diné Education and shall serve as an employee of the Navajo Nation Executive Branch under the Navajo Nation Personnel Policies Manual.~~

The ~~Program Director~~ Manager ~~for OSERS the Office of Special Education and Rehabilitation Services~~ is hereby authorized to assume the general responsibility for executing the purposes, function and responsibilities of the Office of Special Education and Rehabilitation Services and for overseeing the implementation of all program goals.

The Program ~~Director~~ Manager shall be authorized to recommend to the Superintendent of Schools with Department of Diné Education, additional positions as needed necessary to carry out the organizational purpose (s) and the Plan of Operation as stated herein. Additional positions shall be acquired in accordance with the duly approved hiring procedures within the Navajo Nation Personnel Policies ~~Manual~~ and within the applicable budget rules established for conducting the annual Navajo Nation budget process.

All personnel shall be ~~employed and~~ compensated in accordance with applicable provisions of the Navajo Nation Personnel Policies Manual.

B. Organization

The organizational chart of OSERS ~~the Office of Special education and Rehabilitation Services~~ is attached and incorporated herein as Exhibit A.

SECTION V. AUTHORITY AND RESPONSIBILITIES

OSERS ~~The Office of Special Education and Rehabilitation Services~~ is under the general supervision of the Program ~~Director~~ Manager and has the authority to:

- A. Assure culturally relevant vocational rehabilitation and independent living services to eligible Navajo and other American Indian people with disabilities residing on or near the Navajo Nation ~~under grants~~ through funding with the U.S. Department of Education Rehabilitation Services Administration and other ~~available~~ funding sources and service related to vocational rehabilitation, pursuant to the authority and requirements contained in Rehabilitation Act of 1973, as amended.
- B. Coordinate special education services in conjunction with the state education agencies, local education agencies and Navajo community schools for Navajo children with disabilities in accordance with the Individuals with Disabilities Education and Improvement Act (I.D.E.I.A), as amended.
- C. Develop quality training programs for individuals with disabilities to provide an infrastructure of services located on the Navajo Nation including the Food Service Vending program.
- D. Coordinate culturally relevant early intervention ~~services~~ and home visiting services with the state lead agencies and local programs to eligible children aged 0-5, and their families through federal and state funding and other sources.
- E. Compile and maintain child count data and needs assessment information on the needs of ~~adults and~~ children with disabilities, including adults with disabilities for planning and program expansion.
- F. Provide technical assistance and consultation to assist educational agencies in planning for the transition of students with disabilities from school to postsecondary education ~~school~~ activities including vocational rehabilitation services.
- G. Network and partner with state, federal and tribal programs for the provision of culturally appropriate services to adult and children with disabilities.

- H. Research and obtain federal, state, tribal and private funding for expansion of programs and services for adults and children with disabilities.
- I. Provide technical assistance to schools, educational institutions and other service providers in the areas of rehabilitation and special education.
- J. Coordinate parent training activities for parents/families of children with disabilities and consumer advocacy for increasing the knowledge of parent's rights and empowerment of people with disabilities.
- ~~K. Coordinate supportive vocational rehabilitation services including assistive technology, Navajo Assistive Bank of Loanable Equipment (ABLE), job related services, market analysis and other resources to facilitate Navajos and other American Indian people with disabilities to achieve an employment or independent living outcome.~~
- K. Provide technical assistance and consultation to the Navajo Nation Advisory Council on Disability (NNACD) on ~~advocating~~ advocacy for increasing and improving services for people with disabilities.
- L. Administer the Navajo Nation Trust Fund for Handicapped Services by determining funding priorities, releasing a Request for Proposals; and reviewing, awarding and monitoring grants in accordance with the Navajo Nation Trust Funds for Handicapped Services Rules and Regulations.
- M. ~~Will establish and~~ Administer a Fund Management Plan.

SECTION VI. LEGISLATIVE OVERSIGHT

The Health, Education and Human Services Committee of the Navajo Nation Council is the oversight committee for the Department pursuant to 2 N.N.C. § 401 (C)(1). ~~482 and 484.~~

SECTION VII. AMENDMENTS

Sections I through VI may be amended by the Health, Education, and Human Services Committee of the Navajo Nation Council upon the recommendation of the Navajo Nation Board of Education as deemed necessary. ~~The Navajo Nation Board of Education may forward recommendations for amendments to this Plan of Operation to the Health, Education and Human Services Committee for final approval, 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.~~



Jonathan Nez
President

**DEPARTMENT OF DINÉ EDUCATION
THE NAVAJO NATION**

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



Myron Lizer
Vice-President

NNBEMY-524-2019

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

Relating to Education; Approving Amendments to the Plan of Operation for the Office of Special Education and Rehabilitation Services (OSERS)

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 Special Education and Rehabilitation Services (OSERS), 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 Special Education and Rehabilitation Services (OSERS) will improve the delivery and quality of services provided by the program.

NOW THEREFORE BE IT RESOLVED AND ENACTED THAT:

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

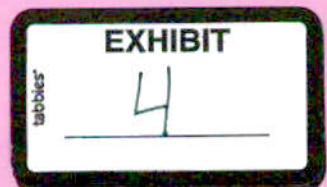
1. The Navajo Nation Board of Education hereby approves the amendments to the plan of operation for the Office of Special Education and Rehabilitation Services (OSERS), which is attached hereto as "EXHIBIT A."
2. The Navajo Nation Board of Education further requests that the Health, Education and Human Services Committee of the Navajo Nation Council to approve amendments to the plan of operation for the Department of Diné Education - Administration.
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 4 in favor; 0 opposed; 0 abstained, this 3rd day of May 2019.

A handwritten signature in dark ink, appearing to read 'Freda Nells', is written over a horizontal line.

Freda Nells, President
Navajo Nation Board of Education



NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT
REVIEW
REQUEST
FORM



DOJ
04-08-19 @ 1:36p
DATE / TIME
☐ 7 Day Deadline
DOC #: 012275 #2
SAS #:
UNIT: Hsqw

RESUBMITTAL

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

CLIENT TO COMPLETE			
DATE OF REQUEST: 4-8-19		ENTITY/DIVISION: Education	
CONTACT NAME: Tamra George		DEPARTMENT: OSERS	
PHONE NUMBER: 6338		E-MAIL: tamra.sgeorge@nndj.org	
TITLE OF DOCUMENT: Doc 12275 DODE / OSERS Plan of Operations amendment			
DOJ SECRETARY TO COMPLETE			
DATE/TIME IN UNIT: 4/8 @ 2:05		REVIEWING ATTORNEY/ADVOCATE: JM ✓	
DATE/TIME OUT OF UNIT: 4/10 @ 4:17		LS	
DOJ ATTORNEY / ADVOCATE COMMENTS			
legally sufficient			
REVIEWED BY: (PRINT)	DATE / TIME	SURNAMED BY: (PRINT)	DATE / TIME
Jay C. McCray	4/10/2019 2:08pm	Kandis Hartine	4/10/19 2:45pm
DOJ Secretary Called: Eva		for Document Pick Up on 4/10 at 4:17 By: Shub	
PICKED UP BY: (PRINT)		DATE / TIME:	

Surnamed as legally sufficient for Registry 4-11-19 8:34a

Document No. 012275Date Issued: 03/29/2019

MA - 29 2019
EXECUTIVE OFFICIAL REVIEW

Title of Document: DoDE/OSERS Plan of Operation Amendment Contact Name: GEORGE, TAMRA SProgram/Division: DEPT OF DINE EDUCATIONEmail: tamra.sgeorge@nnosers.org Phone Number: 928-871-6338

	Sufficient	Insufficient
<input type="checkbox"/> Business Site Lease		
1. Division: _____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Controller: _____ Date: _____ (only if Procurement Clearance is not issued within 30 days of the initiation of the E.O. review)	<input type="checkbox"/>	<input type="checkbox"/>
3. Office of the Attorney General: _____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
 <input type="checkbox"/> 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: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Attorney General: _____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
 <input type="checkbox"/> Fund Management Plan, Expenditure Plans, Carry Over Requests, Budget Modifications		
1. Office of Management and Budget: _____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Controller: _____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. Office of the Attorney General: _____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
 <input type="checkbox"/> Navajo Housing Authority Request for Release of Funds		
1. NNEPA: _____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Attorney General: _____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
 <input type="checkbox"/> Lease Purchase Agreements		
1. Office of the Controller: _____ Date: _____ (recommendation only)	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Attorney General: _____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
 <input type="checkbox"/> Grant Applications		
1. Office of Management and Budget: _____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Controller: _____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. Office of the Attorney General: _____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
 <input checked="" type="checkbox"/> 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		
PS 1. Division: <u><i>Tamra S. George</i></u> Date: <u>3/29/19</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Office of the Attorney General: <u><i>Tamra S. George</i></u> Date: <u>4/4/19</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
 <input type="checkbox"/> Relinquishment of Navajo Membership		
1. Land Department: _____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
2. Elections: _____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
3. Office of the Attorney General: _____ Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/>	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"/>
<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"/>
<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"/>
<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"/>
<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"/>
<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"/>
<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

DOCUMENT REVIEW REQUEST FORM



☐ RESUBMITTAL

DOJ	
04-02-19 @ 952	
DATE / TIME	
<input type="checkbox"/> 7 Day Deadline	
DOC #:	012275
SAS #:	
UNIT:	Hsgu

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

CLIENT TO COMPLETE

DATE OF REQUEST:	4/1/2019	DIVISION:	Education
CONTACT NAME:	Tamra George	DEPARTMENT:	OSERS
PHONE NUMBER:	928-871-6338	E-MAIL:	tamra.sgeorge@nnosers.org

TITLE OF DOCUMENT: DOC# 12275 - DoDE/OSERS Plan of Operations Amendments.

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT:	4/2 @ 11:28	REVIEWING ATTORNEY/ADVOCATE:	JMV
DATE TIME OUT OF UNIT:	4/4 @ 341		LS

DOJ ATTORNEY / ADVOCATE COMMENTS

See Memo.

REVIEWED BY: (Print)	Date / Time	SURNAMED BY: (Print)	Date / Time
Jay C. McCray	4/4/2019 8:28am	Kandis Martine	4/4/19 10:31am

DOJ Secretary Called: Eva for Document Pick Up on 4/4 at 341 By Smith

PICKED UP BY: (Print)	DATE / TIME:
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**DEPARTMENT OF DINÉ EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATION SERVICES
PLAN OF OPERATION**

SECTION I. ESTABLISHMENT OF OFFICE OF SPECIAL EDUCATION AND REHABILITATION SERVICES

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B. Organization

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OSERS The Office of Special Education and Rehabilitation Services is under the general supervision of the Program ~~Director~~ Manager and has the authority to:

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- B. Coordinate special education services in conjunction with the state education agencies, local education agencies and Navajo community schools for Navajo children with disabilities in accordance with the Individuals with Disabilities Education and Improvement Act (I.D.E.I.A), as amended.
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- D. Coordinate culturally relevant early intervention ~~services~~ and home visiting services with the state lead agencies and local programs to eligible children aged 0-5, and their families through federal and state funding and other sources.
- E. Compile and maintain child count data and needs assessment information on the needs of ~~adults and~~ children with disabilities, including adults with disabilities for planning and program expansion.
- F. Provide technical assistance and consultation to assist educational agencies in planning for the transition of students with disabilities from school to postsecondary education ~~school~~ activities including vocational rehabilitation services.
- G. Network and partner with state, federal and tribal programs for the provision of culturally appropriate services to adult and children with disabilities.
- H. Research and obtain federal, state, tribal and private funding for expansion of programs and services for adults and children with disabilities.

- I. Provide technical assistance to schools, educational institutions and other service providers in the areas of rehabilitation and special education.
- J. Coordinate parent training activities for parents/families of children with disabilities and consumer advocacy for increasing the knowledge of parent's rights and empowerment of people with disabilities.
- K. ~~Coordinate supportive vocational rehabilitation services including assistive technology, Navajo Assistive Bank of Loanable Equipment (ABLE), job related services, market analysis and other resources to facilitate Navajos and other American Indian people with disabilities to achieve an employment or independent living outcome.~~
- K. Provide technical assistance and consultation to the Navajo Nation Advisory Council on Disability (NNACD) on advocating advocacy for increasing and improving services for people with disabilities.
- L. Administer the Navajo Nation Trust Fund for Handicapped Services by determining funding priorities, releasing a Request for Proposals; and reviewing, awarding and monitoring grants in accordance with the Navajo Nation Trust Funds for Handicapped Services Rules and Regulations.
- M. ~~Will establish and~~ Administer a Fund Management Plan.

SECTION VI. LEGISLATIVE OVERSIGHT

The Health, Education and Human Services Committee of the Navajo Nation Council is the oversight committee for the Department pursuant to 2 N.N.C. §§ 482 and 484.

SECTION VII. AMENDMENTS

Sections I through VI may be amended by the Health, Education, and Human Services Committee of the Navajo Nation Council upon the recommendation of the Navajo Nation Board of Education as deemed necessary. The Navajo Nation Board of Education may forward recommendations for amendments to this Plan of Operation to the Health, Education and Human Services Committee for final approval 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.



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 : Tamra George, *Administrative Services Officer*
Office of Special Education and Rehabilitation
Department of Dine' Education

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

DATE : April 3, 2019

RE : **Review the OSERS Plan of Operation**

On April 2, 2019 the Department of Justice ("DOJ") received a Document Review Request Form from the Office of Special Education and Rehabilitation Services ("OSERS"). OSERS requested the DOJ to review the OSER Plan of Operation.

The Office of Management & Budget Plans of Operation and Enabling Legislation Manual ("Manual") was developed to provide guidance and consistency to Plans of Operation and Enabling Legislation. The Manual provides direction on the format for establishing Plans of Operation. The Plan of Operation should be simple. The more detailed the plan is, the more often it may have to be amended due to minor organizational changes. DOJ recommends the following:

1. Section I. consider deleting the following, ~~"The activities of the OSERS Office of Special Education and Rehabilitation services shall be conducted by a Program Director Manager who shall be under the general direction of the Assistant Superintendent, Department of Dine' Education."~~
2. Section IV. consider amending as follows:
 1. Staffing

Memo to: Tamra George, *Administrative Services Officer*, Office of Special Education and Rehabilitation/
DoDE

RE: Review the OSERS Plan of Operation

April 3, 2019

Page 2 of 2

- a. The Program ~~Director~~ Manager will be the administrator of the ~~Department of Dine' Education, OSER, Office of Special Education and Rehabilitation services.~~ The Program ~~Director~~ Manager shall be under the general direction and guidance of the Assistant Superintendent of the Department of Dine' Education. The Program Manager shall be hired on the recommendation of the Superintendent, Department of Dine' Education and shall serve as an employee of the Navajo Nation Executive Branch under the Navajo Nation Personnel Policies Manual.

The deleted sentence under Section I. was incorporated into Section IV. Please, note that the Program Manager is under the general direction of the Assistant Superintendent of School however the Program Manager is hired upon the recommendation of the Superintendent and the Program Manager submits recommendation for additional staff to the Superintendent. Is this correct? Also consider numbering the different paragraphs under this Section.

3. Section VI. amend as follows, "The Health, Education and Human Services Committee of the Navajo Nation Council is the oversight committee for the Department pursuant to 2 N.N.C. § 401 (C)(1). ~~§ 482 and 484.~~"
4. The organization chart for OSER was not attached at Exhibit A.

If you have any questions regarding this issue please contact me at (928) 871-6935 or jmccray@nndoj.org.

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
Regular Meeting
May 20, 2019

Roll Call
Vote Tally Sheet

LEGISLATION NO. 0113-19

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE;
AMENDING THE NAVAJO NATION DEPARTMENT OF DINE EDUCATION OFFICE OF
SPECIAL EDUCATION AND REHABILITATION PLAN OF OPERATION

(Note: Eligible for Committee Action May 15, 2019)

Sponsor: Honorable Daniel E. Tso

May 20, 2019 - Amendment (1) Motion

Motion by: Honorable Edison J. Wauneka
Seconded by: Honorable Nelson S. BeGaye
Vote: 3 in favor; 0 Opposed; Pro Tem Chairperson Not Voting
Yeas: Edison J. Wauneka; Nelson S. BeGaye; Daniel E. Tso
Nays: None
Absent (excused): Charlaine Tso; Pernell Halona

May 20, 2019 - Main Motion

Motion by: Honorable Edison J. Wauneka
Seconded by: Honorable Nelson S. BeGaye
Vote: 3 in favor; 0 Opposed; Pro Tem Chairperson Not Voting
Yeas: Edison J. Wauneka; Nelson S. BeGaye; Daniel E. Tso
Nays: None
Absent (excused): Charlaine Tso; Pernell Halona



Paul Begay, Jr., Pro Tem Chairperson
Health, Education and Human Services Committee



Beverly Martinez, Legislative Advisor
Health, Education and Human Services Committee