

## LEGISLATIVE SUMMARY SHEET

Tracking No. 0106-20

DATE: April 24, 2020

**TITLE OF RESOLUTION:** AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; RESCINDING RESOLUTION HEHSCAP-05-20, ENTITLED "AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; APPROVING 2020 - 2024 NAVAJO NATION SCHOOL BOARD APPORTIONMENT PLAN"

**PURPOSE OF RESOLUTION:** This resolution, if approved, will rescind resolution HEHSCAP-05-20, entitled "*An Action Relating To Health, Education And Human Services; Approving 2020 - 2024 Navajo Nation School Board Apportionment Plan.*"

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: glj  
Website Posting Time/Date: 1:05pm 04-28-20  
Posting End Date: 05-03-20  
Eligible for Action: 05-04-20

## Health Education & Human Services Committee

PROPOSED STANDING COMMITTEE RESOLUTION  
24th NAVAJO NATION COUNCIL -- Second Year, 2020  
INTRODUCED BY

\_\_\_\_\_  
(Prime Sponsor)



TRACKING NO. 0106-20

### AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; RESCINDING  
RESOLUTION HEHSCAP-05-20, ENTITLED "AN ACTION RELATING TO HEALTH,  
EDUCATION AND HUMAN SERVICES; APPROVING 2020 - 2024 NAVAJO NATION  
SCHOOL BOARD APPORTIONMENT PLAN"

### BE IT ENACTED:

#### SECTION ONE. AUTHORITY

The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 400(A). Among various responsibilities, it approves apportionment plans for school boards for use in elections every four years. 11 N.N.C. § 11.

#### SECTION TWO. FINDINGS

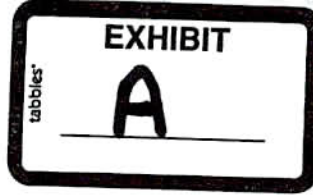
On April 15, 2020, Health, Education and Human Services approved a resolution entitled "AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN



1 SERVICES; APPROVING 2020 - 2024 NAVAJO NATION SCHOOL BOARD  
2 APPORTIONMENT PLAN.” Resolution HEHSC-05-20, attached hereto as **Exhibit A**.

3  
4 **SECTION THREE. RESCINDING HEHSC-05-20**

5 The Health, Education and Human Services Committee of the Navajo Nation Council  
6 hereby rescinds HEHSC-05-20, a committee resolution entitled, “AN ACTION  
7 RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; APPROVING  
8 2020 - 2024 NAVAJO NATION SCHOOL BOARD APPORTIONMENT PLAN.”  
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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; APPROVING 2020  
-2024 NAVAJO NATION SCHOOL BOARD APPORTIONMENT PLAN

BE IT ENACTED:

SECTION 1. FINDINGS AND PURPOSE

1. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council. Among various responsibilities, it approves apportionment plans for school boards for use in elections every four years. 11 N.N.C. § 11. The Election Code provides:

"On or before the first Monday of November 2003 and every four years thereafter, the Health, Education and Human Services Committee of the Navajo Nation Council shall set the size of each Local Community School Board and shall apportion the number of school board seats among the Chapter or Chapters represented in each Local Community School Board. This apportionment shall establish election precincts for each Local Community School Board containing approximately equal numbers of students attending the Local Community School at the time of the apportionment. The Health, Education and Human Services Committee, for purposes of public comment or collecting data, may extend the time for approval of an apportionment plan. Should an extension be ordered, the Navajo Board of Election Supervisors shall adjust, if necessary, the opening filing period for elective school board positions." 11 N.N.C. § 11(B).

2. For purposes of public hearings, the Health, Education and Human Services Committee on February 16, 2020 approved possible apportionment plans as options. Thereafter, with the assistance of Navajo Department of Diné Education, public notices were provided, and hearings were conducted in the five agencies of the Navajo Nation as follows: To'Nanees'Dizi Chapter on February 24, 2020; Chinle Chapter on February 25, 2020; Shiprock Chapter on February 26, 2020; Crownpoint

Chapter on February 27, 2020; and at the Fort Defiance Chapter on February 27, 2020. See attached **Exhibit B**.

**SECTION 2. ADOPTING 2020-2024 SCHOOL APPORTIONMENT PLAN**


1. The Health, Education and Human Services Committee of the Navajo Nation Council hereby approves the 2020-2024 Navajo Nation School Board Apportionment Plan, attached as **Exhibit "A."**
2. The Navajo Election Administration and the Navajo Board of Election Supervisors shall use the apportionment plan adopted herein for use in the 2020 Navajo Nation Chapter Elections.

**SECTION 3. SAVINGS CLAUSE**

Should any portion of this action of the vision of the Health, Education and Human Services Committee or any portion of the apportionment plan adopted herein be determined invalid by the Navajo Nation Supreme Court, or the District Courts of the Navajo Nation without appeal to the Navajo Nation Supreme Court, those portions the action or apportionment plan which are not determined invalid shall remain the law of the Nation.

**CERTIFICATION**

I, hereby, certify that the following resolution was duly considered by the Health, Education and Human Services Committee of the 24<sup>th</sup> 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 5 in favor, 0 opposed, on this 15<sup>th</sup> day of April 2020.

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

Motion: Honorable Pernell Halona  
Second: Honorable Paul Begay, Jr.



# NAVAJO ELECTION ADMINISTRATION

THE FOUNDATION OF OUR TRIBAL GOVERNMENT  
BEGINS WITH ELECTIONS

## 2020 NAVAJO NATION SCHOOL BOARD APPORTIONMENT PLAN

### Plan Six



# CENTRAL NAVAJO AGENCY

NAME OF SCHOOL	2020 SCHOOL BOARD APPORTIONMENT
01. Central Navajo Schools (K-12) Five (5) Member Board  *(Combined with Rocky Ridge Boarding School, Cottonwood Day School, Many Farms High School)	1 – Chinle Chapter  2 – Many Farms Chapter  1 – At-large with Round Rock/Tsé Ch'izhi (Rough Rock) Chapters  1 – At-large Tachee-Blue Gap/Whippoorwill/Tselani-Cottonwood Chapters
02. Ch'inli Navajo Schools (K-12) Five (5) Member Board  *(Combined with Black Mesa Community School, Rough Rock Community School, Nazlini Community School, Lukachukai Community School, Pinon Community School, Many Farms Community School)	1 – At-large with Lukachukai/Tsaile-Wheatfields/ Round Rock Chapters  1 – At-large with Tsé Ch'izhi (Rough Rock)/ Many Farms Chapters  1 – Chinle Chapter  1 – At-large with Hard Rock/Pinon/Forest Lake/ Black Mesa Chapters  1 – At-large with Whippoorwill/Tachee-Blue Gap/ Nazlini/Tselani-Cottonwood Chapters

Total Board Members: 10



# EASTERN NAVAJO AGENCY

NAME OF SCHOOL	2020 SCHOOL BOARD APPORTIONMENT
01. Shash Bi'to Schools (K-12) Five (5) Member Board  *(Combined with Breadsprings Day Schools, ChiChiltah/Jones Ranch Community School, Wingate (K-12) Schools)	1 – At-large with Chichiltah/ Bááhááíí (Breadsprings)/ Tsé Lichíí (Red Rock)/ Manuelito/ Tsayatoh Chapters  1 – Churchrock Chapter  1 – Iyanbito Chapter  1 – At-large with Pinedale/ Mariano Lake Chapters  1 – At-large with Thoreau/Baca-Prewitt/ Smith Lake Chapters
02. T'iists'ózi (Crownpoint) Schools Five (5) Member Board  *(Combined with Baca/Dlo'ay Azhi Community School, Lake Valley Navajo School, Tse'ii'ahi' Community School, Mariano Lake Community School, Dibe' Yazhi'Habit'iin (Borrego Pass) School, Ojo Encino Day School, Pueblo Pintado Community School, T'iis Ts'ozí B'i'Olta Community School)	1 – Baca-Prewitt Chapter  1 – At-large with Pinedale/Mariano Lake/Smith Lake/Thoreau Chapters  1 – At-large with Tse'ii'ahi' (Standing Rock)/Nahodishgish/Lake Valley/White Rock/ Crownpoint Chapters  1 – At-large with Counselor/Ojo Encino/Pueblo Pintado Chapters  1 – At-large with Becenti/Little Water/Casamero Lake/Whitehorse Lake Chapters
03. Eastern Navajo Schools Five (5) Member Board  *(Combined with NaNeelzhiin Ji'Olta (Torreon Day School), Dzilh-Na-O-Dith-Hle Community School, Hanaa'dli Community School/Dormitory)	2 – Torreon Chapter  2 – Huerfano Chapter  1 – Nageezi Chapter
04. Alamo Navajo School Board Five (5) Member Board	5 – Alamo Chapter
05. Ramah Navajo School Board (Pine Hill School) Five (5) Member Board	5 – Ramah Chapter
06. To'Hajiilee Community School Five (5) Member Board	5 – To'hajiilee Chapter

Total Board Members: 30

# FORT DEFIANCE AGENCY

NAME OF SCHOOL	2020 SCHOOL BOARD APPORTIONMENT
<p>01. Tsé Hootsoí I (Ft. Defiance) Schools Five (5) Member Board</p> <p>*(Combined with Pine Springs Day School, Seba Delkai Boarding School, Jeehdeez'a Elementary School, Crystal Boarding School)</p>	<p>1 – At-large with Red Lake/Crystal Chapters</p> <p>1 – Whippoorwill Chapter</p> <p>1 – Low Mountain Chapter</p> <p>1 – Teestoh Chapter</p> <p>1 – At-large with Lupton/Houck/Nahata Dzil Chapters</p>
<p>02. Tsé Hootsoí II (Ft. Defiance) Schools Five (5) Member Board</p> <p>*(Combined with Hunter's Point Boarding School, Wide Ruins Community School, Kin Dah lichí'I Olta, Dilcon Community School, Greasewood Community School, Ch'ooshgai Community School, T'iisyaakin Residential Hall, Winslow Residential Hall)</p>	<p>1 – At-large with Naschitti/ Tohatchi/ Coyote Canyon/ Bahastl'a'a' (Twin Lakes)/ Mexican Springs Chapters</p> <p>1 – At-large with Ft. Defiance/ St. Micheals Chapters</p> <p>1 – At-large with Oak Springs/ Houck/ Lupton/ Nahata Dzil/ Wide Ruins Chapters</p> <p>1 – At-large with Steamboat/ Kin Dah Lichí' (Kinlichee)/ Ganado/ Klagetoh/ Cornfields/ Wide Ruins Chapters</p> <p>1 – At-large with Greasewood Springs/White Cone/ Dilcon/ Jeddito/ Teesto Chapters</p>

Total Board Members: 10

# NORTHERN NAVAJO AGENCY

NAME OF SCHOOL	2020 SCHOOL BOARD APPORTIONMENT
<p>01. Northern Navajo Schools Five (5) Member Board</p> <p>*(Combined with Cove Day School, Sanostee Day School, Beclabito Day School, Tohaali Community School, Aneth Community School, T'iis Nazbas Community School, Nenahnezad Community School, Red Rock Day School)</p>	<p>1 – At-large with Aneth/ Red Mesa/ Tó Likan (Sweetwater)/ Mexican Water Chapters</p> <p>1 – At-large Teeenospos/ Beclabito/ Gadii'áhi/To'Koi (Cudeii)/ Tse Daa Kaan (Hogback) Chapters</p> <p>1 – At-large with Cove/ Red Valley Chapters</p> <p>1 – At-large with Tsé alnáozt'i' í (Sanostee)/ Two Grey Hills/Toadlena, Newcomb Chapters</p> <p>1 – At-large with Shiprock/ Nehnanezad/ Upper Fruitland/ San Juan Chapters</p>
<p>02. Nataani Nez Schools (K-12) Five (5) Member Board</p> <p>*(Combined with Shiprock Associated Schools, Kinteel Residential Campus, Tsé Nitsaa Deez' Ahi Diné Bi' Olta' (Rock Point Community School))</p>	<p>2 – Shiprock Chapter</p> <p>1 – At-large with Rock Point/Round Rock Chapters</p> <p>1 – At-large with Gadii'áhi/To'Koi (Cudeii)/ Tse Daa Kaan (Hogback) Chapters</p> <p>1 – At-large with Tsé alnáozt'i' í (Sanostee)/ Two Grey Hills/Toadlena/ Newcomb Chapters</p>
<p>03. Navajo Preparatory School Four (4) Member Board</p>	<p>1 – At-large with Northern Navajo Agency</p> <p>1 – At-large with Eastern Navajo Agency</p> <p>1 – At-large with Ft. Defiance Agency</p> <p>1 – At-large with Chinle Navajo Agency/ Western Navajo Agency</p>

Total Board Members: 14



# WESTERN NAVAJO AGENCY

NAME OF SCHOOL	2020 SCHOOL BOARD APPORTIONMENT
01. To' Nanees' Dizi' (Tuba City) Schools I (K-12) Five (5) Member Board  *(Combined with Dennehotso Boarding School, Tonalea Day School, Kaibeto Boarding School, Kayenta Community School, Tuba City Boarding School)	2 – At-large with Tonalea/Tõh Nanees Dizi (Tuba City) Chapters  1 – At-large with Tsah Bii Kin (Inscription House)/ K'Ai' Bii' Tó (Kaibeto) Chapters  1 – At-large with Bodaway-Gap/Coalmine Canyon/ Cameron Chapters  1 – At-large with Kayenta/ Oljato/Dennehotso/ Chilchinbeto Chapters
02. To' Nanees' Dizi' (Tuba City) Schools II (K-12) Five (5) Member Board  *(Combined with Little Singer Community School, NaaTsisAan Community School, Chilchinbeto Community School, KinLani Bordertown Dormitory, Leupp Schools, Inc., Greyhills Academy High School, Shonto Preparatory School)	2 – At-large with Tonalea/Tõh Nanees Dizi (Tuba City) Chapters  1 – At-large with Tsah Bii Kin (Inscription House)/ K'Ai' Bii' Tó (Kaibeto)/ Shonto Chapters  1 – At-large with Kayenta/ Oljato/ Dennehotso/ Chilchinbeto/ NaaTsisAan Chapters  1 – At-large with Leupp/ Tsídii to'ii (Birdsprings)/ Tolani Lake Chapters
03. Richfield Residential Hall Four (4) Member Board	1 – At-large with Tõh Nanees Dizi (Tuba City)/ Bodaway-Gap Chapters 1 – At-large with Dennehotso/Kayenta Chapters 1 – At-large with Oljato/Rough Rock Chapters 1 – At-large with Lechee/ K'Ai' Bii' Tó (Kaibeto)/ Naa' Tsis'áán (Navajo Mountain)/ Shonto Chapters

Total Board Members: 14

# PUBLIC HEARING NOT

EXHIBIT

B



## Navajo Nation School Board Apportionment Plan for use in the 2020 Navajo Nation Chapter Elections

10:00 AM – 3:00 PM

The purpose of the hearings is to provide the proposed plans to determine the size of each Local Community School Board and to apportion the number of school board seats among the chapters represented in each Local Community School Board at the following locations:

### Monday, February 24, 2020 - To' Nanees' Dizi' Chapter

Physical Address: 220 S. Main Street, Tuba City, Arizona

### Tuesday, February 25, 2020 - Chinle Chapter

Physical Address: Chinle, Arizona

### Wednesday, February 26, 2020 - Shiprock Chapter

Physical Address: Shiprock, New Mexico

### Thursday, February 27, 2020 - Crownpoint Chapter

Physical Address: Crownpoint, New Mexico

### Friday, February 28, 2020 - Fort Defiance Chapter

Physical Address: Fort Defiance, Arizona

**Written Comments can be submitted no later than**

**Friday, February 28<sup>th</sup> by 3:00 PM to the**

**Department of Diné Education**

**Window Rock, Arizona**

**FAX: (928) 871-7474**

Note: Proposed Apportionment Plans are available on the [navaionationdode.org](http://navaionationdode.org) website

For questions, please contact (928) 871-7475/7466



HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE  
Special Meeting  
April 15, 2020

Roll Call  
Vote Tally Sheet

LEGISLATION NO. 0074-20

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; APPROVING 2020-2024  
NAVAJO NATION SCHOOL BOARD APPORTIONMENT PLAN

(Note: Eligible for Committee Action April 01, 2020)

Sponsor: Honorable Edison J. Wauneka  
Co-Sponsor: Honorable Pernell Halona  
Co-Sponsor: Honorable Otto Tso

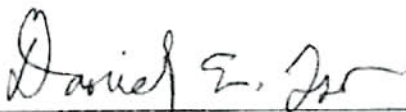
April 01, 2020 - Main Motion Pending  
Motion by: Honorable Pernell Halona  
Seconded by: Honorable Paul Begay, Jr.

April 01, 2020 - Motion to Table  
Motion by: Honorable Charlaime Tso  
Second by: Honorable Pernell Halona  
Vote: 5-0 CNV; Yeas: all; Nays: none; Absent: all present

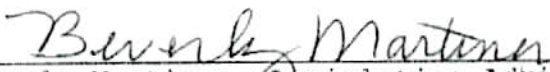
April 15, 2020 - Recall from Table Motion  
Motion by: Honorable Pernell Halona  
Seconded by: Honorable Paul Begay, Jr.  
Vote: 5 in favor; 0 Opposed; Chairperson Not Voting  
Yeas: Pernell Halona; Paul Begay, Jr.; Charlaime Tso; Carl R. Slater;  
Edison J. Wauneka  
Nays: none; Absent (excused): all present

April 15, 2020 - Amendment One Motion  
Motion by: Honorable Pernell Halona  
Seconded by: Honorable Carl R. Slater  
Vote: 4 in favor; 0 Opposed; Chairperson Not Voting  
Yeas: Pernell Halona; Carl R. Slater; Paul Begay, Jr.;  
Edison J. Wauneka  
Nays: Charlaime Tso; Absent (excused): all present

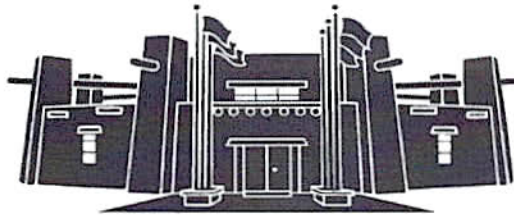
April 15, 2020 - Main Motion  
Motion by: Honorable Pernell Halona  
Seconded by: Honorable Paul Begay, Jr.  
Vote: 5 in favor; 0 Opposed; Chairperson Not Voting  
Yeas: Pernell Halona; Paul Begay, Jr.; Charlaime Tso; Carl R. Slater;  
Edison J. Wauneka  
Nays: None; Absent (excused): all present



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

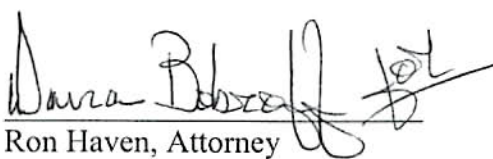


Beverly Martinez, Legislative Advisor  
Health, Education and Human Services Committee



## MEMORANDUM

To : Hon. Charlene Tso, Delegate  
Navajo Nation Council

From :   
Ron Haven, Attorney  
Office of Legislative Counsel

Date : April 20, 2020

Re : AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; RESCINDING RESOLUTION HEHSCAP-05-20, ENTITLED "AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; APPROVING 2020 - 2024 NAVAJO NATION SCHOOL BOARD APPORTIONMENT PLAN"

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. As to format, the resolution as drafted is legally sufficient. Regarding substance, as with any legislation, it can be subject to review by the courts in the event of proper challenge. Please ensure that this particular resolution request is precisely what you want.

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 # 20-160-1

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0106-20\_\_\_\_\_

SPONSOR: Charlaine Tso

TITLE: An Action Relating to Health, Education and Human Services: Rescinding Resolution HEHSCAP-05-20, Entitled "An Action Relating to Health, Education and Human Services; Approving 2020 -2024 Navajo Nation School Board Apportionment Plan"

*Date posted:* April 28, 2020 at 1:05pm

Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto: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.: 0106-20**

**SPONSOR: Honorable Charlaine Tso**

**TITLE: An Action Relating to Health, Education and Human Services:  
Rescinding Resolution HEHSCAP-05-20, Entitled “An Action Relating to  
Health, Education and Human Services; Approving 2020 -2024 Navajo Nation  
School Board Apportionment Plan”**

**Posted: April 28, 2020 at 1:05 PM**

**5 DAY Comment Period Ended: May 03, 2020**

**Digital Comments received:**

<b>Comments Supporting</b>	<ol style="list-style-type: none"> <li>1) Maxine Coho</li> <li>2) Kyle Augustine</li> <li>3) Carolyn Ben</li> <li>4) Beatrice L. Woodward</li> <li>5) Marlene Watashe</li> <li>6) Bahozhoni N. Kinsel</li> <li>7) Karen Smith</li> <li>8) Alicia Chapman</li> <li>9) Lorinda Martinez</li> <li>10) May Kelewood</li> <li>11) Louise J. Nelson</li> <li>12) Ruthie Nez</li> <li>13) Rochelle Nells</li> <li>14) Ruby H. Brown</li> <li>15) Brenda Lee-Begay</li> <li>16) Lucita L. Nolan</li> <li>17) New Mexico Navajo Central Agency School Boards</li> <li>18) Ramah Navajo School Board, Inc.</li> <li>19) Ramah Navajo Chapter</li> <li>20) Betsy Dennison</li> <li>21) Faye BlueEyes</li> <li>22) Martha Tate</li> <li>23) Beclabito Community School Board</li> <li>24) Deborah K. Chavez</li> <li>25) Delores Curley</li> <li>26) Lake Valley Chapter</li> </ol>
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27)	<b>Lukachukai Community Board of Education, Inc.</b>
28)	<b>Diné Bi Oltá School Board Association Inc.</b>
29)	<b>Lupita Yazzie</b>
30)	<b>Karen Begay</b>
31)	<b>Karen Dixon</b>
32)	<b>Sandra Butler</b>
33)	<b>Valerie Manuel</b>
34)	<b>Freda Nells</b>
35)	<b>Harold NezBegay</b>
36)	<b>Nadia Largo</b>
37)	<b>Sonya Lewis</b>
38)	<b>Efren Butler</b>
39)	<b>Tabby Jose'</b>
40)	<b>Benevey Lewis</b>
41)	<b>Marilyn A. Poyer</b>
42)	<b>Diana Silversmith</b>
43)	<b>Laverne Joe</b>
44)	<b>Chrystal Martinez-Tom</b>
45)	<b>Pinon Community School Board</b>
46)	<b>Renee White-Alcott</b>
47)	<b>Randall Begay</b>
48)	<b>Jeremy Alcott</b>
49)	<b>Rosabel Sekayumptewa</b>
50)	<b>Rudie L. John</b>
51)	<b>Arlene Howard</b>
52)	<b>Chilchinbeto Community School Board, Inc.</b>
53)	<b>Chilchinbeto Chapter</b>
54)	<b>Rannita Henderson</b>
55)	<b>Ray Francisco</b>
56)	<b>Rose VanCruz</b>
57)	<b>Lucinda M. Campbell</b>
58)	<b>Lois Werito</b>
59)	<b>William Foster</b>
60)	<b>Tsiiyaakin Residential Hall, Inc.</b>
61)	<b>Rough Rock Community School, Inc.</b>
62)	<b>Theresa Boone-Schuler</b>
63)	<b>Dzilth-Na-O-Dith-Hle Community School Board</b>
64)	<b>Rhoda John</b>
65)	<b>Marylou NezBegay</b>
66)	<b>Miranda Armenta</b>
67)	<b>Phyllis Curley</b>
68)	<b>Black Mesa Community School Board</b>
69)	<b>Rose Mary Silversmith</b>
70)	<b>Roberta Gorman</b>



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

  
\_\_\_\_\_  
Legislative Tracking Secretary  
Office of Legislative Services

05/05/20      9:15 AM

Date/Time

106-20

Maxine Coho &lt;maxine@rnsb.k12.nm.us&gt;

Wed 4/29/2020 8:04 AM

To: comments &lt;comments@navajo-nsn.gov&gt;;

I am opposing the approval of Plan 6 regarding the School Board Reapportionment. Throughout the Navajo Nation, public hearings were conducted in each agency and the majority of the people were in favor of Plan 4 A and Plan 1. We the people did not vote for Plan 6, we do not want Plan 6!

Maxine Coho, Member of Ramah Navajo Chapter

Sent from my smartphone

WARNING: External email. Please verify sender before opening attachments or clicking on links.

# School Board Plans P1 to Plan 6

Kyle Augustine <augustinekyle@yahoo.com>

Wed 4/29/2020 8:04 AM

To: comments <comments@navajo-nsn.gov>;

As a school board member for my local school and community. Leave it as is Plan 1. Leave our schools alone. Leave community school board members alone.

Sent from Yahoo Mail on Android

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# School Board Reapportionate

Carolyn Ben <carolben2000@yahoo.com>

Wed 4/29/2020 8:04 AM

To: comments <comments@navajo-nsn.gov>;

Cc: carolben2000@yahoo.com <carolben2000@yahoo.com>;

Please Council Delegates, I am from the community of Pinon Chapter, a parent, grandparent, and board member for BMCS, I would like to express my opposition of the Plan 6 of the School Board Reapportionate plan. We have submitted the resolution from Pinon Chapter opposing the Plan 6. Please consider our opposition of the plan. Please rescind the Legislation that was passed to go with Plan 6.

Thank you very much and always be safe in these hard times in the pandemic era.

Sent from Mail for Windows 10

WARNING: External email. Please verify sender before opening attachments or clicking on links.

# Receding Resolution HEHSCAP 05-20

Beatrice Woodward <beawoodward19@yahoo.com>

Wed 4/29/2020 10:35 AM

To: comments <comments@navajo-nsn.gov>;

## COMMENTS ON: RECEDING RESOLUTION HEHSCAP 05-20

Re: "An action relating to Health, Education, and Human Services, approving 2020-2024 Navajo Nation School Board Apportionment"

-Legislation 0106-20

This is the plan that includes the modified plan approved per tele-con conference call.

We do not believe the decisions made on this Legislation was well thought out nor was it approved without proper use of debating an issue that is crucial to the us the stakeholders of our school/s. Not only do these type of legislations approved by the "rush" through method, initiates new provisions and waive existing laws and requirements. It appears the legislation was rushed through by those who were meeting "their" goals and ambitions without considering the fact we have a voice, too. Furthermore the children at these schools are "our" children and their future is for us to guide them through with the representation of board members who know what OUR goals are for our children.

Our civil rights have been violated by not allowing our voices to be heard. The community school in any community exist to meet the educational needs of the people in that community. Its function is to provide the educational opportunities they want for their children. They need to have a way of making their needs wishes known.

The local school board provides that way. Stakeholders want to know what their school is doing in terms of educating their children. They feel ownership to the school their child/children attend, therefore, goals and objectives are set for their child/children's educational needs..

The Laws established for schools (BIE Funded Schools) speak to input from local school board, parents, staff, and community members. The need for local representation is in making provisions for an educational program that MEET the parents's children's needs and IS in accord with their wishes.

The local school board represents them in working with school personnel, programs that all understand and know is working for their children. They are available as individual contact for the stakeholders of the community where it is not feasible for the community as a whole to speak directly for itself. The local school board becomes fundamental to the operation of a truly community school.

Each community is not the same, therefore their needs are known by their local school board.

PIANS PRESENTED DURING PUBLIC HEARING :



Public Hearing was attended in Crownpoint Chapter, Crownpoint , N.M.

- We were given all six of the plans 1-6.
- With the plans 1-6 were two added plans. Neither plan has a. or b. etc. , therefore it may be assumed there were 8 plans that was presented by DODE.....along with a form for voting for the plan of choice.....
- It was expressed to the audience that the voting should take place immediately after each plan was introduced.
- most in attendance voiced that they definitely did not want Plan 6, but did look at plan1 & 4. not all board members were present and it was mentioned that these plans had to go back to them and to the PEOPLE of the community before vote is done. This seemed to be ignored.
- Eastern Navajo Agency Council did address the apportionment plan in their council meeting before the consultation was done in Crownpoint Chapter. At a duly called meeting:  
 "The Eastern Navajo Agency Council hereby opposes the reduction and/or change in authority, liability, responsibility , and composition of Local Navajo School Boards for example as proposed in the BIE reorganization that may eventually implicate the school board reapportionment plan but instead supports the local Navajo School Boards to keep their authorities , liabilities, responsibilities and compositions of Local School Boards as currently in operation and that the 2020 Navajo Nation School Board reapportionment plan reflect the reapportion plan AS Currently exists in the 2020-2021 without any change.....

passed by a vote of 44 in favor 0 opposed and 2 abstained.

Their resolution should be respected.

Certainly this can be reaffirmed.....

#### PUBLIC HEARING SUMMARY OF RESPONSE BY MR.LARRY RODGERS

Mr. Rodgers did sent a response to the extra plans and the way it was presented. A copy may be obtained from the DBOSBA office. He expressed in honesty that that there were two extra plans he was not aware of. He also expressed that there was lack of trust ..that statement is true that there is lack of trust of DODE and school boards.

#### DBOSBA RESOLUTION REGARDING THE 2020-2024.

#### DBOSBA RESOLUTION:

DBOSBA Resolution's revolves around the wishes of the representatives of the people as school board members are elected by their community members within the chapter they live and board members know what parents want for their children.

As stated in the FUNDAMENTAL LAW: "IT IS THE RIGHT AND FREEDOM OF THE DINE TO CHOOSE LEADERS OF THEIR CHOICE". certainly the parents and community members have the right to chose those who would advocate for them from their local chapter. Ones who know their needs.

As a representative of my community, we and our people have had our civil rights violated by not allowing the very people who have the children to voice their opinion and our council delegates ignore their wishes and not try to understand it is the people who had decided where their school was to be built per the treaty with the Federal Government and it is they who communicate with their local school board members on important issues regarding the future of their children. IT is they who know what is to the best interest of their children. This is recognized by the organization that represents all school board members.

Beatrice L. Woodward, School Board Vice President  
Baca/Prewitt Chapter  
Prewitt, New Mexico

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# Legislation No. 0106-20

Marlene Watashe <marlene@rnsb.k12.nm.us>

Wed 4/29/2020 10:35 AM

To: comments <comments@navajo-nsn.gov>;

I support this legislation to rescind the Reapportionment Plan 6 and elect to support Plan 4a.

Sent from my Samsung Galaxy smartphone.

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# Kaibeto School Board President Response to Proposed Plan

Bahozhoi Kinsel <bahozhoi.kinselgishie@gmail.com>

Wed 4/29/2020 11:17 AM

To: comments <comments@navajo-nsn.gov>;

Good Morning-

The following email is in response to the proposed apportionment plan. As a fellow Navajo Nation citizen, community member of Kaibeto and Navajo Mountain, school board member, and parent, I disagree with the apportionment plan. Primary being because this plan takes away the voices of our communities. The voices that live and breathe in each of these places everyday. We are the people who know our community best. We know who is willing to work and devote themselves to prosper, whereas there are others who do not share the same vision. Once you take away local school board members, you are taking away the direct communication from the people of the communities. Our schools will dwindle, just like the other programs we have seen under the Navajo Nation government. We are supposed to be prospering. We are supposed to be becoming better than what we have been accustomed to. This is not the way.

This is an example of what the BIE has done to our schools. Taking away our ELO's that supervised our schools. They made sure that our schools were being operated properly. Until they took them away and placed them in Window Rock, our schools are not being taken care of or watched. Our stakeholders voices are nowhere to be heard because it has been taken to a place that most of our people can't reach anymore. This is what this proposed plan does. If one bad apple from a community places in a school board position, then that's it. The school and children will be pushed to the back burner again! When will we step up and put a stop to this. We need to stop trying to be like the US government. We need to build our schools in our own cultural way.

When this apportionment plan was done, our acting school principal did not know how to figure out who was from where and where these stakeholders were enrolled. She had a liaison, a person who is not qualified to determine this information, but only because she was from the area and knew the kids. She had her pick and choose how many kids were from each area. You also have to consider that this person does not like our board. This person knows who is active on the board. She ruled out Shonto community as not having any children coming to our school. It wasn't true. When we received our numbers back, it was astonishing. This liaison was entrusted to determine the apportionment for Kaibeto School. This wasn't right by all levels. She was bias. This is a perfect example of how our schools are being ran. Pick and choose. This should not be the way things are done. We need structure, by taking away local school boards, you are not trying to promote or build structure.

Do not pass this plan. It is not right. I know that it will NOT work. I say that with the knowledge that I know, and the many years of observation that I have had growing up in the schools and Chapter Houses. I know we can be better but just not this way. I would recommend that a new apportionment plan be taken again. I will guarantee you that the numbers will come back differently if it were being conducted by structure.

Thank you for your time!

--

***Bahozhoi N. Kinsel***

**Bahozhoi N. Kinsel**

**KBS Board President**

**Kaibeto Boarding School Board**

Phone: (928) 606-3951

E-mail: [bahozhoi.kinselgishie@gmail.com](mailto:bahozhoi.kinselgishie@gmail.com)



# Approve plan 4A

Karen Smith <karen.smith@dzilth.school>

Wed 4/29/2020 5:39 PM

To: comments <comments@navajo-nsn.gov>;

Please support Plan 4A. This would be fair to our school, families and staff. Thank you for your consideration

Karen Smith

Special Education Teacher

Dzilth-Na-O-Dith-Hle Community School

307 N Chestnut

Bloomfield, NM 87413

505/330-4982

Ksmithnm2@gmail.com

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# Revised Plan

Alicia Chapman <alicia.chapman@dzilth.school>

Wed 4/29/2020 5:39 PM

To: comments <comments@navajo-nsn.gov>;

To whom it may concern,

I am sending a revised memo that has the correct Plan that I'm in favor of:

My name is Alicia Chapman, and I have been a member of the DZ community for 24 years.

I am a 3rd grade teacher at Dzilth-Na-OHle-dilth-Le Community Grant School, and I am in favor of

**Plan 4A.** I do not agree with regionalization of a board. We have had excellent success with our board just exactly the way it is right now. We are like a family and have worked closely together with our board to move forward in every facet of our school. We will not be able to get the full attention of a regionalized board for matters that need to be resolved quickly, as we do now with our current board in place..

Sincerely,

Alicia Chapman, 3rd grade teacher

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# I support Plan 4A

Lorinda Martinez <lorinda.martinez@dzilth.school>

Wed 4/29/2020 5:39 PM

To: comments <comments@navajo-nsn.gov>;

I am a teacher at Dzilth Na O Dith Hle Community Grant School. I support Plan 4A

Lorinda Martinez

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## Legislative 0106-20

May Kelewood <maykelewood@gmail.com>

Thu 4/30/2020 8:08 AM

To: comments <comments@navajo-nsn.gov>;

Need to be rescind. Thanks

MKelewood

Have a wonderful day!

Sent from my iPad

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# School Reapportionment

Louise J Nelson <louisejnelson@yahoo.com>

Thu 4/30/2020 8:08 AM

To: comments <comments@navajo-nsn.gov>;

Sent from my iPhone

My name is Louise J. Nelson, Bice President of Wide Ruins Chapter and also serving as Wide Ruins School Board. My e-mail address is: louisejnelson@yahoo.com

I'm sending my comments in regards to rescinded Legislative on School Boards Reapportionment.

(1). Department of Dine Education never did made effort to have a Duty-called Chapter Meeting and with the Grant School; Per PL 297/638; whereas the Chapter are the Authorizing Local Control to entered into an Educational Operation Agreement and Establishes of School Boards as Accountable Agents.

(2). Department of Dine Education say they conduct "Public Hearings" on School Board Reapportionment but at those Public Hearing each time had different Plans, starting with 3, 4, 5, and 6 Plans which cause lots of confusion. Finally ending with #6- which Fort Defiance Agency Schools Boards are identify and box one at the top has PineSpring School and NahataDzil, then down below they have Wide Ruins School with NahataDzil again! Does that mean NahataDzil has two (2) School Boards will be serving (1) at Pine Springs and another one (1) with Wide Ruins Group?

3. Department of Dine Education is not ready to take control of School Boards or the School Operations! They are already making simple mistakes! They have no ideas where to place how many School Board Members Per School.

4. The Health, Education and Social Service Committee are being mid-lead by DODE and did not do any solids study on School Boards Reapportionment! This was only hassles put together by DODE because N.N. Election is on its way!

(5). Therefore, we humbly requested the Honorable Council Delegates not to approve the Legislation for School Boards Reapportionment at this time.

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## Resend plan 6

Ruthie Nez <ruthienez53@yahoo.com>

Thu 4/30/2020 8:08 AM

To: comments <comments@navajo-nsn.gov>;

I am submitting my request to resind the plan to use Option 6 for the Navajo Nation HESC recommendation for School Board Members, we had selected Option 4B at the public hearing & meetings with DBOSBA AND DGSA. PLEASE RECONSIDER and honor our recommendation. Thank you.

Sent from Yahoo Mail on Android

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# Public Comment

Rochelle Nells <rochelle.nells@dzilth.school>

Thu 4/30/2020 8:08 AM

To: comments <comments@navajo-nsn.gov>;

I support Plan 4A. Please consider my comment by approving Plan 4A.

Rochelle Nells  
1st Grade Teacher  
1165 Mockingbird Circle  
Farmington, NM 87401  
rochelle.nells@dzilth.school

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# Untitled

Ruby H. Brown <rhbrown@navajochapters.org>

Thu 4/30/2020 12:11 PM

To: comments <comments@navajo-nsn.gov>;

Good afternoon, I'm the Rock Springs chapter secretary/treasurer. I believe that only the chapter officials can hold the chapter planning and regular chapter meetings at the chapter. The meetings are recorded and of course we will bring the meetings back to the community members when this pandemic is over. I'm not to keen on having the meetings over the phone as it tends to disconnect. That has been the case with me when I join the meetings on the teleconference with eastern agency and the district six joint meeting. I would rather face my chapter officials in person but we abide by the distancing between us. Thank you. Ruby H. Brown

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# Untitled

Brenda Lee-Begay <brenda.lee-begay@dzilth.school>

Thu 4/30/2020 12:11 PM

To: comments <comments@navajo-nsn.gov>;

Hello I'm an instructional technician .

I'm responding to voice my option for the plan.

I support Plan 4A. Please consider my comment by approving Plan 4A."

Thank you,

Mrs. Begay

Sent from Mail for Windows 10


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# Comments on Legislation0074-20

Lucita nolan <Lucita.nolan@yahoo.com>

Mon 5/4/2020 11:12 AM

To: comments <comments@navajo-nsn.gov>;

 1 attachment

NMNCASB Resol Final draft HEHSC.pdf;

Hello, Here our voice through this resolution. From some stakeholders, it was expressed that their voice was ignored and the way it was handled was in a fashion that did not include a fair discussion that allowed for stakeholders to know that their wishes were expressed by their representatives. They feel their Constitutional Rights were violated which is their freedom of Speech. (if anyone attempts to stop someone from exercising his/her constitutional rights is violated). There was a rush and push this legislation through without any communication or clear discussion of how the consultation was conducted and no questions on Larry Rogers's letter in relation to the Plans presented. If you have any questions or concern please contact me.

Respectfully,

Lucita L. Nolan, President  
ENA-NMNCASN

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April 30, 2020

TO: [comments@navajo-nsn.gov](mailto:comments@navajo-nsn.gov)

Subject: Rescind Resolution HEHSCAP 05-20

**GENERAL COMMENTS FROM THE STAKHOLDERS**

**Strongly Disapprove & Not Supportive of Plan 6**

What about a general concern about how we, the people do not get information on any issue that we "may" have concerns about from our Council Delegates? Many of us quit going to the chapter due to the fact information about the latest news that may be of importance to individual people are not available because our elected official/s are too busy to listen and chapter do not hear from them.. When we do hear about an issue that is of concern to us, approval of legislation is already done and it is given in a manner of "that's what happened."

Any legislation should be heard from the local chapter, before our representative has taken action...We often are regarded as not understanding and actually the action is done without any information. But if questioned, people get a brief message what has been done or is going to be done and needs a vote right now.....not a way to represent the people who put you in office . Bottom line they put the blame on others that a vote is/was needed "right away "thus action takes place.....

We do disagree that the teleconferences are a means to satisfy the council delegates without asking the people but rush through what they wanted passed.

Teleconferences are not a way to pass any legislation...It is a way to take advantage of passing anything that affects our daily lives. We do not see the representative stating what purpose it will serve the people in the community.

BIE Education does the same thing now, saying this is consultation.....we listen but do not hear the debates ...Our children are used daily in decision making by those in the top decision making offices.....Those in Washington assure they get dollars for "their" pet projects, positions established

for themselves and use what they call "stakeholders" who are the Navajo people.....same, they use teleconferences to determine the lives of our children and us.....

We disapprove the rush through approvals of any legislative processes without debates and/or even getting our opinions.....

They certainly do not consider the fact that waiving existing laws and requirements can cause other actions to take place after the waiving of existing laws and requirement which become a habit when council delegates want change that will only benefit a few, not all.

DINÉ TRADITIONAL LAW (1 N.N.C. - 203 "THE DINÉ TRADITIONAL LAW DECLARES AND TEACHES THAT; "It is the right and freedom of the Diné to choose leaders of their choice; leaders who will communicate with the people for guidance; leaders who will use their experience and wisdom to always act in the best interest of the people and leaders who will also ensure the rights and freedom of generation to come; and"

"All leaders chosen by the Diné are to carry out their duties and responsibilities in a moral and legal manner in representing the people and the government; the people's trust and confidence in the leaders and the continued status as a leader are dependent upon adherence to the values and principles of Diné."

"It is the right and freedom of the people that our children are provided with Education to absorb wisdom, self-knowledge to empower them to make a living and participate in the growth of the Navajo Nation."

The Governing board of Pueblo Pintado Community School strongly disapproved and not supportive of "Plan Six" of 2020 School Board Apportionment and opposes any move or changes for school board in authority, liability, and responsibilities.

The Governing board affirms that "the chapters of the Navajo Nation are authorized to establish such local Navajo Community School Boards as suitable for their respective areas."



The local school boards shall function in accordance with the specific Legal authorization under which they are operating The Governing board strongly believes and most important - The school belongs to parents and Communities

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The local school boards shall function in accordance with the specific Legal authorization under which they are operating The Governing board strongly believes and most important - The school belongs to parents and Communities not Department Of Dine Education.

*Lucita L. Nolan, President*  
UNNEASB

**TO: coments@navajo-nsn.gov**

**From: Lucita L. Nolan, President  
NEW MEXICO NAVAJO CENTRAL AGENCY SCHOOL BOARD  
(ENA-AGENCY)**

**RE: COMMENTS ON REAPPORTIONMENT  
PLAN 6 WAS NOT FAVORABLE**

As the Agency School Board President, I would be amiss of not updating the activities that have gone on with the meetings held with the Apportionment for School Boards.

I cannot respond to comments and /or questions given by some of the local school board members who have not gotten any information, therefore, I am asking in their behalf comments or questions given.

1. Why is it that those in the meeting by tele-con couldn't relay information to their constituents or to DOBOSBA or DODE what went on.....was it a secret meeting, that information from the meeting was to be shared? ..

There are mixed information going on .Did everyone forget news reporting to the very people who put you in your office?

A. We relayed information that we had a 5 day grace period to reply to the vote on the Plans.....then we were told "it's a done deal, it is the law" at the same time....Some of us spent a lot of time trying to inform the stakeholders who have the right to know and feel that our rights were taken away from us and not being given to voice our opinion and if we do it is ignored.

We are out here, we know the needs of our local schools, and people.....We and our people do not like the top decision makers making decisions that are not

the wishes of the people who put their children in the school they want their child to attend.

The parents go to their local school board about issues and /or concerns of the school. If you don't know what the needs of the school are then it is not helpful to the child/children's learning and you get enrollment decline. Which happens every time DODE runs through these types of actions....it causes more harm to the children in the classroom that is not realized. Why make it harder for the families and children?

**Each community is not the same.**

The local school need local representation making provisions for an educational program that meets the parents' children's needs and is in accord with their wishes.....The local school board becomes fundament to the operation of a community school.

- B. Comment coming from some who had not seen/heard from their council delegate who is supposed to keep the communities they represent. Information -.they have heard 0 .....even if they as members may have sent in letters, or resolutions opposing plan 6, however all of a sudden it shows up that it had been chosen. Letters were also written to President Nez and Vice President. We made every effort to get our council delegates to meet with the Eastern Agency School Boards and hear their voices.....We sent letters inviting them but they did not respond.....We know the issues concerning our schools and expected full support from those whom the parents and community members voted . In our estimation education was shoved to the back burner.....
- C. Some of us attended the so called consultations, what we saw or heard was not the way we heard it went. What was given to us were papers with only 6 plans and told at the last minute, two more thrown in by DODE. We did not see plan 4 a b or c in the plans given out at Crownpoint Chapter. We were given a form that we were told was the voting sheet that needed to be done right away .....some of those attending did not agree to that because some of their members were not able to be in attendance.....what was the rush and why we



couldn't go back to our area to share the information first. They do have a right to voice their opinion.....

- **In that Public hearing on February 27, 2020 at Crownpoint Chapter, as others Plan 6 was not favorable.....**

D. Those of us who tried to get our stakeholders ' voice heard, are asking what happened to all the letters and resolutions sent. What happened to the DBOSBA'S' Resolutions written in our behalf.....?

E. Why were all the issues of importance in Education rushed through, for approval without reading or looking at the laws that pertain to education.....They were put in place as the stakeholders wanted, that each in accordance to law 25 CFR, Title X, and Title 11 all specify LOCAL school board involvement. The parent's community members have that right as it says in the Dine tradition Law that "all leaders chosen by the Dine are to carry out their duties and responsibilities in representing the people and the government. "Local school " board members are leaders and are chosen by the people of their chapter .....

- DON'T LET ME FORGET TO MENTION MR. ROGERS LETTER WHEN DODE SLIPPED IN TWO MORE PLANS.
- WHEN HE WAS AT THE THAT CASINO (FLAGSTAFF, AZ) WHEN IT WAS INTRODUCED BY DODE AND THE IMPRESSION HE GOT WAS 6 PLANS, NOT 8.....FURTHERMORE, IT WAS MENTIONED BY SOME OF THE BOARD MEMBERS
- MATTHEW TSO FROM DODE DID THE PRESENTATION WHEN HE WAS AN EMPLOYEE OF DEPARTMENT OF DINE EDUCATION AND ON THE SCHOOL BOARD OF DODE? THAT IS CONFLICT OF INTEREST.....





**NEW MEXICO NAVAJO CENTRAL AGENCY SCHOOL  
BOARDS**

*P.O. Box 509*

*Crownpoint, New Mexico 87313*

*(505) 786-6150/6152 Fax# (505) 786-6112*



*Lucita Nolan, President*

*Kyle Augustine, Vice-President*

*George H. Tolth, Secretary*

**RESOLUTION OF  
NEW MEXICO NAVAJO CENTRAL AGENCY SCHOOL BOARDS  
NMNCASCH – 0004-20**

**AN ACTION RELATED TO EDUCATION REQUESTING TO 24<sup>TH</sup> NAVAJO NATION  
COUNCIL STANDING COMMITTEE, HEALTH, EDUCATION & HUMAN SERVICE  
COMMITTEE TO RECIND LEGISLATION 0074-20 2020 – 2024 NAVAJO NATION SCHOOL  
BOARD APPORTIONMENT PLAN.**

**WHEREAS:**

01. The New Mexico Navajo Central Agency School Board, formerly known as the Eastern Navajo Agency School Board, is authorized and empowered to function as the policy making body for the New Mexico Navajo Central Agency (NMNCA) consistent with the authority granted by CFR 25 Code Federal Regulations § 32.0 (4), Public Law 95-561 and Public Law 100-297; and
02. The New Mexico Central Agency School Board; henceforth, shall be referred to as the Agency School Board and shall exercise Indian Self-determination and Local Control in the planning, development, management, operation, budget, staffing, priority setting and evaluation of all aspects of the Agency education process as outlined under P.L. 95-561, P.L. 100-297; and 25 Code of Federal Regulations § 32.4 (3); and
03. The New Mexico Navajo Central Agency School Board is established and empowered by the Navajo Nation Council pursuant to Navajo Nation Council Resolution CAU-87-69 and the Navajo Sovereignty in Education Act of 2005 (CJY-37-05), §251 and 253 (as we understand it) relating to duties described as follows:
  - A. The Agency School Board shall carry out its functions in accordance with the provisions of Public Law 95-561, including personnel action determination concerning Agency contract positions, making determinations on contract renewal of New Mexico Navajo Central Agency staff, providing input and making decisions on the agency education financial plans, and Agency wide administrative policies.
  - B. The Agency School Board shall serve as conduit information to and from the Dine' Bi Olta School Board Association, Incorporated Executive Board and the Bureau of Indian Education's Office of Indian Education Programs headquarters to the local school level.
  - C. The Agency School Board shall receive reports of conflicts and disputes of the local level and work with the Agency Education Resource Center the Department of Dine' Education,

and the Dine' Bi Olta School Board Association, Incorporated Executive Board in the resolution of such conflicts and disputes.

03. Legislation #0074-20 was posted on Navajo Nation Council website on March 26, 2020 at 6:44 p.m. for five (5) day comment period beginning on March 31, 2020 and ending on April 1, 2020, the local School Board of the Navajo Nation was not informed about the posting of this legislation and did not have the time to respond nor made a comment on this legislation; and
04. Legislation #0074-20 section 1 (2) identifies the five (5) Agencies Public Hearing dating between February 24, 2020 to February 27, 2020, during these Public Hearing majority of community members within these five (5) agencies were in support of Plan I. Of whom these individuals are parents, grandparents, legal guardian and local school board, which they have addressed their concern and comment about the 2020 Navajo Nation School Board Apportionment Plan; and
05. In review of 2009, 2012 and 2016 Navajo Nation School Board Apportionment Plan, the Health, Education & Human Service Committee has established Local School Board Apportionment Committee, a committee comprise of a representative from Dine Bi Olta School Board Association, Department of Dine Education, Office of the Navajo Nation Election Office and a Representative from Legislative Office. This committee formulates, schedule Public Hearing dates, work with local Navajo Nation Chapters, review Student Enrollment from each Chapter, at the end, this committee will make recommendation as to which Plan they are in presenting, along with a support from all local School Board including each Chapter as to which Plan they will support; and
06. On April 1<sup>st</sup>, 2020 the HEHS Committee has approved this legislation without any representative from local school board during the meeting, but a representative from Department of Dine Education (Matthew Tso) has presented the 2020 Navajo Nation School Board Apportionment Plan to the Committee. The Committee needs to be aware that Mr. Tso is employee of the Department of Dine Education and is elected local school board member representing Navajo Preparatory School, we believe that Mr. Tso is in Conflict of Interest in presenting this legislation; and
07. Between January 2020 to March 2020, majority of the Navajo Nation Chapters has submitted their supporting resolutions for 2020 Navajo Nation School Board Reapportionment Plan in support of Plan – 6. The Navajo Nation Fundamental Law including the Bill of Rights of the Navajo Nation requires that each member of the Navajo Nation shall appoint and elect their own leaders. The New Mexico Central Navajo Agency School Board, comprise of 17 schools located within the Eastern Navajo Agency respectfully requesting HEHS to honor each Chapter Resolutions.

**NOW, THEREFORE, BE IT RESOLVED, THAT:**

1. The New Mexico Navajo Central Agency School Board and Local School Board Members are requesting the Health, Education & Human Service Committee to rescind Legislation #0074-20 due to misrepresentation from Department of Dine Education; and
2. The New Mexico Navajo Central Agency School Board respectfully requesting the Health, Education & Human Service Committee to honor all Navajo Nation Chapters Resolutions and



comment made by local parents, grandparents and legal guardian that are residing within each agency throughout the Navajo Nation.

### CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the New Mexico Central Navajo Agency School Board at a duly called meeting in which a quorum was present and same was passed by a vote of 09 in favor, 00 Opposed, 03 Abstained on this 24<sup>th</sup> of April, 2020.

  
\_\_\_\_\_  
Lucita Nolan, NMCNASCB President

**RAMAH NAVAJO SCHOOL BOARD, INC.**  
**PINE HILL, NEW MEXICO**

**RESOLUTION NO. RNSB-EDU-2020-015**

**A RESOLUTION TO SUPPORT THE NAVAJO NATION 2020 SCHOOL BOARD  
APPORTIONMENT PLANS NUMBER 4A AND 1 THAT INCLUDES A FIVE (5)  
BOARD MEMBERS FOR RNSB, Inc., PINE HILL SCHOOLS**

1. WHEREAS, the Ramah Navajo Chapter of the Navajo Nation established the Ramah Navajo School Board, Inc., on February 6, 1970, through Chapter Resolution No. M75-70-1A; and,
2. WHEREAS, the Ramah Navajo School Board, Inc. (RNSB) was incorporated on February 10, 1970, as a private, not-for-profit organization in the State of New Mexico to provide charitable, benevolent, social, educational and related services as needed by the Ramah Navajo community
3. WHEREAS, Ramah Navajo School Board, Inc., Board of Trustees, recognizes the unique organization that the RNSB Board of Trustees oversee and appreciates Health, Education, Human, Services Committee's understanding and approval to keep the five (5) board members.
4. WHEREAS, the RNSB, Inc., Board of Trustees, oversees more than just an education program, but other federal and state contracted programs for the benefit of the Ramah Navajo people; and,
5. WHEREAS, RNSB, Inc., will continue to work diligently with all applicable agencies in meeting the needs of Ramah Navajo people; and,
6. WHEREAS, RNSB, Inc., express again in being recognized of its unique beginning and its unique role in Indian Self Determination and will continue to work with all applicable agencies including, Bureau of Indian Education (BIE) Southwest Region on meeting the needs of all Navajo students.

**NOW, THEREFORE, BE IT RESOLVED THAT THE RNSB BOARD OF TRUSTEES  
HEREBY:**

1. Supports the Navajo Nation 2020 School Board Apportionment Plan 4a, and Plan 1.
2. RNSB, Inc., accepts and supports HEHSC to have RNSB, Inc., retain five (5) school board members.

**CERTIFICATION**

We, the undersigned officers of the RNSB Board of Trustees, hereby certify that the foregoing resolution was duly adopted by a vote of 5 in favor, 0 opposing, 0 and abstaining, at a regular meeting of the Board of Trustees held in Pine Hill, New Mexico, on March 17, 2020.

  
MARLENE WATASHE, PRESIDENT, RNSB BOARD OF TRUSTEES

  
BEVERLY J. COHO, SECRETARY-TREASURER, RNSB BOARD OF TRUSTEES



David Jose  
President

**RAMAH NAVAJO CHAPTER**  
HC 61, Box 13 Ramah, New Mexico 87321-9601  
(505) 775-7130/7132  
FAX (505) 775-7137

Jamie Henio  
Council Delegate  
Navajo Nation Council

Chancey K. Martinez  
Vice-President

**Tribal Office**



Rodger Martinez  
Member

Dixie M. Begay  
Secretary/Treasurer

Eastern Navajo Land Board

**RESOLUTION OF THE RAMAH NAVAJO CHAPTER**

**NO. 111908**

**APPROVING TO SUPPORT THE CURRENT PLAN OF THE NAVAJO NATION COUNCIL  
HEALTH, EDUCATION, AND HUMAN SERVICES COMMITTEE'S PROPOSED SCHOOL BOARD  
REAPPORTIONMENT PLAN**

**WHEREAS:**

1. The Ramah Navajo Chapter is a chapter of the Navajo Nation and is provided education services by the Ramah Navajo School Board, Inc, ("Pine Hill School"). Pine Hill School has successfully provided education services to our community and our community's children; and
2. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. §400(C); and
3. The Health, Education and Human Services Committee has been delegated the authority and responsibility of the following:
  - a) "[O]n or before the first Monday of November 2003 and every four years thereafter, the Education Committee of the Navajo Nation Council [now Health, Education and Human Services Committee] shall set the size of each Local Community School Board and shall apportion the number of school board seats among the Chapter or Chapters represented in each Local Community School Board. This apportionment shall establish election precincts for each Local Community School Board containing approximately equal number of students attending the Local Community School at the time of the apportionment". 11 N.N.C. §11 (B).
  - b) "[T]he apportionment plan shall be developed by the Education Committee [now Health, Education and Human Services Committee] with the opportunity for input provided to the Navajo Board of Election Supervisors, parents, local school boards, chapters, school board organizations such as agency school boards, and the [Navajo Nation Department of Education] pursuant to 11 N.N.C. §2 (H). The Education Committee may receive input in writing or through oral testimony". 11 N.N.C. §11 (C).
  - c) "[T]he apportionment plan shall be based at a minimum on the number of students attending from one or more Chapters. Each Local Community School Board shall provide to the Education Committee [now Health, Education and Human Services Committee] and the [Navajo Nation Department of Education] current and accurate information regarding the number of students attending the Local Community School for use in the development of the apportionment plan by October 2003 and every four years thereafter". 11 N.N.C. §11 (D).

d) “[T]he Education Committee [now Health, Education and Human Services Committee] shall adopt the apportionment plan and provide the plan to the Navajo Board of Election Supervisors for use in school board elections”. 11 N.N.C. §11 (E).

4. The Chapters of the Navajo Nation are authorized to establish such local Navajo Community School Boards as are suitable for their respective areas. The Chapters play a vital and legal role in the establishment and continuity of their Local School Boards. 10 N.N.C. §201; and
5. Each and every School Board Member elected are representatives of the people in their respective Chapter or Chapters and each elected School Board member answers to their respective Chapter or Chapters; and
6. Pursuant to this type of representation by each School Board member and the role of the Chapters, each elected School Board member are “Local” leaders, representing a “Local School Board”; and
7. Except for three (3) Navajo Nation Schools who have been authorized by the Navajo Nation Council Education Oversight Committee to have “Navajo Nation-Wide Enrollment”, the rest of the Navajo Nation Schools receive their students from their respective “local” Chapter(s) area(s). Thereby, each school is very localized. Moreover, each School Board is a Local School Board; and
8. The current School Board Election Apportionment Plan, which was approved by the Health, Education and Human Services Committee rightfully reflects this local representation; and
9. The Ramah Navajo Chapter humbly supports this localized representation and wholeheartedly supports the current School Board Election Apportionment Plan; and
10. 11 N.N.C. §11 (C) specifically delegates the “development” of the Apportionment Plan to the Health, Education and Human Services Committee. The Law does not delegate the development of the Apportionment Plan to the Navajo Nation Department of Dine Education. The Law only allows for their input in the development of a plan along with numerous other stakeholders and the solicitation of student enrollment; and
11. The Department of Dine Education has previously proposed School Board Apportionment Plans reflecting the “regionalization” of School Boards. DODE’s Apportionment Plans consisting of the “regionalization” of School Boards are not in compliance with Navajo Law. 11 N.N.C. §11 prescribes specific criteria for establishing School Board representation. 11 N.N.C. §11 does not stipulate and allow for the “Regionalization of School Boards”. Thereby, DODE’s previously proposed “regionalization” of School Boards have been repeatedly dismissed; and
12. Moreover, if there any School Board Reapportionment plans reflecting any School Board “regionalization” plans, forwarded by DODE, for the current School Board Reapportionment period, such “regionalization” plans must be dismissed as such “regionalization” plans are entirely against the criteria set forth by 11 N.N.C. §11; and
13. This Chapter supports the current School Board Election Apportionment Plan that is currently in place. This Chapter is unequivocally opposes any School Board Election Apportionment Plans that reflects or suggests any “regionalization” of School Boards.

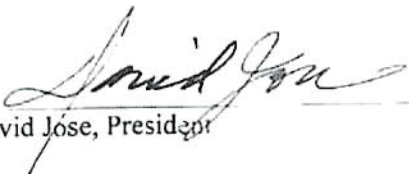


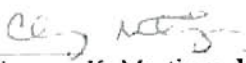
**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The Ramah Navajo Chapter supports the current School Board Election Apportionment Plan that is currently in place. This Chapter requests the Navajo Nation Council Health, Education, and Human Services Committee to immediately adopt the current School Board Election Apportionment Plan.
2. The Ramah Navajo Chapter opposes any School Board Election Apportionment Plans which reflects or suggests any School Board Regionalization plans, in any shape or form and requests the Navajo Nation Council Health, Education, Human Services Committee to immediately dismiss such plans.

**CERTIFICATION**

We hereby certify that the foregoing resolution was duly considered by the Ramah Navajo Chapter at a duly called meeting in Mt. View, Navajo Nation (New Mexico), at which a quorum was present and that the same was passed by a vote of 20 in favor, 0 opposed, and 01 abstained on this 20th day of November, 2019.

  
David Jose, President

  
Chancey K. Martinez, Vice President

Dixie M. Begay, Secretary/Treasurer

Motion By: Rodger Martinez

Second By: Beverly Coho

0294-19

Betsy Dennison <betsyanabah@yahoo.com>

Fri 5/1/2020 1:34 AM

To: comments <comments@navajo-nsn.gov>;

Reference 2020-2024 School Board Apportionment Plan:

Plan 6 was not preferred at all public hearings conducted according to data assessed by Larry Rodgers. Plan 1 & Plan 4a were the top preferable plans picked by all agencies public hearings.

So how in the world did the Health, Education & Human Services Subcommittee picked & voted to go forward with Plan 6??? This is not rightfully done because the wishes & voices of the School Board who are advocating for the parents & students were not honored. Their voices are not important!

Plan 6 is not a good plan because it will not benefit all local schools because they will not be represented by their own elected leaders.

With Eastern Navajo Agency under Plan 6, Lake Valley Navajo School will be combined with Baca/Dlo'ay Azhi Community School, Tse'ii'ahi' Community School, Mariano Lake Community School, Borrego Pass School, Ojo Encino Day School, Pueblo Pintado Community School, & T'iis Ts'ozí Bi'Olta Community School. There will be five (5) Members Board. These board members will be elected from:

1-Baca/Prewitt Chapter

1-At large with Pinedale, Mariano Lake, Smith Lake & Thoreau Chapters

1-At large with Tse'ii'ahi', Nahodishgish, LAKE VALLEY, Whiterock & Crownpoint Chapters.

1-At large with Counselor, Ojo Encino, Pueblo Pintado Chapters.

1-At large with Becenti, Little Water, Cassamero Lake & Whitehorse Lake Chapters.

Above 5 At-Large will not allow Lake Valley Chapter to get voted/elected a local school board member because of the 14 chapters listed have larger registered voters. Lake Valley Chapter & neighboring Whiterock Chapter will not have a local school board representatives to Lake Valley Navajo School. These two chapters have greater students enrolled at Lake Valley Navajo School. Lake Valley Navajo School is a community school within Lake Valley & Whiterock Chapters. Parents from both communities have their children attend Lake Valley Navajo School which makes it their community school. Both Chapters should continue to represent their local school, Lake Valley Navajo School, because they know the growth of their children academic successes!

Please I'm begging you, the HEHS Committee, to rescind Plan 6 and go with Plan 1 so we can represent our local school.

Thank you for your understanding & considerations by favoring & picking Plan 1 for 2020-24 School Board Apportionment Plan.

Sincerely,

Betsy Dennison

School Board President for Lake Valley Navajo School

Chapter Secretary/Treasurer for Lake Valley Chapter

Representative for Lake Valley Navajo School @ New Mexico Navajo Central Agency School Board

Sent from my iPhone

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## LEGISLATION 106-20 COMMENTS

By Faye BlueEyes, Grandparent, Voter, and employee of BIE Funded School

I hereby submit my comments to Legislation 106-20 with full support that the School Board Reapportionment (SBR) Plan 6 be rescinded, and the Health, Education, and Human Resource Committee consider Plan 4a.

During the recent NABI meeting, some council delegates made statements about how under SBR Plan 6, school board stipends and travel expenses would be a cost savings that can then be used for student learning expenses. To correct this misinformation, all school board expenses are funded by a separate pot of funds, like Indirect Cost or Administrative Cost. These funds pay specifically for school board stipends, travel, and training expenses. The Administrative Cost funds cannot be used for student learning expense because they are funded separately for all education services. So, the notion that school board expense savings will go directly to students is an incorrect statement.

If the reason for approving SBR Plan 6 is to save funds, we have numerous questions related to how there will be savings by creating regional school boards considering the wide range of schools separated by several miles.

It appears SBR Plan 6 was hastily approved without considering the serious consequences in making such a drastic change to the educational services provided to our Diné children. Is there a Plan of Operation in place detailing how SBR Plan 6 will work without causing confusion, frustrations, and lack of leadership for the local schools?

The most troubling with SBR Plan 6 is taking away the "local community control" of BIE funded schools that was created years ago and taking the control to Window Rock. A few years ago, the goal of Navajo Nation Government was to move the control back to the communities and SBR Plan 6 is the opposite of this initiative.

One clear fact is that **all** grant school boards do not have excessive travel, micromanage their organizations, practice nepotism or misuse funds. The few school boards who did these things have been held accountable. Therefore, it is wrong and unfair to Regionalize all school boards because of the few who were unethical. If you look at all governing bodies like chapter officials, council delegates, non-education boards, many of them have committed wrongdoings and continue to do so. So why are school boards held to a different standard?

In closing, please seriously consider the negative impact SBR Plan 6 will have on student learning, student services, student achievement and the overall operations of the local community schools. The opportunity to comment is appreciated.

# Legislation 0160-20

Martha Tate <martha.tate1835@gmail.com>

Sat 5/2/2020 1:09 PM

To: comments <comments@navajo-nsn.gov>;

An Action Relating to Health, Education and Human Services: Rescinding  
Resolution HEHSCAP-05-20, Entitled "An Action Relating to Health, Education and  
Human Services; Approving 2020 -2024 Navajo Nation School Board Apportionment

The proposed legislation needs to have resolution HEHSCAP-05-20 attached but it is NOT attached to this legislation. To better understand this resolution the verbiage must be available for all that take the time to read through these legislations. Please defer this legislation 0160-20 until all relevant documents are attached. Transparency is utmost as the School Apportionment affects 66 schools and their school boards.

Ahe'hee

Martha Tate

Shonto Preparatory School board member

Sent from my iPhone

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# Opposing Legislation 0106-20

Martha Tate <martha.tate1835@gmail.com>

Sun 5/3/2020 10:09 AM

To: comments <comments@navajo-nsn.gov>;

Cc: Herman Daniels, Jr. <hdaniels@navajo-nsn.gov>; Otto Tso <otso@navajo-nsn.gov>; Nathaniel Brown <nbrown@navajo-nsn.gov>; Paul Begay <paulbegay@navajo-nsn.gov>; Amber K. Crotty <acrotty@navajo-nsn.gov>; Delight Butler <dbutler@navajochapters.org>; Elizabeth Whitethorne-Benally <ewbenally@navajochapters.org>; Hank Stevens <nrmwua@hotmail.com>; Jerry Williams <jerry.williams380@icloud.com>; Sarah Slim <sarah.slim@navajochapters.org>; James Adakai <fasthorse.adakai@gmail.com>; Felix Fuller <askiiroy@yahoo.com>; Melanie Dewakuku <mdewakuku@shontoprep.org>; rezmom2@gmail.com <rezmom2@gmail.com>; Rose Van Cruz <rvancruz@yahoo.com>; James J. Davis, Jr <jjdavisjr@navajo-nsn.gov>;

The proposed legislation 0160-20 is not a viable solution to the school board reapportion for the 66 BIE/Grant Schools, therefore on behalf of Shonto Preparatory School, I am officially requesting that Legislation 0160-20 be defeated as it is in NOT in the best interest of our school.

Especially for Shonto Preparatory, our school is a PL 100-297 and Charter school. If Shonto Preparatory School is to have one school Board Representative to the agency board, it defeats the local community connection that makes SPS unique. The main reason that each of the 66 Bureau of Indian Education/ PL 100-297 status schools have local school board is that they address the unique needs of each school.

Granted that two or three PL 100-297 schools have been under investigation, these schools have been taken over by DODE but most of the administrators they assigned to these schools have been part of the misuse of school funds at the previous schools they administered.

Each school does have adequate funds to cover the school board meeting stipends, the only oversight REALLY NEEDED is for DODE to mandate a quarterly or monthly budget report of the school board expenditures as some school board members do have excessive travel funds in the school budget. A policy by the Navajo Board of Education supported by HEHESC, NAVAJO Nation Council and the NAVAJO Election Board to terminate the school board members that violate the 1% of the WSU budget for school board must be enacted. A statement acknowledging this fiduciary duty signed by each school board members before their oath of office is done will be the supporting documentation in their termination from their school board office/representation.

Next is the hiring procedures, Grant schools have the authority to hire an "immediate need" employee, whereas BIE or the Navajo Nation Personnel Department does not have this option. It takes BIE & Navajo Nation over 3 to 6 months to hire an employee. Our students's needs are not met for several months.

Most importantly, the agency school board representation will not address the needs of each school, as it is now, the agency school board members are not active and do not have the oversight from DODE, NBOE OR BIE!

I did attend several agency school board meetings and there were only half of the school board representatives at these meetings.

Last of all, the report by Mr. Larry Rogers was never released to the public, especially to 66 schools that is currently affected by Legislation 0160-20!

This report MUST be released to the 66 schools and their school board members immediately.

I strongly oppose the sneaky way this report is used to push this legislation through the Navajo Nation Council!

Where is the TRANSPARENCY?

Ahe'hee for your time and attention to my input.

Martha Tate  
on behalf of  
Shonto Preparatory School

Sent from my iPhone

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Beclabito Community School Board  
P.O. Box 1200  
Shiprock, New Mexico 87420  
Telephone: 928-6565-3555 Telefax: 928-656-3556  
May 1, 2020

Health, Education and Human Services Committee  
Of the 24<sup>th</sup> Navajo Nation Council  
Window Rock, Arizona

Dear Honorable Daniel E. Tso, Chairperson

Subject: Legislation 0106 "Rescinding Resolution HEHSCAP-05-20

This letter will serve as a voice/and or comment in the business action of the HEHS Committee on the 15<sup>th</sup> day of April 2020 regarding a resolution passed by a vote of 5 in favor, 0 opposed and with 0 abstaining. It was disheartened to read and being informed that the committee accepted Plan 6 of the 2020 Navajo Nation School Board Apportionment Plan for the upcoming 2020 Navajo Nation General election.

First of all, it does not make sense, during the Public Hearing of the School Board Reapportionment in Shiprock, New Mexico on February 26, 2020, the comments by the 20 Board Members and others, as shown by the graph, favored Plan 1 with 15, Plan 4 with 22, and Plan 6, was only favored by 3. It is obvious that the tallies kept by Larry Rodgers indicate Plan 1 and Plan 4 with the highest AXIS at 35 and 43 respectively. If it need to be and in case the HEHS committee are to meet again and take an action of this agenda, study the graph and make the right decision to benefit the children and staff at the school.

Secondly, Plan 1 or Plan 4, stated by the Board members would be preferable by the incoming School Board members, due to the fact, that the two plans are similar to the plans that were in- place and did not disrupt their travel and taking care of business at school per month on a timely interval. Plan 6, on the other hand, requires five (5) Board members and they have to take care of eight (8) schools each month. Furthermore, Plan 6 will run into more expenses with all the traveling times to each schools (per diem and mileage), stipends to be paid (\$150 per meet time 8 equal a total of \$1200 per member(\$1200 times 12 equal \$14,400 per Board member per year), each schools will scheduled Board meeting accordingly based upon their immediate needs for the Board to do business. And there are other business that each members are subject to do, in and around their home which the Board member will not be able to perform if kept busy with school business. Plan 6 is really not an ideal plan to stay within the scope of the education of the children and assist the staff at the each school.

In conclusion, rescinding your Legislation 0106 which modified your decision to select Plan 6 of the Repportionment Plan would not be in the best interest of the Navajo Nation and the education of its children. The creditability of the committee rests on the decision to select Plan 1 or Plan 4 as opposed to Plan 6.



Beclabito Day School  
P.O. Box 1200  
Shiprock, New Mexico 87420  
Phone: (928) 656-3555 Telefax: (928) 656-3557  
May 1, 2020

**RESOLUTION OF BECLABITO DAY SCHOOL BOARD**

**SUPPORTING PLAN ONE (1) AND PLAN FOUR (4) IN THE PROPOSED 2020 NAVAJO NATION SCHOOL BOARD APPORTIONMENT PLAN WHICH BOTH COINCIDE WITH NAVAJO NATION CODE TITLE ELEVEN (11)**

**WHERE AS:**

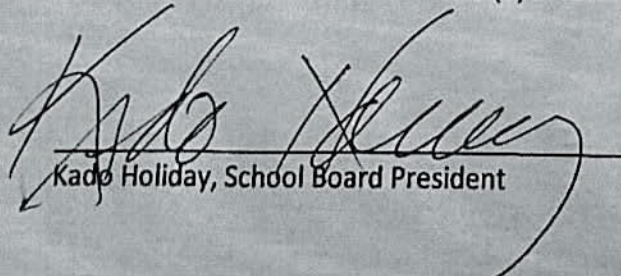
1. The Beclabito Day School was built in the year of 1934 and has been serving the community with K-4<sup>th</sup> grades education of its peoples.
2. For the last eighty-five (85) fruitful years, the school has serve the students within the community of Shiprock, Cudei, Teecnospos, Red Mesa, and Beclabito.
3. The by-products of the school, according to records and facts, has produced leaders, doctors, teachers, and other very important peoples.
4. Navajo Nation Department of Dine' Education and Navajo Election Administration have conducted public hearing on the 2020 Navajo Nation School Board Apportionment Plan at all five (5) Navajo Agencies;
5. Navajo Nation Department of Dine' Education and Navajo Election Administration presented six (6) plans on the 2020 Navajo Nation School Board Apportionment Plan;
6. Beclabito Day School supports Plan One (1) and Plan Four (4) because both coincide with Navajo Nation Code Title Eleven (11);
7. In Plan One (1) and Plan Four (4), students from each of the communities will be properly served and represented

**NOW THEREFORE BE IT RESOLVED THAT;**

**BECLABITO DAY SCHOOL AND ITS BOARD MEMBERS SUPPORTRS PLAN ONE (1) AND PLAN FOUR (4) IN THE PROPOSED 2020 NAVAJO NATION SCHOOL BOARD APPORTIONMENT PLAN WHICH BOTH COINCIDE WITH THE NAVAJO NATION CODE TITLE ELEVEN (11)**

**CERTIFICATION**

We hereby certify that the foregoing resolution was presented and discussed at a duly called meeting of Beclabito Day School Board, at which a quorum was present, motioned by Dorothy Begay, seconded by Albert Paul and was voted with two (2) in favored, 00 opposed, and 01 abstaining, on 09<sup>th</sup> of March 2020

  
Kado Holiday, School Board President

# Reapportionment

Debbie Chavez <debbie@criterion1985.com>

Mon 5/4/2020 11:10 AM

To: comments <comments@navajo-nsn.gov>;

To Whom it May Concern:

My name is Debbie Chavez and I am a consultant at Dziłth-Na-O-Dith-Hle Community School. I am very much opposed to Plan 6. I support Plan 4A that maintains the local school boards overseeing the educational needs of their community. Please approve Plan 4A,

Sincerely,  
Deborah K Chavez

Sent from Mail for Windows 10

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# Legislation 0106-20

Delores Curley <dcurley815@gmail.com>

Mon 5/4/2020 11:10 AM

To: comments <comments@navajo-nsn.gov>;

Good morning, Navajo Nation leaders of the Navajo Nation. My name is Delores Curley of the Biihbitoodnii Clan, Tlashcheeii bash shichin, Ashii da shi chei, Nakai Dine'ii da shi nali. My home area is Tsidi To'ii, and a school board member from Winslow Residential Hall, Inc., representing Tsidi To'ii and Tolani Lake Chapter communities.

I, Delores Curley, voice my support for the Navajo Nation Legislation 0106-20. I strongly support the voices of the people at the grassroot level and local community. I feel that the Health, Education, and Human Services Committee (HEHSC) did not hear our concerns. I am responding to a decision made by the Health, Education, and Human Services Committee, concerning the School Board Reapportionment Plan on April 2020. I attended the public hearing at one of the agencies during the month of February 2020, and voiced my concerns about regionalizing school boards to only a few to cover the entire Navajo Nation. When it's regionalize, I can just imagine the overload of work comparing what the limited number of Council Delegates are experiencing at the Council Chamber meetings and the work expectations of them at each chapter. Each chapter has its own unique cultural values, teachings, environment, obstacles and issues, etc. Looking at the issues and plans for schools rely very much with the local autonomy, and may be different from neighboring schools and communities. Many of the communities do not want another cookie cutter type of education, as so done with the BIE schools. Please do consider the support of rescinding the resolution approved by the HEHSC. We elected Council Delegates to represent us with such matters, not just a standing committee, not familiar with our community. Thank you..

Sincerely,

Ms. Delores Curley, School Board Member

Winslow Residential Hall, Inc.

Represent the Tsidi To'ii Chapter and Tolani Lake Chapter



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[www.avast.com](http://www.avast.com)

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## NAVAJO NATION

**JONATHAN NEZ**

President

**MYRON LIZER**

Vice President

### LAKE VALLEY CHAPTER

Mark Freeland, Council Delegate; Tony Padilla, President; Edison Tso, Vice President; Betty S. Dennison, Secretary/Treasurer; Land Board-Janice Padilla; CSC-Vacant; Nancy Brown, AMS

LVC-MAR15-013

### RESOLUTION OF LAKE VALLEY CHAPTER

**APPROVE & REQUEST TO THE NAVAJO NATION 24<sup>TH</sup> COUNCIL OF THE HEALTH, EDUCATION & HUMAN SERVICES COMMITTEE (HEHSC) TO APPROVE 2020 NAVAJO NATION SCHOOL BOARD APPORTIONMENT TO ADOPT "PLAN 1" FOR LAKE VALLEY NAVAJO SCHOOL WITH THREE (3) MEMBER BOARD—TWO (2) FROM LAK VALLEY CHAPTER & ONE (1) FROM WHITE ROCK CHAPTER.**

#### WHEREAS:

1. **Lake Valley Chapter** community discussed concerns during the Planning meeting on January 2, 2020 relating to the upcoming proposed School Board Reapportionment Plan being introduced to the Navajo Nation Council and the Health/Education/Human Services Committee for consideration without the consents of the local Lake Valley & Whiterock Chapters located in Eastern Navajo Agency. Both Chapters have students attending Lake Valley Navajo School of which Whiterock Chapter have majority of the students attending and the second larger student attendance are coming from Lake Valley Chapter; and
2. **Lake Valley Chapter** community is aware that Lake Valley Navajo School submitted 2020 School Board Apportionment Planning Document on September 25, 2019 to the BIE-Navajo District Education Program Administrator (John McIntosh) and to DINE' BI'OLTA School Board Association (Executive Director Angela Barney Nez) on October 30, 2019 as requested by both offices. The document submitted shows there are larger students attending Lake Valley Navajo School from Whiterock Chapter & Lake Valley Chapter; and
3. **Lake Valley Chapter** community addressed that since both Lake Valley & Whiterock Chapters have more Navajo children attending their local school, Lake Valley Navajo School, it is only fair to equally allow both Chapters have two (2) School Board Representatives from both Chapters. Currently, there are four (4) School Board Representatives from Lake Valley Chapter only, which is based on 2012 & 2016 School Board Apportionment although both Chapters submitted resolutions recommending School Board Representatives from both Lake Valley & Whiterock Chapter but their request was ignored; and
4. **Lake Valley Chapter** community recently were informed by stakeholders; as well as the local School Board members & Chapter leaders that attended several Public Hearings of 2020 School Board Apportionment Plan to discuss Plans No.1, No. 2, No. 3, No. 4, No. 5, & No. 6, which was hosted by Department of DINE' Education personnel; and
5. **Lake Valley Chapter** community learned that overall these plans proposed for the local School Board Apportionment Plan, the best option plan and with the best interest of local community membership, Lake Valley Chapter recommends to adopt 'OPTION PLAN 1" for Lake Valley Navajo School with three (3) Member Board—two (2) from Lake Valley Chapter & one (1) from White Rock Chapter due to the following reasons:
  - a. Lake Valley Navajo School submitted enrollment documentation shows there are larger students attending Lake Valley Navajo School from Whiterock Chapter & Lake Valley Chapter so Option Plan #1 will best serve the local community school equally.
  - b. Lake Valley Navajo School in any community exists to meet the educational needs of the people in local community that it's function is to provide the educational opportunities they want for their children, and they need to have a way of making their needs and wishes known.
  - c. The local School Board provides that they need to know what their school is doing,
  - d. The local School Board need the local representation in making provisions for an educational program that meets the parents' children's needs and is in accord with their wishes.
  - e. The local School Board represents parents/children in working with school personnel, with other community as a whole (Agency School Boards, DBOSBA, White Rock/Lake Valley Chapters, Education Committee), and in any individual contacts where it is not feasible for the community as a whole to speak directly for itself. The School Board becomes fundamental to the operation of a truly community school.
  - f. Each community is not the same; therefore, their local School Board knows their needs.



- g. Reference is made in various regulations within the 25-CFR, Title X and the Navajo Nation Fundamental Law to legal authorization for particular activity or Responsibilities of School Boards.
  - h. DINE' Traditional Law (1 N.N.C.-203) declares and teaches that it is the right and freedom of the DINE to choose leaders of their choice; leaders who will communicate with the people for guidance; leaders who will use their experience and wisdoms to always act in the best interest of the people and leaders who will also ensure the rights and freedoms of generations to come.
  - i. All leaders chosen by the DINE' are to carry out their duties and responsibilities in a moral and legal manner in representing the people and the governance; the people's trust and confidence in the leaders and the continued status as a leader are dependent upon adherence to the values and principles of DINE'.
  - j. It is the right and freedom of the people that our children are provided with education to absorb wisdom, self-knowledge, and knowledge to empower them to make a living and participate in the growth of the Navajo Nation.
  - k. Local School Board members are leaders as Chapter Officials in their community.
  - l. 25CFR P.L. 95-561 (Section 2010) speaks of the local School Board represents the means by which this section of the law is to be implemented. It represents the collective voice of the community translating needs and desires into policies; thereby facilitating Indian Control of the Education Process.
  - m. Title X Navajo Nation Education Act 2005 CJY-37-05 (201), under Establishment, speaks about the Chapter of the Navajo Nation are authorized to establish such local Navajo Community School Boards as suitable for their respective areas.
  - n. 204 Public Law 95-561 speaks about the Local community School Boards shall function in accordance with the specific legal authorization under which they are operating.
  - o. Local School Board members are elected by their community membership within the Chapter they live and School Board members know what PARENTS WANT FOR THEIR CHILDREN.
  - p. MOST IMPORTANT, THE SCHOOLS BELONG TO THE PARENTS/COMMUNITIES.
  - q. Bottom lines, the local School Boards are needed to work with the community and parents. Keep in mind, 25 CFR, Title X, 62 BIAM Regulations all speak to 'PARENT INVOLVEMENT, AND THE CHILDREN BELONG TO THEM.
6. With all this said, Lake Valley Chapter community is requesting to the Navajo Nation Council and the Health/Education/Human Services Committee (HEHSC) to approve 'OPTION PLAN 1" for Lake Valley Navajo School with three (3) Member Board—two (2) from Lake Valley Chapter & one (1) from White Rock Chapter to better serve our community school; therefore, Lake Valley Chapter community adopted Resolution No. LVC-MAR15-013 on March 15, 2020 to fully support 2020-2024 equal representation of the School Board Apportionment Plan for Lake Valley Navajo School.


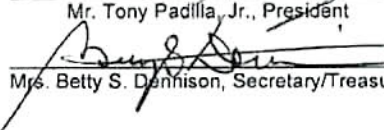
NOW THEREFORE BE IT RESOLVED THAT:

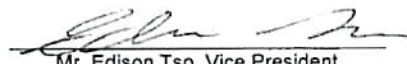
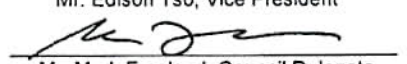
Lake Valley Chapter of the Navajo Nation hereby approves and accepts in full support requesting to the Navajo Nation Council and the Health/Education/Human Services Committee to approve 2020 Navajo Nation School Board Apportionment to adopt "Plan 1" for Lake Valley Navajo School with 3 Member Board – two (2) from Lake Valley Chapter & one (1) from White Rock Chapter.

CERTIFICATION

WE HEREBY CERTIFY that the foregoing resolution was duly considered by the Lake Valley Chapter at a duly called chapter meeting at Lake Valley (New Mexico) Navajo Nation, at which a quorum was present and that same was passed by a vote of 14 in favors; 0 opposed; and 5 abstained on this 15<sup>th</sup> day of March 2020.

Motion by Tanise Padilla; and seconded by Jenny Padilla.

  
Mr. Tony Padilla, Jr., President  
  
Mrs. Betty S. Dennison, Secretary/Treasurer

  
Mr. Edison Tso, Vice President  
  
Mr. Mark Freeland, Council Delegate



## NAVAJO NATION

**JONATHAN NEZ**

President

**MYRON LIZER**

Vice President

### LAKE VALLEY CHAPTER

Mark Freeland, Council Delegate; Tony Padilla, President; Edison Tso, Vice President; Betty S. Dennison, Secretary/Treasurer; Land Board-Janice Padilla; CSC-Vacant; Nancy Brown, AMS

LVC-MAR15-012

### RESOLUTION OF LAKE VALLEY CHAPTER

SUPPORT REQUEST BY DINE' BI'OLTA SCHOOL BOARD ASSOCIATION (DBOSBA) TO THE NAVAJO NATION 24<sup>TH</sup> COUNCIL OF THE HEALTH, EDUCATION & HUMAN SERVICES COMMITTEE (HEHSC) TO COMPLY BY PROVISIONS TO CARRY OUT THE APPORTIONMENT FOR THE SCHOOL BOARD ELECTION LAW AS REGULATED IN 11 N.N.C. § 11 IN DEVELOPING & APPROVING A NEW APPORTIONMENT PLAN FOR SCHOOL BOARD ELECTIONS, WHICH IS FOR THE BEST INTEREST OF THE LOCAL COMMUNITY MEMBERSHIP STAKEHOLDERS (PARENTS) TO ENSURE THE QUALITY OF EDUCATION IS PROVIDED TO THEIR CHILDREN ATTENDING LOCAL COMMUNITY SCHOOLS WITH THE LOCAL SCHOOL BOARD ELECTED WHO ARE ADVOCATING AND SUPPORTING THE EDUCATION IN ORDER TO ENHANCE STUDENT ACADEMIC ACHIEVEMENT WITHIN THEIR COMMUNITY SCHOOL SYSTEM.

#### WHEREAS:

1. Lake Valley Chapter is a certified Navajo Nation Chapter Government, which was created pursuant to the Navajo Nation Council Resolution No. C-J25-55 and is delegated governmental authority with respect to local matters consistent with Navajo laws, including customs, traditions, and fiscal matters; and
2. Lake Valley Chapter is empowered by the Navajo Nation Council to review all matters affecting the community to make favorable decisions in the best interest for the general health, safety and welfare of chapter membership through implementation solutions for economic development, cultural preservation, recreation, solid waste management, elderly care, quality housing, public safety; road maintenance; and
3. Lake Valley Chapter community understands that in pursuant to the Navajo Nation Code (NNC) Title 26, Local Governance Act, which allows chapters to make decisions over local matters. This authority in the long run all improve community decision-making by allowing committees to excel and flourish, enable Navajo leaders to lead toward a prosperous future, and improve the strength and sovereignty of the Navajo Nation; through adoption of this Act, chapters are compelled to govern with responsibility and accountability to the local citizens; and
4. Lake Valley Chapter adopted Resolution No. LVC-MAR15-012 on March 15, 2020 to accept & support DBOSBA requesting to HEHSC to comply with provisions of the Apportionment for School Board Elections Law as regulated in the NNC 11 for development & approval of a new Apportionment Plan for School Board Elections.

#### NOW THEREFORE BE IT RESOLVED THAT:

Lake Valley Chapter of the Navajo Nation hereby approves & support request by DINE Bi'Olta School Board Association (DBOSBA) to the Navajo Nation 24<sup>th</sup> Council of the Health, Education & Human Services Committee (HEHSC) to comply by carrying out the provisions of the Apportionment for School Board Elections Law as stipulated in 11 N.N.C. § 11 in developing & approving a new Apportionment Plan for School Board Elections, which is the best interest of the local community membership stakeholders to ensure the quality of education is provided to their children attending the local community schools with the local School Board elected who are advocating and supporting the education in order to enhance student academic achievement within their community school system.

#### CERTIFICATION

WE HEREBY CERTIFY that the foregoing resolution was duly considered by the Lake Valley Chapter at a duly called chapter meeting at Lake Valley (New Mexico) Navajo Nation, at which a quorum was present and that same was passed by a 6 in favors; 0 opposed; and 5 abstained on this 15<sup>th</sup> day of March 2020.

Motion by Janice Padilla; and seconded by Edison Tso

Mr. Tony Padilla, Jr., President

Mr. Edison Tso, Vice President

Mrs. Betty S. Dennison, Secretary/Treasurer

Mr. Mark Freeland, Council Delegate





## NAVAJO NATION

**JONATHAN NEZ**

President

**MYRON LIZER**

Vice President

### LAKE VALLEY CHAPTER

Mark Freeland, Council Delegate; Tony Padilla, President; Edison Tso, Vice President; Betty S. Dennison, Secretary/Treasurer; Land Board-Janice Padilla; CSC-Vacant; Nancy Brown, AMS

LVC-MAY03-022

### RESOLUTION OF LAKE VALLEY CHAPTER

**APPROVE & REQUEST** TO THE NAVAJO NATION HEALTH, EDUCATION & HUMAN SERVICES COMMITTEE (HEHSC) TO "RESCIND" PLAN SIX (6) OF 2020-2024 NAVAJO NATION SCHOOL BOARD APPORTIONMENT PLAN BECAUSE THE LEGISLATION PREVIOUSLY PASSED WAS APPROVED WITHOUT THE BEST INTEREST OF THE OUR NAVAJO CHILDREN & COMMUNITY LEADERSHIP. TALLIES DATA SHOWS PLAN SIX (6) WAS NOT PREFERRED AT ALL PUBLIC HEARINGS, INSTEAD PLAN ONE (1) AND PLAN FOUR-A (4a) WAS PREFERABLY RECOMMENDED THROUGH WRITTEN COMMENTS SUBMITTED BY SCHOOL BOARD MEMBERS, PARENTS & COMMUNITY MEMBERS.

#### WHEREAS:

1. **Lake Valley Chapter** community discussed concerns during the Planning meeting on January 2, 2020 relating to the upcoming proposed School Board Reapportionment Plan being introduced to the Navajo Nation Council and the Health/Education/Human Services Committee for consideration without the consents of the local Lake Valley & Whiterock Chapters located in Eastern Navajo Agency. Both Chapters have students attending Lake Valley Navajo School of which Whiterock Chapter have majority of the students attending and the second larger student attendance are coming from Lake Valley Chapter; and
2. **Lake Valley Chapter** is empowered by the Navajo Nation Council to review all matters affecting the community to make favorable decisions in the best interest for the general health, safety and welfare of chapter membership through implementation solutions for economic development, cultural preservation, recreation, solid waste management, elderly care, quality housing, public safety; road maintenance; and
3. **Lake Valley Chapter** community understands that in pursuant to the Navajo Nation Code (NNC) Title 26, Local Governance Act, which allows chapters to make decisions over local matters. This authority in the long run all improve community decision-making by allowing committees to excel and flourish, enable Navajo leaders to lead toward a prosperous future, and improve the strength and sovereignty of the Navajo Nation; through adoption of this Act, chapters are compelled to govern with responsibility and accountability to the local citizens; and
4. **Lake Valley Chapter** Officials, Chapter Administrative Personnel and community member met May 1, 2020 to discuss more needed businesses during emergency situation which also relates to 2020-2024 School Board Apportionment Plan that requires 5-day comments period beginning April 28, 2020 and ending May 4, 2020. Approved resolution is needed before May 4, 2020; therefore, Lake Valley Chapter will take action immediately before the deadline; and
5. **Lake Valley Chapter** community discussed concerns at several Chapter meetings relating to proposed 2020-2024 School Board Apportionment Plan every since it started walking from Public Hearings to the consideration of the Health/Education/Human Services Committee; and
6. **Lake Valley Chapter** community are aware that during the Public Hearing of 2020-2024 School Board Apportionment Plan conducted at all Navajo Agencies, Plan 1 and Plan 4a was favorably recommended with written comments by the parents, School Board, and community members attended public hearings; however, the HEHS Committee passed legislation to approve Plan 6 with most schools consolidation reducing school board members at each school locations; and
7. **Lake Valley Chapter** do understand that having 5-Member Board under Plan 6 to serve under T'lists'oiz (Crownpoint) Schools consolidating Baca/Dlo'ay Azhi Community School, Lake Valley Navajo School, Tse'i'lahi Community School, Mariano Lake Community School, Dibe' Yazhi' Habit'lin School (Borrego Pass), Ojo Encino Day School, Pueblo Pintado Community and Crownpoint Community school will not benefit small schools; and
8. **Lake Valley Chapter** understands that at-large Chapters with 1-Baca/Prewitt Chapter, 1-At large with Pinedale/Mariano Lake/Smith Lake/Thoreau Chapters; 1-At large with Tse'l'ashe/Nahodishgish/Lake Valley/Whiterock/Crownpoint Chapters; 1-At large with Counselors/Ojo Encino/Pueblo Pintado Chapters; 1-At large with Becenti/Little Water/Casamero Lake/Whitehorse Lake Chapters under Plan 6 will not benefit Lake Valley Navajo School because of having Lake Valley & Whiterock Chapters with small membership; and

9. Lake Valley Chapter also passed resolution adopting "OPTION PLAN 1" OF 2020-2024 NAVAJO NATION SCHOOL BOARD APPORTIONMENT PLAN for Lake Valley Navajo School because PLAN 6 isn't going to benefit their community school. Also, Plan 6 was chosen without the best interest of our Navajo children and community leadership based on the following reasons:

- a. Lake Valley Chapter passed resolution to approve Option Plan #1 to best serve their local community school, Lake Valley Navajo School.
- b. Lake Valley Navajo School in any community exists to meet the educational needs of the people in local community that it's function is to provide the educational opportunities they want for their children, and they need to have a way of making their needs and wishes known.
- c. The local School Board provides that they need to know what their school is doing.
- d. The local School Board need the local representation in making provisions for an educational program that meets the parents' children's needs and is in accord with their wishes.
- e. The local School Board represents parents/children in working with school personnel, with other community as a whole (Agency School Boards, DBOSBA, White Rock/Lake Valley Chapters, Education Committee), and in any individual contacts where it is not feasible for the community as a whole to speak directly for itself. The School Board becomes fundamental to the operation of a truly community school.
- f. Each community is not the same; therefore, their local School Board knows their needs.
- g. Reference is made in various regulations within the 25-CFR, Title X and the Navajo Nation Fundamental Law to legal authorization for particular activity or Responsibilities of School Boards.
- h. DINE' Traditional Law (1 N.N.C.-203) declares and teaches that it is the right and freedom of the DINE to choose leaders of their choice; leaders who will communicate with the people for guidance; leaders who will use their experience and wisdoms to always act in the best interest of the people and leaders who will also ensure the rights and freedoms of generations to come.
- i. All leaders chosen by the DINE' are to carry out their duties and responsibilities in a moral and legal manner in representing the people and the governance; the people's trust and confidence in the leaders and the continued status as a leader are dependent upon adherence to the values and principles of DINE'.
- j. It is the right and freedom of the people that our children are provided with education to absorb wisdom, self-knowledge, and knowledge to empower them to make a living and participate in the growth of the Navajo Nation.
- k. Local School Board members are leaders as Chapter Officials in their community.
- l. 25CFR P.L. 95-561 (Section 2010) speaks of the local School Board represents the means by which this section of the law is to be implemented. It represents the collective voice of the community translating needs and desires into policies; thereby facilitating Indian Control of the Education Process.
- m. Title X Navajo Nation Education Act 2005 CJY-37-05 (201), under Establishment, speaks about the Chapter of the Navajo Nation are authorized to establish such local Navajo Community School Boards as suitable for their respective areas.
- n. 204 Public Law 95-561 speaks about the Local community School Boards shall function in accordance with the specific legal authorization under which they are operating.
- o. Local School Board members are elected by their community membership within the Chapter they live and School Board members know what PARENTS WANT FOR THEIR CHILDREN.
- p. MOST IMPORTANT, THE SCHOOLS BELONG TO THE PARENTS/COMMUNITIES.
- q. Bottom lines, the local School Boards are needed to work with the community and parents. Keep in mind, 25 CFR, Title X, 62 BIAM Regulations all speak to 'PARENT INVOLVEMENT, AND THE CHILDREN BELONG TO THEM.

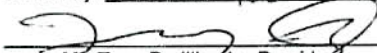
10. Lake Valley Chapter therefore adopts Resolution No LVC-MAY03-022 on May 3, 2020 to fully support 'OPTION PLAN 1" for 2020-2024 School Board Apportionment Plan for Lake Valley Navajo School and opposes Plan 6 completely.

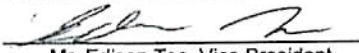
NOW THEREFORE BE IT RESOLVED THAT: Lake Valley Chapter of the Navajo Nation hereby approves and accepts in full support requesting to the Navajo Nation Health, Education & Human Services Committee (HEHSC) to "RESCIND" PLAN SIX (6) OF THE 2020-2024 NAVAJO NATION SCHOOL BOARD APPORTIONMENT PLAN because the Legislation was passed without the best interest of our Navajo children & community leadership. Tallies data shows Plan 6 was not preferred at all Public Hearings conducted throughout the five Agencies, instead Plan 1 & Plan 4a was preferably recommended through written comments submitted by School Board members, parents & community members.

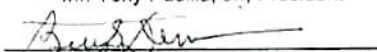
#### CERTIFICATION

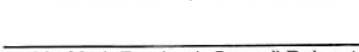
WE HEREBY CERTIFY that the foregoing resolution was duly considered by the Lake Valley Chapter at a duly called chapter meeting at Lake Valley (New Mexico) Navajo Nation, at which a quorum was present and that same was passed by a vote of 4 in favors; 0 opposed; and 2 abstained on this 3rd day of May 2020.

Motion by: Edison Tso; seconded Rose Sanderson.

  
Mr. Tony Padilla, Jr., President

  
Mr. Edison Tso, Vice President

  
Mrs. Betty S. Dennison, Secretary/Treasurer

  
Mr. Mark Freeland, Council Delegate





**Lukachukai Community Board of Education, Inc.**  
***"Commitment to Children, Commitment to Progress"***

Navajo Route 13

P. O. Box 230

Lukachukai, Arizona 86507

Phone: (928) 787-4405/4406 Fax: (928) 787-4419



**RESOLUTION OF THE**  
**LUKACHUKAI COMMUNITY BOARD OF EDUCATION, INC.**  
**OPPOSING THE APPROVED APPORTIONMENT PLAN**

WHEREAS, pursuant to the Navajo Nation Code at 10 N.N.C. § 200; and P.L. 93-638, Indian Self-Determination and Education Assistance Act of 1975; P.L. 100-297, Tribally Controlled Schools Act of 1988, all as amended; and the Lukachukai Community Board of Education, Inc. (LCBE) Policies and Procedures, the LCBE Board (Board) has been delegated the duty and responsibility and has full legal authority to act for and on behalf of Lukachukai Community School (LCS); and

WHEREAS, Navajo and federal law both emphasize that LCS and similarly situated community schools should be governed locally and establish that Local Community School Boards have been delegated the responsibility and authority to govern community schools, in order to carry out this mandate. See 10 N.N.C. §§ 1(A), 3(S) and 200(A); P.L. 93-638; P.L. 100-297 and P.L. 114-95; and

WHEREAS, the Board has been informed that the Health, Education and Human Services Committee approved a resolution entitled "An Action Relating to Health, Education and Human Services; Approving 2020-2024 Navajo Nation School Board Apportionment Plan." HEHSCAP-05-20. The resolution approves Apportionment Plan 6, which creates 16 regional, consolidated boards to represent the P.L. 100-297 grant schools on the Navajo Nation and the border town dormitories; and

WHEREAS, the Board has also been informed that pursuant to Legislation 0106-20 council delegate Charlainé Tso has introduced a proposed standing committee resolution titled, "An Action Relating to Health, Education and Human Services: Rescinding Resolution HEHSCAP-05-20, Entitled "An Action Relating to Health, Education and Human Services; Approving 2020 -2024 Navajo Nation School Board Apportionment Plan," which would rescind HEHSCAP-05-20; and

WHEREAS, the LCBE Board is deeply concerned about the impact of the profound change that would be occasioned by HEHSCAP-05-20 and the lack of planning to implement it. This creates many new concerns and unanswered questions for local community schools, including:

- loss of identity and autonomy;
- dramatic, swift and disorganized change from a well-established and regulated system codified in Title 10 of the Navajo Nation Code;
- undefined powers, duties and responsibilities of the new boards;
- chain of command and organizational questions;
- fairness concerns;
- logistical issues;



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- financial questions regarding federal grant monies;
- legal status of the schools and the new boards, existing contracts and obligations; and,
- many more.

WHEREAS, this change removes local control of our community school from the LCBE Board; and

WHEREAS, we believe in local control of our school through the LCBE Board. We believe we are competent electors and that our School Board Members are competent to determine the best interest and well being of their school without consolidation by the Navajo Nation; and

WHEREAS, the Every Student Succeeds Act, the Sovereignty in Education Act and the Tribally Controlled Schools Act consistently espouse and require local control of schools; and

WHEREAS, the LCBE Board advocates the teaching of Diné culture and language, academic achievement and fiscal responsibility; however, the Board believes that these matters are best decided and determined by the LCBE Board serving local constituents, not by a regionalized system that does not actually teach in or administer our community school; and

WHEREAS, the LCBE Board, administrators and teachers who are teaching in and administering our school and our local electorates who live in these communities know best what is needed in our school and should control these issues in our community school, not a distant regionalized board; and

WHEREAS, regionalized and consolidated boards do not serve the unique needs of our varied communities and circumstances; and

WHEREAS, Title 10 of the Navajo Nation Code, "The Sovereignty in Education Act," specifically states, "The Navajo Nation encourages and supports local control of Navajo education. Administration of a local school shall be under the guidance and direction of the local governing board." This is a direct delegation of authority for local community school matters to Local Community School Boards, not consolidated and regionalized boards that are not directly accountable to local community members through participation at local meetings where these decisions should be made. True sovereignty lies in Navajo people electing Local School Board Members who have real authority over the operation of community schools; and

WHEREAS, Title 10 also requires Local Community School Boards to conduct their meetings at times and places convenient to the public, especially parents; and

WHEREAS, under the proposed change, LCS would be represented by the Ch'inli Navajo Schools Board, which would also represent schools located an hour and a half away from LCS and would include only a single representative from the communities around LCS; and





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WHEREAS, the Board believes it would be impossible for the Ch'inli Navajo Schools Board to conduct meetings at times and places convenient to all parents of students at the six schools it would represent; and

WHEREAS, the Board also questions whether true local control as envisioned by the Sovereignty in Education Act can be realized if the local communities only have a single representative on a consolidated board responsible for governing six vastly different schools located across a sizable regional area; and

WHEREAS, the above proposed change severely limits local control of education; and

WHEREAS, the LCBE Board believes in the local control of their school and in recognizing and confirming the legitimate authority of the Board to establish policies and operate their school in conformance with their local communities' wishes; and

WHEREAS, pursuant to 11 N.N.C. § 11 (C), "The apportionment plan shall be developed by the Education Committee with the opportunity for input provided to the Navajo Board of Election Supervisors, parents, local school boards, chapters, school board organizations such as agency school boards, and the Navajo Division of Diné Education, pursuant to 11 N.N.C. § 2(H). The Education Committee may receive input either in writing or through oral testimony;" and

WHEREAS, public hearings on the proposed changes were held in February, 2020, but there was strong support for Plans 1 and 4a and very little public support for Plan 6, although it was ultimately approved; and

WHEREAS, profound change without meaningful consultation or consideration is not consistent with Navajo law.

NOW, THEREFORE, BE IT RESOLVED, that:

1. The LCBE Board supports and endorses the Resolution No. 106-20 an action relating to the Health, Education, Human Services Committee: Rescinding Resolution HEHSCAP-05-20, entitled "An Action Relating to Health, Education and Human Services; Approving 2020-2024 Navajo Nation School Board Apportionment Plan".
2. The LCBE Board urges the Health, Education, Human Services Committee, the Navajo Nation Board of Education, and DODE to support the community input regarding apportionment and affirm, reinstate and respect the primacy and autonomy of the Local Community School Boards in the overall management and operation of local community schools by preserving the status quo and approving Plan 1 or Plan 4a.
3. The LCBE Board respects the authority of the local school boards and will safeguard local control of our school.





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management and operation of local community schools by preserving the status quo and approving Plan 1 or Plan 4a.

3. The LCBE Board respects the authority of the local school boards and will safeguard local control of our school.

**CERTIFICATION**

We hereby certify that the foregoing resolution was duly considered by the Lukachukai Community Board of Education, Inc. Board at a duly called meeting at which a quorum was present and that the same was adopted by a vote of 3 in favor, 0 opposed and 1 abstained on this 30 day of April, 2020.

  
Priscilla Chee, Vice President

Lukachukai Community Board of Education, Inc.



DINÉ BI OLTÀ SCHOOL BOARD ASSOCIATION INC.

**DBOSBA**

P.O. Box 3719

Window Rock, Arizona 86515

Telephone (928) 871-5225/5226

Fax (928) 871-5148

PUBLIC COMMENT ON LEGISLATION 0106-20: AN ACTION RELATING TO HEALTH, EDUCATION, AND HUMAN SERVICES; RESCINDING RESOLUTION HEHSCAP-05-20, ENTITLED "AN ACTION RELATING TO HEALTH, EDUCATION, AND HUMAN SERVICES; APPROVING 2020 – 2024 NAVAJO NATION SCHOOL BOARD APPORTIONMENT PLAN".

Honorable Leaders,

The Dine Bi Olta School Board Association ("DBOSBA") is the umbrella organization recognized by the Navajo Nation Council as advocates for the local elected Navajo School Boards, primary those school boards who oversee the operation of schools funded or operated by the Bureau of Indian Education. This comment is in SUPPORT of Legislation 106-20 "Rescinding Legislation HEHSCAP-05-20, Entitled An act relating to the Health, Education, and Human Services; Approving 2020-2024 Navajo Nation School Board Apportionment Plan".

The Health, Education, Human Services held a Regular Meeting on October 16, 2019 regarding "An Act Relating to Health, Education, and Human Services; An Act Extending Approval Plan Date for the 2020-2024, Navajo Nation School Board Apportionment Plan", which passed with an approval date to pass such legislation ***NO LATER THAN March 26, 2020***. This is a violation of the law enacted by failing to approve a reapportionment plan as the date set was far beyond the date for approved (21 days). Further legislation had been passed regarding the 2020-2024 School Board Reapportionment for an additional extension.

The Health, Education, Human Services held a Special Meeting on February 16, 2020 regarding Public Hearings to be held in each respected Agency February 24 – 27, 2020. Several issued arose days following:

1. Lack of Communication/Transparency. DBOSBA had reached out to employees of Department of Dine Education and Ms. Beverly Martinez (HEHSC Legislative Adviser) to send documents and plans that were passed, however, no communication had been given. During the February 16 special meeting, Ms. Lavidia Maestas (DODE Employee) reported that notices and plans would be sent out Tuesday, February 17, 2020. However, in Exhibit A, you will notice that notices were sent out the later afternoon of February 20, 2020, which gave little time for Navajo Community Citizens to be notified and to make plans to travel to Public Hearing Sites as many travelled an hour or so away. To include, we were unaware and confused of plans sent out, because two (2) additional plans (Plan 4B and Plan 5B) were hidden in the 6 Plans



approved on February 16. It was not until the February 24, 2020 Public Hearing that we were able to understand that the additional plans were added.

February 24-27, 2020 Public Hearing. February 24, 2020 we were introduced to presenters Mr. Larry Rodgers (Navajo Election Administration's Consultant), Mr. Matthew Tso (DODE Employee/Navajo Prep School Board Member), and Mrs. Lavidia Maestas (DODE Employee/T'iisyaakin Residential Hall School Board Member). A concern from DBOSBA is the lack of transparency from the February 16<sup>th</sup> Special Meeting at Twin Arrows Navajo Casino to the first day of Public Hearings on February 24, 2020 at Tuba City, Arizona.

1. DBOSBA Public Recorder. In Exhibit B, you will see memo dated February 21, 2020, which informed Mrs. Maggie Benally, DODE Acting Superintendent, and Mr. Murray Lee, Navajo Election Administration, that DBOSBA will be hiring a public hearing recorder to attend each public hearing sites, so that it can be precise with what was reported. Exhibit B also includes the recording of comments in respected agencies. Please Note: Comments recorded were in favor of Plan 4-A following by Plan 1, and strongly opposing Plan 6.
2. Lack of Transparency. DBOSBA noticed that on the first day of public hearings, additional plans were presented, Plan 4B and Plan 5B. These plans **WERE NOT** included in the approve plans during the February 16, 2020 Special Meeting at Twin Arrows Navajo Casino from the "Discussion with ODAC/DODE". Exhibit C, is an email from Mr. Larry Rodgers and Summary of Responses by Public Commenters, Mr. Rodgers stated "*The Chair of HEHSC ... announced there were "six" plans. The sixth plan and a couple more options were added, which I was not aware of until the first public hearing at Tuba City*". Please note: The Mr. Rodgers does not have an interest in school board reapportionment, as plans 1 to 3 are a reflection of data in each respected community. Furthermore, Mr. Rodgers provided total data from the summary of responses by public commenters, which were in favor of Plan 4A and Plan 1, and little/no support for Plan 6.

Conflicts of Interest. The Department of Dine Education clearly has invested interest in seeing Plan 6 fall through. Reports from several Council Delegates inform school board members that the Mr. Matthew Tso provided negative information regarding schools and there lack of success. The Department of Dine Education lack transparency with educational organizations throughout Navajo Nation and have placed the blame on school board members and organizations. Clearly, Mr. Matthew Tso's school, Navajo Preparatory School (NPS), was favored in a NEW plan that was drafted as an NPS Board Member negotiated to recover his full board. Why can't the rest of the Navajo Nation school boards be given the same treatment?

Resolutions/Related Documents. Please see the attached resolution and relating documents regarding 2020 – 2024 Navajo Nation School Board Reapportionment.

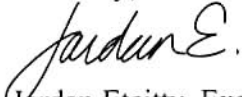
1. Dine Bi Olta School Board Association, Inc.
2. Pueblo Pintado Community School
3. Chilchimbeto Chapter
4. Navajo Mountain Chapter



5. Nageezi Chapter
6. NM Navajo Central Agency School Board
7. Baca Dloa'yazhi Community School
8. Naa Tsis'aan Community School
9. Dzilth-Na-O-Dith-Hle Community Grant School
10. Eastern Agency Council

Navajo Students across the Navajo Nation do not have the same opportunities compared to their peers who live in cities. They face a large socioeconomic disadvantage, for example, lack of running water, lack of electricity, etc. Schools across the Navajo Nation do their part and provide as much support due to the lack of resources that can be found at public schools. On behalf of School Boards across the Navajo Nation, we respectfully SUPPORT Legislation 106-20 of the Health, Education, Human Services Committee to Rescind Legislation 0074-20. We further support Plans 4A, which give local communities to control their respected schools as we have different goals and visions.

Sincerely,



Jordan Etcitty, Executive Director  
Dine Bi Olta School Board Association, Inc.

CC: DBOSBA Executive Board, Health, Education, Human Services Committee of the 24<sup>th</sup> Navajo Nation Council, 24<sup>th</sup> Navajo Nation Council, and the Navajo Nation Office of the President and Vice-President

## EXHIBIT A

From: Lavida Maestas <lavidamaestas@nndode.org>

Date: Thursday, February 20, 2020 at 2:37 PM

To: "fcurley@ansbi.org" <fcurley@ansbi.org>, "scomiskey@ansbi.org" <scomiskey@ansbi.org>, "lchiapetti@ccsbroncos.org" <lchiapetti@ccsbroncos.org>, Kenneth Toledo <ktoledo\_rock@yahoo.com>, Willinda Castillo <willinda.castillo@tohajilee.com>, "chrystal.martinez-lom@dzilth.school" <chrystal.martinez-lom@dzilth.school>, "nchatto10@gmail.com" <nchatto10@gmail.com>, "brandon.joe@bie.edu" <brandon.joe@bie.edu>, "Shawna Becenti" <sbecenti@navajoprep.com>, "rechar.edwards@bie.edu" <rechar.edwards@bie.edu>, "wiya.rose@hotmail.com" <wiya.rose@hotmail.com>, "smitchell@ccsedu.org" <smitchell@ccsedu.org>, "ctommy78@gmail.com" <ctommy78@gmail.com>, "fonrae@gmail.com" <fonrae@gmail.com>, "ronald.arias@bie.edu" <ronald.arias@bie.edu>, "Robin Harding" <rharding@nazlinischool.net>, "sylvia.largo@pcswarriors.com" <sylvia.largo@pcswarriors.com>, "catherine.begay@roughrock.k12.az.us" <catherine.begay@roughrock.k12.az.us>, Deana Dugi <Deana.Dugi@rpcsaz.org>, "Bill M. Wachunas" <BWachunas@dilconeagles.com>, "loren.hudson@bie.edu" <loren.hudson@bie.edu>, "Theresa Boone-Schuler" <tbooneschuler.fbd@gmail.com>, "eyazzie@leuppschools.org" <eyazzie@leuppschools.org>, "shirley.ettab@yahoo.com" <shirley.ettab@yahoo.com>, "Mary Rule" <mrule@ncswarriors.org>, "Cody Workman" <cworkman@richfielddorm.org>, "Ronald Thompson@shontoprep.org" <Ronald.Thompson@shontoprep.org>, "Lucinda Godinez" <lucinda.godinez@gscs-inc.net>, "jdonald@hpbs-az.org" <jdonald@hpbs-az.org>, "gwaybenais@kdlo.net" <gwaybenais@kdlo.net>, Renee White-Alcott <wyaakinrh@hotmail.com>, Rachel Maho <r.maho@kinteeolita.org>, "ibritton wrhinc.org" <ibritton@wrhinc.org>  
Cc: Darrick Franklin <darrickfranklin@nndode.org>, "Suzette J. Haskie" <suzettehaskie@nndode.org>, Evelyn Tracey Bahe <evelyntraceybahe@nndode.org>, Margaret Watson <margaretwatson@nndode.org>

Subject: Proposed Apportionment Plans and Public Hearing Notices

Please post the Public Hearing Notice(s) and share the Proposed 2020 Apportionment Plans with the parents and schools boards. Thank you.



Lavida B. Maestas  
Sr. Education Specialist

Office of Diné Accountability & Compliance  
Department of Diné Education  
THE NAVAJO NATION

phone: 928-871-7467  
fax: 928-871-6101  
address: PO Box 670, Window Rock, Arizona 86515  
web: <http://navajonationdode.org/>

### 2 Attachments



Public Heari...



2020 apportion...

## EXHIBIT B



DINÈ BI OLTÀ SCHOOL BOARD ASSOCIATION INC.

**DBOSBA**

P.O. Box 3719

Window Rock, Arizona 86515

Telephone (928) 871-5225/5226

Fax (928) 871-5148

### MEMORANDUM

February 21, 2020

To: Mrs. Maggie Benally, Department of Dine Education Superintendent  
Mr. Murray Lee, Navajo Nation Election Administration

From: Jordan Etcitty, DBOSBA Executive Director

Re: Public Hearing: Proposed 2020 Apportionment Plans

Greetings Mrs. Benally and Mr. Murray Lee,

This memorandum is to inform the Department of Dine Education and the Navajo Nation Election Administration that Dine Bi Olta School Board Association, Inc. (DBOSBA) will be sending Mr. Irvinson Jones to the Department of Dine Education's Public Hearing regarding the 2020 Navajo Nation School Board Apportionment Plan to record.

The recording is intended to enhance recording accountability reported to the Health, Education, Human Services Committee of the 24<sup>th</sup> Navajo Nation Council, the 24<sup>th</sup> Navajo Nation Council, the Navajo Nation Board of Education, the Navajo Nation Board of Elections Supervisors, and other interested Navajo Nation parties.

If you have any questions/comments, please feel free to contact me at [Jordan.E@DBOSBA.org](mailto:Jordan.E@DBOSBA.org), (928)871-5225 (office) or (505)659-8056 (cell).

Respectively,

Jordan Etcitty

Executive Director

Dine Bi Olta School Board Association, Inc



## EXHIBIT C

PUBLIC HEARING ON  
PROPOSED NAVAJO NATION SCHOOL BOARD  
APPORTIONMENT PLAN(S)

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE  
SELECTED PLAN TO BE USE IN THE  
2020 NAVAJO NATION CHAPTER ELECTIONS

The following document is a transcription of the recording of the public hearings which were held at each of the five agencies of the Navajo Nation (February 24-28, 2020), and are in the order of when and where each hearing was held.

*[Note for transcription: italics will indicate Navajo to English translation]*

Western Agency, Tuba City Chapter House

Tuba City, AZ

Monday, February 24, 2020

10:00 a.m.—3:00 p.m.

Meeting commenced at about 10:20 a.m.

Welcome and introduction was started by **Matthew Tso**, Legislative Analyst for the Department of Dine Education.

The basic goal of these hearings is to present these six proposed school board apportionment plans, and to inform the stakeholders. We look forward to your comments, we accept any feedback

**Larry Rogers:** *Hello, my name is Larry Rogers, I am originally from Tohatchi, NM. I work with what is called the Eastern Navajo Land Commission. I was asked to help with this Reapportionment for the School Board, working with numbers. And, the paper that was given to you, we will be following through with that.*

*Also, on your agenda too, should there have been an invocation? It is probably a good idea to have one. It should be someone from here. I'm asking for a volunteer to do that. So...who? Thank you.*

[A member of Shonto Chapter offered the invocation: Margie Tean]

**L. Rogers resumes presentation:** *What Matt spoke mentioned earlier, we have made six plans here. So they are all options, meaning you could prefer just one or two of them or whatever. Also, you were handed evaluation forms, this one [holding up a copy of a form], so this, you will write your preference, which one you prefer, number one, number two, and so forth. But it would be good if you put it in order also, which one is good to you, which one you want. And when you're going to speak, you can make comments to express that also, we welcome public comments. We want to hear, "I definitely want this one or, I definitely don't want this one." That's what we want to hear. So after I finish presenting this all we will have public comments. So that's how it will be okay?*

*Now, what we will begin in order with, plans one through six, it is written. I'll go ahead and start with plan number one. Plan number one, it allows for three seats on the board to seven seats, so three, four, five, six, seven board members are allowed, depending on the size of the school. So the really small schools, those of course will have only three seats. Tuba City Boarding School, for example will have seven seats. And then, what Matt mentioned will be for all schools on the Navajo Nation, of course this is broken down by agency, so by a show of hands, are most of you from Western [Agency]? [people raise their hands...] And, how about from other agencies?*

2

[Someone mentions that they are from Ft. Defiance...] Ok, we will be having a hearing in Ft. Defiance.

[lengthy reply from the Ft. Defiance member, but it was in audible]

**L. Rogers:** Yes, we can discuss some of the plans under Ft. Defiance. But most of them is Western so...[in audible]

Plan number one is mostly nation-wide, Navajo Nation wide, a total of sixty-three boards, so this one will have seats of three to seven, *what I am saying*.

So if we go to page nine, it shows western agency, *this display* [referring to the projected screen]. This is involving thirteen schools for western agency.

[L. Rogers reads through page nine beginning with Little Singer Community School and reads through Plan One, under Western Agency. This shows 13 schools in the western agency, and how many board members will be representing each chapter]

[At 10:00 minutes] **L. Rogers** notes a correction with number nine, Greyhills Academy High School: "There should 4 board members, one for Tonalca Chapter, it says one for Tonaness dizi Chapter (Tuba City), but it should be two board members, so correction on that one."

So the rest of the plans, *this one right*, that is how they are broken down, and this was just plan number one.

[At 11:05 min, there's a question from an attendee] "Are these plans for schools that are still under BIA or are they for tribally controlled schools, satellite communities?"

**L. Rodgers:** There are 63 schools, some are BIE some are Tribally Controlled schools...

[Attendee]: "but does it apply to all of them?"

**L. Rogers:** Yes, it applies to all of them.

The instructions from the Health and Human Services Education Committee, it is suggested that there are only three communities that will be kind of left out of this whole scheme of the plan which is that satellite reservations, their reasoning is that because they have what they call super compact agreements. So, in addition to education they have an agreement with other services, social services and all those other kind of services; and their agreement is all in one piece. *So that's why we were told* to kind of keep them out.

So for the purposes of these elections this is how we wrote the plans.

[At 13:10 min.] But to your question, they are treating all sixty-three schools ...they are mindful of BIA and tribally controlled, and some of the plans that we did we kind of combined them for your combined boards, we tried to keep separated those schools that are BIA-controlled or Tribally-controlled...so thanks for your question. On to plan two.



[At 14:11 min.] Plan Two.

This particular plan consolidates boards. So, you have 63 boards, Navajo Nation-wide. What this one is doing is, it is combining boards, it is not consolidating schools, like some people are thinking what it's meaning to be.

[At 14:30 min., a question from the audience...name inaudible]

According to your agenda, I see a purpose here. What is the purpose of going over the plans?

L. Rogers: Okay, I apologize for that. I'm just here to present the plans but let me go ahead and back up to that. The purpose of the hearing is to ascertain input from you...

Audience member: I see that, but what's the purpose of the proposed plans? What's the issue?

L. Rogers: The purpose of the proposed plans is to provide several options, *right?* As to how boards can be set up. So, instead of just keeping it the old way, doing it the old way, the old way...But the plans that are being provided to you, there is one that is kind of "as-is", like the current set-up, I believe that is plan 4? [Question is directed to Matt Tso]

M. Tso: It is plan one, four and plan 5

L. Rogers: Plan one, four and five is kind of "as-is", meaning all sixty-three boards are still there. Plan one however involves three to seven members, not just four and five. There is one that is still four and five, which is currently the way it is. Anyway, we'll get to that as well.

Audience member: Okay, Yeah, that was my question: the purpose of the proposed plans. Because I know, I'm just going off of what you said: "going away from the old" and change it. But there are schools that are very high-performing, and I don't know if anyone has run a school? But when you run a school that is very high performing, it takes having the right ingredients: having the right number of people, having the right people, having the right number of students, having the right number of staff. So when you start changing it, it doesn't make sense to start disrupting those schools.

[At: 17:11 min] Matt Tso: Maybe I can comment: Well this is why we have public hearings, to solicit public feedback on the six different plans here on the school board reapportionment. So this is just strictly for the upcoming 2020 school board elections to see what changes or preferences people might have for the school boards.

[At 17:45 min. Audience Member] I think, the reason for these questions is because we want to have the same understanding, we want to know where you're coming from and we want you to know where we're coming from...[inaudible]...different levels of thinking, different levels of doing things. Different communities that this will affect. Of course I'm just speaking on behalf of Greyhills Academy...[inaudible]...I'm glad that you also mentioned that there will be an option one. I was reading title six, and the whole purpose of the law is to empower communities...[inaudible]...So what we're asking is, where are you guys coming from? So that's my question, what's the purpose?

L. Rogers: Okay, thanks, well, just to be fair, that's why there are six plans that have been prepared...[inaudible]...

[Audience member]: I understand that, but I am asking, what are your reasons for proposing these? What do you guys see on your side of things that needs fixing?

Matt Tso: It's to present to you the school board reapportionment plans from the Health Education Human Services Committee. What drives a lot of this is the numbers: The size of the school...[inaudible]...

[Audience Member]: Okay, thank you.

L. Rogers: *Every four years this takes place. Current plan has been in place for the past four years, so eight years have passed.* So it does deal with numbers, the amount of students. The reapportionment plan took numbers of the last three years, averaged them out, and so that's what's being used in these plans.

The plans themselves each have their own different concepts, why a plan is set up this way or that way. So that why there's options.

Two and three are quite similar. The last one is probably the most different one, you'll probably see it as I go through it. So, it's numbers driven, it really is. It's based on the number of students at that particular school. The representation is based on where do these students come from? And, that is how the board is selected.

[At 23:39 min. Shonto Board Member]: *Two weeks ago, the education department from New Mexico held a planning session for two days at Twin Arrows: a planning and a work session. And, for we here in Arizona we were just told, "This is the plan, here..." If you consider the chapters, parents, what do you think? If you ask, "how can this be resolved?" Because BIE did this, they are looking at plan six. Two years ago they presented plan six. Also, Navajo Board of Education...where are they? They should be here with us. We need to be informed of the decision that are being made. We had voted for one from Western, where is that person? The person needs to be with us at the chapter meetings, etc. informing us of the plans that are being made, that would be good. Rather than plans being pushed upon us and being told this is what we have to do. What are our plans from here, what are we thinking? For that to be considered, would be good. Considerate leadership and planning, because we are the ones responsible for the children. All the public schools are under the umbrella of one school district, that's what we fail to see. They are all hooked through one system. This is not like that. Each school is it's own independent school. That's what I see Dr. Hudson asking, you can't have one board for two different schools, it's not going to work. Unless you regionalize it, like a public school. One superintendent for the schools that you are trying to get....*

L. Rogers: [28:04 min.]: I'm sorry to interrupt, but I think we should go through the plans first...you'll have some time to comment. Let's go through these plans, and then you can make comments.

Again, this is combining boards, not consolidating schools. A lot of people get these two mixed up. [continuation of presentation, Plan two...]

Plan number three is basically the same plan as number two.

Plan Three: was read through per the handout. "Two and three are very identical"

Plan Four: 63 boards, board seats four and five. [Note: Distinguish between 4A and 4B]. This was read through as is.

Plan Five. Just read through as printed on the handout.

Matt. T. Explains the difference why there are a side-by-side copy of some the plans: namely plans 4 and 5. "Plan A is what is sort of in place, the existing plan....[inaudible...]. It's just based on numbers. The existing school boards right now would be like plan 1, plan 4 and plan 5. Plan 4 and 5 follows status quo

[Question from the audience]: So which one follows the existing law as is? So, One, four and five, right?

Matt. T. Yes. That's correct.

[Audience Member]: So, two and six are the ones that being proposed?

L. Rogers: One thing that is kind of problematic, that has been the issue with the reapportionment is that, it's been determined that it will always be just these numbers and that's it. Tribal law says that you can have 3,4,5,6, and 7 members. That's never been exercised.

[Audience Member]: Is that an answer to my question?

L. Rogers: No, I'm just commenting that that's how it is...

[Audience Member]: Okay, which one has the numbers correct. Matt said that school board reapportionment is based one student numbers, right? After that we are talking about statistics and limitations. Limitations is putting up limits, like three, five, seven or, four, five...or something. So my initial question was which one would keep it as similar...so that it keeps the ingredients that made those schools successful? Like in a ceremony there is a "leader, and everybody follows" So whose plan is this?

This is just as my mother said, this is being pushed on us. We need a little more time, give it more time to see how it works, to see what is the challenge? Everyone is different.

L. Rogers: I think we can talk about a lot of different things, but please let me finish these six plans, then you can say what you want, but please let me finish.



Plan six is the most different that is being proposed, again these are just being proposed.

Plan six is reviewed with the audience: Two main school boards comprised of five board members each, with a total of 10 school board members, for western agency.

Again, this is just combining boards, not schools.

So, my end is done, unless there are any questions. Thank you.

#### PUBLIC COMMENT:

Matt Tso: Please state name, organization and indicate your favorite plan or plans, thank you.

1. Royd Lee— *"I am from Shonto and am a member of that school board. This is very inconvenient because I am one my lunch break, and I don't know why this was not planned in the evening time. Also, there are those who've traveled a great distance. So, I would have preferred if this would have been held in the evening time, so this is really inconvenient. And, is there anyone here from the election administration board? Why is it only the Department of Dine Education? Because you are talking about an election, constituency, and why this late into the election year because we will be voting and running for these positions pretty soon. So, I'd rather just stick to the plan, how it is now. Why are we bothering with the law? All schools are already planning for the next school year. [With plan six], you are kind of creating tension under a five-member board, which puts us in an awkward position. So, with that, I am against it. I'll say no. Just keep the current plan the way it is. It's late, this should have been done back in 2017, so I am opposed to it.*

2. Franklin Fowler— Kaibeto, a board member, for two months. As I think about it, we want our students to go forward. *Today, we are talking about representation, so it is a good thing that we are talking about this. Too many board members could be costly, especially if they try to run up the charges. A lot of board members keep wasting money in the system. My opinion is that we should make it 5 members. So my main concern is the representation. So we need to be careful how we look at the student representation. We all need to work together and help each other out. So from Kaibeto, we are against reapportionment, so based on that we had passed a resolution. So, that will be all.*

Matt Tso: [Explains how apportionment works by a map].

3. A Retired Board Member from Shonto, AZ: *Hello, many of you probably know who I am. I was on the school board in 1970, during the days of BIA, from the Federal Government. They made their own laws. In those days, I said that many of this is not right. Many of our children were not learning. Now days it is better since it has become local control. Many of the teachers were just being paid lots of money but the children were not learning. So I raised a complaint about this in the days of Senator Barry Goldwater. I wrote a letter telling him about the*

conditions of our school: The children weren't learning but the teachers were just getting paid anyway. Three of the teachers were let go from the school after we raised enough of a complaint. We then heard that these same teachers were then just reassigned to another school on the Navajo Reservation. So the way the law was protecting them. Now we've regained leadership of our schools from BIA and that has now become Grant schools. That's when I rejoined the school board again. I was just an "Advisor", just to guide the school board. So that's how that all happened. Now there are some of those schools still operating BIE schools. Even today there are still teachers that are not doing their jobs, but are instead just floating from school to school, creating trouble among us. So, in the comments I've written and requested that DoDE address this matter for us. So BIE almost ruined us. So it is important that our school boards be comprised of community elected personnel. You can't trust superintendents; you can't trust principals. When they become principals, etc., they just start traveling to far away places. So school boards need to be more than advisors, they need to have authority. Make it mandatory for the school boards to learn about the money, where it all comes from, and how the money is used. A lot of the money gets misused. So diligently address this for us. DoDE just make many laws and does not really tell the school boards. This is why we need training. We eliminated a lot of problems as a school board. This is all I will say for now. Thank you.

#### 4. Martine (Ts'ah bii' kin Chapter)

I'm considering plan one and five for Shonto, Title 10 says, 75 student per representation. So five board members will be good for our school, we do not need 7 board members. So at Shonto we cut ours down to 4 board members two elections ago. So for eight years we've had 4 board members. The only difficulty was how many districts we would cover. The only hang up that we have had is that we lost three administrators from our school. And our superintendent resigned because we took away his administration. A local school board has more influence on whose being hired as opposed to a regional school board, that does not have as much influence. So that is the only thing about that. So, because a school board can have influence, the school board needs to stay out of micromanaging a school. A school board often does not look for the best person but only someone from that particular community. So we need to consider what is best for our kids. Board members also need to be financially responsible. We often have those who don't know Title 10 or Title 6, many just go along with what only one is saying without considering the laws. Shonto having its own board is more unique to Shonto. It is a public law (under 100-297) to have our own board. So, the Navajo Board of Education needs to understand the laws: our contract is with the Federal Government, and BIE schools are probably the same as well. So I am looking at it from both sides. Yes, we need a limit. If you have 120 students, you only need 3 board members, you don't need 5 or 7 board members. School board members are only limited to one percent of the school budget. We are careful with our budget. We don't just go to any conferences we want. Many of our board members need to understand this (financial responsibility). This is why many Grant Schools are in trouble, because they don't hold themselves accountable. This is what the Navajo Board of Ed., and DoDE need to look at: those that are not fiscally responsible, those are the ones that should be cited, not put all of us under the bus. So that is what I am requesting from you. Board members should also have their children attend those schools that we work for, in order to keep enrollment at those schools, rather than send them to other schools.

5. [Audience Member—unnamed]

*Leave the cost/ money alone, that belongs to the local board and the government. Why are you, DoDE, creating friction among us? Why are you not adhering to Title 11? We (school boards) are governed by that. Where is the partnership of helping families? Different elders have different teachings of the same thing, so why aren't we respecting that? These small schools are to be handled with care and concern. We small schools still have a function in these communities. How come the Navajo Nation does not consider that? Also, why don't you ask for our help? You have a lot of expertise right here. There are a lot of good boards, how come DoDE does not ask for help from these people? A problem in the community should be shared. So that is all I'll say, thank you*

6. Mr. Tsosie from Richfield Residential Hall: *As I look at plan six and 4, I think that plan four is a match for our school. The only drawback is that 99 percent of the time the school with the bigger representation will get the position rather than me, just be aware of that with regards to the reapportionment. We submit resolutions but I don't know where they go. Thank you, school board members and chapter officials, for being here today, this is about our children.*

7. Dr. Hudson from Greyhills Academy: *Thank you to the presenters, and for coming from Window Rock. I appreciate it. What we are asking (as Mr. Bigishii also asked), what are the existing laws? The most prevalent law is the fundamental law.*



**PUBLIC HEARING ON  
PROPOSED NAVAJO NATION SCHOOL BOARD  
APPORTIONMENT PLAN(S)**

**HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE  
SELECTED PLAN TO BE USE IN THE  
2020 NAVAJO NATION CHAPTER ELECTIONS**

The following document is a transcription of the recording of the public hearings which were held at each of the five agencies of the Navajo Nation (February 24-28, 2020), and are in the order of when and where each hearing was held.

*[Note for transcription: italics will indicate Navajo to English translation]*

Central Agency, Chinle Chapter House  
Chinle, AZ  
Tuesday, February 25, 2020  
10:00 a.m.—3:00 p.m.

Welcome and Introduction by Matthew Tso and Larry Rogers.

Mr. Tso explains the purpose of the hearing: It is best to explain the purpose of this hearing because it has become a lot of things that apportionment is not about. This is about resetting the positions for the upcoming school board elections, this is according to Title 11, section 11. [He read the sections pertaining to school board membership.]

After the reading of the Title, Mr. Rogers presents the six proposed school board apportionment plans per the handouts relative to Central Agency. He emphasized that these are proposed. Navajo Nation-wide there are 63 boards. Number of board members depend on the number of enrollment. [He noted a correction for Nazlini School]. The higher the enrollment, the higher the board members. The lower the enrollment, the fewer the board members. This is not consolidating school, just the boards.

Mr. Rogers emphasizes that it is the boards that are consolidated not the schools. "Plan 4 & 5 is set up in two ways" [this two-format plan is on two separate pages, back-to-back]

Plan four is the closest "as-is" plan, a.k.a., "status quo".

Plan five is also a two-set plan proposal.

"Plan number six is probably the most radical, changed plan. However people want to look at it."

Satellite Communities would remain independent.

[Question from the audience]: Where is Pinion school in this plan?

Matt Tso: That was one of the schools that got overlooked, or that got skipped. If you look at Ft. Defiance, it does put Jeehdeez'a back into the plan. So this was an omission, thank you for pointing that out.

PUBLIC COMMENT:

[Larry Biltah, Black Mesa]: I know that there was a plan, for Pinion and Black Mesa to be combined. What it shows is that, a board will overlook one for all local schools, they will only do one administration. This is the part that I disagree with, such as plan six. If you want local control than each school should have its own board/administration. I know that DoDE is

planning on reorganizing itself, and that is one thing that I am kind of suspicious of. What are you going to do with the savings on this? The Elder's idea was that they would have control over that school themselves. If you combine, then you interfere with what the other school is doing. *Combination of boards would cause tension among boards, these boards will probably have one administration, which would create disputes and tension.* Therefore I support plan One and disagree with the rest.

[Audience Member]: This school board reapportionment plan is very important, *it is probably important to you also, that is why you are here. In November HESE would have approved this but it has been postponed into March. That's all I want to say, thank you for being here.*

[Mae Kelly]: Three items that I want to put on the record, 1. What would the impact of the reapportionment be with the 2020 census? 2. Does this pertain to the politics of the council delegates, 3. We have different types of schools: Grant and BIA. For myself I would advocate for Tribally Control because we not only get to do what we want, but the benefits...other than that we try to stay out of politics. We are doing this for our children. We do not accomplish anything when there is disagreements. If this was discussed in November, why are we doing this now? It seems a bit rushed.

[Marlitta Begay, Nafina]: I only have one question, what are the pros and cons for each plans? I do not support plan 6 at all, because there will be a limited leadership overseeing many schools. Even though we oversee one school, things get overlooked, imagine having several schools. Consider the chapter model, how it was decreased over time, now we are at 24 delegates. So I don't support plan six at all. Also, between the BIE, Grant Schools, how will the laws change for this? And how will the compliance be different for each school? How will the board meetings work for each board?

L. Rogers: The 2020 census is a totally separate independent government exercise that what this is.

Marletta Begay, asks a question: Combining boards, as a board member will I be attending two board meetings per month? One for Pinion and another for Blk Mesa and collect my stipend for each?

Matt Tso: This will be up to the local school board.

[Sylvia Largo]: Policy of each school, how about contracts, that is per the policy of the board of that school. How would the details of each policy work? How would cooperate meetings be reconciled?



How can our board members make decisions within a timely board frame, and have their agenda items in a row? I'm sitting there thinking that. If we are going to combine schools, we need one school policy, and contacts also.

[Harrison Bia] I hope that our comments will be seriously considered. These plans are a little bit too many, I wish that there were less. Maybe a presentation of two or three. I am not really in agreement with combining boards, because my school is with the BIA and we go by the CFR Regulations so there is a lot of different requirements. Now the community school has their own different policies. *So, it would be difficult to combine the two, and our meeting would be difficult also. Keep the community school separate from the BIA schools, that would be better. Keep things the way they are.* So I am in support of plan 1. Thank you.

L. Rogers: With the combined plans, the difference between tribally controlled and BIE, the separate policies were acknowledged and set up accordingly. *So, that's how that is.* Plans two and three respect that.

Matt Tso: If you look at the plans, plans four and five reflect that. This keeps the board pretty much as is.

L. Rogers to Mr. Bia: Can you comment as to why you prefer 4 board members over six board members at the high school level, because policy states that high schools, can you comment on that? I want to better understand your reasoning.

Mr. Bia: Well, right now we have five members. I don't mind reducing it down to 4 because, it seems like if there is six or seven board members, you don't get things down right away. People just talk, talk. *So that is what the people have said.*

Henderson Wilfred, Jr. Navajo Prep: I favor four and five. That would benefit what were looking for. This is keeping to the traditional board set up. Also, I want to make a recommendation to Mr. Rogers and Mr. Tso regarding plan four and plan five, maybe you could delineate the separations out to 4A and 4B, and 5A and 5B. That way, when we are filling out these forms, we'll be able to distinguish these differences. So, my preference would be 4A and 5B. Moving forward, this would help the audience in understanding the presentations better. Also, remind your audience that you are talking about board member and not the school.

As a board we are cautious and have to tell our stakeholders and schools that we are here as an advisory board and we do not want to micromanage your school. Policies are developed at the site level and then brought to the board and we abide by those policies, so if you could remember this as you reframe this concept. So I favor plan four and five because that is in keeping with what the Navajo Government initially had in mind for our people: to develop leaders across Navajo. I totally disagree with plan six, because that is too many schools for one board member. I know that on the East Coast there are private schools and public schools that all share a

common board, but that design should be carefully studied: how do they incorporate that large of a geographical area under that one board? How do they maneuver through that situation? Because Navajos do not like change, and that is a given. But within education you know that change is going to happen year to year, because of how we move forward as a society and as a nation, and as a people. So as you are presenting these, bring in examples of why it was brought to the way it is, as you are presenting. So, that is all I want to say, thank you.

So how will HEHSC determine which plan to go with under four and five? This is why I said that perhaps you should add the 4A and 4B, that way what the people decide can be specifically known. Also, numbers tell the truth in our school systems, so I appreciate the break down of the student demographics. I always wondered why our enrollment is so low, is it because we are so close to the public school or charter schools? Data drives funding, so we need to address the low enrollment in our schools.

L. Rogers: Thank you for that, and you are absolutely right about the plan four and plan five. So really, there are 8 plans instead of six. But it's already written as plans one through six, but we're just going to have to add a suffix as you are recommending: 4 and 5B sets.

Ron Thompson: There has to be somebody on the other side of the fence, and I am that person. That side of the fence is no different than this side of the fence, meaning public schools. I've seen both sides. There is no difference. But in terms of policies, that would be something that the administrators would have to work on, working with your attorneys, you all have attorneys, right? Has DoDE thought about Navajo attorneys that work with Grant schools, BIE schools? Keeping the money here on Navajo. Cost Savings: consider the travel, and the stipends, the per diem and all that money that you will collect? And this is all for our kids. Those are things that I wanted to mention...Number five does look like an apple on a tree, this looks doable. This is actually about working together right? That's the bottom line.

Mr. Biltah: Navajo Prep was not in plan number one, Why?

Mr. Wilfred responds that: "this is why I asked the question: How were the plans developed to fit the scope of the work and the division of the plans 1-6.

Matt Tso: Navajo Prep is under Northern Agency. For Central Agency, Navajo Prep is covered by "At Large" representation under plan 4 and 5. Chinle and Western is combined with an At Large Position, thank you for that question.

Mr. Biltah: If you think about it though Navajo Prep is not situated in any agency because it is not on the Navajo Reservation, so, it should be treated differently. So this should be mentioned in plan one. Flagstaff is the same way, Winslow is also that way, which agency are they under? They're outside the Navajo Nation. So, this is just a comment.

L. Rogers: These plans are set up according to the way the Health, Education, Human Services Committee would select one. So after all this they will decide which one to select, and based on their selection the people will vote on it. It is true Mr. Biltah, geography is very important. You have the main Navajo Nation and then you have the three satellites, also. Geographically, they are way out there, isolated. So that makes it problematic, when you come to a Navajo Nation plan. So under the grazing district system, they were always the last batch. So during the initial analysis these off-reservation schools were separate but for the purposes of these hearings, we were told to combine these into the agencies. So you are correct on that. But with plan one, it does mention that.

Matt T. So the format that is here is the format that the election office uses, when they fill the school board positions.

Maybe I can mention one of the biggest changes is the Rough Rock Community School: There are three "At Large" positions at that school. But there was really no representation out of Western, and there is really no representation out of Ft. Defiance, maybe just a kid or two. So the question was: How do you apportion for board seats that have no kids? Because the law requires that you have to look at the students that come out of the chapters, and how much the enrollment is. So the way you address that is, you look at how many kids come out of the chapters. So if you look at plans 1-6, that all reflects where the heaviest concentration of students come out of. So the biggest change might be with Rough Rock, because they've had the biggest change in enrollment.

Bill Cly: Richfield. I favor plan number eight and number four. I'm on the school board because I am really concerned about my kid's education. I don't know how many of you have kids in these schools that are struggling. I want my grand kids to have a good school. What can we do for our kid's Education? We have 66 schools on the rez, Grant or BIE schools. We can help these people that are doing this: DoDE, their staff, I appreciate them for what they are doing. We have kids that are thriving even though they come from the rez. So our kids are growing up there (Richfield). We should be proud to help our kids, throughout our reservation. Thank you.

[An Election Supervisor Larry Tso]: I am the supervisor at the Election Board. How can we help our schools, children? Let's combine our school board members, maybe that will help them? We got to change! *We are also trying to encourage our alumni to return and run for the school boards because they have brothers and sisters still going to school.* A young man says he was embarrassed because his high school did not teach him everything. He had to take remedial courses in college. That is what happens a lot of time with our graduates, they can't handle college, so they drop out and they get a job instead. That is the issue. What I am trying to say as a member of the community is, how do we help our kids? The census of 2010 says that we are a young nation. 2010 Census says that the ages of 18 through 24 is 64 percent, we are a young nation! A lot of these are not even in school. 54 percent of our people were also living off the reservation, this is because of our economy. So, an election board of supervisors we are trying to figure how to help our children. So I think it is time to change. *perhaps consolidating the boards will be good.* We are having another meeting on this. So as a board we are trying to get this



information out there to the communities. They're the ones raising these children. So, we pretty much look at plan four or five. I would go also for plan six! Think of how the public schools are run: They only have a few board members... That's all I wanted to say. So thank you.

Marletta Begay: We oversee policies, that is our responsibility. Yes, we are being compared by school districts out there: Phoenix, Albuquerque, they are considered higher than us. Yes, because for them, stores are just down the street, there's pavement to their homes. For us it is different: we have bus issues, and road issues, and the needs here are different. *So consider that for us My leader.* The need here is different on the Navajo Nation, than in the big cities. Even with the internet, it is different in the cities than here. Some schools have no teacher housing, therefore we can't get good teachers. So although there are advocates for change, but we miss the needs of the children.

Larry Tso Responds: *There's a point that I forgot to make:* There are vacancies on these boards, so that is another reason for consolidation, so we end up extending these openings. That's one of the reasons why I think it is better to consolidate these boards. *Thank you again.*

**PUBLIC HEARING ON  
PROPOSED NAVAJO NATION SCHOOL BOARD  
APPORTIONMENT PLAN(S)**

**HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE  
SELECTED PLAN TO BE USE IN THE  
2020 NAVAJO NATION CHAPTER ELECTIONS**

The following document is a transcription of the recording of the public hearings which were held at each of the five agencies of the Navajo Nation (February 24-28, 2020), and are in the order of when and where each hearing was held.

*[Note for transcription: italics will indicate Navajo to English translation]*

Northern Agency, Shiprock, Chapter House

Shiprock, NM

Wednesday, February 26, 2020

10:00 a.m.—3:00 p.m.

Introduction: Matthew Tso. We are here to present 6 different apportionment plans on behalf of the Health, Education, Human Services Committee.

The purpose of these hearing is for the upcoming 2020 school board elections, which will coincide with all the other school board elections. Apportionment is something that happens every 4 years. Mr. Tso Reads Title 11... We are here to accept any suggestions and written comment that you may have. There are forms available for written comment. We are here to collect both oral and written testimony.

The number of students and chapter affiliation is also a part of this consideration. 60 days are allotted to receive public comment.

Invocation: [Volunteer from the audience]

Mr. Larry Rogers: *Good morning and thank you for the invocation.* The plan that we have before is about 8 years old. Eight years ago this plan was approved. So it is about time to update this plan. I was asked to help with the presentation of these plans: the six plans.

I will cover Northern Agency in presenting these plans. Although it says six plans, there are actually eight plans. When we get to that part, I will let you know, okay? With plans four and five there is actually a two-in-one plan. When we get to it, I will let you know. I'll show you what I mean.

Currently on the Navajo Nation there are 63 boards. Plan number one still allows for 63 boards. So for your agency there are 11 boards okay? [Mr. Rogers read through the handout under Northern Agency....]

So, plan number one is about as simple as you can get in terms of representation.

...He inadvertently omits number twelve with plan one, Rock Point Community Sch. He goes back and reads that. Number three,

A question arises as to why Gad li'ahi Day and Toko' Chapter is left out. of the plan.

Mr. M. Tso explain that this is due to the enrollment and the chapters. So if there was not enough students then the representation is reflected in that.

L. Rogers: These numbers are base in the last three years.



[Confusion on Cove Day School by an audience member]

Plan two: This combines boards for several schools...[Mr. Rogers reads plan two.]

There was a question from an audience member, but it was inaudible...However, the person retracted the question: "Never mind..."

L. Rogers: Plan three is the same set up as plan two. But this has members of only four and five, the other one is four, five and seven. So that is the only difference.

[Rogers read plan three.]: So, two and three are quite similar.

With plan four and five, there is actually a subset of plans. *Two-in-one.*

So plan number four is closest to what you have now. *This is all according to enrollment with touches of adjustments.* [Mr. Rogers reads plan four according to the handout.]

So, again, plan number four has a subplan: When you make public comment about plan four, make sure that you state either plan 4A or plan 4B, for clarity. *4B is different from the plan that I just covered because it is actually a combined plan.* I'm sorry this is a little confusing, but we just have to do the best we can. This is either 4 board members or 5 board members. [Mr. Rogers reads through plan 4B].

Matt Tso: Mr. Rogers, maybe I can quickly highlight: There is one school that is listed as eastern, but it does have a Northern representative: Nenahniyaad and Dzilh Community School. The other plans delete that, but plan four keeps these schools, so that is the difference with these plans.

L. Rogers: Plan five is also, a subset plan. [He reads through plan 5A, according to the handout]

Again this is plan number 5, it is not combined. Plan 5B is combined, page 12. [he reads plan 5B].

Plan six is probably the most radical one: this is the most different plan. Plan six has in mind an average of two boards per agency, since there is five agencies then there's two per agencies. The satellite communities have their own boards. So there are 10 boards with the three satellite communities.

So, I'll turn it back over to Mr. Tso.

[Mr. Tso proceeds to show the current plan that everyone has now to compare to the proposed plans.]: The current/existing plan that was approved back in 2016 is projected onto the screen and is read to the attendees.

Public Comments:

Bernadette Todecheene. Some of the schools are not that large; We can do this with a smaller board system. The problem I see is that the people who run for those boards are not from those communities. The parents are the ones that need to be heard; the grandparents are also the ones that need to be heard. A lot of this is political theater, everyone wants to get in on this. The younger generations will be the ones to carry our nation forward. HEHSC is the law of the land.

So I do not see a very big problem with the combining of the schools. It might be hard for the ones that want to run but, oh well. The funding that is meant for the kids, board members are paid some of that. Over three hundred dollars are paid to board members instead of to the kids! I would go for the combining of the schools, and get some educated people in there because you will be dealing with a lot of complicated educational things, curriculum, etc. I would encourage that we go with a lower school board count.

[Audience Member] When we look at the statistics every year, we look at the successes. If you have a school board that is working well with the administration and not micromanaging, then they are doing a good job. [Financial Management Guide by Mark Sorenson]. *I have been a teacher for 22 years.* Very few of the DoDE workers have worked in the classroom, and it is still that way today. Many of the personnel do not have an educational background. The school boards job is to make sure that every teacher is certified. Financial Management is also very important. My preference is to make it 10 school board members Navajo Nationwide....Number six.

[Leroy, Cove, AZ School Board President]: We do this every ten years. Here we are again. *Are we doing this for nothing again? I go for plan 1 and plan 4. Because it is not broken, just leave it. Leave the schools alone but increase the delegates instead. This public hearing concerned me so that is why I am here. I am for plan 1 and plan 4, so that is all I'll say. No one is complaining so just leave it.*

Faye Blueeyes, Upper Fruitland: The Health, Education, Human Services Committee, they must comply with the laws, as it is the Navajo Nation Law. Also, since funding was mentioned: Those that are not aware, the money that comes from Washington D.C. one part of that is allocated for the students, ISEP, Special ED, Transportation, etc. that is separate. Then the school board have an indirect cost, administrative funding which is separate and intended for the school boards. *Also, I could be dangerous to try and combine schools, why is this intended? Why is that plan [6] even in there. Some of these have the challenge of distance, it will cost more money to do this. There needs to be a financial analysis on all this. This all does not make sense. We say that we are trying to save, but who are we saving for?*

Also, At Large positions: Why are chapters who are voting for at large positions also voting for their school board positions? That does not make sense, thank you.

[Kathy Tsosie, Cove Day School]: We are not for combining schools, school boards. It is also wrong to say that the board members are not from these communities because some of these are

from that community. We are for plan 1 and plan 4 because that makes sense for our school. Thank you, that is all I will say.

[Linda, Two Grey Hills]: *She recounted how she went through the BIA school system in her younger years. This is why I am passionate about today's students in our schools, with Central Consolidate Schools. Many parents express that they want to be heard by the school board, but we are overlooked, they say. Also, many of our schools are run down, when is the Federal Government going to help is with these run-down conditions. Just be aware of these conditions in our communities. We should just stay with plan 1 and plan 4, that is what I think. Thank you.*

[Ms. Ortiz, Huerfano Chapter]: I am four 4A, that is my first preference. My second choice would be plan 1. We say that we are saving money by reducing the boards but apparently, we don't understand how the funding works. I also hear that DoDE is going above HEHSC. Also, Like the gentleman that spoke says, "If it is not broken, why are we trying to fix it?". So, that is all I wanted to say. Thank you.

Marion John: Good morning. *I am for plan 4A. Reducing the boards sometimes impacts quorum, so that is why I am not for reducing the boards. All we say is savings but why are we saying that, when 25-CFR says not too? We are told no carry over; we are told to use it all. Boards are also accused of misspending, but who has seen this? Our children are doing well in these schools. Many of these schools will affect the parents who have to travel great distances. So combining these school will not work. We were told some years ago not to combine these schools, 25-CFR will not allow combining schools. Many of these school board members also are very capable leaders, as opposed to some of the educated. DoDE also needs to observe these schools that way they know what is going on. But they only request data, data...! So, that is all I will say for now, thank you.*

[Chrystal Martinez-Tom, Shiprock Chapter.]: I am a parent and an educator at DZ school. We advocate a lot for our parents. There is a program called "Grow Your Own", that is a wonderful program to have for many of our community members. I personally benefited from this program, working my way up through the Educational system. Reducing boards will not be beneficial as it will not be cost efficient, due to travel between distances, wear and tear on vehicles, etc. So, my preference is Plan 4A and Plan 1.

My recommendation is that you look deeper into these matters to see if they are cost efficient, what are the pros and cons before drastically changing these things.

Lisa Begay: I don't support the combining of the schools, just like everyone said, "Why fix it when it is not broken? Also there a six plan, and that is just too many plans, plus it is confusing. Combining the schools does not make sense because each community is unique and the distant between these chapters are so far apart. So I just don't see how this will work. Also why is this even being considered, what problems have been identified in these school.



Background checks need to be a matter of consideration for the school board members, also to remove the term limits, because some of these board members are passionate, they do care for the kids. Are all the plans according to the election laws?

I support plan 4A and plan 1, as an alternate. Thank you.

[Hazel Commanche]: *I am for plan 4A. I appreciate what our school is doing for our children. I attend many of their parent activities, our children are learning well and are being educated wonderfully. Our community is in a remote area which is often inhibited by weather and so it can be difficult. So I say leave it the way it is, that is my reason for attending this meeting, and what I wanted to say.*

[Marie Rose, Black Mesa]: *I am for Plan 4 and Plan 1. Even though we are told to keep it to just the apportionment plan, but all the discussions are relevant to this matter. 60-day comment period, when did that begin? Then I now have heard that the deadline is March 26. It would have been good if there were maps as a visual aide, because I am a visual learner. So, I am for Plan 4A and Plan 1. What is the ultimate intention for combining these schools and boards? So, thank you.*

[Mr. Ben Woody, Jr.]: *Why aren't we talking Navajo. If we talk only in English, we are essentially talking against our elders, that's what I think. Board membership is also a livelihood for some of our older elders, they are also our respected community members. So be careful, about how we talk about this. The schools are actually doing fine, it is not broken.*

*I am for plan 4A and secondly, plan 1. Trying to combine BIE and Grant would be like trying to mix oil and water. We made many resolutions; these need to be taken seriously.*

*I recommend that you take those resolutions and attach it to these hearing as well.*

*I also think that you should address Navajo Head Start OFO, those are important also. If you feel that we the board are being paid too much, well then, give us head start and pay us to run that for you.*

[Caleb]: *I favor 4A because, it has the right amount of board members for our school. Our board is doing a good school. I am concerned about all these plans that were made. Who on these committees has ever served on the board? The number one reason why we do this is for these students. That is our reason for doing this. That's what I wanted to say, that 4 is the ideal plan. Thank you.*

[William Foster]: *I am from here, this community. I also attended these schools around here. I was also a Navajo Police for a number of years. I am retired now, from Shiprock Associated Schools. Now I am at Dziłth Na-oodilthe as a board member. This school is very friendly, everyone in that community is very friendly. Plan 4A will extend my service and involvement in*

*the community, whereas the other plans may prohibit me from further involvement. So, thank you.*

*I was told there was a public meeting, why wasn't it announced and better advertised? Was it being rushed, etc.? As others have said, if it is not broken, why are we trying to fix it? Those are my thoughts, thank you.*

[Ms. Henderson, school board member]: *Who put these plans together? Whose planning was this? It is true about what was said about knowing Navajo, I had to relearn Navajo. I was challenged by my elders to relearn Navajo, though I know only English.*

*So my question is: Why are we always told from Window Rock at the last minute, "Do this..." like sheep we are herded around. Keep it the way it is now, what has that plan done to Window Rock? Keep it as it is currently. The current plans should also be in the packet but it is not. We are being rushed around like sheep.*

*How about the parents, grandparents that are raising the children, why aren't they invited to be here? Their voices should be heard as well. They tell us, "why are you all not communicating these things to us, why is it only amongst yourselves?"*

*Though these plans were communicated to us by Mr. Rogers, I don't agree with any of it because we already have something in place, that includes our policies at these schools. Maybe they don't value what you are doing. I am frustrated with all this. We need to be talking about our school needs, not to be discussing these governmental issues. Thank you.*

[Juanita Harvey]: *I am for 4A, that is what I will say on behalf of my school board. I also want to reiterate what others have already said. There are many needs that are unique to these schools. We are in these positions to represent our community. That is all I wanted to share, thank you.*

Isabelle Zonnie: *We are the voice of our students, we are the parents also, we are the voice for our children for those who may wonder where the parents are, we are here. We support our children on a daily basis as parents and educators. I support plan 4A. So I appreciate what the others have said earlier in this meeting. Thank you.*

[Pricilla Jim]: *I am for 4A, the way it is now, and I think that is better, that is all I have to say, thank you.*

[LaSheen John]: *I am a parent from Dzilth Community School. I like the way the school board is because they communicate, and they are very friendly. It is all about communication. As a parent we should be speaking for our children, so I support plan 4A. Thank you.*

[Beverly Cohe, Ramah]: *I am a part of the school board in the Ramah Community. Our school there is self-determined. We have a good school now for over 50 years. Our community build this*

*themselves. Before The Navajo Nation established school boards, we developed our own system. We then went under Window Rock, since then we have been part the election process.*

*We requested that we be separate from the rest of the Navajo Nation. Just like the other satellite communities. We need to consider what the people are saying, "Wisdom of the grassroots" That needs to be taken seriously. Though there are differences, there is reasons for the way these decisions are made, it is unique to there communities. So we need to value what these communities are saying.*

*The leadership should be representative of the students. Our first teachers were our parents, now we have a different culture teaching our children. Different communities have different ways of teaching. This is the concern, why are we trying to change this? Because our schools reflect our teachings.*

[Irene, School board]: I am sticking to plan 4A and plan 1. I don't see a problem with what we are doing. We support our teachers as a school board. No one checks on us from Window Rock, so, I don't think we need to change anything.

[Kirby] I am going to support 4A.

[Albert Paul, Beclabeto]: We direct these school boards. *From Washington we are being critiqued, saying that our schools are performing poorly. So we have to fix this somehow. Perhaps these plans have potential for improving our schools. If someone came to me to try to help me improve my school, I would take there perspectives into consideration. I don't think combing schools is what's being discussed in these meetings, so that needs to be clarified. The reduction of school boards is because our enrollment is being looked at.*

[Nancy, From Ramah]: *We are probably all doing a good job wherever our communities are. How can we understand these plans? Plan 1: 245; Plan 2: 212; Plan 3: 194; Plan 4A 109; Plan 4B: 183; Plan 5A: 107; Plan 5B 107; Plan 6: 70. How many school boards are there? How good it would be if this was carefully explained to them.*

*We need to carefully explain these things to our elders, they need to be shown how this will all work.*

*DoDE, you also need to seriously consider the resolutions of each community, because they understand the people better than anyone. Don't rush these things, make sure everyone understands. That's all I have to say. It appears that a majority of the people are for 4A & 1, I hope that you let HEHSC know this, and the rest of the Navajo Leadership.*

[Caroline Coho, Ramah]: *I am thankful for being here. I thank HEHSC for allowing us to have five members on our board. We are a self-determined school; I am a parent who are a part of these schools as well. That is all I wanted to say.*



[Sarah White, Sanostee]: *I am for plan 1, that was all I wanted to say for the record, on behalf of my school. Thank you.*

Matthew Tso: Closed the meeting with thanks to the attendees, also that written comment is still very important so you can still submit that. This will also be compiled as a comprehensive report. Thank you.

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APPORTIONMENT PLAN(S)

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Eastern Agency, Crown Point, Chapter House  
Crownpoint, NM  
Thursday, February 27, 2020  
10:00 a.m.—3:00 p.m.

Matthew Tso: Introduction

Larry Rogers: Welcome and Introduction

[Audience Volunteer]: Invocation.

Welcome of guest by the Vice President of the Crown Point Chapter, Leonard Perry. I have a great interest in this, education. This is one of the key elements of community growth. Our children are the next generation of leaders.

Matthew Tso: Presents the purpose and the law pertaining to apportionment: Title 11, Sec. 11.  
[He read the pertinent paragraphs]

What this boils down to is to look at the number of students attending these schools and the chapters that they are affiliated with. We are trying to do here is what the law requires, per the request of HEHSC, and the Election Board.

[Mr. Rogers briefly interprets in Navajo...]:

Matthew Tso: Presents the existing plan that was adopted in 2012. Handouts will be passed out to everyone. This is the current plan that all the schools are under. This is important for comparison purposes as we look at the proposed plans.

L. Rogers: [Presentation of the six plans under the Eastern Agency, beginning at Plan One...]

HEHSC Directive was to leave the Satellite Communities as is. These are proposed plans.

There is a deadline in mind for these decisions to be made. Once a decision has been made then that is it.

Plan One is about the most open plan that you have.

Plan Two: This combines boards, NOT SCHOOLS. - this has 43 boards instead of 63.

One correction with Ramah School, it says 4 board members instead of 5.



Two and three are basically the same, the composition is the same.

Question from the audience: You say that plan two and plan three are combined boards based on the size of the schools; are they looking at the average enrollment from the past three years, six years? Another question: Are the FACE Program, etc considered in these plans?

Matthew Tso: These are all based on NASIS, if your numbers are up-to-date then these are based on the NASIS numbers.

Audience Member: I have a concern, when was the last time you went to these schools and asked for a count? It seems like you are using last years. Why can't you start it from the beginning of this year.

Matt Tso: The count is based on NASIS.

L. Rogers: The "blank" spots are because the chapters are not reporting their numbers.

Audience Question: Will the number 5 for Ramah be changed to an At Large position?

L. Rogers: Ramah will not be changed; they will remain as a five-member board.

At Large Positions cover the ones that may not have accurate representation.

Plan Three: this is the same as Plan Two.

Plan Four: This is the closest "As Is..." Reminder, this is a two-in-one plan, remember: Plan 4A, and Plan 4B. Plan 4B is a combined board version of 4A.

Plan Five is also a two-subpart plan, 5A and 5B. Plan 5B is basically the same, except for the number of seats.

Plan Six: This is an average of two boards per agency, comprised of 5 members for each board. This format is the same for all the other agencies.

Public Comment:

Audience Question: Do you think the decisions will be based on what we discuss here, or how will the decision be made?

L. Rogers: DoDE will present a summarized report to HEHSC and then a decision will be made. It is hoped that your decisions will be taken into consideration.

[Martha Garcia]: *We are here for the reapportionment plan, per the HEHSC provisions, so thank you. I am from Ramah Chapter and School Board. HEHSC met at Twin Arrows determined to*

*have meetings and put this before us. We have made a contract with the Federal Government and that is what guides our governance. We are overlooked from the Federal Offices in Albuquerque. Ramah receives 100 percent of its funding. Consider this as these changes are made, will these changes affect your funding? Those are things to think about as this is all put before you.*

[Marie. Kelly]: I am a board member from Wingate. I don't know why the Dine Education is downsizing. Our main problems are access to transportation, food, education. We are not able to attend meetings in Twin Arrows; they need to have it here so that we can attend. HEHSC is not here with us to really listen to us. NASIS counts everyone, these are priorities in our communities. Many of our students do not have access to modern technology, etc. These are issues that need to be discussed.  
Come and visit us and see what we are doing.  
Combining Schools is before us, so we need to consider this at each of our schools. Each schools need to consider their academics.

[Charlie Long, Thoreau Chapter]: He recounts the history of the Dine Education on Navajo Land. *I think 5A and 4A is good. Perhaps combine the small schools, are you comfortable with this? You need to think about these things. Someone said it is getting close to elections, we have time and a chance to do some thing about this. Thank you for allowing us to participate in these discussions.*  
*I feel like they are after the money, because they talk about savings.*  
*So as school board members we work on behalf of our schools, and scholarships for our children so that they can continue on with their education. The hope is that they can return to our Nation and help our schools and community.*

[Ervin Chavez, Nageezi Chapter]: *Dzilh Community Grant School Board. We are considering three types of schools Grant, BIE and Contract Schools. Larry Put together the number for us so that is what we are considering.*  
*Every ten years, we are counted; alongside that we are having this reapportionment hearing. Ten years ago, this was put before us, but the people rejected it therefore the same plan was reapproved.*  
*We met at Twin Arrows, and we were told to not say anything, only the former leaders were allowed to speak. Basically we were dictated too. We thought that perhaps HEHSC would speak favorably to us, but two delegates spoke harshly to us: one even said that we the school board were useless, and that we just "Select a Joe Blow off the street". Another said, that only PhD holders should be school board members, because of these statement harsh words were exchanged that evening. We contended that this was not right.*  
*Who elects these types of leaders? You do, and they turn around and treat us like this. Two board members stated that they were for plan six. Why then are we having these hearings? Is it just a matter of exercise?*  
*We still abide by Title 11, and Plan 1 and Plan 4 is most in line with this law for it regards local control, our leadership. That is my pick. Just put plan six in the trash can, that's what I pick.*

*This same approach is being taken to the chapter officials, they are being regionalized. Window Rock wants to control everything. They are starting to take your authority.*

*Just be aware of these changes that are being discussed. that is all I wanted to say, thank you.*

[Veronica Pabalo-Tso, Hanaadli Chapter]: *I am a teacher. I have students from the Eastern Agency. My concerns are I reject plan six, because, this seems to be a thoughtless proposal which overlooks community members and our children. I am also bothered that these proposals we put together without our input. As a school board member at Bloomfield schools. I also don't think that school board boundaries were considered in these proposals. Because enrolling a child of a community into another community would affect enrollment counts. How many registrars ask the parents of these students of which chapter they are from? We don't ask those questions. Also, Local community members should represent their communities. Keeping local community members should represent their communities. My preference is to keep it as is.*

L. Rogers: Reiterates that this is not based on the U.S. Census.  
If my comment can be accepted, this process could be considered,

[Haskie Bryant, Chooshgai Chapter]: *Perhaps I should have been with Ft. Defiance Chapter, but I am here anyway. I favor Plan 1 and Plan 2. Yes, I am against Plan 6. The reason is that an At Large Position is difficult because this position does not adequately represent their constituency. School boundary is also a point of consideration. Because, it can be dangerous, as was the incident with one life. There are also many floaters between these schools. So I hope that our majority decision will be considered. Or, did they already make up their minds on this matter? That's all the thoughts that I wanted to share, thank you.*

[Betsy Dennison, Lake Valley]: *I studied this whole packet a long time ago. As these were given to us through the chapter. I prefer plan 1 due to our small community, that's the best option for our school, because a majority of our school children are from Whiterock Chapter and Lake Valley Chapter, the others are just added. In 2012, it was misunderstood, they thought that enrollment was requested, because of these four board members were removed. I complained about this and our concerns were not considered. In 2016 we said the same thing, but we were not listened to. I am glad that they have now included Whiterock Chapter is now included. Plan 2 and 3, includes us with other schools so we really don't want that. Plan 2 and 3 Whiterock is being left out, I don't agree with that. Plan 4 includes us with Lake Valley, with 4 members and Little Water, I don't agree with that. With plan 6, I was thinking, "Are they drunk?", that's a plan that a majority of our schools and community do not agree with. Plan 6 consolidates with all the other schools. We know the growth of our own students, with plan 6, it completely overlooks our children. I'll stick with plan 1. Some of our community leaders are aware of these matters, and you all need to talk with your community leaders. If what Ervin mentioned is true, then our leaders need to stop acting unprofessionally. So that is all I wanted to share thank you.*

[Lucita Nolyn, Whitehorse Lake]: *I represent Pueblo Pintado and Whitehorse Lake. The main leaders are the grassroots people, they are the ones who elected us into these positions. We made a resolution, where did they go? Now we are having to redo this again. We prefer Option/ Plan 1, because we have one representative from Torreon. So from Pintado we will decide on Plan 1. Option six is definitely a no, because it overlooks many of us. 62-BIAM, states that there is a procedure, we went by that procedure and submitted that. Also, the school boards represent our*



communities, so we matter. Plan 6, reflects what the council delegates look like. I don't agree with that. All the voice of the rest of the school boards need to be considered and they need to have respect for this. Thank you.

[Earlene Henderson, Pueblo Pintado]: *At our chapter, I explained all these plans to them, and they were very concerned at all these plans. They decide to go with plan one, or leave it as is. Lets keep these plans at the local level. Why aren't our voices heard? We also do not see our chapter delegate. Some of them do not even understand the education matters. That is all I want to say.*

[Beverly Coho, Ramah Pinehill]: *Fifty Years ago we became a self-determined school, under local control. Many of us were taught at home, finally we were put into schools under the BIA. I finally learned English; our first teachers were our parents. We consider the Wisdom of the Grassroots to be very valuable. The children of the communities should be reflected in the leadership. Yes, every four years we come to these decisions, so here we are again, trying to determine equal leadership. At Ramah we value local control, that in mind we were given the charge of a five-member board and told to maintain this as long as possible. I consider Plan 1 and Plan 4A, but we will also support what decisions you might make also. Thank you.*

[George Tolth, Casamero]: I represent Casamero Lake, Smith Lake, etc. We deal with BIA. We get our monies from the Federal Government, stipends, etc. When did the NN give us any money? None. Our policies are under 25-CFR. In our laws we are under local control. We need to let our communities know about this. Only a few delegates are here among us. I am drafting a letter to these leaders. The system is not broken. This should have been done a long time ago. *Now we are being rushed through this.* We have submitted resolutions to DoDE, where did they go? Your comments are important. Or write a letter to them, that is the only way to get their attention. Leave things the way they are.

[Valerie Hacesa, Dzilth Comm. School]: I am a parent, and a part of the PAC. This really concerns me, for my children. I agree with Plan 4A, it is similar to Plan 1. Our school is doing well so why change it? We want our children to attend these local schools. So this is why I support Plan 4A. Some of the parents have no idea what is going on with their children's education. Why doesn't the Dine Education listen to us? It is hard to understand what is all going on. Please, help us here in our communities, our leaders need to help us.

[Delora Jesus]: With all these issues we are not really being told what is going on. They are always doing something behind our back, until the last minute, we then are rushed through a decision. We are not remembered until voting time. We should just leave things the way they are. At DZ school we are doing fine. What do we have to do to make them hear us? But what are they doing for us? They are not even here among us. Maybe we need to make more public hearings on these matters. Our leaders are changing things and rushing things. We need to speak up. Thank you.

[Caroline Cohoe, Ramah, Pinehill]: *So I just want to express my thanks to HEHSC for allowing our school to maintain a 5-member board. Our people we self-determined and so many of our communities were built in these ways. That's all I want to say. So, I will support the majority decision. thank you.*

[Steve Weiro, Alamo]: We like plan 4A, we will support what ever the schools decide. DoDE is taking authority away from these schools, that's what was happening at Twin Arrows the other day. We are being rushed through these decisions. Chapter reduction, will that affect these schools? HEHSC has signed a health care legislation, under 638-plan. New legislation has been passed, so be aware of these changes. HEHSC is not listening to these communities, they do not read comments, and throw out resolutions. Where is our board of ED? she should be here with us. She does not even attend these meetings. She's saying that we are at 50 percent, but we are really at 93 percent. Where did she get these calculations? So there are many questions with these things. Many of these things were already decided on. Thank you.

[Rosie Sekayemtewa, Indian Wells Community resident]: I was also raised in the Navajo context so I can related to what Beverly said. I went through some of the Winslow school system. I also went through the relocation program. I favor Plan 4A. *This reflects the teaching of our elders, regarding local control.* So I recommend that we take this back to our people and let them know about these proposals. We understand our grassroot communities, many of us are off-grid so we need to consider these situations. Many of these remote community members will not know what is being decided. We are well aware of the needs in our communities. I do not want to be lumped in with other communities who may not know our communities. So, I support plan 4A. Voting language needs to be clear.

[Pauline Freeman, Crown Point Resident]: *Many of the things that you all have mentioned are so true. I looked at the plans and decided that 4A is better for us. Sometimes I feel like papers are thrown at us and are told to do this, I don't like this. You don't really work with us. If you can make it all the way to Twin Arrows, certainly you can travel among us. So that is all I wanted to say. Thank you.*

[Ben Woody, Jr.]: *Overnight, I came up with plan 9. Many people were talking to me about this, so I thought about this. So my plan 9 is. Some of this is our own fault, we wait until the last minute until we speak. Plan 9 nine should be about helping our struggling schools, for the strong ones allow us to be as is. We are often included with all the other schools that are struggling. Think about a sack of potatoes, sometimes there is one bad one in the batch, if you take that out then it is okay. We need to take the initiative on these matters instead of blaming DoDE and the Board of Election. Yes, every four years we go through these elections and reapportionment. Maybe we need to come up with a plan on our own, so that when we come to this time, we can present what we have. It is the same throughout, we blame one another. So we can work together on these things. Yes, I spoke a little harshly yesterday, but the reason is that these are important to me. Our resolutions need to be considered also. Yesterday I used the picture of trying to mix oil and water with trying to work these plans.*

[Lucinda Nolin]: *I forgot to mention one thing: At the agency, we requested a listening session, we sent numerous letters, we tried to request this but never received a response. We have never received a comment. We will send another to them again. That is all I wanted to say on that, thank you.*

[Haskie Bryant]: *What happens if what I decided on 4A, but then our school decides to stay as is, what happens to our written comment?*

[Audience Question]: What is the action on these hearings/comments? Will it be on a ballot?

Matthew Tso. This will be presented to HEHSC in a report and they will consider the majority decision and conclude on the matter. This will not go on a ballot but will be decided by HEHSC taking into consideration the majority voice. So please submit these ASAP. thank you.

We have not received any resolutions, just so you all know.

L. Rogers: *Just know that there was a lot of work that was put into this, it was not hurriedly put together. Many statistic reports were taken into consideration while drafting these plans together. So thank you for your comments on these.*

Thank you for being here.



Plan Four: (page eight). This a subset plan 4A and 4B. Two part. 4A is as is. 4B combines some of this.

Plan 5: This is also a subset two-part plan: 5A and 5B.

[Audience Question but it is inaudible]

L. Rogers: Many of the chapter affiliation is not reported. We are separate from the public schools. More than 10 percent unreported is a problem. This is how the numbers are generated.

[Audience Question, Chechiltah]: Some of the students float around the schools and that is hard when we are trying to keep our numbers straight when that happens. Also, some of the students are from another tribe, how do we count that?

Plan 6: This is the most different. This reflects just two boards per agency, with five members on the board.

So these are the eight plans.

PUBLIC COMMENT:

[Audience Member, Sawmill]: My concern is how much money is this going to cost us? This is why I am for reducing the school board. Like I said, there are too many chiefs, not enough Indians. The whole Navajo Nation is the same way. So as leaders, we need to be concerned about this. So, I am for Plan 6. Thank you.

[Larry Biltah]: *The local comments should be taken into consideration. We have been given 6 options. Most of us do not support plan 6, this plan runs the risk of a lack of representation. We support Plan 1. In 1970 our elders decided to be self-determined. DoDE needs to know this. We need to work well together. The NN Superintendent should be an elected position. Students should be taught the Navajo Language.*

[Jack Yazzie, Hunter's Point]: Oak Springs is not included in some of these plans. We do not support plan 6. *Also who planned all this? They need to sit here and listen to us. If we allow them to do this they will take our monies away from us. I say leave it as it is. Thank you.*

[Sherid Roanhorse, Navajo Prep]: I have an issue with the constitution of how this is being completed. Every citizen is entitled to their decision. Forcing us upon us within 60 days is not right. If HEHSC moves forward with this, I hope that they listen to the citizens. I favor 4 and 5, as oppose to merging with other schools.

32

**PUBLIC HEARING ON  
PROPOSED NAVAJO NATION SCHOOL BOARD  
APPORTIONMENT PLAN(S)**

**HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE  
SELECTED PLAN TO BE USE IN THE  
2020 NAVAJO NATION CHAPTER ELECTIONS**

The following document is a transcription of the recording of the public hearings which were held at each of the five agencies of the Navajo Nation (February 24-28, 2020), and are in the order of when and where each hearing was held.

*[Note for transcription: italics will indicate Navajo to English translation]*

Ft. Defiance Agency  
Ft Defiance Chapter House  
Ft. Defiance, AZ  
Friday, February 28, 2020  
10:00 a.m.—3:00 p.m.

Matthew Tso and Mr Larry Rogers: Welcome and Introduction:

The purpose is explained by Matt Tso. The hearings are in compliance with the 2020 School Board Elections, per Title 11, Section 11 [He read the power point section to the audience.]

Larry Rogers: Presents the Proposed Plans. "There are 6 plans, but there are really 8 plans, I will explain this when we get to that point. He explains the decision and the directives that were made at the Twin Arrows Meeting.

Plan One [He read through the plans according to the packets]

The Data is all based on NASIS.

[Audience Question]: When does the Public Comment Period close? When did the 60-day period begin?

L. Rogers: Since the time of the Twin Arrows Meeting.

[Audience Member, Sawmill]: I don't agree with what is being done to our schools. *Many of our residents are all mixed up. I have been in the schools for many years.* What is the main purpose for these changes? Our money needs to go to the schools, the funding is for our children. I favor Plan 4A and Plan 6. What is the total cost for all these school board members? I like the idea of less school board members. When are the students counted, enrollment, etc.?

L. Rogers: Keep in mind that these numbers are based on the data from the previous four years. And, please stick to the topic at hand.

Plan Two is read to the audience. Plan two and three combines the boards so just be aware of that.

Plan Three: This is similar to plan two. A lot of these remain the same.



[Darryl Tsosie, Seba]: I do not favor plan 6 at all. Plan 6 is DoDE's plan why are they presenting it to us. DoDE should have given it to Board of Election to present it. We cannot combine school boards. Each funding is accounted for, if you combine it will be hard to differentiate. Also, BIE and Grant schools are different so it will not work. Reauthorization would also be another reason against combining school. if one school is reauthorized and another is not, how would that be handled. The history of our schools is also very important to us, combining schools would erase this history. Local control was also a hard-fought battle, now you want to relinquish this? I favor 4A. Make sure you take these back to your chapters. Don't let HEHSC make these decisions on their own.

[Marlene Biltah, Black Mesa]: *We shared this with our school. We are also against combining school boards. Some of these schools are operating well. Combining schools will affect local decisions and policies. Reauthorizations will also impact this. How will school board meetings be managed? We support Plan 1, if another plan then Plan 5A will be our other option. If cost reduction is an issue, then just reduce the school boards by one member across schools, if combining is the route considered. That is all I want to say.*

[Audience Member, Teesto]: The plans that I support Plan 1 and 5A. We oppose Plan 6, because there are many questions with this approach. Distance will be a factor under this plan. Again Plan 6 is the worst plan, there is much to still consider with this. Thank you.

[Ruthie Nez, Greasewood Springs]: *I am concerned about 5 matters. Why try to fix something that is not broken, this is true. Also the DoDE Superintendent should be an elected position, because county offices are that way. Also, delete plans 6, due to the many concerns with this. We have to renew policies with work session with our schools, so if all the schools are combined, this will create a mess. DoDE is trying to seek funding, that's what this is all about. They are trying to look for money, that's what this is all about. Leave things the way they are. So I won't really say which, because I need to take this to my community first.*

[Kasandra Williams]: I support plan 1. I oppose plan 6, because one school may not have the same educational approach in another school. This is why I am opposed to combining school boards. Leave the schools the way it is. Thank you.

[Amanda Nez]: I am a parent. I disagree with combining schools, because we have a great history at our school and our children are aware of this history. Combining schools will not save money, in fact it will probably cost more. If there was a problem there would be more parents here. So, our schools are fine. This is also kind of a sneaky way of doing things. So, I say keep it the way it is.

[Jesse...]: I have been a school board member for two terms. We were entrusted by our communities to represent them and the school. We advocate for our children. If it is not broken don't fix it. My question is how do we include another tribal member? Are these counted? Also

some of our children were turned away because of no CIBs, how do we handle that? What has DoDE done for our schools, I have not seen them among us. I won't say which one I favor because I have a board to consider. So, I appreciate your comments. These are my thoughts. Thank you. Let see what happens. Thank you.

[Stephan Kee, Kinlichee Schools]: I went to the the Board of Election Supervisor's meeting, there are eight vacancies! Where are these individuals! These positions have been open since October. Each one of us here, we need to communication. We say leave things as is. Why do we want to do away with boards? We need to do reports at the chapters, districts, etc. If you work for DoDE, DO NOT run for the School boards! It is a conflict of interest! Leave the school boards as is! Don't do this behind closed doors! Put this on a referendum ballot, lets what the people decide.

[Audience Member]: We are opposed to these proposals. I didn't know about all this. So I will probably present this to the boards. Leave it as is, because it reflects local control. Thank you.

[Fannie Chavez Tohajileeh]: *I wondered if this was a sneaky issue, since I didn't really hear about this. She talks about the history of decisions and their school board. Many in AZ say leave it as is. I have heard all that is said. My concern is school boards. We took an oath. I think perhaps three for boards should be an option. Even though it is said not to mess with the satellite schools. Many of these board members just travel, that is all they do. So when they meet, they don't have anything to share. Many of the members just skype, they should be at the meetings. Is this type of attendance allowed? This affects our planning. No one says anything about this. I think three people is enough, even for the satellite communities. I did not go to Twin Arrows Meeting, but I received a report from some of those that had been there. So I think schools board need to be held accountable.*

[Hunter's Point School Board Member]: *I go to some of the school activities. As a school board member I was told to not interact with school staff and students, so I wondered why? Are they trying to take my freedom of speech? That's all thank you.*

[Audience Member from Tohajileeh]: I wonder how this reapportionment will equal represent the community members. Plan six is a point of concern because you do loose local control. This is something that I am worried about. I am supporting plan 4A, and keep it as local control. That's all I want to say. Thank you.

Matthew Tso closes the meeting. Thanking everyone for comments and attendance.

## EXHIBIT D



Jordan Etcitty <jetcitty@gmail.com>

### SummaryOfPublicHearingsResponsesToPlanOptions

Larry Rodgers <lasar98@yahoo.com>  
To: Murray Lee <mlee@navajo-nsn.gov>

Thu, Mar 12, 2020 at 3:58 PM

Cc: Roy Tracy <roytracy@nndode.org>, Matthew Tso <matthewtso@nndode.org>, "Laida B. Maestas" <lavidamaestas@nndode.org>, Jordan Etcitty <jetcitty@gmail.com>, Ervin Chavez <echvz11@q.com>, Jamie Henio <jhenio@navajo-nsn.gov>, Daniel Tso <danieltso@navajo-nsn.gov>, Danny Simpson <simpson634@yahoo.com>, Mark Freeland <m.freeland@navajo-nsn.gov>, Edmund Yazzie <edmundyazzie@hotmail.com>, Seth Damon <sdamon@navajo-nsn.gov>, "Lashawna R. Tso" <lrts@navajo-nsn.gov>, Paulson Chaco <paulsonchaco@navajo-nsn.gov>

Good afternoon Mr. Lee,

Upon my presentation of the eight (8) optional plans at each of the five School Board Reapportionment public hearings Feb 24th to 28th, I sat tallying up the responses on a score sheet I created prior to the hearings. I wanted to share with you the summary results of these tallies. Although you did not ask for this, I thought I'd share in fairness, also to others who wanted some feed back. Please see attached one-page, simplified summary. Otherwise please use this notice to close out my participation in the reapportionment process based on your January 6th memo request for preparation of initial plans.

With my "assignment" over, I want to share some observations. And finally with some personal opinions!

1) The Chair of HEHSC at the Feb 16th Twin Arrows meeting announced there were "six" plans. The sixth plan and a couple more options were added which I was not aware of until at the first public hearing at Tuba City. Up to this point too, your's and my involvement were mainly open to input by anyone or entity wanting to learn about the development of the planned options. As such, we attended several meetings, some in coordination with DODE staff. As soon as I learned DODE staff was preparing some plans as well, I dropped two of my initial plans so that we did not over-bombard attendees at the public hearings. So covering eight plans was bit over the tolerance level.

2) I observed there is a great deal of distrust between various entities involved with Navajo education. It was difficult to maintain a "good face" in this type of atmosphere, despite I tried keeping with my purpose at the hearings. As a concerned Navajo citizen, I think in the interest of better education for the Navajo youth, there needs to be a goal set for harmony among all entities involved. I don't see another choice.

3) I overheard some discussion for "drastic", "major", or "reduction" changes. I think there needs to be some multi-year planning and phasing process to transcend into a "new state" of Navajo education. The Navajo governmental construct itself needs to accommodate some sense of modernization before a new transition takes place, thus "putting correctly the horse before the cart". And all involved need to help shape this course.


I want to thank you for inviting me to help. I truly hope I was helpful and that I just wasn't a



decoy (as someone genuinely told me I was set up to be). I hope not, this was a serious process we went through. I certainly did not have a personal, political stake in any of this, however it was "educational"!

Larry

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Murray Lee <mlee@navajo-nsn.gov> Thu, Mar 12, 2020 at 4:53 PM  
To: Larry Rodgers <lasar98@yahoo.com>  
Cc: Roy Tracy <roytracy@nndode.org>, Matthew Tso <matthewtso@nndode.org>, "Lavida B. Maestas" <lavidamaestas@nndode.org>, Jordan Etcitty <jetcitty@gmail.com>, Ervin Chavez <echvz11@q.com>, Jamie Henio <jhenio@navajo-nsn.gov>, Daniel Tso <danieltso@navajo-nsn.gov>, Danny Simpson <simpson634@yahoo.com>, Mark Freeland <m.freeland@navajo-nsn.gov>, Edmund Yazzie <edmundyazzie@hotmail.com>, Seth Damon <sdamon@navajo-nsn.gov>, "Lashawna R. Tso" <lrts@navajo-nsn.gov>, Paulson Chaco <paulsonchaco@navajo-nsn.gov>, Carl Slater <carlslater@navajo-nsn.gov>, Pernell Halona <pernellhalona@navajo-nsn.gov>, Beverly Martinez <bmartinez@navajo-nsn.gov>, "Edison J. Wauneka" <ewauneka@navajo-nsn.gov>, "mjcharrison@ymail.com" <mjcharrison@ymail.com>, Ron Haven <ronhaven@navajo-nsn.gov>

Hello Mr. Rodgers,

I want to thank you for the professional services that you provided. Your work was of 'refined quality' work and glad you undertook this project. I know you keep stating this reapportionment is number driven and models were derived off of it. I hope it gets used so an 'educated selection' is made. Now, decision has to be made by HEHSC.

As for your observation, you are correct. I sensed it as one party totally untrusting the other party. The oversight needs to set up some parameters so the two parties can work together. There are several issues that I saw and hopefully it gets remedied.

Thanks.

Murray Lee,  
Interim Department Manager  
Navajo Election Administration  
928/871-6367

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## School Board Reapportionment 2020

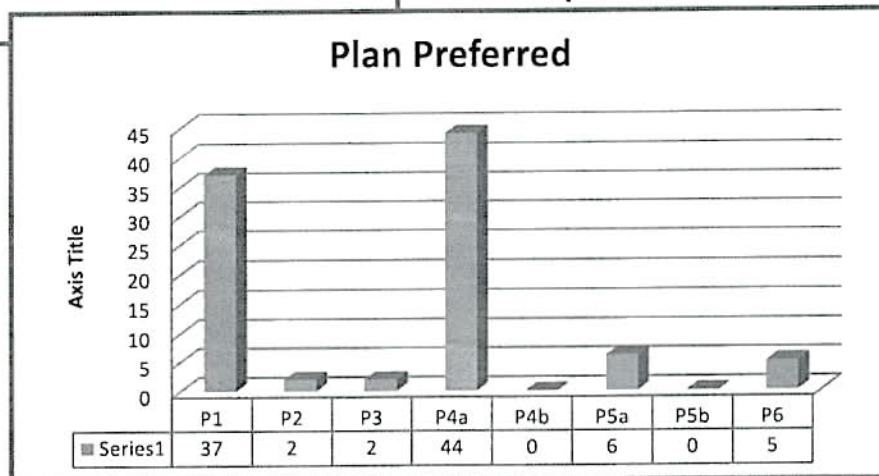
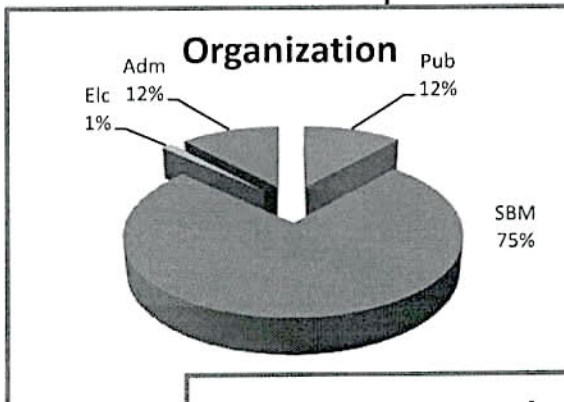
### PUBLIC HEARINGS: Summary of Responses by Public Commentors

Agency: Totals of All Five  
Date: Feb 24-28, 2020

Pg  of

Place	Introduced as...				Ttl	Plan or Option Favored								
	Pub	SBM	Elc	Adm		P1	P2	P3	P4a	P4b	P5a	P5b	P6	
1 TubaCity (Feb 24)	2	11	0	1	14	5	0	0	1	0	0	0	0	
2 Chinle (Feb 25)	0	5	1	2	8	2	1	2	3	0	2	0	1	
3 Shiprock (Feb 26)	2	20	0	2	24	15	0	0	22	0	0	0	3	
4 Crownpoint (Feb 27)	2	14	0	1	17	8	1	0	12	0	1	0	0	
5 FtDefiance (Feb 28)	3	8	0	3	14	7	0	0	6	0	3	0	1	
	9	58	1	9	77	37	2	2	44	0	6	0	5	
						0	0	0	0	0	0	1	14	"Definitely Not"

Pub (Public); SBM (Sch Brd Mbr);  
Elc (Elected); Adm (Sch Employee)



Tallies kept by Larry Rodgers  
Presenter of Plans at the Public Hearings

## RESOLUTION



DINÉ BI OLTA SCHOOL BOARD ASSOCIATION, INC.

**DBOSBA**

P. O. Box 3719  
WINDOW ROCK, ARIZONA 86515  
TELEPHONE (928) 871-5225 / 5226  
FAX (928) 871-5148

### RESOLUTION OF THE DINÉ BI OLTA SCHOOL BOARD ASSOCIATION

#### A RESOLUTION TO THE NAVAJO NATION COUNCIL HEALTH, EDUCATION, HUMAN SERVICES COMMITTEE (HEHSC) TO COMPLY WITH AND CARRY OUT THE PROVISIONS OF THE APPORTIONMENT FOR SCHOOL BOARD ELECTIONS LAW AS STIPULATED IN 11 N.N.C. §11 IN DEVELOPING AND APPROVING A NEW APPORTIONMENT PLAN FOR SCHOOL BOARD ELECTIONS

##### WHEREAS:

1. Pursuant to 10 NNC § 301, The Navajo Nation has established the Diné Bi Olta School Board Association to represent local community school boards at the Navajo Nation. This Association is the only school board association recognized by the Navajo Nation to represent local community school boards; and
2. Pursuant to 10 NNC § 302, the Diné Bi Olta School Board Association is authorized to consider educational programs, problems and issues of a Navajo Nation-wide significance; and to make recommendations concerning all BIA-funded schools and local community school boards; and
3. The Health, Education and Human Services Committee ("HEHSC") is a standing committee of the Navajo Nation Council. 2 N.N.C. §400(C).
4. Pursuant to 11 N.N.C. §11, The Health, Education and Human Services Committee has been delegated the authority and responsibility for the following:
  - A. *"On or before the first Monday of November 2003 and every four years thereafter, the Health, Education and Human Services Committee shall set the size of each Local Community School Board and shall apportion the number of school board seats among the Chapter or Chapters represented in each Local Community School Board. This apportionment shall establish election precincts for each Local Community School Board containing approximately equal number of students attending the Local Community School at the time of the apportionment. The Health, Education and Human Services Committee, for purposes of public comment or collecting data, may extend the time for approval of an apportionment plan. Should an extension be ordered, the Navajo Board of Election Supervisors shall adjust, if necessary, the opening filing period for elective School Board positions."* 11 N.N.C. §11 (B).
  - B. *"The apportionment plan shall be developed by the Health, Education and Human Services Committee with the opportunity for input provided to the Navajo Board of Election Supervisors, parents, local school boards, chapters, school board organizations such as agency school boards, and the Navajo Division of Dine Education pursuant to 11 N.N.C. §2 (H). The Health, Education and Human Services Committee may receive input in writing or through oral testimony"*, 11 N.N.C. §11 (C).
  - C. *"The apportionment plan shall be based at a minimum on the number of students attending from one or more Chapters. Each Local Community School Board shall provide to the Health, Education and Human Services Committee and the Navajo Division of Dine Education current*





DINE BI OLTA SCHOOL BOARD ASSOCIATION, INC.

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- and accurate information regarding the number of students attending the local community School for use in the development of the apportionment plan by October 2003 and every four years thereafter". 11 N.N.C. §11 (D).
- D. "The Health, Education and Human Services Committee shall adopt the apportionment plan and provide the plan to the Navajo Board of Election Supervisors for use in school board elections". 11 N.N.C. §11 (E).
- E. "A School Board member shall be permitted to serve the entire remaining period of his or her duly elected term prior to application of an apportionment plan which would eliminate the School Board position held by that School Board member." 11 N.N.C. §11 (F).
5. The apportionment for School Board elections is a Navajo Nation Elections Law which establishes the legal ratio of School Board representation of Navajo students and parents, in accordance with the voting rights set forth in the Navajo Nation Bill of Rights and the Dine Fundamental Laws.
6. The Navajo Nation Elections Law, 11 N.N.C. §11 (C) unequivocally bestows the exclusive authorities and responsibilities upon HEHSC to "develop" the apportionment for School Board elections Plan, with, "the opportunity for input provided to the Navajo Board of Election Supervisors, parents, local school boards, chapters, school board organizations such as agency school boards, and the Navajo Division of Dine Education pursuant to 11 N.N.C. §2 (H)".
7. The Navajo Nation Elections Law, 11 N.N.C. §2(H) stipulates the following:  
" "Consultation" as used in 11 N.N.C. §11 shall mean notice of the proposed school board apportionment plan. The Health, Education and Human Services Committee of the Navajo Nation Council shall allow at least sixty (60) days for persons interested to provide comments. Comments received shall be in writing, and maintained by the Division of Dine Education. The Health, Education and Human Services Committee may, but is not required to, hold hearings at schools, Chapters, communities or agencies affected by the proposed apportionment plan. To the extent the Health, Education and Human Services Committee holds hearings on any proposed apportionment plan, the Health, Education and Human Services Committee may impose reasonable restrictions including, but not limited to, the length of time witnesses may present testimony. "
8. 11 N.N.C. §11(B) and (D) establishes the following criteria and standards: (1) "...and shall apportion the number of school board seats among the Chapter or Chapters represented in each Local Community School Board. This apportionment shall establish election precincts for each Local Community School Board containing approximately equal number of students attending the Local Community School at the time of the apportionment" and (2) "The apportionment plan shall be based at a minimum on the number of students attending from one or more Chapters", to be used to develop the Plan for the apportionment for School Board elections. There are no other criteria established in law, to be used in developing the apportionment for School Board elections.
9. 11 N.N.C. §11 is the established Navajo Nation Law to develop, accommodate and encourage public input, approve and implement the apportionment for School Board elections.



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10. Several entities have attempted to use the development of the apportionment for School Board elections Plan, to forward their political agendas to reduce, regionalize and other means to restrict or control elected Navajo Nation School Boards. However, 11 N.N.C. §11 does not contain or allow for these politically based criteria and standards: they are no criteria or standards, thereby, criteria or standards not stipulated in 11 N.N.C. §11 cannot be used to develop the apportionment for School Board elections.

### **NOW, THEREFORE, BE IT RESOLVED, THAT:**

1. The Diné Bi Olta School Board Association respectfully and adamantly requests the Navajo Nation Council Health, Education and Human Services Committee to develop the apportionment for School Board elections in strict accordance and compliance with 11 N.N.C. §11.
2. The Diné Bi Olta School Board Association respectfully and adamantly requests the Navajo Nation Council Health, Education and Human Services Committee to allow sixty (60) days for public comment as stipulated by 11 N.N.C. §2(H) and for HEHSC to mandate, coordinate and carry out such public forums and allowance for public comment.

### **CERTIFICATION**

I, hereby, certify that the foregoing resolution was duly considered by the Diné Bi Olta School Board Association, Inc. (DBOSBA) at a duly called Regular Meeting at which a quorum was present and that the same was adopted by a vote of 3 in favor, 0 opposed, and 1 abstaining, on this 5th day of February, 2020.

Ervin Chavez, DBOSBA President  
DINÉ BI OLTA SCHOOL BOARD ASSOCIATION, INC.

Motion: Kathleen Tsosie

Second: Bill Cly



The Governing Board of  
Pueblo Pintado Community School  
HCR-79 Box 80, Cuba, N.M. 87013  
Paula Lugo, Vice President



Erlene Henderson, Secretary

**RESOLUTION OF THE  
GOVERNING BOARD OF PUEBLO PINTADO COMMUNITY SCHOOL**

**REAFFIRMING RESOLUTION TO APPROVE AND SUPPORT PLAN FOUR-A (4-A) OF 2020 SCHOOL  
BOARD APPORTIONMENT AND IT'S CLOSE TO THE CURRENT NUMBER OF SCHOOL BOARD  
MEMBERS REPRESENTING THE THREE SATELLITE COMMUNITIES**

**WHEREAS:**

1. The Pueblo Pintado governing board (hereafter refer to as Local School Boards) is authorized and empowered to function as the policy making body for the Pueblo Pintado Community School consistent with the authority granted by CFR 25 Code of Federal Regulation §32.0 (4), Public law 95.561 and Public Law 100.297; and
2. The Governing board of Pueblo Pintado Community School shall exercise Indian Self-determination Local control in planning, development, management, operation, budget, staffing, priority setting and evaluation of all aspect of the Pueblo Pintado education process as outlined P.L.95.561, P.L. 100-297; and 25 Code of Federal Regulations §32.4 (3); and
3. 25 CFR P.L. 95-561(SECTION 2010) the local school board represents the means by which this section of the law is to be implemented. It represent the collective voice of the community translating needs and desires into policies, thereby facilitating Indian control of the education process; and
4. The Governing Board of Pueblo Pintado Community School is established and empowered by the Navajo Nation Council pursuant to Navajo Nation Resolution CAU-87-69 and the Navajo Sovereignty in Education Act 2005 CJY-37-05 (201) §251 and 253 (as we understand it) relating to duties described as follows:
  - A. The Pueblo Pintado Governing board strongly supporting its resolution and proposing Plan Four-A of 2020 Navajo Nation School Board Apportionment Plan; and
  - B. The Pueblo Pintado Community School operates its school consisting of FACE Home base, FACE Center base with Adult Education, kindergarten, First to Eighth grades with enrollment of 181 students; and
  - C. The Pueblo Pintado Community School served students from three (03) satellite communities as (Pueblo Pintado, Torreon and Whitehorse Lake); and
5. DINÉ TRADITIONAL LAW (1 N.N.C. - 203 "THE DINÉ TRADITIONAL LAW DECLARES AND TEACHES THAT;  
"It is the right and freedom of the Diné to choose leaders of their choice; leaders who will communicate with the people for guidance; leaders who will use their experience



and wisdom to always act in the best interest of the people and leaders who will also ensure the rights and freedom of generation to come; and

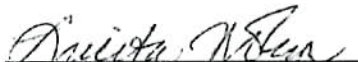
6. "All leaders chosen by the Diné are to carry out their duties and responsibilities in a moral and legal manner in representing the people and the government; the people's trust and confidence in the leaders and the continued status as a leader are dependent upon adherence to the values and principles of Diné."
7. "It is the right and freedom of the people that our children are provided with Education to absorb wisdom, self-knowledge to empower them to make a living and participate in the growth of the Navajo Nation."

**NOW THEREFORE BE IT RESOLVED THAT:**

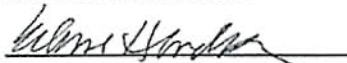
1. The Governing board of Pueblo Pintado Community School strongly approving and supporting "Plan Four-A" of 2020 School Board Apportionment and opposes any move or changes for school board in authority, liability, and responsibilities.
2. The Governing board affirms that "the chapters of the Navajo Nation are authorized to establish such local Navajo Community School Boards as suitable for their respective areas."
3. The local school boards shall function in accordance with the specific Legal authorization under which they are operating.
4. The Governing board strongly believes and most important, the Pueblo Pintado Community School belongs to parents and communities.

**CERTIFICATION**

**WE HEREBY CERTIFY THAT THE FOREGOING RESOLUTION** was duly considered by the Governing Board of Pueblo Pintado Community School at a duly called board meeting at Pueblo Pintado, New Mexico (Navajo Nation) at which a quorum was present and that the same motioned by: Erlene Henderson, seconded by: Wally Toledo was passed by a vote of 03 in favor 00 opposed and 00 abstained, this 13<sup>th</sup> day of March 2020.

  
Lucita L. Nolan, President

  
Paula Largo, Vice President

  
Erlene Henderson, Secretary



## CHILCHINBETO CHAPTER

"HOME OF THE WORLD'S LARGEST NAVAJO RUG"

P. O. BOX 1681, KAYENTA, AZ 86033. EAST HIGHWAY 160 NAVAJO RTE. 59  
PHONE: (928) 697-5680/5681 • FAX (928) 415-4929 [chilchinbeto@navajochapters.org](mailto:chilchinbeto@navajochapters.org)

Thomas Bradley- PRESIDENT • Eugene Badonie- VICE PRESIDENT • Rita Zonnie- SEC/TREAS  
Vacant- GRAZING OFFICIAL • Nathaniel Brown-COUNCIL DELEGATE

Evelyna Gray-CHAPER MANAGER • Rose Gills-ADMINISTRATIVE ASSISTANT  
Vacant-OFFICE ASSISTANT



### SUPPORTING RESOLUTION OF CHILCHINBETO CHAPTER OF THE NAVAJO NATION RESOLUTION NO.: CCH # 02-16-2020B

#### A RESOLUTION OF THE CHILCHINBETO CHAPTER TO SUPPORT THE CURRENT PLAN OF THE NAVAJO NATION COUNCIL, HEALTH, EDUCATION, HUMAN SERVICES COMMITTEE'S PROPOSED SCHOOL BOARD REAPPORTIONMENT PLAN AND OPPOSES REGIONALIZATION IN ANY FORM

##### WHEREAS:

- A. The Chilchinbeto Chapter is a chapter of the Navajo Nation and is provided education services by various BIE funded community schools in our area and these schools have successfully provided education services to our community and our community's children.
- B. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. §400 (C).
- C. The Health, Education and Human Services Committee has been delegated the authority and responsibility of the following:
  1. "[O]n or before the first Monday of November 2003 and every four years thereafter, the Education Committee of the Navajo Nation Council [now Health, Education and Human Services Committee] shall set the size of each Local Community School Board and shall apportion the number of school board seats among the Chapter or Chapters represented in each Local Community School Board. This apportionment shall establish election precincts for each Local Community School Board containing approximately equal number of students attending the Local Community School at the time of the apportionment". 11 N.N.C §11 (B).
  2. "[T]he apportionment plan shall be developed by the Education Committee [now Health, education and Human Services Committee] with the opportunity for input provided to the Navajo Board of Election Supervisors, parents, local school boards, chapters, school board organizations such as agency school boards, and the [Navajo Nation Department of Education] pursuant to 11 N.N.C. §2 (H). The Education Committee may receive input in writing or through oral testimony". 11 N.N.C. §11 (C).
  3. "[T]he apportionment plan shall be based at a minimum on the number of students attending from one or more Chapters. Each Local Community School Board shall provide to the Education Committee [now Health, Education and Human Services Committee] and the [Navajo Nation Department of Education]



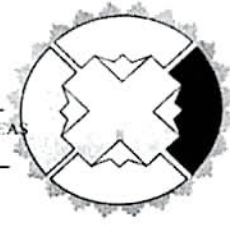
## CHILCHINBETO CHAPTER

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Evelyna Gray-CHAPER MANAGER · Rose Gills-ADMINISTRATIVE ASSISTANT  
Vacant-OFFICE ASSISTANT



*current and accurate information regarding the number of students attending the Local Community School for use in the development of the apportionment plan by October 2003 and every four years thereafter". 11 N.N.C. §11 (D).*

4. "[T]he Education Committee [now Health, Education and Human Services Committee] shall adopt the apportionment plan and provide the plan to the Navajo Board of Election Supervisors for use in school board elections". 11 N.N.C. §11 (E).
- D. The Chapters of the Navajo Nation are authorized to establish such local Navajo Community School Boards as are suitable for their respective areas. The Chapters play a vital and legal role in the establishment and continuity of their Local School Boards. 10 N.N.C. §201.
- E. Each and every School Board Member elected are representatives of the people in their respective Chapter or Chapters and each elected School Board member answers to their respective Chapter or Chapters.
- F. The current School Board Election Apportionment Plan, which was approved by the Health, Education and Human Services Committee rightfully, reflects this local representation.
- G. The Department of Dine Education (DODE) has previously proposed School Board Apportionment Plans reflecting the "regionalization" of School Boards. DODE's Apportionment Plans consisting of the "regionalization" of School Boards are not in compliance with Navajo Law. 11 N.N.C. §11 prescribes specific criteria for establishing School Board representation. 11 N.N.C. §11 does not stipulate and allow for the "Regionalization of School Boards". Thereby, DODE's previously proposed "regionalization" of School Boards have been repeatedly dismissed.
- H. Moreover, if there is any School Board Reapportionment plans reflecting any School Board "regionalization" plans, forwarded by DODE, for the current School Board Reapportionment period, such "regionalization" plans must be dismissed as such "regionalization" plans are entirely against the criteria set forth by 11 N.N. C. §11.
- I. This Chapter humbly supports this localized representation and wholeheartedly supports the current School Board Election Apportionment Plan. This Chapter is unequivocally opposes any School Board Election Apportionment Plans that reflects or suggests any "regionalization" of School Boards.





**RESOLUTION OF THE  
NAATSIS'AAN (NAVAJO MOUNTAIN) CHAPTER  
OF THE NAVAJO NATION**

**Hank Stevens**  
*President*

**Sharon L. Jean**  
*Vice-President*

**Willie Greyeyes**  
*Secretary/Treasurer*

**Russell Smalcanyon**  
*Grazing Committee Member*

**Herman Daniels Jr**  
*Council Delegate*

**RESOLUTION NO: NM02-2020- 100**

**RESOLUTION OF THE NAVAJO MOUNTAIN CHAPTER A RESOLUTION OF THE  
NAVAJO MOUNTAIN CHAPTER TO SUPPORT THE CURRENT PLAN OF THE  
NAVAJO NATION COUNCIL HEALTH, EDUCATION, HUMAN SERVICES  
COMMITTEE'S PROPOSED SCHOOL BOARD REAPPORTIONMENT PLAN**

**WHEREAS:**

- A. The Navajo Mountain Chapter is a chapter of the Navajo Nation and is provided education services by the NaaTsis'Aan Community School, Inc. ("NCS"). NCS has successfully provided education services to our community and our community's children.
- B. The Health, Education and Human Services Committee are a standing committee of the Navajo Nation Council. 2 N.N.C. §400(C).
- C. The Health, Education and Human Services Committee has been delegated the authority and responsibility of the following:
  - 1. "[O]n or before the first Monday of November 2003 and every four years thereafter, the Education Committee of the Navajo Nation Council [now Health, Education and Human Services Committee] shall set the size of each Local Community School Board and shall apportion the number of school board seats among the Chapter or Chapters represented in each Local Community School Board. This apportionment shall establish election precincts for each Local Community School Board containing approximately equal number of students attending the Local Community School at the time of the apportionment". 11 N.N.C. §11 (B).
  - 2. "[T]he apportionment plan shall be developed by the Education Committee [now Health, Education and Human Services Committee] with the opportunity for input provided to the Navajo Board of Election Supervisors, parents, local school boards, chapters, school board organizations such as agency school boards, and the [Navajo Nation Department of Education] pursuant to 11 N.N.C. §2 (H). The Education Committee may receive input in writing or through oral testimony". 11 N.N.C. §11 (C).

3. "[T]he apportionment plan shall be based at a minimum on the number of students attending from one or more Chapters. Each Local Community School Board shall provide to the Education Committee [now Health, Education and Human Services Committee] and the [Navajo Nation Department of Education] current and accurate information regarding the number of students attending the Local Community School for use in the development of the apportionment plan by October 2003 and every four years thereafter". 11 N.N.C. §11(D).
  4. "The Education Committee [now Health, Education and Human Services Committee] shall adopt the apportionment plan and provide the plan to the Navajo Board of Election Supervisors for use in school board elections". 11 N.N.C. §11 (E).
- D. The Chapters of the Navajo Nation are authorized to establish such local Navajo Community School Boards as are suitable for their respective areas. The Chapters play a vital and legal role in the establishment and continuity of their Local School Boards. 10 N.N.C. §201.
  - E. Each and every School Board Member elected are representatives of the people in their respective Chapter or Chapters and each elected School Board member answers to their respective Chapter or Chapters.
  - F. Pursuant to this type of representation by each School Board member and the role of the Chapters, each elected School Board member are "Local" leaders, representing a "Local School Board".
  - G. Except for three (3) Navajo Nation Schools who have been authorized by the Navajo Nation Council Education Oversight Committee to have "Navajo Nation Wide Enrollment", the rest of the Navajo Nation Schools receive their students from their respective "local" Chapter(s) area(s). Thereby, each school is very localized. Moreover, each School Board is a Local School Board.
  - H. The current School Board Election Apportionment Plan, which was approved by the Health, Education and Human Services Committee rightfully, reflects this local representation.
  - I. The Navajo Mountain Chapter humbly supports this localized representation and wholeheartedly supports the current School Board Election Apportionment Plan.
  - J. 11 N.N.C. §11 (C) specifically delegates the "development" of the Apportionment Plan to the Health, Education and Human Services Committee. The Law does not delegate the development of the Apportionment Plan to the Navajo Nation Department of Dine Education. The Law only allows for their input in the development of a plan along with numerous other stakeholders and the solicitation of student enrollment.
  - K. The Department of Dine Education has previously proposed School Board Apportionment Plans reflecting the "regionalization" of School Boards. DODE's Apportionment Plans consisting of the "regionalization" of School Boards are not in compliance with Navajo Law. 11 N.N.C. §11 prescribes specific criteria for establishing School Board representation. 11 N.N.C. §11 does not stipulate and allow for the

"Regionalization of School Boards". Thereby, DODE's previously proposed "regionalization" of School Boards have been repeatedly dismissed.

- L. Moreover, if there any School Board Reapportionment plans reflecting any School Board "regionalization" plans; forwarded by DODE, for the current School Board Reapportionment period, such "regionalization" plans must be dismissed as such "regionalization" plans are entirely against the criteria set forth by 11 N.N.C. §11.
- M. This Chapter supports the current School Board Election Apportionment Plan that is currently in place. This Chapter is unequivocally opposing any School Board Election Apportionment Plans that reflects or suggests any "regionalization" of School Boards.

**NOW BE IT RESOLVED:**

- 1. This Chapter supports the current School Board Election Apportionment Plan that is currently in place. This Chapter request the Navajo Nation Council Health, Education, and Human Services Committee to immediately adopt the current School Board Election Apportionment Plan
- 2. This Chapter opposes any School Board Election Apportionment Plans which reflects or suggests any School Board Regionalization plans, in any shape or form and requests the Navajo Nation Council Health, Education, Human Services Committee to immediately dismiss such plans.

**CERTIFICATION**

We hereby certify that the foregoing resolution was duly considered at a duly called meeting of the Navajo Mountain at which a quorum was present and that the same was passed by a vote of 27 in favor, 0 opposed, and 3 abstained, this 22nd day of February 2020

1<sup>st</sup> Motion by: Gordon Folgheraiter

2<sup>nd</sup> Motion by: Allen Graymountain

  
Hank Stevens, President

  
Sharon L. Jean, Vice President

Willie Greyeyes, Secretary/Treasure



"Regionalization of School Boards". Thereby, DODE's previously proposed "regionalization" of School Boards have been repeatedly dismissed.

- L. Moreover, if there any School Board Reapportionment plans reflecting any School Board "regionalization" plans; forwarded by DODE, for the current School Board Reapportionment period, such "regionalization" plans must be dismissed as such "regionalization" plans are entirely against the criteria set forth by 11 N.N.C. §11.
- M. This Chapter supports the current School Board Election Apportionment Plan that is currently in place. This Chapter is unequivocally opposing any School Board Election Apportionment Plans that reflects or suggests any "regionalization" of School Boards.

**NOW BE IT RESOLVED:**

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2. This Chapter opposes any School Board Election Apportionment Plans which reflects or suggests any School Board Regionalization plans, in any shape or form and requests the Navajo Nation Council Health, Education, Human Services Committee to immediately dismiss such plans.

**CERTIFICATION**

We hereby certify that the foregoing resolution was duly considered at a duly called meeting of the Navajo Mountain at which a quorum was present and that the same was passed by a vote of 27 in favor, 0 opposed, and 3 abstained, this 22nd day of February 2020

1<sup>st</sup> Motion by: Gordon Folgheraiter

2<sup>nd</sup> Motion by: Allen Graymountain

Hank Stevens, President

Sharon L. Jean, Vice President

Willie Greyeyes, Secretary/Treasure



**NAGEEZI CHAPTER  
EASTERN NAVAJO AGENCY  
DISTRICT 19**

Jonathan Nez, Navajo Nation President

Myron Lizer, Navajo Nation Vice-President

**RESOLUTION OF NAGEEZI CHAPTER  
EASTERN AGENCY, DISTRICT 19**

**RESOLUTION # NC-20-051**

**SUPPORTING PLAN ONE AND PLAN FOUR (A) IN THE PROPOSED 2020 NAVAJO  
NATION SCHOOL BOARD APPORTIONMENT PLAN WHICH BOTH COINCIDE  
WITH NAVAJO NATION CODE TITLE ELEVEN (11)**

**WHEREAS:**

Pursuant to 26 N.N.C. §1(B), the Nageezi Chapter is delegated the governmental authority to make decisions over local matters consistent with Navajo Law, Custom, and Tradition and under 11 N.N.C. Part 1, Section 10, is delegated authority to make local decisions in the best interest and welfare of the community members; and

Nageezi Chapter with the population of 2500 to 3000 residents, registered and non-registered voters, is made of up of nine (09) sub-communities including and not limited to: Nageezi, Lybrook, Twin Pines, Blanco, Kimbeto, Chaco Canyon, Escavada, Betoni Wash, Kinnadiz, and Dzilth-na-o-dith-hle, being one of the largest land base chapter in the Eastern Agency of the Navajo Nation; and

Navajo Nation Department of Diné Education and Navajo Election Administration have conducted public hearings on the 2020 Navajo Nation School Board Apportionment Plan at all five (5) Navajo Agencies; and

Navajo Nation Department of Diné Education and Navajo Election Administration presented six (6) plans on the 2020 Navajo Nation School Board Apportionment Plan; and

Nageezi Chapter supports Plan One and Plan Four (A) because both coincide with Navajo Nation Code Title Eleven (11); and

In Plan One and Plan Four (A), students from Nageezi community that attend Dzilth-na-o-dith-hle Community School and Hanaadli Community School/Dormitory, Inc. will be properly represented; and

Nageezi Chapter supports both school boards of Dzilth-na-o-dith-hle Community School and Hanaadli Community School/Dorm, Inc in their support of Plan One and Plan Four (A).

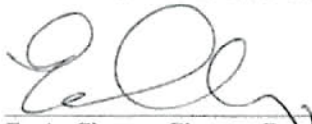
**NOW THEREFORE BE IT RESOLVED THAT:**

**NAGEEZI CHAPTER HEREBY SUPPORTS PLAN ONE AND PLAN FOUR (A) IN THE  
PROPOSED 2020 NAVAJO NATION SCHOOL BOARD APPORTIONMENT PLAN  
WHICH BOTH COINCIDE WITH NAVAJO NATION CODE TITLE ELEVEN (11)**

*PO BOX 100, NAGEEZI NM 87037, PH: (505) 960-7200, FX: (505) 960-7201*

CERTIFICATION

WE HEREBY CERTIFY THAT THE FOREGOING RESOLUTION NO. NC-20-051 was duly presented and discussed at a duly called meeting of Nageezi Chapter, Navajo Nation (New Mexico), at which a quorum was present, motioned by Valerie Hacesa, seconded by Delora Hesuse, was voted on with 23 in favor, 00 opposed, and 01 abstained, this 01<sup>st</sup> day of March 2020



Ervin Chavez, Chapter President



Jessica Platero, Secretary/Treasurer





NEW MEXICO NAVAJO CENTRAL AGENCY SCHOOL  
BOARDS

P.O. Box 509

Crownpoint, New Mexico 87313  
(505) 786-6150/6152 Fax: (505) 786-6112



Lucita Nolan, President

Kyle Augustine, Vice-President

George H. Tolth, Secretary

RESOLUTION OF  
NEW MEXICO NAVAJO CENTRAL AGENCY SCHOOL BOARDS  
NMNCASCH - 0004-20

AN ACTION RELATED TO EDUCATION REQUESTING TO 24<sup>TH</sup> NAVAJO NATION  
COUNCIL STANDING COMMITTEE, HEALTH, EDUCATION & HUMAN SERVICE  
COMMITTEE TO RECID LEGISLATION 0074-20 2020 - 2024 NAVAJO NATION SCHOOL  
BOARD APPORTIONMENT PLAN.

WHEREAS:

01. The New Mexico Navajo Central Agency School Board, formerly known as the Eastern Navajo Agency School Board, is authorized and empowered to function as the policy making body for the New Mexico Navajo Central Agency (NMNCA) consistent with the authority granted by CFR 25 Code Federal Regulations § 32.0 (4), Public Law 95-561 and Public Law 100-297; and
02. The New Mexico Central Agency School Board; henceforth, shall be referred to as the Agency School Board and shall exercise Indian Self-determination and Local Control in the planning, development, management, operation, budget, staffing, priority setting and evaluation of all aspects of the Agency education process as outlined under P.L. 95-561, P.L. 100-297; and 25 Code of Federal Regulations § 32.4 (3); and
03. The New Mexico Navajo Central Agency School Board is established and empowered by the Navajo Nation Council pursuant to Navajo Nation Council Resolution CAU-87-69 and the Navajo Sovereignty in Education Act of 2005 (CJY-37-05), §251 and 253 (as we understand it) relating to duties described as follows:
  - A. The Agency School Board shall carry out its functions in accordance with the provisions of Public Law 95-561, including personnel action determination concerning Agency contract positions, making determinations on contract renewal of New Mexico Navajo Central Agency staff, providing input and making decisions on the agency education financial plans, and Agency wide administrative policies.
  - B. The Agency School Board shall serve as conduit information to and from the Dine' Bi Olta School Board Association, Incorporated Executive Board and the Bureau of Indian Education's Office of Indian Education Programs headquarters to the local school level.
  - C. The Agency School Board shall receive reports of conflicts and disputes of the local level and work with the Agency Education Resource Center the Department of Dine' Education.

and the Dine' Bi Olta School Board Association, Incorporated Executive Board in the resolution of such conflicts and disputes.

03. Legislation #0074-20 was posted on Navajo Nation Council website on March 26, 2020 at 6:44 p.m. for five (5) day comment period begging on March 31, 2020 and ending on April 1, 2020, the local School Board of the Navajo Nation was not informed about the posting of this legislation and did not had the time to respond nor made a comment on this legislation; and
04. Legislation #0074-20 section 1 (2) identifies the five (5) Agencies Public Hearing dating between February 24, 2020 to February 27, 2020, during these Public Hearing majority of community members within these five (5) agencies were in support of Plan I. Of whom these individuals are parents, grandparents, legal guardian and local school board, which they have addressed their concern and comment about the 2020 Navajo Nation School Board Apportionment Plan; and
05. In review of 2009, 2012 and 2016 Navajo Nation School Board Apportionment Plan, the Health, Education & Human Service Committee has established Local School Board Apportionment Committee, a committee comprise of a representative from Dine Bi Olta School Board Association, Department of Dine Education, Office of the Navajo Nation Election Office and a Representative from Legislative Office. This committee formulates, schedule Public Hearing dates, work with local Navajo Nation Chapters, review Student Enrollment from each Chapter, at the end, this committee will make recommendation as to which Plan they are in presenting, along with a support from all local School Board including each Chapter as to which Plan they will support; and
06. On April 1<sup>st</sup>, 2020 the HEHS Committee has approved this legislation without any representative from local school board during the meeting, but a representative from Department of Dine Education (Matthew Tso) has presented the 2020 Navajo Nation School Board Apportionment Plan to the Committee. The Committee needs to be aware that Mr. Tso is employee of the Department of Dine Education and is elected local school board member representing Navajo Preparatory School, we believe that Mr. Tso is in Conflict of Interest in presenting this legislation; and
07. Between January 2020 to March 2020, majority of the Navajo Nation Chapters has submitted their supporting resolutions for 2020 Navajo Nation School Board Reapportionment Plan in support of Plan 6. The Navajo Nation Fundamental Law including the Bill of Rights of the Navajo Nation requires that each member of the Navajo Nation shall appoint and elected their own leaders. The New Mexico Central Navajo Agency School Board, comprise of 17 schools located within the Eastern Navajo Agency respectfully requesting HEHS to honor each Chapter Resolutions.

**NOW, THEREFORE, BE IT RESOLVED, THAT:**

1. The New Mexico Navajo Central Agency School Board and Local School Board Members are requesting the Health, Education & Human Service Committee to rescind Legislation #0074-20 due to misrepresentation from Department of Dine Education; and
2. The New Mexico Navajo Central Agency School Board respectfully requesting the Health, Education & Human Service Committee to honor all Navajo Nation Chapters Resolutions and

comment made by local parents, grandparents and legal guardian that are residing within each agency throughout the Navajo Nation.

#### CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the New Mexico Central Navajo Agency School Board at a duly called meeting in which a quorum was present and same was passed by a vote of 09 in favor, 00 Opposed, 03 Abstained on this 24<sup>th</sup> of April, 2020.

  
\_\_\_\_\_  
Lucita Nolan, NMCNASCB President





*Baca/Dlo'ay azhi Community School*  
*P.O. Box 509*  
*Prewitt, New Mexico 87045*  
*(505)972-2769*



Geneva Werito,  
President

Beatrice Woodward,  
Vice-President

Mary Ann Gayton,  
Secretary

Vacancy,  
Board Member

George H. Taltz, Board Member/  
Agency Representative

=====

**RESOLUTION OF BACA/DLO' AY AZHI COMMUNITY SCHOOL BOARD**

Baca/Dlo'ay azhi School Board Reaffirms its choice of Plan 1 of the Apportionment Plan for School Board Election AND supports and endorses the Dine Bi Olta School Board Association Resolution No. 20-02-002 to the Navajo Nation Council, Health, Education, Human Services, Committee (HEHSC) to comply with and carry out the provisions of the Apportionment for School Board Election Law as stipulated in N.N.C. 11 in developing and approving a new apportionment plan for School Board Elections.

**WHEREAS;**

Apportionment Plan: Baca/Dlo'ay azhi Community School Board have selected and noted after conferring with constituents of the communities of Casamero Lake, Smith Lake, Thoreau and Baca/Prewitt that their choice is Plan 1.

- a. The Navajo Nation Election Law, 11 N.N.C. (C) unequivocally bestows the exclusive authorities and responsibilities upon HEHSC to "develop" the apportionment for School Board Election Plan with the opportunity for input provided to the Navajo Board of Election school SUPERVISORS, PARENTS, LOCAL SCHOOL BOARDS, CHAPTERS, SCHOOL BOARD ORGANIZATIONS such as AGENCY SCHOOL BOARDS and the NAVAJO DIVISION OF DINE EDUCATION pursuant to 11 N.N.C. 2 (H).
  1. Local School Board members are elected by their community members within the chapter they reside and the School Board member know what parent want for their children; and
  2. Most importantly the schools belong to the parents/communities. It is they who decided where their school will be built. It is they who communicate with their Local School Board members on issues that they feel comfortable in communicating their concerns; and
  3. They refer to their Local School Board members as the Governmental Agency closest to the people; and
  4. It is they who feel ownership where their school was to be built per the treaty with the Federal Government and make sure their child/children attend.
- b. 25CFR P.L. 95-561(Section 2010)
  1. "The local school board represents the means by which this section of the law is to be implanted. It represents the collective voice of the community needs and desires into policies, thereby facilitating Indian control of the education process"
- c. 204 P.L. 95-561
  1. The Local School Board shall function accordance with the specific Legal authorization under which they are opening.
- d. Title X the Navajo Nation Education Act 2005 CJY-37-05 (201)
  1. "The Chapter of the Navajo Nation are authorized to establish such Local Navajo Community School Boards as suitable for their respective areas"
- e. Fundamental Law

1. "It is the right and freedom of the Dine to choose leaders of their choice" certainly the parents and community members have the right to chose those who would advocate for them to their local chapter house who know their needs.
2. The Local School Board is a key position to help create and maintain the circumstances under which school goals are to achieve.  
Parents and Community members often feel their rights and voice have been taken from them as we are in a TOP-DOWN Culture, where decision making is done at the top. In this matter there is no consultation from any of the Navajo Nation Board of Education, BIE, DODE, and HEHSC. Information obtained, is through the DBOSBA office, when information is needed to inform parents and community members. There is no transparency. Therefore, the Local School Board is the agent who transfers information to the community and parents....
- f. "The Navajo Nation Law, 11 N.N.C. 2 (H) shall mean notice of the proposed School Board Apportion Plan. The Health, Education and Human Services Committee of the Navajo Nation Council shall allow at least sixty (60) days for persons interested to provide comments. Comments received shall be in writing and nominated by the Division of Dine Education. The Health, Education and Human Services Committee holds hearings on any proposed apportionment plan, the Health, Education and Human Services Committee may impose reasonable restrictions including, but not limited to the length of time witnesses may present test testimony."
- g. 11 N.N.C. (B) and (D) establish the following criteria and standards:
  1. "and shall apportion the number of school board seats among the Chapter or Chapters represented in each Local Community School Board. This apportionment shall establish election precincts for each Local Community School Board containing approximately equal number of students attending the Local Community School the time of the apportionment" and
  2. "The apportionment plan shall be based at a minimum on the number of students attending from one or more Chapter" to be used to develop the Plan for the apportionment for School Board Elections. There are no other criteria established in law, to be used in developing the apportionment for School Board Elections.
- h. 11 N.N.C. is the established Navajo Nation Law to develop, accommodate and encourage public, approve and implement the apportionment for School Board Elections.
- i. Several time other entities have attempted to use the development of the apportionment for School Board Election Plan to forward their political agendas to reduce, regionalize and other means to restrict or control elected Navajo Nation School Boards. But 11 N.N.C. does not contain or allow for the politically based criteria and standards. There are no criteria or standards, therefore criteria or standards not stipulated in 11 N.N.C. cannot be used to develop the apportionment for the School Board Elections – DODE gave out eight (8) Plans when we were informed there were six (6) Plans.

NOW, THEREFORE, BE IT RESOLVED THAT;

1. Baca/Dlo 'ay azhi Community School Board respectfully and strongly request the Navajo Nation Council, Health, Education and Human Services Committee to develop the apportionment for School Board Elections in strict accordance and compliance with 11 N.N.C.

2. Baca/Dlo 'ay azhi Community School Board respectfully and strongly request the Navajo Nation Council, the Health, Education and Human Services Committee to allow sixty (60) days for public comment as stipulated in 11 N.N.C. 29 (H) and for HEHSC to mandate coordinate and carry out forms and allowance for public comment.
3. Baca/Dlo 'ay azhi Community School Board SUPPORTS and endorses the Dine Bi Olta School Association Resolution no. 20-02-002 to the Navajo Nation Council, Health, Education and Human Services Committee (HEHSC) to comply with and carry out the provisions of the apportionment for School Board Elections Law as stipulated in 11 N.N.C. in developing and approving a new Apportionment Plan for School Board Elections.
4. Baca/Dlo 'ay azhi Community School Board respectfully request consideration that our number of School Board members stay as is....Plan 1 which is closest to the desires of parents and community members.

#### CERTIFICATION

I, hereby certify that the foregoing reaffirmed resolution was duly considered by Baca/Dlo 'ay azhi School Board at a duly called meeting with a quorum present and same was passed by a vote of 4 approved, 0 opposed, 0 abstained, this 09<sup>th</sup> day of March 2020.

Motion made by George Tolth

Second made by Mary Ann Gaytan



Ms. Geneva Werito, President

Baca/Dlo 'ay azhi Community School Board





Resolution No. NCS-FEB142020

**RESOLUTION OF THE  
NAATSIS'AAN COMMUNITY SCHOOL  
GOVERNING BOARD OF EDUCATION**

**A RESOLUTION SUPPORTING AND ENDORSING THE DINÉ BI OLTA SCHOOL BOARD  
ASSOCIATION RESOLUTION NO. 20-02-002 TO THE NAVAJO NATION COUNCIL  
HEALTH, EDUCATION, HUMAN SERVICES COMMITTEE (HEHSC) TO COMPLY WITH AND  
CARRY OUT THE PROVISIONS OF THE APPORTIONMENT FOR SCHOOL BOARD  
ELECTIONS LAW AS STIPULATED IN 11 N.N.C. §11 IN DEVELOPING AND APPROVING A NEW  
APPORTIONMENT PLAN FOR SCHOOL BOARD ELECTIONS**

**WHEREAS:**

1. The Naatsisaan Community School, Governing Board of Education, fully supports and stands behind the Diné Bi Olta School Board Association's Resolution No. 20-02-002 issued to the Health, Education and Human Services Committee as a standing committee of the Navajo Nation Council and is expected to comply with the following cited Navajo Nation Election Laws:
  - A. *"The apportionment plan shall be developed by the Health, Education and Human Services Committee with the opportunity for input provided to the Navajo Board of Election Supervisors, parents, local school boards, chapters, school board organizations such as agency school boards, and the Navajo Division of Dine Education pursuant to 11 N.N.C. §2 (H). The Health, Education and Human Services Committee may receive input in writing or through oral testimony". 11 N.N.C. §11 (C).*
  - B. *"The apportionment plan shall be based at a minimum on the number of students attending from one or more Chapters. Each Local Community School Board shall provide to the Health, Education and Human Services Committee and the Navajo Division of Dine Education current and accurate information regarding the number of students attending the local Community School for use in the development of the apportionment plan by October 2003 and every four years thereafter". 11 N.N.C. §11 (D).*
  - C. *"The Health, Education and Human Services Committee shall adopt the apportionment plan and provide the plan to the Navajo Board of Election Supervisors for use in school board elections". 11 N.N.C. §11 (E).*
  - D. *"A School Board member shall be permitted to serve the entire remaining period of his or her duly elected term prior to application of an apportionment plan which would eliminate the School Board position held by that School Board member." 11 N.N.C. §11 (F).*

- E. The Navajo Nation Elections Law, 11 N.N.C. §11 (C) unequivocally bestows the exclusive authorities and responsibilities upon HEHS to "develop" the apportionment for School Board Elections Plan, with, *"the opportunity for input provided to the Navajo Board of Election Supervisors, parents, local school boards, chapters, school board Organizations such as agency school boards, and the Navajo Division of Dine Education pursuant to 11 N.N.C. §2 (H) "*.
  - F. The Navajo Nation Elections Law, 11 N.N.C. §2 (H) stipulates the following:  
*"Consultation " as used in 11 N.N.C. §11 shall mean notice of the proposed school board apportionment plan. The Health, Education and Human Services Committee of the Navajo Nation Council shall allow at least sixty (60) days for persons interested to provide comments. Comments received shall be in writing and maintained by the Division of Dine Education. The Health, Education and Human Services Committee may, but is not required to, hold hearings at schools, Chapters, communities or agencies affected by the proposed apportionment plan. To the extent the Health, Education and Human Services Committee holds hearings on any proposed apportionment plan, the Health, Education and Human Services Committee may impose reasonable restrictions including, but not limited to, the length of time witnesses may present testimony. "*
  - G. 11 N.N.C. (B) and (D) establishes the following criteria and standards: **(1)** *"..and shall apportion the number of school board seats among the Chapter or Chapters represented in each Local Community School Board. This apportionment shall establish election precincts for each Local Community School Board containing approximately equal number of students attending the Local Community School at the time of the apportionment"* and **(2)** *"The apportionment plan shall be based at a minimum on the number of students attending from one or more Chapters "*, to be used to develop the Plan for the apportionment for School Board elections.
- 4. The Naatsis' Aan Community School recognizes there are no other criteria established in law, to be used in developing the apportionment for School Board Elections.
  - 5. We are aware the Department of Diné Education have attempted to use the development of the apportionment for School Board Elections Plan, to forward their political agendas to reduce, regionalize and other means to restrict or control elected Navajo Nation School Boards. However, 11 N.N.C. §11 does not contain or allow for these politically based criteria and standards; there are no criteria or standards, thereby, criteria or standards not stipulated in 11 N.N.C. §11 cannot be used to develop the apportionment for School Board elections.

**NOW, THEREFORE, BE IT RESOLVED, THAT:**

- 1. The Naatsis' Aan Community School, Inc., supports and endorses the Diné Bi Olta School Board Association and respectfully and adamantly asks the Navajo Nation Council Health, Education and Human Services Committee to develop the apportionment for School Board elections in strict accordance and compliance with 11 N.N.C. §11.
- 2. The Naatsis' Aan Community School, Inc., fully supports The Diné Bi Olta School Board Association respectfully and adamantly requesting the Navajo Nation Council Health, Education and Human Services Committee to allow sixty (60) days for public comment as stipulated by 11 N.N.C. §2 (H) and for HEHSC to mandate, coordinate and carry out such public forums and allowance for public comment.

#### CERTIFICATION

I, hereby certify that the foregoing resolution was duly considered by the Naatsis'Aan Community School Governing Board of Education at a duly called meeting in which a quorum was present and same was passed by a vote of 2 approved, 0 opposed, 1 abstained, this 14<sup>th</sup> day of February 2020.

Clarita Stevens Vice President  
Willie Grayeyes, Governing Board of Education President





**Dzilh-Na-O-Dith-Hle Community Grant School**

35 Road 7585 # 5003  
Bloomfield, New Mexico 87413  
Telephone: (505) 960-0356/3066 Fax: (505) 960-8563



**COMMENTS OF THE  
DZILTH-NA-O-DITH-HLE COMMUNITY SCHOOL BOARD REGARDING RESOLUTION  
No. 106-20**

**ADAMANTLY SUPPORTING RESOLUTION NO. 106-20-AN ACTION RELATING TO HEALTH,  
EDUCATION, HUMAN SERVICES COMMITTEE: RESCINDING RESOLUTION HEHSCAP-05-  
20, ENTITLED "AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES;  
APPROVING 2020-2024 NAVAJO NATION SCHOOL BOARD APPORTIONMENT PLAN"**

The Dzilh-Na-O-Dith-Hle School Board believe school leaders and educators of Bureau Funded Schools have a common interest to preserve the educational services we provide to our students through our local community schools and we request the HEHSC Members not disregard our united voices that are expressed in similar resolution languages. The school board members across the Navajo Nation are elected by the people just like the council delegates and have the same rights to express their opinions and their voices should not be dismissed or ignored because they have a vested interest in a topic.

The Dzilh-Na-O-Dith-Hle School Board fully supports and stands strongly behind the Resolution to rescind the action taken by the Health, Education and Human Services Committee by approving Plan 6 that will regionalize school boards for the following reasons:

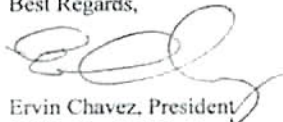
- A. At all five (5) Public Hearings conducted, the people opposed Plan 6 and widely supported Plan 4A; however, HEHSC was inconsiderate of the people's requests and wishes.
- B. We are aware resolutions from chapters, schools and agency school boards were submitted which all did not support Plan 6; again, Plan 4A was highly supported and it is disappointing that our resolutions were ignored and rejected.
- C. The Navajo Nation Elections Law 11 N.N.C. §11 (C) gives the expressed authorities and responsibilities upon HEHSC to "develop" the apportionment for School Board elections Plan, yet it appears that the Department of Dine' Education (DODE) was given exclusive rights to develop Plan 6.
- D. At the April 15, 2020 HEHSC meeting, we were appalled that our leaders, whom we elected in good faith, allowed an employee of DODE to provide rumors about all schools, school boards, and to unspeakably degrade our Diné children by saying they are all failures. None of the school board members or school officials were provided an opportunity to respond to this negative and inaccurate slander.
- E. Furthermore, the DODE employee was allowed to make changes to Plan 6 during the April 15 meeting and HEHSC entertained it. There was a clear conflict of interest as this DODE employee is currently serving on the Navajo Preparatory School Board which he

deliberately made changes to Plan 6 so his school will keep their five (5) member board; then, he influenced further deals with the committee members so they would vote for Plan 6. These changes should have been shared with the public before action was taken.

- F. DODE for years has been attempting to use HEHSC to forward their political agendas to reduce and regionalize elected School Boards and now it is HEHSC's opportunity to stand for the people and have the responsibility to do the right thing.
- G. The entire operations and activities of our people have been impacted by the COVID-19 Virus and so shelter in place have been issued by the NN President and by both states, New Mexico and Arizona, as a result this was not the time to take action on the critical topic as the School Board Reapportionment Plan; thus the voting public was not allowed the opportunity to be present at the meeting nor was a call in number provided to express their comments.

In Summary, Dziłth-Na-O-Dith-Hle School Board respectfully urges the Health, Education and Human Services Committee to rescind Plan 6 School Board Reapportionment and approve Plan 1 or Plan 4a. Your serious consideration to our request will be appreciated.

Best Regards,



Ervin Chavez, President  
Dziłth-Na-O-Dith-Hle Community School

Xc: files  
HEHSC Members

Original Plan 6-

NORTHERN NAVAJO AGENCY

NAME OF SCHOOL	2020 SCHOOL BOARD APPORTIONMENT
01. Northern Navajo Schools Five (5) Member Board  *(Combined with Cove Day School, Sanostee Day School, Beclabito Day School, Tohaali Community School, Aneth Community School, Tiis Nazbas Community School, Nenahnezad Community School, Red Rock Day School)	1 – At-large with Aneth, Red Mesa, Tó Łikan (Sweetwater), Mexican Water Chapters  1 – At-large Teeconspas, Beclabito, Gadii'áhi/To'Koi (Cudeii), Tse Daa Kaan (Hogback) Chapters  1 – At-large with Cove, Red Valley Chapters  1 – At-large with Tsé alnáozt'i' i (Sanostee), Two Grey Hills/Toadlena, Newcomb Chapters  1 – At-large with Shiprock, Nehnanezad, Upper Fruitland, San Juan Chapters
02. Nataani Nez Schools (K-12) Five (5) Member Board  *(Combined with Shiprock Associated Schools, Kinteel Residential Campus, <u>Navajo Preparatory School</u> , Tsé Nitsaa Deez' Ahi Diné Bi' Olta' (Rock Point Community School))	2 – Shiprock Chapter  1 – Rock Point Chapter  1 – At-large Gadii'áhi/To'Koi (Cudeii), Tse Daa Kaan (Hogback) Chapters  1 – At-large with Tsé alnáozt'i' i (Sanostee), Two Grey Hills/Toadlena, Newcomb Chapters

\* Changed on April 15, 2020 HETS mTg. Total Board Members: 10  
 \* Navajo Preparatory School was separated from these combined schools and given their own four (4) Member Board. mTSC is a Board member at NPS



# Original Plan 6

## WESTERN NAVAJO AGENCY

NAME OF SCHOOL	2020 SCHOOL BOARD APPORTIONMENT
01. To' Nanees' Dizi' (Tuba City) Schools I (K-12) Five (5) Member Board  *(Combined with Dennehotso Boarding School, Tonalea Day School, Kaibeto Boarding School, Kayenta Community School, Tuba City Boarding School)	2 – At-large with Tonalea, Tõh Nanees Dizi (Tuba City) Chapters  1 – At-large with Tsah Bii Kin (Inscription House), K'Ai' Bii' Tõ (Kaibeto) Chapters  1 – Bodaway-Gap, Coalmine Canyon, Cameron Chapters  1 – At-large with Kayenta, Oljato, Dennehotso, Chilchinbeto Chapters
02. To' Nanees' Dizi' (Tuba City) Schools II (K-12) Five (5) Member Board  *(Combined with Little Singer Community School, NaaTsisAan Community School, Chilchinbeto Community School, KinLani Bordertown Dormitory, Leupp Schools, Inc., Greyhills Academy High School, Shonto Preparatory School, <u>Richfield Residential Hall</u> )	2 – At-large with Tonalea, Tõh Nanees Dizi (Tuba City) Chapters  1 – At-large with Tsah Bii Kin (Inscription House), K'Ai' Bii' Tõ (Kaibeto), Shonto Chapters  1 – At-large with Kayenta, Oljato, Dennehotso, Chilchinbeto, NaaTsisAan Chapters  1 – At-large with Leupp, Tsidii to'ii (Birdsprings), Tolani Lake Chapters

*\* Changed on April 15, 2020 w/ HETS mtg. Total Board Members: 10*

*\* Richfield Residential Hall was separated from these combined schools and given their own four (4) Member Board.*



RESOLUTION  
OF THE  
EASTERN NAVAJO AGENCY COUNCIL  
THE NAVAJO NATION

No. ENAC-12-2019-009

OPPOSING THE REDUCTION OF AND/OR CHANGE IN AUTHORITY, LIABILITY, RESPONSIBILITY, AND COMPOSITION OF LOCAL NAVAJO SCHOOL BOARD FOR EXAMPLE AS PROPOSED IN THE BIE REORGANIZATION THAT MAY EVENTUALLY IMPLICATE THE SCHOOL BOARD REAPPORTIONMENT PLAN BUT INSTEAD SUPPORTING THE LOCAL NAVAJO SCHOOL BOARDS TO KEEP THEIR AUTHORITIES, LIABILITIES, RESPONSIBILITIES AND COMPOSITIONS OF LOCAL NAVAJO SCHOOL BOARDS AS CURRENTLY IN OPERATION AND THAT THE 2020 NAVAJO NATION SCHOOL BOARD REAPPORTIONMENT PLAN REFLECT THE REAPPORTIONMENT PLAN AS CURRENTLY EXISTS IN THE 2020-2024 TERM WITH ANY CHANGE

WHEREAS:

1. The Eastern Navajo Agency Council is established under the Legislative Branch of the Navajo Nation and certified by Resolution IGRS-251-01; and
2. Pursuant to 26 N.N.C. Section 103 (D) (4), the Eastern Navajo Agency Council, a consortium of elected Chapter Officials representing thirty-one (31) certified Navajo Nation Chapters, agree to address and undertake common goals and interests for the benefit of the Eastern Navajo Agency Chapters; and
3. Pursuant 2 N.N.C SECTION: 4028; the Eastern Navajo Agency Council is vested with government authority to review all matters affecting the community to make most appropriate recommendations when necessary to the Navajo Nation, County, State, Federal and other local agencies; and
4. Many people reside in Eastern Navajo Agency who have children in schools located within the Eastern Navajo Agency including the three schools of Alamo, Pine Hill and Tohajilee. and, on the basis of parental choice people from other parts of the Navajo Nation, send many young people to attend various schools located within the Eastern Navajo Agency schools including the three schools of Alamo, Pine Hill and Tohajilee; and
5. It is fundamentally reasonable, prudent and sound and of utmost importance that each of these schools located in the various communities across the Eastern Navajo Agency governing including the three communities of Alamo, Pine Hill and Tohajilee imperatively have on its governing body, those elected officials that mirror the make-up of the students enrolled at these local schools and furthermore, that these governing bodies have in no uncertain terms, full authorities, liabilities, responsibilities and composition reflecting the students who are enrolled, and
6. Since time immemorial there has existed the principle and the practice that parents, grandparents, guardians and adults who have the best interest of school students be involved in its education of its children whether it be at home and whether it be in the local schools and that this principle and practice continue unfettered; and
7. It is further in the best interest of the school students going to schools and schools located in the Eastern Navajo Agency including Alamo, Pine Hill and Tohajilee that the local, authority, liability, responsibility and composition of its local governing body remain unfettered by currently as they exist; and
8. It is imperative that each and every school child be represented on its school board whether they are from within or from outside the community where the school is located for each and every citizen is entitled to equal protection and fair representation under the law and therefore the use of at-large representation on the school boards continue without change.

**NOW, THEREFORE BE IT RESOLVED THAT:**

1. The Eastern Navajo Agency Council hereby opposes the reduction of and/or change in authority, liability, responsibility, and composition of Local Navajo School Boards for example as proposed in the BIE reorganization that may eventually implicate the school board reapportionment plan but instead supports the local Navajo School boards to keep their authorities, liabilities, responsibilities and compositions of local Navajo School Boards as currently in operation and that the 2020 Navajo Nation School Board reapportionment plan reflect the reapportionment plan as currently exists in the 2020-2021 term without any change.

**CERTIFICATION**

I hereby certify that the foregoing resolution was approved by the Eastern Navajo Agency Council at a duly called meeting at Alamo, Navajo Nation, New Mexico, at which a quorum was present and the same was passed by a vote of 44 in favor, 00 opposed, 02 abstained, this 7<sup>th</sup> day of December 2019

Moved by: Betsy Dennison, Lake Valley Chapter  
Second: Ervin Chavez, Hageezi Chapter

ATTEST

  
Anita Benally, Vice President

  
Johnny Johnson, President





# Untitled

Lupita Yazzie <lupita.yazzie@dzilth.school>

Mon 5/4/2020 11:10 AM

To: comments <comments@navajo-nsn.gov>;

I would recommend plan 4a it would help the committee we live in.

Sent from my T-Mobile 5G Device

WARNING: External email. Please verify sender before opening attachments or clicking on links.

**Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto: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.***

Regarding Legislation 0106-20 to rescind the approval of Plan 6 by HEHSC. I do not want regionalization of school boards.

I support Plan 4A. Please consider my comment by approving Plan 4A. I also attend the PAC Meetings.

Karen Begay, Data Records Technician and Library Technician  
Dzilth-Na-O-Dith-Hle Community School  
35 Rd 7585, #5003  
Bloomfield, NM 87413  
(505) 960-0356  
Email address: [Karen.begay@Dzilth.School](mailto:Karen.begay@Dzilth.School)



# Voicing My Support for Rescinding Resolution HEHSCAP-05-20

Karen Dixon <karen.dixon@dzilth.school>

Mon 5/4/2020 11:10 AM

To: comments <comments@navajo-nsn.gov>;

Importance: High

Good Day, This is an email voicing my support for Legislation 0106-20 "Rescinding Resolution HEHSCAP-05-20, Entitled "An Action Relation to Health, Education, and Human Services; Approving 2020-2024 Navajo Nation school Board Apportionment Plan."

I support **Plan 4A** and look forward to seeing HEHSC honoring the voice of the people it serves.

Upper Fruitland Chapter Member,  
Karen Dixon

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# Support plan 4a

Sandra Butler <sandra.butler@dzilth.school>

Mon 5/4/2020 11:10 AM

To: comments <comments@navajo-nsn.gov>;

My name is Sandra Butler. I am a 7th and 8th grade Math/Science teacher at DzilthNaODithHle Community School. I have been teaching here for 13 years. I support plan 4A. Please consider my support of plan 4A.

Thank you,  
Sandra Butler  
85 CR 7585

Bloomfield, NM 87413

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# Approving Plan 4A

Valerie Manuel <valerie.manuel@dzilth.school>

Mon 5/4/2020 11:10 AM

To: comments <comments@navajo-nsn.gov>;

As a member of the Navajo Nation, it is a rewarding experience to work for my local community grant school. I strongly support Plan 4A, please consider my comment by **approving Plan 4A**. (Legislation 0106-20) I do not want regionalization of school boards. We have an dedicated teachers at our school with a remarkable team of school board members.

My name is Valerie Manuel from the Dine Nation, I am a FACE Preschool Teacher/FACE Coordination.  
email: valerie.manuel@dzilth.school mailing address: 65 RD 7857 Bloomfield, NM 87413

Thank you,  
Valerie Manuel

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To: Executive Director Office of Legislative Services  
Fr: Freda Nells, Grandparent  
Date: May 2, 2020  
Re: Navajo Nation School Board Apportionment Plan

Ya'a'teeh,

Let this letter serve as my comment and position to Legislation 0106-20. As a grandparent of three children enrolled in two the different Tribal Controlled Grant School. I fully support **Plan 4A** Reapportionment. I ask HEHSC to resend HEHSCAP-05-20, and consider my comment by approving **Plan 4A**.

Ahx'he'hee.

# School Board Reappointment

Harold Nez Begay <Harold.NezBegay@dzilth.school>

Mon 5/4/2020 11:10 AM

To: comments <comments@navajo-nsn.gov>;

I support Plan 4A. Please reconsider. Thank you!

-Harold NezBegay, Art Tech.

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# Untitled

Nadia Largo <nadia.largo@dzilth.school>

Mon 5/4/2020 11:11 AM

To: comments <comments@navajo-nsn.gov>;

I support Plan 4A. Please consider my comment by approving Plan 4A. My name Nadia Largo, School Security

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# Support Plan 4A

Sonya Lewis <sonya.lewis@dzilth.school>

Mon 5/4/2020 11:11 AM

To: comments <comments@navajo-nsn.gov>;

My name is Sonya Lewis, Educational Assistance at Dzilth-Na-O-Dith-Hle Community Grant School. Address Bloomfield NM, 87413

I support Plan 4A. Please consider my comment by approving Plan 4A.

Thank you!

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# Support of plan 4A in education

Efren Butler <efren.butler@dzilth.school>

Mon 5/4/2020 11:11 AM

To: comments <comments@navajo-nsn.gov>;

My name is Efren Butler. I am Instructional Technician/Educational Assistant. My address is P.O. Box ,  
Coundelor NM 87018, United States.

I am in support of PlanA. I would greatly appreciate your consideration of my comment. Thank you.

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## Rescinding of Plan 6, Support for Plan 4A

Tabby Jose <tabby.jose@dzilth.school>

Mon 5/4/2020 11:11 AM

To: comments <comments@navajo-nsn.gov>;

As an educator at Dzilth-Na-O-Dith-Hle Community School, I am in support of Plan 4A rather than Plan 6. First of all, the idea of regionalization of school boards is absurd. Having an autonomous school board has certainly been a success at DCS. To combine our board with others is not fair to our school community. Why hold our system down just because other schools are not performing? I hope all of our comments are taken into consideration. With that, please consider my comments by approving Plan 4A.

Thank you for your time,  
Tabby Jose'  
Teacher  
Email: tabby.jose@dzilth.school

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## Plan 4A

Benevey Lewis <benevey.lewis@dzilth.school>

Mon 5/4/2020 11:11 AM

To: comments <comments@navajo-nsn.gov>;

Good afternoon,

My name is Benevey Lewis, Human Resource Assistant from Dzilth-Na-O-Dith-Hle Community School. Address 35 Road 7585 #5003 Bloomfield, NM 87413.

***I support Plan 4A. Please consider my comment by approving Plan 4A.***

*Best regards,  
Benevey Lewis, Human Resource Assistant  
Dzilth-Na-O-Dith-Hle Community School  
35 Road 7585 #5003  
Bloomfield, NM 87413  
Phone: (505)960-0356  
Fax: (505)960-8929*

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# Plan 4A

Marilyn Poyer <marilyn.poyer@dzilth.school>

Mon 5/4/2020 11:11 AM

To: comments <comments@navajo-nsn.gov>;

My name is Ms. Marilyn A. Poyer, I am a state certified 6th grade teacher at Dzilth-Na-O-Dith-Hle Community School.

Our school address is: 35 Rd 7585 #5003, Bloomfield, NM 87413.

I am emailing my support for PLAN 4A. Please consider my comment by approving PLAN 4A.

Thank you,

Ms. Marilyn A. Poyer

marilyn.poyer@dzilth.school

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# Plan 4A

Diana Silversmith <diana.silversmith@dzilth.school>

Mon 5/4/2020 11:11 AM

To: comments <comments@navajo-nsn.gov>;

Hello,

My name is Diana Silversmith, Transportation Manager from Dzilth-Na-O-Dith-Hle Community School. Address  
35 Road 7585 #5003 Bloomfield, NM 87413.

I support Plan 4A. Please consider my comment by approving Plan 4A.

Thank you

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**LAVERNE JOE**  
**Receptionist/Bus Driver**  
**1100 West Buffalo St.**  
**Holbrook, AZ 86025**

Honorable Daniel Tso ([danieltso@navajo-nsn.gov](mailto:danieltso@navajo-nsn.gov))  
Honorable Charlene Tso ([charlaintso@navajo-nsn.gov](mailto:charlaintso@navajo-nsn.gov))  
Honorable Carl Slater  
Honorable Paul Begay ([paulbegay@navajo-nsn.gov](mailto:paulbegay@navajo-nsn.gov))  
Honorable Pernell Halona ([pernellhalona@navajo-nsn.gov](mailto:pernellhalona@navajo-nsn.gov))  
Honorable Edison Wanueka ([ewauneka@navajo-nsn.gov](mailto:ewauneka@navajo-nsn.gov))

Mario Tencio on behalf of Honorable Daniel Tso ([marioatencio@navajo-nsn.gov](mailto:marioatencio@navajo-nsn.gov))  
Darrell Williams on behalf of Honorable Charlene Tso ([darrellwilliams@navajo-nsn.gov](mailto:darrellwilliams@navajo-nsn.gov))  
Angela Cody on behalf of Honorable Paul Begay ([acody@navajo-nsn.gov](mailto:acody@navajo-nsn.gov))  
Laris Manuelito on behalf of Honorable Pernell Halona ([larismanuelito@navajo-nsn.gov](mailto:larismanuelito@navajo-nsn.gov))  
Elizabeth Kuipers on behalf of Honorable Edison Wanueka ([ekuipers@navajo-nsn.gov](mailto:ekuipers@navajo-nsn.gov))

RE: Please Support Legislation 0106-20

Dear Honorable Delegates and Health, Education and Human Services Committee Members,

Tiisyaakin Residential Hall, Inc. (TRH) provides residential services for Holbrook High School students, grades 9th to 12th at large from the Navajo Nation and surrounding areas. TRH is a Navajo non-profit educational organization that is federally funded under P.L. 100-297. I am a staff member at Tiisyaakin Residential Hall.

I am writing to you to support and endorse Legislation 0106-20, a proposed standing committee resolution titled, "An Action Relating to Health, Education and Human Services: Rescinding Resolution HEHSCAP-05-20, Entitled "An Action Relating to Health, Education and Human Services; Approving 2020 -2024 Navajo Nation School Board Apportionment Plan," which would rescind HEHSCAP-05-20. HEHSCAP-05-20 approves Apportionment Plan 6, which creates 16 regional, consolidated boards to represent the P.L. 100-297 grant schools on the Navajo Nation and the border town dormitories.

Further, I urge the Health, Education, Human Services Committee, the Navajo Nation Board of Education, and DODE to support the community input regarding apportionment and affirm, reinstate and respect the primacy and autonomy of the Local Community School Boards in the overall management and operation of local community schools and homeliving programs by preserving the status quo and approving Plan 1 or Plan 4a.

Navajo and federal law both emphasize that TRH and similarly situated community schools and homeliving programs should be governed locally and establish that Local Community School Boards have been delegated the responsibility and authority to govern community schools and

homeliving programs, in order to carry out this mandate. See 10 N.N.C. §§ 1(A), 3(S) and 200(A); P.L. 93-638; P.L. 100-297 and P.L. 114-95.

Apportionment Plan 6 removes local control of our homeliving program from the TRH Board. The Plan would profoundly change the current Navajo education system and there is currently no plan to properly implement it. This creates many new concerns and unanswered questions for TRH and local community schools, including:

- loss of identity and autonomy;
- dramatic, swift and disorganized change from a well-established and regulated system codified in Title 10 of the Navajo Nation Code;
- undefined powers, duties and responsibilities of the new boards;
- chain of command and organizational questions;
- fairness concerns;
- logistical issues;
- financial questions regarding federal grant monies;
- legal status of the schools and the new boards, existing contracts and obligations; and,
- many more.

I believe in local control of our homeliving program through the TRH Board. Administrators and staff who are administering our homeliving program and our local electorates who live in these communities know best what is needed in our homeliving program and should control these issues in our homeliving program, not a distant regionalized board. Regionalized and consolidated boards do not serve the unique needs of our varied communities and circumstances.

Title 10 of the Navajo Nation Code, "The Sovereignty in Education Act," specifically states, "The Navajo Nation encourages and supports local control of Navajo education. Administration of a local school shall be under the guidance and direction of the local governing board." This is a direct delegation of authority for local community school and homeliving program matters to Local Community School Boards, not consolidated and regionalized boards that are not directly accountable to local community members through participation at local meetings where these decisions should be made. True sovereignty lies in Navajo people electing Board Members who have real authority over the operation of community schools and homeliving programs. Title 10 also requires Local Community School Boards to conduct their meetings at times and places convenient to the public, especially parents. Under the proposed change, TRH would be represented by the Tse Hootsoi II Schools Board, which would also represent schools located far

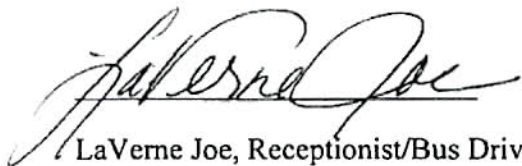


from TRH and would include only a single representative from the communities primarily served by TRH. It would be impossible for the Tse Hootsoi II Schools Board to conduct meetings at times and places convenient to all parents of students at the eight schools and homeliving programs it would represent. Further, the TRH Board already has a big workload as the governing body of our single homeliving program. It will be incredibly difficult for a single board to effectively govern eight diverse schools and homeliving programs at once. True local control as envisioned by the Sovereignty in Education Act cannot be realized if the local communities only have a single representative on a consolidated board responsible for governing eight vastly different schools and homeliving programs located across a sizable regional area.

Finally, pursuant to 11 N.N.C. § 11(C), "The apportionment plan shall be developed by the Education Committee with the opportunity for input provided to the Navajo Board of Election Supervisors, parents, local school boards, chapters, school board organizations such as agency school boards, and the Navajo Division of Diné Education, pursuant to 11 N.N.C. § 2(H). The Education Committee may receive input either in writing or through oral testimony." Public hearings on the proposed changes were held in February, 2020, but there was strong support for Plans 1 and 4a and very little public support for Plan 6, although it was ultimately approved. Profound change without meaningful consultation or consideration is not consistent with Navajo law.

Please support Legislation 0106-20 to rescind Resolution HEHSCAP-05-20 and support the community input regarding apportionment by approving Plan 1 or Plan 4a.

Sincerely,

A handwritten signature in cursive script, appearing to read "LaVerne Joe".

LaVerne Joe, Receptionist/Bus Driver



May 1, 2020

**RE:** Comment to LEGISLATION NO: 0106-20 An Action Relating to Health, Education and Human Services: Rescinding Resolution HEHSCAP-05-20, Entitled “An Action Relating to Health, Education and Human Services; Approving 2020 -2024 Navajo Nation School Board Apportionment Plan”

My name is Chrystal Martinez-Tom, principal of Dzilh-Na-ODith-Hle Community School, I am providing my comment in support of Rescinding Resolution HEHSCAP-05-20, Entitled “An Action Relating to Health, Education and Human Services; Approving 2020 -2024 Navajo Nation School Board Apportionment Plan.

It has been very demoralizing to continue hearing that the Department of Dine Education staff are convincing council delegates that Bureau Funded Schools are “failures”. This statement is absolutely false as the data they are referring to are outdated from 2008 – 2013. PARCC was administered starting in 2015 and by 2019 only two states in the entire United States were using this assessment. In SY 2018 - 2019 the Bureau Funded Schools were given the option to take the test in the state that they were located in, so for New Mexico we took the New Mexico Transition Based Assessment. Bureau Funded Schools were notified this school year that they were going to be required to take the full PARCC assessment in spring 2020. We believe DODE is hanging on to the PARCC to prove our schools are failures so the Navajo Nation leaders will support DODE in eventually taking control of our schools. There has not been a new valued assessment presented by DODE for our Dine’ students to schools even though they were funded for such an assessment.

Our students are making academic progress regardless of the statement that schools are “failures”. Common challenges that school face are lack of parent involvement, large increases in Special Education students, high mobility rates, teacher shortages, etc. With these common challenges that local school face, we have yet to receive any meaningful support from DODE. However, they are quick to criticize and judge our schools.

We found that our students are eager to learn. We do everything we can to be supportive in providing instructional opportunities despite the challenges we face on a daily basis. Our School board highly supports our administration and teaching staff and expect academic success for all our students. It is unrealistic how DODE thinks that combining school boards will substantially increase student test scores. Our school boards allow the flexibility to plan and structure our programs that result in student growth and achievement in their communities they serve.

It is highly recommended to rescind the action taken by HEHSC of selecting Plan 6 concerning school board reapportionment. I am in support of Plan 4A or Plan 1. Your consideration of my comments would be appreciated.

Chrystal Martinez-Tom



Pinon Community School, Inc.  
Post Office Box 159, Pinon, Arizona 86510-0159  
Phone (928) 725-3234/3250 Fax (928) 725-3232

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**RESOLUTION OF THE  
PINON COMMUNITY SCHOOL BOARD**

**A RESOLUTION STRONGLY SUPPORTING RESOLUTION NO. 106-20-AN ACTION  
RELATING TO HEALTH, EDUCATION, HUMAN SERVICES COMMITTEE:  
RESCINDING RESOLUTION HEHSCAP-05-20, ENTITLED "AN ACTION RELATING  
TO HEALTH, EDUCATION AND HUMAN SERVICES; APPROVING 2020-2024  
NAVAJO NATION SCHOOL BOARD APPORTIONMENT PLAN"**

**WHEREAS:**

1. Pinon Community School Board, Inc., is a Navajo Nation non-profit corporation and tribal organization of the Navajo Nation which operates a school and homeliving program pursuant to a grant issued by the Bureau of Indian Affairs and to public law 100-297; and
2. The Pinon Community School Governing Board is the governing body of PCS, duly elected to serve the best interest of the school, community, and people; and
3. The Pinon Community School Board is the entity legally authorized and empowered to act for and on behalf of PCS and oversee, ensure and generally direct its operation and management; and
4. In response to the Public Hearing held at Chinle, Arizona on March 25, 2020, Pinon Community School Executive Board adamantly opposed Plan 6 and made it know they approved plan 4a; and
5. As school leaders and educators of Bureau Funded Schools, we have a common interest to preserve in unity the educational services we provide to our students through our local community schools and that our united voices are expressed by utilizing the same language in our resolutions and we request the committee members not to disregard our voices because our resolution languages are similar; and
6. The Pinon Community School Board, fully supports and stands behind the Resolution to rescind the action taken by the Health, Education and Human Services Committee by approving Plan 6 that will Regionalize school boards for the following reasons:
  - A. At all five (5) Public Hearings conducted, the people opposed Plan 6; but they widely supported Plan 4a, so why was HEHSC inconsiderate of the people's requests and wishes.
  - B. We are aware resolutions from chapters, schools and agency school boards were submitted which all did not support Plan 6; again, Plan 4a was highly supported, so why did HEHSC ignore and reject the contents of these resolutions.

---

Governing School Board Members			
Sharon Begay	Irene Begaye	Johansen LaPahe	Tommy McCabe III





Pinon Community School, Inc.  
Post Office Box 159, Pinon, Arizona 86510-0159  
Phone (928) 725-3234/3250 Fax (928) 725-3232

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- C. The Navajo Nation Elections Law 11 N.N.C. §11 (C) gives the expressed authorities and responsibilities upon HEHSC to “develop” the apportionment for School Board elections Plan, yet it appears that the Department of Dine’ Education (DODE) was given exclusive rights to develop Plan 6.
  - D. At the April 15, 2020 HEHSC meeting, we were appalled that our leaders whom we elected in good faith allowed an employee of DODE to provide jini’ about schools, school boards, and most troubling to degrade our Diné children by saying they are failures. None of the school board members or school officials were provided an opportunity to respond to these negative, inaccurate slander.
  - E. Furthermore, the DODE employee was allowed to make changes to Plan 6 during the April 15 meeting and HEHSC entertained it. There was a clear conflict of interest as this DODE employee is currently serving on the Navajo Preparatory School Board which he deliberately made changes to Plan 6 so his school will keep their five (5) member board; then, he influenced further deals with the committee members so they would vote for Plan 6.
  - F. DODE for years has been attempting to use HEHSC to forward their political agendas to reduce and regionalize elected School Boards and now is HEHSC’s opportunity to stand for the people and right the wrong that was done.
7. We fully support Resolution 106-20 to rescind the approval of Plan 6 and accept Plan 1 or Plan 4a which will demonstrate that our elected leaders are not ignoring our voices and have the integrity and responsibility to do the right thing.

**NOW, THEREFORE, BE IT RESOLVED, THAT:**

- 1. The Pinon Community School, supports and endorses the Resolution No. 106-20- an action relating to the Health, Education, Human Services Committee: Rescinding Resolution HEHSCAP-05-20, entitled “An action relating to Health, Education and Human Services; Approving 2020-2024 Navajo Nation School Board Apportionment Plan”.
- 2. The Pinon Community School, respectfully and adamantly requesting the Health, Education and Human Services Committee to approve Plan 1 or Plan 4a.
- 3. The school board members across the Navajo Nation are elected by the people just like the council delegates and have the same rights to express their opinions and their voices should not be dismissed or ignored because they have a vested interest in this topic.

**CERTIFICATION**

I, hereby certify that the foregoing resolution was duly considered by the Pinon Community School Board at a duly called meeting in which a quorum was present and same was passed by a vote of \_\_\_ approved, \_\_\_ opposed, \_\_\_ abstained, this \_\_\_<sup>th</sup> day of April, 2020.

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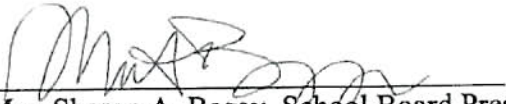
Governing School Board Members			
Sharon Begay	Irene Begaye	Johansen LaPahe	Tommy McCabe III





Pinon Community School, Inc.  
Post Office Box 159, Pinon, Arizona 86510-0159  
Phone (928) 725-3234/3250 Fax (928) 725-3232

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Mrs. Sharon A. Begay, School Board President

---

Governing School Board Members			
Sharon Begay	Irene Begaye	Johansen LaPahe	Tommy McCabe III

**RENEE WHITE-ALCOTT**  
**Executive Director**  
**1100 West Buffalo St.**  
**Holbrook, AZ 86025**

Honorable Daniel Tso ([danieltso@navajo-nsn.gov](mailto:danieltso@navajo-nsn.gov))  
Honorable Charlainé Tso ([charlainetso@navajo-nsn.gov](mailto:charlainetso@navajo-nsn.gov))  
Honorable Carl Slater  
Honorable Paul Begay ([paulbegay@navajo-nsn.gov](mailto:paulbegay@navajo-nsn.gov))  
Honorable Pernell Halona ([pernellhalona@navajo-nsn.gov](mailto:pernellhalona@navajo-nsn.gov))  
Honorable Edison Wanueka ([ewauneka@navajo-nsn.gov](mailto:ewauneka@navajo-nsn.gov))

Mario Tencio on behalf of Honorable Daniel Tso ([marioatencio@navajo-nsn.gov](mailto:marioatencio@navajo-nsn.gov))  
Darrell Williams on behalf of Honorable Charlainé Tso ([darrellwilliams@navajo-nsn.gov](mailto:darrellwilliams@navajo-nsn.gov))  
Angela Cody on behalf of Honorable Paul Begay ([acody@navajo-nsn.gov](mailto:acody@navajo-nsn.gov))  
Laris Manuelito on behalf of Honorable Pernell Halona ([larismanuelito@navajo-nsn.gov](mailto:larismanuelito@navajo-nsn.gov))  
Elizabeth Kuipers on behalf of Honorable Edison Wanueka ([ekuipers@navajo-nsn.gov](mailto:ekuipers@navajo-nsn.gov))

**RE: Please Support Legislation 0106-20**

Dear Honorable Delegates and Health, Education and Human Services Committee Members,

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I am writing to you to support and endorse Legislation 0106-20, a proposed standing committee resolution titled, "An Action Relating to Health, Education and Human Services: Rescinding Resolution HEHSCAP-05-20, Entitled "An Action Relating to Health, Education and Human Services; Approving 2020 -2024 Navajo Nation School Board Apportionment Plan," which would rescind HEHSCAP-05-20. HEHSCAP-05-20 approves Apportionment Plan 6, which creates 16 regional, consolidated boards to represent the P.L. 100-297 grant schools on the Navajo Nation and the border town dormitories.

Further, I urge the Health, Education, Human Services Committee, the Navajo Nation Board of Education, and DODE to support the community input regarding apportionment and affirm, reinstate and respect the primacy and autonomy of the Local Community School Boards in the overall management and operation of local community schools and homeliving programs by preserving the status quo and approving Plan 1 or Plan 4a.

Navajo and federal law both emphasize that TRH and similarly situated community schools and homeliving programs should be governed locally and establish that Local Community School Boards have been delegated the responsibility and authority to govern community schools and

homeliving programs, in order to carry out this mandate. See 10 N.N.C. §§ 1(A), 3(S) and 200(A); P.L. 93-638; P.L. 100-297 and P.L. 114-95.

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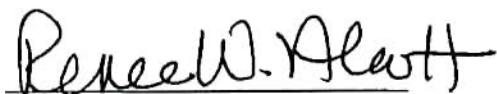


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Sincerely,

A handwritten signature in black ink, reading "Renee W. Alcott". The signature is fluid and cursive, with the first name "Renee" being the most prominent part.

Renee White-Alcott, Executive Director

**RANDALL BEGAY**  
**Facility Operations Specialist**  
**1100 West Buffalo St.**  
**Holbrook, AZ 86025**

Honorable Daniel Tso ([danieltso@navajo-nsn.gov](mailto:danieltso@navajo-nsn.gov))  
Honorable Charlaine Tso ([charlainetso@navajo-nsn.gov](mailto:charlainetso@navajo-nsn.gov))  
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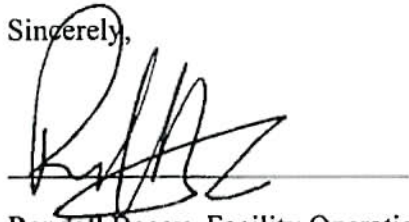


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Randall Begay, Facility Operations Specialist

**JEREMY ALCOTT**  
**Facility Manager**  
**1100 West Buffalo St.**  
**Holbrook, AZ 86025**

Honorable Daniel Tso ([danieltso@navajo-nsn.gov](mailto:danieltso@navajo-nsn.gov))  
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Jeremy Alcott, Facility Manager

**ROSABEL SEKAYUMPTWEA**  
**Board Secretary**  
**P.O. Box 3242**  
**Indian Wells, AZ 86031**

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Rosabel Sekayumtewa, Board Secretary

**RUDIE L. JOHN**  
**Board Vice President**  
**HC 63 Box 388**  
**Winslow, AZ 86047**

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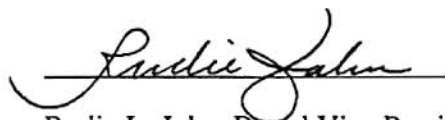


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Rudie L. John, Board Vice President

**May 01, 2020**

*Comment in support for Legislative 0106-20 "Rescinding Resolution HEHSCAP-05—20*

Supporting Rescinding Resolution as stated:

Shiprock School Board Reapportionment was scheduled did not start on time. No radio announcements regarding this meeting; "time" scheduled on the Agenda was confusing; Representatives present expressed concerns and questioned why DODE was involved in these meetings scheduled across the reservation agencies. Comments made were from individuals were sincere and reasonable. The local school board memberships from schools expressed their sincere reasons for choosing Plan 4. These are respectful individuals who know and have been involved in with their schools' functions. The stakeholders recognize the role of their school board members and how their memberships as important to supporting the education of the children. Mr. Matthew and Mr. Timothy Benally were present and heard all the comments favoring Plan 4(8). Unfortunately we did not hear credible from Mr. Benally. Their presence was not to cause confusion and false reports. Mr. Larry Rodgers did explain his role in these scheduled meeting.

Finally, it would be with reason to consider the sincere comments for Plan 4 and it is important to remember that ultimate decision regarding the local school board is community stakeholders/voters. Community members need to be informed by public hearing and not at the last minute at that.

Thank you.


Arlene Howard, School Board Member  
Tiis naz bas Community School



VISION  
STATEMENT: *Achieve Today. Lead Tomorrow*

E. Hwy 160 Navajo Rte 59 • Post Office Box 740 • Kayenta, Arizona 86033  
Phone: (928) 697-3800 or 3802 • Fax: (928) 697-3448

TO: Honorable Delegates and Health Education and Human Services Committee Members

FROM: Sherry Lane Mitchell, M.Ed., Principal 

DATE: May 3, 2020

RE: Rescinding Resolution HEHSCAP-05-20

I am writing this letter to inform you of the following items:

1. Two board members asked me to sign their letters for them do to timeline and lockdown concerning weekend travel and no printer or scanner at home.
2. There are letters from the Chilchinbeto Community School Board, Inc.
3. There is a resolution from the Chilchinbeto Community School Board, Inc.
4. There is a resolution from the Chilchinbeto Chapter House.

All are scanned in and set via email for your review. We have also sent it to the comment section of Navajo Nation for their review.

Please, read and review and thank you for your time and effort in this matter.

ATTACHMENTS: SCANNED

Cc/file

Human Resource/Administrative Secretary  
Phyllis Hewey, School Board President  
Roy Laughter, School Board Vice President  
Frank Young, School Board Member



Phyllis Hewey  
School Board President  
Chilchinbeto Community School, Inc.  
P.O. Box 1424  
Kayenta, AZ 86033

Honorable Daniel Tso ([danieltso@navajo-nsn.gov](mailto:danieltso@navajo-nsn.gov))  
Honorable Charlaïne Tso ([charlainetso@navajo-nsn.gov](mailto:charlainetso@navajo-nsn.gov))  
Honorable Carl Slater  
Honorable Paul Begay ([paulbegay@navajo-nsn.gov](mailto:paulbegay@navajo-nsn.gov))  
Honorable Pernell Halona ([pernellhalona@navajo-nsn.gov](mailto:pernellhalona@navajo-nsn.gov))  
Honorable Edison Wanueka ([ewauneka@navajo-nsn.gov](mailto:ewauneka@navajo-nsn.gov))

Mario Tencio on behalf of Honorable Daniel Tso ([marioatencio@navajo-nsn.gov](mailto:marioatencio@navajo-nsn.gov))  
Darrell Williams on behalf of Honorable Charlaïne Tso ([darrellwilliams@navajo-nsn.gov](mailto:darrellwilliams@navajo-nsn.gov))  
Angela Cody on behalf of Honorable Paul Begay ([acody@navajo-nsn.gov](mailto:acody@navajo-nsn.gov))  
Laris Manuelito on behalf of Honorable Pernell Halona ([larismanuelito@navajo-nsn.gov](mailto:larismanuelito@navajo-nsn.gov))  
Elizabeth Kuipers on behalf of Honorable Edison Wanueka ([ekuipers@navajo-nsn.gov](mailto:ekuipers@navajo-nsn.gov))

RE: Please Support Legislation 0106-20

Dear Honorable Delegates and Health, Education and Human Services Committee Members,

Chilchinbeto Community School, Inc. (CCS) is a K-8 school and Navajo non-profit educational organization that is federally funded under P.L. 100-297. I am a Board member for CCS.

I am writing to you to support and endorse Legislation 0106-20, a proposed standing committee resolution titled, "An Action Relating to Health, Education and Human Services: Rescinding Resolution HEHSCAP-05-20, Entitled "An Action Relating to Health, Education and Human Services; Approving 2020 -2024 Navajo Nation School Board Apportionment Plan," which would rescind HEHSCAP-05-20. HEHSCAP-05-20 approves Apportionment Plan 6, which creates 16 regional, consolidated boards to represent the P.L. 100-297 grant schools on the Navajo Nation and the border town dormitories.

Further, I urge the Health, Education, Human Services Committee, the Navajo Nation Board of Education, and DODE to support the community input regarding apportionment and affirm, reinstate and respect the primacy and autonomy of the Local Community School Boards in the overall management and operation of local community schools and homeliving programs by preserving the status quo and approving Plan 1 or Plan 4a.

Navajo and federal law both emphasize that CCS and similarly situated community schools and homeliving programs should be governed locally and establish that Local Community School Boards have been delegated the responsibility and authority to govern community schools and homeliving programs, in order to carry out this mandate. See 10 N.N.C. §§ 1(A), 3(S) and 200(A); P.L. 93-638; P.L. 100-297 and P.L. 114-95.

Apportionment Plan 6 removes local control of our community school from the CCS Board. The Plan would profoundly change the current Navajo education system and there is currently no plan to properly implement it. This creates many new concerns and unanswered questions for CCS and local community schools, including:

- loss of identity and autonomy;
- dramatic, swift and disorganized change from a well-established and regulated system codified in Title 10 of the Navajo Nation Code;
- undefined powers, duties and responsibilities of the new boards;
- chain of command and organizational questions;
- fairness concerns;
- logistical issues;
- financial questions regarding federal grant monies;
- legal status of the schools and the new boards, existing contracts and obligations; and,
- many more.

I believe in local control of our community school through the CCS Board. Administrators and staff who are administering our school and our local electorates who live in these communities know best what is needed in our community school and should control these issues in our school, not a distant regionalized board. Regionalized and consolidated boards do not serve the unique needs of our varied communities and circumstances.

Title 10 of the Navajo Nation Code, "The Sovereignty in Education Act," specifically states, "The Navajo Nation encourages and supports local control of Navajo education. Administration of a local school shall be under the guidance and direction of the local governing board." This is a direct delegation of authority for local community school and homeliving program matters to Local Community School Boards, not consolidated and regionalized boards that are not directly accountable to local community members through participation at local meetings where these decisions should be made. True sovereignty lies in Navajo people electing Board Members who have real authority over the operation of community schools and homeliving programs. Title 10 also requires Local Community School Boards to conduct their meetings at times and places convenient to the public, especially parents. Under the proposed change, CCS would be represented by the To'Nanees'Dizi' Schools II Board, which would also represent schools located far from CCS and would include only a single representative from the communities primarily served by CCS. It would be impossible for the To'Nanees'Dizi' Schools II Board to conduct meetings at times and places convenient to all parents of students at the eight schools it would

represent. Further, the CCS Board members already have a big workload as the governing body of our school. It will be incredibly difficult for a single board to effectively govern eight diverse schools at once. True local control as envisioned by the Sovereignty in Education Act cannot be realized if the local communities only have a single representative on a consolidated board responsible for governing eight vastly different schools located across a sizable regional area.

Finally, pursuant to 11 N.N.C. § 11(C), "The apportionment plan shall be developed by the Education Committee with the opportunity for input provided to the Navajo Board of Election Supervisors, parents, local school boards, chapters, school board organizations such as agency school boards, and the Navajo Division of Diné Education, pursuant to 11 N.N.C. § 2(H). The Education Committee may receive input either in writing or through oral testimony." Public hearings on the proposed changes were held in February, 2020, but there was strong support for Plans 1 and 4a and very little public support for Plan 6, although it was ultimately approved. Profound change without meaningful consultation or consideration is not consistent with Navajo law.

Please support Legislation 0106-20 to rescind Resolution HEHSCAP-05-20 and support the community input regarding apportionment by approving Plan 1 or Plan 4a.

Respectfully,

A handwritten signature in black ink, appearing to read "Phyllis Hewey". The signature is fluid and cursive, with the first name being more prominent.

Phyllis Hewey  
(928) 380-3605



Roy Laughter  
School Board Vice President  
PO Box 740  
Kayenta, AZ 86033  
Email: [rl5572@hotmail.com](mailto:rl5572@hotmail.com)

Honorable Daniel Tso ([danieltso@navajo-nsn.gov](mailto:danieltso@navajo-nsn.gov))  
Honorable Charlainé Tso ([charlainetso@navajo-nsn.gov](mailto:charlainetso@navajo-nsn.gov))  
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Please support Legislation 0106-20 to rescind Resolution HEHSCAP-05-20 and support the community input regarding apportionment by approving Plan 1 or Plan 4a.

Sincerely,

*Jim for Mr. Roy Leighton*



Frank Young  
School Board Member  
PO Box 740  
Kayenta, AZ 86033  
Email: fcy2@hotmail.com

Honorable Daniel Tso ([danieltso@navajo-nsn.gov](mailto:danieltso@navajo-nsn.gov))  
Honorable Charlain Tso ([charlainetso@navajo-nsn.gov](mailto:charlainetso@navajo-nsn.gov))  
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Please support Legislation 0106-20 to rescind Resolution HEHSCAP-05-20 and support the community input regarding apportionment by approving Plan 1 or Plan 4a.

Sincerely,

*Sm for Mr. Frank Young*



**RESOLUTION OF THE  
CHILCHINBETO COMMUNITY SCHOOL BOARD, INC.**

**A RESOLUTION STRONGLY SUPPORTING RESOLUTION NO. 106-20-AN ACTION  
RELATING TO HEALTH, EDUCATION, HUMAN SERVICES COMMITTEE: RESCINDING  
RESOLUTION HEHSCAP-05-20, ENTITLED "AN ACTION RELATING TO HEALTH,  
EDUCATION AND HUMAN SERVICES; APPROVING 2020-2024 NAVAJO NATION  
SCHOOL BOARD APPORTIONMENT PLAN"**

**WHEREAS:**

1. The Chilchinbeto Community School, Inc. (CCS) Board is the Governing Board, duly elected from Chilchinbeto Chapter to serve the best interest of its school and community people; and
2. Chilchinbeto Community School, Inc. was established in 1951 as a Bureau of Indian Affairs (BIA) operated institution educating Navajo children; and
3. Chilchinbeto Community School, Inc. became a Community Grant School on July 01, 1997; and
4. The Chilchinbeto Community School, Inc. has a total enrollment of one hundred thirty-one (131) students, Kindergarten through eighth (8<sup>th</sup>) grades for SY 2019-2020 from Chilchinbeto Chapter community; and
5. The Chilchinbeto Community School, Inc. School Board has experienced success in being responsible for the education of their Navajo children under the provisions of Public Law 100-297; and
6. As school leaders and educators of Bureau Funded Schools, we have a common interest to preserve in unity the educational services we provide to our students through our local community schools and that our united voices are expressed by utilizing the same language in our resolutions and we request the committee members not to disregard our voices because our resolution languages are similar; and
7. The Chilchinbeto Community School, Inc. School Board fully supports and stands behind the Resolution to rescind the action taken by the Health, Education and Human Services Committee by approving Plan 6 that will Regionalize school boards for the following reasons:
  - A. At all five (5) Public Hearings conducted, the people opposed Plan 6; but they widely supported Plan 4a, so why was HEHSC inconsiderate of the people's requests and wishes.
  - B. We are aware resolutions from chapters, schools and agency school boards were submitted which all did not support Plan 6; again, Plan 4a was highly supported, so why did HEHSC ignore and reject the contents of these resolutions.
  - C. The Navajo Nation Elections Law 11 N.N.C. §11 (C) gives the expressed authorities and responsibilities upon HEHSC to "develop" the apportionment for School Board elections

Plan, yet it appears that the Department of Dine' Education (DODE) was given exclusive rights to develop Plan 6.

- D. At the April 15, 2020 HEHSC meeting, we were appalled that our leaders whom we elected in good faith allowed an employee of DODE to provide jini' about schools, school boards, and most troubling to degrade our Diné children by saying they are failures. None of the school board members or school officials were provided an opportunity to respond to these negative, inaccurate slander.
- E. Furthermore, the DODE employee was allowed to make changes to Plan 6 during the April 15 meeting and HEHSC entertained it. There was a clear conflict of interest as this DODE employee is currently serving on the Navajo Preparatory School Board which he deliberately made changes to Plan 6 so his school will keep their five (5) member board; then, he influenced further deals with the committee members so they would vote for Plan 6.
- F. DODE for years has been attempting to use HEHSC to forward their political agendas to reduce and regionalize elected School Boards and now is HEHSC's opportunity to stand for the people and right the wrong that was done.
- G. The CCS Board is deeply concerned about the impact of the profound change that would be occasioned by HEHSCAP-05-20 and the lack of planning to implement it. This creates many new concerns and unanswered questions for local community schools, including:
  - a. loss of identity and autonomy;
  - b. dramatic, swift and disorganized change from a well-established and regulated system codified in Title 10 of the Navajo Nation Code;
  - c. undefined powers, duties and responsibilities of the new boards;
  - d. chain of command and organizational questions;
  - e. fairness concerns;
  - f. logistical issues;
  - g. financial questions regarding federal grant monies;
  - h. legal status of the schools and the new boards, existing contracts and obligations; and,
  - i. many more.
- H. This change removes local control of our community school from the CCS Board.
- I. Navajo and federal law both emphasize that CCS and similarly situated community schools should be governed locally and establish that Local Community School Boards have been delegated the responsibility and authority to govern community schools, in order to carry out this mandate. See 10 N.N.C. §§ 1(A), 3(S) and 200(A); P.L. 93-638; P.L. 100-297 and P.L. 114-95.
- J. The CCS Board advocates the teaching of Diné culture and language, academic achievement and fiscal responsibility; however, the Board believes that these matters are best decided and determined by the CCS Board serving local constituents, not by a regionalized system that does not actually teach in or administer our community school. The CCS Board, administrators and teachers who are teaching in and administering our



school and our local electorates who live in these communities know best what is needed in our school and should control these issues in our community school, not a distant regionalized board. Regionalized and consolidated boards do not serve the unique needs of our varied communities and circumstances.

- K. Title 10 of the Navajo Nation Code, "The Sovereignty in Education Act," specifically states, "The Navajo Nation encourages and supports local control of Navajo education. Administration of a local school shall be under the guidance and direction of the local governing board." This is a direct delegation of authority for local community school matters to Local Community School Boards, not consolidated and regionalized boards that are not directly accountable to local community members through participation at local meetings where these decisions should be made. True sovereignty lies in Navajo people electing Local School Board Members who have real authority over the operation of community schools.
  - L. Title 10 also requires Local Community School Boards to conduct their meetings at times and places convenient to the public, especially parents. Under the proposed change, CCS would be represented by the To'Nanees'Dizi' Schools II Board, which would also represent schools located far away from CCS and would include only a single representative from the communities around CCS. The Board believes it would be impossible for the To'Nanees'Dizi' Schools II Board to conduct meetings at times and places convenient to all parents of students at the eight schools it would represent.
  - M. The CCS Board also questions whether true local control as envisioned by the Sovereignty in Education Act can be realized if the local communities only have a single representative on a consolidated board responsible for governing eight vastly different schools located across a sizable regional area.
  - N. The above proposed change severely limits local control of education. The CCS Board believes in the local control of their school and in recognizing and confirming the legitimate authority of the Board to establish policies and operate their school in conformance with their local communities' wishes.
  - O. Profound change without meaningful consultation or consideration is not consistent with Navajo law.
8. We fully support Resolution 106-20 to rescind the approval of Plan 6 and accept Plan 1 or Plan 4a which will demonstrate that our elected leaders are not ignoring our voices and have the integrity and responsibility to do the right thing.

**NOW, THEREFORE, BE IT RESOLVED, THAT:**

1. The Chilchinbeto Community School Board, Inc. supports and endorses the Resolution No. 106-20- an action relating to the Health, Education, Human Services Committee: Rescinding Resolution HEHSCAP-05-20, entitled "An action relating to Health, Education and Human Services; Approving 2020-2024 Navajo Nation School Board Apportionment Plan".
2. The Chilchinbeto Community School Board, Inc. respectfully and adamantly requests the Health, Education and Human Services Committee to approve Plan 1 or Plan 4a.

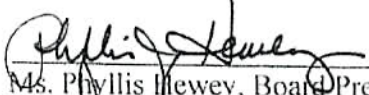
.....



3. The school board members across the Navajo Nation are elected by the people just like the council delegates and have the same rights to express their opinions and their voices should not be dismissed or ignored because they have a vested interest in this topic.

**CERTIFICATION**

I, hereby certify that the foregoing resolution was duly considered by the Chilchimbeto Community School Board, Inc. at a duly called meeting in which a quorum was present and same was passed by a vote of   2   approved,   0   opposed,   1   abstained, this 3rd day of May, 2020.

  
\_\_\_\_\_  
Ms. Phyllis Hewey, Board President



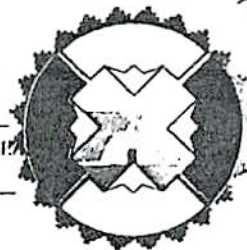
## CHILCHINBETO CHAPTER

"HOME OF THE WORLD'S LARGEST NAVAJO RUG"

P. O. BOX 1681, KAYENTA, AZ 86033, EAST HIGHWAY 160 NAVAJO RTE. 59  
PHONE: (928) 697-5680/5681 • FAX (928) 415-4929 • [chilchinbeto@navajochapters.org](mailto:chilchinbeto@navajochapters.org)

Thomas Bradley- PRESIDENT • Eugene Badonle- VICE PRESIDENT • Rita Zonne- SECRETARY  
Vacant- GRAZING OFFICIAL • Nathaniel Brown-COUNCIL DELEGATE

Evelyna Gray-CHAPTER MANAGER • Rose Hills-ADMINISTRATIVE ASSISTANT  
Vacant-OFFICE ASSISTANT

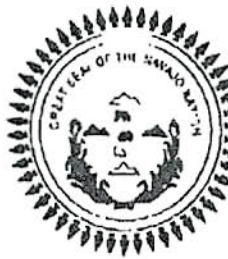


### SUPPORTING RESOLUTION OF CHILCHINBETO CHAPTER OF THE NAVAJO NATION RESOLUTION NO.: CCH # 03-15-2020A

**SUPPORTING RESOLUTION REQUESTING THE NAVAJO NATION TO CONTINUE THE CURRENT  
APPORTIONMENT OF THE NAVAJO NATION SCHOOL BOARD GOVERNANCE AND OPPOSING THE  
REAPPORTIONMENT PLAN AND OPPOSING REGIONALIZATION AND CREATING ALL BIE SCHOOLS TO TURN  
INTO 638 CONTRACT SCHOOLS.**

#### WHEREAS:

- A. The Chilchinbeto Chapter is a chapter of the Navajo Nation and is provided education services by various BIE funded community schools in our area and these schools have successfully provided education services to our community and our community's children.
- B. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. §400 (C).
- C. The Health, Education and Human Services Committee has been delegated the authority and responsibility of the following:
  1. "[O]n or before the first Monday of November 2003 and every four years thereafter, the Education Committee of the Navajo Nation Council [now Health, Education and Human Services Committee] shall set the size of each Local Community School Board and shall apportion the number of school board seats among the Chapter or Chapters represented in each Local Community School Board. This apportionment shall establish election precincts for each Local Community School Board containing approximately equal number of students attending the Local Community School at the time of the apportionment". 11 N.N.C §11 (B).
  2. "[T]he apportionment plan shall be developed by the Education Committee [now Health, education and Human Services Committee] with the opportunity for input provided to the Navajo Board of Election Supervisors, parents, local school boards, chapters, school board organizations such as agency school boards, and the [Navajo Nation Department of Education] pursuant to 11 N.N.C. §2 (H). The Education Committee may receive input in writing or through oral testimony". 11 N.N.C. §11 (C).



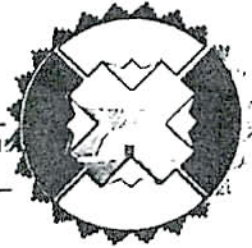
## CHILCHINBETO CHAPTER

"HOME OF THE WORLD'S LARGEST NAVAJO RUG"

P. O. BOX 1681, KAYENTA, AZ. 86013, EAST HIGHWAY 160 NAVAJO RTE 59  
PHONE: (928) 697-5680/5681 • FAX (928) 415-4929 [chilchinbeto@navajochapters.org](mailto:chilchinbeto@navajochapters.org)

Thomas Bradley- PRESIDENT • Eugene Dadoole- VICE PRESIDENT • Rita Zannele- SECRETARY  
Vacant- GRAZING OFFICIAL • Nathaniel Brown-COUNCIL DELEGATE

Evelyn Gray-CHAPTER MANAGER • Rose Mills-ADMINISTRATIVE ASSISTANT  
Vacant-OFFICE ASSISTANT



3. "[T]he apportionment plan shall be based at a minimum on the number of students attending from one or more Chapters. Each Local Community School Board shall provide to the Education Committee [now Health, Education and Human Services Committee] and the [Navajo Nation Department of Education] current and accurate information regarding the number of students attending the Local Community School for use in the development of the apportionment plan by October 2003 and every four years thereafter". 11 N.N.C. §11 (D).
4. "[T]he Education Committee [now Health, Education and Human Services Committee] shall adopt the apportionment plan and provide the plan to the Navajo Board of Election Supervisors for use in school board elections". 11 N.N.C. §11 (E).
- D. The Chapters of the Navajo Nation are authorized to establish such local Navajo Community School Boards as are suitable for their respective areas. The Chapters play a vital and legal role in the establishment and continuity of their Local School Boards. 10 N.N.C. §201.
- E. Each and every School Board Member elected are representatives of the people in their respective Chapter or Chapters and each elected School Board member answers to their respective Chapter or Chapters.
- F. The current School Board Election Apportionment Plan, which was approved by the Health, Education and Human Services Committee rightfully, reflects this local representation.
- G. The Department of Dine Education (DODE) has previously proposed School Board Apportionment Plans reflecting the "regionalization" of School Boards. DODE's Apportionment Plans consisting of the "regionalization" of School Boards are not in compliance with Navajo Law. 11 N.N.C. §11 prescribes specific criteria for establishing School Board representation. 11 N.N.C. §11 does not stipulate and allow for the "Regionalization of School Boards". Thereby, DODE's previously proposed "regionalization" of School Boards have been repeatedly dismissed.
- H. Moreover, if there is any School Board Reapportionment plans reflecting any School Board "regionalization" plans, forwarded by DODE, for the current School Board Reapportionment period, such "regionalization" plans must be dismissed as such "regionalization" plans are entirely against the criteria set forth by 11 N.N. C. §11.





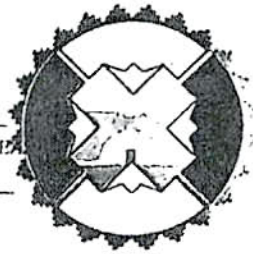
## CHILCHINBETO CHAPTER

"HOME OF THE WORLD'S LARGEST NAVAJO RUG"

P. O. BOX 1681, KAYENTA, AZ. 86033. EAST HIGHWAY 160 NAVAJO RTE. 59  
PHONE: (928) 697-5680/5681 • FAX (928) 415-4929 [chilchinbeto@navajochapters.org](mailto:chilchinbeto@navajochapters.org)

Thomas Bradley- PRESIDENT • Eugene Badonie- VICE PRESIDENT • Rita Zonne- SEC/TREAS  
Vacant- GRAZING OFFICIAL • Nathaniel Brown- COUNCIL DELEGATE

Evclyna Gray- CHAPTER MANAGER • Rose Gills- ADMINISTRATIVE ASSISTANT  
Vacant- OFFICE ASSISTANT



- I. This Chapter humbly supports this localized representation and wholeheartedly supports the current School Board Election Apportionment Plan. This Chapter is unequivocally opposes any School Board Election Apportionment Plans that reflects or suggests any "regionalization" of School Boards.

### NOW BE IT RESOLVED:

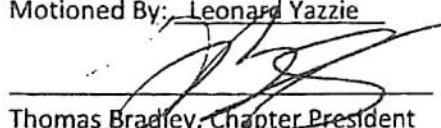
1. This Chapter supports the current School Board Election Apportionment Plan that is currently in place. This Chapter requests the Navajo Nation Council, Health, Education, and Human Services Committee to immediately adopt the current School Board Election Apportionment Plan.
2. Chilchinbeto Chapter oppose all regionalization and transferring 638 Contracts for all BIE Schools.
3. Chilchinbeto Chapter support Plan #3 or Plan #4 should all our opposition fails.

### CERTIFICATION

We hereby certify that the foregoing resolution was considered at a duly called meeting of the Chilchinbeto Chapter at which a quorum was present and that the same was passed by a vote of 15 in favor, 00 opposed, and 02 abstained, this 15<sup>th</sup> day of March 2020.

Motioned By: Leonard Yazzie

Seconded By: Pansy Charley

  
Thomas Bradley, Chapter President

# Rescinding resolution

Rannita Henderson <desertbutterfly62@gmail.com>

Mon 5/4/2020 11:11 AM

To: comments <comments@navajo-nsn.gov>;

**VOICE YOUR SUPPORT FOR** Legislation 0106-20 "***Rescinding Resolution*** HEHSCAP-05-20, Entitled "An Action Relating to Health, Education, and Human Services; Approving 2020-2024 Navajo Nation School Board Apportionment Plan".

Local Community School Boards across the Navajo Nation play an important role in the success of your local community school by assuring that they are on track and meeting the goals of the community students. Regionalization would dilute the voice of local community members against their school.

The whole school board Apportionment plan is a waste of time for everyone, a waste of student funds, and has not made sense. Not all board members are aware of the apportionment. We are not giving the lead in this issue as far as being a board member. The apportionment is "force" on the board. None of these people that hosting the public hearings have not been to any of our board meetings or visited the schools. How do they know what is better for the Students and board? Each school has different issues, each school has building issues, they have faculty manintace maintenance needs that are still pending with BIE which have not been addressed or on the waiting list. The people doing the apportionment are clueless about school concerns and needs of schools. I do not agree with the apportionment and support the ***Rescinding Resolution*** HEHSCAP-05-20.

--

Smile!!!!

Rannita

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# Rescinding resolution

ray francisco <fff9ray@gmail.com>

Mon 5/4/2020 11:11 AM

To: comments <comments@navajo-nsn.gov>;

Good afternoon,

I am with chichiltah community school as a school board president, I am 100 percent in favor of rescinding resolution, local board is very important in a lot of ways in educating our local youth, you personally get to gauge the level of education in progressing toward a higher level of teaching from where it was. You educated yourself on how to improve the school as you become more experience being in that leadership role model. You understand your needs in teacher's qualification, curriculum, principal, transportation, support services, budget, and all stakeholders. So so many different mechanism that needs to be weight and put together like an ever changing puzzle. That call for a board to be constantly taking turn in helping what necessary action needs to be done quick, I make a lot of tough decision but I collaborate with my principal and board member to make sure I listen to all to maintain that vision. The school's vision, goals are the utmost important to accomplish objective of teaching. With the amount of objectives that go into just teaching one child it takes a whole lot of people. We don't want these young people missing out being a local leader, role model being school board leaders, I am having empathy watching these young graduate knowing they have a better chance at succeeding. To become an asset citizen. What we are trying to do is raise as a whole the community level of education. That require local knowledge of people, and a lot of listening. We need to keep this going, I know finding a leader is hard, for our community. It is not easy but there are more positive, happiness, and your people telling you, you are doing a good job and to keep going or former student telling you the teacher did an awesome teaching and that they appreciate it. My experience and being in that role model should be inherent locally and cherish. I could go on on but for me I say keep it local the best experience and enjoying every bit of it. Now hurry up and build my school, just joking.

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May 3. 2020

LEGISLATIVE 0106-20 Comment:

Apportionment plan does not reflect equal division among BIE and Contract schools. There is the large Bureau school clustering except for one Bureau school (Seba Dalkai Boarding School) which is consolidated with non-bureau schools. Whereas as the largest school (Tuba City Boarding School) is with ALL-bureau sister schools. As a result, I strongly support BIE to be the strong-hole that must continue to exist to remind generations the courage depicted by our elders as this is a treaty won with lives.

This plan violates human-rights towards a sovereign nation in flight to equal access to voting representation to realization of self-government and importantly denying and dissolving treaty rights (PL 100-297 and P.L. 93 Indian Education Self-Determination and Education Assistance Act). The fashion that the Health education and Human Services Committee continued to pursue and secretly push this plan at an odd time among a crisis forcing the Nation blinds transparency because people's concerns are concentrated on world issues of the times.

There are tremendous amount of polices missing from this plan such as finances, human resource policies, and BIE obligations for facility improvements before a vote of 5 in favor carries for a whole Navajo Nation, its people and Council. At the present I agree there were public meetings but those meetings were not successful, only manipulated. The meeting notices either had low attendance or public inputs shorten due to technical difficulties. Then schools or chapters requested audio copies, these were not filled due to equipment compatibility or other mass digital output. In other words, documentations not shared to satisfy community's inquires. Lastly, there is Mr. Larry Roger's report has not been released to the public.

I like to see quarterly meetings covering laws that define our school and our roles in operating and sustaining our school with HEHS, NNBOE, DODE, Superintendent of Schools, Boards, and Parents & Communities before solidifying the five in-favor vote.

Rose VanCruz, Dilkon Community School Inc.

Lucinda M Campbell, Parent  
PO Box  
Lukachukai, AZ 86507  
505-  
rezmom2@gmail.com

Ya' ah' teh', Shi' Lucinda Campbell. Chishii' Nish li', Kinlichii'nii' Bashish' chiin. Lukachukai, Das nas shaa'.

My name is Lucinda Campbell, I am San Carlos Apache born for the Navajo people, RedHouse Clan. I live in Upper Greasewood, between Lukachukai and Tsaile, Arizona on the beautiful Navajo Nation. I am very glad to say I reside on my homesite with my family of six. I am a 54 mother of four, married for twenty-six years. I have used many different formats of delivering education to my children; home school, public, BIE, and tribally-controlled, without losing my reservation residence. I have also managed to graduate from high school, two Chief Manuelito Scholarship recipients. I currently have two students at Many Farms High School. I am a full time mother and part time, I am an elected official at our local community school. I am also a woman of Faith.

The life that I have chosen has come with some struggle, mostly physical and environmental. Our Mother is not one to be tamed by Man. My Faith has helped me find my way through these obstacles. I admit being a Christian on the reservation is not easy. Some Natives' still consider Christianity to be the "White Man's Way", and it can be a challenge to stay strong in Faith. Many years back, I spoke with a dear friend who is also a Faithful Navajo. We spoke of being thankful to be able to find a life filled with God and family on the reservation. I spoke of my hesitancy to commit to God, while still finding and teaching my culture and language to my kids. My friend shared a beautiful story:

I was invited to a Grand Steak Dinner by a very Dear and Valued Friend. At the dinner, the steak was served and it was as good as anticipated, BUT, there was gristle on the edges. I do not like gristle on my meat and did not think that this was the very best. But I did not say that, because I am not a rude person. I did not jump up from the table and profess, "This is NOT the best, I don't like it, I will not eat any of it"! I politely cut around the edges of gristle, and enjoyed the very best of the meat. To this day, my dear friend Still professes to have the best steak. And through the years, his steak has become Better. He has improved this culinary technique, selection of beef cuts, etc. All those has improved delivery, he learned and we are still dear friends.

Some of our foundational thoughts, like church, like our school system, like our government is the Grand Dinner that we have all been invited to partake of. As a middle aged mother, I now know what my parents hoped for my young life. I did not live up to every expectation, but I did not give up and most importantly my parents, never gave up on nurturing me to grow to my realistic potential of happiness and productivity. I have learned to think of invitations to participate as being invited to a Grand Steak Dinner.



When concerned community members approached me to run for the public office of school board, they had many concerns about some of the administrative practices at our local school. I did not think the school needed to be taken over or given back to the government. I participated and have attempted to seek the heart of the concerns. This has taken all four years of my service, to follow every procedure and protocol, to instill trust among my fellow Board, and to see any evidence of forward motion. I believe that we are on the precipice of positive change. I believe that this process has been a community process of growth and recognition of their true level of power at the community school. Without these pitfalls, there would not be true growth. We actually have participating parents and members of the community at our Board meetings, not just when something is wrong. I believe that this is their recognition that they can and do have a voice at this school. Taking away any of these steps negates true community local empowerment.

In the sense of historical time, the Navajo Nation is still in infancy. Please do not make the same mistakes that big governments make and begin to close your ears to the heart of our nation, the Dine', the everyday citizens. Having true growth among us, is what is needed for sustaining change for the positive, on all levels of community interactions. The school board organizations have had a positive change on the level of relevant, quality training that is now administered. These are still learning sequences that are still having impact among the schools. Do not tear down what is already in process of establishing a quality education system for our Nation.

In our culture, patience is practiced among the most devout. My traditional grandmother never taught me to see the difference between traditions and church because prayer is prayer and prayer is positive so she ate the meat of the steak. We had a very special relationship and I appreciate her teachings, along with my religion. She always let us make mistakes and then pray for recognition of our own part in our lives. Very powerful, reserved, nurturing woman.

I allowed my tribally controlled school students to attend the Many Farms High School, thinking that they would have the same local inspired education of the community school. Not so, the local board is only there for show, they are not consulted or have true voice over curriculum, grading or personnel choices. And neither did I, the parent, the community member. My BIE choice was a mistake with serious consequences, my students' futures in college. Personally driven teachers choose to fail, instead of support students at the BIE schools and remain employed. Local BIE Boards struggle to maintain positive relationships with Principals who are aware of their limited required involvement. Plan 6 already exists, it's called Chinle Agency, Bureau of Indian Education. I know that the Apportionment Plan 6 is not the answer!

Thank You, I respectfully submit these comments and opinions to support Delegate Charlaine Tso, Legislative No. 0106-20: An Action Relating to Health, Education, and Human Services: Rescinding Resolution HEHSCAP-05-20, Entitled, "Health, Education and Human Services: Approving 2020-2024 Navajo Nation School Board Apportionment Plan."



# Rescinding Resolution HEHSCAP-05-20 -

Lois Werito <yazweri@icloud.com>

Mon 5/4/2020 11:12 AM

To: comments <comments@navajo-nsn.gov>;

Requesting and in support to rescind Legislative 0106-20 and for HEHSCAP-05-20 to rescind on the reapportionment Plan 6. This plan does not support our local schools, we have Day Schools, Grant Schools and Residential Dorm attending Public Schools under the State Plan. There needs to have an additional studies made on the schools on the Navajo Nation where everyone can benefit from it without having distant in between the schools. The students will benefit more from their learning if the schools have local board from the area.

Thank you

Lois Werito

School Board from Hanaa'dli Community School/Dormitory, Inc.

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# Untitled

William Foster <wfoster2014@gmail.com>

Mon 5/4/2020 11:12 AM

To: comments <comments@navajo-nsn.gov>;

Yes I disagree with the school board reapportionment plan 6 I believed we all agreed to plan 1 or plan 4a when we starting meeting back in February please reconsider plan 6 and agree on plan 1 or plan 4a thank you

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## TIISYAAKIN RESIDENTIAL HALL

1100 West Buffalo Street  
Holbrook, Arizona 86025  
Telephone: (928) 524-6222  
Fax: (928) 524-2231

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### **RESOLUTION OF** **TIISYAAKIN RESIDENTIAL HALL, INC.** **SUPPORTS AND ENDORSES TO RESCIND THE APPROVED APPORTIONMENT PLAN**

WHEREAS, pursuant to the Navajo Nation Code at 10 N.N.C. § 200; and P.L. 93-638, Indian Self-Determination and Education Assistance Act of 1975; P.L. 100-297, Tribally Controlled Schools Act of 1988, all as amended; and the Tiisyaakin Residential Hall, Inc. Policies and Procedures, the Tiisyaakin Residential Hall, Inc. Board (Board) has been delegated the duty and responsibility and has full legal authority to act for and on behalf of Tiisyaakin Residential Hall (TRH); and

WHEREAS, Navajo and federal law both emphasize that TRH and similarly situated community schools and homeliving programs should be governed locally and establish that Local Community School Boards have been delegated the responsibility and authority to govern community schools and homeliving programs, in order to carry out this mandate. See 10 N.N.C. §§ 1(A), 3(S) and 200(A); P.L. 93-638; P.L. 100-297 and P.L. 114-95; and

WHEREAS, the Board has been informed that the Health, Education and Human Services Committee approved a resolution entitled "An Action Relating to Health, Education and Human Services; Approving 2020-2024 Navajo Nation School Board Apportionment Plan." HEHSCAP-05-20. The resolution approves Apportionment Plan 6, which creates 16 regional, consolidated boards to represent the P.L. 100-297 grant schools on the Navajo Nation and the border town dormitories; and

WHEREAS, the Board has also been informed that pursuant to Legislation 0106-20 council delegate Charlene Tso has introduced a proposed standing committee resolution titled, "An Action Relating to Health, Education and Human Services: Rescinding Resolution HEHSCAP-05-20, Entitled "An Action Relating to Health, Education and Human Services; Approving 2020 -2024 Navajo Nation School Board Apportionment Plan," which would rescind HEHSCAP-05-20; and

WHEREAS, the TRH Board is deeply concerned about the impact of the profound change that would be occasioned by HEHSCAP-05-20 and the lack of planning to implement it. This creates many new concerns and unanswered questions for local community schools, including:

- loss of identity and autonomy;
- dramatic, swift and disorganized change from a well-established and regulated system codified in Title 10 of the Navajo Nation Code;
- undefined powers, duties and responsibilities of the new boards;
- chain of command and organizational questions;
- fairness concerns;





## TIISYAAKIN RESIDENTIAL HALL

1100 West Buffalo Street  
Holbrook, Arizona 86025  
Telephone: (928) 524-6222  
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- logistical issues;
- financial questions regarding federal grant monies;
- legal status of the schools and the new boards, existing contracts and obligations; and,
- many more.

WHEREAS, this change removes local control of our homeliving program from the TRH Board; and

WHEREAS, we believe in local control of our homeliving program through the TRH Board. We believe we are competent electors and that our Board Members are competent to determine the best interest and well being of TRH without consolidation by the Navajo Nation; and

WHEREAS, the Every Student Succeeds Act, the Sovereignty in Education Act and the Tribally Controlled Schools Act consistently espouse and require local control of schools and homeliving programs; and

WHEREAS, the TRH Board advocates the teaching of Diné culture and language, academic achievement and fiscal responsibility; however, the Board believes that these matters are best decided and determined by the TRH Board serving local constituents, not by a consolidated and regionalized system that does not actually teach in or administer our homeliving program; and

WHEREAS, the TRH Board, administrators and staff who are administering our homeliving program and our local electorates who live in these communities know best what is needed in our homeliving program and should control these issues in our homeliving program, not a distant regionalized board; and

WHEREAS, regionalized and consolidated boards do not serve the unique needs of our varied communities and circumstances; and

WHEREAS, Title 10 of the Navajo Nation Code, "The Sovereignty in Education Act," specifically states, "The Navajo Nation encourages and supports local control of Navajo education. Administration of a local school shall be under the guidance and direction of the local governing board." This is a direct delegation of authority for local community school and homeliving program matters to Local Community School Boards, not consolidated and regionalized boards that are not directly accountable to local community members through participation at local meetings where these decisions should be made. True sovereignty lies in Navajo people electing Board Members who have real authority over the operation of community schools and homeliving programs; and

WHEREAS, Title 10 also requires Local Community School Boards to conduct their meetings at times and places convenient to the public, especially parents; and

WHEREAS, under the proposed change, TRH would be represented by the Tse Hootsoi II Schools Board, which would also represent schools located far from TRH and would include only a single representative from the communities served by TRH; and

WHEREAS, the Board believes it would be impossible for the Tse Hootsoi II Schools Board to conduct meetings at times and places convenient to all parents of students at the eight schools and homeliving programs it would represent; and



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WHEREAS, the Board also questions whether true local control as envisioned by the Sovereignty in Education Act can be realized if the local communities only have a single representative on a consolidated board responsible for governing eight vastly different schools and homeliving programs located across a sizable regional area; and

WHEREAS, the above proposed change severely limits local control of education; and

WHEREAS, the TRH Board believes in the local control of their homeliving program and in recognizing and confirming the legitimate authority of the Board to establish policies and operate their homeliving program in conformance with their local communities' wishes; and

WHEREAS, pursuant to 11 N.N.C. § 11(C), "The apportionment plan shall be developed by the Education Committee with the opportunity for input provided to the Navajo Board of Election Supervisors, parents, local school boards, chapters, school board organizations such as agency school boards, and the Navajo Division of Diné Education, pursuant to 11 N.N.C. § 2(H). The Education Committee may receive input either in writing or through oral testimony;" and

WHEREAS, public hearings on the proposed changes were held in February, 2020, but there was strong support for Plans 1 and 4a and very little public support for Plan 6, although it was ultimately approved; and

WHEREAS, profound change without meaningful consultation or consideration is not consistent with Navajo law.

NOW, THEREFORE, BE IT RESOLVED, that:

1. The TRH Board supports and endorses the Resolution No. 106-20 an action relating to the Health, Education, Human Services Committee: Rescinding Resolution HEHSCAP-05-20, entitled "An Action Relating to Health, Education and Human Services; Approving 2020-2024 Navajo Nation School Board Apportionment Plan".
2. The TRH Board urges the Health, Education, Human Services Committee, the Navajo Nation Board of Education, and DODE to support the community input regarding apportionment and affirm, reinstate and respect the primacy and autonomy of the Local Community School Boards in the overall management and operation of local community schools and homeliving programs by preserving the status quo and approving Plan 1 or Plan 4a.
3. The TRH Board respects the authority of the Local Community School Boards and will safeguard local control of our homeliving program.

### CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Tiisyaakin Residential Hall, Inc. Board at a duly called meeting at which a quorum was present and that the same was adopted by a vote of 2 in favor, 0 opposed and 1 abstained on this 1<sup>st</sup> day of May, 2020.

  
Rudie L. John, Board Vice President  
TIISYAAKIN RESIDENTIAL HALL, INC.

Tiisyaakin Residential Hall, Inc.

MAY - 1 2020

**BOARD APPROVED**



**RESOLUTION OF THE  
ROUGH ROCK COMMUNITY SCHOOL, INC.  
OPPOSING THE APPROVED APPORTIONMENT PLAN**

WHEREAS, pursuant to the Navajo Nation Code at 10 N.N.C. § 200; and P.L. 93-638, Indian Self-Determination and Education Assistance Act of 1975; P.L. 100-297, Tribally Controlled Schools Act of 1988, all as amended; and the Rough Rock Community School, Inc. (RRCS) Policies and Procedures, the RRCS Board (Board) has been delegated the duty and responsibility and has full legal authority to act for and on behalf of Rough Rock Community School (RRCS); and

WHEREAS, Navajo and federal law both emphasize that RRCS and similarly situated community schools should be governed locally and establish that Local Community School Boards have been delegated the responsibility and authority to govern community schools, in order to carry out this mandate. See 10 N.N.C. §§ 1(A), 3(S) and 200(A); P.L. 93-638; P.L. 100-297 and P.L. 114-95; and

WHEREAS, the Board has been informed that the Health, Education and Human Services Committee approved a resolution entitled "An Action Relating to Health, Education and Human Services; Approving 2020-2024 Navajo Nation School Board Apportionment Plan." HEHSCAP-05-20. The resolution approves Apportionment Plan 6, which creates 16 regional, consolidated boards to represent the P.L. 100-297 grant schools on the Navajo Nation and the border town dormitories; and

WHEREAS, the Board has also been informed that pursuant to Legislation 0106-20 council delegate Charlaine Tso has introduced a proposed standing committee resolution titled, "An Action Relating to Health, Education and Human Services: Rescinding Resolution HEHSCAP-05-20, Entitled "An Action Relating to Health, Education and Human Services; Approving 2020-2024 Navajo Nation School Board Apportionment Plan," which would rescind HEHSCAP-05-20; and

WHEREAS, the RRCS Board is deeply concerned about the impact of the profound change that would be occasioned by HEHSCAP-05-20 and the lack of planning to implement it. This creates many new concerns and unanswered questions for local community schools, including:

- loss of identity and autonomy;
- dramatic, swift and disorganized change from a well-established and regulated system codified in Title 10 of the Navajo Nation Code;
- undefined powers, duties and responsibilities of the new boards;
- chain of command and organizational questions;



- fairness concerns;
- logistical issues;
- financial questions regarding federal grant monies;
- legal status of the schools and the new boards, existing contracts and obligations; and,
- many more.

WHEREAS, this change removes local control of our community school from the RRCS Board; and

WHEREAS, we believe in local control of our school through the RRCS Board. We believe we are competent electors and that our School Board Members are competent to determine the best interest and well being of their school without consolidation by the Navajo Nation; and

WHEREAS, the Every Student Succeeds Act, the Sovereignty in Education Act and the Tribally Controlled Schools Act consistently espouse and require local control of schools; and

WHEREAS, the RRCS Board advocates the teaching of Dinè culture and language, academic achievement and fiscal responsibility; however, the Board believes that these matters are best decided and determined by the RRCS Board serving local constituents, not by a regionalized system that does not actually teach in or administer our community school; and

WHEREAS, the RRCS Board, administrators and teachers who are teaching in and administering our school and our local electorates who live in these communities know best what is needed in our school and should control these issues in our community school, not a distant regionalized board; and

WHEREAS, regionalized and consolidated boards do not serve the unique needs of our varied communities and circumstances; and

WHEREAS, Title 10 of the Navajo Nation Code, "The Sovereignty in Education Act," specifically states, "The Navajo Nation encourages and supports local control of Navajo education. Administration of a local school shall be under the guidance and direction of the local governing board." This is a direct delegation of authority for local community school matters to Local Community School Boards, not consolidated and regionalized boards that are not directly accountable to local community members through participation at local meetings where these decisions should be made. True sovereignty lies in Navajo people electing Local School Board Members who have real authority over the operation of community schools; and

WHEREAS, Title 10 also requires Local Community School Boards to conduct their meetings at times and places convenient to the public, especially parents; and

WHEREAS, under the proposed change, RRCS would be represented by the Ch'inli Navajo Schools Board, which would also represent schools located far from RRCS and would include only a single representative from the communities around RRCS; and

WHEREAS, the Board believes it would be impossible for the Ch'inli Navajo Schools Board to conduct meetings at times and places convenient to all parents of students at the six schools it would represent; and

WHEREAS, the Board also questions whether true local control as envisioned by the Sovereignty in Education Act can be realized if the local communities only have a single representative on a consolidated board responsible for governing six vastly different schools located across a sizable regional area; and

WHEREAS, the above proposed change severely limits local control of education; and

WHEREAS, the RRCS Board believes in the local control of their school and in recognizing and confirming the legitimate authority of the Board to establish policies and operate their school in conformance with their local communities' wishes; and

WHEREAS, pursuant to 11 N.N.C. § 11 (C), "The apportionment plan shall be developed by the Education Committee with the opportunity for input provided to the Navajo Board of Election Supervisors, parents, local school boards, chapters, school board organizations such as agency school boards, and the Navajo Division of Diné Education, pursuant to 11 N.N.C. § 2(H). The Education Committee may receive input either in writing or through oral testimony;" and

WHEREAS, public hearings on the proposed changes were held in February, 2020, but there was strong support for Plans 1 and 4a and very little public support for Plan 6, although it was ultimately approved; and

WHEREAS, profound change without meaningful consultation or consideration is not consistent with Navajo law.

NOW, THEREFORE, BE IT RESOLVED, that:

1. The RRCS Board supports and endorses the Resolution No. 106-20 an action relating to the Health, Education, Human Services Committee: Rescinding Resolution HEHSCAP-05-20, entitled "An Action Relating to Health, Education and Human Services; Approving 2020-2024 Navajo Nation School Board Apportionment Plan".
2. The RRCS Board urges the Health, Education, Human Services Committee, the Navajo Nation Board of Education, and DODE to support the community input regarding apportionment and affirm, reinstate and respect the primacy and autonomy of the Local Community School Boards in the overall management and operation of local community schools by preserving the status quo and approving Plan 1 or Plan 4a.

3. The RRCS Board respects the authority of the local school boards and will safeguard local control of our school.

#### CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Rough Rock Community School, Inc. Board at a duly called meeting at which a quorum was present and that the same was adopted by a vote of 2 in favor, 0 opposed and 0 abstained on this 1 day of May, 2020.



\_\_\_\_\_  
Crystalyne Curley, Vice President  
Rough Rock Community School

\_\_\_\_\_



## Opposition to HEHSCAP-05-20

Theresa Boone Schuler <booneschuler@yahoo.com>

Mon 5/4/2020 11:12 AM

To: comments <comments@navajo-nsn.gov>;

### To Whom it May Concern:

I am writing to say that I vehemently oppose 2020-2024 Navajo Nation Apportionment Plan, Resolution HEHSCAP-05-20. As the Chief Executive Officer of the Flagstaff Bordertown Dormitory aka Kinlani Dormitory, we have a lot to lose with the passage of Plan 6, Apportionment Plan. The reasons for my opposition are many but here are two. The first, is that the Kinlani Dormitory will no longer have its own board and without its own board there will be a loss of identity and autonomy. Our local school board is aware of the goals and objectives of our dormitory and local communities; and can manage the local concerns without other distractions or unknowns. We have a well-established and regulated system that could become disorganized if a new board overseeing at least four other entities comes in to oversee our dormitory.

Second, there are many unknowns with this new resolution. There are fairness concerns, logistical issues, financial questions regarding federal grant monies, and so forth.

I ask that you reconsider Resolution HEHSCAP-05-20, and consider instead Legislation 0106-20 "Rescinding Resolution HEHSCAP-05-20, entitled "An Action Relating to Health, Education, and Human Services; Approving 2020-2024 Navajo Nation School Board Apportionment Plan."

Thank you for this opportunity to comment.

Sincerely,

Theresa Boone-Schuler, CEO  
Flagstaff Bordertown Dormitory aka Kinlani Dormitory

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## Dzilth-Na-O-Dith-Hle Community Grant School

35 Road 7585 # 5003

Bloomfield, New Mexico 87413

Telephone: (505) 960-0356/3066 Fax: (505) 960-8563



### COMMENTS OF THE DZILTH-NA-O-DITH-HLE COMMUNITY SCHOOL BOARD REGARDING RESOLUTION No. 106-20

#### ADAMANTLY SUPPORTING RESOLUTION NO. 106-20-AN ACTION RELATING TO HEALTH, EDUCATION, HUMAN SERVICES COMMITTEE: RESCINDING RESOLUTION HEHSCAP-05- 20, ENTITLED "AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; APPROVING 2020-2024 NAVAJO NATION SCHOOL BOARD APPORTIONMENT PLAN"

The Dzilth-Na-O-Dith-Hle School Board believe school leaders and educators of Bureau Funded Schools have a common interest to preserve the educational services we provide to our students through our local community schools and we request the HEHSC Members not disregard our united voices that are expressed in similar resolution languages. The school board members across the Navajo Nation are elected by the people just like the council delegates and have the same rights to express their opinions and their voices should not be dismissed or ignored because they have a vested interest in a topic.

The Dzilth-Na-O-Dith-Hle School Board fully supports and stands strongly behind the Resolution to rescind the action taken by the Health, Education and Human Services Committee by approving Plan 6 that will regionalize school boards for the following reasons:

- A. At all five (5) Public Hearings conducted, the people opposed Plan 6 and widely supported Plan 4A; however, HEHSC was inconsiderate of the people's requests and wishes.
- B. We are aware resolutions from chapters, schools and agency school boards were submitted which all did not support Plan 6; again, Plan 4A was highly supported and it is disappointing that our resolutions were ignored and rejected.
- C. The Navajo Nation Elections Law 11 N.N.C. §11 (C) gives the expressed authorities and responsibilities upon HEHSC to "develop" the apportionment for School Board elections Plan, yet it appears that the Department of Dine' Education (DODE) was given exclusive rights to develop Plan 6.
- D. At the April 15, 2020 HEHSC meeting, we were appalled that our leaders, whom we elected in good faith, allowed an employee of DODE to provide rumors about all schools, school boards, and to unspeakably degrade our Diné children by saying they are all failures. None of the school board members or school officials were provided an opportunity to respond to this negative and inaccurate slander.
- E. Furthermore, the DODE employee was allowed to make changes to Plan 6 during the April 15 meeting and HEHSC entertained it. There was a clear conflict of interest as this DODE employee is currently serving on the Navajo Preparatory School Board which he

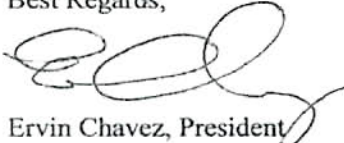


deliberately made changes to Plan 6 so his school will keep their five (5) member board; then, he influenced further deals with the committee members so they would vote for Plan 6. These changes should have been shared with the public before action was taken.

- F. DODE for years has been attempting to use HEHSC to forward their political agendas to reduce and regionalize elected School Boards and now it is HEHSC's opportunity to stand for the people and have the responsibility to do the right thing.
- G. The entire operations and activities of our people have been impacted by the COVID-19 Virus and so shelter in place have been issued by the NN President and by both states, New Mexico and Arizona, as a result this was not the time to take action on the critical topic as the School Board Reapportionment Plan; thus the voting publics was not allowed the opportunity to be present at the meeting nor was a call in number provided to express their comments.

In Summary, Dzilth-Na-O-Dith-Hle School Board respectfully urges the Health, Education and Human Services Committee to rescind Plan 6 School Board Reapportionment and approve Plan 1 or Plan 4a. Your serious consideration to our request will be appreciated.

Best Regards,



Ervin Chavez, President  
Dzilth-Na-O-Dith-Hle Community School

Xc: files  
HEHSC Members

# Original Plan 6-

## NORTHERN NAVAJO AGENCY

NAME OF SCHOOL	2020 SCHOOL BOARD APPORTIONMENT
01. Northern Navajo Schools Five (5) Member Board  *(Combined with Cove Day School, Sanostee Day School, Beclabito Day School, Tohaali Community School, Aneth Community School, T'iis Nazbas Community School, Nenahnezad Community School, Red Rock Day School)	1 – At-large with Aneth, Red Mesa, Tó Likán (Sweetwater), Mexican Water Chapters  1 – At-large Teecnospos, Beclabito, Gadii'áhi/To'Koi (Cudeii), Tse Daa Kaan (Hogback) Chapters  1 – At-large with Cove, Red Valley Chapters  1 – At-large with Tsé ahnáozt'i' í (Sanostee), Two Grey Hills/Toadlena, Newcomb Chapters  1 – At-large with Shiprock, Nehnanezad, Upper Fruitland, San Juan Chapters
02. Nataani Nez Schools (K-12) Five (5) Member Board  *(Combined with Shiprock Associated Schools, Kinteel Residential Campus, <u>Navajo Preparatory School</u> , Tsé Nitsaa Deez' Ahi Diné Bi' Olta' (Rock Point Community School))	2 – Shiprock Chapter  1 – Rock Point Chapter  1 – At-large Gadii'áhi/To'Koi (Cudeii), Tse Daa Kaan (Hogback) Chapters  1 – At-large with Tsé ahnáozt'i' í (Sanostee), Two Grey Hills/Toadlena, Newcomb Chapters

Changed on April 15, 2020 HETS mtg. Total Board Members: 10

\*Navajo Preparatory School was separated from these combined schools and given their own four (4) member Board. MTSO is a Board member at NPS

# Original Plan 6

## WESTERN NAVAJO AGENCY

NAME OF SCHOOL	2020 SCHOOL BOARD APPORTIONMENT
01. To' Nanees' Dizi' (Tuba City) Schools I (K-12) Five (5) Member Board  *(Combined with Dennehotso Boarding School, Tonalea Day School, Kaibeto Boarding School, Kayenta Community School, Tuba City Boarding School)	2 – At-large with Tonalea, Tõh Nanees Dizi (Tuba City) Chapters  1 – At-large with Tsah Bii Kin (Inscription House), K'Ai' Bii' Tó (Kaibeto) Chapters  1 – Bodaway-Gap, Coalmine Canyon, Cameron Chapters  1 – At-large with Kayenta, Oljato, Dennehotso, Chilchimbeto Chapters
02. To' Nanees' Dizi' (Tuba City) Schools II (K-12) Five (5) Member Board  *(Combined with Little Singer Community School, NaaTsisAan Community School, Chilchimbeto Community School, KinLani Bordertown Dormitory, Leupp Schools, Inc., Greyhills Academy High School, Shonto Preparatory School, <u>Richfield Residential Hall</u> )	2 – At-large with Tonalea, Tõh Nanees Dizi (Tuba City) Chapters  1 – At-large with Tsah Bii Kin (Inscription House), K'Ai' Bii' Tó (Kaibeto), Shonto Chapters  1 – At-large with Kayenta, Oljato, Dennehotso, Chilchimbeto, NaaTsisAan Chapters  1 – At-large with Leupp, Tsídii to'ii (Birdsprings), Tolani Lake Chapters

\* Changed on April 15, 2020 w HETS mtg. Total Board Members: 10

\* Richfield Residential Hall was separated from these combined schools and given their own four (4) Member Board.



# Legislation 0106-20

Rhoda John <rhodajladyrider@yahoo.com>

Mon 5/4/2020 11:12 AM

To: comments <comments@navajo-nsn.gov>;

"I support Plan 4A. Please consider my comment by approving Plan 4A."

Rhoda John, Instructional Technician  
Po Box#861  
Shiprock NM 87421

rhodajladyrider@gmail.com

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# Plan 4A

MaryLou Nez Begay <MaryLou.NezBegay@dzilth.school>

Mon 5/4/2020 11:12 AM

To: comments <comments@navajo-nsn.gov>;

I support Plan 4A, please consider my comment by approving Plan 4A

Marylou NezBegay. Food service manager

Box 921

Aztec, N.M. 87410 nezbegaym@yahoo.com

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# Untitled

Miranda Armenta <miranda.armenta@dzilth.school>

Mon 5/4/2020 11:12 AM

To: comments <comments@navajo-nsn.gov>;

I have heard that The Navajo Nation - Health, Education and Human has decided to approve Plan 6 regarding the school boards despite the opposition from its people. I really feel that all decisions regarding schools should come from its own people. Therefore,

I support Plan 4A. Please consider my comment by approving Plan 4A.

Miranda Armenta  
2<sup>nd</sup> Grade Teacher at Dzilth-Na-O-Dith-Hle Community School  
10 years Experience

Please lets do the best thing for our students!!

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## LEGISLATION NO: 0106-20 Comments

Phyllis Curley <phyllis.curley@dzilth.school>

Mon 5/4/2020 11:12 AM

To: comments <comments@navajo-nsn.gov>;

Importance: High

LEGISLATION NO: 0106-20                      SPONSOR: Charlaine Tso

TITLE: An Action Relating to Health, Education and Human Services: Rescinding Resolution HEHSCAP-05-20, Entitled "An Action Relating to Health, Education and Human Services; Approving 2020 -2024 Navajo Nation School Board Apportionment Plan"

**I support Plan 4A.** Please consider my comment approving Plan 4A because I do not want regionalization of school boards. Our school is aware of the educational needs of our children and our school has been actively making academic progress to ensure all students receive the educational services needed. Our school board are partners with our parents to make sure our children are provided the opportunities to learn, to feel safe, and to be valued. Our school supports local school boards so they may continue the mission of furthering the educational values of all schools on the Navajo Reservation to promote and foster life-long learning for our Navajo children.

Thank you for considering my comment for supporting Plan 4A.

Phyllis Curley, Administrative Assistant  
PO Box 2159, Shiprock, NM 87420  
email address: phyllis.curley@dzilth.school

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## Black Mesa Community School

P.O. Box #97

Pinon, Arizona 86510

Phone # 928-674-3632

Developing Self-Confidence for Lifelong Success

Board President: Larry Biltah

Vice-President: Marvin Yellowhair

Secretary: Carolyn Ben

**RESOLUTION STRONGLY SUPPORTING RESOLUTION NO. 106-20 TITLED: AN  
ACTION RELATING TO HEALTH, EDUCATION, HUMAN SERVICES  
COMMITTEE; RESCINDING RESOLUTION HEHSCAP-05-20, ENTITLED "AN  
ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES;  
APPROVING 2020-2024 NAVAJO NATION SCHOOL BOARD APPORTIONMENT  
PLAN"**

**WHEREAS:**

1. Pursuant to the Navajo Nation Code at 10 N.N.C. §§ 1(A), 3(S) and 200(A); and P.L. 93-638, Indian Self-Determination and Education Assistance Act of 1975, both as amended through P.L. 95-561; and P.L. 100-297 that provided funds directly to tribally operated schools that empowered Indian school boards, permitted local hiring of teachers and staff, and established a direct line of authority between the Education Director and the AS-IA; and the Black Mesa Community School, Inc. (BMCS) Policies and Procedures, the BMCS School Board (Board) has been delegated the duty and responsibility and has full legal authority to act for and on behalf of BMCS; and
2. Navajo and federal law both emphasize that BMCS and similarly situated community schools should be governed locally and establish that local School Boards have been delegated the responsibility and authority to govern community schools, in order to carry out this mandate. See 10 N.N.C. §§ 1(A), 3(S) and 200(A); and, P.L.93-638 and P.L. 100-297; and
3. The BMCS Board is charged with the responsibility to efficiently and effectively operate BMCS; and
4. As school leaders and educators of Bureau Funded Schools, we have a common interest to preserve in unity the educational services we provide to our students through our local community schools and that our united voices are expressed by utilizing the same language in our resolutions and we request the committee members not to disregard our voices because our resolution languages are similar; and
5. The BMCS Board fully supports and stands behind the Resolution to rescind the action taken by the Health, Education and Human Services Committee by approving Plan 6 that will Regionalize school boards for the following reasons:
  - A. All five (5) Agency Public Hearings conducted, the people highly supported Plan 4a and *opposed* Plan 6. Why was HEHSC inconsiderate of the people's (parents, community, board members) requests and wishes?



- B. Resolutions from chapters, schools and agency school boards were submitted which highly supported Plan 4a. Why did HEHSC ignore and reject the contents of these resolutions?
  - C. The Navajo Nation Elections Law 11 N.N.C. §11 (C) gives the expressed authorities and responsibilities upon HEHSC to “develop” the apportionment for School Board elections plan, yet it appears that the Department of Dine’ Education (DODE) was given exclusive rights to develop Plan 6 that less than a handful of people supported.
  - D. At the April 15, 2020 HEHSC meeting, we were appalled that our leaders whom we elected in good faith allowed an employee of DODE to provide jini about schools, school boards, and most troubling to degrade our Diné children by saying they are failures. None of the school board members or school officials were provided an opportunity to respond to these negative, inaccurate slander.
  - E. Furthermore, HEHSC entertained/allowed a DODE employee whom also is a Navajo Preparatory School Board Member to make changes to Plan 6 during the April 15 meeting. We observed a clear violation of the conflict of interest as the DODE employee/Board Member who deliberately made changes to Plan 6 to support the DODE employee’s school to keep their five (5) member board; then, the DODE employee/Board Member further influenced the committee members to vote for Plan 6.
  - F. DODE for years has been attempting to use HEHSC to forward their political agendas to reduce and regionalize elected School Boards and now is HEHSC’s opportunity to stand for the people and right the wrong that was done.
6. BMCS Board fully support Resolution 106-20 to rescind the approval of Plan 6 and accept Plan 1 or Plan 4a which will demonstrate that our elected leaders are not ignoring our voices and have the integrity and responsibility to do the right thing.

**NOW, THEREFORE, BE IT RESOLVED, THAT:**

1. The Black Mesa Community School Board supports and endorses the Resolution No. 106-20- an action relating to the Health, Education, Human Services Committee: Rescinding Resolution HEHSCAP-05-20, entitled “An action relating to Health, Education and Human Services; Approving 2020-2024 Navajo Nation School Board Apportionment Plan.”
2. The Black Mesa Community School Board respectfully and adamantly request the Health, Education and Human Services Committee to approve Plan 1 or Plan 4a.
3. The school board members across the Navajo Nation are elected by the people just like the council delegates and have the same rights to express their opinions and their voices; and should not be dismissed or ignored because they have a vested interest in this topic.





## Black Mesa Community School

P.O. Box #97

Pinon, Arizona 86510

Phone # 928-674-3632

Developing Self-Confidence for Lifelong Success

Board President: *Larry Biltah*

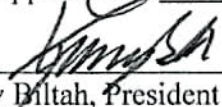
Vice-President: *Marvin Yellowhair*

Secretary: *Carolyn Ben*

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### CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the School Board of Black Mesa Community School at a duly called meeting at which a quorum was present and that the same was adopted by a vote of 3 in favor, 0 opposed and 0 abstained on this Nineteenth day of March, 2020.

  
\_\_\_\_\_  
Larry Biltah, President  
Black Mesa Community School  
Board of Directors

Local School Board Members  
Ms. Velvet Kalleco, President  
Mrs. Shirleen Joe, Vice-President  
Ms. RoseMary Silversmith, Secretary  
Mr. Edison Leslie, Agency SB Rep.

**Home of the Wranglers**



Administrative Staff  
Acting Principal  
Mrs. Elsie Belone  
Business Technician  
Ms. Unabelle Willetto

**Tse'ii'ahi' Community School**

May 1, 2020

Executive Director  
Office of Legislative Services  
P.O. Box 3390  
Window Rock, AZ 86515

**TO WHOM IT MAY CONCERN:**

My name is Rose Mary Silversmith, Tse'ii'ahi' Local School Board Secretary and represent Crownpoint & Nahodishgish communities at Tse'ii'ahi' Community School which is a Bureau Operated School. My mailing address is P.O. Box 517, Crownpoint, New Mexico 87313 and my email address is: [rosemary.silversmith@yahoo.com](mailto:rosemary.silversmith@yahoo.com).

I am responding to Legislation No: 0106-20 Sponsored by Honorable Charlaine Tso TITLE: An Action Relating to Health, Education and Human Services; Rescinding Resolution HEHSCAP-05-20, Entitled "An Action Relating to Health, Education and Human Services; Approving 2020-2024 Navajo Nation School Board Apportionment Plan".

As a local school board member representing the communities of Crownpoint (T'iists'ozi) and Nahodishgish communities I fully support Navajo Nation School Board Apportionment Plan Four A, which allow four (4) elected local school board positions to represent Tse'ii'ahi' Community School with one (1) elected local school board member to represent Coyote Canyon Chapter community; two (2) elected local school board members to represent Tse'ii'ahi' Chapter community and one (1) At Large elected local school board member to represent T'iists'ozi and Nahodishgish Chapter communities.

As four (4) elected local school board members representing Tse'ii'ahi' Community School we represented our school with upmost leadership integrity, approved annual school budget, hired highly qualified teachers, worked closely with Principal(s) on school functions with support of staff and ensure our students receive quality education and receive language and cultural teaching on a daily basis in the classroom and at home.

Therefore, I fully support Plan Four A of the Navajo Nation School Board Apportionment Plan for 2020-2024 and highly request Health, Education & Human Services Committee of the Navajo Nation Council to reconsider its position and approve Plan Four A of the Navajo Nation School Board Apportionment Plan for 2020-2024.

Sincerely,

*Rose Mary Silversmith*

Rose Mary Silversmith, Board Secretary  
Tse'ii'ahi' Local School Board  
Tse'ii'ahi' Community School



# Rescind Resolution HEHSCAP-05-20

Roberta Gorman <rgorman@fUSD1.org>

Mon 5/4/2020 8:38 PM

To: comments <comments@navajo-nsn.gov>;

To: Navajo Nation Health, Education and Human Service Committee

I would like to request for you to reconsider, Legislation 0106-20. I am totally in support of "**Rescinding Resolution** HEHSCAP-05-20, Entitled "An Action Relating to Health, Education, and Human Services; Approving 2020-2024 Navajo Nation School Board Apportionment Plan".

In order to make substantial effective changes **democracy of community people and leaders should be considered**. It will bring democratic values to Dine education and includes self-determination within our community with equalness and fairness, as well as connecting values, justice, respect and trust wholistically.

**Conduct researches and collecting data** in a wholistical way would bring understanding of outcomes and key changes to interventions, funding beneficiaries, communities, and policies.

**Conduct Demographic studies** on economic, social, cultural, historical, religions, political, language and technological of BIE Community School and their residing communities. Boundaries of Local, Regional, and State awarded Educational Fundings should be identified.

**Recognize the importance of "A formula grant"** . It is a mandatory grant that is awarded based on statistical criteria for specific types of Schools or work.. The authorizing legislation and regulations define these statistical criteria and the amount of funds to be distributed. I believe Navajo Nation Health, Education and Human Services haven't consider the imporatnce of the formula grant and it's allocation to recipients and BIE Schools. Are we going to be in violations of these Formula grants, when schools are combined?

Keep in mind of the **Treaty our Dine People** sacrafice and fought for. The BIE Schools are in existence today, of long-standing federal policies from treaties negotiated between tribes and the U.S. government. And those treaties, in part, established a government-to-government relationship and created a **federal trust obligation**.

By signing the Navajo Treaty of 1868 or Treaty of Fort Sumner, *Naaltsoos Sáni* ) with Indian tribes, the United States acknowledged tribal sovereign status. When the architects of the American government created the Constitution, they explicitly recognized that treaties are the supreme law of the land, along with the Constitution itself. We need to continue the Federal Government withhold thier obligations and responsibilities to the Dine People, we can't make changes for Federal Government to short change our Dine Education by combining Community Schools.

**Give authority back** to Community people and Commuity Local School not D.O.D.E.(Department of Dine Education).

**The Indian Self-Determination and Education Assistance Act of 1975 (P.L. 93-638)** gave authority to federally recognized tribes to contract with the BIA for the operation of Bureau-funded schools and to determine education programs suitable for their children. In addition, Health, Education, and Human Services and D.O.D.E. recognizing the Education **Amendments Act of 1978 (P.L. 95-561)** and further technical amendments (P.L. 98-511, 99-99, and 100-297) which funds are provided directly to tribally operated schools, empowered Indian school boards, permitted local hiring of teachers and staff. We cannot violate these Laws that are in place, today.

**Keep in mind** many changes were made by Laws established: **The No Child Left Behind Act of 2001 (P.L. 107-110)** brought additional requirements to the schools by holding them accountable for improving their students' academic performance with the U.S. Department of Education supplemental program funds they receive through the Bureau.

**Title 25 CFR Part 32.3**, BIE's mission is to provide quality education opportunities from early childhood through life in accordance with a tribe's needs for cultural and economic well-being, in keeping with the wide diversity of Indian tribes and Alaska Native villages as



distinct cultural and governmental entities. Further, the BIE is to manifest consideration of the whole person by taking into account the spiritual, mental, physical, and cultural aspects of the individual within his or her family and tribal or village context. The BIE school system employs thousands of teachers, administrators and support personnel, while many more work in tribal school systems.

Last, let's all work together through this hardship times within our Dine Nation.and globally. We cannot afford to make short cuts for our future children's education. I am a Teacher of Dine Language and Culture within the Navajo reservation. As Dine people we be should be mindful of this Pandemic time and hardship our Nation is going through and possible pause for moment until the Pandemic vanishes away from our Land.

Thank you and prayers to all.

Dine Teacher

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THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0106-20

SPONSOR: Honorable Charlaine Tso

**TITLE: An Action Relating to Health, Education and Human Services:  
Rescinding Resolution HEHSCAP-05-20, Entitled "An Action Relating to  
Health, Education and Human Services; Approving 2020 -2024 Navajo Nation  
School Board Apportionment Plan"**

Posted: April 28, 2020 at 1:05 PM

5 DAY Comment Period Ended: May 03, 2020

Digital Comments received:

Comments Supporting	1) Beatrice Woodward, Baca /Dlo Ay Azhi Community School Board 2) Wide Ruins Community School Board 3) New Mexico Navajo Central Agency School Board 4) Angela Nelson 5) Loberta Redhouse, Crystal Boarding School Board
Comments Opposing	<i>None</i>
Inconclusive Comments	<i>None</i>

  
\_\_\_\_\_  
Legislative Tracking Secretary  
Office of Legislative Services

05/14/20      9:37AM

Date/Time

# comments on Rescinding Resolution HEHSCAP-05-20, ENTITLED "AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES

Beatrice Woodward <beawoodward19@yahoo.com>

Mon 5/11/2020 7:09 PM

To: comments <comments@navajo-nsn.gov>;

EXECUTIVE DIRECTOR  
OFFICE OF LEGISLATIVE SERVICES  
BOX 3390  
WINDOW ROCK, ARIZONA 8615

My name is: Beatrice L. Woodward,  
e-mail: beawoodward19@yahoo.com  
Baca/Dlo Ay Azhi Community School Board Vice President  
Grandparent

My comment on : Approving 2020-2024 Navajo Nation School Board, Apportionment Plan

The actions taken are a clear picture of non-compliance to any policy or law that can be seen in any decision

making of leaders whom we depend on to assure there is fairness, ethical, decisions done with the notion that stakeholders agree with the plans that were presented by the Dine Education employee and school board member of Navajo Prep. School.

-First of all we were not privy or invited to the discussion on the outcome of the Apportionment Plan. The first consultation was conducted in Crownpoint Chapter that I attended.

We were handed the Plans . We had the understanding there were 6 plans.

We were handed a form for us to vote for one of the plans the same day.

Some of us stated that not all our board members were present and we prefer to take the plans and share them with the parents, and community members, then send in our comments.

-We understood there were 6 Plans. However, were handed two more plans , making it 8.

-They wanted us to sign in , however, some of us stated we did not want to sign our names if they are going to use the sign in sheet as approval of their plan. They have done this before and I for one do not

appreciate my signature being used for other than signing in present at a consultation.

1. The parents and community members of the school expressed they did not like the plans but plan 1 was close to the way it was.

2 School Board members are elected by their community members within the chapter they live and Board Members know what parents want for their children.

3. It is the the parents who are involved with their school and the board member from their community advocate for them because they know the needs of the community.

4. Its the parents who communicate with heir school board members on important issues that they feel comfortable in communicating their concerns.



5.They refer to school board members as the governmental agency closest to the people of the community.

6. As stated in Fundamental Law "it is the right and freedom of the Dine to choose leaders of their choice".

Parents and community members have the right to choose those who would advocate for them from their

local chapter and ones who know their needs.....THAT RIGHT SHOULD NOT BE TAKEN FROM THEM .

7. THE LOCAL SCHOOL BOARD IS IN A KEY POSITION TO HELP CREATE AND MAINTAIN THE CIRCUMSTANCES UNDER WHICH GOALS ARE ACHIEVED AT A LOCAL SCHOOL.....

BOTTOM LINE, LOCAL SCHOOL BOARDS ARE NEEDED TO WORL WITH THE COMMUNITY AND PARENTS. KEEP IN MIND THE 25CFR, TITLE X, 62 BIAM REGULATIONS ALL SPEAK TO PARENTAL AND SCHOOL BOARD INVOLVEMENT. THE CHILDREN BELONG TO THEM.

-

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# WIDE RUINS COMMUNITY SCHOOL

P.O. Box 309  
Chambers, Arizona 86502

Phone: (928) 652-3251  
Fax: (928) 652-3286

## GOVERNING BOARD

President .....Glenna Thompson  
Vice-President.....Kathleen Lee  
Secretary.....Louise Nelson  
Member.....Ella Shirley  
Interim Principal.....Jeannie Lewis

## RESOLUTION OF THE WIDE RUINS COMMUNITY SCHOOL BOARD

A RESOLUTION STRONGLY SUPPORTING RESOLUTION NO. 106-20-AN ACTION RELATING TO HEALTH, EDUCATION, HUMAN SERVICES COMMITTEE: RESCINDING RESOLUTION HEHSCAP-05-20, ENTITLED "AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; APPROVING 2020-2024 NAVAJO NATION SCHOOL BOARD APPORTIONMENT PLAN"

### WHEREAS:

1. WE, Wide Ruins Community School, As school leaders and educators of Bureau Funded Schools, we have a common interest to preserve in unity the educational services we provide to our students through our local community schools and that our united voices are expressed by utilizing the same language in our resolutions and we request the committee members not to disregard our voices because our resolution languages are similar; and
2. The Wide Ruins Community School fully supports and stands behind the Resolution to rescind the action taken by the Health, Education and Human Services Committee by approving Plan 6 that will Regionalize school boards for the following reasons:
  - A. At all five (5) Public Hearings conducted, the people opposed Plan 6; but they widely supported Plan 4a, so why was HEHSC inconsiderate of the people's requests and wishes.
  - B. We are aware resolutions from chapters, schools and agency school boards were submitted which all did not support Plan 6; again, Plan 4a was highly supported, so why did HEHSC ignore and reject the contents of these resolutions.
  - C. The Navajo Nation Elections Law 11 N.N.C. §11 (C) gives the expressed authorities and responsibilities upon HEHSC to "develop" the

apportionment for School Board elections Plan, yet it appears that the Department of Dine' Education (DODE) was given exclusive rights to develop Plan 6.

- D. At the April 15, 2020 HEHSC meeting, we were appalled that our leaders whom we elected in good faith allowed an employee of DODE to provide jini' about schools, school boards, and most troubling to degrade our Diné children by saying they are failures. None of the school board members or school officials were provided an opportunity to respond to these negative, inaccurate slander.
  - E. Furthermore, the DODE employee was allowed to make changes to Plan 6 during the April 15 meeting and HEHSC entertained it. There was a clear conflict of interest as this DODE employee is currently serving on the Navajo Preparatory School Board which he deliberately made changes to Plan 6 so his school will keep their five (5) member board; then, he influenced further deals with the committee members so they would vote for Plan 6.
  - F. DODE for years has been attempting to use HEHSC to forward their political agendas to reduce and regionalize elected School Boards and now is HEHSC's opportunity to stand for the people and right the wrong that was done.
5. We fully support Resolution 106-20 to rescind the approval of Plan 6 and accept Plan 1 or Plan 4a which will demonstrate that our elected leaders are not ignoring our voices and have the integrity and responsibility to do the right thing.

NOW, THEREFORE, BE IT RESOLVED, THAT:

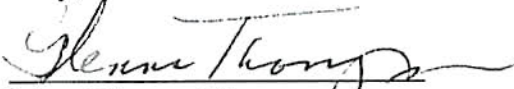
- 1. The Wide Ruins Community School supports and endorses the Resolution No. 106-20- an action relating to the Health, Education, Human Services Committee: Rescinding Resolution HEHSCAP-05-20, entitled "An action relating to Health, Education and Human Services; Approving 2020-2024 Navajo Nation School Board Apportionment Plan".
- 2. The Wide Ruins Community School respectfully and adamantly requesting the Health, Education and Human Services Committee to approve Plan 1 or Plan 4a.



3. The school board members across the Navajo Nation are elected by the people just like the council delegates and have the same rights to express their opinions and their voices should not be dismissed or ignored because they have a vested interest in this topic.

#### CERTIFICATION

I, hereby certify that the foregoing resolution was duly considered by the Wide Ruins School Board at a duly called meeting in which a quorum was present and same was passed by a vote of 3 approved, 0 opposed, 1 abstained, this 4th day of May, 2020.

  
Mrs. Glenna Thompson  
Board President

Motion: Kathleen Lee  
Second: Louise Nelson



NEW MEXICO NAVAJO CENTRAL AGENCY SCHOOL BOARDS

P.O. Box 509

Crownpoint, New Mexico 87313

(505)786-6150/6152 Fax# (505) 786-6112 Agency School Board



Lucita Nolan, President

Kyle Augustine, Vice-President

George H. Tolth, Secretary

=====

RESOLUTION OF  
NEW MEXICO NAVAJO CENTRAL AGENCY SCHOOL BOARDS  
NMNCASB-0004-20

**AN ACTION RELATED TO EDUCATION REQUESTING TO 24<sup>TH</sup> NAVAJO NATION COUNCIL  
STANDING COMMITTEE, HEALTH, EDUCATION & HUMAN SERVICE COMMITTEE TO RESCIND  
LEGISLATION 0074-20 2020 - 2024 NAVAJO NATION SCHOOL BOARD APPORTIONMENT  
PLAN.**

**WHEREAS:**

1. The New Mexico Navajo Central Agency School Boards, formerly known as the Eastern Navajo Agency School Board is authorized and empowered to function as the policy making body for the New Mexico Navajo Central Agency (NMNCASB) consistent with the authority granted by CFR 25 Code of Federal Regulation § 32.40 (4), Public Law 100-297; and
2. The New Mexico Navajo Central Agency School Board; henceforth, shall be referred to as the Agency School Board and shall exercise Indian Self-determination and local control on the planning, development, management, operation, budget, staffing priority setting and evaluation of all aspects of the Agency education process as outlined under P.L.95-561, P.L.100-297; and 25 Code of Federal Regulations § 32.4 (3); and
3. The New Mexico Navajo Central Agency School Boards, is established and empowered by the Navajo Nation Council pursuant to Navajo Nation Council Resolution CAU-87-69 and the Navajo Sovereignty in Education Act of 2005 (CJY-37-05), § 25- and 253 (as we understand it) relating to duties described as follows;
  - A. The Agency School Board shall carry out its function in accordance with the provisions of Public Law 95-561, including personnel action determination concerning Agency contract positions, making determinations on contract renewal of New Mexico Navajo Central Agency staff, providing input and making



decision on the agency education financial plans and Agency wide administrative policies.

B. The Agency Board shall serve as conduit information to from Dine Bi Olta School Board Association, Incorporated Executive Board, and the Bureau of Indian Education's Office of Indian Program headquarters (OIEP) to the local school level.

C. The Agency Board shall receive reports of conflicts and disputes of the local level and work with the Agency Education Line Officers, (ELO) and Dine Education and the Dine Bi Olta School Board Association, Incorporated Executive Board in the resolution of such conflicts and despites.

4. Legislation #0074-20 was posted on Navajo Nation Council website March 26, 2020 at 6:44p.m. for five (5) days comment period beginning on March 31, 2020 and ending April 1, 2020, the local board of the Navajo Nation was not informed about the posting of this legislation and did not had the time to respond nor make a comment on this legislation; and
5. Legislation #0074-20 section 1 (2) identifies the five (5) Agencies Public Hearing dating between February 24, 2020 to February 27, 2020 And during the Public Hearing majority of community members within these five (5) agencies were in support of Plan One (01). Of whom these individuals are parents, grandparents, legal guardian and local school board, which they have addressed their concerns and comment about the 2020 Navajo Nation School Board Apportionment Plan; and
6. *n review of 2009, 2012 and 2016 Navajo Nation School Board Apportionment Plan, the Health Education & Human Service Committee has established Local School Board Apportionment Committee, a committee comprise of a representation from Dine Bi Olta School Board Association, Department of Dine Education, Office of the Navajo Nation Election Office and a Representative from Legislative Office. This committee formulates schedule Public Hearing dates, work with the Navajo Nation Chapters, review Student Enrollment from each Chapter, at the end, this committee will make recommendation as to which Plan they are in presenting, along with a support from all local School Board including each chapter as to which Plan they will support; and, 2020*
7. *On April 1<sup>st</sup>, 2020 the HEHS Committee has approved this legislation without any representative from local school board during the meeting, but a representative from Department of Dine Education (Matthew Tso) has presented the 2020 Navajo Nation School Board Apportionment Plan to the Committee. The Committee needs to be aware that Mr. Tso is employee of the Department of Dine Education and is elected local school board member representing Navajo Preparatory School, we believe that Mr. Tso is in Conflict of Interest in representing this legislation; and*



8. *Between January, 2020 to March 2020, majority of the Navajo Nation Chapters has submitted their supporting resolution for 2020 Navajo Nation School Board Reapportionment Plan in support of Plan- One (01). The Navajo Nation Fundamental Law including the Bill of Rights of the Navajo Nation requires that each member of the Navajo Nation shall appoint and elected their own leaders. The New Mexico Navajo Central Agency School Board, comprise of 17 schools located within the Eastern Navajo Agency respectfully requesting Health Education Human Service (HEHS) to Honor each Chapter's Resolutions.*

**NOW, THEREFORE, BE IT RESOLVED, THAT:**

1. The New Mexico Navajo Central Agency School Board and Local School Board Members are requesting the Health, Education & Human Service Community to rescind Legislation #0074-20 due to mispresentation from Department of Dine Education; and
2. The New Mexico Navajo Central Agency School Board respectfully requesting the Health, Education & Human Service Committee to honor all Navajo Nation Chapters Resolution and comments made by local parents, grandparents, legal guardians that are residing within each Agency throughout the Navajo Nation.

**CERTIFICATION**

I hereby certify that the foregoing resolution was duly considered by the New Mexico Navajo Central Agency School Board at a duly called meeting in which a quorum was present and same was passed by a vote of 09 in favor, 00 Opposed, 03 Abstained on this 24<sup>th</sup> of April, 2020.

*Lucita N. Nolan, President*  
NMNCASB

CC:  
Dine Bi Olta School Board Association, Inc  
NMNCASB Members  
Department of Dine Education  
HEHS Committee Members  
[comments@navajo-nsn.gov](mailto:comments@navajo-nsn.gov)

NAME: Angela Nelson  
Title/Position: Parent  
Address: P.O. Box 136  
Houck, AZ 86506

Honorable Daniel Tso ([danieltso@navajo-nsn.gov](mailto:danieltso@navajo-nsn.gov))  
Honorable Charlene Tso ([charlaintso@navajo-nsn.gov](mailto:charlaintso@navajo-nsn.gov))  
Honorable Carl Slater  
Honorable Paul Begay ([paulbegay@navajo-nsn.gov](mailto:paulbegay@navajo-nsn.gov))  
Honorable Pernell Halona ([pernellhalona@navajo-nsn.gov](mailto:pernellhalona@navajo-nsn.gov))  
Honorable Edison Wanueka ([ewauneka@navajo-nsn.gov](mailto:ewauneka@navajo-nsn.gov))

Mario Tencio on behalf of Honorable Daniel Tso ([marioatencio@navajo-nsn.gov](mailto:marioatencio@navajo-nsn.gov))  
Darrell Williams on behalf of Honorable Charlene Tso ([darrellwilliams@navajo-nsn.gov](mailto:darrellwilliams@navajo-nsn.gov))  
Angela Cody on behalf of Honorable Paul Begay ([acody@navajo-nsn.gov](mailto:acody@navajo-nsn.gov))  
Laris Manuelito on behalf of Honorable Pernell Halona ([larismanuelito@navajo-nsn.gov](mailto:larismanuelito@navajo-nsn.gov))  
Elizabeth Kuipers on behalf of Honorable Edison Wanueka ([ekuipers@navajo-nsn.gov](mailto:ekuipers@navajo-nsn.gov))

**RE: Please Support Legislation 0106-20**

Dear Honorable Delegates and Health, Education and Human Services Committee Members,

Tiisyaakin Residential Hall, Inc. (TRH) provides residential services for Holbrook High School students, grades 9th to 12th at large from the Navajo Nation and surrounding areas. TRH is a Navajo non-profit educational organization that is federally funded under P.L. 100-297. I am A Parent at Tiisyaakin Residential Hall [describe relationship to TRH].

I am writing to you to support and endorse Legislation 0106-20, a proposed standing committee resolution titled, "An Action Relating to Health, Education and Human Services: Rescinding Resolution HEHSCAP-05-20, Entitled "An Action Relating to Health, Education and Human Services; Approving 2020 -2024 Navajo Nation School Board Apportionment Plan," which would rescind HEHSCAP-05-20. HEHSCAP-05-20 approves Apportionment Plan 6, which creates 16 regional, consolidated boards to represent the P.L. 100-297 grant schools on the Navajo Nation and the border town dormitories.

Further, I urge the Health, Education, Human Services Committee, the Navajo Nation Board of Education, and DODE to support the community input regarding apportionment and affirm, reinstate and respect the primacy and autonomy of the Local Community School Boards in the overall management and operation of local community schools and homeliving programs by preserving the status quo and approving Plan 1 or Plan 4a.

Navajo and federal law both emphasize that TRH and similarly situated community schools and homeliving programs should be governed locally and establish that Local Community School Boards have been delegated the responsibility and authority to govern community schools and



homeliving programs, in order to carry out this mandate. See 10 N.N.C. §§ 1(A), 3(S) and 200(A); P.L. 93-638; P.L. 100-297 and P.L. 114-95.

Apportionment Plan 6 removes local control of our homeliving program from the TRH Board. The Plan would profoundly change the current Navajo education system and there is currently no plan to properly implement it. This creates many new concerns and unanswered questions for TRH and local community schools, including:

- loss of identity and autonomy;
- dramatic, swift and disorganized change from a well-established and regulated system codified in Title 10 of the Navajo Nation Code;
- undefined powers, duties and responsibilities of the new boards;
- chain of command and organizational questions;
- fairness concerns;
- logistical issues;
- financial questions regarding federal grant monies;
- legal status of the schools and the new boards, existing contracts and obligations; and,
- many more.

I believe in local control of our homeliving program through the TRH Board. Administrators and staff who are administering our homeliving program and our local electorates who live in these communities know best what is needed in our homeliving program and should control these issues in our homeliving program, not a distant regionalized board. Regionalized and consolidated boards do not serve the unique needs of our varied communities and circumstances.

Title 10 of the Navajo Nation Code, "The Sovereignty in Education Act," specifically states, "The Navajo Nation encourages and supports local control of Navajo education. Administration of a local school shall be under the guidance and direction of the local governing board." This is a direct delegation of authority for local community school and homeliving program matters to Local Community School Boards, not consolidated and regionalized boards that are not directly accountable to local community members through participation at local meetings where these decisions should be made. True sovereignty lies in Navajo people electing Board Members who have real authority over the operation of community schools and homeliving programs. Title 10 also requires Local Community School Boards to conduct their meetings at times and places convenient to the public, especially parents. Under the proposed change, TRH would be represented by the Tse Hootsoi II Schools Board, which would also represent schools located far

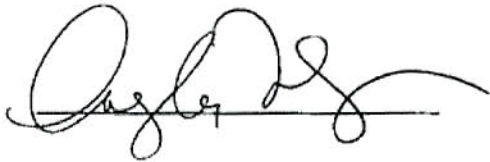


from TRH and would include only a single representative from the communities primarily served by TRH. It would be impossible for the Tse Hootsoi II Schools Board to conduct meetings at times and places convenient to all parents of students at the eight schools and homeliving programs it would represent. Further, the TRH Board already has a big workload as the governing body of our single homeliving program. It will be incredibly difficult for a single board to effectively govern eight diverse schools and homeliving programs at once. True local control as envisioned by the Sovereignty in Education Act cannot be realized if the local communities only have a single representative on a consolidated board responsible for governing eight vastly different schools and homeliving programs located across a sizable regional area.

Finally, pursuant to 11 N.N.C. § 11(C), "The apportionment plan shall be developed by the Education Committee with the opportunity for input provided to the Navajo Board of Election Supervisors, parents, local school boards, chapters, school board organizations such as agency school boards, and the Navajo Division of Diné Education, pursuant to 11 N.N.C. § 2(H). The Education Committee may receive input either in writing or through oral testimony." Public hearings on the proposed changes were held in February, 2020, but there was strong support for Plans 1 and 4a and very little public support for Plan 6, although it was ultimately approved. Profound change without meaningful consultation or consideration is not consistent with Navajo law.

Please support Legislation 0106-20 to rescind Resolution HEHSCAP-05-20 and support the community input regarding apportionment by approving Plan 1 or Plan 4a.

Sincerely,

A handwritten signature in black ink, appearing to be "Angela", written over a horizontal line.

# Legislation # 0106-20

loberta Redhouse <lredhouse@yahoo.com>

Wed 5/6/2020 3:56 PM

To: comments <comments@navajo-nsn.gov>;

 1 attachment

Comment Period Attchmt.PDF;

This is Loberta Redhouse, Board President for Crystal Boarding School, on behalf of the school board members, we are in support of rescinding Resolution No. HEHSCAP-50-20. The School Board has passed a resolution on December 10, 2019 (see attachment). I also serve on the Arizona Navajo South Agency School Board, and there has been discussions on opposing the reapportionment as well. Resolutions were passed but are not readily available to be forwarded with this message; however, there are excerpts of the minutes (see attachment).

Any questions I can be contact at 505-567-1117, or my email address: [ljredhouse@yahoo.com](mailto:lredhouse@yahoo.com)

Thank you

Loberta Redhouse, Board President

Crystal Boarding School

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## Crystal Boarding School Board



P.O. Box 1288 Navajo, New Mexico

(505) 777-2385 Fax (505) 777-2648

CBS-12-19-02

### RESOLUTION OF CRYSTAL BOARDING SCHOOL BOARD

**OPPOSING THE DEPARTMENT OF DINE' EDUCATION'S PROPOSED SCHOOL BOARD REGIONALIZATION PLAN TO CONTRACT UNDER PUBLIC LAW 93-638 TO ASSUME CONTROL AND RESPONSIBILITY FOR NAVAJO DISTRICT EDUCATION OPERATIONS AND RECOMMENDING THE ENFORCEMENT OF EXISTING LAWS CITED AT 11 N.N.C. SUBSECTION (B)(C)(D) AND (E) RELATED TO SCHOOL BOARD APPORTIONMENT**

**WHEREAS:**

1. Crystal Boarding School Board is established by the Navajo Sovereignty in Education Act of 2005, Amendment to Title 10-Navajo Education Code; approved by the Navajo Nation Council; and
2. Pursuant to the Navajo Sovereignty and Education Act of 2005, the Crystal Boarding School Board is authorized to represent the communities (Chapters) Crystal, Navajo (Red Lake), Sawmill, Fort Defiance, St. Michaels, and Kin Dah Lichi'olta to oversee education services, Pre-K to 6th grade, including facilities maintenance, student residential facility, student transportation and food services; and
3. The Crystal Boarding School Board, coming from the local area, familiar with the educational needs, ensures that all students have fair, equal and high quality educational opportunity to reach proficiency, based on challenging academic standards, achievement, and assessment; and in the total aspect of the school operations; and
4. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council pursuant to 2 N.N.C. §400(C) and has been delegated the authority and responsibility of the following:
  - A) "[O]n or before the first Monday of November 2003 and every four years thereafter, the Education Committee of the Navajo Nation Council [now Health, Education and Human Services Committee] shall set the size of each Local Community School Board and shall apportion the number of school board seats among the Chapter or Chapters represented in each Local Community School Board. This apportionment shall establish election precincts for each Local Community School Board containing approximately equal number of students attending the Local Community School at the time of the apportionment". 11 N.N.C. §11 (B).
  - B) "[T]he apportionment plan shall be developed by the Education Committee [now Health, Education and Human Services Committee] with the opportunity for input provided to the Navajo Board of Election Supervisors, parents, local school boards, chapters, school board organizations such as agency school boards, and the [Navajo Nation Department of Education] pursuant to 11 N.N.C. §2 (H). The Education Committee may receive input in writing or through oral testimony". 11 N.N.C. §11 (C).
  - C) "[T]he apportionment plan shall be based at a minimum on the number of students attending from one or more Chapters. Each Local Community School Board shall provide to the Education Committee [now Health, Education and Human Services Committee] and the  
  
[Navajo Nation Department of Education] current and accurate information regarding the number of students attending the Local Community School for use in the development of the apportionment plan by October 2003 and every four years thereafter". 11 N.N.C. §11 (D).
  - D) "[T]he Education Committee [now Health, Education and Human Services Committee] shall adopt the apportionment plan and provide the plan to the Navajo Board of Election Supervisors for use in school board elections". 11 N.N.C. §11 (E).



b. Approval to Advertise: School Maintenance Worker, Wingate High School. After Mr. Tohtsonie explained the position needing advertisement, with the understanding that: 1) the Arizona Navajo South Agency School Board recognizes and abides by the Kempthorne Settlement, 2) the Arizona Navajo South Agency School Board directs the BIE Navajo Assistant Deputy Director to resolve this situation, 3) the Arizona Navajo South Agency School Board refers this matter to the Navajo Board of Education to protect the rights granted to Navajo School Boards, 4) the Arizona Navajo South Agency School Board recognizes and protects the rights of the Navajo School Children affected by this situation, 5) the Arizona Navajo South Agency School Board recognizes the rights of the New Mexico Navajo South Agency Board, and 6) that Arizona Navajo South Agency School Board takes this action in pursuit of effective administrative function of the Window Rock Education Resource Center Facility Maintenance and approve the advertisement of School Maintenance Worker for Wingate High School. Motion was made by Ruthie Nez; seconded by Delores Curley. Vote: 5/0/01.

c. Organizational Chart Amendment: Add HVAC Position. After Mr. Tohtsonie explained the position needing amendment, with the understanding that: 1) the Arizona Navajo South Agency School Board recognizes and abides by the Kempthorne Settlement, 2) the Arizona Navajo South Agency School Board directs the BIE Navajo Assistant Deputy Director to resolve this situation, 3) the Arizona Navajo South Agency School Board refers this matter to the Navajo Board of Education to protect the rights granted to Navajo School Boards, 4) the Arizona Navajo South Agency School Board recognizes and protects the rights of the Navajo School Children affected by this situation, 5) the Arizona Navajo South Agency School Board recognizes the rights of the New Mexico Navajo South Agency Board, and 6) that Arizona Navajo South Agency School Board takes this action in pursuit of effective administrative function of the Window Rock Education Resource Center Facility Maintenance and approve the Organizational Chart. Motion was made by Ruthie Nez; seconded by Anita Watchmen. Vote: 5/0/01.

d. Approval to advertise: HVAC Specialist. After Mr. Tohtsonie explained the position needing advertisement, with the understanding that: 1) the Arizona Navajo South Agency School Board recognizes and abides by the Kempthorne Settlement, 2) the Arizona Navajo South Agency School Board directs the BIE Navajo Assistant Deputy Director to resolve this situation, 3) the Arizona Navajo South Agency School Board refers this matter to the Navajo Board of Education to protect the rights granted to Navajo School Boards, 4) the Arizona Navajo South Agency School Board recognizes and protects the rights of the Navajo School Children affected by this situation, 5) the Arizona Navajo South Agency School Board recognizes the rights of the New Mexico Navajo South Agency Board, and 6) that Arizona Navajo South Agency School Board takes this action in pursuit of effective administrative function of the Window Rock Education Resource Center Facility Maintenance and approve the advertisement of HVAC Specialist position. Motion was made by Loberta Redhouse; seconded by Louise Nelson. Vote: 5/0/01

**B. BIE – Fort Defiance Agency Facility Management.**

- a. FY-2021 Contract Renewals. Victor Puente, Facility Manager presented a memo requesting nine (9) positions recommended for renewals. A motion was made by Delores Curley, seconded by Anita Watchmen to approve contract renewals. Vote: 5/0/01

✓ **C. Navajo Nation School Board Apportionment Plan.** Mr. Riggs explained the way the worksession was conducted by DODE at Twin Arrows where any school board members, or other



### III. NEW BUSINESS

A. BIE-Navajo, Window Rock ERC, Facility Management, Fort Wingate, New Mexico HVAC Position. Madeline Deboise explained that she is appearing before the Board on behalf of Paul Totsonle, Facility Management who could not attend the meeting. They are requesting a new HVAC Position who will be assisting with job orders for 6 schools (Ft. Wingate Elementary, Baca, Breadsprings, Chichiltah & Tohali Community School). These school usually call for assistance with HVAC or Refrigeration and Crownpoint Office cannot assist as they are already out on other assignments. If it is an emergency, other vendors from Albuquerque are called upon to assist. There was discussion whether this position is to establish a new position or is it to advertise a new position and where is the organizational chart. Ms. Deboise explained that the process is to first establish the position, then its advertised and placed on the organizational chart which has to be approved by the District Office. Mr. Riggs asked if the Boards approval is not needed to advertise the position. Response, was no that the advertisement is requested and approved by the District Office, not the Board. Until a candidate has been selected, then the Board needs to take action. There is confusion because the memorandum issued says "support and approval to grant our office to advertise it". After some discussion to clarify what the real intent is, a motion was made by Ruthie Nez to amend the Memo to read "request for approval and establishment of new position and advertise it". No second to the motion. Rudy John made a motion to table the item until all documents are in line and coincides with what is actually being requested and need updated organizational chart. Sophia Francis seconded the motion. Vote: 5/0/01.

✓ B. Navajo Nation School Board Apportionment Plan. Mr. Riggs explained that DODE is pursuing a re-apportionment plan to be considered before the next election. There are a couple plans floating around, one is to collapse all school board members and make fewer school boards, or increase them; and 2 school boards will represent the Navajo Nation Board and make decisions. He recommends keeping things as they are instead of trying to figure out which option to support, and pass a resolution to that effect. Motion by Rudy John; seconded by Ruthie Nez to approve a resolution to keep the school representation as they currently are. Mr. Riggs to produce the resolution. Vote: 5/0/01.

C. Navajo Nation Education Proposal: Transfer of Bureau of Indian Affairs Navajo District to the Department of Dine' Education. Mr. Riggs explained that DODE wants to take over Dr. Phieffer and staff's office, they want the whole operation to be put under DODE. They are doing public hearings rite now. They want to take the 30% overhead cost for each one of these grant schools, then use that as operational cost for taking over the posltions up to 66 Navajo schools. With the assumption that the BIE School operated are going to get that cost which its not going to happen unless they become grant schools. No one can order a BIA operated school to become a grant school, this decision is up to the community. Another thing is the manpower level which Tony Deermen has been reporting for a couple of years that the whole BIE operation from Washington on down, is at 39% and the most recent report is at 54% so BIE is still not fully staffed. EPAs are assigned to other schools to be principals. DODE was asked if they are planning to take on the staffing level at the current level, or at where the level should be. DODE did not know. The DBOSBA Executive Board feels that DODE does not have the capacity to do this, do not have the expertise, no plans, etc. What if only 10% of the BIE employees agrees to transfer to DODE, they are already undermanned. DBOSBA is really against the idea so they approved a resolution opposing it. Its up to the Agency School Board and the local schools to support this same resolution or devise one of their own. Motion made by Rudy John to pass a supporting resolution to DBOSBA's resolution; seconded by Loberta Redhouse. Vote: 5/0/01.

representatives, were allowed to speak and express concerns. The worksession was only amongst the Office of the President, Vice President, Board of Education and a New Mexico representative. There are 8 Plans all together, Plan 4A is closes to the current composition of School Board members. The only difference is the breakdown according to students. If you have less than 299 students, you get 3 school board members, over 299 students, you get 5 school board members. Plan 4 & 5 has a A & B, Plan A both have 12 school board members for 12 schools. Plan B is 9 school board members for 12 schools. Both Plan Bs are about combining school board members with grant and BIE schools, which is not good. Issues and concerns:

- The school boards at grant schools are the grantees for the grants. If you combine Dilcon and Greasewood schools, who is going to be the grantee. This will cause co-mingling of funds.
- If combining BIE and Grant schools, BIE schools are operated by BIAM 62, and Grant schools have their own policies, so which one are they going to operate under?
- When it comes to re-authorization, which school board members is going to be in charge. Will they get the same number of years or will they all differ.
- Existing schools belong to the community and have a lot of history to it; for instance, Seba Delka Boarding School, Teetso community built that school from ground up. Now, for anyone to just come in and say this is not your community school anymore, is not right.
- School Board meeting time, especially Plan 6, you have one school board for 8 schools, is there going to be a 24 hour meeting because usually for one school board meeting, lasts up to 3 hours? Or, are they going to combine one action for all items.
- Why the rush, there is a 60-day comment period from the worksession held at Twin Arrows. Now, there is a meeting called for March 26, 2020 already.

A lot of school board members are supporting Plan 1 and Plan 4A, which is closes to what is in place right now. Mr. Jordan Etcitty, DBOSBA Executive Director, explained his version of the inception of all the Plans developed, Larry Rodgers, Consultant, developed some and DODE was asked to work on one Plan only which is 4A and they come up with 3 other Plans. 1, 2, 3 are data driven from student counts and representations. Even public hearings conducted was not well planned and public not given enough notice. All together there are 8 Plans: 1, 2, 3, 4A, 4B, 5A, 5B, & 6.

The Agency School Board members expressed their opposition on how DODE is proceeding with the Re-apportionment Plan, and after much discussion, a motion was made by Delores Curley to oppose the re-apportionment plan and leave all representation as is, the Navajo Nation is not ready; seconded by Anita Watchmen. Vote: 5/0/01.

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**D. Navajo Nation Education Proposal: Transfer of Bureau of Indian Affairs Navajo District to the Department of Dine' Education.**

Mr. Riggs explained that he did a presentation at Dilcon Community School. The meeting held at Twin Arrows, was not clear as to the intent of it, it was more of a dignitary forum, no one was allowed to speak or ask questions. Grant schools were invited but to just sit and listen. With all the public hearings, BIE was never mentioned. DODE is thinking of past through monies from IDEA, Title I, Title II, 21<sup>st</sup> Century and Striving Readers. From the Green Book all of the past through monies totals \$220 M, and DODE wants 5% of this amount which will be the overhead cost, this totals \$11M. Out of the \$11M, they want 1/3<sup>rd</sup> of it, totaling \$3.7M and this will cover the 66 BIE Schools on the Navajo Nation. There are 184 BIE schools Nation wide.

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Committee Report

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

LEGISLATION NO. 0106-20

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; RESCINDING  
RESOLUTION HEHSCAP-05-20, ENTITLED "AN ACTION RELATING TO HEALTH,  
EDUCATION AND HUMAN SERVICES; APPROVING 2020 - 2024 NAVAJO NATION SCHOOL  
BOARD APPORTIONMENT PLAN"

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

Sponsor: Honorable Charlaine Tso

Co-Sponsor: Honorable Otto Tso

Has had under consideration and reports that Legislation 0106-20 had No  
Committee Action with no 2<sup>nd</sup> Main Motion Vote;

Respectfully Submitted,



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

**May 13, 2020 - Main Motion**

Motion by: Honorable Paul Begay, Jr.

Seconded by: No Second Vote

Vote: \_ in favor; \_ Opposed; Chairperson Not Voting

Yeas:

Nays:

Absent (excused):

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

Roll Call  
Vote Tally Sheet

LEGISLATION NO. 0106-20

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; RESCINDING  
RESOLUTION HEHSCAP-05-20, ENTITLED "AN ACTION RELATING TO HEALTH,  
EDUCATION AND HUMAN SERVICES; APPROVING 2020 - 2024 NAVAJO NATION SCHOOL  
BOARD APPORTIONMENT PLAN"

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

Sponsor: Honorable Charlaine Tso  
Co-Sponsor: Honorable Otto Tso

May 13, 2020 - Main Motion

Motion by: Honorable Paul Begay, Jr.

Seconded by: No Second Vote

Vote: \_ in favor; \_ Opposed; Chairperson Not Voting

Yeas:

Nays:

Absent (excused):



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



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

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0106-20

SPONSOR: Honorable Charlaine Tso


**TITLE: An Action Relating to Health, Education and Human Services:  
Rescinding Resolution HEHSCAP-05-20, Entitled "An Action Relating to  
Health, Education and Human Services; Approving 2020 -2024 Navajo Nation  
School Board Apportionment Plan"**

Posted: April 28, 2020 at 1:05 PM

5 DAY Comment Period Ended: May 03, 2020

Digital Comments received:

Comments Supporting	1) Eastern Navajo Agency Council
Comments Opposing	<i>None</i>
Inconclusive Comments	<i>None</i>

  
\_\_\_\_\_  
Legislative Tracking Secretary  
Office of Legislative Services

05/26/20      2:42pm

Date/Time





RESOLUTION  
OF THE  
EASTERN NAVAJO AGENCY COUNCIL  
THE NAVAJO NATION

No. ENAC-12-2019-006

**SUPPORTING THE CURRENT PLAN OF THE NAVAJO NATION COUNCIL HEALTH, EDUCATION, HUMAN SERVICES COMMITTEE'S PROPOSED SCHOOL BOARD REAPPORTIONMENT PLAN**

**WHEREAS:**

1. The Eastern Navajo Agency Council is established under the Legislative Branch of the Navajo Nation and certified by Resolution IGRS-251-01; and
2. Pursuant to 26 N.N.C. Section 103 (D) (4), the Eastern Navajo Agency Council, a consortium of elected Chapter Officials representing thirty-one (31) certified Navajo Nation Chapters, agree to address and undertake common goals and interests for the benefit of the Eastern Navajo Agency Chapters; and
3. Pursuant 2 N.N.C. SECTION 4028; the Eastern Navajo Agency Council is vested with government authority to review all matters affecting the community to make most appropriate recommendations when necessary to the Navajo Nation, County, State, Federal and other local agencies; and
4. The Chapters of the Navajo Nation are authorized to establish such local Navajo Community School Boards as are suitable for their respective areas. The Chapters play a vital and legal role in the establishment and continuity of their Local School Boards. 10 N.N.C. §201; and
5. Each and every School Board Member elected are representatives of the people in their respective Chapter or Chapters and each elected School Board member answers to their respective Chapter or Chapters; and
6. Pursuant to this type of representation by each School Board member and the role of the Chapters, each elected School Board member are "Local" leaders, representing a "Local School Board"; and
7. Except for three (3) Navajo Nation Schools who have been authorized by the Navajo Nation Council Education Oversight Committee to have "Navajo Nation Wide Enrollment", the rest of the Navajo Nation Schools receive their students from their respective "local" Chapter(s) area(s). Thereby, each school is very localized. Moreover, each School Board is a Local School Board; and
8. The current School Board Election Apportionment Plan, which was approved by the Health, Education and Human Services Committee rightfully reflects this local representation; and
9. The Eastern Navajo Agency Council humbly supports this localized representation and wholeheartedly supports the current School Board Election Apportionment Plan; and
10. 11 N.N.C. §11 (C) specifically delegates the "development" of the Apportionment Plan to the Health, Education and Human Services Committee. The Law does not delegate the development of the Apportionment Plan to the Navajo Nation Department of Dine Education. The Law only allows for their input in the development of a plan along with numerous other stakeholders and the solicitation of student enrollment; and
11. The Department of Dine Education has previously proposed School Board Apportionment Plans reflecting the "regionalization" of School Boards. DODE's Apportionment Plans consisting of the "regionalization" of School Boards are not in compliance with Navajo Law. 11 N.N.C. §11 prescribes specific criteria for establishing School Board representation. 11 N.N.C. §11 does not stipulate and allow for the "Regionalization of School Boards" Thereby, DODE's previously proposed "regionalization" of School Boards have been repeatedly dismissed; and
12. Moreover, if there any School Board Reapportionment plans reflecting any School Board "regionalization" plans, forwarded by DODE, for the current School Board Reapportionment period, such "regionalization" plans must be dismissed as such "regionalization" plans are entirely against the criteria set forth by 11 N.N.C. §11; and
13. This Chapter supports the current School Board Election Apportionment Plan that is currently in place. This Chapter is unequivocally opposes any School Board Election Apportionment Plans that reflects or suggests any "regionalization" of School Boards.

**NOW, THEREFORE BE IT RESOLVED THAT:**

1. The Eastern Navajo Agency Council hereby supports the current plan of the Navajo Nation Council Health, Education, Human Services Committee's Proposed School Board Reapportionment Plan.
2. **FURTHER IT BE RESOLVED:** The Eastern Navajo Agency Council opposes any School Board Apportionment plan which reflects or suggests any School Board Regionalization plan, in any shape or form and requests the Navajo Nation Council Health, Education, Human Services Committee to immediately dismiss such plans

**CERTIFICATION**

I hereby certify that the foregoing resolution was approved by the Eastern Navajo Agency Council at a duly called meeting at Alamogordo, Navajo Nation, New Mexico, at which a quorum was present and the same was passed by a vote of 14 in favor, 00 opposed, 03 abstained, this 7<sup>th</sup> day of December 2019.

Witness my hand and the seal of the Eastern Navajo Agency Council at the Alamogordo, Navajo Nation, New Mexico, this 7<sup>th</sup> day of December 2019.

  
\_\_\_\_\_  
Eastern Navajo Agency Council President

  
\_\_\_\_\_  
Navajo Nation Council Health, Education, Human Services Committee Chair



RESOLUTION  
OF THE  
EASTERN NAVAJO AGENCY COUNCIL  
THE NAVAJO NATION

No. ENAC-12-2019-009

OPPOSING THE REDUCTION OF AND/OR CHANGE IN AUTHORITY, LIABILITY, RESPONSIBILITY, AND COMPOSITION OF LOCAL NAVAJO SCHOOL BOARD FOR EXAMPLE AS PROPOSED IN THE BIE REORGANIZATION THAT MAY EVENTUALLY IMPLICATE THE SCHOOL BOARD REAPPORTIONMENT PLAN BUT INSTEAD SUPPORTING THE LOCAL NAVAJO SCHOOL BOARDS TO KEEP THEIR AUTHORITIES, LIABILITIES, RESPONSIBILITIES AND COMPOSITIONS OF LOCAL NAVAJO SCHOOL BOARDS AS CURRENTLY IN OPERATION AND THAT THE 2020 NAVAJO NATION SCHOOL BOARD REAPPORTIONMENT PLAN REFLECT THE REAPPORTIONMENT PLAN AS CURRENTLY EXISTS IN THE 2020-2024 TERM WITH ANY CHANGE

WHEREAS:

1. The Eastern Navajo Agency Council is established under the Legislative Branch of the Navajo Nation and certified by Resolution IGRS 251 01; and
2. Pursuant to 26 N.N.C. Section 103 (D) (4), the Eastern Navajo Agency Council, a consortium of elected Chapter Officials representing thirty-one (31) certified Navajo Nation Chapters, agree to address and undertake common goals and interests for the benefit of the Eastern Navajo Agency Chapters; and
3. Pursuant 2 N.N.C. SECTION: 4028; the Eastern Navajo Agency Council is vested with government authority to review all matters affecting the community to make most appropriate recommendations when necessary to the Navajo Nation, County, State, Federal and other local agencies; and
4. Many people reside in Eastern Navajo Agency who have children in schools located within the Eastern Navajo Agency including the three schools of Alamo, Pine Hill and Tohajilee, and, on the basis of parental choice people from other parts of the Navajo Nation, send many young people to attend various schools located within the Eastern Navajo Agency schools including the three schools of Alamo, Pine Hill and Tohajilee; and
5. It is fundamentally reasonable, prudent and sound and of utmost importance that each of these schools located in the various communities across the Eastern Navajo Agency governing including the three communities of Alamo, Pine Hill and Tohajilee imperatively have on its governing body, those elected officials that mirror the make-up of the students enrolled at these local schools and furthermore, that these governing bodies have in no uncertain terms, full authorities, liabilities, responsibilities and composition reflecting the students who are enrolled; and
6. Since time immemorial there has existed the principle and the practice that parents, grandparents, guardians and adults who have the best interest of school students be involved in its education of its children whether it be at home and whether it be in the local schools and that this principle and practice continue unfettered; and
7. It is further in the best interest of the school students going to schools and schools located in the Eastern Navajo Agency including Alamo, Pine Hill and Tohajilee that the local, authority, liability, responsibility and composition of its local governing body remain unfettered by currently as they exist; and
8. It is imperative that each and every school child be represented on its school board whether they are from within or from outside the community where the school is located for each and every citizen is entitled to equal protection and fair representation under the law and therefore the use of at-large representation on the school boards continue without change.



NOW, THEREFORE BE IT RESOLVED THAT:

1. The Eastern Navajo Agency Council hereby opposes the reduction of and/or change in authority, liability, responsibility, and composition of Local Navajo School Boards for example as proposed in the BIE reorganization that may eventually implicate the school board reapportionment plan but instead supports the local Navajo School boards to keep their authorities, liabilities, responsibilities and compositions of local Navajo School Boards as currently in operation and that the 2020 Navajo Nation School Board reapportionment plan reflect the reapportionment plan as currently exists in the 2020-2021 term without any change.

## CERTIFICATION

I hereby certify that the foregoing resolution was approved by the Eastern Navajo Agency Council at a duly called meeting at Alamo, Navajo Nation, New Mexico, at which a quorum was present and the same was passed by a vote of 44 in favor, 00 opposed, 02 abstained, this 7<sup>th</sup> day of December 2019.

\*U.S. and Mexico (1990-1991) and (1992-1993)  
 \*U.S. and Mexico (1994-1995) and (1996-1997)

Attest:   
Arlene Serna, Secretary

*[Handwritten signature]*