

RESOLUTION OF THE
HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE
24th NAVAJO NATION COUNCIL - Fourth Year, 2022

AN ACTION
RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE;
APPROVING AND ENACTING TO THE NAVAJO NATION BOARD OF EDUCATION
PLAN OF OPERATION

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council and has legislative oversight over the Navajo Nation Board of Education, Department of Dine Education, and over the implementation of education legislation, including Plans of Operation. 2 N.N.C. §§ 400(A), 401(C)(1), 10 N.N.C. § 1(B).
- B. The Health, Education and Human Services Committee is authorized to establish Navajo Nation policy and promulgate rules and regulations governing human services and general government services of the Navajo Nation. 2 N.N.C. § 401(B)(1).

SECTION TWO. FINDINGS

- A. In Resolution No. NNBEMA-697-2021, the Navajo Nation Board of Education approved their completely revised Plan of Operation and requests that the Health, Education and Human Services Committee approve the new Plan of Operation. **Exhibit A.**
- B. The Navajo Nation Board of Education wishes to replace their former "Operating Procedures Manual" with the proposed "Plan of Operations" in its entirety.
- C. The proposed new Plan of Operations for the Navajo Nation Board of Education is attached as **Exhibit B**, which is underlined in its entirety because all provisions are new. The current Navajo Nation Board of Education Operating Procedures Manual is provided in **Exhibit C**, and is stricken in its entirety with the proposed language underlined and in red lettering.
- D. The Navajo Nation Department of Justice has reviewed the proposed amendments and deemed the amendments legally sufficient. Section 164 Review Form is attached as **Exhibit C**.

SECTION THREE. APPROVAL

- A. The Health, Education, and Human Services Committee of the Navajo Nation Council hereby approves and adopts amendments to the Navajo Nation Board of Education Plan of Operation, attached as Exhibit B.

SECTION FOUR. EFFECTIVE DATE

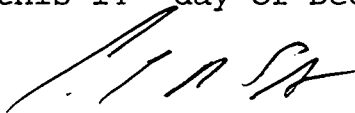
The amended Navajo Nation Board of Education Plan of Operation shall become effective on the first day of the first month following the approval of the Health, Education, and Human Services Committee.

SECTION FIVE. SAVING CLAUSE

If any provision of this Plan of Operation is determined invalid by the Supreme Court of the Navajo Nation, or by any Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, the remainder of this Policy Manual shall be the law of the Navajo Nation.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Health, Education and Human Services Committee at a duly called meeting in Window Rock, Arizona (Navajo Nation), at which a quorum was present and that the same was passed by a vote of 04 in Favor, and 00 Opposed, on this 14th day of December 2022.



Honorable Carl R. Slater, Chairman Pro Tem
Health, Education and Human Services Committee

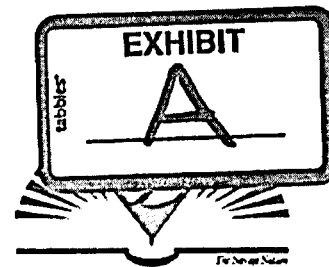
Motion: Honorable Paul Begay, Jr.
Second: Honorable Pernell Halona



Jonathan Nez
President

**DEPARTMENT OF DINÉ EDUCATION
THE NAVAJO NATION**

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



Myron Lizer
Vice-President

NNBEMA-697-2021

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

Relating to Education: Approving and Enacting a Plan of Operation for the Navajo Nation Board of Education

WHEREAS:

1. The Navajo Nation Board of Education (hereinafter the "Board") is the education agent in the Executive Branch for the purposes of overseeing the operation of all schools serving the Navajo Nation. 10 N.N.C. §106(A). The Board carries out its duties and responsibilities through the Department of Diné Education (hereinafter the "Department"). 10 N.N.C. §106(G)(3).
2. The Department of Diné Education is the administrative agency within the Navajo Nation with responsibility and authority for implementing and enforcing the educational laws of the Navajo Nation. 2 N.N.C. §1801(B); 10 N.N.C. §107(A). The Department is under the immediate direction of the Board. 10 N.N.C. §107(B).
3. Pursuant to 10 N.N.C. §106(G)(2), "(t)he Board is authorized to solicit funds, propose budgets and plans of operation, create positions, and establish organizational relationships..."
4. The Health, Education and Human Services Committee of the Navajo Nation Council, as the oversight committee, can adopt, rescind, or amend the plan of operation for the Department of Diné Education and Navajo Nation Board of Education. 2 N.N.C. §401(B)(8) and 2 N.N.C. §401(C)(1).
5. The Navajo Nation Department of Justice has also reviewed the proposed plan of operation for the Navajo Nation Board of Education, attached hereto as "EXHIBIT A," and deemed them legally sufficient.

NOW THEREFORE BE IT RESOLVED AND ENACTED THAT:

1. The Navajo Nation Board of Education hereby approves the plan of operation for the Navajo Nation Board of Education, which is attached hereto as "EXHIBIT A."
2. The Navajo Nation Board of Education further requests that the Health, Education and Human Services Committee of the Navajo Nation Council to approve the plan of operation for the Navajo Nation Board of Education.

NAVAJO NATION BOARD OF EDUCATION

Priscilla B. Manuelito, President · Spencer W. Willie, Vice President · Dr. Victoria Yazzio, Secretary
Member: Sharon A. Toadechoonio · Marlono Burbank · Dr. Henry Fowler · Andrea K. Thomas
Freda Nellis · Joan A. Gray · Emerson John · Dr. Paulotta White
Patricia Gonnio, Acting Superintendent of Schools

3. The Navajo Nation Board of Education hereby recommends and empowers the Superintendent of Schools to take any actions deemed necessary and proper to carry out the purposes of this resolution and directive.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Board of Education of the Navajo Nation at a duly called meeting at Window Rock, Arizona (Navajo Nation) at which a quorum was present, motion by Joan A. Gray and seconded by Spencer W. Willie and that the same was passed by a vote of 2 in favor; 0 opposed; 0 abstained, this 18th day of March 2021.



Priscilla B. Manuelito, President
Navajo Nation Board of Education



PLAN OF OPERATION
THE NAVAJO NATION BOARD OF EDUCATION

SECTION I. ESTABLISHMENT OF THE NAVAJO NATION BOARD OF EDUCATION

The Navajo Sovereignty in Education Act of 2005, adopted by Navajo Nation Council Resolution CJY-37-05, July 2005, established the Navajo Nation Board of Education (hereinafter "the Board") within the Executive Branch of the Navajo Nation. The Board is comprised of eleven (11) members:

- (1) Six (6) appointed by the President of the Navajo Nation, confirmed by the Education Committee, and serving six-years terms.
- (2) Five (5) elected at large from the Western, Chinle, Fort Defiance, Shiprock and Eastern agencies for four-years terms.

The Board shall work under the legislative oversight of the Health, Education, and Human Services Committee of the Navajo Nation Council. The Board shall appoint a Navajo Nation Superintendent of Schools (hereafter "Superintendent") subject to confirmation by the Navajo Nation Council. The Board is empowered to do all things necessary and proper to carry out its responsibilities under Title 10, Navajo Nation Code.

The Board represents the Navajo people in overseeing the education of their children in all schools serving the Navajo Nation and has authority over the operation of all current and future programs in the Department of Diné Education (hereafter "Department").

SECTION II. PURPOSES

The educational purpose of the Navajo Nation is to promote and foster lifelong learning for Navajo people and to protect the cultural integrity and sovereignty of the Navajo Nation.

The Navajo Nation Board of Education (hereinafter, "the Board") is established within the Executive Branch of the Navajo Nation government for the specialized purpose of overseeing the operation of all schools serving the Navajo Nation, either directly if under the immediate jurisdiction of the Navajo Nation, or if operated by another government, by joint powers agreements, memoranda of understanding/agreement, cooperative agreements or other appropriate intergovernmental instruments.

The Board shall also serve as the governing body for the Navajo Head Start program (Resolution HEHSCS-035-13).

The Board has the authority and responsibility to oversee operations of all schools serving the Navajo Nation either by direct oversight or through intergovernmental agreements with their governmental entities, and to monitor the activities of all Bureau of Indian Affairs (hereinafter "BIA") funded schools and local community schools boards including assuming control of local community controlled schools, pursuant to its statutory authority.

SECTION III. GOALS

- A. To propose needed education legislation to the Health, Education, and Human Services Committee.
- B. To oversee the operations of all schools serving the Navajo Nation through intergovernmental agreements with local, state and federal agencies or cooperative agreements with other Navajo Nation divisions and programs and other education entities.
- C. To establish guidelines and procedures relative to the assumption of control of BIA-funded contract or grant schools pursuant to its statutory authority.
- D. To report at least quarterly to the Health, Education, and Human Services Committee and annually to the Navajo Nation Council.
- E. To report to the Health, Education, Human Services Committee in any instance where the Board has assumed control of a local community-controlled school(s).
- F. To actively pursue funding to support Navajo Nation education programs.
- G. Subject to Navajo Nation law, the Board is authorized to solicit funds, propose budgets and plans of operation, create positions, and establish organization relationships, and employ and supervise personnel through a chain of command.

SECTION IV. STAFFING AND ORGANIZATION

Section 6 of Navajo Nation Council Resolution CJY-37-05 transferred all employee, including the Executive Director, programs, facilities, equipment, supplies, and other assets of the former Division of Diné Education into the Department of Diné Education.

The Board shall oversee the operation of the Department through the Superintendent of Schools. The "Navajo Nation Superintendent of Schools" shall be appointed by the Navajo Nation Board of Education, subject to confirmation by the Navajo Nation Council, and shall be empowered to do all things necessary and proper to carry out the responsibilities of the Board. The Superintendent shall serve at the pleasure of the Board.

The organizational chart of the Board and the Department is attached and incorporated herein.

SECTION V. AUTHORITY AND RESPONSIBILITIES

The Board is empowered with the authority to solicit funds, propose budgets and plans of operation, and employ and supervise personnel through a chain of command. Within budgetary constraints and consistent with the Department's Plan of Operation, the Board may establish subordinate offices, staff, organizational relationships, and advisory bodies as necessary to carry out its duties and responsibilities.

The Board has oversight authority over the following duties and responsibilities, which are to be carried out by the Superintendent and the Department, in consultation with, and subject to the review of the Board:

- A. Establish procedures to implement and enforce Navajo education laws to the full extent of Navajo jurisdiction.
- B. Develop and negotiate intergovernmental agreements as necessary to coordinate the activities of the Department with the BIA and those state departments of education that are geographically contiguous to the Navajo Nation.
- C. Develop and negotiate cooperative agreements with other Navajo Nation divisions, programs, and education entities as deemed necessary to carry out the intent of the amended Title 10, Education Code.
- D. Actively pursue funding from all appropriate sources to support the activities of Navajo Nation education programs.
- E. Propose needed education legislation to the Health, Education, and Human Services Committee including the development of procedures to enforce Navajo Nation school attendance laws.
- F. Inquire into the impact of educational programs on Navajo students in schools serving the Navajo Nation and develop recommendations based on these inquiries.
- G. Report the results of inquiries into educational programs on Navajo students as stated in Section V(F) and make recommendations to the Health, Education, and Human Services Committee, local community school boards, school board associations, local communities and any other entities serving the Navajo Nation that might be affected by the subject matter of these inquiries.
- H. Provide guidance for school accreditation activities of the Navajo Nation North Central Accreditation Office (COGNIA).
- I. Comply with all applicable Navajo Nation, federal and state laws concerning the confidentiality of records.
- J. Implement the procedures and processes for re-authorizing school contracts and grants and recommend revisions to the procedures as deemed necessary.
- K. Oversee the accountability of, and compliance with all Navajo Nation and applicable federal education laws or regulations.
- L. Assume control of local community-controlled schools in accordance with the Board's statutory authority.

M. Cooperatively work with schools serving the Navajo Nation in the areas of:

- 1. Developing and establishing curriculum content, academic achievement standards and testing instruments that reflect the unique needs of Navajo students.**
- 2. Receiving monitoring and evaluation reports on all elementary and secondary programs serving the Navajo Nation.**
- 3. Ensuring the accountability of BIA-funded schools as required by Navajo Nation and federal law.**
- 4. Licensing BIA-funded school administrators of contract and grant schools authorized by the Navajo Nation.**
- 5. Certifying Navajo language and culture instructors and creating and publishing instructional materials and testing instruments for the teaching of Navajo language and culture.**
- 6. Overseeing educational research, in cooperation with the Health, Education and Human Services Committee, on the academic performance and needs of Navajo students and school systems.**

SECTION VI. LEGISLATIVE OVERSIGHT

The Health, Education, and Human Services Committee of the Navajo Nation Council is the oversight committee for the Board pursuant to 2 N.N.C. § 401 (D) (3).

SECTION VII. AMENDMENTS

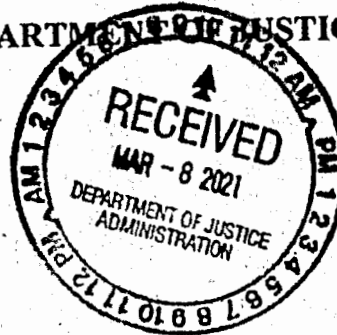
This Plan of Operation may be amended by the Health, Education, and Human Services Committee of the Navajo Nation Council.

==== Legislative Oversight
 ---- Advisory





NAVAJO NATION DEPARTMENT OF JUSTICE

REQUEST
FOR
SERVICES

DOJ
3/8/21 @ 10:14
DATE / TIME
RFS # 21-0364
UNIT H59u

☐ RESUBMITTAL

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

CLIENT TO COMPLETE			
DATE OF REQUEST: 3/5/2021		ENTITY/DIVISION: Education	
CONTACT NAME: Priscella Manuelito/Patricia Gonnie		DEPARTMENT: NNBOE/DODE	
PHONE NUMBER: (928) 871-7660/6728		E-MAIL: priscellamanuelito@nndode.org; patriciagonnie@nndode.org	
COMPLETE DESCRIPTION OF LEGAL NEED AND SERVICES REQUESTED (Attach Documents): The proposed Plan of Operation for the Navajo Nation Board of Education (NNBOE) is attached Please review for legal sufficiency and approval by the Navajo Nation Board of Education and Health, Education, and Human Services Committee (HEHSC) (Request emailed by Client to ABK for review on 3/5/21 -do)			
DEADLINE:	3/18/2021	REASON:	Approval by the N.N. Board of Education
DOJ SECRETARY TO COMPLETE			
DATE/TIME IN UNIT: 3/8/21 @ 11:25 am		REVIEWING ATTORNEY/ADVOCATE: ABK/lu	
DATE TIME OUT OF UNIT:		PREPARED BY (initial):	
DOJ ATTORNEY/ADVOCATE COMMENTS			
Reviewed + provided edits during 3/5 BOE work session			
REVIEWED BY: (PRINT) Alex Kinsella		DATE / TIME: 3/24/21	
Email: Priscella Manuelito & Patricia Gonnie			
DOJ Secretary Called: Priscella		for Document Pick Up on 3/25/2021 at 9:40 By: m	
		4/7/21 9:12a	
PICKED UP BY: (PRINT)		DATE / TIME: 4/7/21	

NNDOJ/DRRF-July 2013

APR 19 2021

2018

Navajo Nation Board of Education Operating Procedures Manual



Updated: 10/5/2018

NAVAJO NATION BOARD OF EDUCATION
Operating Procedures Manual

Exhibit "A"

ARTICLE I.	NAME
ARTICLE II.	PURPOSE <u>Section 2.01 Board Member Authority & Responsibility</u> <u>Section 2.02 Board – Superintendent Relationship</u> <u>Section 2.03 Superintendent</u> <u>Section 2.04 Superintendent Evaluation</u> <u>Section 2.05 Termination/Discharge of the Superintendent of Schools</u> <u>Section 2.06 Policy Implementation</u> <u>Section 2.07 Administration in Absence(s) of Policy</u> <u>Section 2.08 Board/Superintendent Annual Retreat</u>
ARTICLE III.	MEMBERSHIP Section 3.01 Qualifications for Membership Section 3.02 Voluntary Resignation, Disqualification or Termination of Board Members Section 3.03 Notice of Vacancy and Replacement
ARTICLE IV.	OFFICERS OF THE BOARD AND RECORDING SECRETARY Section 4.01 Officers of the Board Section 4.02 Recording Secretary
ARTICLE V.	MEETINGS: LOCATION, TIME, PUBLIC PARTICIPATION AND NOTICE Section 5.01 Location and Schedule of Meetings, Public Participation, and Notice Section 5.02 Special Board Meeting Section 5.03 Emergency Board Meeting
ARTICLE VI.	CONDUCT OF BOARD MEETINGS Section 6.01 Quorum and Majority Vote Section 6.02 Methods of Board Action Section 6.03 Meeting Agendas
ARTICLE VII.	CONDUCT OF BOARD MEMBERS Section 7.01 Parliamentary Procedure and Interactions Section 7.02 Attendance Section 7.03 Recusal and Conflict of Interest <u>Section 7.04 Board Member Code of Ethics & Conduct</u> <u>Section 7.05 Board Member Conduct Regarding Meeting Disruption & Loss of Quorum</u>
ARTICLE VIII.	COMMITTEES, EXECUTIVE SESSIONS AND WORK OR TRAINING SESSIONS Section 8.01 Committees

NAVAJO NATION BOARD OF EDUCATION
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Section 8.02 Executive Sessions
Section 8.03 Work Sessions

ARTICLE IX. RECORDKEEPING AND CONFIDENTIALITY

Section 9.01 Minutes

ARTICLE X. COMPENSATION, TRAVEL, P-CARD USAGE, & NON-RETURNING BOARD MEMBERS

Section 10.01 Board Member Compensation and Travel

Section 10.02 Board Member Purchasing Card (P-Card) Usage and Unnecessary Fees/Penalties

Section 10.03 Travel Restrictions for Board Members Who Are Not Returning

ARTICLE XI. RISK MANAGEMENT & CRIMINAL BACKGROUND CHECK

Section 11.01 Board Member Liability and Risk Management

Section 12.02 Board Member Criminal Background Checks

ARTICLE XII. QUARTERLY AND ANNUAL REPORTS

Section 12.01 Department of Diné Education and Navajo Nation Board of Education Annual and Quarterly Reports

ARTICLE XIII XI. AMENDMENTS

Section 134.01 Method of Amendment

Section 134.02 Approval of Amendments

APPENDIX

NAVAJO NATION BOARD OF EDUCATION
Operating Procedures Manual

ARTICLE I. NAME

The Navajo Nation Board of Education Operating Procedures Manual

ARTICLE II. PURPOSE

The Board has the authority and responsibility to implement and enforce the education laws of the Navajo Nation, to propose needed education legislation to the Health, Education, and Human Services Education Committee, to oversee operations of all schools serving the Navajo Nation either by direct oversight or through intergovernmental agreements with other governmental entities. The Board shall have the general power to monitor the activities of all Bureau of Indian Education funded schools and local community school boards, including assuming control of local community controlled schools pursuant to statutory authority, and has all other powers and duties as enumerated in 10 N.N.C. §106(G).

Section 2.01 Board Member Authority & Responsibility

All powers of the Board lie in its action as a public body. A member of a Board of Education is a public officer, but has no authority or power individually. Individual Board members exercise authority over Department affairs only by way of votes taken at a legal meeting of the Board. An individual Board member has authority only when and to the extent that the Board, by vote, has so delegated such authority. The Board shall not be bound in anyway by an action or statement made on the part of an individual Board member except when such action or statement is pursuant to specific instructions from the respective Board.

The Board will exercise and retain policy making authority and control over the Department. This authority will be in accordance with the policies established by the Board, as well as applicable Navajo Nation laws, policies, and regulations.

In exercising rights and responsibilities affecting the governance of the Department, the Board will adopt policies serving as guidelines for the organization and administration of the Department. Administrative authority, and the power to delegate such authority, will be given to the Superintendent. The Superintendent of Schools serves as Chief Executive Officer of the Department in carrying out the policies of the Board.

Section 2.02 Board – Superintendent Relationship

The establishment of policies is the responsibility of the Board, and the execution of those policies is a function of the Superintendent of Schools. The Superintendent is the chief executive officer of the Department and is responsible for the professional leadership and skill necessary to translate the policies of the Board into administrative action.

The Superintendent is responsible for the administration of the Department. The Superintendent may delegate the necessary authority to other employees and develop such procedures and regulations as the Superintendent considers necessary to ensure efficient operation of the Department.

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Operating Procedures Manual

Section 2.03 Superintendent

The Board shall employ a Superintendent (subject to confirmation by the Navajo Nation Council), who shall enforce the laws of the Navajo Nation, rules of and regulations adopted by the Navajo Nation Board of Education, and the policies of the Board.

The Superintendent shall:

- carry out the policies and rules of the Board;
- administer and supervise the Department;
- employ, supervise, fix the salaries of, assign, terminate or discharge all employees of the Department pursuant to the Navajo Nation Personnel Policies and Procedures Manual;
- prepare the Department budget recommendations for review and approval by the Board and the Department. The Superintendent shall notify each program manager the approximate amount of money that may be available for their program and provide a budget template to use in making budget recommendations;
- perform other duties as required by law, the Department or the Board.
- administer Board policies and applicable Navajo Nation and federal regulations including Title 10 (10 N.N.C. §§1, et seq.)
- be accountable for student achievement, budget management, expenditure of funds, dissemination of information, Department communications, and the development, implementation, and evaluation all other Department business;
- attend all Board meetings; or when necessary, designate an administrator to attend;

The administration of the Department of Diné Education in all aspects is the responsibility of the Superintendent, whose functions shall be carried out in accordance with the policies of the Board. The Superintendent may establish regulations for the administration of the Department that are in compliance with applicable statutes or regulations of the Navajo Nation and the policies of the Board. These regulations are binding on the employees of the Department.

The Superintendent shall have appropriate certification. Further, the Superintendent shall supervise, either directly or through delegation, all activities and all personnel of the Department according to the laws of the Navajo Nation, as well as rules, regulations and adopted policies of the Board. The Superintendent shall employ, fix the salaries of, assign, terminate or discharge all employees of the Department pursuant to the Navajo Nation Personnel Policies and Procedures Manual.

The Superintendent is the Department's chief executive officer and the administrative head of all programs and offices within the Department. It is the Superintendent's duty to administer the policies of the Board and to provide leadership for the Department. The Superintendent is the professional advisor to the Board. In this capacity, the Superintendent makes recommendations to the Board for changes in Board policies and any educational program(s).

The Superintendent provides the initiative and the technical guidance for the improvement of the total program of the Department. The delegation of authority for the operation of the various functions of the Department's one (1) of the Superintendent's duties. When absent, the Superintendent will designate an appropriate level administrator to act on the Superintendent's behalf. The Superintendent is, however, responsible to the Board for all functions of the Department.

NAVAJO NATION BOARD OF EDUCATION

Operating Procedures Manual

Section 2.04 Superintendent Evaluation

The Board at the January meeting will complete a formal evaluation of the Superintendent's performance. Formal evaluation information will be discussed in depth with the Superintendent. Anytime during the year, the Board may initiate additional conferences related to of the Superintendent's performance and expectations.

The evaluation(s) shall relate to the Superintendent's duties, responsibilities, and progress toward established goals.

To enable the reemployment decision to be made in a timely manner, the completed written evaluation shall be presented to and discussed with the Superintendent in an executive session with the Board prior to any reemployment decision by the Board.

A copy of any written evaluation shall be given to the Superintendent. If in disagreement with such evaluation, the Superintendent may respond in writing to the Board.

The evaluation and any comments by the Superintendent shall become a part of the Superintendent's confidential personnel file.

Section 2.05 Termination/Discharge of the Superintendent of Schools

Although the Superintendent of Schools is classified as an "At-Will" employee pursuant to 2 N.N.C. §1804 (B), the Board adopts this above stated policy when making any termination/discharge decision. The Board shall provide a 10-day written notice of its decision to terminate or discharge the Superintendent of Schools.

Section 2.06 Policy Implementation

The Superintendent has the responsibility for carrying out, through administrative regulations, the policies established by the Board. The administrative regulations shall specify required actions and reflect the detailed arrangement under which the Department will be operated.

The policies adopted by the Board and the administrative regulations developed to implement policy are designed to promote an effective and efficient system. All Department employees shall comply with Board policies and administrative regulations.

Program managers and others designated by the Superintendent shall establish procedures for conducting activities within their individual programs that are consistent with applicable Navajo Nation laws, administrative regulations and Board policies.

Section 2.07 Administration in Absence(s) of Policy

The Superintendent shall have the authority to implement action if a situation should develop that is not covered by established Board or Navajo Nation policy. It is the Superintendent's duty to inform the Board of any such action and of the need to develop an official policy.

Section 2.08 Board/Superintendent Annual Retreat

A Board/Superintendent retreat will be held prior to the start of each fiscal year (i.e. June/July) to establish goals and expectations for the year.

NAVAJO NATION BOARD OF EDUCATION
Operating Procedures Manual

ARTICLE III. MEMBERSHIP

Section 3.01 Qualifications for Membership:

- A. The Board consists of eleven (11) members
- B. All Board members
 - 1. Shall be enrolled members of the Navajo Nation
 - 2. Shall be at least twenty five (25) years of age;
 - 3. Shall not be delegates to the Navajo Nation Council, or a member of a school board of a school operating on the Navajo Nation, or an employee of the Department of Diné Education; and
 - 4. Shall not have been convicted of a felony or of any offense involving child abuse or neglect.
- C. Five (5) members shall be elected to four year terms, one at large from each of the Western, Chinle, Fort Defiance, Shiprock and Eastern Agencies on the Navajo Nation.
 - 1. The elected Board members shall have at least a four year academic degree from an accredited college or university.
- D. Six (6) Board members shall be appointed to six (6) year terms by the President of the Navajo Nation, and shall be confirmed by the Education Committee of the Navajo Nation Council, and shall meet the following qualifications:
 - 1. Two (2) shall be persons who are recognized for their knowledge of traditional Navajo Culture; and
 - 2. One (1) shall be a school administrator working on the Navajo Nation; and
 - 3. Two (2) shall be parents of at least one child enrolled in a kindergarten, elementary or secondary program on the Navajo Nation; and
 - 4. One (1) shall be a teacher employed in a Bureau of Indian Affairs funded or state public school operating on the Navajo Nation.

Section 3.02 Voluntary Resignation, Disqualification or Termination of Board Members:

- A. A member of the Board may voluntarily resign his or her membership at any time.
 - 1. Resignations shall be in writing, dated, signed and submitted to the President of the Board.
 - 2. Voluntary resignations shall be effective immediately, and may not be subsequently withdrawn or made effective on a future date.
 - 3. Upon the Board's acceptance of a voluntary resignation, the Board shall declare a vacancy of that position.

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4. A Board member whose status changes in such a way that disqualifies him/her from membership on the Board shall notify the Board immediately.
- B. *OPTION 1 An appointed Board member who no longer meets his or her respective qualifications under 10 N.N.C. §106C should voluntarily resign effective on the date that he or she no longer qualifies for Board membership.*
 1. *If an appointed Board member refuses to resign for reasons noted in Section 3.02 B. the Board shall timely verify whether the Board member no longer qualifies for membership. Upon such verification, the Board shall take action to declare a vacancy effective immediately.*
- C. *OPTION 2 An appointed Board member who no longer meets his or her respective qualifications under 10 N.N.C. §106 C may be permitted to continue serving on the Board until a replacement is appointed and confirmed, provided that the member still qualifies for Board membership under 10 N.N.C. § 106 D.*
- D. Any Board member who no longer qualifies for Board membership under 10 N.N.C. §106 D shall resign effective immediately. The resignation shall be in writing, dated, signed, and submitted to the President of the Board.
 1. If a Board member refuses to resign under this provision, the Board shall timely verify whether the member no longer qualifies for membership. Upon such verification, the Board shall disqualify effective immediately, that member by a majority vote of the Board.
 2. Upon such disqualification, the Board shall declare a vacancy of that position.
- E. Termination of a Board member for cause other than those enumerated in this Section may be done only by referral of the matter to the Ethics and Rules Committee of the Navajo Nation Council for its review and appropriate action.

Section 3.03 Notice of Vacancy and Replacement:

- A. In the event of a Board position vacancy, the President of the Board shall immediately notify in writing the Navajo Nation President, the Navajo Nation Superintendent of Schools, and the Chairperson of the Education Committee of the Navajo Nation Council.
 1. If the vacancy is one of an appointed position, a replacement member shall be appointed and confirmed according to 10 N.N.C. §106B (5) & 10 N.N.C. §106C.
 2. If the vacancy is an elected position, the replacement member shall be elected in accordance with 11 N.N.C. §161E.

ARTICLE IV. OFFICERS OF THE BOARD AND RECORDING SECRETARY

Section 4.01 Officers of the Board:

- A. The Board shall appoint from among its members by majority vote the following officers: a President, a Vice President and a Secretary.

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- B. The Board President shall carry out the following functions:
1. The Board President shall preside over all Board meetings unless he or she recuses himself or herself or relinquishes his or her chair to another officer in order to participate in deliberations and action on a particular agenda item.
 - i. If The Board President recuses himself or herself or relinquishes his or her chair, the Vice President, or in the absence of the Vice President, the Secretary shall preside over the meeting until the Board President resumes his or her chair.
 2. The Board President may participate in deliberations and but shall not vote on agenda items, except to break a tie vote.
 3. The Board President shall serve as the Board's spokesperson to the public, the media, external organizations, and federal, state and other tribal officials.
- C. The Board Vice-President shall serve as Board President in the absence or recusal of or the relinquishment by the Board President of his or her chair and spokesperson on behalf of the board.
- D. The Board Secretary shall have an oversight role to ensure that serve as the official custodian of all Board records are being kept consistent with the applicable rules and policies, and may record meeting minutes in the absence of a Recording Secretary.
- E. The Board may, at its discretion, replace any Board officer by majority vote.
- F. The Board officers shall serve 2 year terms and may be re-elected.

Section 4.02 Recording Secretary:

- A. The Superintendent may designate a person from his/her staff to serve as Recording Secretary for the Board while it conducts its meetings.
- B. The Recording Secretary shall not participate in any Board deliberations or actions and shall not be present during duly called executive sessions of the Board.
- C. The Recording Secretary shall assist the Board President or his/her designee with meeting materials, press releases and preparation of presentations.

ARTICLE V. MEETINGS: LOCATION, TIME, PUBLIC PARTICIPATION, AND NOTICE

Section 5.01 Location and Schedule of Meetings, Public Participation, and Notice:

- A. Board meetings shall be open to the public and shall be held at various locations on or in the immediate vicinity of the Navajo Nation.
 1. The facilities in which meetings are held shall be large enough to accommodate public attendance.

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2. The Board may establish a rotating schedule of meeting locations that includes sites in each of the five Navajo Nation agencies and in Window Rock, Arizona.
 3. Regularly scheduled meetings of the Board shall be held on the 1st Friday of each month with start time at 10:00 a.m.
- B. A time shall be reserved for members of the public to address the Board at any regularly scheduled or special meeting.
- C. Every effort will be made to announce meetings in the printed and broadcast media at least 48 (forty-eight) hours in advance of a Board meeting, which shall include the principal agenda topics.
- D. Any changes in the date, time or place of meetings shall be immediately forwarded to all interested parties.

Section 5.02 Special Board Meeting:

- A. If the Board President deems it to be necessary, or at the request of three or more Board members who deem it to be necessary, the Board President shall call a special meeting.
1. A special meeting shall be called only to consider matter(s) that cannot wait for the next regularly scheduled meeting.
- B. Every effort will be made to announce special meetings in the printed and broadcast media at least 48 (forty-eight) hours before the special meeting date and time.

Section 5.03 Emergency Board Meeting:

- A. The Board President may call an emergency Board meeting if a matter requires Board deliberation and action on an emergency basis.
- B. The emergency meeting may be held in the Department of Diné Education building in Window Rock, Arizona or, if the Board President deems it necessary, by telephonic or electronic means.
- C. If feasible, announcements in broadcast media shall be made concerning the date, time, and location of an emergency meeting.

ARTICLE VI. CONDUCT OF BOARD MEETINGS

Section 6.01 Quorum and Majority Vote:

- A. A quorum occurs when more than one half of the seated members of the Board are present at a duly called meeting of the Board. The quorum requirements to conduct official Board business apply to all regular, special, and emergency meetings.
- D. When a quorum is present, Board action shall be officially decided by majority vote.
- E. Board members are required to wait at least 30 minutes beyond the scheduled starting time of the meeting for a quorum to be present.

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Section 6.02 Methods of Board Action:

- A. The Board may take action by a formal resolution that sets in writing the purpose and intention of the Board action. The resolution shall be considered an official Board action upon its passage by majority vote at a duly called Board meeting.
- B. The Board may also take action by a simple motion, duly seconded that is passed by majority vote at a duly called Board meeting.

Section 6.03 Meeting Agendas:

- A. The Board President, in consultation with the Vice President, the Secretary and the Superintendent or his/her designee shall develop a draft meeting agenda for the next duly called meeting.
- B. The draft meeting agenda shall be distributed to Board members at least 48 hours before the scheduled meeting.
- C. The Board shall discuss, may revise, and adopt the draft meeting agenda before beginning its meeting.

ARTICLE VII. CONDUCT OF BOARD MEMBERS

Section 7.01 Parliamentary Procedure and Interactions:

- A. The Board shall conduct its meetings according to Roberts' Rules of Order—Simplified.
 - 1. Should questions arise concerning parliamentary procedures, the President may seek professional assistance and shall make a ruling after discussion among the Board members.
- B. Board members shall act professionally, courteously and with K'e in their interactions and communications among themselves and with all other persons.

Section 7.02 Attendance:

- A. Board members shall make every effort to attend all scheduled Board meetings and emergency meetings and to arrive on or before the start time.
- B. Attendance shall mean a Board member is present from the Call to Order through Adjournment except for any period of recusal.
 - 1. For each meeting, the Secretary shall record the attendance of Board members.
 - 2. If a member is not in attendance for at least one half of the meeting, his or her compensation may be calculated at no more than half the regular compensated rate.

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- C. Should a Board member not be able to attend an upcoming scheduled meeting, he or she shall immediately notify the Recording Secretary at (928) 871-6995 or (928) 871-7475 7473.
- D. Should a Board member be absent from 3 consecutive scheduled meetings without justification, the Board, at its discretion, may act to cite this as a reason for dismissal from the Board.

Section 7.03 Recusal and Conflict of Interest:

- A. Should any Board member have an actual or apparent conflict of interest concerning any agenda topic, that member shall recuse himself or herself before the Board begins deliberation and takes action on that topic.
 - 1. Upon recusing himself or herself, the Board member shall leave the meeting room until the specific agenda topic causing his recusal has been decided.
- C. If a Board member believes in good faith that he or she has no actual or apparent conflict of interest, the Board shall immediately discuss the matter in executive session. A decision on the matter shall be made immediately upon return from executive session.

Section 7.04 Board Member Code of Ethics & Conduct

- A. The Board desires its members to adhere to all laws regarding conflict of interest and to avoid actions that might embarrass themselves and the Board. Therefore, the Board will adhere to the following code of ethics and conduct:
 - 1. I will make decisions in terms of the educational welfare of the students.
 - 2. I will recognize that the Board represents the collective voice of the community. I will refuse to represent special interests and/or partisan politics or to use my position for personal gain or for the gain of friends or supporters.
 - 3. I will view service on the Board as an opportunity to serve my community and Navajo Nation because I believe education is the best means to promote the welfare of our students and preserve self-government.
 - 4. I will work constantly to help the people in my community to understand the importance of education and to actively participate in establishing policy on current educational concerns and proposed future developments.
 - 5. I will base my decisions upon all available facts after I have discussed matters fully with members of the professional staff and Board members at a duly called Board meeting; thereafter I will abide by and uphold the decision of the Board. I will recognize that decisions are made by a majority vote and should be supported by all board members.
 - 6. I will respect the rights of other Board members to have opinions and ideas that differ.

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7. I will recognize that authority rests with the whole Board assembled in a meeting and that I, as an individual, have no legal status to bind the Board outside the meeting.
8. I will support the Superintendent of Schools and Department of Diné Education personnel in the performance of their duties. I will insist that all board and Department business is ethical, honest, open, fair, honest, and have no hidden agenda.
9. I will work with my fellow Board members in a spirit of harmony and cooperation in spite of differences of opinion that arise during the debate of points at issue. I will maintain a professional level of courtesy, respect, and objectivity in all Board activities. I will strive to uphold those practices and assist other Board members in upholding the highest standards of conduct I will also abide by the Navajo Nation Ethics in Government law and all applicable regulations.
10. I will ensure that individual Board members may not avail themselves to keep private actions separate and apart from official Board business. Furthermore, individual Board members are prohibited from actions, conduct, or behavior that may compromise or embarrass the Board or the administration by their private actions.
11. Individual Board members may not avail themselves of Navajo Nation resources, including the services of the Department and Board-assigned attorney, for personal matters and/or matters outside the scope of their official duties as Board members. Matters "outside the scope" include, but are not limited to, personal ethics complaints, recall actions, member actions in violation of, or beyond that authorized by applicable Navajo Nation laws and regulations. I will recognize that only the Board, or an individual designated by majority vote of the entire Board, may contact the Department/Board-assigned attorney for legal opinions, services, or advice on Board and/or Department matters.
12. Individual Board members must refrain from any actions, not authorized by a majority vote of the Board, which would cost the Board or Department unnecessary funds, which would result in eroding the support and confidence of the community and the Board.
13. I will not ever neglect my personal and legal responsibilities to the community and will observe and enforce community, tribal, and federal laws pertaining to education.

The Department shall maintain copies of all signed Board member Code of Ethics & Conduct. A copy of this document is attached in the Appendix below.

Section 7.05 Board Member Conduct Regarding Meeting Disruption & Loss of Quorum

- A. The Board expects its members know their personal schedules (i.e. medical or dental appointments) in advance of scheduled meetings to avoid meetings from being convened unnecessarily or rescheduled because of a loss of a quorum resulting from individual Board members walking out. Individual Board members walking out of a meeting,

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breaking a quorum, causes unnecessary disruption and conduct of a meeting, interferes with the conduct of business, and results in unnecessary expenses to the Navajo Nation. Therefore, the Board enacts the following process and Table of Penalties to address offending Board members to walk out or break a quorum:

1. A written warning/reprimand shall be sent to the individual Board member who walks out of a meeting or unnecessarily breaks quorum. The individual Board member may be docked their stipend depending on when they walked out of the meeting and/or broke the quorum.
2. A Board member who walks out of a meeting or unnecessarily breaks quorum a 2nd time shall immediately be docked any stipends, mileage, and/or per diem. Written notice shall be provided to the offending Board member. Depending the severity of the offending Board member's conduct, the Board may impose further sanctions, including travel restrictions or denial of travel on that board member.
3. A Board member who walks out of a meeting or unnecessarily breaks quorum a 3rd time shall immediately be docked any stipends, mileage, and/or per diem. Written notice shall be provided to the offending Board member. Depending the severity of the offending Board member's conduct, the Board may impose further travel restrictions or denial of travel on that Board member. The Board President is also authorized to file a complaint with the Navajo Nation Office of Ethics and Rules, and seek the removal of the offending Board member.

TABLE OF PENALTIES			
<u>Nature of Offense</u> <u>(General Misconduct)</u>	<u>1st Offense</u>	<u>2nd Offense</u>	<u>3rd Offense</u>
<u>1. Attendance-related offenses.</u> <u>a. Walking out of a duly called meeting without just cause.</u> <u>b. Unnecessary breaking a quorum by walking out of a meeting without just cause.</u>	<u>1st Written Warning/ Reprimand</u> <u>-Depending on when the Board member walked out, their meeting stipend may be docked.</u>	<u>2nd Written Warning/ Reprimand</u> <u>-The Board member's entire stipend shall be docked/withheld, including per diem and mileage reimbursement.</u> <u>-the Board may impose further sanctions, including travel restrictions on the offending Board member.</u>	<u>3rd Written Warning/ Reprimand</u> <u>-The Board member's entire stipend shall be docked/withheld, including per diem and mileage reimbursement.</u> <u>-The Board shall impose further sanctions, including travel restrictions on the offending Board member.</u> <u>-The Board shall also file a complaint with the Navajo Nation Office of Ethics and Rules and seek that Board member's removal.</u>

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ARTICLE VIII. COMMITTEES, EXECUTIVE SESSIONS AND WORK OR TRAINING SESSIONS

Section 8.01 Committees:

- A. The Board may form committees for the purpose of gathering information and making recommendations for Board action.
- B. A committee can be designated as a standing committee or it can be formed for a specific purpose, which upon the achievement of its purpose, is dissolved.
 - 1. A committee may request assistance from employees of the Department of Dine Education in the gathering of relevant information necessary for the committee's purpose, and such staff may be members of the committee, if designated by the Board and approved by the Superintendent.
- C. While committee meetings shall be open to the public, no advance media announcement shall be made of a committee meeting.
- D. Only the reports and recommendations of committees shall be in writing; no minutes need be kept of committee meetings.

Section 8.02 Executive Sessions:

- A. Whenever a matter before the Board is of a confidential or otherwise sensitive nature, the Board may retire into executive session and may specify any advisors it wishes to be present.
- B. No recordings shall be made of the deliberations in an executive session.
- C. Board members, as well as advisors present in the session, shall keep confidential all deliberations made in executive session.
- D. If a decision is to be made concerning matters discussed in executive session, the Board shall take Board action only after exit from executive session.

Section 8.03 Work Sessions:

- A. The Board may schedule work sessions for the purpose of learning about and engaging in extensive discussion on specific topics.
 - 1. The Board President has the discretion to limit public participation in order to ensure the achievement of the purpose for which the work session was called.
 - 2. The Board shall not take any official action during a work session.

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- B. The Board may schedule training for itself when deemed necessary to improve the knowledge base of Board members and their effectiveness and efficiency in conducting Board business.
 - 1. The Board President has the discretion to limit public participation in order to ensure the Board receives its intended training.
 - 2. The Board shall not take any official action during a training session.

ARTICLE IX. RECORDKEEPING AND CONFIDENTIALITY

Section 9.01 Minutes of Board Meetings:

- A. The Recording Secretary shall record minutes of all Board meetings except for work and training sessions.
 - 1. An electronic record shall be made and kept of all Board meetings for the transaction of business.
 - 2. The Recording Secretary shall transcribe summary minutes of each meeting from the electronic record, preferably as Microsoft Word documents, within a reasonable time period (10 business days) after a Board meeting and shall include only the following content:
 - i. The date and location of the meeting, the names of Board members who were in attendance at the meeting (see Sec. 7.02 above).
 - ii. A brief summary of each agenda item that was discussed including the names of the moving parties.
 - iii. Action taken on each agenda item in the following format:
On motion and duly seconded, it was decided by a vote of ___ in favor, ___ opposed and ___ abstaining, that (summary of the action referencing any attachments).
 - iv. The time of adjournment of the meeting.
 - 3. The Board Secretary shall review and edit, as necessary, the draft minutes before she or he distributes it to Board members prior to the next scheduled meeting.
 - 4. At the next scheduled meeting, the minutes of the immediate prior meeting shall be approved by the Board.
- B. The Recording Secretary shall keep approved Board minutes and their attachments in his or her office.
 - 1. The minutes and their attachments shall be bound and kept accessible for public review during regular business hours in the Department of Diné Education building.
 - 2. Persons requesting copies of Board minutes and attachments shall submit their request in a writing that includes their names and the date and location of the meeting for which they are requesting copies of minutes.

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3. Persons requesting copies of Board minutes and attachments shall pay the standard Navajo Nation government document duplication charge, providing that the Superintendent, at his discretion, may provide single copies of the minutes to interested parties free of charge.
- C. Attachments to approved Board minutes shall include, but not be limited to, the following:
1. The agenda for the meeting.
 2. The sign-in sheet.
 3. Copies of all documents that were distributed during the meeting except for confidential materials.
 4. Resolutions approved by the Board.
- D. An electronic recording of the meetings shall also be maintained for a period of three years.

ARTICLE X. COMPENSATION, TRAVEL, & P-CARD USAGE

Section 10.01 Board member compensation:

- A. Board members shall each be compensated for their meeting attendance only when the requirements of 10 N.N.C. § 106 E. are met, at the following rates:
1. ~~\$250~~ \$150.00 (two one hundred fifty dollars) for attendance at regular and special Board meetings.
 2. ~~\$75.00~~ (seventy-five dollars) for attendance at special meeting

Board members who participate in board meetings via teleconference (i.e. telephone or video conferencing) shall only be entitled to stipend; no mileage or per diem will be paid. The Recording Secretary shall make note in the official minutes of a Board member's participation by teleconference.

- B. Board members shall be reimbursed for the following meeting-related expenses:
1. Travel in private vehicle shall be reimbursed at the standard Navajo Nation mileage rate.
 - i. Mileage shall be documented by beginning and ending odometer readings, and date and time of departure and return.
 - ii. Mileage shall be only that between the Board member's home and location of the Board meeting, work or training session, or location of the event at which the member is serving as an official representative or spokesperson.
 - iii. If a Board member travels in a Navajo Nation vehicle for Board-related business, no reimbursement is due.
 2. Reimbursement by per diem rate shall cover meal expenses. No receipts are required.

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3. Cost of lodging and public transportation (i.e. cab, Uber, bus, subway, etc.) shall be reimbursement on the actual amount of such costs. Receipts for these expenses are required.
- C. Board members shall comply with Navajo Nation travel policy when requesting reimbursement.

Section 10.02 Board Member Purchasing Card (P-Card) Usage - Unnecessary Fees/ Penalties:

- A. Unnecessary penalties and cancellations fees are an unacceptable use of the Navajo Nation Purchasing Card (P-Card) and Navajo Nation funds. While there are no express provisions in Navajo Nation law or applicable regulations, the Board shall implement the following:
1. The Department is authorized to deduct any penalties or cancellation fees from any stipends/reimbursements incurred by individual board members (through the P-Card) due to a Board member who incurs unnecessary penalties and/or cancellation fees. (Examples of unnecessary cancellation fees/penalties include, but is limited to hotel cancellation fees, airline change fees or cancellation fees/penalties.) Board members are expected to know their travel obligations in advance and whether or not they will be traveling. Board members shall contact the hotel in advance of a trip before the cancellation deadline to avoid incurring any fees/penalties.
 2. The Board further adopts a written travel agreement that shall hold individual Board members responsible for unnecessary penalties/fees/charges arising from any travel cancellation(s) and changes. This agreement shall be signed by each Board member before traveling.
 3. The Board, through the Department, shall request training from the appropriate Navajo Nation entities on P-Card training and processing of reimbursements.

Section 10.03 Travel Restrictions for Board Members Who Are Not Returning

- A. No reimbursement for training, including conferences, other than stipends (including mileage and per diem) for regular and special board meetings, shall be paid to any Board member, if after the last day to do so that Board member has not filed for reelection to their currently held office or has been defeated for reelection to his/her currently held office in a primary election or any general election. This provision also applies to appointed Board members whose terms are expiring within three (3) months and/or have not been reappointed.

ARTICLE XI. RISK MANAGEMENT & CRIMINAL BACKGROUND CHECK

Section 11.01 Board Member Liability and Risk Management:

- A. All Board members shall submit current driver's license information and proof of vehicle insurance cards to the Department. This information shall be used for travel, processing reimbursements, insurance and liability purposes.
1. Newly elected and/or appointed Board members shall be orientated and requested to provide driver's license and proof of vehicle insurance cards upon taking office. Each

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Board member is responsible for providing these documents to the Department within 30 days of taking the Oath of Office.

2. The Department shall periodically review Board member files to ensure all driver's license and proof of vehicle insurance is current.

Section 11.02 Board Member Criminal Background Checks:

- A. As the designated governing body for the Navajo Head Start program, all Board members shall provide criminal background checks (tribal, state, federal) to the Department and Navajo Head Start program. The Department and Navajo Head Start program staff are responsible for ensuring that all Board members comply with this provision and Navajo Head Start program requirements. The Department and Navajo Head Start program shall notify any individual Board member if they need to renew or provide any updated criminal background checks.

ARTICLE XII. QUARTERLY AND ANNUAL REPORTS

Section 12.01 Department of Diné Education and Navajo Nation Board of Education Annual and Quarterly Reports

The Department and Board shall make an annual and quarterly reports containing such information as may be required by Navajo Nation law or administrative regulations. Preparation of the annual and quarterly reports shall be in accordance with the relevant statutes.

As guidance for reports, the Board establishes the following dates as deadlines for annual and quarterly reports:

Quarterly:

Winter: January 2018

Spring: April 2018

Summer: July 2018

Fall: October 2018

Annual:

October 2018

The Department and Board's annual report shall be reviewed and approved by the Board. No later than October 30th of each year. The annual report shall also be published on the Department's website. The report, titled "Department of Diné Education and Navajo Nation Board of Education Annual Report", shall be disseminated in accordance with guidelines established by the Board and provided to the Navajo Nation Council.

ARTICLE XIII XI. AMENDMENTS

Section 13.01. Method of Amendment:

These Operating Procedures may be amended only by majority vote of the Board at a regularly scheduled meeting of the Board, as follows:

- A. Proposals for amendment may be made by the Superintendent of Schools, or any member of the Board, and shall be addressed to the President of the Board.

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- B. Proposals for amendment must be disseminated in writing to Board members in accordance with section 6.03 B above, giving the reasons for the proposed change.

Section 134.02. Approval of Amendments:

Amendments passed by the Board shall be effective on the date approved by the Board.

APPENDIX



NAVAJO NATION BOARD OF EDUCATION
Code of Ethics & Conduct

1. I will make decisions in terms of the educational welfare of the students.
2. I will recognize that the Board represents the collective voice of the community. I will refuse to represent special interests and/or partisan politics or to use my position for personal gain or for the gain of friends or supporters.
3. I will view service on the Board as an opportunity to serve my community and Navajo Nation because I believe education is the best means to promote the welfare of our students and preserve self-government.
4. I will work constantly to help the people in my community to understand the importance of education and to actively participate in establishing policy on current educational concerns and proposed future developments.
5. I will base my decisions upon all available facts after I have discussed matters fully with members of the professional staff and Board members at a duly called Board meeting; thereafter I will abide by and uphold the decision of the Board. I will recognize that decisions are made by a majority vote and should be supported by all board members.
6. I will respect the rights of other Board members to have opinions and ideas that differ.
7. I will recognize that authority rests with the whole Board assembled in a meeting and that I, as an individual, have no legal status to bind the Board outside the meeting.
8. I will support the Superintendent of Schools and Department of Diné Education personnel in the performance of their duties. I will insist that all board and Department business is ethical, honest, open, fair, honest, and have no hidden agenda.
9. I will work with my fellow Board members in a spirit of harmony and cooperation in spite of differences of opinion that arise during the debate of points at issue. I will maintain a professional level of courtesy, respect, and objectivity in all Board activities. I will strive to uphold those practices and assist other Board members in upholding the highest standards of conduct I will also abide by the Navajo Nation Ethics in Government law and all applicable regulations.
10. I will ensure that individual Board members may not avail themselves to keep private actions separate and apart from official Board business. Furthermore, individual Board members are prohibited from actions, conduct, or behavior that may compromise or embarrass the Board or the administration by their private actions.

11. Individual Board members may not avail themselves of Navajo Nation resources, including the services of the Department and Board-assigned attorney, for personal matters and/or matters outside the scope of their official duties as Board members. Matters "outside the scope" include, but are not limited to, personal ethics complaints, recall actions, member actions in violation of, or beyond that authorized by applicable Navajo Nation laws and regulations. I will recognize that only the Board, or an individual designated by majority vote of the entire Board, may contact the Department/Board-assigned attorney for legal opinions, services, or advice on Board and/or Department matters.
12. Individual Board members must refrain from any actions, not authorized by a majority vote of the Board, which would cost the Board or Department unnecessary funds, which would result in eroding the support and confidence of the community and the Board.
13. I will not ever neglect my personal and legal responsibilities to the community and will observe and enforce community, tribal, and federal laws pertaining to education.

I have read, understand and agree to abide by this Code of Ethics and Conduct.

Board Member's Signature

Date

¹ Source: Navajo Nation Code of Conduct for Local Community School Board Members, Navajo Nation Ethics in Government Law (2 N.N.C. §§3741-3793), Amended Standards of Conduct for all Elected Officials (Resolution ERC-98-011)

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
Regular Meeting
December 14, 2022

Legislation #0235-22: An Action Relating to Health, Education and Human Services Committee; Approving and Enacting to the Navajo Nation Board of Education Plan of Operation

Sponsor: Delegate Daniel E. Tso

Co-Sponsors: Delegate Edison J. Wauneka

VOTE TALLY SHEET:

Main Motion:

Motion: Honorable Paul Begay, Jr.

Second: Honorable Pernell Halona

Yea: Paul Begay, Jr.; Pernell Halona; Charlaine Tso; Edison J. Wauneka

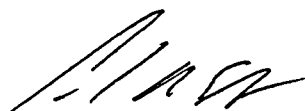
Nay:

Not Voting: Carl R. Slater (Presiding Vice-Chair)

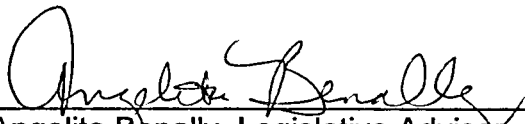
Excused: Daniel E. Tso

Absent:

Vote: 4-0-0



Carl R. Slater, Vice-Chairman
Health, Education and Human Services Committee
24th Navajo Nation Council



Angelita Benally, Legislative Advisor
Health, Education and Human Services Committee
Office of Legislative Services