

LEGISLATIVE SUMMARY SHEET

Tracking No. 0244-19

DATE: August 6, 2019

TITLE OF RESOLUTION: AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'ÍYÁTI'; SUPPORTING THE BOARD OF REGENTS, NAVAJO TECHNICAL UNIVERSITY, FOR CONTINUED FUNDING UNDER THE STRENGTHENING INSTITUTION PROGRAM OF THE HEALTH EDUCATION ACT AS ENACTED THROUGH PUBLIC LAW 111-152

PURPOSE: This resolution supports the Board of Regents, Navajo Technical University, for continued funding under the Strengthening Institution Program of the Health Education Act as enacted through Public Law 111-152.

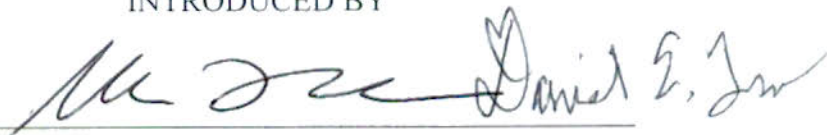
This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD: ghgh
Website Posting Time/Date: 6:34 PM 8-9-19
Posting End Date: 8-14-19
Eligible for Action: 8-15-19

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

PROPOSED STANDING COMMITTEE RESOLUTION
24th NAVAJO NATION COUNCIL -- First Year, 2019

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0244-19

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND
NAABIK'ÍYÁTI'; SUPPORTING THE BOARD OF REGENTS, NAVAJO
TECHNICAL UNIVERSITY, FOR CONTINUED FUNDING UNDER THE
STRENGTHENING INSTITUTION PROGRAM OF THE HEALTH EDUCATION
ACT AS ENACTED THROUGH PUBLIC LAW 111-152

WHEREAS:

A. The Navajo Nation established the Health, Education and Human Services Committee as a Navajo Nation Council standing committee. 2 N.N.C. §400. The committee's responsibilities include overseeing the Department of Dine Education, and reviewing and recommending resolutions on educational services provided to the Navajo Nation. 2 N.N.C. § 401(B)(6)(a) and (C)(1).

B. Pursuant to 2 N.N.C. § 401(B)(7)(a), the Health, Education and Human Services Committee represents the Navajo Nation "at local, state and federal levels, in coordination with the President of the Navajo Nation and the Naabik'iyáti' Committee on proposed legislation, funding and other actions affecting health, environmental health, social services, education, veterans services, employment, training and labor."

C. The Naabik'iyáti' Committee is established as a standing committee of the Navajo Nation Council. 2 N.N.C. § 700(A). Among its duties and responsibilities, the

1 committee "review[s] and continually monitor[s] the programs and activities of federal
2 and state departments and ... assist[s] development of such programs designed to serve
3 the Navajo People and the Navajo Nation through intergovernmental relationships
4 between the Navajo Nation and such departments." 2 N.N.C. § 701(A)(7).

5 D. The *Strengthening Institutions Program* (SIP) of the federal *Higher Education Act*
6 provides funding to support institutions of higher education to help them become self-
7 sufficient and expand their capacity to serve low-income students by providing funds to
8 improve and strengthen the institution's academic quality, institutional management, and
9 fiscal stability. P.L. 111-152, *Health Care and Education Reconciliation Act of 2010*,
10 Title III, Part F (commonly referred to as the *Higher Education Act*). Institutions of
11 higher education, such as the Navajo Technical University within the Navajo Nation, rely
12 on funding provided through SIP. See attached Exhibit "A," resolution of the Board of
13 Regents, no. NTU-APR-1729-19, Navajo Technical University. For Navajo Technical
14 University, funding under the program is essential for purposes of increasing self-
15 sufficiency and providing innovative and critically needed services for students. Further,
16 funding is crucial for student retention and achieving completion rates meeting or
17 exceeding national averages, as well as strengthening institutional management and fiscal
18 stability. *Id.*

19
20 **NOW THEREFORE BE IT RESOLVED THAT:**

21 The Navajo Nation supports the Board of Regents for the Navajo Technical
22 University in seeking from Congress and the President of the United States continued
23 funding under the *Strengthening Institutions Program* of the federal *Higher Education*
24 *Act* as enacted by Public Law 111-152. See Exhibit "A," hereof. The Navajo Nation
25 supports the board in seeking support for strengthening the essential program.

**RESOLUTION OF THE
BOARD OF REGENTS OF
NAVAJO TECHNICAL UNIVERSITY**

Requesting that the United States Congress and President of the United States continue to fund the U.S. Department of Education's Strengthening Institutions- Part F program for a tribal colleges and universities

WHEREAS:

1. The Board of Regents of the Navajo Technical University is responsible for the administration, operations and the development of policy as stated in Navajo Nation Council Resolution CO-58-16, enacted on November 10, 2016, that amended the University's enabling legislation, codified at 15 N.N.C. §§1201-1210; and
2. Pursuant to the University's enabling legislation, Navajo Technical University (NTU) is organized as an institution of higher learning for the primary purpose of providing post-secondary and postgraduate education programs that serve both the academic and vocational/technical needs of the Navajo Nation and its citizens, 15 N.N.C. §1203(A); and
3. The tribal colleges and universities have been among the poorest funded institutions of higher learning in the United States; and
4. Mandatory funding from the U.S. Department of Education's Strengthening Institution's-Part F program (also known as Higher Education Act, Title III-Part F) has been an essential funding source that has helped Navajo Technical University strengthen its higher learning programs, expand vitally needed student support services, and create new opportunities for Navajo students to complete important career education goals and join the workforce throughout the Navajo Nation, which is located in three states: New Mexico, Arizona, and Utah; and
5. The purpose of the Strengthening Institutions Part F program, as approved by the Congress of the United States through the Health Care and Education Reconciliation Act of 2010 (HCERA; P.L. 111-152) is to help eligible institutions of higher education increase their self-sufficiency by providing funds to improve and strengthen the academic quality, institutional management, and fiscal stability of eligible institutions, and
6. Receiving this funding is essential to the ability of Navajo Technical University to increase its self-sufficiency; provide innovate and critically needed services to students; continue to excel in achieving student retention and completion rates that meet or exceed national averages; and strengthen its institutional management and fiscal stability; and
7. The loss of such funding would drastically impede the future operations of Navajo Technical University, severely and permanently harming its ability to serve its substantial student body and the Navajo people.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Board of Regents of the Navajo Technical University hereby strongly urges and requests that the Congress and President of the United States continue to support and strengthen the U.S. Department of Education's Strengthening Institution's-Part F program (also known as Higher Education Act, Title III-Part F), which is essential to the future of all tribal colleges and universities.

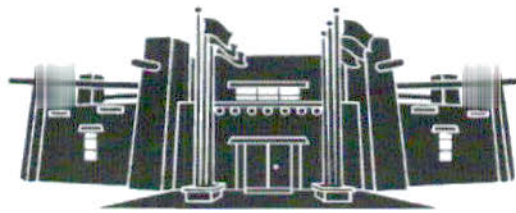
2. The President of the Navajo Technical University is hereby authorized and directed to do all things necessary to effectuate the purpose of this resolution.

CERTIFICATION

I hereby confirm that this resolution was discussed and considered by the Board of Regents of Navajo Technical University at a duly called meeting in Chinle, Arizona at which a quorum was present, and that this resolution was passed by a vote of 6 in favor, 0 opposed and 0 abstained, this 26th day of April 2019.

62711

Tom Platero, Chairperson
NTU Board of Regents



MEMORANDUM

To : Hon. Mark Freeland, Council Delegate
Navajo Nation Council

A handwritten signature in black ink, appearing to read "R. Haven".

From :
Ron Haven, Attorney
Office of Legislative Counsel

Date : August 6, 2019

Re : AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN
SERVICES AND NAABIK'ÍYÁTI'; SUPPORTING THE BOARD OF
REGENTS, NAVAJO TECHNICAL UNIVERSITY, FOR CONTINUED
FUNDING UNDER THE STRENGTHENING INSTITUTION PROGRAM
OF THE HEALTH EDUCATION ACT AS ENACTED THROUGH PUBLIC
LAW 111-152

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. The resolution drafted is legally sufficient. However, as with all legislation, it can be subject to review by the courts in the event of proper challenge. Also, understand that the Speaker is authorized to refer this proposed resolution to other committees than those stated in the title. You are advised and encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

If you are satisfied with the proposed resolution, please sign it as "sponsor" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment.

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

OLC # 19-418-1

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0244-19_____ SPONSOR: Mark Freeland

TITLE: An Action Relating To Health, Education And Human Services And Naabik'iyáti': Supporting The Board Of Regents, Navajo Technical University, For Continued Funding Under The Strengthening Institution Program Of The Health Education Act As Enacted Through Public Law 111-152

Date posted: August 9, 2019 at 6:34pm

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7590

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. §374 *et. seq.*

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0244-19

SPONSOR: Honorable Mark A Freeland

TITLE: An Action Relating To Health, Education And Human Services And Naabik'iyáti'; Supporting The Board Of Regents, Navajo Technical University, For Continued Funding Under The Strengthening Institution Program Of The Health Education Act As Enacted Through Public Law 111-152

Posted: August 9, 2019 at 6:34PM

5 DAY Comment Period Ended: August 14, 2019

Digital Comments received:

Comments Supporting	<i>None</i>
Comments Opposing	<i>None</i>
Inconclusive Comments	<i>None</i>



Legislative Tracking Secretary
Office of Legislative Services

8/15/19 8:46AM

Date/Time

Committee Report

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

LEGISLATION NO. 0244-19

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
AND NAABIK'IYATI' COMMITTEE; SUPPORTING THE BOARD OF REGENTS, NAVAJO
TECHNICAL UNIVERSITY, FOR CONTINUED FUNDING UNDER THE STRENGTHENING
INSTITUTION PROGRAM OF THE HEALTH EDUCATION ACT AS ENACTED THROUGH
PUBLIC LAW 111-152

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

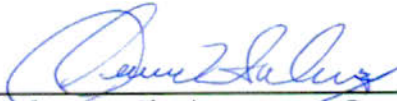
Sponsor: Honorable Mark Freeland

Co-Sponsor: Honorable Daniel E. Tso

Amendment One: Page 1 of 2, Line 15: after Public Law 111-152, insert
Title III. Part F.; Page 2 of 2, Line 24: after Public Law 111-152,
insert Title III. Part F.

Has had under consideration and report the same with the recommendation
that Legislation 0244-19 PASS with One (1) Amendment and no Directive;
and therefore referred the same to the NAABIK'IYATI' COMMITTEE OF THE
NAVAJO NATION COUNCIL

Respectfully Submitted,



Pernell Halona, Chairperson Pro Tem
Health, Education and Human Services Committee

August 21, 2019 - Amendment One (1) Motion

Motion by: Honorable Paul Begay, Jr.

Seconded by: Honorable Edison J. Wauneka

Vote: 3 in favor; 0 Opposed; Chairperson Pro Tem Not Voting

Yeas: Paul Begay, Jr.; Edison J. Wauneka; Daniel E. Tso

Nays: None

Absent (excused): Charlaine Tso

August 21, 2019 - Main Motion

Motion by: Honorable Paul Begay, Jr.

Seconded by: Honorable Edison J. Wauneka

Vote: 3 in favor; 0 Opposed; Chairperson Pro Tem Not Voting

Yeas: Paul Begay, Jr., Edison J. Wauneka; Daniel E. Tso

Nays: None

Absent (excused): Charlaine Tso

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
Regular Meeting
August 21, 2019

Roll Call
Vote Tally Sheet

LEGISLATION NO. 0244-19

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
AND NAABIK'IYATI' COMMITTEE; SUPPORTING THE BOARD OF REGENTS, NAVAJO
TECHNICAL UNIVERSITY, FOR CONTINUED FUNDING UNDER THE STRENGTHENING
INSTITUTION PROGRAM OF THE HEALTH EDUCATION ACT AS ENACTED THROUGH
PUBLIC LAW 111-152

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

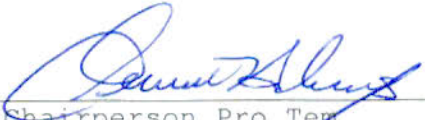
Sponsor: Honorable Mark Freeland
Co-Sponsor: Honorable Daniel E. Tso

August 21, 2019 - Amendment One (1) Motion

Motion by: Honorable Paul Begay, Jr.
Seconded by: Honorable Edison J. Wauneka
Vote: 3 in favor; 0 Opposed; Chairperson Pro Tem Not Voting
Yeas: Paul Begay, Jr.; Edison J. Wauneka; Daniel E. Tso
Nays: None
Absent (excused): Charlaine Tso

August 21, 2019 - Main Motion

Motion by: Honorable Paul Begay, Jr.
Seconded by: Honorable Edison J. Wauneka
Vote: 3 in favor; 0 Opposed; Chairperson Pro Tem Not Voting
Yeas: Paul Begay, Jr., Edison J. Wauneka; Daniel E. Tso
Nays: None
Absent (excused): Charlaine Tso



Pernell Halona, Chairperson Pro Tem
Health, Education and Human Services Committee



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