

LEGISLATIVE SUMMARY SHEET

Tracking No. 0045-116

DATE: February 5, 2016

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION; AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE AND NAABIK'ÍYÁTI'; OPPOSING THE SAN JUAN SCHOOL DISTRICT'S DECISION TO CONSTRUCT BLUFF ELEMENTARY SCHOOL ON AN ARCHAEOLOGICAL SITE CONTAINING REMAINS.

PURPOSE: Opposing the San Juan School District's Decision to Construct Bluff Elementary School on an Archaeological Site Containing Remains.

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: None
Website Posting Time/Date: 3:52pm 2/14/16
Posting End Date: 2/14/2016
Eligible for Action: 2/15/2016

Health, Education & Human Services Committee

THENCE

Naa'bik'íyáti' Committee

PROPOSED STANDING COMMITTEE RESOLUTION
23RD NAVAJO NATION COUNCIL -- Second Year, 2016

INTRODUCED BY



(Prime Sponsor)



TRACKING NO. 0045-16

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; AND
NAABIK'ÍYÁTI'; OPPOSING THE SAN JUAN SCHOOL DISTRICT'S DECISION
TO CONSTRUCT BLUFF ELEMENTARY SCHOOL ON AN ARCHAEOLOGICAL
SITE CONTAINING REMAINS

WHEREAS:

- A. The Navajo Nation established the Health, Education, and Human Services Committee as a standing committee of the Navajo Nation Council. 2. N.N.C. § 400(A).
- B. The purpose of the Health, Education and Human Services Committee is to oversee the education initiatives of the Navajo Nation by promoting academic excellence and culturally relevant education. 2 N.N.C. § 400 (2).
- C. The Health, Education, and Human Services Committee is empowered to represent the Navajo Nation at local, state and federal levels in coordination with the President of the Navajo Nation and the Naabik'íyáti' Committee on proposed legislation, funding and other actions affecting education. 2 N.N.C. § 401 (7)(a).

- 1 D. The Health, Education and Human Services Committee is also authorized to
2 assist, support and coordinate with local communities, parent organizations
3 and school boards and school board organizations. 2 N.N.C. § 401 (C)(4).
- 4 E. The Navajo Nation established the Naabik'íyáti' Committee as a Navajo
5 Nation Council standing committee and as such empowered Naabik'íyáti'
6 Committee to "coordinate all federal, county, and state programs with other
7 standing committees and branches of the Navajo Nation government to
8 provide the most efficient delivery of services to the Navajo Nation". 2 N.N.C.
9 § 701 (A)(4); 2 N.N.C. § 700 (A).
- 10 F. Of concern to the Navajo Nation are the Navajo children who receive their
11 education at Bluff Elementary School located in Bluff, Utah; a majority of
12 Navajo children reside on the Navajo Reservation and are bussed off the
13 reservation to attend school.
- 14 G. Currently, it has been reported that one hundred and thirteen children attend
15 Bluff Elementary School, making up ninety-four percent of the school's
16 population. *See* Exhibit A, (Letter from Melinda Blackhorse, Indian Education
17 Leader, Utah Indian Education Commission, to Navajo Utah Commission,
18 (Dec. 16, 2015).
- 19 H. On December 1, 2014 and January 20, 2015, the Board of Education and San
20 Juan County School District collectively bought two tracts of land with the
21 intention of constructing a new school in Bluff, Utah. *See* Exhibit B (Real
22 Property Sales Agreement, Dec. 1, 2014); *See also* Exhibit C (Real Property
23 Sales Agreement, Jan. 20, 2015); *See also* Exhibit D (Proposed Land Purchase
24 for Bluff Elementary School and Archaeological Site Locations Map).
- 25 I. The School Board Meeting minutes on August 18, 2015, stated the
26 Archeological survey for the Bluff Property has been completed and as
27 anticipated there are some archaeological sites that must be addressed before
28 construction begins; one of the sites on the property has been partially
29 excavated and burial sites were discovered; the placement of the building
30

1 would avoid that site altogether. *See* Exhibit E (Board Meeting Minutes, Aug.
2 18, 2015).

3 J. The School Board Meeting on October 13, 2015, Superintendent Wright noted
4 there were concerns regarding the preliminary archeological findings on the
5 recently purchased Bluff property. *See* Exhibit F (Board Meeting Minutes,
6 Oct. 13, 2015).

7 K. The School Board during the meetings has been made aware of the cultural
8 sensitivities of the Navajo people regarding burial sites. *See* Exhibit E (Board
9 Meeting Minutes, Aug. 18, 2015); *See also* Exhibit F (Board Meeting Minutes,
10 Oct. 13, 2015).

11 L. Furthermore, several surrounding chapters and the Dine' Medicine Man
12 Association, Inc. has passed resolution opposing the construction of the new
13 school the archeological site. *See* Exhibit G (Resolution of Mexican Water
14 Chapter, Dec. 6, 2015); *See also* Exhibit H (Resolution of Oljato Chapter, Dec.
15 6, 2015); *See also* Exhibit I (Resolution of Teec Nos Pos Chapter, Dec. 6,
16 2015); *See also* Exhibit J (Resolution of Navajo Mountain Chapter, Dec. 18,
17 2015); *See also* Exhibit K (Resolution of Dine' Medicinemen Association, Inc.
18 (Dec. 6, 2015); *See also* Exhibit L (Resolution of Red Mesa Chapter, Nov. 11,
19 2015); *See also* Exhibit M (Resolution of the Navajo Utah Commission of the
20 Navajo Nation Council, Nov. 19, 2015).

21
22 **NOW, THEREFORE BE IT RESOLVED:**

23
24 A. The Navajo Nation is in opposition to the Board of Education and San Juan
25 County School District intention of building the new Bluff Elementary School
26 on the property containing burial sites and remains due to cultural sensitivities
27 held by the Navajo people.

28 B. The Navajo Nation on behalf of the Navajo students, parents and surrounding
29 communities request the Board of Education and San Juan County School
30

District to understand the cultural beliefs relating to the Navajo children they are charged with educating.

- C. In addition, the Navajo Nation would encourage the Board of Education and San Juan County to continue working with the community to find an alternative resolution to the placement of the new school.

December 16, 2015

TO: Navajo Utah Commission

RE: San Juan School District Decision to Replace the Bluff Elementary School on lands containing Archaeological sites and maybe some remains.

I was appointed by Navajo Utah Commission to serve on the Utah Indian Education Commission to represent the Navajo Nation concentrating on San Juan School District which is within the seven Utah Chapter; Navajo Mountain Chapter, Oljato Chapter, Dennehotso Chapter, Mexican Water Chapter, Red Mesa Chapter, and Aneth Chapter. The most vital position I hold is being a mother of a San Juan school district student. I am also a future grandparent to grandkids who will attend the Bluff Elem School in the near future.

The appointed Indian Education Commission position was established by the House Bill 33 addressing the achievement gap of Native students in the state by bringing state and tribal leaders together in a Commission to plan for the future. In compiling data and doing my research in the local San Juan School District and community for this appointed position many issues aroused. One of the biggest issues that we are being faced with right now is the Purchase of Land with Archeological sites for a new school to be built in Bluff Utah a border town which schools mostly Native American Students (Navajo) that are bussed in from the Navajo Reservation to be more specific Mexican Water Chapter community as well as the Red Mesa Chapter community. This situation addresses Concurrent Resolution Supporting American Indian and Alaskan Native Education State Plan 51-5 Building statewide collaborations to address, and statewide awareness of, the needs of American Indian and Alaskan Native Children, including understanding of social cultural, educations needs and the role of tribal sovereignty.

Bluff Elementary School is a public elementary school in Bluff, Utah off the Navajo Nation. 113 children attend Bluff School and 94% are Native American (Navajo). I have enclosed with this report supporting documents regarding my concern. The reason a new school is direly needed is failure of a septic system of the current school. In 2001 a new septic system was installed by Engineer Firm Jones and DeMille who told the district the new septic system will last a minimum of five years, the five years is up since then. A history of School Board Meeting minutes addressing this subject is also enclosed. In the January 20th San Juan School District meeting minutes it was motioned to proceed with the purchase of property in Bluff for the future site of the Elementary school for the total amount of \$501,500.00 for 12.53 acres utilizing capital funds. School board meeting minutes Tuesday August 18, 2015 stated Archeological survey was completed with some archaeological sites. In the September 22nd 2015 meeting minutes It was also brought up that sites were found and that local cultural experts were to be contacted to advise the school district's planning of future construction of the property.

I was informed a report was to be presented by Dr. Tommy Lewis on November 4, 2015 before the HEHSC Committee in regards to HB33. Dr. Lewis also serves on the American Indian Commission representing the Navajo Nation. At the time of this meeting I addressed to the committee that a working relationship needs to be established between Dr. Tommy Lewis Superintendent of Schools, Department of Education and I. We serve on the same commission, but we do not communicate. I have on numerous times tried to establish communication to no avail. I addressed this concern to the HEHSC Committee and a directive was made that Dr. Tommy Lewis work with me. Since that date no working relationship has happened. Also at that time I was referred to the Sacred Sites Committee meeting in Chinle Az, on November 10, 2015 to present the Bluff School Issue as well before that committee.

Sacred Sites Committee meeting on November 10,2015 a presentation by me didn't happen due to time constraints for members of the Sacred Sites Committee, but a directive from Johnathan Hall was made. The directive stated that

Historical Sites and I will share information and compile data that will be presented at the next Sacred Sites meeting (no date yet). I have than contacted Melinda Cicco with Historical Sites as well as Ora Marek Martinez, SHIPO and had a meeting regarding the issue at hand. It came to our attention more research has to happen between Ora Marek Martinez and State of Utah SHIPO Office. Ora is researching to see if proper protocol and procedures were completed by San Juan School District when purchasing the land. Once she has compiled the data we will present before Sacred Sites Committee. Once the next Sacred Sites Committee meeting transpires more information will be presented before Navajo Utah Commission regarding the research and finding. I met with the Sacred Sites Committee after the Sacred Sites Meeting and they invited me to present before their organization on December 6, 2015. On December 6, 2015 a Resolution was approved to oppose the building of the proposed Bluff Elementary School on lands with Arc Sites. The Resolution is forthcoming and once obtained a copy will be given to NUC members.

I have requested that all seven chapters compose resolutions opposing the new school to be built on land that was bought with Arc Sites but not against a new school as well as Navajo Utah Commission. I am here before this committee to have your input since you as an established organization appointed me to the position of Education Leader for Utah Navajos to help make decisions as to what needs to transpire next. At the NUC meeting that transpired at Aneth Chapter Honorable Council Delegate Davis Filfred recommended to the San Juan School District Superintendent that maybe excavation could be a possibility. Mexican water chapter community members recommended as well having the new school built on Mexican Water Chapter lands which is already purchased and cleared for Arch sites. Another recommendation coming from the school board is maybe resell and rebuy land.

Thank you,



Melinda Blackhorse
Indian Education Leader
Utah Indian Education Commission

~~(970)739-1392~~ 970-529-3181

Mblackhorse@utah.gov

REAL PROPERTY SALES AGREEMENT

THIS REAL PROPERTY SALES AGREEMENT, made effective the first (1st) day of December, 2014, by and between Steven P. Simpson and Craig A. Simpson, (collectively "Sellers"), individuals, whose address for purposes of this agreement is 913 E. Navajo Twins Drive, PO Box 330, Bluff, Utah 84512, and the Board of Education of the San Juan County School District, a body politic and corporate of the state of Utah, with its principal place of business located at 200 North Main Street, Blanding, Utah 84511 ("Purchaser").

WITNESSETH:

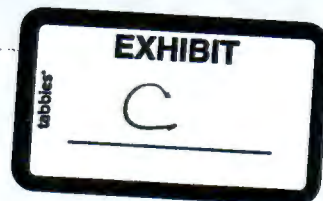
FOR AND IN CONSIDERATION of good and valuable consideration, receipt and sufficiency whereof are hereby acknowledged by Sellers, and in consideration of the mutual promises, covenants and conditions herein contained, it is agreed by and between the parties as follows:

1. Sellers hereby agree to sell to Purchaser, and Purchaser hereby agrees to purchase from Sellers, subject to the conditions and restrictions contained in this agreement, the following described tract of land ("Land") situated in San Juan County, state of Utah, to-wit:

A tract of land within the W1/2 of Section 26, Township 40 South, Range 21 East, SLB&M, County of San Juan, State of Utah, more particularly described as follows:

Beginning at a point situated N81°58'04"E 1791.64 feet from the W1/4 corner of said Section 26, and considering the line between the W1/4 corner and the NW Corner of said Section 26 to be N00°01'00"W; thence S00°00'10"E 666.27 feet to a point on the North Right-of-Way Line of U.S. Hwy 191, thence along said right-of-way Line N62°56'06"E 642.66 feet, thence N26°40'31"W 606.62 feet, thence S60°43'16"W 343.92 feet to the point of beginning, containing 6.77 acres more or less.

This sale includes the Land and any other improvements situated on the Land and all existing easements for access to the Land (hereinafter designated the "Subject Property").



REAL PROPERTY SALES AGREEMENT

THIS REAL PROPERTY SALES AGREEMENT, made and entered into as of the 20 day of January, 2014⁵, by and between EUGENE SHUMWAY and KATHRYN SHUNWAY, whose address is 2749 North Blue Mountain Road, Blanding, Utah 84511; SHANE SHUMWAY, whose address is 2949 N. Blue Mountain Road, Blanding, Utah 84511; BLYTHE BLACK, whose address is 3033 N. Blue Mountain Road, Blanding, Utah 84511; SHELBY ELDREDGE, whose address is 2287 N. Blue Mountain Road, Blanding, Utah 84511; LADD SHUMWAY, whose address is 2801 N. Blue Mountain Road, Blanding, Utah 84511, BRITTNEY BLACK, whose address is 28250 Rd. H.6, Cortez, Colorado 81321; and JEFFREY NIELSON, whose address is 2787 N. Blue Mountain Road, Blanding, Utah 84511, (collectively "Sellers"), and The Board of Education of the San Juan County School District ("Purchaser"), whose address is 200 North Main, Blanding, Utah 84511

WITNESSETH:

FOR AND IN CONSIDERATION of good and valuable consideration, receipt and sufficiency whereof are hereby acknowledged by Sellers, and in consideration of the mutual promises, covenants and conditions herein contained, it is agreed by and between the parties as follows:

1. Sellers hereby agree to sell to Purchaser, and Purchaser hereby agrees to purchase from Sellers, subject to the conditions and restrictions contained in this agreement, the following described tract of land ("Land") situated in San Juan County, State of Utah, to-wit:

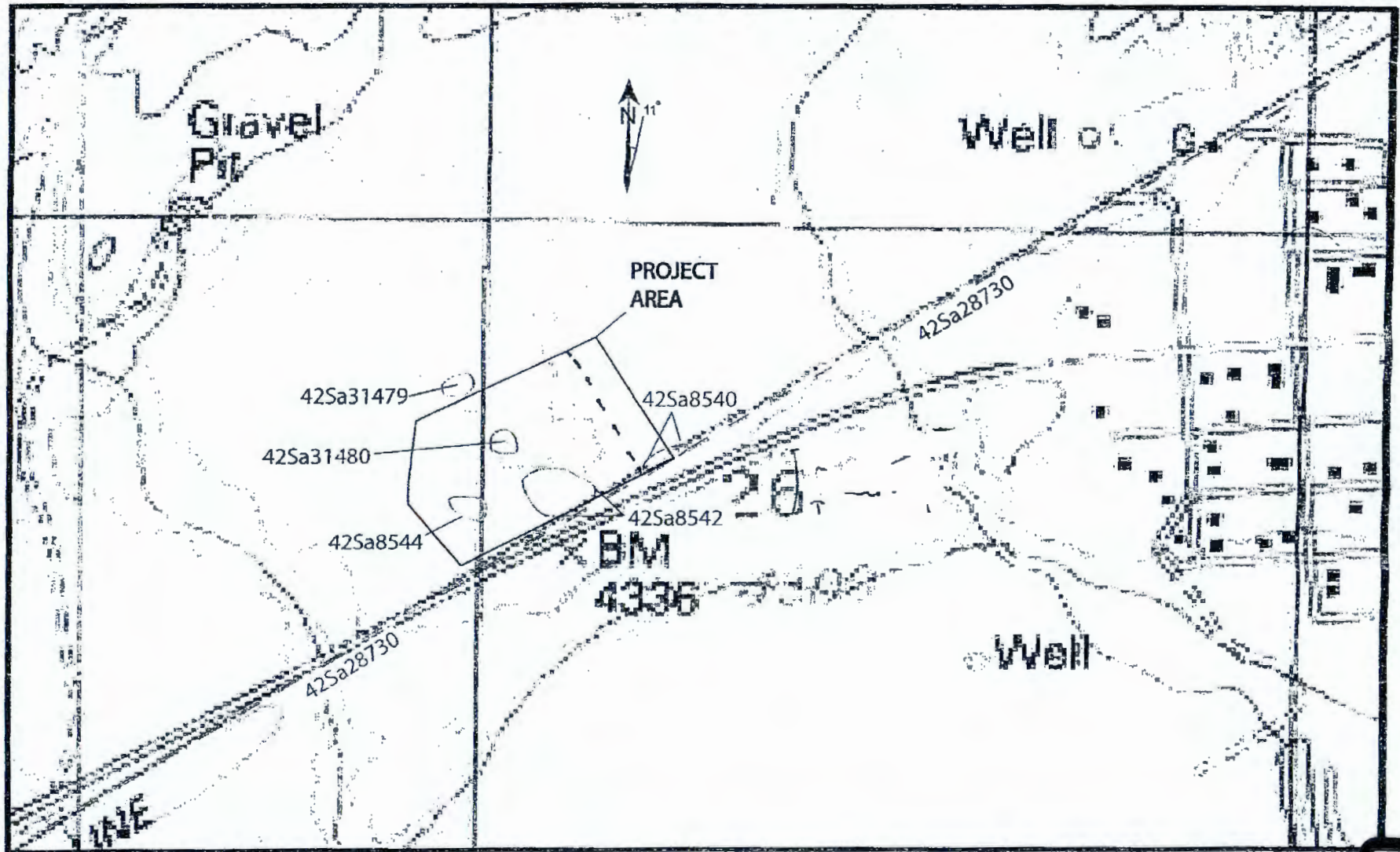
A tract of land within the W1/2 of Section 26, Township 40 South, Range 21 East, SLB&M, County of San Juan, State of Utah, more particularly described as follows:

Beginning at a point situated N81°58'04"E 1791.64 feet from the W1/4 corner of said Section 26, and considering the line between the W1/4 corner and the NW Corner of said Section 26 to be N00°01'00"W; thence S00°00'10"E 666.27 feet to a point on the North Right-of-Way Line of U.S. Hwy 191, thence along said Right-of-Way Line S62°56'06"W 54.73 feet, thence along said Right-of-Way line S62°54'43"W 201.59 feet, thence N38°24'31"W 73.11 feet to the beginning of a curve concave to the southwest having a radius of 520.00 feet, thence northwesterly 38.03 feet along said curve through a central angle of 04°11'24", the chord of said curve is 38.02 feet and bears N40°30'12"W; thence

N42°35'54"W 184.04 feet to the beginning of a curve concave to the east having a radius of 120.00 feet, thence northerly 105.66 feet along said curve through a central angle of 50°27'00", the chord of said curve is 102.28 feet and bears N17°22'24"W; thence N07°51'05"E 229.15 feet, thence N60°43'16"E 483.92 feet to the point of beginning, containing 5.76 acres more or less.

TOGETHER WITH an easement and right of way for ingress and egress and utilities over, across and under the following described real property:
Beginning at a point situated N89°25'13"E 1352.03 feet from the W1/4 corner of said Section 26, and considering the line between the W1/4 corner and the NW Corner of said Section 26 to be N00°01'00"W; thence S60°43'16"W 37.63 feet, thence S07°51'05"W 206.44 feet to the beginning of a curve concave to the east having a radius of 150.00 feet, thence southerly 132.08 feet along said curve through a central angle of 50°27'00", the chord of said curve is 127.85 feet and bears S17°22'24"E; thence S42°35'54"E 184.04 feet to the beginning of a curve concave to the southwest having a radius of 490.00 feet, thence southeasterly 35.83 feet along said curve through a central angle of 04°11'24", the chord of said curve is 35.82 feet and bears S40°30'12"E; thence S38°24'31"E 67.11 feet to a point on the north right-of-way line of U.S. Hwy 191, thence along said R.O.W. line N62°54'43"E 30.60 feet, thence N38°24'31"W 73.11 feet to the beginning of a curve concave to the southwest having a radius of 520.00 feet, thence northwesterly 38.03 feet along said curve through a central angle of 04°11'24", the chord of said curve is 38.02 feet and bears N40°30'12"W; thence N42°35'54"W 184.04 feet to the beginning of a curve concave to the east having a radius of 120.00 feet, thence northerly 105.66 feet along said curve through a central angle of 50°27'00", the chord of said curve is 102.28 feet and bears N17°22'24"W; thence N07°51'05"E 229.15 feet to the point of beginning.

This sale includes the Land and any other buildings situated on the Land all easements for access to the Land (hereinafter designated the "Subject Property").



Proposed Land Purchase for Bluff Elementary School and Archaeological Site Locations



August 18th Board Meeting

Meeting Location: District Office

Tuesday, August 18, 2015

Members present

Elsie A Dee, Debbie Christiansen, Nelson Yellowman, Bill Boyle, Merri B Shumway

Others present

Superintendent Doug Wright, Business Administrator Kyle Hosler, Human Resources Director Kit Mantz, Eva Workman, Melinda Blackhorse

Meeting called to order at 3:27 PM

A. Approval of Agenda - 3:27 p.m.

1. Approval of Agenda

Motion to accept the agenda.

Motion by Merri B Shumway, second by Bill Boyle.

Final Resolution: Motion Carries

Yea: Elsie A Dee, Debbie Christiansen, Nelson Yellowman, Bill Boyle, Merri B Shumway

B. Board Work Session

1. Capital Outlay Updates:

The previously adopted Capital Projects calendar was reviewed. It has been adjusted for delays and changes in the schedule. The spreadsheet with the original plan was reviewed and an addendum to the plan was suggested. The plan includes a range of dates for actual completion dates and highlights completed projects.

Business Administrator Kyle Hosler updated the Board on the following projects:

Blanding Elementary school Carbon Monoxide detector project has been completed.

Outdoor bleacher upgrades for Monument Valley High School, Monticello High School and Whitehorse High School have been completed.

Auditorium seating replacement has been completed at Monument Valley High School, Monticello High School, Whitehorse High School and San Juan High School.

Housing Roof Replacement has been completed at Navajo Mountain.

Outdoor Safety Lighting has been completed at Whitehorse High School. Exterior fascia and paneling is near completion. Parking lot lighting is scheduled.

San Juan High School Auditorium remodel project has also been completed. New HVAC units will be added soon.

Monument Valley High School Administrative Office Complex, along with classroom and restroom modifications, have been completed.

Montezuma Creek front office repairs are still in planning stages.

* The Archeological survey for Bluff Property has been completed. As anticipated, there are some archaeological sites which must be properly addressed before any construction can be done. Further study as to how we can mitigate the sites must be done, but our intent is to look at the most effective and efficient way to preserve the archeological sites, with the first option to try to avoid them. Part of the reason for the large parcel of land was so that we could increase our options of properly siting the building while avoiding sites. One of the sites on the property, next to the highway right-of-way, has been partially excavated and burial sites were discovered there. The placement of the building would avoid that site all together. Digital excavation is an option to explore the unknown areas which would be impossible to avoid. Depending on what is discovered through the digital means, physical excavation may be required. Superintendent Wright explained that the current timeline is aggressive, due to the archeological precautions we would need to take. The Board will be updated as the progresses and adjust the timeline as needed. Board Member Nelson Yellowman noted the cultural sensitivities and the Board agreed to observe cultural needs prior to excavating the property and possibly ask community members what they would consider appropriate.

Big projects that are on the original list for this year that have yet to be addressed include: Whitehorse High School and San Juan High School locker room renovations, as well as school marquees locations and access to power. The need for additional housing in Monument Valley needs to be prioritized and added to the schedule.

Superintendent Wright commented that work continues on the acquisition on the Montezuma Creek property. It has been surveyed and work on an application to the Navajo Nation Land Office for the lease is under way.

Board Member Merri Shumway commented that projects need to be reviewed for efficiency and usage, as she has had some experiences in the past that have not gotten good use. Two projects of concern include the reception area in the District Office and the concrete work from the Zenos L. Black Building to the State Office Building. While this is a City of Blanding concrete project, Shumway's concern is that the district contributed to the labor costs and she has heard reports that some community members feel the location for the concrete upgrades are a waste of funds.

The Blanding Elementary rental home is now vacant and a decision needs to be made as to whether the property should be prepared for future renters or whether we want to use the land for other purposes. Mr. Hosler confirmed that it will take some financial commitment to renovate parts of the house to a livable standard. Minimal upkeep has been done on the home since it was purchased as was agreed upon with the current renters. Mr. Hosler will discuss costs it may take to bring the home up to a suitable condition with Colby Davis. The Board would like to see the cost estimate regarding renovations and is inclined to continue renting the home as a revenue option until the remodel of the school is closer.

Superintendent Wright recommended that the upcoming year be considered a "catch up" year for projects that have been delayed by political or budget reasons, moving the entire remaining schedule back a year. This would allow the District to logically complete pending projects. Other minor projects could also be moved into the current year and some basic maintenance requests that have been delayed could be addressed.

Board Member Bill Boyle requested that the bus parking area at Monticello Elementary School be completed for performance and safety issues.

Board Member Nelson Yellowman commended the Colby and Kyle in their Capital Projects progress, he also mentioned that Whitehorse and Monument Valley football field uprights may be out of compliance and should be padded.

Sound and lighting system at Monticello High School needs training. Superintendent Wright noted that the San Juan High School Auditorium is to be done by Taylor Lyman thru Northern Electric, and as they are under contract with the school district, we will refer the issues to them and ask them to add this to their to-do list.

2. Water Concerns due to EPA Incident

Superintendent Wright noted that the district is a consumer of water in the Montezuma Creek area and relies on NTUA to provide water and assure its safety. The EPA caused accident that affected the water supply in the Montezuma Creek and Halchita areas was discussed. Once it was determined that the water was safe and that the necessary precautions had taken to keep water in the well tanks safe for consumption, registration and school schedules continued as scheduled. There has been some expressed from a few parents and there has some discoloration in the water at Montezuma Creek Elementary School. When that occurred tap water use was immediately restricted for drinking and bottled water brought in. It was discovered later that because a new line had been tapped for use, some debris has caused discoloration. The water still remained safe.

3. School Turnaround and Leadership Development Act

Superintendent Wright reported legislation regarding School Turnaround that was recently presented is very similar to the program that the district is currently essentially already participating in from UVA.

One area of great concern from the board is that faculty turnover has had negative impact in some of the district's most volatile schools. The Board requested that Superintendent Wright compose a letter of support to USU-Eastern regarding local investment in the Education Program offerings. The desire is to support the development of local teaching resources and produce local teachers that understand the communities and that are committed to long term residence there.

4. Navajo Utah Commission presentation on District Finances

Superintendent Wright reported on a presentation he made concerning San Juan School District budget and financial information to the Navajo Utah Commission. The Commission requested some additional reports regarding curriculum, specifically Navajo Language curriculum, as well as agreements regarding the Red Mesa High School and the state laws regulating student enrollment and boundary compliance. Superintendent Wright will be attending the commission meeting again in the near future to present further.

5. Governor's Native American Summit

Nelson Yellowman and Elsie Dee attended this summit and reported that there was great representation from students in our district with performance and attendance. Nelson Yellowman commented that the leadership at the conference emphasized their concern and focus on education, however there were no details or plans regarding solutions or guidance to help. Nelson noted there were a couple of notable speakers and performances, but overall the meeting seemed redundant to the other meetings from prior years and there was no new plans of action presented addressing the needs of students.

6. Utah School Board's Association Delegate Assembly

Merri Shumway attended the Delegate Assembly and reported on a presentation from Utah Valley University and their remediation program to assure incoming students are ready for college level work. Superintendent Wright commented on a recent discussion in the Superintendent's Association about the need to be flexible with the decisions made in the Delegate Assembly as the timing of the group meetings seemed premature. At times, it is difficult to fully commit in August to the decisions made and positions taken at the Delegate Assembly when the Legislative sessions convene months later and situations or conditions have changes.. Merri Shumway stated that it seems the best course of action would be to attend these delegate meetings for informational purposes, but still remain proactive as a separate entity and take action with representatives and legislators when needed if there are concerns that arise later.

7. Navajo Nation v. San Juan County Voting Rights

Superintendent Wright commented that the Navajo Nation's attorneys have asked a representative from the district to respond with data involving and concerning school boundaries. The plaintiffs are now questioning the mail-in ballot process, but it is not clear how this issue will affect the current lawsuit. There is some movement by the Navajo Nation Human Rights Commission to identify individuals who feel there were disenfranchised by the mail-in ballots and would be willing to put their name in or if their intentions are to find potential plaintiffs to assist a possible second lawsuit.

Elsie Dee commented on the portion of the discussion that was presented in Navajo. She stated that it focused mainly on the voting rights and the concerns surrounding the fairness and understanding of that process.

Debbie Christiansen stated that the State of Utah has to approve all the census blocks and precincts and that ultimately, it seems more logical that the Navajo Nation should include the State of Utah in discussions as a responsible party.

Superintendent Wright summarized by stating that at this point it remains unclear as to the direction the case is going. He will continue to supply documentation as requested and as recommended by the district's Legal Counsel.

C. Closed Session – 7:20 p.m.

1. Personnel

D. Department Report - 5:00 p.m.

1. Technology, Mr. Decker Decker

Josh Decker, Director of Technology reported on the status of technology in the District. Currently the network's stability relies on the expertise of Jared Brown. Mr. Decker commended Jarred and his department for the positive status of our technology, and looks forward to completing the hiring process to fill the position of an assistant network administrator to be Jared's backup. He also noted David Brown's expertise in programming and his ability work with the school districts data systems to gain vital information and coordination between programs.

Mr. Decker commented that since the setup of the Web Help Desk, the technology department has received 7864 ticket requests for help. There have been over 17,000 calls to the Help Desk. The department is very busy.

A classroom technology pilot project using iPads, Chrome Books, and other devices has been an important undertaking for the Instructional Technology Team, and we are seeing positive impact in the classrooms where they are being used.

Mr. Decker thanked the Superintendent as the supervisor over the department and expressed his gratitude for the support he gives to the Technology Department and Instructional Technology program. A vision that Mr. Decker feels would be an ideal concept for the technology department to add would be an Educational Technology Coach in both Elementary and Secondary levels that could help faculty implement and use more technology in their instruction.

E. Break - 5:30 p.m.

F. Consent Agenda - 6:00 p.m.

1. Minutes

2. Revenue Reports

3. Expenditure Reports

4. School Expenditure Reports

5. Board Travel Reports

6. Personnel Report(s) and Information

7. Home School Requests

8. Student Hearings

9. Approval of all Consent Agenda Items

Motion to approve consent agenda.

Motion by Nelson Yellowman, second by Elsie A Dee.

Final Resolution: Motion Carries

Yea: Elsie A Dee, Debbie Christiansen, Nelson Yellowman, Bill Boyle, Merri B Shumway

G. Public Session-Welcome and Recognition of Guests - 6:00 p.m.

1. Citizens' Comments

No guests present.

H. Action Items

1. September Meeting date change

Motion to change the September Board Meeting to the 22nd, with the Work Session starting at 1:00 pm, and Public Session at 4:00 pm. It will be held at Navajo Mountain.

Motion by Merri B Shumway, second by Bill Boyle.

Final Resolution: Motion Carries

Yea: Elsie A Dee, Debbie Christiansen, Nelson Yellowman, Bill Boyle, Merri B Shumway

2. District Policy 4330 - Evaluations - 2nd Reading

Kit Mantz presented the policy with no further additions and commented that the current edits are to meet legislative updates in salary adjustments and evaluation requirements outlined by the Utah State Office of Education. The increased correlation between pay raises and the evaluation scale has caused some concern; as well as operating with consistency and fidelity in schools where retaining instructors is already difficult. One positive note is that they reduced the evaluative standards from 22 to 15 and have reworded some questions to yes/no, which may alleviate some of the actual burden of the evaluation process.

Motion to approve policy 4330 on a final basis.

Motion by Bill Boyle, second by Merri B Shumway.

Final Resolution: Motion Carries

Yea: Elsie A Dee, Debbie Christiansen, Nelson Yellowman, Bill Boyle, Merri B Shumway

3. Field Use Agreement with City of Blanding

Kyle Hosler has been working with the City of Blanding, Athletic Directors, and Principal Peterson, Vice Principal Olsen and Colby Davis in creating an updated agreement regarding baseball and softball field properties shared between the entities. He commented that the last written agreement expired in 2014. There have been needs arise that drew attention for the need to clarify responsibilities for field upkeep and conditions, as well as scheduling and liability. The revised written agreement covers these concerns. Kyle commended the district's buildings and grounds team on their work on recent field improvements. The current agreement has no monetary compensation for either party.

Board Members inquired as to the current agreement, if any, regarding the use of the Blanding Swimming Pool. Kyle stated that the City preferred to work on that scheduling on a case by case basis. Board Member Bill Boyle commented that it might be a good idea for all the schools to look into creating agreements or outlining fees and expectations with non-district recreational facilities in their area that they may be interested in using in the future.

Motion to accept Field Use Agreement with City of Blanding.

Motion by Merri B Shumway, second by Bill Boyle.

Final Resolution: Motion Carries

Yea: Elsie A Dee, Debbie Christiansen, Nelson Yellowman, Bill Boyle, Merri B Shumway

4. School Lunch Prices

Standard practice is that the Board must approve lunch prices if there is a price increase. The State has reissued the costs in in Adult Breakfast from \$1.60 to \$1.80 and Lunch from \$3.30.

Motion to approve the school lunch and breakfast prices for Adult meals.

Motion by Merri B Shumway, second by Nelson Yellowman.

Final Resolution: Motion Carries

Yea: Elsie A Dee, Debbie Christiansen, Nelson Yellowman, Bill Boyle, Merri B Shumway

I. Discussion Items

1. Board Travel and Updates

Updated budgets for the new fiscal year will be included at the next meeting, as well as roll-over amounts, if any, from the previous year.

2. Food Services Report

The Board requested a report from Anna Fredericks, Food Services Manager. The request is to gain some insight on the financial impact of the new "free lunch" structure. Anna will be scheduled to present at the October 2015 meeting at the District Office.

3. Discovery Center in Monticello

Board Member Bill Boyle commented that the Canyon Country Discovery Center in Monticello is nearing completion and is currently in the process of planning their Grand Opening events. The hope is that the Discovery Center is not only educational, but that it can also bring more visitors to the area and have a positive impact economically.

4. Next Board Meeting

The next board meeting is at Navajo Mountain High School. The meeting will begin at 1:00 pm, with public comment scheduled at 4:00 pm.

J. Adjournment – 7:35 p.m.

Board Officer

Business Administrator

F

October 13 Board Meeting

Meeting Location: District Office

Tuesday, October 13, 2015

Members present

Elsie A Dee, Debbie Christiansen, Nelson Yellowman, Bill Boyle, Merri B Shumway

Others present

Superintendent Doug Wright, Kit Mantz, Kyle Hosler, Ron Nielson, Lynette Johnson, Eva Workman, Melinda Blackhorse (Native American Education Committee with State of Utah)

Meeting called to order at 3:10 pm

A. Approval of Agenda - 3:00 p.m.

1. Approval of Agenda, with the following adjustments:

San Juan High School's report from Principal Bob Peterson for was rescheduled to a later Board Meeting.

The parent group interested in offering soccer at district schools asked to be able to comment at 5:00 p.m. as there is a middle school band concert scheduled for 6:00 p.m. that many of them wish to attend. The Board agreed to their request.

Motion to approve agenda with the noted items above.

Motion by Merri B Shumway, second by Elsie A Dee.

Final Resolution: Motion Carries

Yea: Elsie A Dee, Debbie Christiansen, Nelson Yellowman, Bill Boyle, Merri B Shumway

B. Board Work Session

1. Capital Projects

Superintendent Wright reminded the Board of the Capital Projects timeline adopted last year and expressed concerns with two major delays: Securing a lease agreement with the Navajo nation Lands Office for the property in Montezuma Creek surrounding the elementary school and the preliminary archeological findings on the recently purchased Bluff property. He noted that there is a revised timeline for Capital Projects in the Action Items of the agenda which incorporates these delays. An update on the progress with ongoing projects was reviewed.

In discussing the concerns which have arisen with the Bluff property, Nelson Yellowman urged the board to exercise awareness and cultural sensitivity. He stressed that personal visits with families in the attendance area, cultural representatives and the community would be necessary to gain a greater understanding of their position. Superintendent Wright noted that the ultimate goal is to provide a new school for the students in Bluff and expressed his frustration that this well-intentioned goal has been politicized and even villainized by some individuals and groups who have made many assumptions without considering the facts.

Melinda Blackhorse, Navajo Nation representative to Utah's Native American Education Commission explained that presented information and conducted discussion regarding this land purchase in the Mexican Water and Oljato Chapters and that they will be drafting resolutions outlining their position on the new building. She also indicated that the Navajo Utah Commission plans to draft a resolution along the same lines.

Board Member Bill Boyle defended the board's actions stating that it was premature for a resolution from any organization, especially considering that not even the archeologists have all the information necessary to make a recommendation. Mr. Boyle's concern is that there seems to be a practice of taking a stance or jumping to conclusions before there is conclusive data. He also noted that it brings a negative air to a very positive intention and that can be very damaging for the outcome and the community if this behavior continued. He summarized that the school board itself did not currently have all the information needed and that there is great effort from the board to make a decision that is in the best interest of the students, while still being culturally sensitive.

Board Vice President Merri Shumway recommended to Melinda Blackhorse that it would be more helpful for the students if the chapters worked together to offer solutions, instead of taking a stand against something before all the data is collected. She urged Ms. Blackhorse to work towards cooperation and not opposition so that a school can be supplied to the students in the area that all groups can see the positive results.

Board President Debbie Christiansen commented that the board's efforts to build a school in the Bluff area solidifies its commitment to have schools available as close to where the students live as is possible. She noted that this practice has resulted in small schools that are some of the most costly to operate in the state. The goal is to once again provide a school in Bluff that is culturally sensitive, accessible to students, and affordable.

The discussion was closed with the Superintendent's repeated invitation to Ms. Blackhorse to meet with him to discuss information that she lacked. She has been invited multiple times in the past, yet has not been able to schedule a visit.

2. October 1 Enrollment Report

October 1 count has been submitted to the State Office of Education. The district wide enrollment is 2975, which is down a total of 44 students from last year's enrollment of 3019.

Of the 12 schools, 5 increased slightly, and 7 decreased. The majority of the student enrollment loss was felt in Blanding schools, with a slight increase ARL (+20), offset by a substantial decrease between SJH (-34) and BES (-35) schools.

3. School PACE Reports / School Grades

School PACE reports were presented to the board members. PACE reports were developed by the Utah State Office of Education from the Governor's office, intending to provide a more comprehensive view of the school progress and standards.

4. Focus / Priority / Turnaround Schools

In the 2015 session, the State legislature passed SB235, The School Turnaround and Educational Leadership Developmental Act. The law is similar to the US Department of Education's mandate to address the needs of the lowest performing schools which has led to some of our school being involved with the Partnership for Leadership in Education at the University of Virginia and working under School Improvement Grants offered under Title 1. Four schools- Bluff Elementary, Tse bii nidzizgai Elementary, Monument Valley High, and Whitehorse High- have been named to participate in the State Turnaround program. All but Bluff Elementary are currently involved in the Title 1 turnaround which will result in overlapping and conflicting expectations and mandates. Some deadlines have been noted, but information from the State has not been released for choosing Turnaround models.

Superintendent Wright and Board Members discussed concerns regarding the layered legislation, mandated procedures and reporting, along with the great amount of work already being expected.

5. State of Utah SHARP Survey Results

2015 SHARP Survey results were provided to the board members for review.

C. Closed Session (if necessary)

No closed session was held.

D. Department Report - 4:00 p.m.

1. Food Service Department, Anna Fredericks

Ms. Fredericks took over the Food Service Department after the District decided to terminate its contract with ARAMark. The new department was tasked with making several major changes and improvements in the previous system. Meals that were unappetizing to students, inadequate portions, costly and not homemade were some of the biggest concerns starting out.

A recent administrative review from the State Office of Education praised the program as one of the best in the state. The foodservice department has seen an increase in both breakfast and lunch attendance. Ms. Fredericks also noted that they encourage schools to take lunches on busses

when students travel for school trips, including field trips and extracurricular activities in secondary schools.

It was reported that the UDSA has estimated that upcoming mandates may increase food service budgetary expenses as much as \$1.2 million dollars in the upcoming year. Offerings including offering water as a beverage, increased requirements in fresh fruits and vegetables and whole grains as ingredients.

Bill Boyle commented that since the School District took over the food service there has been opportunity for local vendors to collaborate with the District which has seen positive results.

Also, there has been very positive reviews regarding the "free lunch" changes which has eased the financial burden on families, and has simplified the financial secretaries' burden, and has eased the minds of many who see kids not getting adequate nutrition sent from homes who may not have resources to do so.

2. Blanding Elementary School, Mark Burge

Principal Mark Burge presented SAGE scores and compared previous year's increases in the number of students who showed proficiency. While there was slight drop in Language Arts, the shifted focus to Math showed positive results resulting in an overall school grade of a "B" compared to last year's "C."

School wide goals include improving Tier 1 instruction, student engagement, increased student collaboration vs. teacher lecture time, best use of intervention time, differentiate instruction for all students, improvements in testing scores, and focus on PLC effectiveness.

Mr. Burge also noted efforts in shifting to a Growth Mindset so that students gauge themselves and their success by what they've learned or could learn and the understanding that they may not know something, but that they have the ability to learn it.

E. Scheduled discussion with public, Citizens Comments regarding request for High School Soccer Team Program at San Juan High

1. Citizens' Comments

Keri Jensen and Nichole Black acted as spokespeople for the group. Approximately 12 adults came along with one high school student to request the board's action on a soccer program at San Juan High School. Nichole Black commented that last year over 100 kids (elementary age) played soccer in city league and that they have had a lot of response via social media regarding the prospect of a program at a secondary school age level.

The board has requested information in the past regarding coaches, number of players (boys and girls teams), fields for games and practice, certified officials, financial investment, Club options, insurance, travel, and regional play logistics.

The parent group proposed Jay Jones as a head coach, and Cory Raisor who is not certified but is willing to certify as an official via online programs. They commented that there is space at the district owned baseball fields for practice and play, but it would take some maintenance preparation and upkeep. There was no information brought regarding a potential game schedule, uniform and equipment costs or information on number of students at the High School level who have expressed interest. The parent group also expressed their feeling that Club teams would not fill the need and noted that school based funding is needed rather than running a team privately.

Business Administrator Kyle Holser was tasked to assist with gathering information regarding expense and academic impact to the students. Reports will be shared at the next local meeting in December 2015. Board President Debbie Christiansen specifically requested that at the next meeting the parents provide a list of High School age students who would play if given the opportunity.

F. Break - 5:50 p.m.

G. Public Session-Welcome and Recognition of Guests - 6:10 p.m.

1. Citizens Comments

Alfred Myerson stated he is present for observation at this time, as he has concerns regarding Capital Projects and some things he has heard. Board President Debbie Christiansen expressed to him that there was some work session discussion, but nothing has been decided upon and that the district and board are currently at an information gathering stage regarding the school building in Bluff, but would not likely re-open the topic again in this meeting.

Helen Meyerson expressed concerns regarding student privacy, policy, information release and policies at the elementary school. She stated that she is not on her grandchild's list at Tsebi'indzizgai Elementary School, but the principal has allowed other people, including non custodial parents, access to the student's information. Superintendent Wright took Ms. Myerson's phone number and will contact her following conversations with the school and principal regarding the situation.

Ms. Myerson also had concerns about specific volunteers who have access to her grandchildren that she does not agree with. Board Vice President Merri Shumway recommended to Ms. Myerson that in the future, please contact the Superintendent immediately when the concerns arise as student privacy and classroom situations can best be handled by him in a timely manner, rather than waiting to present at Board Meeting.

Francine Sam addressed the board regarding the alternative bus that Montezuma Creek secondary students catch in the Bluff area. Her concerns addressed overcrowding, kids sitting in

aisles, and the request to add a route for the kids that opt into bussing to Blanding instead of attending at Whitehorse. Her personal decision to send her daughter on a bus to Blanding was determined by behavioral issues at Whitehorse High School and the academic gains and more controlled environment in Blanding.

Superintendent Wright noted that state law allows for open enrollment and so the District allows students to attend a schools outside attendance area. The legal mandate states that the parent is required to get the student to their school of choice and the district accommodates their registration in that school, however, the district only provides required transportation to the appropriate school according to district school locations.

Kayla Atcitty, former Whitehorse High School student and currently attending at Dartmouth University, also spoke in support of providing assistance to parents and students who would like to bus to alternative schools in the district.

Sharon Cly-Stryker commented on school test scores and supported the desire for families to have that option. She also mentioned concerns with a GRAMA request she has made and also requested testing scores for a Heritage Language Competency test she took.

H. Consent Agenda

- 1. Minutes**
- 2. Revenue Reports**
- 3. Expenditure Reports**
- 4. School Expenditure Reports**
- 5. Board Travel Reports**
- 6. Personnel Report(s) and Information**
- 7. Home School Requests**
- 8. Student Hearings**
- 10. Approval of all Consent Agenda Items**

Approval of Consent Agenda

Motion by Elsie A Dee, second by Nelson Yellowman.

Final Resolution: Motion Carries

Yea: Elsie A Dee, Debbie Christiansen, Nelson Yellowman, Bill Boyle, Merri B Shumway

I. Action Items

1. Utah Consolidated Application Approval, Lynette Johnson

The annual Utah Consolidated Plan was presented by Lynette Johnson to the Board members. The plan is required by the Utah State Office of Education to allow for various program funding to be released to the District. Highlighted changes this year include incorporating formal data cycles within the District Curriculum and Benchmark plans. Specific emphasis was noted on 3 Tier instruction especially with language arts, writing and mathematics.

Motion to accept the Utah Consolidated Plan as outlined and presented.

Motion by Bill Boyle, second by Merri B Shumway.

Final Resolution: Motion Carries

Yea: Elsie A Dee, Debbie Christiansen, Nelson Yellowman, Bill Boyle, Merri B Shumway

2. Capital Project Timeline

Given the issues presented by land issues in Montezuma Creek and Bluff, the district proposed a revised timeline of Capital Projects so outline projects that can be completed in the interim. Two major projects that will added to the list, including construction of five additional homes in Monument Valley, and the San Juan High School locker room and gymnasium remodel.

Motion to accept the revised Capital Project Timeline as presented.

Motion by Bill Boyle, second by Nelson Yellowman.

Final Resolution: Motion Carries

Yea: Elsie A Dee, Debbie Christiansen, Nelson Yellowman, Bill Boyle, Merri B Shumway

J. Discussion Items

1. Board Travel

Elsie Dee provided a brief summary of her recent Johnson O'Malley travel.

2. Transparent Utah, Kyle Hosler

An email from State Superintendent Smith was received in regards to the information database posted on the internet for public use. The email cited a warning of potential FERPA violations in relation to name and personal data that was submitted. As a remedy, the ALIO database systems have been updated to submit the information with generic name for each description line where FERPA violation was noted, and the generic information can be requested and released from the

State via GRAMA request. This action will take effect for records from 2009, forward. Over half of the school districts in the state also experienced this issue and received similar emails as well.

3. Next Board Meeting

Regional USBA

Grand County School District

6:00 pm, depart from District Office at 4:30 pm

November 10, 2015

Whitehorse High School

3:00 pm

K. Adjournment

Motion to adjourn.

Motion by Elsie Dee, second by Nelson Yellowman.

Final Resolution: Motion Carries

Yea: Elsie A Dee, Debbie Christiansen, Nelson Yellowman, Bill Boyle, Merri B Shumway

Board President

District Administrator



MEXICAN WATER CHAPTER



Red Mesa TP#1019, HC 61 Box 38 • Teec Nos Pos, AZ 86514 • (928) 429-0986

Mexican Water Chapter

MWCDEC06-033

EXHIBIT

tabbles

G

RESOLUTION OF MEXICAN WATER CHAPTER

SUPPORTING THE SAN JUAN SCHOOL DISTRICT DECISION TO REPLACE THE BLUFF ELEMENTARY SCHOOL BUT VEHEMENTLY OPPOSING SAN JUAN UNIFIED SCHOOL DISTRICT'S PLANS AND INTENT IN CONSTRUCTING THE NEW SCHOOL FACILITY ON LANDS CONTAINING AN ARCHAEOLOGICAL SITE AND REMAINS LOCATED IN BLUFF, UTAH.

WHEREAS:

1. Pursuant to 26 N.N.C., Section 102 (B); which permits Mexican Water Chapter to exercise local governance authorities contained within 26 N.N.C. Section 103, with the exception of land administration authority pursuant to 26 N.N.C. Section (D) (1); and
2. Pursuant to 26 N.N.C., Section 3 (A) the Mexican Water Chapter is a recognized certified Chapter of the Navajo Nation government, as listed at 11 N.N.C. part 1, section 10; and
3. Pursuant to CAP-34-98, the Navajo Nation Council adopted the Navajo Nation Local Governance Act (LGA); and
4. Pursuant to Mexican Water Chapter resolution MWCJUL11-105, the Mexican Water Chapter has approved its Five Management System Policies and Procedures Manuals; and
5. Pursuant to the Resources and Development Committee certifying Mexican Water Chapter having met requirement under 26 N.N.C. & 102 (A) on February 07, 2012; and
6. The Mexican Water Chapter consider their Navajo children as the tribe's greatest resource and agree that education is important and necessary in their growth and development; and
7. The Bluff Elementary School is one of the site school under the San Juan Unified School District in the State of Utah and the facility located in Bluff, Utah identified as Bluff Elementary is an aging and deteriorating facility that serves as a predominately Navajo student population; and
8. The San Juan Unified School District recently made a decision to replace the Bluff Elementary School and purchased 12.53 acres of land located in Bluff, Utah to serve as a new location for the Bluff Elementary School; and
9. The preliminary findings of an archaeological assessment sanctioned by the San Juan School District found a significant evidence of archaeological remains and possibly burial site within location of the selected new site for the new school; and
10. The cultural beliefs and practices of the Navajo people are strong, enduring and meaningful, particularly in regard to disturbance and disrespect of archaeological sites; and
11. The San Juan School District is well aware of long standing antiquities issues in San Juan County, Utah and is continually reminded by high-profile issues such as the federal artifacts investigation, Recapture Protest Ride and Public Lands Initiative; and
12. The Navajo people are not politicizing their beliefs and values and certainly not villianizing the San Juan School District in standing up for cultural beliefs and well-being of Navajo students; and

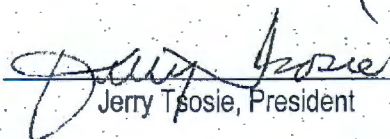
.....

NOW THEREFORE IT BE RESOLVED THAT:

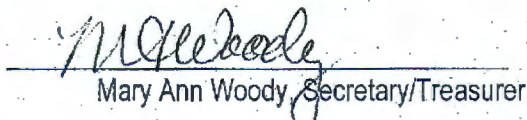
1. The Mexican Water Chapter hereby approves to support the San Juan School District decision to replace the Bluff Elementary School but vehemently opposing San Juan School District's plans to construct the new school facility on lands containing an archaeological site and remains
2. The Mexican Water Chapter opposes San Juan School District's plan and intent in constructing the new Bluff Elementary School on lands containing an archaeological site and remains.
3. The Mexican Water Chapter membership that have enrolled students with Bluff Elementary strongly urges the San Juan Unified School District Governing Board and the Superintendent to conduct a parent meeting and to further discuss alternative solutions to address the new facility construction.
4. The Mexican Water Chapter membership urges the San Juan School District to utilize tribal consultation and respectfully discussion in selecting a new school site without cultural issues and concerns that will benefit the Utah Navajo students enrolled with the San Juan Unified School District.

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered at a duly called meeting at Mexican Water Chapter, (Navajo Nation), Utah at which a quorum was present and that same was passed by a vote of 21 in favor and 00 opposed, 02 abstained on the 6th day of December 2015.


Jerry Tsosie, President

David L. John, Vice President


Mary Ann Woody, Secretary/Treasurer



THE NAVAJO NATION

Oljato Chapter Administration
P.O. Box 360455 Monument Valley, Utah 84536
Telephone 435-727-5850 Facsimile 435-727-5852



James Adakai, President
Albert Holiday, Chapter Vice-President
LaNell Menard-Parrish, Secretary/Treasurer

Herman Daniels, Jr. Council Delegate
Benedict Daniels, Grazing Official
Shirlee Bedonie, CSC

RESOLUTION OF THE OIJATO CHAPTER

Resolution No: OLJ12-03-2015

**SUPPORTING THE SAN JUAN SCHOOL DISTRICT DECISION TO REPLACE THE BLUFF
ELEMENTARY SCHOOL BUT VEHEMENTLY OPPOSING SAN JUAN SCHOOL DISTRICT
PLANS TO CONSTRUCT THE NEW SCHOOL ON LANDS CONTAINING
ARCHAEOLOGICAL SITES AND REMAINS.**

WHEREAS:

1. Pursuant to Navajo Nation Code, Section 4001 (D) and 4028 (a), (b), the Oljato Chapter is established and certified as a local government entity of the Navajo Nation vested with the authority to review all matters affecting the Chapter and submit appropriate recommendations to the Navajo Nation Government or other local agencies by resolution; and
2. Pursuant to 26 N.N.C., Chapter 1: Navajo Nation, Section 1., (B) (1) & (2), The Navajo Nation Councils delegated to Chapter governmental authority with respect to local matters consistent with Navajo law, including custom and tradition and allows chapter to make decisions to govern with responsibility and accountability to community membership; and
3. The Navajo Nation and the Oljato Chapter consider Navajo children as the tribe's greatest resource and agree education is important and necessary in their development and growth; and
4. The Bluff Elementary School is an aging and deteriorating facility that serves a predominately Navajo student population; and
5. The San Juan School District recently purchased 12.53 acres of land in Bluff, Utah, to serve as a new location for the proposed new Bluff Elementary School; and
6. The preliminary findings of an archaeological assessment sanctioned by the San Juan School District found significant evidence of archaeological remains and possibly burial site within location selected for the new school; and
7. The cultural beliefs and practices of the Navajo people are strong, enduring, and meaningful, particularly in regard to disturbance and disrespect of archaeological sites; and
8. The San Juan School District is fully aware of long standing antiquities issues in San Juan County and need not look far to recognize the seriousness of this matter (i.e. federal artifacts investigation, Recapture ATV protest ride); and

9. The Navajo people from the Utah chapters appreciate the work and leadership of Honorable Utah legislators, Rep. Jack Draxler, and Sen. Kevin Van Tassell, in proposing new educational amendments necessary to address long-standing educational challenges confronting Utah tribes

NOW THEREFORE BE IT RESOLVED THAT:

1. The Oljato Chapter is hereby supporting the American Indian and Alaskan Native Education amendments proposed for the 2016 Utah Legislature.


CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the Oljato Chapter at a regular duly called meeting at Oljato, Navajo Nation, Utah at which quorum was present and that same was passed by a vote of 48 in favor, 0 opposed, and 0 abstentions, this 6th day of December, 2015.

1st Motion by: Alfred Myerson


James Adakai, Chapter President

2nd Motion by: Gene Nimrod


Albert Holiday, Vice-President


LaNell Menard-Parrish, Secretary/Treasurer


Benedict Daniels, Grazing Officer



TEEC NOS POS CHAPTER GOVERNMENT

PO Box 106 Teec Nos Pos, Arizona (Navajo Nation) 86514 Telephone 928.656.3662 Facsimile 928.656.3661
Hwy 160 BIA School Road #5114 Chapter Government Building
TNPCB 012-38-15

RESOLUTION OF TEECNOSPOS CHAPTER

**SUPPORTING THE OPPOSITION OF SAN JUAN SCHOOL DISTRICT'S
DECISION TO REPLACE THE BLUFF ELEMENTARY SCHOOL WITH
A NEW SCHOOL CONSTRUCTION SITE PLANS ON THE LAND
CONTAINING THE REMAINS OF ARCHEOLOGICAL SITES.**

CHAPTER OFFICERS

Alfred L. Jim
Chapter President

Arnold Bitah
Vice President

Verma Francisco
Secretary/Treasurer

Honorable Davis
Filtred
Council Delegate

ADMINISTRATION

Steven Benally
Community Service
Coordinator

AMS

Tyleigh Pete
Office Specialist

WHEREAS:

1. Pursuant to the "Local Government Act", 26 N.N.C. chapter 1, sub-chapter 1, Section 3 (a) the TeecNosPos Chapter is continued as a certified local chapter of the Navajo Nation Government by the Navajo Nation Council Resolution Number CAP 34-98 with the responsibility and authority to promote, protect, and preserve the culture and tradition including enjoying a safe environment for its community people and property; and
2. The Navajo Nation and TeecNosPos Chapter consider Navajo children as the tribes greatest resource and agree education is important and necessary in their development and growth; and
3. The TeecNosPos Chapter has been informed of Bluff Elementary School that has an aging and deteriorating facility which serves predominately Navajo students population; and
4. The TeecNosPos Chapter became aware of the San Juan School District has purchased 12.53 acres of land in Bluff, Utah to serve as a new location for a newly proposed elementary school construction; and
5. The TeecNosPos Chapter recognizes the preliminary finding of an archaeological assessment sanctioned by San Juan School District that found significant evidence of archaeological remains and possibly burial site within the location selected for the new proposed school construction site; and
6. The TeecNosPos Chapter and the communities, as well as the Navajo Nation have a strong, enduring and meaningful cultural beliefs and practices and particularly in regard to disturbance and disrespect of archaeological sites; and
7. The TeecNosPos Chapter and the community of Utah strip know the San Juan School District is fully aware of long standing antiquity issues in the county and need not look far to recognize the importance of this matter(i.e. federal artifacts investigation, recapture ATV protest rides); and

8. The TeeNosPos Chapter supports the community in San Juan County Utah for not politicizing their beliefs and certainly not villainizing the San Juan School District in effort to stand up for cultural beliefs and well-being of Navajo students.

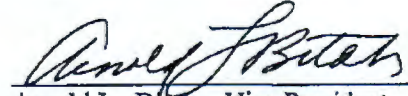
NOW THEREFORE BE IT RESOLVED THAT:

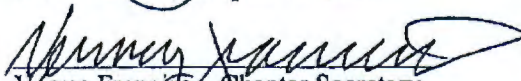
1. The TeeNosPos Chapter hereby respectfully supporting the opposing the San Juan School District's decision to replace the Bluff Elementary School with new school construction site plans on the land containing the remains of archeological sites; and
2. It is further resolved that TeeNosPos Chapter is strongly advising San Juan School District to utilize tribal consultation in selecting a more suitable site for the new Bluff Elementary School that is in dire need for the community.

C E R T I F I C A T I O N

We, hereby, certify, that the foregoing resolution was duly considered by the TeeNosPos Chapter at a duly called Regular Chapter Meeting in TeeNosPos, Navajo Nation, Arizona, at which a quorum was present and that same was passed by a vote of 16 infavor, 0 opposed 05 abstain, on this 06th day of December, 2015; motioned by Reannon Dun, seconded by Lucinda Jim.


Alfred L. Jim, Chapter President


Arnold L. Bifan, Vice President


Verma Francisco, Chapter Secretary


Davis Filfred, Council Delegate



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

Alex Bitsinnie
President

Jamie R. Holgate
Vice-President

Ella Jean Badoni
Secretary/Treasurer

Lucille S. Krause
*Grazing Committee
Member*

Herman Daniels, Jr.
Council Delegate

RESOLUTION NO: NM12/029-2016

**SUPPORTING THE SAN JUAN SCHOOL DISTRICT DECISION TO REPLACE THE BLUFF
ELEMENTARY SCHOOL BUT VEHEMENTLY OPPOSING SAN JUAN SCHOOL DISTRICT
PLANS TO CONSTRUCT THE NEW SCHOOL ON LANDS CONTAINING ARCHAEOLOGICAL
SITES AND REMAINS**

WHEREAS:

1. The Navajo Mountain Chapter(NaatsisAan) is a recognized and certified Navajo Nation Chapter government and pursuant to Navajo Nation Council delegated governmental authority with respect to local matters consistent with Navajo Nation Laws, including custom, tradition and fiscal matters; and
2. The Navajo Mountain Chapter(NaatsisAan) is a duly certified chapter under the Navajo Nation Government pursuant to 26 N.N.C., Section 3: (A) the Navajo Mountain Chapter is a duly recognized certified chapter of the Navajo Nation Government as listed at 11 N.N.C. part 1, section 10; and
3. The Navajo Nation and the NAVAJO MOUNTAIN CHAPTER(NAATSISAAN consider Navajo children as the tribe's greatest resource and agree education is important and necessary in their development and growth; and
4. The Bluff Elementary School is an aging and deteriorating facility that serves a predominately Navajo student population; and
5. The San Juan School District recently purchased 12.53 acres of land in Bluff, Utah, to serve as a new location for the proposed new Bluff Elementary School; and
6. The preliminary findings of an archaeological assessment sanctioned by the San Juan School District found significant evidence of archaeological remains and possibly burial site within location selected for the new school; and
7. The cultural beliefs and practices of the Navajo people are strong, enduring, and meaningful, particularly in regard to disturbance and disrespect of archaeological sites; and
8. The San Juan School District is fully aware of long standing antiquities issues in San Juan County and need not look far to recognize the seriousness of this matter (i.e. federal artifacts investigation, Recapture ATV protest ride); and

Page 02 of 02

Resolution No. NM12/

-2015

9. The Navajo people are not politicizing their beliefs and certainly not villainizing the San Juan School District in effort to stand up for cultural beliefs and well-being of Navajo students.

NOW THEREFOR LET BE RESOLVED THAT:

1. The NAVAJO MOUNTAIN CHAPTER (NAATSISAA) hereby supporting the San Juan School District decision to replace the Bluff Elementary School but vehemently opposing San Juan School District plans to construct the new school on lands containing an archaeological site and remains.
2. The NAVAJO MOUNTAIN CHAPTER (NAATSISAAN) is hereby urging the San Juan School District to utilize tribal consultation in selecting a more suitable site for the new Bluff Elementary School.

CERTIFICATION

We, hereby certify that the foregoing resolution was duly considered by the Naa'tsis'Aan Chapter at a duly called meeting at Naa'tsis'Aan Chapter at which a quorum was present and that same approved by a vote of 35 in favor, 00 opposed, and 00 abstained, this 18th day of December 2015.

Motion: Ella Graymountain

Second: Henry Stevens Jr.

Alex Bitsinnie

Alex Bitsinnie, President

Ella J. Badoni

Ella J. Badoni, Secretary /Treasurer

Jamie Holgate

Jamie Holgate, Vice-President

Lucille Krause

Lucille Krause, Grazing Member



Dine' Medcinemen Association, Incorporated
Diné Bi Nahagha' Yee Da' Ahoota'
P.O. Box 368
Gallup, New Mexico 86503

Resolution of Dine' Medcinemen Association, Inc.

RESOLUTION OF DINE' MEDICINEMEN ASSOCIATION, INC. IN SUPPORTING THE MEMBERS OF ANETH CHAPTER OF THE SAN JUAN SDHOOOL DISTRICT DECISION TO REPLACE THE BLUFF ELEMENTARY SCHOOL BUT VEHEMENTLY OPPOSING SAN JUAN SCHOOL DISTRICT INFRASTRUCTURE PLAN FOR THE NEW SCHOOL ON LANDS CONTAINING ARCHAEOLOGICAL SITES AND REMAINS.

WHEREAS:

1. Dine' Medcinemen Association, Inc.,'s Authority
2. The Dine' Medcinemen Association oversees the well-being of the Navajo children as the tribe's greatest resource through their educational endeavors and ensure Navajo children develop healthy lifestyle in their environment of their dwellings; and
3. The Dine' Medcinemen Association understands the need for new infrastructure of Bluff Elementary School as an aging and deteriorating facility that serves predominately Navajo students; and
4. The San Juan School District recently purchased 12.53 acres of land in Bluff, Utah, as a new location for the proposed new Bluff Elementary School; and
5. The preliminary findings of an archaeological assessment sanctioned by the San Juan School District found significant evidence of archaeological remains and possibly burial site within the location of the new plan for the new school: and
6. The Navajo cultural belief(s) and practices of the Navajo people are strong, enduring, and meaningful, and a way of life, particularly in regard to un-

wellness affects and harm to individuals by disturbing and disrespect of archaeological sites; and

7. The Dine' Medicine Medicinemen Association has become aware of long standing antiquities issues in San Juan County and need not look far to recognize the seriousness of this matter (i.e., Federal artifacts investigation, Recapture ATV protest ride); and
8. The Dine' Medicinemen Association are not politicizing their beliefs and certainly not villainizing the San Juan School District in effort to stand up for cultural beliefs, practices and well-being of Navajo students.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Dine' Medicinemen Association, Inc. hereby supports the San Juan School District decision to replace the Bluff Elementary School but vehemently opposing San Juan School District infrastructure plan for the new school on the land containing an archaeological site and remains.
2. The Dine' Medicinemen Association is hereby urging the San Juan School District to utilize tribal consultation in selecting a more suitable site for the new Bluff Elementary School.
3. The Dine' Medicinemen Association, Inc. requests Bluff Elementary School new development be in compliance with the Navajo Historical Preservation Policy and Procedures of the Navajo Nation.

CERTIFICATION

I hereby certify that this foregoing resolution was duly considered by the Dine' Medicinemen Association, Inc. at a duly called meeting at which a quorum was present and that the same was passed with a vote of 17 in favor, 0 opposed, and 1 abstained this 6 day of December 2015.

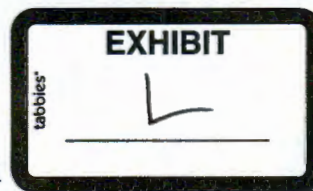
Motioned By: Etta Arviso
Seconded By: Roland Begay

Johnson Dennison, President

Roland Begay, Vice-President



RED MESA CHAPTER
Red Mesa, Navajo Nation



Resolution# RMC 05-111515

SUPPORTING THE SAN JUAN SCHOOL DISTRICT DECISION TO REPLACE THE BLUFF ELEMENTARY SCHOOL BUT VEHEMENTLY OPPOSING SAN JUAN SCHOOL DISTRICT PLANS TO CONSTRUCT THE NEW SCHOOL ON LANDS CONTAINING ARCHAEOLOGICAL SITES AND REMAINS

WHEREAS:

1. The Red Mesa Chapter is a duly certified Chapter of the Navajo Nation Government with authority to adopt local ordinances and to approve plans of matters of local concerns that are in the best interest of the local people within the Navajo Nation; and
2. The Red Mesa Chapter has responsibility and authority to promote, protect, and preserve the interest and general welfare, including the safety of its community, people, programs, property, and significant community needs for its members; and
3. The Navajo Nation and the Red Mesa Chapter consider Navajo children as the tribe's greatest resource and agree education is important and necessary in their development and growth; and
4. The Bluff Elementary School is an aging and deteriorating facility that serves a predominately Navajo student population; and
5. The San Juan School District recently purchased 12.53 acres of land in Bluff, Utah, to serve as a new location for the proposed new Bluff Elementary School; and
6. The preliminary findings of an archaeological assessment sanctioned by the San Juan School District found significant evidence of archaeological remains and possibly burial site within location selected for the new school; and
7. The cultural beliefs and practices of the Navajo people are strong, enduring, and meaningful, particularly in regard to disturbance and disrespect of archaeological sites; and
8. The San Juan School District is fully aware of long standing antiquities issues in San Juan County and need not look far to recognize the seriousness of this matter (i.e. federal artifacts investigation, Recapture ATV protest ride); and
9. The Navajo people are not politicizing their beliefs and certainly not villainizing the San Juan School District in effort to stand up for cultural beliefs and well-being of Navajo students.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Red Mesa Chapter hereby supporting the San Juan School District decision to replace the Bluff Elementary School but vehemently opposing San Juan School District plans to construct the new school on lands containing an archaeological site and remains.
2. The Red Mesa Chapter is hereby urging the San Juan School District to utilize tribal consultation in selecting a more suitable site for the new Bluff Elementary School.

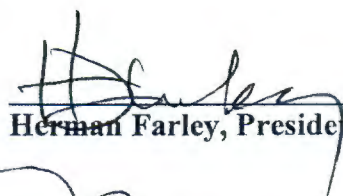
CERTIFICATION

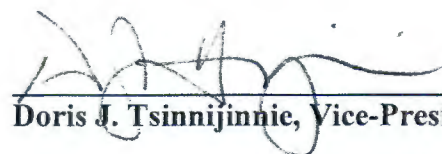
I, hereby certify that his forgoing resolution was duly considered by the Red Mesa Chapter Membership at a duly called meeting at which a quorum was present and that the same was passed with a vote of 45 in favor, 00 opposed, and 05 abstained this 16th day of November 2015.

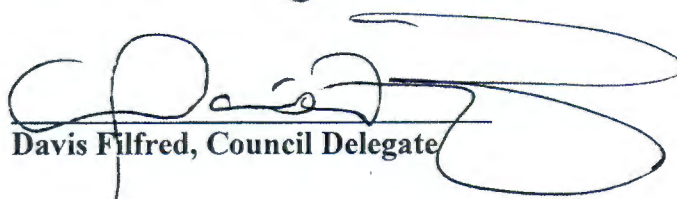
Motioned by: Lloyd Toney

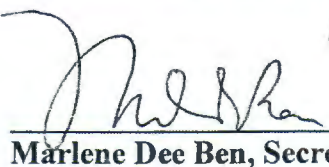
Seconded by: Jim Benally

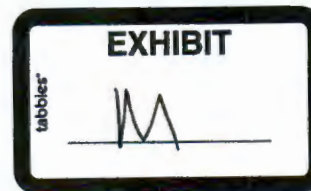
(page 2/2 of Resolution#02-111515)


Herman Farley, President


Doris J. Tsinnijinnie, Vice-President


Davis Filfred, Council Delegate


Marlene Dee Ben, Secretary/Treasurer



LoRenzo Bates
Speaker of the 23rd Navajo Nation Council

**RESOLUTION OF THE
NAVAJO UTAH COMMISSION
OF THE NAVAJO NATION COUNCIL**

NUCNOV-662-15

**OPPOSING SAN JUAN SCHOOL DISTRICT'S PLAN AND INTENT IN
CONSTRUCTING THE NEW BLUFF ELEMENTARY SCHOOL ON LANDS
CONTAINING AN ARCHAEOLOGICAL SITE AND REMAINS**

Whereas:

1. The Navajo Utah Commission is a governmental subdivision of the Navajo Nation and is subject to the Navajo Nation Council - Naabik'iya'ti' Committee oversight pursuant to resolution no. NABIAP-21-15; and
2. The Navajo Utah Commission and Utah chapters consider Navajo children as the tribe's greatest resource and agree education is important and necessary in their growth and development; and
3. The Bluff Elementary School is an aging and deteriorating facility that serves a predominately Navajo student population; and
4. The San Juan School District recently made a decision to replace the Bluff Elementary School and purchased 12.53 acres of land in Bluff, Utah, to serve as a new location for the Bluff Elementary School; and
5. The preliminary findings of an archaeological assessment sanctioned by the San Juan School District found significant evidence of archaeological remains and possibly burial site within location selected for the new school; and
6. The cultural beliefs and practices of the Navajo people are strong, enduring, and meaningful, particularization to disturbance and disrespect of archaeological sites; and
7. The San Juan School District is well aware of long standing antiquities issues in San Juan County and is continually reminded by high-profile issues such as the federal artifacts investigation, Recapture Protest Ride, and Public Lands Initiative; and

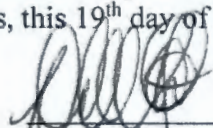
8. The Navajo people are not politicizing their beliefs and values and certainly not villianizing the San Juan School District in standing up for cultural beliefs and well-being of Navajo students.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Utah Commission hereby opposes San Juan School District's plan and intent in constructing the new Bluff Elementary School on lands containing an archaeological site and remains.
2. The Navajo Utah Commission is hereby urging the San Juan School District to utilize tribal consultation and respectful discussion in selecting a new school site without cultural issues and concerns.

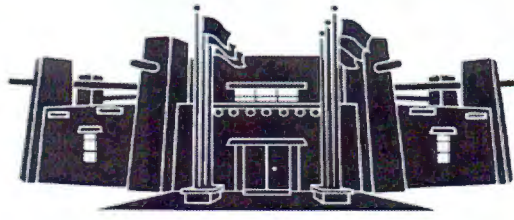
CERTIFICATION

I, hereby certify that the foregoing resolution was duly considered by Navajo Utah Commission at a duly called meeting in Naa'Tsis'Aan, Utah at which a quorum was present and the same was passed by a vote of 6 in favor, 0 opposed, and 0 abstentions, this 19th day of November, 2015.



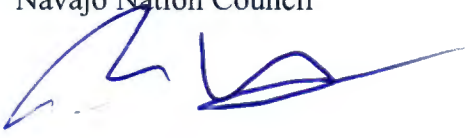
Darrell Williams, Chairperson
NAVAJO UTAH COMMISSION

MOTION: Davis Filfred
SECOND: Frank Yazzie



MEMORANDUM

To : Hon. Jonathan Hale, Delegate
Navajo Nation Council

From : 
Ron Haven, Attorney
Office of Legislative Counsel

Date : February 5, 2016

Re : AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN
SERVICES COMMITTEE AND NAABIK'ÍYÁTI'; OPPOSING THE SAN
JUAN SCHOOL DISTRICT'S DECISION TO CONSTRUCT BLUFF
ELEMENTARY SCHOOL ON AN ARCHAEOLOGICAL SITE
CONTAINING REMAINS

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution drafted is legally sufficient. However, as with all legislation, it can be subject to review by the courts in the event of proper challenge. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction. Also, please understand that the Speaker may, in his discretion, assign this legislation to other committees than those specified the heading of the bill.

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 # 16-144-1

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0045-16_

SPONSOR: Jonathan Hale

TITLE: An Action Relating To Health, Education and Human Services Committee and Naa'bik'iyati'; Opposing the San Juan School District's Decision to Construct Bluff Elementary School on an Archaeological Site Containing Remains

Date posted: February 9, 2016 at 3:52pm

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

Written comments may be mailed to:

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

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

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

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0045-16

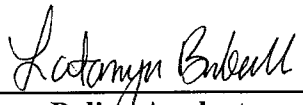
SPONSOR: Honorable Jonathan L. Hale

TITLE: An Action Relating To Health, Education and Human Services Committee and Naa'bik'iyati'; Opposing the San Juan School District's Decision to Construct Bluff Elementary School on an Archaeological Site Containing Remains.

Posted: February 9, 2016 at 3:52pm

5 DAY Comment Period Ended: February 14, 2016

Digital Comments received: *No comments received.*



Policy Analyst
Office of Legislative Services

2/16/16 9:43am
Date/Time

Committee Report

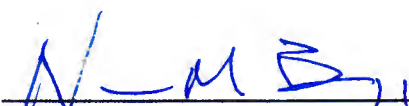
THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE NAVAJO NATION COUNCIL to who has been assigned;

LEGISLATION NO. 0045-16

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND NAABIK'IYATI'; OPPOSING THE SAN JUAN SCHOOL DISTRICT'S DECISION TO CONSTRUCT BLUFF ELEMENTARY SCHOOL ON AN ARCHAEOLOGICAL SITE CONTAINING REMAINS

Has had under consideration and report the same with the recommendation that it PASSED with no amendment and no directive;

And therefore referred the same to the NAABIK'IYATI' COMMITTEE OF THE NAVAJO NATION COUNCIL



Norman M. Begay, Vice-Chairperson
Health, Education and Human Services Committee

Dated: February 16, 2016

Main Motion

Motion by: Honorable Herman Daniels, Jr.

Seconded by: Honorable Nelson BeGaye

Vote: 3 in favor; 0 Opposed and 0 Abstain

Vice-Chairperson not voting

23rd NAVAJO NATION COUNCIL
Naabik'iyáti' Committee
Second Year 2016

Mr. Speaker:

The **Naabik'iyáti' Committee** to whom has been assigned:

NAVAJO LEGISLATIVE BILL #0045-16

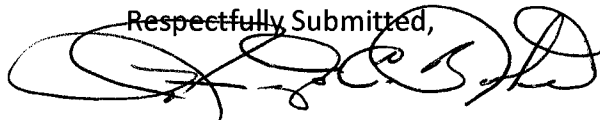
An Action Relating to Health, Education and Human Services Committee and Naabik'iyati';
Opposing the San Juan School District's Decision to Construct Bluff Elementary School on an
Archaeological Site Containing Remains

Sponsored by: Honorable Seth Damon

Has had it under consideration and reports the same with the recommendation that it was
TABLED NO LONGER THAN THIRTY (30) DAYS (AMENDMENT #1 IS STILL UNDER DISCUSSION)

And therefore, remains with the **NAABIK'IYATI' COMMITTEE**

Respectfully Submitted,



*Honorable LoRenzo C. Bates, Chairman
Naabik'iyáti' Committee*

19 FEBRUARY 2016

MAIN MOTION:

Motioned: Honorable Dwight Witherspoon

Seconded: Honorable Davis Filfred

VOTE:

AMENDMENT #1: Replace Exhibit "K" with signed copy of the Dine' Medicinemen Association, Inc.,
resolution (Amendment still in process when tabling motion passed)

Motioned: Honorable Davis Filfred

Seconded: Honorable Seth Damon

VOTE:

MOTION TO TABLE: Table for Office of the Speaker and Division of Dine' Education representative to review and recommend solution; Table no longer than 30 days

Motioned: Honorable Leonard Tsosie

Seconded: Honorable Seth Damon

VOTE: 12 in favor and 00 opposed (Chairman Bates not voting)



Dine' Medcinemen Association, Incorporated
Diné Bi Nahagha' Yee Da' Ahoota'
P.O. Box 368
Gallup, New Mexico 86503

Resolution of Dine' Medcinemen Association, Inc.

RESOLUTION OF DINE' MEDICINEMEN ASSOCIATION, INC. IN SUPPORTING THE MEMBERS OF ANETH CHAPTER OF THE SAN JUAN SDHOOOL DISTRICT DECISION TO REPLACE THE BLUFF ELEMENTARY SCHOOL BUT VEHEMENTLY OPPOSING SAN JUAN SCHOOL DISTRICT INFRASTRUCTURE PLAN FOR THE NEW SCHOOL ON LANDS CONTAINING ARCHAEOLOGICAL SITES AND REMAINS.

WHEREAS:

- 1. Dine' Medcinemen Association, Inc.,/s Authority**
- 2. The Dine' Medcinemen Association oversees the well-being of the Navajo children as the tribe's greatest resource through their educational endeavors and ensure Navajo children develop healthy lifestyle in their environment of their dwellings; and**
- 3. The Dine' Medcinemen Association understands the need for new infrastructure of Bluff Elementary School as an aging and deteriorating facility that serves predominately Navajo students; and**
- 4. The San Juan School District recently purchased 12.53 acres of land in Bluff, Utah, as a new location for the proposed new Bluff Elementary School; and**
- 5. The preliminary findings of an archaeological assessment sanctioned by the San Juan School District found significant evidence of archaeological remains and possibly burial site within the location of the new plan for the new school: and**
- 6. The Navajo cultural belief(s) and practices of the Navajo people are strong, enduring, and meaningful, and a way of life, particularly in regard to un-**

wellness affects and harm to individuals by disturbing and disrespect of archaeological sites; and

7. The Dine' Medicine Medicinemen Association has become aware of long standing antiquities issues in San Juan County and need not look far to recognize the seriousness of this matter (i.e., Federal artifacts investigation, Recapture ATV protest ride); and
8. The Dine' Medicinemen Association are not politicizing their beliefs and certainly not villainizing the San Juan School District in effort to stand up for cultural beliefs, practices and well-being of Navajo students.

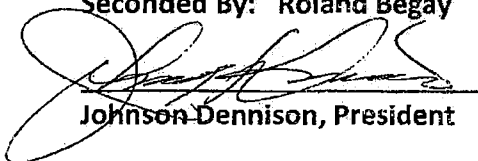
NOW THEREFORE BE IT RESOLVED THAT:

1. The Dine' Medicinemen Association, Inc. hereby supports the San Juan School District decision to replace the Bluff Elementary School but vehemently opposing San Juan School District infrastructure plan for the new school on the land containing an archaeological site and remains.
2. The Dine' Medicinemen Association is hereby urging the San Juan School District to utilize tribal consultation in selecting a more suitable site for the new Bluff Elementary School.
3. The Dine' Medicinemen Association, Inc. requests Bluff Elementary School new development be in compliance with the Navajo Historical Preservation Policy and Procedures of the Navajo Nation.

CERTIFICATION

I hereby certify that this foregoing resolution was duly considered by the Dine' Medicinemen Association, Inc. at a duly called meeting at which a quorum was present and that the same was passed with a vote of 17 in favor, -0- opposed, and 1 abstained this 6 day of December 2015.

Motioned By: Etta Arviso
Seconded By: Roland Begay


Johnson Dennison, President


Roland Begay, Vice-President



23rd NAVAJO NATION COUNCIL LEGISLATION CO-SPONSORSHIP WITHDRAWAL

I, Herman Daniels, Co-Sponsor of
proposed legislation hereby withdraw my co-sponsorship of
the proposed legislation. The legislation tracking number is
0045-16.

CO-SPONSOR SIGNATURE:

[Signature]

DATE:

3/23/14



23rd NAVAJO NATION COUNCIL LEGISLATION CO-SPONSORSHIP WITHDRAWAL

I, Davis Fittered, Co-Sponsor of
proposed legislation hereby withdraw my co-sponsorship of
the proposed legislation. The legislation tracking number is
0045-14.

CO-SPONSOR SIGNATURE:

[Signature]

DATE:

3/23/10