November 2, 2023

Honorable Crystalyne Curley, Speaker Office of the Speaker Navajo Nation Council P.O. Box 3390 Window Rock, AZ 86515

RE: CO-79-23 An Action Relating to the Health, Education, and Human Services Committee, The Budget and Finance Committee, the Naabik'íyáti' Committee, and the Navajo Nation Council: Approving \$3,000,000 From the Síhasin Fund to Navajo Preparatory School for a New Student Housing Building; Approving the Related Expenditure Plan.

Dear Honorable Members of the 25th Navajo Nation Council:

I am pleased to support the approval of \$3,000,000 from the Navajo Nation's Síhasin Fund as contribution toward Navajo Preparatory School's new student housing building.

Supporting Navajo Preparatory School in its efforts to house and serve more Navajo students as they aspire to attain a higher education and other training opportunities is in the best interest of our Navajo people. With this approval, I encourage the Navajo Nation Council to continue to work collaboratively with my office to ensure that future revenue-generating legislations are passed, which will allow us to support efforts such as this.

I am confident the funds will contribute greatly and positively to the school's academic excellence and to the success of our Navajo students and families as well.

Sincerely,

Dr. Buu Nygren, President

THE NAVAJO NATION

RESOLUTION OF THE NAVAJO NATION COUNCIL 25th NAVAJO NATION COUNCIL - FIRST YEAR, 2023

AN ACTION

RELATING TO THE HEALTH, EDUCATION, AND HUMAN SERVICES COMMITTEE, THE BUDGET AND FINANCE COMMITTEE, THE NAABIK'ÍYÁTI' COMMITTEE, AND THE NAVAJO NATION COUNCIL; APPROVING \$3,000,000 FROM THE SÍHASIN FUND TO NAVAJO PREPARATORY SCHOOL FOR A NEW STUDENT HOUSING BUILDING: APPROVING THE RELATED EXPENDITURE PLAN

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Health, Education, and Human Services Committee is a standing committee of the Navajo Nation Council with authority over education matters, including colleges and universities within the Navajo Nation. 2 N.N.C. § 400(C)(1), 2 N.N.C. § 401(C)(3).
- B. The Health, Education, and Human Services Committee also has authority to recommend to the Navajo Nation Council resolutions related to education. 2 N.N.C. § 401(B)(6)(a).
- C. The Budget and Finance Committee is a standing committee of the Navajo Nation Council with the responsibility to "review and recommend to the Navajo Nation Council the budgeting, appropriation, investment and management of all funds." 2 N.N.C. § 301(B)(2).
- D. The Naabik'íyáti' Committee is a standing committee of the Navajo Nation Council that considers all proposed final actions by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- E. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102(A). As such, the Council may approve appropriations from the Navajo Nation's Síhasin Fund.
- F. 12 N.N.C. § 2502, as amended by CJA-03-18, states the purpose of the Navajo Nation Síhasin Fund ("Síhasin Fund") as follows:

§ 2502 Purpose

- A. The purposes of this Fund are to provide financial support and/or financing for:
 - The planning and development of economic development and regional infrastructure supporting economic development and community development, including such

infrastructure as, but not limited to, housing, commercial and government buildings, waterline, solid waste management development, powerline Projects, and transportation and communication systems, within the Navajo Nation; and

- 2. Education opportunities for members of the Navajo Nation.
- B. For the Purpose in § 2502(A)(1), Fund expenditures for infrastructure shall not be limited by 12 N.N.C. § 1310(F) or TCDCJY-77-99.
- C. Leveraging the Fund by way of guaranteeing loans, match funding, direct funding in part, and other weighted uses of the Fund, including loan financing from the Fund, for the purposes in § 2502(A)(1), shall be favored over direct funding in whole.
- G. The Síhasin Fund provides that "Fund Principal" shall consist of all deposits made to the Síhasin Fund and that "Fund Income" shall consist of all earnings (interest, dividends, etc.) generated and realized by the Fund Principal, and that Síhasin Fund Income shall be deposited in, and added to, the Fund Principal until such time as a Fund Expenditure Plan is duly approved. 12 N.N.C. § 2504 and § 2505(C).
- H. The Sihasin Fund also provides that "Fund Principal and Income shall not be expended except pursuant to a Fund Expenditure Plan consistent with the purposes set forth in § 2502 of this Chapter and adopted by a two-thirds (2/3) vote of all members of the Navajo Nation Council." 12 N.N.C. § 2505(A).

SECTION TWO. FINDINGS

- A. The Navajo Preparatory School ("Navajo Prep") is requesting \$3,000,000 from the Sihasin Fund as a contribution from the Navajo Nation to construct a new student residential building on its campus in Farmington, New Mexico. Navajo Prep has submitted a detailed Grant Application form, along with a description of the school and its priorities. EXHIBIT A.
- B. A detailed description of the Project prepared by Navajo Prep's design-build contractor, showing the total estimated Project cost of \$10,000,000, is attached as **EXHIBIT B**.
- C. A detailed Expenditure Plan for the Project is attached as EXHIBIT C.

- D. Navajo Prep's Board of Trustees has adopted a resolution describing the Project and requesting the Navajo Nation to match the New Mexico Capital Construction funding provided for the Project of \$3,000,000. **EXHIBIT D**.
- E. Approving the \$3,000,000 for this Project satisfies the preference for leveraging of funds in 12 N.N.C. § 2502(C), because the State of New Mexico has already provided \$7,000,000 for the project.
- F. Providing the \$3,000,000 will enable Navajo Prep to house and serve more Navajo students and bring more higher education, training, and other learning opportunities to the community and the Navajo People.
- G. The Navajo Nation therefore finds the approval of the requested Sihasin funds to be in the best interests of the Navajo Nation and the Navajo People.

SECTION THREE. APPROVING \$3,000,000 FROM THE SÍHASIN FUND TO NAVAJO PREPARATORY SCHOOL FOR A NEW STUDENT HOUSING BUILDING; APPROVING THE RELATED EXPENDITURE PLAN

- A. The Pursuant to 12 N.N.C. § 2505(A), the Navajo Nation hereby approves \$3,000,000 from the Sihasin Fund to Navajo Prep for the completion of a new student housing building, as explained in the attached EXHIBITS A-D. The Navajo Nation hereby approves the Expenditure Plan for the Project as set forth in EXHIBIT C.
- B. The Navajo Nation Controller shall determine whether the source of the \$3,000,000 amount from the Sihasin Fund will be from Fund Principal or Fund Income or a combination of both.
- C. The Síhasin funds allocated for the Expenditure Plan approved herein may be further leveraged by bond or loan financing pursuant to the Navajo Nation Bond Financing Act, at 12 N.N.C. §1300 et seq., as amended, using Síhasin Fund earnings for repayment and financing costs upon the recommendation of the Budget and Finance Committee and approval by a two-thirds (2/3) vote of all members of the Navajo Nation Council.
- D. The Sihasin funds approved herein shall be made available to the Department of Diné Education ("DODE"), within 30 business days of the effective date of this Action. The funds will thereafter be made available for Navajo Prep's use on a drawdown basis. Upon first receipt of any amount of the funds approved herein, Navajo Prep shall promptly implement the Expenditure Plan approved herein.

- E. Drawdown of the approved Sihasin funds by Navajo Prep shall be governed by an appropriate grant agreement, memorandum of agreement, or other legal document executed by Navajo Prep and the Navajo Nation. Said agreement shall be binding upon the parties, shall be approved by the Controller and the Department of Justice, and shall establish a Project schedule, payment or drawdown plan, fund management plan, or other relevant procedures governing the Project.
- F. DODE shall have administrative oversight authority over the expenditure of the Sihasin funds approved herein, and shall monitor Navajo Prep's implementation of the approved Expenditure Plan.
- G. The approved Síhasin funds shall not be comingled with any other funds, and shall be used strictly for the Expenditure Plan approved herein. Navajo Prep shall be responsible for ensuring that all expenditures comply with the approved Expenditure Plan, and with all provisions of the legal agreement described in Section Three (E) above.
- H. As a condition of receiving the approved Sihasin funds, Navajo Prep shall allow the Navajo Nation full access to its financial records related to the Sihasin funds it has received, for the purpose of the Navajo Nation's review and audit of Navajo Prep's expenditures of the Sihasin funds.
- I. Unspent and unencumbered Síhasin funds shall not lapse at the end of any Navajo Nation Fiscal Year, as might otherwise occur under 12 N.N.C. § 820(N), so long as all Síhasin funds are accounted for as of September 30th of every year.

SECTION FOUR. DIRECTIVE

As a condition of receiving the Síhasin funds approved herein, Navajo Prep shall submit written reports, and verbal reports if so requested, explaining the ongoing status of the Expenditure Plan approved herein and its expenditures of the \$3,000,000. Said reports shall be provided to the Health, Education, and Human Services Committee, the Budget and Finance Committee, and the Naabik'íyáti' Committee, by the end of each Fiscal Year Quarter until all approved Síhasin funds are exhausted.

SECTION FIVE. EFFECTIVE DATE

This Action and the related Expenditure Plan shall become effective pursuant to 12 N.N.C. § 2505(A) and 2 N.N.C. § 221(B).

SECTION FIVE. SAVING CLAUSE

If any part of this Action is invalidated by the Supreme Court of the Navajo Nation, or by any Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, the remainder of this Action shall be the law of the Navajo Nation.

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the 25th Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 17 in Favor, and 00 Opposed, on this 16th day of October 2023.

Honorable Crystalyne Curley, Speaker 25th Navajo Nation Council

10/25/2023

Motion: Honorable Seth Damon Second: Honorable Andy Nez

Speaker Crystalyne Curley not voting

ACTION BY THE NAVAJO NATION PRESIDENT:

But Nygren, President Navajo Nation 2. I, hereby, veto the foregoin legislation, pursuant to 2 N.N.C. 1005 (C) (11), on this day of, 2023 for the reason(s) expressed in the attached letter to the Speaker. But Nygren, President Navajo Nation 3. I, hereby, exercise line-item veto pursuant to the budget line-item veto authority delegated to the President by vote of the Navagon for, 2023. But Nygren, President Navajo Nation But Nygren, President Navajo Nation	⊥.	1, hereby, sight into law the
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Navajo Nation		
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Appendix F



THE NAVAJO NATION GRANT APPLICATION

Name of Entity: Navajo Preparato	ry School	Telephone: 5053266571
Mailing Address:	mington, New Mexico, 87401	E-mail: sbecenti@navajoprep.com
Physical Address: 1220 W. Apache; Fan	mington, New Mexico, 87401	IRS TIN/EIN #: 85-0395073
Website Address: www.navajoprep.com	n	DUNS #: 807186861
Grant Amount Requested: \$ \$3,000,000	Grant Start Date: 10/01/2023	Grant End Date: 9/30/2024

DESCRIPTION OF ENTITY OR ORGANIZATION

Describe the entity or organization requesting the grant.

Navajo Prep was established in 1991 by the Education Committee of the Navajo Nation Council (Resolution ECMY-33-91). The school is incorporated under the Navajo Nation Corporation Code and the New Mexico State Corporation Commission as a non-profit organization under 501 (c)(3) of the IRS code.

The school operates under the auspices of the Public Law 100-297 as a grant school with federal funding, pursant to legislative sanction by the Navajo Nation. The current reauthorization of the Public Law 100-297 by the Navajo Nation School Board of Education ends June 30, 2026.

PROBLEMS/NEEDS STATEMENT

Describe the problems and needs identified to be addressed through this funding request. Include relevant data such as the number and location of the Navajo population to be served

Navajo Prep maintains a wait-list of residential students, and admissions is limited. The school strives to provide an education to more residential students to represent all 110 Chapters of the Navajo Nation. Navajo Prep's Master Plan and Strategic Plan prioritize providing additional housing to students. This prompted our capital outlay advocacy efforts with the State of New Mexico. In the 2022 legislative session, we were awarded \$5,000,000 The pandemic increased the cost of construction and materials by 40-50%. This increased the cost of construction, supplies, and labor by \$5,000,000. The State of New Mexico awarded Navajo Prep an additional \$2,000,000 in the 2023 Legislative Session to help ensure that the project is completed despite the rising cost of construction. Navajo Prep broke ground on the new build in June 2023 and it is scheduled to be completed in April 2024.

METHODOLOGY

Describe the services to be provided with the requested funds and how the services will address the problems and needs identified above.

Navajo Prep secured a \$2,000,000 loan and has contributed \$1,000,000 to this project. Navajo Prep is asking the Navajo Nation to match \$3,00,000 to assist in the repayment of the loan for the construction and furnishing of the new residential building. This building will allow Navajo Prep to enroll 32 additional residential students and ensure that our project get completed by April 2024.

NAVAJO NATION BRANCH OR DIVISION THROUGH	WHICH THE REQUEST WILL BE PROCESSED
Navajo Nation Division or Branch: Principal contact person:	Telephone number:



NAVAJO PREPARATORY SCHOOL

an International Baccalaureate World School

98%

of Class of 2023 accepted to a 4-year college or university

73%

of Navajo Prep alumni graduate from college within 6-years; U.S. graduation rate is 62% National Indigenous student graduation rate is 49% N.M. graduation rate is 49%

Our Students by Agency Central: 38 students Eastern: 59 students Ft. Defiance: 44 students Northern: 95 students

Western: 27 students Other: 26 students

SereofNMInvesment in 2019-2023

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3775,000

35000 \$275000 **DOMESTIC**

\$2000000 SE7/500

3300,000 \$75000

TOTAL \$9735000

Ourschool

Navajo Prep is located in Farmington, New Mexico, on the 82.45-acre site of the former Navajo Methodist Mission School campus. The site is now the permanent home of Navajo Prep under a 99-year lease with the Navajo Nation (RCMA-38-98). The School operates according to Public Law 100-297 as a grant school with federal funding under legislative sanction by the Navajo Nation.

Our Community

- Serve 289 students, grades 9-12, with 58% of students living on campus; enrolled students represent 59 different Chapters.
- Navajo Prep enrolls Navajo, Hopi, Mescalero Apache, White Mountain Apache, Jicarilla Apache, Pueblo, and non-Native students
- Most Navajo Prep staff (65%) identify as Native American. Many of our teachers have taught at the university level and in international schools worldwide, including in India. China, Saudi Arabia, Kenya, Mongolia, Mexico, Cambodia, Egypt, Germany, the Philippines, and Japan.

Construction on campus: Student Home \$8,600,000

A Residential Housing Core Team, which includes two residential students, an RA, the Dean of Student Life, the Assistant Dean of Student Life, and an Administrative Team, ensured ongoing community involvement in the planning and design of the new student home.

- · Coordinated collaboration between Navajo Prep, Jaynes, and Studio Southwest Designs to plan, design, and approve the design-build so that it is on time and on
- Construction began in June 2023.
- From 2021-2022 to 2022-2023, the number of applications to Navajo Preparatory School increased by 38%, resulting in a 50% admission rate and justified the need for a new student home.

Construction on campus: Hogan \$460,000

Navajo Prep constructed a Hogan on campus using State of New Mexico capital outlay funds in November, 2022.

NAVAJO NATION INVESTMENT IN NAVAJO PREP



The Education Committee of the Navajo **Nation Council** established Navajo Prep as a college preparatory program for Native high school students and to produce leaders for the Navajo Nation.



The Navajo Nation purchased the 82.45-acre site for \$590,000 from the Women's Division of the General Board of Global Ministries of the United Methodist Church. The site is now the permanent home of the Navajo Prep School under a 99-year lease (RCMA-38-98).



Navaio Nation

funded \$7.5 million for the construction of 3 residential buildings on campus.



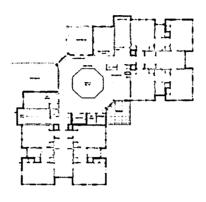
Navajo Nation funded \$2.9 million support the Phase II of Navajo Prep's Master plan and assist in completion of one residential house.

Thank you, l'avajo l'ation:

Additional funding includes reccurring Parajo Trust Fund ranging from \$3,592-\$16,000 annually



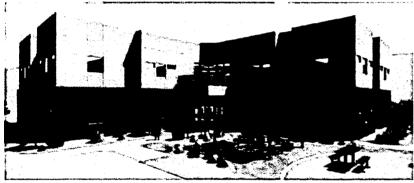




Comparison of the construction

Navajo Prep broke ground on the student home on June 14, 2023. The new student home will allow Navajo Preparatory School to increase student enrollment and house 32 additional students. Increasing enrollment enables more students to partake in Indigenous teachings and benefit from an International Baccalaureate education.

The expected completion date is April 2024.





Student & Alumni Testimonials

"The residential program allows me to go to Navajo Prep. Everything at Navajo Prep is new to me. I came to Navajo Prep for this. In the city, we don't do things like this—digging the hole, watching them cut the sheep, and I realize it is up to me to make the best of it. I am taking it all in."

Student, Crownpoint Chapter

"Going to school at Navajo Prep allows me to learn my culture. It makes me feel like I'm back at home and adds to the knowledge that I have from my relatives. This knowledge will always come back to me. I will remember these teachings so that I am prepared for anything."

- Student, Rock Point Chapter

"Without Navajo Prep's residential program, I would not have been able to complete my studies at Navajo Prep. When going to college, I knew what to expect and what I needed to bring. My experience as a residential student in high school gave me an idea of what to look for as I researched different living programs within a college campus."

- Alumna, Standing Rock Chapter

"



NAVAJO PREPARATORY SCHOOL

an International
Baccalaureate World
School

Our Key Issues

Per-student funding: The national average per-student funding is \$14,000, and Navajo Prep is awarded \$6,200 per student. This funding discrepancy limits programming and opportunities for students. **Access to Next Gen. CTE Funding -** Support the legislative amendment to ensure that BIE-funded schools access Perkins and Next Gen. CTE funding.

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Shawna Allison Becenti Head of School Cell: (505) 860-0170 sbecenti@navajoprep.com



Robert Apodaca RMA Advisory Cell: (505) 412-1057 advisory.rma@gmail.com



Our Capital Priorities

LCS WEB ID: 846 INFO TECH IMPROVE \$1,000,000

Plan, design, construct, equip, renovate, acquire, improvements and repairs to aging buildings, infrastructure, security upgrades and information technology at Navajo Preparatory School

LCS WEB ID: 840 DORM CONSTRUCT \$1,500,000
Plan, design, construct, equip, renovate and furnish a student housing facility to increase enrollment of Native students at Navajo Preparatory School

LCS WEB ID: 845 SCHOOL FACILITY CONSTRUCT \$21,000,000 Plan, design, construct, renovate, demolish, equip and furnish building 32/STEAM, cultural and performing indigenous arts facility at Navajo Preparatory School

LCS WEB ID: 844 ATHLETIC FIELD CONSTRUCT \$1,500,000 Plan, design, equip, construct, renovate and furnish an athletic complex that includes a regulation standard track, field house, turf fields, football field, softball field, and wellness facility

MENTAL HEALTH COUNSELOR \$100,000 RECURRING

To provide a credentialed mental health counselor in the school-based health center to serve students with demonstrated need.



NAVAJO PREPARATORY SCHOOL

NAVAJO NATION INVESTMENT IN NAVAJO PREP



The Education Committee of the Navajo **Nation Council** established Navajo Prep as a college preparatory program for Native high school students and to produce leaders for the Navajo Nation.



The Navajo Nation purchased the 82.45-acre site for \$590,000 from the Women's Division of the General Board of Global Ministries of the United Methodist Church. The site is now the permanent home of the Navajo Prep School under a 99-year lease (RCMA-38-98).



1995-2002

Navajo Nation funded \$7.5 million for the construction of 3 residential buildings on campus.



Navaio Nation funded \$2.9 million support the Phase II of Navajo Prep's Master plan and assist in completion of one residential house.

Thank you, Navajo Nation: Additional funding includes reoccurring Navajo Trust Fund ranging from \$4,500-\$18,000 annually

OUR GOALS

- 1. To embrace and value the Navajo language and way of life as a global citizen.
- 2. To achieve IB excellence and prepare all students for post-secondary opportunities
- 3. To recruit, retain, and develop exceptional students, teachers, leaders, and support staff.
- 4. To increase communication among stakeholders through systems, processes, and transparency.
- 5. To pursue and enhance campus development.



OUR COVID-19 SUCCESS

- · Bridged the digital divide by purchasing laptops, installing satellite internet for rural students, and developing a cellular map to ensure all mobile data providers align to service providers in students' home communities.
- Dedicated funding supports on-campus network stability and upgraded facilities to include touchless fixtures.
- Launched a vaccine incentive program which resulted in 95% of all full-time staff and 93% of students getting vaccinated.
- Incentivized retention by doing an incentive payout to all staff.
- Implemented weekly COVID-19 surveillance testing. The surveillance testing model requires weekly allschool testing of students and staff and reporting of school-wide positivity rate to the community.
- Purchased 10,000 KN95 masks to distribute to staff and students



Our School

Navajo Prep is located in Farmington, New Mexico, on the 82.45-acre site of the former campus of the Navajo Methodist Mission School. The site is now the permanent home of Navajo Prep under a 99-year lease with the Navajo Nation (RCMA-38-98). The School operates according to the Public Law 100-297 as a grant school with federal funding under legislative sanction by the Navajo Nation.

Our Community

- Serve 262 students, grades 9-12, with 66% of students living on campus
- Students come from 52 distinct rural and urban communities, including Navajo, Hopi, Mescalero Apache, White Mountain Apache, Jicarilla Apache, Pueblo, and non-Native students
- Most Navajo Prep staff (65%) identify as Native American.
 Many of our teachers have taught at the university level and in international schools worldwide, including in India, China, Saudi Arabia, Kenya, Mongolia, Mexico, Cambodia, Egypt, Germany, the Philippines, and Japan.

Our Funding Partnerships



In 2022, the NM PED awarded Navajo Prep two grants totaling \$250,000 per year for five years. These grants support Navajo Prep as a community immersion school for Diné language and culture.



In 2022, the US Department of Ed. awarded Navajo Prep \$391,530 over five years to develop an international exchange program with Indigenous schools in New Zealand.



In 2020, the US Dep. of Ed awarded Navajo Prep \$953,155 over three years to develop new learning programs, services, and workshops to expand their educational experiences.



100%

of Class of 2022 **accepted** to a 4-year college or university

73%

of Navajo Prep alumni **graduate from college** within 6-years; U.S. graduation rate is 62% N.M. graduation rate is 49%

Our Students by N.M. County

Bernalillo: 8 students McKinley: 45 students Rio Arriba: 13 students San Juan: 121 students Sandoval: 2 students

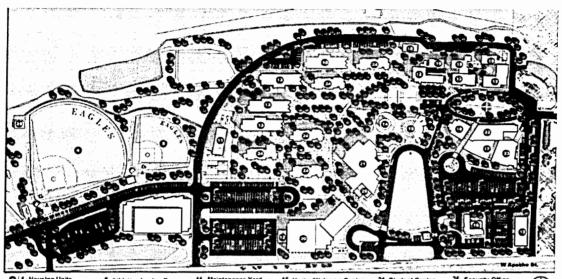




NAVAJO PREPARATORY SCHOOL, INC

Leaders Now And Into the Future "Yideesk33g00 Naat'lanii"





Proposed location

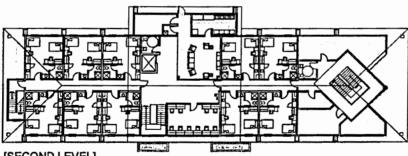
- 2 1- Housing Units
 2 Agriculture Space
 3 Large Multi-use Field
 4- Baseball Field
 5- Softball Field
- 6- Athletics Locker Room 7 - Concession Stand/RR 8 - Coach's Office 9 - Extra-curricular Gym 10 - Press Ros
- 11 Maintenance Yard 12 Expansion 13 Dorma
 - 18-LT Building
- 21- Student Center 22- Fine Arts 23- Auditorium 16- Yisitor Welcome Center 17- Administration Building 24- Existing Dorms 19- Class-Rooms
- 27 Green Houses 28 Field House

MAYAJO PREPARATORY SCHOOL

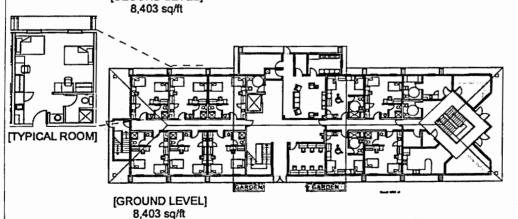


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[SECOND LEVEL]



ISOLATION ROOM STUDY HALL LIVING ROOM LAUNDRY ROOM BALCONY

STUDENT DORMS

OFFICE

ECMY-33-91

RESOLUTION OF THE EDUCATION COMMITTEE OF THE NAVAJO NATION COUNCIL

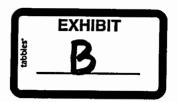
Authorizing and Directing the Office of Legislative
Counsel and the Department of Justice of the Navajo Nation
Government to Do All Things Necessary to Formulate a Charter
for the Establishment of the Navajo Preparatory School and
Directing the President of the Navajo Nation Government to
Appoint a Task Force to Negotiate with the Women's Division
and National Division of the General Board of Global
Ministries, United Nethodist Church, to Continue
the Utilization of the Property Known as the
Navajo Mission In Farmington, New Mexico

WHEREAS:

- 1. Pursuant to 2 N.T.C. Section 481, et seq., the Education Committee is established and continued as a standing committee of the Navajo Nation Council with the general purpose of overseeing the educational development of the Navajo Nation and to develop policies for a scholastically excellent and culturally relevant education; and
- 2. Pursuant to 2 N.T.C. Section 484 (b)(6), the Education Committee is further authorized to represent the Navajo Nation in consultation with federal, state and local officials regarding any proposed changes in educational programs, including additions, deletions, school closures, consolidations, and the like; and, where appropriate, to seek the concurrence of the Intergovernmental Relations Committee of the Navajo Nation Council or the Navajo Nation Council in framing official responses from the Navajo Nation to proposals for major changes in educational programs, such as proposals regarding major school closures or transfer of jurisdiction; and
- 3. Pursuant to 2 N.T.C Section 1005 (b), the President of the Navajo Nation is empowered to represent the Navajo Nation in relations with governmental and private agencies and create favorable public opinion and good will toward the Navajo Nation; and
- 4. By Resolution CO-63-76, the Navajo Tribal Council authorized the Navajo Division of Education to enter into a contract for funds provided under Public Law 93-638 for the establishment of the Navajo Academy to contract for Public Law 93-638 funds to administer and carry out the intent of the Academy pursuant to its Articles of Incorporation under the laws of New Mexico; and







August 29, 2023

JAYNES CORPORATION 900 Resource Farmington, NM 87402 p 505.326.3354 Impact of Additional Project Funding

To Whom it May Concern:

My name is Shay Davis, and I am proud to represent the Design-Build Contractor, Jaynes, who is responsible for designing, budgeting, and building Navajo Preparatory School's new Student Housing Building.

Based on a plethora of discussions with the School's Leadership Team, it is apparent that one of our primary goals was to build a home that will accommodate as many students as possible. It is our understanding that there are currently close to 100 students on the waiting list to attend Navajo Prep.

Our current budget of \$10,000,000 will allow us to build a home for 32 students. Navajo Prep has been worked tirelessly to procure \$7,000,000 in funding for the project. They still lack \$2,000,000 to cover construction costs and an additional \$1,000,000 to cover soft costs such as furniture, IT Infrastructure, and basic kitchen equipment to allow students to cook in their new home.

From the time that Navajo Prep secured their first round of funding years ago, to when we broke ground in June of this year, we have seen construction costs jump nearly 50%. Without additional funding we risk not being able to provide a complete home for 32 new students.

Please take a moment and reflect on the impact of Navajo Prep being able to provide world class education to an additional 32 students each year. There is no better return on money spent, then to invest in our youth.

Please carefully consider the immense impact that you could have by helping to fund Navajo Preps future. Thank you for your time and consideration.

Respectfully,

Shay Davis Project Manager

Activity Notebook

Project

Activity

Notebook Topic

Notebook Description

Navajo Prep Dorm

Design Development Deliverable

General Comments

05APR23- Shay had sent out the DD set to all team members for review and

Landscaping

Current Status

01AUG23- Land scaping is in design process. Waiting on final for landscape

Underground Electrical Power

General Comments

28JUNE23- Today Spoke with Irving Sanchez with City of Farmington. Followed up with underground Construction from main PWR to new Xfer Location. Also followed up on Information needed from the Xfer in the yard. Sanchez will take a picture of the Xfer for us to review the label.

Current Status

26JULY23- Xfer is the only thing that needs to be set. Waiting on the City of

Famingion.

16AUG23-THE XFER WAS SET ON 02AUG23 AND WIRE IS PULLED TO THE XFER. THIS IS COMPLETE.

Storm Drain, PreCast, Trench,

Constraints

01AUG23- Waiting on the precast inlet. Submittais have been approved and waiting on Orcom.

SAS Trench, Tie in, HydroVac

Delay & Impact Notes

03AUG23- AT THIS TIME A MH IS TO BE DELIVERED ON MONDAY 07AUG23 TO COMPLETE THE SAS LINE.
16AUG23- THE EXISTING MH IS AC PIPING AND WILL NEED TO BE ABATED FOR SAFETY PER ORCOM REQUEST. PLEASE MAKE SURE TO FOLLOW UP ON THIS TO PROCEED WITH INSTALLATION.
ALSO, MH DELIVERY WILL BE ON MONDAY 21AUG23. TO COMPLETE THE TIE IN OF SAS LINE.

Steel Columns

Constraints

07AUG23- A Partial of the steel shops has been submitted on 04AUG23 for the columns and elevator sump frame and grate. This is in design team for approval.

Water line Install (Fire Hydrant, PIV)

Current Status

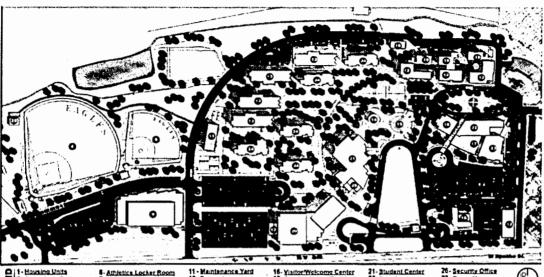
16AUC23-THE WATERLINE IS COMPLETE TO THE BUILDING. JUST NEED TO BACKFILL THE TRENCHES AND INSTALL THE BALLARDS FOR ADDED PROTECTION. TODAY WE HAD THE FIRE MARSHALL ONSTE TO MEW THE INSTALLATION OF NEW WATERLINE FROM TIE IN TO COMPLETE TO BUILDING RISER. KIPP RIX IS THE FIRE MARSHALL.



NAVAJO PREPARATORY SCHOOL, INC

Leaders Now And Into the Future "Yideesk33g00 Naat'1anii"





Proposed location

2- Agriculture Space
3- Large Multi-use Field
4- Baseball Field
5- Softball Field

7- Concession Stand RR 8- Coach's Office 9- Extra-curricular Gym. 10 Press Box

14 - Hogan 15 - Exterior

11 - Maintenance Yard 12 - Espansion 13 - Dorma

18- LT. Building

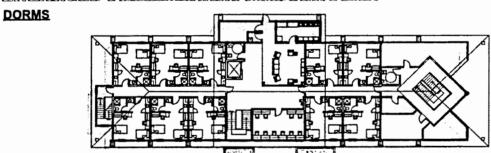
Student Center Fine Arts 23- Auditorium 24- Existing Dorms 25- Kitchen Addition 26- Security Office 27- Green Houses 28- Field House



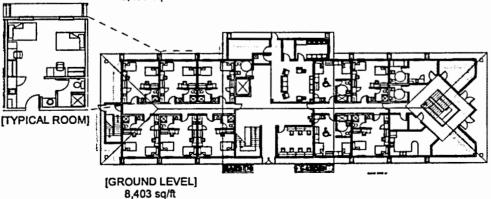


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[SECOND LEVEL] 8,403 sq/ft



KITCHEN

STUDENT DORMS

(4)

ISOLATION ROOM

STUDY HALL

LIVING ROOM

LAUNDRY ROOM

BALCONY

OFFICE

Prep [orm		_		Over all Schedule	chedule							16-Aug-23 10:01	10:01
Activity ID	Activity Name	Orig	Rem	Start	Finish			August 2023			September 2023	. 2023	c	ser 2023
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Programm	Programming/Conceptual Design	138	0	0 12-Sep-22 A	15-Mar-23 A									
Schematic Design	c Design	45	0	0 22-Feb-23 A	27-Mar-23 A									
Design De	Design Development	20	0	0 22-Mar-23 A	24-May-23 A									
Early Wor	Early Work Package/50% CD's	0	0	0 24-May-23 A	24-May-23 A									
Construct	Construction Documents	23	0	23-May-23 A		23 A, Cor	23 A, Construction Documents	cuments						
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A1550	Site Survey	3	0	0 07-Jun-23 A	21-Jun-23 A									
A1620	Temporary Fencing	က	0	0 08-Jun-23 A	16-Jun-23 A									
Site Work	,	124	81	14-Jun-23 A	11-Dec-23					l	l	l	l	
A1010	Clear and Grub	2	0	14-Jun-23 A	15-Jun-23 A									
!	Site Rough Grading	5	0	15-Jun-23 A	26-Jun-23 A									
A1030	Building Pad Prep	5	0	0 19-Jun-23 A	26-Jul-23 A	g Pad Prep	Q.							
A1790	SAS Trench, Tie in, HydroVac	10	9	6 19-Jun-23 A	23-Aug-23				SAS Trench	SAS Trench, Tie in, HydroVac	οVac			
A1770	Underground Electrical Power	S	0	26-Jul-23 A	16-Aug-23 A			■ Undergrou	Underground Electrical Power	Power				
A2090	Water line Install (Fire Hydrant, PIV)	4	-	24-Aug-23 A	24-Aug-23				Water line	Water line Install (Fire Hydrant, PIV)	Hydrant, PN	s		
A2120	Water Line Backfill	2	-	28-Aug-23 A	28-Aug-23				Wat	Water Line Backfill	=			
A1300	Gas line Install/Insp./ Backfill	2	5	29-Aug-23	05-Sep-23					Gas	Gas line Install/ Insp./ Backfill	Insp./Back	≡	
	Water Line State Fire Inspection	-	-	30-Aug-23 A	25-Aug-23		,							
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A1310	Flatwork around Building	35		35 15-Sep-23	02-Nov-23						Ц			
A1320	Landscaping	25		25 03-Nov-23	11-Dec-23									
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A1710	Layout Of Walls	-	0	26-Jul-23 A	26-Jul-23 A	t Of Walls	•							
A1080	Wall Panels Installation	15	0	27~Jul-23 A	16-Aug-23 A			Wall Pane	Wall Panels Installation	_				
A2050	Steel Columns	2	7.	2 16-Aug-23 A	17-Aug-23			☐ Steel Columns	lumns					
A1810	TJI Placement/Glulam	2	2	18-Aug-23 A	21-Aug-23			[TJI Placement/Glulam	/Glulam				
A1820	2nd Floor Decking	4	4	4 18-Aug-23.A	23-Aug-23				2nd Floor Decking	ecking				
A2130	Install Glulams/TJl's/Decking at Steel C	9	9	18-Aug-23 A	25-Aug-23				☐ Install G	Install Glulams/TJI's/Decking at Steel Columns	Decking at S	steel Colum	ns	
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 | A2440 Ceiling Framing
 | A2780 Fire Caulking | A2740 Ceiling Rough In

 | A2450 Drywall Placement | A2460 Drywall/Taping | A2470 Painting

 | A2490 MEP Trim Out | A2910 Install Casework | A2920 Pull Data/Alarm Cabling | A2930 Install Signage
 | A2940 Flooring
 | A2480 Door installation/Hardware/KnockDown | A2950 Install Toilets/Accessories

 | A2510 Install Blinds | Area C (Central) | A2530 Electrical Rough In | A2540 Plumbing Rough IN | A2550 Mechanical Rough IN
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Navajo Prep Dorm	Activity Name	A3630 Install Shower Inserts	A3040 Electrical Rough In(From Area A to Area	A3100 Plumbing Rough IN (From Area A to Are	A3110 Mechanical Rough IN(From Area A To A	A3650 Fire Suppression Rough In	A3130 Door frames	A3090 In Wall Inspection	A3160 Above Ceiling Inspection	A3480 VAV/ EF Installation and Tie In's	A3080 Insulation	A3150 Data/Comm	A3510 Drywall above ceilings	A3170 Celling Framing	A3570 Fire Caulking	A3540 Ceiling Rough In	A3120 Drywall Placement	A3050 Drywal/Taping	A3060 Painting	A3070 MEP Trim Out	A3620 Install Casework	A3680 Pull Data/Alam Cabling	A3690 Install Signage	A3600 Flooring	A3140 Door installation/Hardware/Knockdown	A3610 Install Toilets/Accessories	A3850 Install Blinds	Area B(South)	A3900 Under Decking Drywall/Insulation	A3830 Install Blue Board Behind Showers	A3640 Install Shower Inserts	A3270 Door frames	A3180 Electrical Rough In (From Area B to Area	A3240 Plumbing Rough IN (From Area B to An	A3250 Mechanical Rough IN(From Area B To /	Remaining Level of Effort	■ Actual Level of Effort
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A3660	A3660 Fire Suppression Rough In	2	2	5 27-Sep-23	03-0 d- 23									Ē
A3230	A3230 In Wall Inspection	-	-	1 04-0d-23	04-0d-23	,								_
A3300	A3300 Above Ceiling Inspection	-	-	1 04-0ct-23	04-Od-23									_
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A3220	Insulation	3	3	3 05-Oct-23	09-Oct-23									П
A3290	Data/Comm	4	4	05-Oct-23	10-0d-23									
A3520	Drywall above ceilings	4	4	10-Oct-23	13-0d-23									
A3310	Celling Framing	4	4	16-Oct-23	19-0d-23									
A3580	Fire Caulking	5	5	5 16-0d-23	20-Oct-23	1								
A3530	A3530 Celling Rough In	3	3	3 20-0d-23	24-0ct-23									
A3260	A3260 Drywall Placement	2	5	5 21-Nov-23	29-Nov-23									
A3190	A3190 Drywall/Taping	7	7	7 04-Dec-23	12-Dec-23	1								
A3200	Painting	က	3	13-Dec-23	15-Dec-23	1								
A3210	MEP Trim Out	'n	5	18-Dec-23	22-Dec-23	3								
A3740	Install Casework	3	3	18-Dec-23	20-Dec-23									
A3750	Pull Data/Alam Cabling	2	5	18-Dec-23	22-Dec-23	1								
A3760	Install Signage	-	-	18-Dec-23	18-Dec-23									
A3720	A3720 Flooring	5	5	5 27-Dec-23	04-Jan-24	<u> </u>								
A3280	A3280 Door installation/Hardware/KnockDown	4	4	4 05-Jan-24	10-Jan-24									
A3730	A3730 Install Toilets/Accessories	3	3	3 05-Jan-24	09-Jan-24									
A3840	A3840 Install Blinds	2	2	2 05-Jan-24	08-Jan-24									
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A3320	Electrical Rough In	5	5	5 04-Oct-23	10-0d-23									П
A3380	A3380 Plumbing Rough IN	2	5	04-Oct-23	10-0d-23									П
A3390	A3390 Mechanical Rough IN	5	5	5 04-Oct-23	10-0d-23									П
A3430	A3430 Storefronts	4	4	4 04-Oct-23	09-Oct-23									П
A3670	A3670 Fire Suppression Rough In	5	5	5 04-Oct-23	10-0d-23	1								
A3370	A3370 In Wall Inspection	1	1	11-0d-23	11-Oct-23									•
A3450	Above Ceiling Inspection	1	-	11-0d-23	11-Oct-23									
A3500	VAV/ EF Installation and Tie In's	5	5	11-0d-23	17-0d-23	i								
A3360	Insulation	3	3	12-0d-23	16-0d-23									
A3440	A3440 Data/Comm	4	4	12-0d-23	17-0d-23									
A355C	A3550 Drywall above Cellings	3	3	17-0ct-23	19-0d-23									
S.	Remaining Level of Effort Actua	Actual Work			Page	Page 6 of 8								
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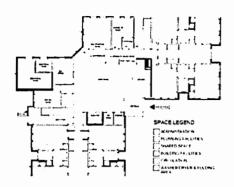
16-Aug-23	August 2023 September 2023 Jer 2023	13 20 27 03 10 17 24 01																		1st Floor Exterior Sheathing	2nd Floor Exterior Sheeting	Roof Framing/Decking		Roof Decking Inspections	Vinyl Wind										
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	Activity Name		A3460 Celling Framing	Fire Caulking	Install Fire Place	Install Fire Place brick	Celling Rough In	Drywall Placement	Drywall/Taping	Painting	MEP Trim Out	A3790 Install Casework	A3800 Pull Data/Alarm Cabling	A3810 Install Signage	Flooring	Door installation/Hardware/Knock Down	Install Toilets/Accessories	Install Range	Roof	1st Floor Exterior Sheathing	2nd Floor Exterior Sheeting	Roof Framing/Decking	Weather Barrier	Roof Decking Inspections	Vinyl Windows	TPO Roofing/ Metal Trimming	Set RTU	Exterior Finishes	Veneer Brick/Masonry	Sky light	Stucco	ä	2nd Floor Jaynes Completion List	Site Completion List	1st Floor Jaynes Completion List
rep [Activity ID		A3460	A3590	A3710	A3700	A3560	A3400	A3330	A3340	A3350	A3790	A3800	A3810	A3770	A3420	A3780	A3860	Exterior/Roof	A1880	A1100	A1110	A1120	A1160	A1940	A1140	A1170	A1230	A2010	A2000	A2020	Closeout	A1250	A1680	A1670

Navajo Prep Dorm	Dorm		_		Over all Schedule	chedule							16-Aug-23 10:01	3 10:01
Activity ID	Activity Name	Orig Rem Start	Rem	Start	Finish		August 2023		-		September 2023	er 2023		per 2023
		Dar	Dar			30 06	13	20	27	93	10	17	24	10
A1260	Final Cleaning	10	10	10 05-Jan-24	18-Jan-24									
A1450	LEED Testing (Door Pressure Test)	2	2	5 05-Jan-24	11-Jan-24									
A1510	Test & Balance (HVAC)	15	12	15 05-Jan-24	25-Jan-24									
A1490	LEED Testing (Building Blow out Test)	10	9	10 12-Jan-24	25-Jan-24									
A1520	Commissioning(Lights, HVAC, Bollers)	5	9	10 26-Jan-24	08-Feb-24									
A1270	Final Inspections	ഹ	2	5 09-Feb-24	15-Feb-24									
A1690	Jaynes Contingency	4	4	44 16-Feb-24	17-Apr-24									
A1280	Punchlist Inspection	2	2	2 18-Apr-24	19-Apr-24									
A1290	Substantial Completion	-	-	1 22-Apr-24	22-Apr-24									
A1530	Complete Punchlist	2	2	5 23-Apr-24	29-Apr-24									
A1540	Final Completion Walk	-	-	1 30-Apr-24	30-Apr-24									
	ffort	Actual Work	-		Page 8 of 8	8 of 8					1			
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RAVAJO PREP EXPENDITURE PLAN

Navajo Preparatory School, Inc. has a contract with Jaynes Corporation for design and construction of a student residential home. . The project completion date is set for April 2024.



PROJECT IMPLEMENTATION PLAN

<u>Description</u>: The Navajo Preparatory School, Inc. (Navajo Prep) collaborated with students, parents, the residential team, and the community to create a student home that redefines dormitory living in the 21st Century. The home features collaborative spaces, a healing room, Jack and Jill bathrooms, two stories, and an open concept design that embeds a hogan meeting room.

Responsible Entity: Navajo Preparatory School, Inc.

<u>Project Deadlines</u>: The completion date is April 2024.

<u>Navajo Nation Entity and Oversight</u>: Department of Dine Education

<u>Operations and Maintenance</u>: Due to the design being LEED-certified, maintenance costs are already included in the current ISEP funding, and building cleanliness is mainly the responsibility of students. Additionally, the increased number of students justifies all project operations.

IMPLEMENTATION 04 PLAN CONT.

Our Challenges and leveraged funds

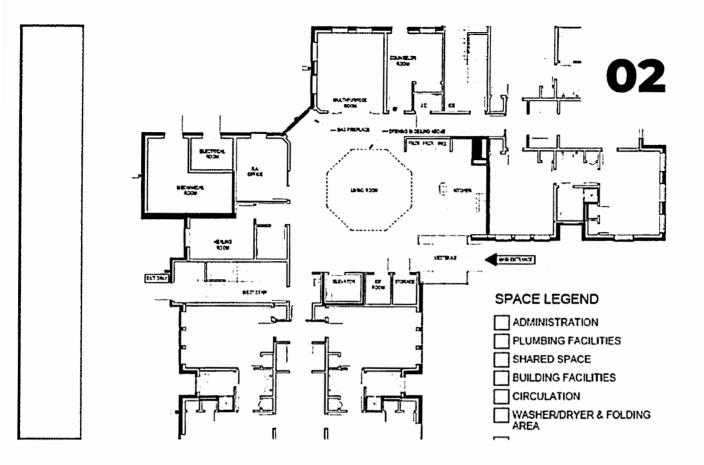
Navajo Prep maintains a waitlist of residential students, and admissions is limited. The school strives to provide an education to more residential students to represent all 110 Chapters of the Navajo Nation. Navajo Prep's Master Plan and Strategic Plan prioritize providing additional housing to students. This prompted our capital outlay advocacy efforts with the State of New Mexico. In the 2022 legislative session, we were awarded \$5,000,000

Rise of Construction Costs

The pandemic increased the cost of construction and materials by 40-50%. This increased the cost of construction, supplies, and labor by \$5,000,000. The State of New Mexico awarded Navajo Prep an additional \$2,000,000 in the 2023 Legislative Session to help ensure that the project is completed despite the rising cost of construction. Navajo Prep broke ground on the new build in June 2023 and it is scheduled to be completed in April 2024.

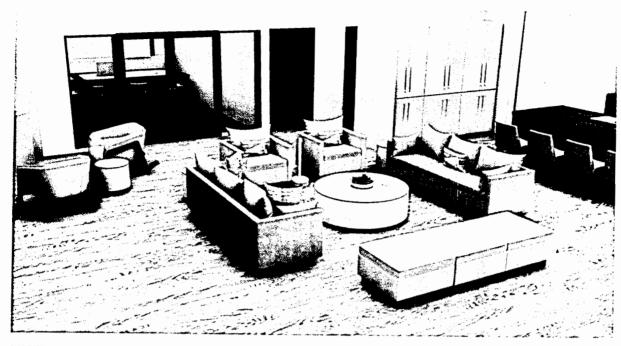
Our Need

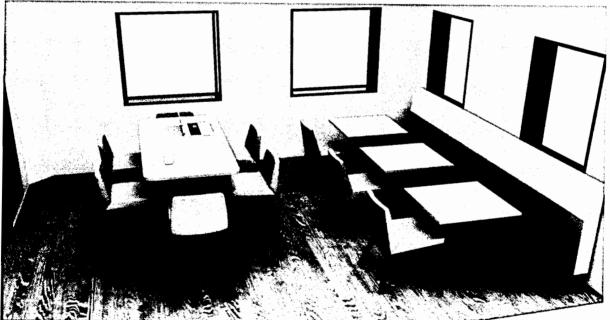
Navajo Prep secured a \$2,000,000 loan and has contributed \$1,000,000 to this project. Navajo Prep is asking the Navajo Nation to match \$3,00,000 to assist in the repayment of the loan for the construction and furnishing of the new residential building. This building will allow Navajo Prep to enroll 32 additional residential students.

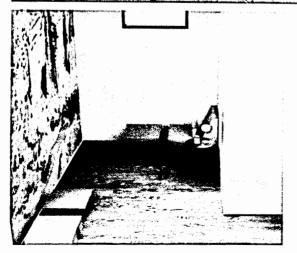


ABOUT OUR PROJECT

The Navajo Preparatory School, Inc. (Navajo Prep) collaborated with students, parents, the residential team, and the community to create a student home that redefines dormitory living in the 21st Century. The home features collaborative spaces, a healing room, Jack and Jill bathrooms, two stories, and an open concept design that embeds a hogan meeting room.







Pictures of the great room, multipurpose room on the first floor, and healing room.

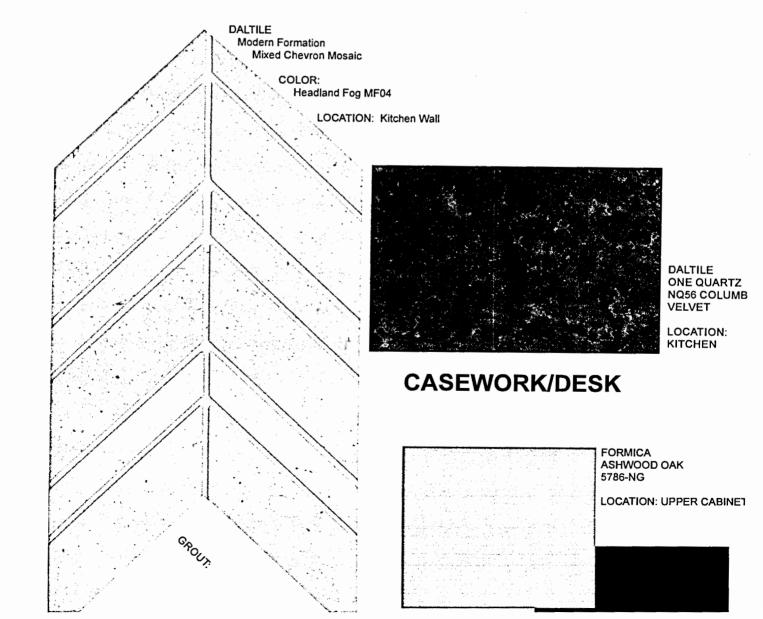




Pictures of the multipurpose room on the second floor, the student den, and the RA's office.

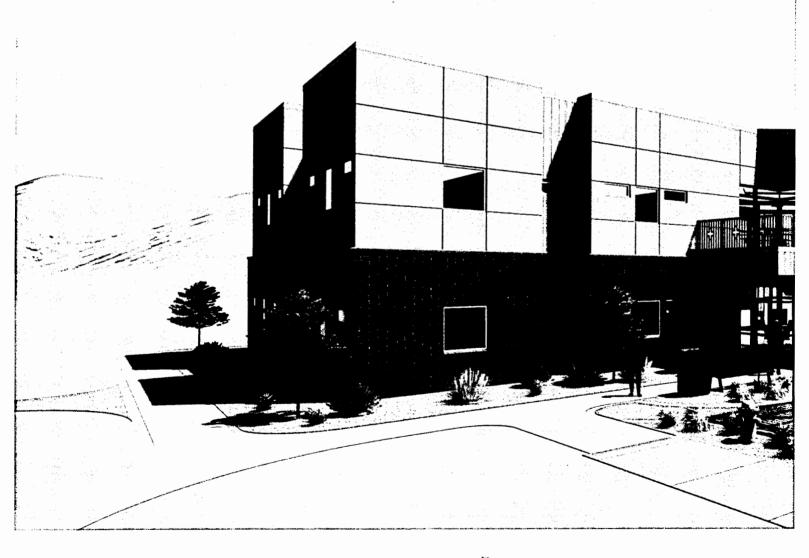


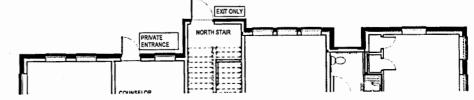
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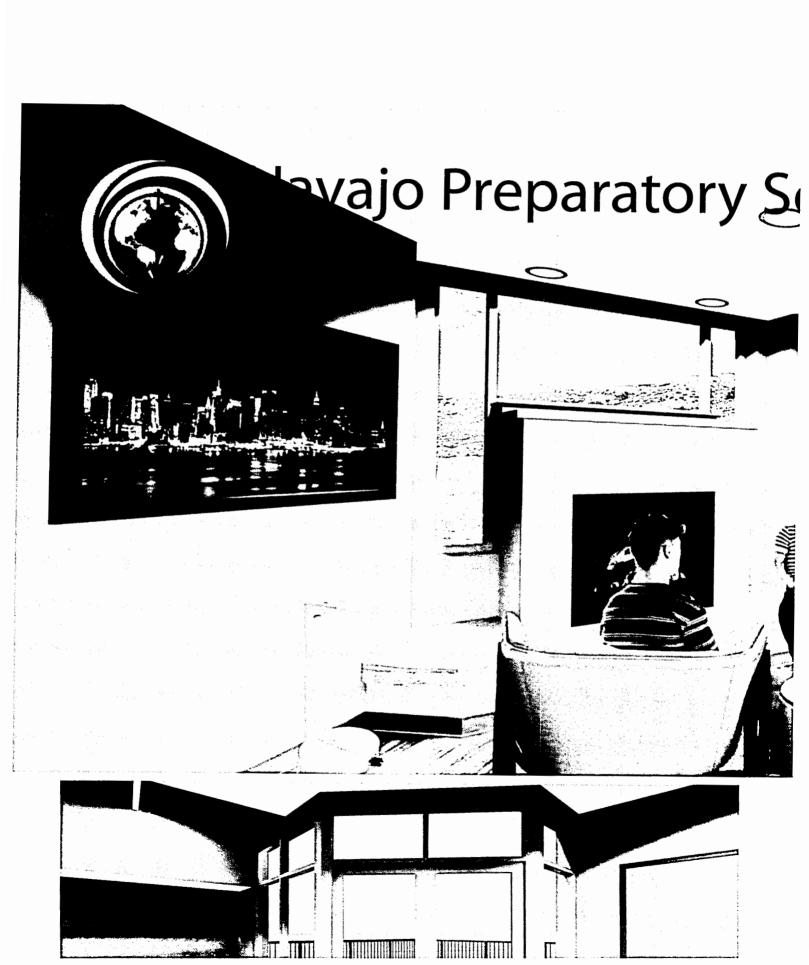




Navajo Preparatory S







MISSION

The mission is to produce Yideeską́ągóó Naat'áanii, Leaders Now and into the Future.

VISION

Our vision is to create a compassionate and caring home where the NavajoPrep community thrives. We strive to instill a strong sense of self-identity, cultural foundation, and global awareness in our students. Through this holistic approach to education, we prepare our students with the tools and knowledge they need to become leaders within their communities and on a regional, national, and international scale. Navajo Prep fosters an inclusive environment that welcomes all individuals by removing barriers.



THE FUTURE





STEAM Cultural Performing Arts Center

As a school that values language and culture, Navajo Prep must construct a state-of-the-art performing arts center with a maker/innovation area, STEAM labs and classrooms, and a community center for cooperation, education, and well-being. The music program is in portable buildings and needs a vast communal gathering area. We plan to renovate or rebuild the old Administration Building, Building 32, which spans 36,000 square feet. The current cost of construction is \$700 per square foot. The State of New Mexico contributed \$1,087,500 toward this project.



Wellness Athletic Complex

Navajo Prep students require an area for physical fitness that caters to all capabilities and is comprehensive of every sport. Despite having thirteen athletic programs, there is only one locker room for males and females, along with a weight room that supports all forms of exercise. The initial Master Plan included a spot for a baseball field, but it remains an extensive dirt plot. Phase I requires Master Plan and Designs.





Shawna A. Becenti, Head of School sbecenti@navajoprep.com

Darah Tabrum, Associate Head of School for Advancement and Outreach dtabrum@navajoprep.com

Yvette Escojeda, Advocacy and Outreach Coordinator yescojeda@navajoprep.com



1220 West Apache; Farmington, NM 87401



505-326-6571 Ext. 141



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RESOLUTION OF THE BOARD OF TRUSTEES OF NAVAJO PREPARATORY SCHOOL, INC.

Requesting all Committees of the Navajo Nation Council, including Health, Education and Human Services, Budget and Finance, and Navajo Nation Council to match the State of New Mexico Capital Construction Funding in the amount of \$3 Million for the Navajo Preparatory School Residential Housing and/or Infrastructure Needs

WHEREAS:

- 1. By Resolution ECMY-33-91 (Attached as Exhibit A), the Navajo Preparatory School, Inc., was established in 1991 under the provisions of Public Law 100-297 as a grant and as a non-profit organization chartered by the Navajo Nation for the purpose of operating a coeducational, residential college preparatory school for Native American youth; and
- 2. By Resolution CJA-02-95 (Attached as Exhibit B), the Navajo Nation approved the purchase of 82.45 acres of land and property located at 1220 West Apache Street in Farmington, New Mexico and withdrew the land and property for educational and school purposes; and
- 3. By Resolution RMCA 38-98 (Attached as Exhibit C), The Navajo Nation Council allocated funding to the Navajo Preparatory School, Inc., in the amount of \$4,542,960.00 toward Phase One constructions of four new dormitories, and
- 4. The Board of Trustees revised the 1995 School Master Plan approved by the Navajo Nation Capital Improvement Office and constructed three phases of a 21st century college preparatory school campus for the academic and residential programs; and
- 5. The Navajo Preparatory School requires additional \$3.0 million funding to complete the next residential phase in the 2022 Revised Master Plan currently under contract by Jaynes Corporation General Contractors; and
- 6. Navajo Preparatory School has already incurred construction expenses of one million dollars (\$1,000,000).
- 7. The additional \$3.0 million funding that is needed is broken down as follows:
 - a. \$1,000,000 Repairs and Maintenance
 - b. \$1,000,000 Communication and Utilities
 - c. \$1,000,000 Contractual Services (FF&E)
- 7. The Navajo Preparatory School, Inc. received received funding from the New Mexico State Legislature in an appropriation of \$5.0 million to construct residential housing per the 2022 House Bill 2 (American Rescue Plan/ Appropriation Contingency Fund Appropriation). Then in 2023 Navajo Preparatory School, Inc. received funding from the New Mexico State Legislature in an appropriation of two million through Governor Michelle Lujan Gisham.

NOWTHEREFORE BE IT RESOLVED THAT:

- 1. The Board of Trustees hereby requests all Committees of the Navajo Nation Council, including Health, Education and Human Services, Budget and Finance, and Navajo Nation Council to match the State of New Mexico Capital Construction Funding in the amount of \$3 Million for the Navajo Preparatory School Residential Housing and/or Infrastructure needs.
- 2. The Board of Trustees hereby approves the submittal of the 2024 Tribal Budget Application (Attached as Exhibit D).

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Board of Trustees of the Navajo Preparatory School, Inc. at a duly called meeting held in Farmington, New Mexico at which a quorum was present and that same passed by a vote of 4 in favor, 0 opposed, and 0 abstained this 19th day of May 2023.

M/S: Dr. Bernadette Todacheene/Sherrick Roanhorse

President Board of Trustees

ECMY-33-91

RESOLUTION OF THE EDUCATION COMMITTEE OF THE NAVAJO NATION COUNCIL

Authorizing and Directing the Office of Legislative
Counsel and the Department of Justice of the Navajo Nation
Government to Do All Things Necessary to Formulate a Charter
for the Establishment of the Navajo Preparatory School and
Directing the President of the Navajo Nation Government to
Appoint a Task Force to Negotiate with the Women's Division
and National Division of the General Board of Global
Ministries, United Methodist Church, to Continue
the Utilization of the Property Known as the
Navajo Mission In Farmington, New Mexico

WHEREAS:

- 1. Pursuant to 2 N.T.C. Section 481, et seq., the Education Committee is established and continued as a standing committee of the Navajo Nation Council with the general purpose of overseeing the educational development of the Navajo Nation and to develop policies for a scholastically excellent and culturally relevant education; and
- 2. Pursuant to 2 N.T.C. Section 484 (b)(6), the Education Committee is further authorized to represent the Navajo Nation in consultation with federal, state and local officials regarding any proposed changes in educational programs, including additions, deletions, school closures, consolidations, and the like; and, where appropriate, to seek the concurrence of the Intergovernmental Relations Committee of the Navajo Nation Council or the Navajo Nation Council in framing official responses from the Navajo Nation to proposals for major changes in educational programs, such as proposals regarding major school closures or transfer of jurisdiction; and
- 3. Pursuant to 2 N.T.C Section 1005 (b), the President of the Navajo Nation is empowered to represent the Navajo Nation in relations with governmental and private agencies and create favorable public opinion and good will toward the Navajo Nation; and
- 4. By Resolution CO-63-76, the Navajo Tribal Council authorized the Navajo Division of Education to enter into a contract for funds provided under Public Law 93-638 for the establishment of the Navajo Academy to contract for Public Law 93-638 funds to administer and carry out the intent of the Academy pursuant to its Articles of Incorporation under the laws of New Mexico; and



- 5. By Resolution CD-68-86, the Navajo Nation Council established the Navajo Academy Trust Fund in the amount of \$1,000,000.00 wherein ninety-five percent of the Fund Income is authorized to be expended for the annual operation of the Navajo Academy; and
- 6. By Resolution EDJUL-055-87, the Education Committee authorized Navajo Academy to negotiate with the Bureau of Indian Affairs to re-contract its Public Law 93-638 contract from October 1, 1987 to September 30, 1990; and
- 7. In 1988, as a result of a dispute with the Women's Division of the United Methodist Church which owns the property on which the School is located, the Navajo Academy was evicted from the property effective May 27, 1991; and
- 8. The present Board of Trustees of the Navajo Academy has been unable to negotiate a new lease with the Women's Division of the United Methodist Church or to arrange for an alternative location for the Academy; and
- 9. On April 17, 1991, Peterson Zah, President of the Navajo Nation, and William Tso, member of the Education Committee, met with the officials of the Women's Division of the United Methodist Church to discuss Navajo Nation intervention so that an educational program on the church property located at 1200 W. Apache, Parmington, New Mexico might continue for the benefit of Navajo young people; and
- 10. On May 24, 1991, the Committee met with members of the Navajo Academy Board of Trustees to determine the status of Navajo Academy continuing to occupy the present school property at the Navajo Mission, Farmington, New Mexico; and
- 11. The Committee diligently attempted to resolve all concerns and issues surrounding the Navajo Academy Board of Trustees' noncompliance with the demands of the Women's Division of the United Methodist Church and now believes that if the matter is left up to the present Board, the Navajo Academy will cease to function as a school in June 1991, and the talented students now attending this once proud institution will be forced to seek an education elsewhere; and
- 12. By Petition, attached hereto and incorporated herein as Exhibit "A", the teachers and staff of the Navajo Academy and the parents of the children attending the Academy express their frustration over the operation of the Academy and requested the Navajo Nation to intervene on their behalf to continue providing academic instructions; and



13. The Education Committee is committed to the continued existence of a preparatory school for the best and brightest of the Navajo Nation and intends to take all steps to achieve that end.

NOW THEREFORE BE IT RESOLVED THAT:

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1. The Education Committee of the Navajo Nation Council hereby authorizes and directs the Office of the Legislative Counsel and the Department of Justice of the Navajo Nation government to do all things necessary to formulate a charter for the establishment of the Navajo Preparatory School.

The staff will take into account but is not limited to the following issues:

a. Reviewing the Public Law 93-638 contracting authority given to the Navajo Academy;

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- b. Exploring the possibility of allowing the new school to contract for Public Law 93-638 funds while rescinding the authority given to Navajo Academy:
- c. Determining the proper disposition of property purchased by the Navajo Academy using Public Law 93-638 funds and the loan funds made by the First National Bank using as collateral the proceeds of the Navajo Academy Trust Fund established by Resolution CD-68-86 once the Navajo Academy moves from the Farmington, New Mexico location;
- d. Consider the State of New Mexico's certification requirements and the effect said requirements will have on students who wish to enroll in the new school;
- e. Changing the purpose of the Trust Fund set aside by Resolution CD-68-86 for utilization of Navajo Nation funds for the new school.
- 2. The Education Committee of the Navajo Nation Council further directs the President of the Navajo Nation government to appoint a Task Force to negotiate with the Women's Division and National Division and National Division of the General Board of Global Ministries, United Methodist Church, to continue the utilization of the property known as the Navajo Mission in Farmington, New Mexico by the Navajo Preparatory School; and to negotiate and consult with the Bureau of Indian Affairs concerning continued funding for a Navajo Preparatory School pursuant to Public Law 93-638.



- 3. The Education Committee of the Navajo Nation Council hereby requests the Bureau of Indian Affairs, Office of Indian Education Programs, to provide technical assistance regarding the formation of the Navajo Preparatory School.
- 4. The Education Committee of the Navajo Nation Council hereby declares that it will attempt to continue to work with the Navajo Academy Board of Trustees to try to resolve all existing problems to continue providing academic instruction to Navajo students at the Navajo Mission.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Education Committee of the Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 7 in favor and 0 opposed, this 30th day of May, 1991.

hairperson

Education Committee

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CJA-02-95

Class "C" Resolution Area Approval Required.

RESOLUTION OF THE NAVAJO NATION COUNCIL

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Approving the Purchase of the United Methodist Church Property Located at 1200 West Apache in Farmington, New Mexico; Reallocating \$400,000 and Appropriating \$190,000 for the Purpose of Funding the Purchase, and Waiving Resolutions CS-45-84, CMA-28-93 and CAP-31-94

WHEREAS:

- 1. Pursuant to 2 N.T.C. §102(a), the Navajo Nation Council is the governing body of the Navajo Nation; and
- 2. The Navajo Nation is seeking to purchase the property, formerly known as the Navajo United Methodist Mission, located at 1200 West Apache, Farmington, San Juan County, New Mexico. The parcel the Navajo Nation desires to purchase is composed of some eighty-two and forty-five hundredths (82.45) acres (Subdivision A) including all improvements thereon, as further described in Exhibit "A" which is attached hereto and incorporated herein by this reference; and
- 3. The Navajo Nation Council by its Resolution CAU-62-91, attached hereto and incorporated herein as Exhibit "B", appropriated the sum of Four Hundred Thousand Dollars (\$400,000.00) for funding of a letter of credit to secure the lease obligations of Navajo Preparatory School, Inc., with the United Methodist Church in occupancy of the 82.45 acre site and the existing buildings; and
- 4. The Education Committee of the Navajo Nation Council, pursuant to Resolution ECN-90-93, attached hereto and incorporated herein by reference as Exhibit "C", the Education Committee of the Navajo Nation Council recommended to the Navajo Nation Council the acquisition of the property; and
- 5. The Resources Committee of the Navajo Nation Council, pursuant to Resolution RCJA-04-95, attached hereto and incorporated herein by reference as Exhibit "D", recommended to the Navajo Nation Council the acquisition of the property; and
- 6. The Budget and Finance Committee of the Navajo Nation Council, pursuant to Resolution BFJA-01-95, attached hereto and incorporated herein by reference as Exhibit "E", recommended to the Navajo Nation Council the reallocation of \$400,000.00 and the appropriation of an additional \$190,000.00 from Undesignated Reserve Funds for acquisition of the property; and

- 7. It appears that the acquisition of the property located at 1200 West Apache is in the best interests of the Navajo Nation; and
- 8. It appears that the reallocation of the sum of Four Hundred Thousand Dollars (\$400,000.00) for the purpose of funding of a letter of credit to secure the lease obligations of Navajo Preparatory School, Inc., with the United Methodist Church to the purpose of applying such funds to the purchase of the property is in the best interests of the Navajo Nation; and
- 9. It appears that the appropriation of an additional One Hundred Ninety Thousand Dollars (\$190,000.00) from Undesignated Reserve Funds for the purpose of purchasing of the property is in the best interests of the Navajo Nation; and
- 10. It appears that the Navajo Nation Council would need to waive the provisions of Resolutions CS-45-84, CMA-28-93 and CAP-31-94 in order to reallocate the sum of Four Hundred Thousand Dollars (\$400,000.00), as well as appropriating an additional One Hundred Ninety Thousand Dollars (\$190,000.00) from Undesignated Reserve Funds for the purpose of purchasing of the property.

NOW THEREFORE BE IT RESOLVED THAT:

- 1. The Navajo Nation Council hereby approves the purchase of the property, formerly known as the Navajo United Methodist Mission, located at 1200 West Apache, Farmington, San Juan County, New Mexico, including all improvements thereon, by the Navajo Nation for a purchase price not to exceed \$575,000.00.
- 2. The Navajo Nation Council directs the Division of Natural Resources, the Navajo Land Department and the Department of Justice to negotiate the terms of the purchase of the property consistent with the authority herein contained.
- 3. The Navajo Nation Council hereby requests the Secretary of the Interior to place the property in trust status subsequent to its purchase, and hereby directs the Office of the President, the Division of Natural Resources, the Navajo Land Department and the Department of Justice to take such actions as are necessary and appropriate to accomplish this request.
- 4. The Navajo Nation Council hereby withdraws the property for educational and school purposes upon purchase of the property and improvements.
- 5. The Navajo Nation Council hereby reallocates the sum of Four Hundred Thousand Dollars (\$400,000.00), previously appropriated under Navajo Nation Council Resolution CAU-62-91, for the specific and limited purpose of applying such funds to the purchase of the property; Provided that these funds shall continue to be used for the purpose stated under Resolution CAU-62-91 until such time as the purchase of the property is consummated.

- 6. The Navajo Nation Council hereby appropriates an additional One Hundred Ninety Thousand Dollars (\$190,000.00) from Undesignated Reserve Funds for the purpose of purchasing of the property and paying closing costs on the purchase.
- 7. The Navajo Nation Council waives all provisions of its Resolutions CS-45-84, CMA-28-93 and CAP-31-94 which would otherwise prevent the reallocation and appropriation of funds herein resolved.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 67 in favor, 0 opposed and 3 abstained, this 6th day of January 1995.

Nelson Gorman, Jr., Speaker Navajo Nation Council

Date Signed

Motion: Larry Anderson Second: Richard Begay

ACTION BY THE EXECUTIVE BRANCH:

1. Pursuant to 2 N.T.C. Section 1005 (c)(1), I hereby sign into law the foregoing resolution on this day of 1995:

Peterson Lah, President Navajo Nation

2. Pursuant to 2 N.T.C. Section 1005 (c)(10), I hereby veto the foregoing legislation this _____ day of ______ 1995 for the reason(s) expressed in the attached letter to the Speaker:

Peterson Zah, President Navajo Nation

RESOLUTION OF THE RESOURCES COMMITTEE OF THE NAVAJO NATION COUNCIL

Approving a Lease for Navajo Preparatory School, Inc. on Navajo Nation Fee Land Located within the City of Farmington, San Juan County, New Mexico

WHEREAS:

- 1. Pursuant to 2 N.N.C. § 695 (B) (2), the Resources Committee of the Navajo Nation Council has authority to give final approval of non-mineral leases of Navajo land in accordance with applicable federal and Navajo Nation laws; and
- 2. Pursuant to 2 N.N.C. § 484 (B) (4), the Education Committee of the Navajo Nation Council is the oversight committee for Navajo educational services and colleges within the Navajo Nation; and
- 3. The Navajo Preparatory School (a.k.a. United Methodist Church), 1220 West Apache, Farmington, New Mexico, was purchased pursuant to Navajo Nation Council Resolution No. CJA-02-95 at Farmington, New Mexico which is outside the boundaries of the Navajo Nation Indian Reservation and operates under the oversight of the Education Committee of the Navajo Nation Council Resolution No. EDCMY-33-91. Said Resolution Nos. CJA-02-95 and EDCMY-33-91 are attached hereto as Exhibit "A"; and
- 4. The Navajo Preparatory School has submitted a draft Lease between the Navajo Nation and Navajo Preparatory School (Navajo Prep) within the City of Farmington, San Juan County, New Mexico. The draft Lease is attached hereto as Exhibit "B"; and
- 5. The Navajo Preparatory School finds it necessary that the draft lease be recommended/approved through the Resources Committee of the Navajo Nation council pursuant to 2 N.N.C. § 695 (B) (2); and
- 6. All environmental and archeological studies have been completed and are attached hereto and made a part hereof.

NOW THEREFORE BE IT RESOLVED THAT:

The Resources Committee of the Navajo Nation Council hereby approves a Lease between the Navajo Nation and Navajo Preparatory School on Navajo Nation Fee land within the City of Farmington, New Mexico. Said Lease is attached hereto as Exhibit "B".

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Resources Committee of the Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 3 in favor, 0 opposed and 1 abstained, this 26th day of March, 1998.

Elmer L. Milford, Chairperson

Resources Committee

Motion: Thomas Notah

Second: Robert B. Whitehorse

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NAVAJO NATION

Navajo Nation Council Fall Session

10/16/2023 01:39:20 PM

Amd# to Amd#

Consent Agenda: Legislations

PASSED

MOT Damon, S

0231-23, 0158-23, 0203-23,

SEC Nez, A

0232-23,and 0230-23

Yeas: 17	Nays:0	Excused: 4	Not Voting: 2
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Yea: 17

Arviso, S	Damon, S	Nez, A	Slater, C
Aseret, L	Doniele II	•	Clater, C
Asciet, L	Daniels, H	Nez, R	Toith, G
Begay, H	Jesus, B	Simonson, G	Yanito, C
Charles-Newton, E	Johnson, C		ranito, C
		Simpson, D	Yazzie, C

Claw, S

Nay: 0

Excused: 4

James, V Crotty, A Tso, O Notah, N

Not Voting: 2

Parrish, S Begay, N

Presiding Speaker: Curley, C