

RESOLUTION OF THE
HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
of the 24th NAVAJO NATION COUNCIL - SECOND YEAR, 2020

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; AMENDING PLANS OF OPERATION FOR THE OFFICE OF THE EXECUTIVE DIRECTOR AND THE NAVAJO INDIAN CHILD WELFARE ACT PROGRAM WITHIN NAVAJO NATION DIVISION OF SOCIAL SERVICES

BE IT ENACTED:

SECTION ONE. AUTHORITIES

- A. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 600 (A).
- B. The Health, Education and Human Services Committee has oversight over the Division of Social Services and its programs. 2 N.N.C. § 601(C) (1).
- C. The Health, Education and Human Services Committee pursuant to 2 N.N.C. § 601 (B) (4) is authorized to approve and amend plans of operation for programs over which it exercises oversight authority.

SECTION TWO. FINDINGS

- A. The Navajo Division of Social Services is established as a Division under the Executive Branch of the Navajo Nation Government. See 2 N.N.C. § 1601.
- B. The Navajo Division of Social Services consists of an Office of the Executive Director, the Department of Child Care and Development, the Department of Family Services, the Department for Self Reliance, the Navajo Developmental Disabilities Program, the Navajo Indian Child Welfare Act Program, and the Navajo Treatment Center for Children and Their Families. To update the general functions and for purposes of simplification and organization, the Office of the Executive Director and the Navajo Indian Child Welfare Act Program within the division have submitted recommendations for revisions to its Plan of Operation.
- C. The proposed amendments to the Plan of Operation have been reviewed by the Navajo Nation Department of Justice and deemed sufficient. See **Exhibit C**.

- D. The Navajo Nation finds it in the best interest of the Navajo Nation to approve the recommended amendments to the Plan of Operation as submitted by the Navajo Division of Social Services and as attached hereto as **Exhibits A** and **B**.

SECTION THREE. APPROVING AMENDMENTS TO PLANS OF OPERATION FOR DIVISION OF SOCIAL SERVICES

The Navajo Nation hereby approves amendments to the Plans of Operation for the Office of the Executive Director of the Navajo Division of Social Services (attached as **Exhibit A**) and the Navajo Indian Child Welfare Act Program (attached as **Exhibit B**).

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 Window Rock, (Navajo Nation) Arizona, at which quorum was present and that same was passed by a vote of 3 in favor, 1 opposed, on this 13th day of May 2020.



Daniel E. Tso, Chairperson
Health, Education and Human Services Committee
Of the 24th Navajo Nation Council

Motion: Honorable Edison J. Wauneka
Second: Honorable Paul Begay, Jr.

Navajo Division of Social Services

Office of the Executive Director

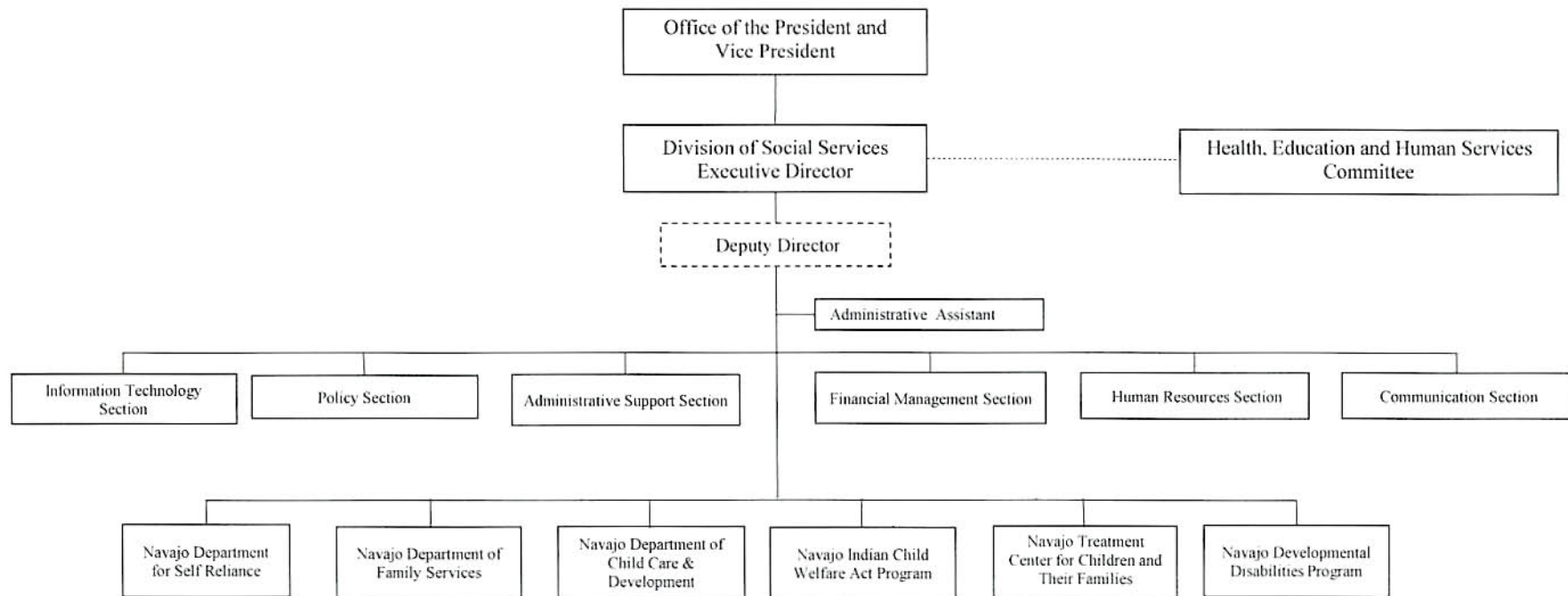


Exhibit A

**NAVAJO DIVISION OF SOCIAL SERVICES
Office of the Executive Director
Plan of Operation**

I. ESTABLISHMENT

There is hereby established an Office of the Executive Director within the Navajo Division of Social Services of the Executive Branch of the Navajo Nation.

II. PURPOSE

A. The purpose of an Office of the Executive Director is to ensure essential, high quality, comprehensive, and culturally relevant human services and social services are accessible and provided on and near the Navajo Nation, where mandated by applicable laws, statutes and regulations.

III. STAFFING AND ORGANIZATION

A. Staffing

1. The Navajo Division of Social Services shall be administered by an Executive Director, pursuant to 2 N.N.C. §1653, who shall be appointed by the President of the Navajo Nation and recommended by the Health, Education and Human Services Committee of the Navajo Nation Council as required by 2 N.N.C. §1005 (C) (3), with confirmation by the Navajo Nation Council, pursuant to 2 N.N.C. §102 (F), and shall serve at the pleasure of the President of the Navajo Nation.
2. The Executive Director shall employ a Deputy Director and shall employ professional, technical, and administrative support personnel as may be deemed necessary to carry out the purposes of the Navajo Division of Social Services and as funds are available. All other personnel shall be employed and compensated in accordance with the Navajo Nation Personnel Policies Manual and other applicable Navajo Nation laws, policies and agreements.

3. The Deputy Director of the Navajo Division of Social Services and Managers for the Navajo Department of Child Care and Development, Navajo Department of Family Services, Navajo Department for Self Reliance, Navajo Developmental Disabilities Program, Navajo Children and Family Services, and Navajo Treatment Center for Children and Their Families shall report to the Executive Director.
4. The Deputy Director of the Navajo Division of Social Services shall be delegated in the absence of the Executive Director.
5. The supervisors of the Navajo Division of Social Services technical support service sections, including the Information Technology, Policy, Administrative Support, Financial Management, and Human Resources shall report to the Deputy Director of the Navajo Division of Social Services.

B. Organization

The Navajo Division of Social Services shall consist of an Office of the Executive Director, three (3) Departments and three (3) Programs to execute the purpose, goals, objectives, authorities, duties, and responsibilities of the Navajo Division of Social Services. The Office of the Executive Director, Departments and Programs may consist of sections and offices to accomplish the respective Departments and Programs' purposes. The Office of the Executive Director, three (3) Departments, and three (3) Programs are as follows:

1. The Office of the Executive Director, including administrative and technical support;
2. Navajo Department of Child Care and Development;
3. Navajo Department of Family Services;
4. Navajo Department for Self Reliance;
5. Navajo Developmental Disabilities Program;
6. Navajo Indian Child Welfare Act Program; and

7. Navajo Treatment Center for Children and Their Families.

The Organizational Chart of the Navajo Division of Social Services' Office of the Executive Director is attached as Attachment 1.

IV. RESPONSIBILITY AND AUTHORITY

A. Executive Director:

The Executive Director shall have the authority for the overall Division's operational planning and direction. The Executive Director shall have the following duties and responsibilities:

1. Report and be responsible to the Office of the President and Vice-President of the Navajo Nation;
2. Provide effective and efficient overall management and financial direction to the Navajo Division of Social Services' departments, programs, center, sections and offices within the policies and procedures of the Navajo Nation;
3. Report to the Health, Education and Human Services Committee of the Navajo Nation Council.
4. Execute the powers and authority of the Navajo Division of Social Services, pursuant to 2 N.N.C. Section 1604;
5. Issue procedures to ensure the proper and timely implementation of the Navajo Division of Social Services' projects;
6. Represent the Navajo Division of Social Services through lobbying, advocating, testifying, and maintaining the government-to-government relationships with the federal, state, and local governments as authorized;
7. Establish and maintain partnerships with local, county, state, federal and other entities on human services and social services, and other matters related to the goals and objectives of the Navajo Division of Social Services;
8. Recommend policies and legislations on human services and social services issues;

9. Negotiate written agreements or contracts on behalf of the Navajo Division of Social Services relevant to its direct human services and social services departments, programs, functions, services, and activities;
10. Seek external funding and other resources to enhance, expand and improve direct human services and social service programs, functions, services and activities;
11. Recommend the creation, merger, separation, amendment, or abolishment of departments, programs, sections, offices, or specific functions within the Navajo Division of Social Services in accordance with applicable Navajo Nation laws and policies; and
12. Recruit, select, supervise, and train personnel; conduct employee performance evaluation; and recommend reclassification of positions for the Office of the Executive Director personnel and Department and Program managers in accordance with the Navajo Nation Personnel Policies Manual.

B. Office of the Executive Director:

The Office of the Executive Director shall provide for overall management of the Navajo Division of Social Services. The Office of the Executive Director personnel shall handle its duties and responsibilities in accordance with the Navajo Nation laws and policies. The duties and responsibilities are as follows:

1. Assist with overall direction of the Navajo Division of Social Services by developing, implementing, monitoring, and evaluating short and long range strategic initiatives, plans, goals, and objectives;
2. Support departments, programs, center, sections, and offices to execute their functions, authorities and responsibilities, and assist with the development and coordination of strategies to implement the Navajo Division of Social Services functions; and

3. Develop, implement and maintain an administrative, operational, and technical infrastructure to support the performance of direct human services and social services departments, programs, functions, services, and activities by establishing:
 - a) An Information Technology section that shall be responsible for the management of reliable and efficient information technology system to accommodate:
 - i. a secured exchange of human, case management, financial and social services data and information for program management;
 - ii. data collection, analysis and reporting;
 - iii. automation of manual work;
 - iv. modernize administrative function; and
 - v. monitor, update, and maintain the Navajo Division of Social Services' website, media medium, telecommunication equipment, hardware and software.
 - b) A Policy section that shall be responsible for increased cooperation, collaboration, and partnership across multiple human and social service sectors to:
 - i. develop, revise, or interpret policies, procedures, standards, and protocols for effective, efficient and adequate management of the Navajo Division of Social Services;
 - ii. provide guidance on human and social services policies;
 - iii. conduct research and analysis, and develop recommendations of current and proposed federal, state and tribal legislations, regulations, and policies for their potential impact on the Navajo people and human and social services;

- iv. coordinate tribal consultation activities with the federal, state, and local governmental agencies; and
 - v. develop annual, quarter, and other reports; briefing materials; issue, position, or white papers; testimonies; and talking points.
- c) A Financial Management section that shall be responsible for an effective and efficient financial management system to:
- i. review and monitor agreements, contracts, and grants;
 - ii. develop and implement a property, procurement, and records management;
 - iii. develop, implement, and provide technical assistance with the application of internal control standards and measures;
 - iv. monitor internal and external audits; and
 - v. serve as the prime contact for budget formulation, budget negotiation, audit, and condition of appropriation and other compliance.
- d) A Human Resources section that shall be responsible for a sound human resource system to:
- i. ensure a competent workforce through assessment of personnel competencies, individual training, and professional development;
 - ii. support the Departments and Programs to attract, recruit, and retain personnel through the application of a premium salary schedule for professional personnel who meet the preferred qualifications;

- iii. monitor compliance with the Navajo Nation Personnel Policies Manual, licensure, certification, employee relations, collective bargaining, and risk and safety policies; and
- iv. monitor work environment.
- e) An Administrative Support section that shall be responsible for the continuous flow of communication and information between the Office of the Executive Director and Navajo Division of Social Services departments, sections and offices; and oversee employee time keeping and reporting.
- f) A Communication section that shall be responsible to provide information, communication, alerts, and advice about human services and social services to the general public and media in a timely, accurate, and adequate manner.

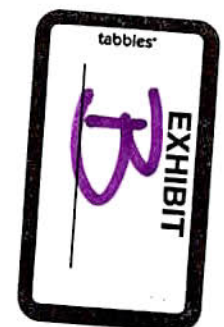
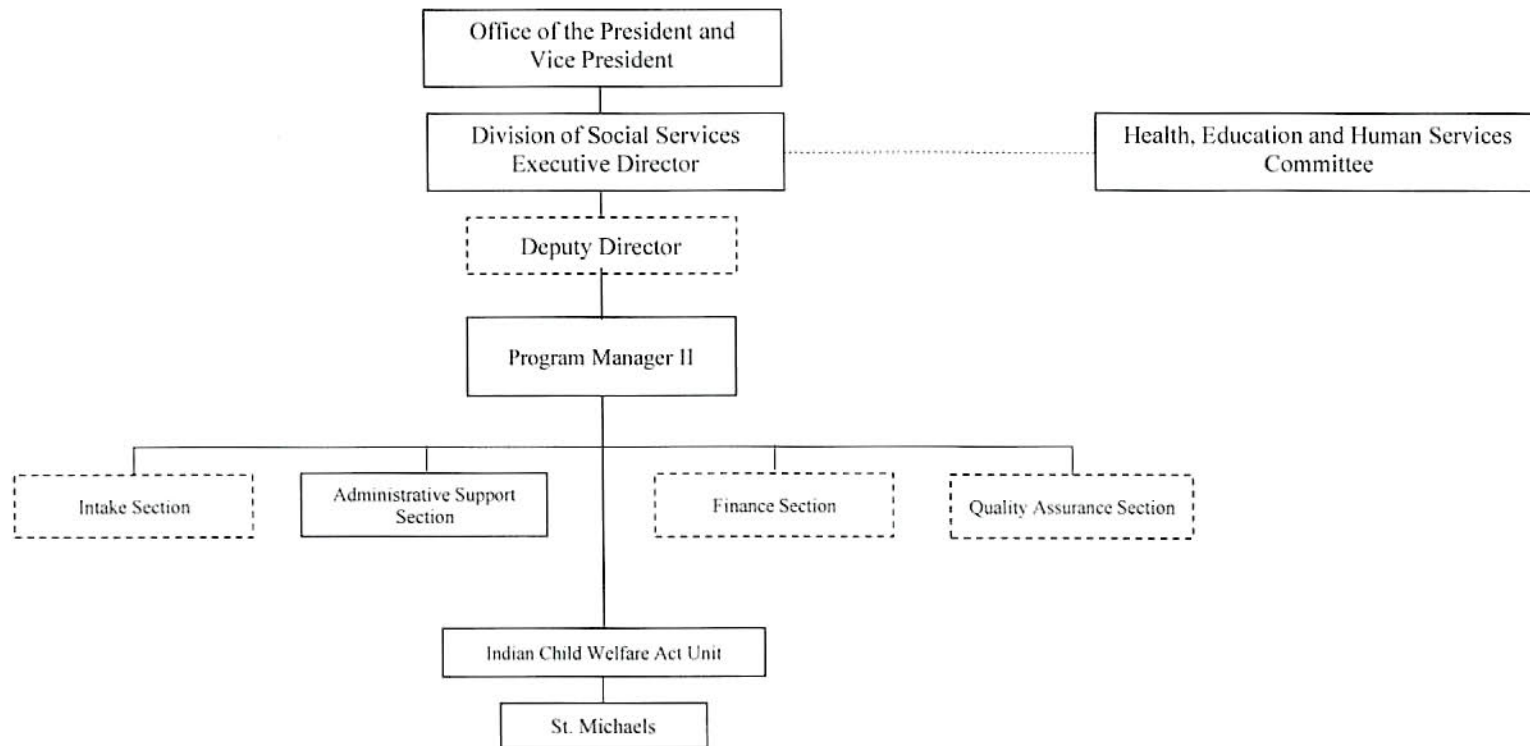
V. LEGISLATIVE OVERSIGHT

Pursuant to 2 N.N.C. §§ 192 and 400 *et. seq.*, the Navajo Division of Social Services shall operate under the legislative oversight of the Health, Education and Human Services Committee of the Navajo Nation Council.

V. AMENDMENTS

This Plan of Operation may be amended from time to time as deemed necessary by the Health, Education and Human Services Committee of the Navajo Nation Council (2 N.N.C. § 1656).

Navajo Division of Social Services
Navajo Indian Child Welfare Act Program



Attachment 1

NDSS Organizational Chart

EXHIBIT B

**NAVAJO DIVISION OF SOCIAL SERVICES
Navajo Indian Child Welfare Act Program
Plan of Operation**

I. ESTABLISHMENT

There is hereby established the Navajo Indian Child Welfare Act (ICWA) Program within the Navajo Division of Social Services of the Executive Branch of the Navajo Nation.

II. PURPOSE

- A. The purpose of the Navajo ICWA Program is to preserve and reunite Navajo children with their parents, next of kin, other appropriate Navajo families, or a Native American family; and provide ongoing, quality case management services to Navajo children who are domiciled off the Navajo Nation, and are subject to out of home care.

III. STAFFING AND ORGANIZATION

A. Staffing

- 1. The Navajo ICWA Program shall be directed by and supervised under the guidance of a Program Manager II who shall be selected in accordance with the Navajo Nation Personnel Policies Manual. All other personnel shall be employed and compensated in accordance with the Navajo Nation Personnel Policies Manual.
- 2. The Program Manager II shall be under the general direction and supervision of the Executive Director of the Navajo Division of Social Services.
- 3. The Program Manager II shall determine and recommend the need for additional professional, technical and administrative support positions as needed to carry out the organizational purposes as stated herein.

B. Organization

The organizational chart for the Navajo Indian Child Welfare Act Program is attached as Attachment 1.

IV. RESPONSIBILITY AND AUTHORITY

- A. Prevent the breakup of Indian families, protect the best interest of Navajo children, and promote the stability of Navajo families.
- B. Preserve child placements with relatives or other Navajo families by strengthening families by providing education for parents and extended family members on traditional parenting and accessing community resources.
- C. Provide specialized case management services, including recruitment, conduct relative/kinship and home studies, newborn relinquishments and post placement activities, educate and provide technical assistance on Navajo culture, traditional beliefs and practice.
- D. Administer the federal legislative intent of the Indian Child Welfare Act, several provisions of the Social Security Act, including Title IV-B, and other external-funded programs and agreements in full compliance with the Navajo Nation and federal laws and policies.
- E. Seek and secure funding from the federal, state and other agencies.
- F. Provide administrative, operational and technical support, and training to divisions, programs and offices.
- G. Develop policies and procedures to implement, monitor and evaluate the purpose of the Navajo ICWA Program.
- H. Integrate the Navajo culture, tradition, language, and belief support services, and other best practices, evidence-based practices, or leading practices in the Navajo ICWA Program services and activities.
- I. Monitor and evaluate program operations, services, resources (staff, property and equipment), and expenditures to assure and improve the effectiveness and efficiency of service delivery.
- J. Promote and support the personnel and professional growth of personnel through education, training, certification and licensure, and advancement opportunities, so that the services provided to children and their families continually improves and expands.

V. LEGISLATIVE OVERSIGHT

Pursuant to 2 N.N.C. §§ 192 and 400 *et. seq.*, the Navajo Indian Child Welfare Act Program shall operate under the legislative oversight of the Health, Education and Human Services Committee of the Navajo Nation Council.

VI. AMENDMENTS

This Plan of Operation may be amended as deemed necessary from time to time by the Health, Education and Human Services Committee of the Navajo Nation Council.

Attachment 1

Navajo ICWA Program Organizational Chart

EXHIBIT
C

NAVAJO NATION DEPARTMENT OF JUSTICE



**REQUEST
FOR
SERVICES**



DOJ
03/06/2020 C 1348
DATE / TIME
RFS #: 20-0498
UNIT: H59a

☐ 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: 3/6/2020 ENTITY/DIVISION: Social Services
CONTACT NAME: Roselyn Begay DEPARTMENT: Office of the Executive Director
PHONE NUMBER: 928/871-6873 or 6851 E-MAIL: roselynbegay@navajo-nsn.gov
COMPLETE DESCRIPTION OF LEGAL NEED AND SERVICES REQUESTED (Attach Documents):
Amending Plans of Operation for the NDSS Office of the Executive Director and the Navajo Children & Family Services Program

DEADLINE: 3/11/2020 REASON: HEHSC's 60-day directive to amend

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: 3/6/2020 @ 2:00p REVIEWING ATTORNEY/ADVOCATE: Latonia B. Johnson

DATE TIME OUT OF UNIT: PREPARED BY (initial):

DOJ ATTORNEY / ADVOCATE COMMENTS

Ex B of this RFS is sufficient. The only minor comment is in the org chart, it references ICWA unit, but the actual name in the plan of operation references "ICWA Program."

REVIEWED BY: (PRINT) LPJ 4/16/2020 153p DATE / TIME: LPJ 4/16/2020 153p

DOJ Secretary Called: roselynbegay@navajo-nsn.gov for Document Pick Up on 4/21/2020 at 10:00a By: m

PICKED UP BY: (PRINT) DATE / TIME:

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
Regular Meeting
May 13, 2020

Roll Call
Vote Tally Sheet

LEGISLATION NO. 0108-20

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; AMENDING
PLANS OF OPERATION FOR THE OFFICE OF THE EXECUTIVE DIRECTOR AND THE
NAVAJO INDIAN CHILD WELFARE ACT PROGRAM WITHIN NAVAJO NATION DIVISION
OF SOCIAL SERVICES

(Note: Eligible for Committee Action May 04, 2020)

Sponsor: Honorable Pernell Halona

May 13, 2020 - Main Motion

Motion by: Honorable Edison J. Wauneka

Seconded by: Honorable Paul Begay, Jr.

Vote: 3 in favor; 1 Opposed;

Chairperson Daniel E. Tso & Charlaine Tso Not Voting

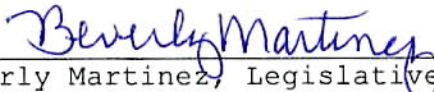
Yeas: Edison J. Wauneka; Paul Begay, Jr. Pernell Halona

Nays: Carl R. Slater

Absent (excused): Charlaine Tso



Daniel E. Tso, Chairperson
Health, Education and Human Services Committee



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