

LEGISLATIVE SUMMARY SHEET

Tracking No. 0303-19

DATE: September 30, 2019

TITLE OF RESOLUTION: AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; AMENDING PLANS OF OPERATION FOR NAVAJO NATION DIVISION OF SOCIAL SERVICES

PURPOSE: This resolution will approve amendments to Plans of Operation for Navajo Nation Division of Social Services.

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: 6:00pm 10-3-19
Posting End Date: 10-8-19
Eligible for Action: 10-9-19

PROPOSED STANDING COMMITTEE RESOLUTION
24th NAVAJO NATION COUNCIL – FIRST YEAR, 2019

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0303-19

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; AMENDING
PLANS OF OPERATION FOR NAVAJO NATION DIVISION OF SOCIAL
SERVICES

BE IT ENACTED:

SECTION ONE. AUTHORITIES

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

SECTION TWO. FINDINGS

- A. The Navajo Division of Social Services is established as a Division under the Executive Branch of the Navajo Nation Government. See 2 N.N.C. § 1601.
- B. The Navajo Division of Social Services Office consists of an Executive Administration, the Department of Child Care and Development, the Department of Family Services, the Department for Self Reliance, the Navajo Developmental

1 Disabilities Program, the Navajo Indian Child Welfare Act Program, and the Navajo
2 Treatment Center for Children and Their Families. To update the general functions
3 and for purposes of simplification and organization, the Division and programs within
4 the division have submitted recommendations for revisions to their respective Plans
5 of Operation.

6 C. The proposed amendments to the Plans of Operation have been reviewed by the
7 Navajo Nation Department of Justice and deemed sufficient.

8 D. The Navajo Nation finds it in the best interest of the Navajo People to approve the
9 recommended amendments to the Plans of Operation as submitted by the Navajo
10 Division of Social Services and as attached hereto as Exhibits A through G.

11
12 **SECTION THREE. APPROVING AMENDMENTS TO PLANS OF OPERATION**
13 **FOR DIVISION OF SOCIAL SERVICES**

14 The Navajo Nation hereby approves amendments to the Plans of Operation for the
15 Executive Administration of the Navajo Division of Social Services (attached as Exhibit
16 A), the Department of Child Care and Development (attached as Exhibit B), the
17 Department of Family Services (attached as Exhibit C), the Department for Self Reliance
18 (attached as Exhibit D), the Navajo Developmental Disabilities Program (attached as
19 Exhibit E), the Navajo Indian Child Welfare Act Program (attached as Exhibit F), and the
20 Navajo Treatment Center for Children and Their Families (attached as Exhibit G).

NAVAJO DIVISION OF SOCIAL SERVICES

Office of the Executive Director Administration

Plan of Operation

I. ESTABLISHMENT

There is hereby established the an Office of the Executive Director Administration within the Navajo Division of Social Services (NDSS) of the Executive Branch of the Navajo Nation, Government Executive Branch.

II. PURPOSE

A. The purpose of ~~the~~ an Office of the Executive Director Administration is to ~~implement the Navajo Nation's policies~~ ensure essential, high quality, comprehensive, and culturally relevant human services and social services are ~~available to needy families and individuals living~~ accessible and provided on and or near the Navajo Nation, where mandated by applicable laws, statutes and regulations.

B. ~~The Executive Director, through the Executive Administration, shall ensure human services are provided and are consistent with professional social work ethics and values in accordance with Navajo cultural values and traditions.~~

C. ~~The Executive Director shall also ensure the services provided will help to reduce and alleviate hardship among Navajo families, and have the ultimate purpose of contributing to Navajo self-sufficiency.~~

III. STAFFING AND ORGANIZATION

A. Staffing

1. The NDSS shall be administered by an Executive Director, pursuant to 2 N.N.C. §1653, ~~of the NDSS who~~ shall be appointed by the President of the Navajo Nation and recommended by the Health, Education and Human Services Committee of the Navajo Nation Council (N.N.C.) as required by 2 N.N.C. ~~section~~ §1005 (C) (3), with confirmation by the Navajo Nation

1 Council, ~~as required by~~ pursuant to 2 N.N.C. section §102 (F), and shall serve
2 at the pleasure of the President of the Navajo Nation.

3 2. The Executive Director shall employ a Deputy Director and shall employ
4 professional, technical, and administrative support personnel as may be
5 deemed necessary to carry out the purposes of the NDSS and as funds are
6 available. All other personnel shall be employed and compensated in
7 accordance with the Navajo Nation Personnel Policies Manual and other
8 applicable Navajo Nation laws, policies and agreements. ~~of the NDSS shall be~~
9 ~~under the general direction and guidance of the President of the Navajo~~
10 ~~Nation.~~

11 3. The Deputy Director of the NDSS and Managers for the Navajo Department
12 of Child Care and Development, Navajo Department of Family Services,
13 Navajo Department for Self Reliance, Navajo Developmental Disabilities
14 Program, Navajo Indian Child Welfare Act Program, and Navajo Treatment
15 Center for Children and Their Families shall report to the Executive Director,
16 ~~of the NDSS shall be authorized to recommend and create professional,~~
17 ~~technical and clerical positions as needed to carry out the organizational~~
18 ~~purposes(s), consistent with Navajo Nation Personnel Policies Manual,~~
19 ~~applicable budget rules and applicable grants and contract requirements.~~

20 4. The Deputy Director of the NDSS shall be delegated in the absence of the
21 Executive Director. All personnel shall be employed and compensated
22 pursuant to the Navajo Nation Personnel Policies Manual.

23 5. The supervisors of the NDSS technical support service sections, including the
24 Information Technology, Policy, Administrative Support, Financial
25 Management, and Human Resources shall report to the Deputy Director of the
26 NDSS.

27 B. Organization

28 The NDSS shall consist of an Office of the Executive Director, three (3)
29 Departments and three (3) Programs to execute the purpose, goals, objectives,
30 authorities, duties, and responsibilities of the NDSS. The Office of the Executive

1 Director, Departments and Programs may consist of sections and offices to
2 accomplish the respective Departments and Programs' purposes. The Office of
3 the Executive Director, three (3) Departments, and three (3) Programs are as
4 follows:

- 5 1. The Office of the Executive Director, including administrative and technical
6 support;
- 7 2. Navajo Department of Child Care and Development;
- 8 3. Navajo Department of Family Services;
- 9 4. Navajo Department for Self Reliance;
- 10 5. Navajo Developmental Disabilities Program;
- 11 6. Navajo Indian Child Welfare Act Program; and
- 12 7. Navajo Treatment Center for Children and Their Families.

13 The Organizational Chart of the NDSS Office of the Executive Director is
14 attached as Figure Attachment 1.

- 15 ~~1. The Organizational Chart of the NDSS is attached as Figure 1.~~
- 16 ~~2. The Executive Director of the NDSS shall oversee the following NDSS~~
17 ~~Executive Staff, Sections and Programs:~~

18 ~~a) **Program Manager I**, who has oversight of the following Sections:~~

- 19 ~~i. Special Projects Section (SPS) shall provide professional support and~~
20 ~~advocacy to Constituents to address complaints, concerns or questions;~~
21 ~~and refer Constituents to the appropriate resources to ensure necessary and~~
22 ~~appropriate services are delivered promptly. Professional and technical~~
23 ~~support will also be provided to the Executive Administrative Support~~
24 ~~Sections and NDSS Programs in researching program resources and~~
25 ~~opportunities, identifying program needs to streamline services, offer~~
26 ~~recommendations and solutions to improve operations and service~~
27 ~~delivery, develop policies, facilitate training session and work sessions on~~
28 ~~subjects relevant to program services, represent NDSS on~~
29 ~~interdepartmental projects, collaborative studies, meetings, conferences;~~
30 ~~and other, designated assignments, and provide program information and~~

1 updates as necessary, and coordinate activities and services across multi-
2 disciplinary program functions.

3 ii. ~~Office Support Section (OSS)~~ shall provide professional and
4 administrative support to NDSS Sections, Departments and Programs.

5 ~~b) Executive Support Section (ESS)~~ shall provide professional and technical
6 support to the Departments/Programs on interpretation of federal and state
7 grant requirements, compliance with Navajo Nation personnel policies, and
8 act as a liaison between external entities and the NDSS.

9 ~~c) Human Resources Section (HRS)~~ shall provide professional and technical
10 support to NDSS Sections, Departments and Programs in all aspects of
11 personnel management and ensure compliance with the Navajo Nation
12 Personnel Policies Manual.

13 ~~d) Contract Compliance Section (CCS)~~ shall review contracts and grants for all
14 NDSS Departments and Programs to strengthen contract and grant
15 performance through compliance that entails monitoring and evaluation of
16 administrative and direct services activities.

17 ~~e) Financial Management Section (FMS)~~ shall provide technical support and
18 oversee all accounting and financial management, administration,
19 interpretation, and compliance of all fiscal and budgetary matters under the
20 NDSS in accordance with acceptable accounting standards and applicable
21 Navajo and federal laws, rules and procedures.

22 ~~f) Management Information Systems Section (MIS)~~ shall provide NDSS
23 Sections, Departments and Programs with technological solutions to
24 efficiently manage the communications and information infrastructure, ensure
25 compliance with all Navajo Nation information technology policies,
26 procedures, permissions, and protocols, provide data communication,
27 transmission of data and provide technical assistance. MIS will promote the
28 effective use of devices to access, convert, store, protect, process, transmit,
29 and securely retrieve data information.

1 ~~g) Department for Self-Reliance (DSR) uses the Navajo concept and teachings~~
2 ~~of T'aa hwo ajit'eego to provide assistance and services to empower~~
3 ~~individuals and families eligible for Tribal Temporary Assistance for Needy~~
4 ~~Families (TANF) to take responsibility for their lives through development~~
5 ~~and implementation of a plan that moves them and their family members~~
6 ~~toward self-reliance. The DSR is committed to providing services with~~
7 ~~integrity and ethics to empower individuals and families by promoting T'aa~~
8 ~~hwo ajit'eego through appropriate support, opportunities and education. The~~
9 ~~DSR adopted these teachings as a foundation and a model for Customers to~~
10 ~~follow on their path to self-reliance.~~

11 ~~h) Navajo Children and Family Services (NCFS) aims to prevent the breakup~~
12 ~~of Navajo families, to protect the best interests of Navajo children and to~~
13 ~~promote stability within Navajo families. NCFS, in compliance with the~~
14 ~~Indian Child Welfare Act (ICWA), Public Law 95-608 and 25 U.S.C. §1901-~~
15 ~~1963, provides services to preserve and reunite Navajo families with their~~
16 ~~children who are subject to removal from their parents for placement in foster~~
17 ~~care or adoptive homes. For families living off the reservation, NCFS~~
18 ~~promotes and preserves the permanent placement of Native American children~~
19 ~~in Native American homes.~~

20 ~~i) Developmental Disabilities Program (DDP) implements and administers a~~
21 ~~comprehensive case management system to ensure the delivery of necessary~~
22 ~~medical-related services to Medicaid-eligible members, including those who~~
23 ~~live with physical and developmental disabilities.~~

24 ~~j) Department of Family Services (DFS) provides specialized services to~~
25 ~~children, adults, and elderly who experience abuse, neglect or crises, and~~
26 ~~helps maintain healthy and stable families by providing quality, holistic and~~
27 ~~culturally competent community-based social service and financial assistance~~
28 ~~in meeting short-term basic needs, including immediate emergency and home~~
29 ~~energy needs.~~
30

1 ~~k) Child Care Development Fund Program (CCDF) increases the availability,~~
2 ~~affordability and quality of childcare services for income-eligible parents who~~
3 ~~are working, attending job training or participating in an educational program,~~
4 ~~and whose children may have special needs or are placed in protective~~
5 ~~eustody.~~

6 ~~l) Navajo School Clothing Program (NSCP) assists parents of Navajo school~~
7 ~~children by providing their eligible child(ren) with clothing to encourage~~
8 ~~school attendance with the ultimate goal of supporting Navajo students attain~~
9 ~~higher educational levels. NSCP works in conjunction with participating~~
10 ~~schools and on an emergency basis to provide clothing to eligible children.~~

11 ~~m) Navajo Treatment Center for Children and their Families (NTCCF)~~
12 ~~provides mental health, outpatient therapeutic services to children who are~~
13 ~~affected by childhood trauma such as psychological, physical and sexual~~
14 ~~abuse including neglect and abandonment.~~

15 ~~n) Strengthening Families Program (SFP) provides sensitive and culturally~~
16 ~~appropriate prevention, education, crisis intervention, supportive, and shelter~~
17 ~~services for victims of family, criminal, domestic, and dating violence and to~~
18 ~~adults affected by sexual trauma as a result of sexual assault and/or sex and~~
19 ~~human trafficking.~~

20 IV. RESPONSIBILITY AND AUTHORITY

21 A. Executive Director:

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

- 25 1. Report and be responsible to the Office of the President and Vice-President of
26 the Navajo Nation;
- 27 2. Provide effective and efficient overall management and financial direction to
28 the NDSS's departments, programs, center, sections and offices within the
29 policies and procedures of the Navajo Nation;
30

3. Report to the Health, Education and Human Services Committee of the Navajo Nation Council.
4. Execute the powers and authority of the NDSS, pursuant to 2 N.N.C. Section 1604;
5. Issue procedures to ensure the proper and timely implementation of the NDSS's projects;
6. Represent the NDSS through lobbying, advocating, testifying, and maintaining the government-to-government relationships with the federal, state, and local governments as authorized;
7. Establish and maintain partnerships with local, county, state, federal and other entities on human services and social services, and other matters related to the goals and objectives of the NDSS;
8. Recommend policies and legislations on human services and social services issues;
9. Negotiate written agreements or contracts on behalf of the NDSS relevant to its direct human services and social services departments, programs, functions, services, and activities;
10. Seek external funding and other resources to enhance, expand and improve direct human services and social service programs, functions, services and activities;
11. Recommend the creation, merger, separation, amendment, or abolishment of departments, programs, sections, offices, or specific functions within the NDSS in accordance with applicable Navajo Nation laws and policies; and
12. Recruit, select, supervise, and train personnel; conduct employee performance evaluation; and recommend reclassification of positions for the Office of the Executive Director personnel and Department and Program managers in accordance with the Navajo Nation Personnel Policies Manual.

B. Office of the Executive Director:

The Office of the Executive Director shall provide for overall management of the NDSS. The Office of the Executive Director personnel shall handle its duties and

responsibilities in accordance with the Navajo Nation laws and policies. The duties and responsibilities are as follows:

1. Assist with overall direction of the NDSS by developing, implementing, monitoring, and evaluating short and long range strategic initiatives, plans, goals, and objectives;
2. Support departments, programs, center, sections, and offices to execute their functions, authorities and responsibilities, and assist with the development and coordination of strategies to implement the NDSS functions; and
3. Develop, implement and maintain an administrative, operational, and technical infrastructure to support the performance of direct human services and social services departments, programs, functions, services, and activities by establishing:
 - a) An Information Technology section that shall be responsible for the management of reliable and efficient information technology system to accommodate:
 - i. a secured exchange of human, case management, financial and social services data and information for program management;
 - ii. data collection, analysis and reporting;
 - iii. automation of manual work;
 - iv. modernize administrative function; and
 - v. monitor, update, and maintain the NDSS's website, media medium, telecommunication equipment, hardware and software.
 - b) A Policy section that shall be responsible for increased cooperation, collaboration, and partnership across multiple human and social service sectors to:
 - i. develop, revise, or interpret policies, procedures, standards, and protocols for effective, efficient and adequate management of the NDSS;
 - ii. provide guidance on human and social services policies;

- iii. conduct research and analysis, and develop recommendations of current and proposed federal, state and tribal legislations, regulations, and policies for their potential impact on the Navajo people and human and social services;
 - iv. coordinate tribal consultation activities with the federal, state, and local governmental agencies; and
 - v. develop annual, quarter, and other reports; briefing materials; issue, position, or white papers; testimonies; and talking points.
- c) A Financial Management section that shall be responsible for an effective and efficient financial management system to:
- i. review and monitor agreements, contracts, and grants;
 - ii. develop and implement a property, procurement, and records management;
 - iii. develop, implement, and provide technical assistance with the application of internal control standards and measures;
 - iv. monitor internal and external audits; and
 - v. serve as the prime contact for budget formulation, budget negotiation, audit, and condition of appropriation and other compliance.
- d) A Human Resources section that shall be responsible for a sound human resource system to:
- i. ensure a competent workforce through assessment of personnel competencies, individual training, and professional development;
 - ii. support the Departments and Programs to attract, recruit, and retain personnel through the application of a premium salary schedule for professional personnel who meet the preferred qualifications;
 - iii. monitor compliance with the Navajo Nation Personnel Policies Manual, licensure, certification, employee relations, collective bargaining, and risk and safety policies; and
 - iv. monitor work environment.

- 1 e) An Administrative Support section that shall be responsible for the
2 continuous flow of communication and information between the Office of
3 the Executive Director and NDSS departments, sections and offices; and
4 oversee employee time keeping and reporting.
- 5 f) A Communication section that shall be responsible to provide information,
6 communication, alerts, and advice about human services and social
7 services to the general public and media in a timely, accurate, and
8 adequate manner.

9 ~~The responsibilities and authority of the NDSS Executive Administration are:~~

- 10 ~~A. To develop, organize, implement, administer, and coordinate various social~~
11 ~~services programs and projects;~~
- 12 ~~B. Ensure the various Sections, Departments and Programs are in compliance with~~
13 ~~established directives, guidelines, policies and legislation of the Navajo Nation,~~
14 ~~state, and federal governments;~~
- 15 ~~C. To coordinate Program and Department activities with other tribal, federal and~~
16 ~~state programs;~~
- 17 ~~D. To provide consultation and technical assistance to other human services~~
18 ~~programs;~~
- 19 ~~E. To monitor and evaluate the Sections, Departments and Programs periodically~~
20 ~~and to recommend improvements or changes;~~
- 21 ~~F. To develop and recommend program plans, budgets, policies, and procedures;~~
- 22 ~~G. To serve as the public relations and information center for the Division;~~
- 23 ~~H. To assist with the negotiation of all contracts and grants for the Division;~~
- 24 ~~I. To render administrative decisions on all personnel and client grievances at the~~
25 ~~Division level;~~
- 26 ~~J. To coordinate and administer personnel management services;~~
- 27 ~~K. To ensure the mission, goals, objectives and philosophy of the Division align and~~
28 ~~are achieved in accordance to the overall Navajo Nation mission goals and~~
29 ~~objectives;~~
- 30

- 1 ~~L. To serve as the representative to Legislative, Executive and Judicial Branches,~~
2 ~~outside organizations, agencies, and tribal, state and federal governments;~~
3 ~~M. Provide technical assistance to local social services offices, chapter governments,~~
4 ~~tribal divisions, Navajo Nation Council, and other Navajo tribal entities on~~
5 ~~administrative matters related to social and human services;~~
6 ~~N. To report to the Health, Education and Human Services Committee of the Navajo~~
7 ~~Nation Council and to the Office of the President and Vice President.~~
8

9 **V. LEGISLATIVE OVERSIGHT**

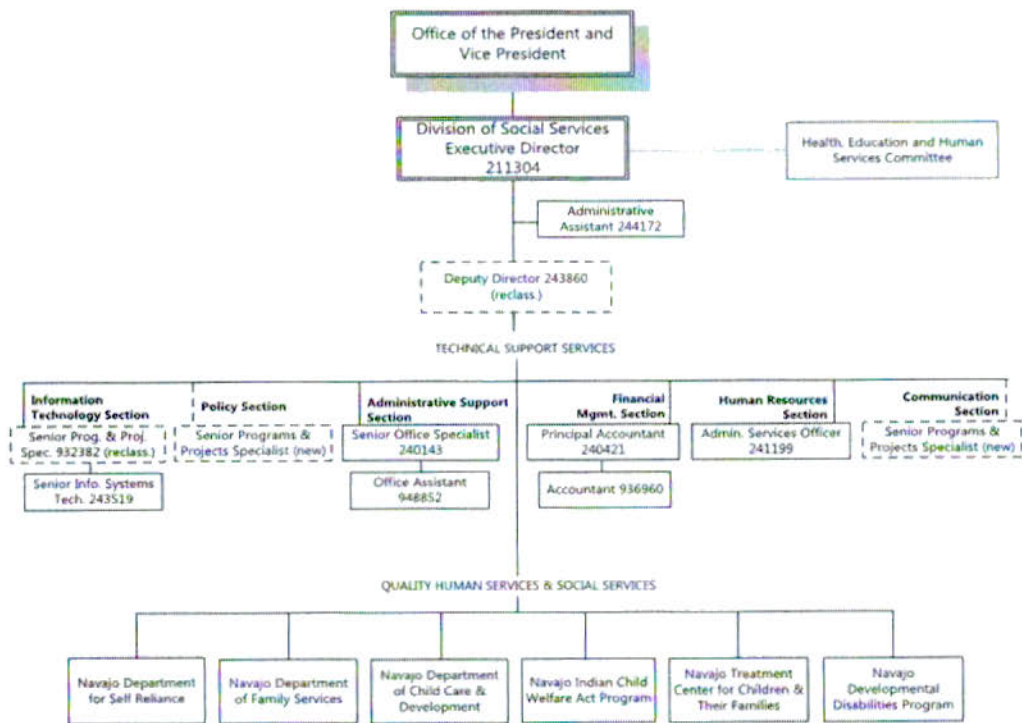
10 Pursuant to 2 N.N.C. §§ 192 and 400 *et. seq.*, the NDSS shall operate under the
11 legislative oversight of the Health, Education and Human Services Committee of the
12 Navajo Nation Council. The Health, Education and Human Services Committee of
13 the Navajo Nation Council shall serve as the legislative oversight committee for the
14 Executive Administration, Navajo Division of Social Services (2N.N.C.§1655).
15

16 **VI. AMENDMENTS**

17 This Plan of Operation may be amended from time to time by the Health, Education
18 and Human Services Committee of the Navajo Nation Council (2 N.N.C.§1656).
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NDSS Organizational Chart

Navajo Division of Social Services



NAVAJO DIVISION OF SOCIAL SERVICES
~~Navajo Nation Child Care Development Fund Program~~
Department of Child Care and Development
Plan of Operation

I. ESTABLISHMENT

There is hereby established the Navajo Nation ~~Child Care and Development Fund (CCDF) Program~~ Department of Child Care and Development (DCCD) within the Navajo Division of Social Services of the Executive Branch of the Navajo Nation ~~Government Executive Branch~~.

II. PURPOSE

The purpose of the Navajo Nation ~~Child Care and Development Fund Program~~ DCCD is to ~~increase~~ provide the availability, affordability, and quality of child care services for income eligible parents who are working, participating in job training or an educational program, and/or for children who have special needs or are in protective services.

III. STAFFING AND ORGANIZATION

A. Staffing

1. The Navajo DCCD shall be directed by and supervised under the guidance of a Department Manager III and who shall be selected in accordance with the Navajo Nation Personnel Policies Manual. All other personnel shall be employed and compensated in accordance with the Navajo Nation Personnel Policies Manual.

The Program Manager for the Child Care and Development fund Program is responsible for the administration of, the Child Care and Development Fund Program grants and funds; planning, organizing, directing, evaluating, and

1 monitoring of all programs services, contract/subcontractors, and compliance
2 with grants/contract guidelines on behalf of the Navajo Division of Social
3 Services on behalf of the Navajo Nation.

4 2. The Department Manager III Program Manager shall be under the general
5 direction and supervision ~~guidance~~ of the Executive Director of the Navajo
6 Division Social Services.

7 3. The Department Manager III Program Manager shall be authorized to
8 recommend additional professional, technical and ~~clerical~~ administrative
9 positions, and establish field offices as needed to carry out the organizational
10 purpose(s), as stated herein. Additional positions shall be acquired in
11 accordance with the Navajo Nation Personnel Policies Manual within
12 applicable budget rules established for conducting the annual tribal budget
13 process.

14 4. ~~All personnel shall be employed and compensated in accordance with~~
15 ~~applicable Navajo Nation Personnel Policies Manual.~~

16 B. Organization

17 The DCCD shall consist of an Administration Unit comprised of five (5) sections
18 to provide technical support services and a Direct Services Unit comprised of two
19 (2) sections with five (5) regional child care centers and five (5) regional
20 casework units; to execute the DCCD's purpose, authorities, goals, objectives,
21 duties, and responsibilities. This includes:

22 1. Administration Unit for Technical Support Services:

- 23 a. Finance Section;
- 24 b. Management Information System Section;
- 25 c. Quality Assurance Section;
- 26 d. Human Resources Section; and
- 27 e. Administrative Support Section.

28 2. Direct Service Unit for Regional Child Care Centers and Regional Casework:

- 29 a. Chinle;
- 30 b. Crownpoint;

1 c. Fort Defiance;

2 d. Shiprock; and

3 e. Tuba City.

4 4. The Organizational Chart of the DCCD Child Care and Development Fund
5 Program is attached as Figure Attachment 1.

7 IV. RESPONSIBILITY AND AUTHORITY

8 The Program Manager shall consult with the Executive Director to establish
9 organizational policies, strengthen program activities and implement internal control
10 mechanism for accountability and compliance with the program and Division's goals,
11 objectives and mission.

12 A. Management

13 1. ~~The Program Manager shall direct program management~~ Administer the
14 DCCD ~~through authorized subordinates such as fiscal section, in full~~
15 compliance with all applicable Navajo Nation and federal laws and policies;
16 ~~maintenance and construction/renovation, and MIS sections. Subordinate~~
17 ~~shall administer daily supports to all segments of the CCDF Program at the~~
18 ~~administrative and regional levels;~~

19 2. B. Monitor and evaluate program, compliance of administration and direct
20 service delivery system at the central and field level;

21 3. C. The program shall process Manage all budgetary matters with proper
22 authorization to assure compliance; and address issues and concerns
23 related to CCDF-DCCD contracts and grants in a timely manner;

24 4. D. Promote early childhood development and learning initiatives and
25 strategies to improve child care environments services throughout the
26 Navajo Nation.

27 5. E. Actively participate in the program audits, evaluations, and prepare and
28 implement appropriate corrective action plans in a timely manner.

29 F. Provide high quality childcare services, including social, physical, speech,
30 emotional, and cognitive development in a healthy and safe environment.

1 G. Monitor and evaluate the DCCD operation, services, resources (staff, property
2 and equipment), and expenditures to assure and improve the effectiveness and
3 efficiency of service delivery.

4 **B. Fiscal Matters**

- 5 1. ~~Develop and present the annual budget for all CCDF services, expenditures~~
6 ~~and closing of accounts in accordance with the Navajo Nation fiscal budget~~
7 ~~policy and procedures;~~
8 2. ~~Amend the CCDF budget to meet the best interest of the recipient population~~
9 ~~so as to enhance quality services and to expend all funds in accordance with~~
10 ~~the budget cycle;~~
11 3. ~~The program shall process all budgetary matters with proper authorization to~~
12 ~~assurance compliance; and address issues and concerns related to CCDF~~
13 ~~contract and grants in a timely manner;~~
14 4. ~~Plan, facilitate training and orientation sessions on CCDF contracts and~~
15 ~~grants, utilize applicable laws and regulations to comply with all tribal, state~~
16 ~~and federal requirements;~~
17 5. ~~Actively participate in program audits and evaluations and respond to any~~
18 ~~audit findings/citations with appropriate corrective measures/actions in a~~
19 ~~timely manner.~~
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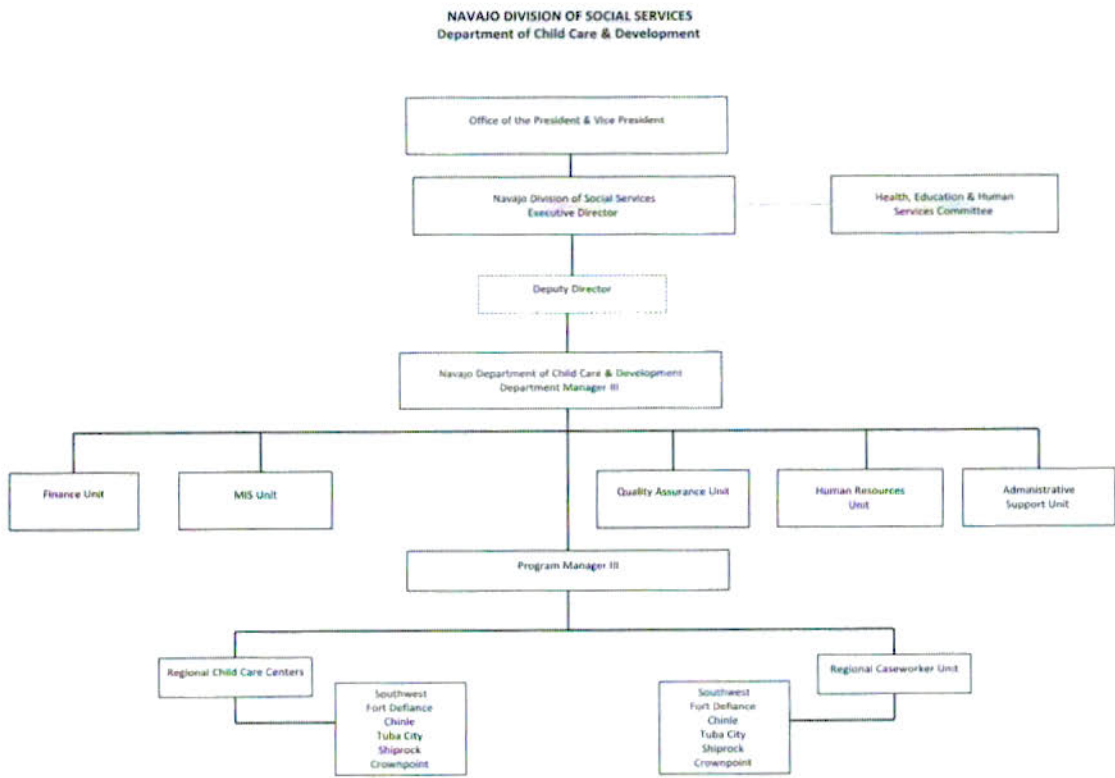
21 **V. LEGISLATIVE OVERSIGHT**

22 Pursuant to 2 N.N.C. §§ 192 and 400 et esq., the Department of Child Care and
23 Development shall operate under the legislative oversight of the Health, Education
24 and Human Services Committee of the Navajo Nation Council. Pursuant to 2 N.N.C.
25 section 40.1(C) (B) (I) and (2), the Health, Education and Human Services
26 Committee of the Navajo Nation Council shall serve as the legislative oversight
27 committee for the Navajo Nation Child Care and Development Fund Program within
28 the Navajo Division of Social Services.
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30 **VI. AMENDMENTS**

1 This Plan of Operation may be amended from time to time with approval by the
2 Health, Education and Human Services Committee of the Navajo Nation Council.
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Navajo DCCD Organizational Chart



NAVAJO DIVISION OF SOCIAL SERVICES
Department of Family Services
Plan of Operation

I. ESTABLISHMENT

There is hereby established the Department of Family Services within the Navajo Division of Social Services of the Navajo Nation Executive Branch of the Navajo Nation.

II. PURPOSE

A. The purpose of the Department of Family Services (DFS) is to provide specialized services to children, adult and elderly whom are experiencing abuse, neglect or crisis, and to help maintain healthy and stable families on the Navajo Nation. ~~In addition, provide quality services to individuals and households experiencing temporary financial hardship in meeting their short term basic needs, and immediate emergency and home energy needs.~~

B. ~~DFS shall provide quality casework services that address each person's cultural needs, explain information to the consumer in the language the consumer is most familiar and provide services in the consumers' own community. The delivery of services to individuals and families shall be provided in an efficient and effective manner utilizing the wrap around method of intervention and the system of care model. Services will be administered in accordance with all applicable Navajo, Federal and State laws, rules, regulations and policies.~~

C. ~~DFS shall provide quality casework services that assist individual and households to become self-sufficient through education of financial management, home energy savings and referral to programs that would assist the families in overcoming financial hardship. Services will be administered in accordance with all applicable Navajo, Federal and State Laws, rules, regulations and policies.~~

III. STAFFING AND ORGANIZATION

A. Staffing

~~A Department Manager shall administer, oversee, and assure intervention and delivery of services with the assistance of professional supervising social workers, direct service providers, administrative staff, established field offices and sub-offices.~~

1. The DFS shall be directed by and supervised under the guidance of a Department Manager III who shall be selected in accordance with the Navajo Nation Personnel Policies and Procedures. All other personnel shall be employed and compensated in accordance with the Navajo Nation Personnel Policies Manual. The Department Manager shall be under the general direction and guidance of the Division Director of the Division of Social Services.
2. The Department Manager III shall be under the general direction and supervision of the Executive Director of the Navajo Division of Social Services. ~~have a Masters' level social work degree and state licensed clinical social worker with training in supervision, clinical services and experienced in the field of social work and/or child welfare and/or human services.~~
3. The Department Manager III shall determine and recommend the need for additional professional, technical and administrative positions, and establish field offices to carry out the purposes as stated herein. The Department Manager shall be subject to and shall adhere to the Professional Social Work Ethics and Standards, Navajo Nation Personnel Policies and Procedures Manual, National Licensing Standards and uphold the integrity and values of the Social Work practice.
4. ~~The Department Manager shall be authorized to recommend additional professional, technical and clerical positions as needed to carry out the organizational purpose(s), as stated herein. Additional positions shall be acquired in accordance with the Navajo Nation Personnel Policies within~~

1 applicable budget rules established for conducting the annual Navajo Nation
2 budget process.

3 5. All personnel shall be employed and compensated in accordance with
4 applicable Navajo Nation Personnel Policies Manual.

5 B. Organization

6 The DFS shall consist of an Administration Unit comprised of six (6) sections to
7 provide technical support services and a Direct Services Unit comprised of four
8 (4) sections with twelve (12) field offices and four (4) sub-offices; to execute the
9 DFS' purpose, authorities, goals, objectives, duties, and responsibilities. This
10 includes:

11 1. Administration Unit:

- 12 a. Staff Training Section;
- 13 b. Management Information Technology Section;
- 14 c. Special Projects Section;
- 15 d. Quality Assurance Section;
- 16 e. Finance Section; and
- 17 f. Human Resources Section.

18 2. Direct Services Unit:

- 19 a. Alchini Bee'alyaa Services;
- 20 b. Child and Family Services;
- 21 c. Family Harmony Services; and
- 22 d. Adult/Elder Services

23 4. The Organizational Chart of the Department of Family Services is attached as
24 Attachment 1, Exhibit "A".

25
26 **IV. AUTHORITY AND RESPONSIBILITY**

27 A. Provide oversight to insure service delivery is consistent with the Continuum of
28 Service Model and all grants and contracts awarded to the DFS.

- 1 B. Provide social work and case worker supervision and consultation consistent with
2 professional Social Work ethics and standards to achieve increased skills and
3 practice.
- 4 C. Monitor and Evaluate and monitor the effectiveness of services rendered
5 program operations, services, resources (staff, property and equipment), and
6 expenditures to assure and improve the effectiveness and efficiency of service
7 delivery.
- 8 D. Develop and recommend policy changes that will be responsive to improving
9 delivery of services.
- 10 E. Develop program budgets ~~and authorize~~ consistent with Navajo Nation policies
11 and any applicable laws.
- 12 F. Identify, ~~and promote~~ and support skill development and competence leading to
13 staff credentialing and licensure, so the services provided to clients continually
14 improves and expands.

15 16 V. LEGISLATIVE OVERSIGHT

17 Pursuant to 2 N.N.C. §§ 192 and 400 et. seq., the Navajo Department of Family
18 Services shall operate under the legislative oversight of the Health, Education and
19 Human Services Committee of the Navajo Nation Council. ~~Pursuant to 2 N.N.C.~~
20 ~~Section 401(e), (1) and (2) et seq., the Health, Education and Human Services~~
21 ~~Committee of the Navajo Nation Council shall serve as the legislative oversight~~
22 ~~committee for the Department of Family Services within the Navajo Division of~~
23 ~~Social Services.~~

24 25 VI. AMENDMENTS

26 This Plan of Operation may be amended from time to time by the Health, Education;
27 and Human Services Committee of the Navajo Nation Council.

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EXHIBIT D

NAVAJO NATION DIVISION OF SOCIAL SERVICES
DEPARTMENT FOR SELF RELIANCE
PLAN OF OPERATION

I. ESTABLISHMENT

There is hereby established the Department for Self Reliance (DSR) within the Navajo Division of Social Services of the Executive Branch of the Navajo Nation, Government Executive Branch.

II. PURPOSE

A. The DSR utilizes the Navajo concept and teachings of T'áá hwó ájit'éego to provide financial assistance and supportive services to ~~empower~~ eligible individuals and families, to empower and take responsibility for their lives through the development and implementation of a plan, which ~~moves them and~~ their guide family members toward self-reliance.

~~B. The DSR is committed to providing services, with integrity in an ethical manner, to empower individuals and families by promoting T'áá hwó ájit'éego, through appropriate support, opportunities and education. The DSR has adopted these teachings as a foundation and a model for Customers to follow on their path to becoming self-reliant.~~

III. STAFFING AND ORGANIZATION

A. STAFFING

1. The DSR shall be directed by and supervised under the guidance of the Department Manager III who shall be selected in accordance with the Navajo Nation ~~Department of Personnel Management Policies Manual,~~ including Navajo Preference. All other personnel shall be employed and compensated in accordance with Navajo Nation Personnel Policies Manual.

1 2. The Department Manager III shall be under the general direction and
2 supervision of the Executive Director, of the Navajo Division of Social
3 Services.

4 3. The Department Manager III shall ~~be authorized to~~ determine and recommend
5 the need for additional professional, technical, and ~~clerical~~ administrative
6 positions as needed to carry out the organizational purpose(s) as stated herein.
7 ~~Positions shall be acquired in accordance with the Navajo Nation Personnel~~
8 ~~Policies Manual within applicable budget rules established for conducting the~~
9 ~~annual Navajo Nation budget process.~~

10 4. ~~All personnel shall be employed and compensated in accordance with~~
11 ~~applicable Navajo Nation Personnel Policies Manual.~~

12 B. ORGANIZATION

13 The DSR shall consist of an Executive Administration comprised of eight (8)
14 sections to provide technical support services and a Quality Case Management
15 Services shall consist of a Direct Services Administration comprised of three (3)
16 direct service units, seven (7) field offices, and one (1) sub office to execute the
17 DSR's purpose, authorities, goals, objectives, duties, and responsibilities. The
18 Support Services and Quality Case Management Services shall consist of the
19 following:

20 1. Support Services

- 21 a. Executive Administration;
 - 22 b. Finance and Recovery Section;
 - 23 c. Information Technology Section;
 - 24 d. Tribal Assistance System Administration Section;
 - 25 e. Communication Section;
 - 26 f. Compliance Section;
 - 27 g. Liaison/Legislative Section;
 - 28 h. Fraud and Investigation Section; and
 - 29 i. Pathway to Quality Services Section.
- 30

2. Quality Case Management Services

- a. Direct Service Administration;
- b. Family Assistance Services;
- c. TANF Services;
- d. Education and Career Services;
- e. Field Offices: Chinle, Crownpoint, Farmington, Gallup, Kayenta, Window Rock and Tuba City;
- f. Sub Office: Lower Greasewood; and
- g. Other human services and programs as authorized.

The DSR Organizational Chart is displayed as Figure Attachment 1.

IV. RESPONSIBILITY AND AUTHORITY

- A. ~~To assure that~~ Administer the federal legislative intent of Public Law 104-193, Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 and other external and internal-funded programs in full compliance with the Navajo Nation and federal laws and policies., a.k.a. Welfare Reform Act, is met by developing, implementing and monitoring assistance, services and activities in accordance with the Navajo Nation's three-year Tribal Family Assistance Plan (TFAP).
- B. ~~To p~~Promote personal responsibility and self-reliance through the Navajo traditional teachings of T'áá hwó ájit'éego; provide assistance and services that empower Customers and families to progress toward Hozho K'eh Iina; and reduce future dependency on governmental assistance by promoting education, employment, safe and stable families, and healthy lifestyles.
- C. ~~To provide assistance, services, and activities that empower Customers and families to develop self-efficacy and progress toward Hozho K'eh Iina.~~
Provide school clothing assistance to eligible Navajo school aged children who are enrolled in and attending schools on the Navajo Nation.
- D. ~~To reduce future dependency of adults and youth on governmental assistance by promoting education, employment, safe and stable families, and healthy lifestyles.~~

- 1 Promote home energy crisis intervention by providing financial assistance to
2 eligible households with low-income to meet their immediate home energy needs.
- 3 E. ~~To advocate on behalf of Customers and families so they have accessibility to~~
4 ~~opportunities and resources necessary to become self-reliant.~~
- 5 Develop, negotiate and implement agreements and contracts with federal, state,
6 tribal, and other entities to expand services and increase opportunities for
7 Customers and their families to progress toward self-reliance.
- 8 F. ~~To develop, negotiate and implement agreements and contracts with federal, state,~~
9 ~~tribal, and other entities to expand services and increase opportunities for~~
10 ~~Customers and their families to progress toward self-reliance.~~
- 11 Uphold the integrity of human services by developing, implementing and
12 updating program goals and objectives, policies, procedures and standards, and
13 assuring compliance with the Navajo Nation and federal fiscal and programmatic
14 regulations and circulars.
- 15 G. ~~To uphold the integrity of human services provided by the DSR by developing,~~
16 ~~implementing and, as necessary, updating program goals and objectives, program~~
17 ~~policies, procedures, and standards; and assuring compliance with the legislative~~
18 ~~intent of PRWORA and federal fiscal and programmatic regulations and circulars.~~
19 Monitor and evaluate program operations, services, resources (staff, property and
20 equipment), and expenditures to assure and improve the effectiveness and
21 efficiency of service delivery.
- 22 H. ~~To monitor and evaluate program operations, services, resources (staff, property,~~
23 ~~etc.), and expenditures to assure and improve the effectiveness and efficiency of~~
24 ~~service delivery.~~
- 25 Assure due process is provided to Customers who would like to dispute a decision
26 made regarding their application or case. An initial consideration shall be
27 provided at the direct service level and the DSR Hearing Officer shall consider
28 formal hearing requests.
- 29 I. ~~To e~~Establish, maintain, and improve necessary infrastructure, including
30 information technology, to provide effective and efficient overall management

1 and financial guidance to the Support Services, Quality Case Management and
2 Direct Services; and to ensure continuity of services, assistance, and activities
3 provided to Customers and families.

- 4 J. ~~To p~~Promote and support the ~~personal and~~ professional growth of DSR personnel
5 staff, through educational, training and advancement opportunities, so the services
6 provided to Customers continually improves and expands.

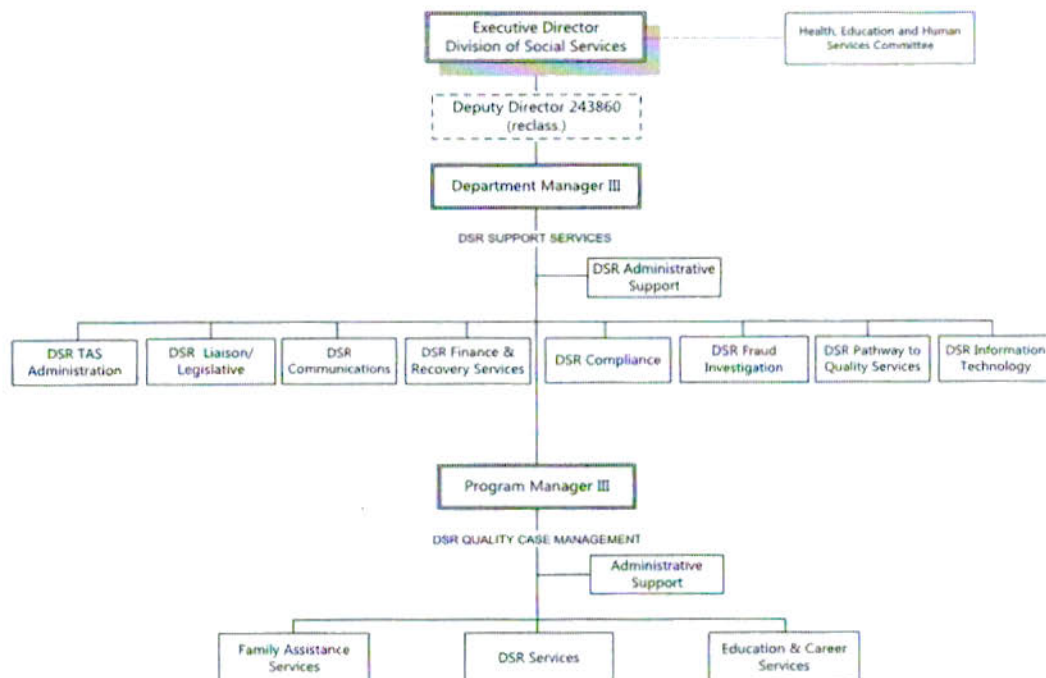
7 8 **V. LEGISLATIVE OVERSIGHT**

9 Pursuant to 2 N.N.C. §§ 192 and 400 et. seq., the NDSS shall operate under the
10 legislative oversight of the Health, Education and Human Services Committee of the
11 Navajo Nation Council. The Health, Education and Human Services Committee of
12 the Navajo Nation Council shall serve as the legislative oversight committee for the
13 DSR within Navajo Division of Social Services.

14 15 **VI. AMENDMENTS**

16 The Plan of Operation may be amended from time to time as deemed necessary by
17 the Health, Education and Human Services Committee of the Navajo Nation Council.
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Navajo DSR Organizational Chart

**Navajo Division of Social Services
DEPARTMENT FOR SELF RELIANCE**

NAVAJO DIVISION OF SOCIAL SERVICES

Developmental Disabilities Program

Plan of Operation

I. ESTABLISHMENT

There is hereby established the Developmental Disabilities Program within the Navajo Division of Social Services of the Executive Branch of the Navajo Nation, ~~Government Executive Branch~~.

II. PURPOSE

The purpose of the Developmental Disabilities Program (DDP) is To administer develop a comprehensive case management system to ensure medically necessary services are delivered timely to Medicaid eligible members that include the aged, the blind, and/or the physically and developmentally disabled.

Objectives:

- ~~a. To coordinate and facilitate the delivery of Title 19 medical necessary covered services for mental health and developmentally disabled populations.~~
- ~~b. The case management services will allow members to reach and maintain the highest level of functioning in the most efficient and cost effective manner through which appropriate and cost effective medical, medically-related social services, and behavioral health services can be identified, planned, obtained, and monitored.~~
- ~~c. To provide technical assistance to providers within the Navajo Nation.~~
- ~~d. To coordinate with tribal, county, state and/or federal entities in the implementation, management, and provision of agreement.~~
- ~~e. To serve as the central point of contact for the Navajo Nation in the matters related to Medicaid Title 19 of the Social Security Act.~~

III. STAFFING AND ORGANIZATION

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2 A. Staffing

- 3 1. The DDP shall be directed by and supervised under the guidance of a Program
4 Manager who shall be selected in accordance with the Navajo Nation
5 Personnel Policies Manual. All other personnel shall be employed and
6 compensated in accordance with the Navajo Nation Personnel Policies
7 Manual.

8 ~~The key position of the Developmental Disabilities Program shall be a~~
9 ~~Program Supervisor who will be under the direction of the Executive Director~~
10 ~~of the Navajo Division of Social Services pursuant to the Navajo Nation~~
11 ~~Personnel Policies and Procedures.~~

- 12 2. The Program Manager shall be under the general direction and supervision of
13 the Executive Director of the Navajo Division of Social Services.

- 14 3. ~~The Program Manager shall be authorized to~~ determine and recommend the
15 need for personnel and additional professional, technical and administrative
16 clerical positions as needed to carry out the organizational purpose(s), as
17 stated herein. ~~Additional positions shall be acquired in accordance with the~~
18 ~~Navajo Nation Personnel Policies within applicable budget rules established~~
19 ~~for conducting the annual Nation tribal budget process.~~

- 20 4. ~~All other personnel shall be employed and compensated in accordance with~~
21 ~~the Navajo Nation Personnel Policies Manual.~~

22 B. Organization

23 The Organizational Chart ~~of~~ for the Developmental Disabilities Program is
24 attached as Attachment 1.
25

26 **IV. RESPONSIBILITIES AND AUTHORITY**

27 Under the general direction of the Executive Director, the Program Supervisor shall
28 be responsible for:
29
30

- 1 A. Administer the intent of Title XIX of the Social Security Act for Medicaid-
2 eligible beneficiaries in full compliance with applicable Navajo Nation, federal
3 and state laws and policies.
- 4 B. Facilitate intergovernmental relationships and agreements between Tribal, State,
5 and Federal agencies as they relate to Title XIX services.
- 6 C. Ensure coordination and facilitation of the delivery of Title XIX medical
7 necessary covered services for mental health and developmentally disabled
8 populations.
- 9 D. Ensure case management services allow members to reach and maintain the
10 highest level of functioning in the most efficient and cost-effective manner
11 through which appropriate and cost effective medical, medically-related social
12 services, and behavioral health services can be identified, planned, obtained, and
13 monitored.
- 14 E. Ensure and provide technical assistance to providers within the Navajo Nation.
- 15 F. Coordinate with tribal, county, state and/or federal entities in the implementation,
16 management, and provision of agreement(s).
- 17 G. Serve as a point of contact for matters related to Medicaid Title XIX of the Social
18 Security Act.
- 19 ~~a. Organizing, coordinating, and administering the develop and implementation of~~
20 ~~Title 19 Medicaid Services for the Navajo Nation.~~
- 21 ~~b. Facilitating intergovernmental relationships/agreements between Tribal, State,~~
22 ~~and Federal agencies as they relate to Title 19 services.~~
- 23 ~~c. Establishing and implementing policies for program operation to ensure~~
24 ~~compliance to guidelines, rules and regulations as mandated by Title 19 of the~~
25 ~~Social Security Act.~~
- 26 ~~d. To serve as the central point of contact for the Navajo Nation in the matters~~
27 ~~related to Medicaid Title 19 of the Social Security Act.~~
- 28 ~~e. Representing the Division of Social Services with other departments, divisions,~~
29 ~~and local, state, and federal agencies to ensure medical assistance to the aged, the~~
30 ~~blind and the physically and developmentally disabled.~~

1
2 **V. LEGISLATIVE OVERSIGHT**

3 Pursuant to 2 N.N.C. ~~section 401 (C) (1) and (2)~~ §§ 192 and 400, the Developmental
4 Disabilities Program shall operate under the legislative oversight of the Health,
5 Education and Human Services Committee of the Navajo Nation Council, ~~shall serve~~
6 ~~as the legislative oversight committee for the Developmental Disabilities Program~~
7 ~~within the Navajo Division of Social Services.~~

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9 **VI. AMENDMENTS**

10 This Plan of Operation may be amended from time to time with approval by the
11 Health, Education, and Human Services Committee of the Navajo Nation Council.
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Navajo Division of Social Services
Developmental Disabilities Program
Organizational Chart

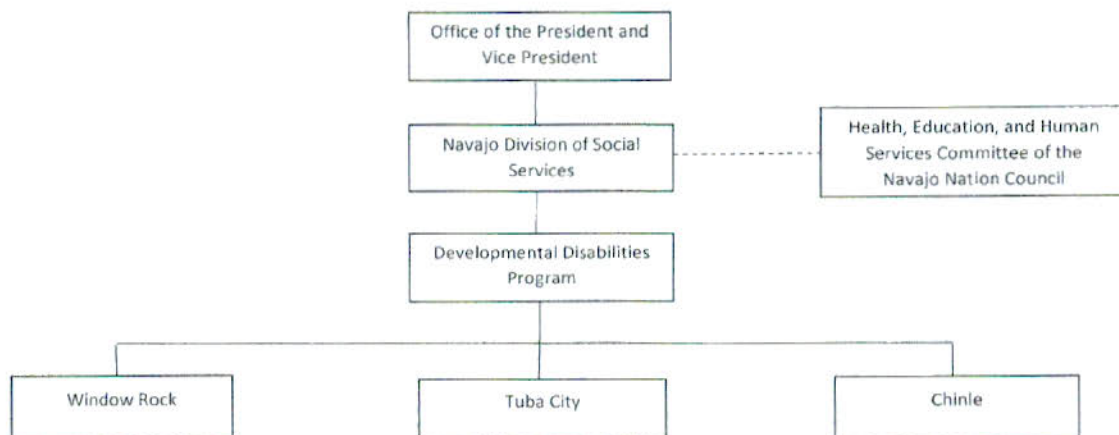


EXHIBIT F

NAVAJO DIVISION OF SOCIAL SERVICES

~~Navajo Children and Family Services~~

Indian Child Welfare Act Program

Plan of Operation

I. ESTABLISHMENT

There is hereby established the Navajo Indian Child Welfare Act (ICWA) ~~Children and Family Services (NCFS)~~ Program within the Navajo Nation Division of Social Services of the Executive Branch of the Navajo Nation. ~~Government Executive Branch.~~

II. PURPOSE

A. ~~Indian Child Welfare Act (ICWA) Unit – Public Law 95-608, 25 U.S.C. § 1901 – 1963~~

~~The primary goal of the ICWA Unit is to prevent the breakup of Navajo families; to protect the best interest of Navajo children and to promote the stability of Navajo families. The ICWA Unit was established to promote the stability and security of Navajo families by providing services to preserve and reunite Navajo families who are located off the reservation with their children who are subject to removal from their parents for placement in foster care or adoptive homes.~~

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

B. ~~Adoption Promotion and Support Services (APSS) Unit – Title IV-B. Promoting Safe and Stable Families (PSSF) Subpart 2;~~

1 The primary goal of the APSS Unit is to promote and preserve the permanent
2 placement of Native American children in Native American homes for the
3 preservation of cultural identity.

4 The primary goal of the program through its approved Bureau of Indian Affairs
5 Model 108 Contract and Annual Funding Agreement pertaining to Indian Child
6 Welfare Act (ICWA), Public Law 95-608, 25 U.S.C. § 1901—1963 is “to
7 protect the best interests of Indian children and to promote the stability and
8 security of Indian tribes and families,” 25 U.S.C. §1901. The program was
9 established to provide ongoing, appropriate case management services to Navajo
10 children who are domiciled off the Navajo Nation and are subject to out-of-home
11 care. The program adheres to the ICWA placement preference by reunifying with
12 parents, next of kin, other appropriate Navajo families or a Native American
13 family.

14 15 **III. STAFF AND ORGANIZATION**

16 **A. Staffing**

17 NCFS is comprised of a Program Manager, an Administrative Assistant
18 Accountant, ICWA Unit supervisors (Principal Social Worker); Social Workers
19 (Senior Social Worker and Social Worker); Case Workers and support staff
20 (Office Specialist).

21 1. The Navajo ICWA Program shall be directed by and supervised under the
22 guidance of a Program Manager II who shall be selected in accordance with the
23 Navajo Nation Personnel Policies Manual. All other personnel shall be
24 employed and compensated in accordance with the Navajo Nation Personnel
25 Policies Manual.

26 Program employees of NCFS are subject to, and shall adhere to the Navajo
27 Nation Personnel Policies and Procedures.

28 2. The Program Manager II shall be under the general direction and guidance
29 supervision of the Division of Social Services Executive Director of the
30 Navajo Division of Social Services.

3. The Program Manager II shall ~~be authorized to~~ determine and recommend the need for additional professional, technical and ~~clerical~~ administrative support positions as needed to carry out the organizational purposes as stated herein. ~~Additional positions shall be acquired in accordance with the Navajo Nation Personnel Policies and Procedures Manual and within applicable budget rules for conducting the annual tribal budget process.~~
~~All personnel shall be employed and compensated in accordance with the Navajo Nation Personnel Policies and procedures Manual.~~

B. Organization

The organizational chart ~~of~~ for the Navajo ICWA Program Navajo Children and Family Services displayed is attached as ~~Figure one~~ Attachment 1.

IV. LEGAL AUTHORITY

A. Navajo Nation Code, regulations, policies and procedures as applicable to the program, including, but not limited to:

1. Title 9 § § 1001 — 1504 Navajo Nation A'lehini Bi Beehaz' a'anii Act of 2011 (Children's Code);
2. Navajo Nation Adoption Regulations;
3. Navajo Nation Foster Care Regulations Foster/Group Home Standards;
4. Division of Social Services Professional Standards, Ethics and Case Management Protocol Manual;
5. Division of Social Services Title IV-B, Promoting Safe and Stable Families Five Year Plan; Child and Family Services Plan
6. Navajo Nation Personnel Policies Manual;
7. Navajo Nation Travel Policies and Procedures Handbook;
8. Navajo Nation Purchase Card Policies and Procedures;
9. Property Management Policy; and
10. Navajo Nation Procurement Rules and Regulations.

B. Adopted and executed Intergovernmental Agreements between the Navajo Nation and States of Arizona, New Mexico and Utah, as applicable to Indian tribal

governments and NCFS Federal and State Agreements applicable to the program, including, but no limited to:

1. ~~Indian Child Welfare Act, Public Law 95-608, codified as 25 U.S.C. § 1901—1963;~~
2. ~~25 CFR 23, BIA ICWA Proceedings;~~
3. ~~25 CFR, Part 20, Financial Assistance and Social Services Programs;~~
4. ~~Indian Child Protection and Family Violence Prevention, P.L. 101-630;~~
5. ~~Adoption & Safe Families Act of 1997 (P. L. 105-89);~~
6. ~~Adoption Assistance and Child Welfare Act of 1980 (P.L. 96-272);~~
7. ~~Family Preservation & Family Support Act of 1994 (P.L. 103-66);~~
8. ~~Social Security Act, Title IV-B, Subpart 2, Promoting Safe and Stable Families~~
9. ~~Memorandum of Agreement between the Navajo Nation and State of Arizona;~~
~~and~~
10. ~~Intergovernmental Agreements between the Navajo Nation and States of New Mexico and Utah.~~

IV. ~~RESPONSIBILITIES OF NAVAJO NATION ICWA PROGRAM~~ **RESPONSIBILITY AND AUTHORITY**

- A. ~~To~~ pPrevent the breakup of Indian families, protect the best interest of Navajo children, and ~~to~~ promote the stability of Navajo families.
- B. ~~To~~ pPreserve child placements with relatives or other Navajo families by strengthening families by providing education ~~of the~~ for parents and extended family members on traditional parenting and ~~assessing~~ accessing community resources.
- C. Provide Sspecialized case management services including recruitment, completing relative/kinship studies, newborn relinquishments and post placement activities, educating and ~~0~~ providing technical assistance ~~of~~ on Navajo culture, traditional beliefs and practice recruitment and completing relative/kinship home studies.

- 1 D. Administer the federal legislative intent of the Indian Child Welfare Act and other
2 external-funded programs and agreements in full compliance with the Navajo
3 Nation and federal laws and policies.
- 4 E. Seek and secure funding from the federal, state and other agencies.
- 5 F. Provide administrative, operational and technical support, and training to
6 divisions, programs and offices.
- 7 G. Develop policies and procedures to implement, monitor and evaluate the purpose
8 of the Navajo ICWA Program.
- 9 H. Integrate into the Navajo ICWA Program's services and activities Navajo culture,
10 tradition, language, and belief support services, and other best practices, evidence-
11 based practices, or leading practices.
- 12 I. Monitor and evaluate program operations, services, resources (staff, property and
13 equipment), and expenditures to assure and improve the effectiveness and
14 efficiency of service delivery.
- 15 J. Promote and support the personnel and professional growth of staff through
16 education, training, certification and licensure, and advancement opportunities, so
17 that the services provided to children and their families continually improves and
18 expands.

20 **VI. LEGISLATIVE OVERSIGHT**

21 Pursuant to 2 N.N.C. §§ 192 and 400 et. seq., the Navajo ICWA Program shall operate
22 under the legislative oversight of the Health, Education and Human Services
23 Committee of the Navajo Nation Council. Pursuant to 2 N.N.C., Section 401(C) (1) and
24 (2) et seq., the Health, Education and Human Services Committee of the Navajo Nation
25 Council shall serve as the legislative oversight committee for the Children and Family
26 Services Program within the Division of Social Services.

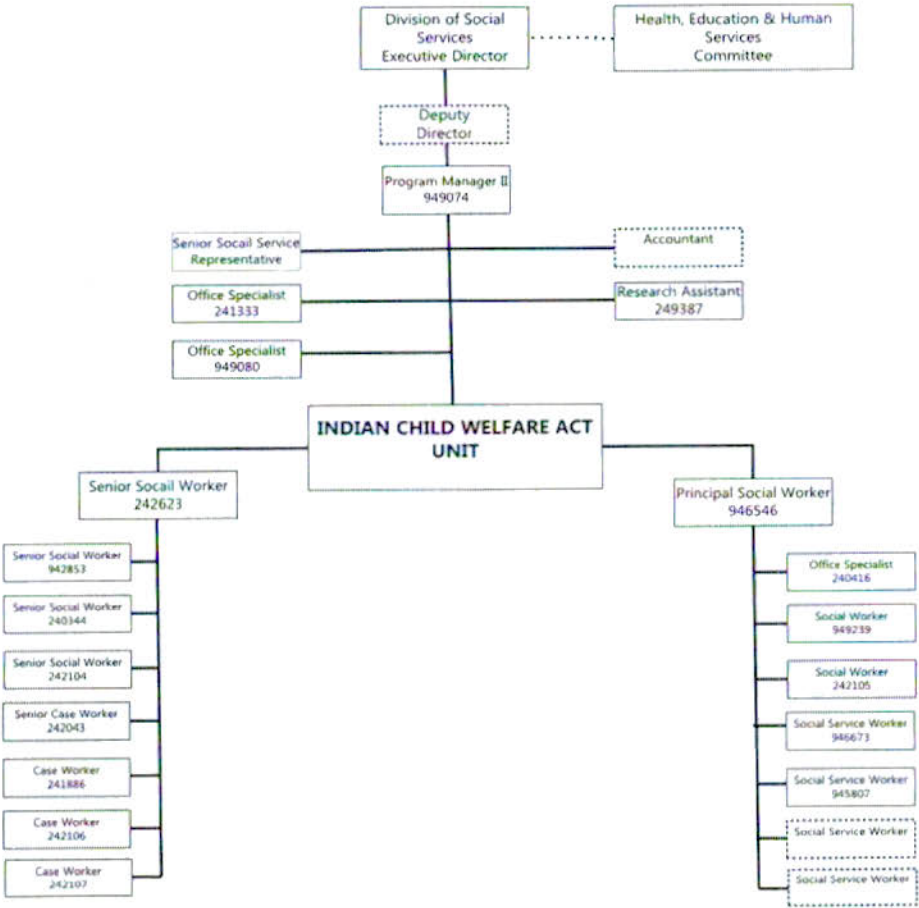
28 **VII. AMENDMENTS**

29 This Plan of Operation may be amended as deemed necessary from time to time
30 ~~supersedes prior Plan of Operation concerning the subject matter described herein.~~

1 ~~Changes to this Plan may be amended as deemed necessary~~ with approval by the
2 Health, Education and Human Services Committee of the Navajo Nation Council.
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Navajo ICWA Program Organizational Chart

NAVAJO DIVISION OF SOCIAL SERVICES
Navajo Indian Child Welfare Act Program



NAVAJO DIVISION OF SOCIAL SERVICES
Navajo Treatment Center for Children and Their Families
Plan of Operation

I. ESTABLISHMENT

There is hereby established the Navajo Treatment Center for Children and Their Families (NTCCF) within the Navajo Division of Social Services of the Executive Branch of the Navajo Nation-Government Executive Branch.

II. PURPOSE

The purpose of the NTCCF ~~Navajo Treatment Center for Children and Their Families~~ is to provide mental health outpatient therapeutic trauma-focused clinically-based treatment services to children who have been ~~are~~ impacted by childhood trauma such as psychological physical and sexual abuse including neglect and abandonment. ~~The elinies shall be location in Chinle, Crownpoint, Dilkon, Fort Defiance, Kayenta, Shiproek, and Tuba City.~~

III. STAFFING AND ORGANIZATION

A. Staffing

1. ~~The Program Manager will be responsible for daily management and operation of the NTCCF Program; the Program Manager will be hired by the Executive Director of the Division of Social Services pursuant to Navajo Nation Personnel Policies and Procedures.~~

The NTCCF shall be directed by and supervised under the guidance of a Program Manager II who shall be selected in accordance with the Navajo Nation Personnel Policies Manual. All other personnel shall be employed and compensated in accordance with the Navajo Nation Personnel Policies Manual.

2. The Program Manager II shall be under the general direction and supervision of the Executive Director of the Navajo Division of Social Services.

3. The Program Manager II shall ~~be authorized to~~ determine and recommend the need for additional professional technical and administrative support positions as needed to carry out the organizational purpose(s) as stated herein. ~~Additional positions shall be acquired in accordance with Navajo Nation Personnel Policies and Procedures and with in all applicable budget rules established for conducting the annual Navajo Nation budget process.~~

B. Organization

The Organizational Chart ~~of~~ for the Navajo Treatment Center for Children and Their Families is attached as ~~Figure~~ Attachment 1.

IV. RESPONSIBILITY AND AUTHORITY

A. Administer external-funded programs in full compliance with all applicable Navajo Nation laws and policies.

~~NTCCF will provide outpatient psychotherapy through a family systems approach as the primary method to treat Navajo children and their families. Treatment will consist of a holistic, strengths-based and empowerment approach to treatment that includes mind, body, spirit and community, psycho-education for individual family and/or group, along with traditional ceremony as a client's choice as part of her/his healing process.~~

B. Seek and secure funding from the federal, state and other agencies.

~~NTCCF will provide Outpatient behavioral/mental health services. The recovery process will be self-directed by the individual as much as possible, who designs his/her life goals and a unique path towards those goals in the least restrictive environment.~~

C. Provide administrative, operational and technical support, and training to the division, programs and offices.

1 NTCCF will collaborate with all local entities and accept referrals from schools;
2 health facilities, social services agencies, and self referrals. All clients will be
3 treated with respect and dignity.

- 4 D. Develop policies, procedures and protocols to implement the purpose of the
5 NTCCF.

6 NTCCF clinics will operate in a professional manner and procedures will be
7 properly maintained in as a treatment setting to ensure a high degree of safety and
8 confidentiality.

- 9 E. Monitor and evaluate program operations, services, resources (staff, property and
10 equipment), and expenditures to assure and improve the effectiveness and
11 efficiency of service delivery.

- 12 F. Provide outpatient therapeutic trauma-focused services through a family systems
13 approach and treatment for individuals and families.

- 14 G. Develop, coordinate and implement quality behavioral health services that is
15 culturally and linguistically responsive to the continuum of care which may
16 include outpatient treatment, self-directed recovery, and aftercare services.

- 17 H. Establish and maintain partnerships with an array of provider network, including
18 but not limited to health care, social service, and other relevant support services
19 for improved integrated care coordination, screening, education, outreach, client
20 navigation, and care management.

- 21 I. Operate treatment clinics in a professional manner and ensure procedures are
22 properly maintained for the highest degree of safety and confidentiality.

23 24 **V. LEGISLATIVE OVERSIGHT**

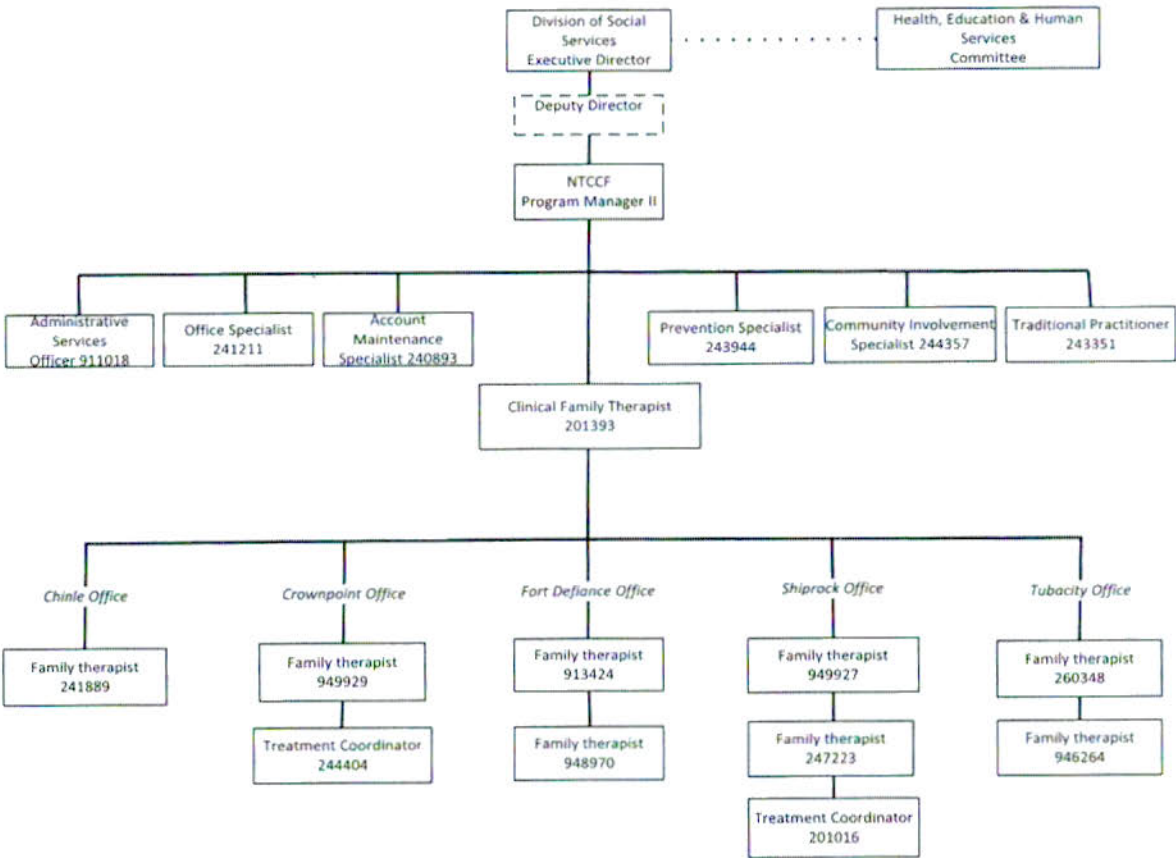
25 Pursuant 2 N.N.C.-401 (C) (1) and (2) §§ 192 and 400 *et. seq.*, the NTCCF shall be
26 operated under the legislative oversight of the Health, Education and Human Services
27 Committee of the Navajo Nation Council, shall serve as legislative oversight
28 committee for the Navajo Treatment Center for Children and Their Families within
29 the Navajo Division of Social Services.
30

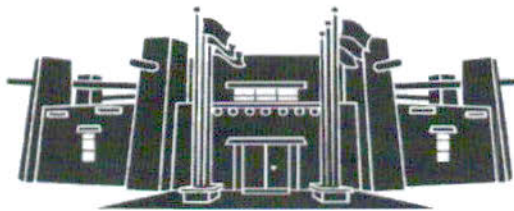
1 **VI. AMENDMENTS**

2 The Plan of Operation may be amended from time to time with approval by the
3 Health, Education and Human Services Committee of the Navajo Nation Council.
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NTCCF Organizational Chart

NAVAJO DIVISION OF SOCIAL SERVICES
Navajo Treatment Center for Children and Their Families





MEMORANDUM

To : Hon. Pernell Halona, Council Delegate
Navajo Nation Council

From : 
Ron Haven, Attorney
Office of Legislative Counsel

Date : September 30, 2019

Re : AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN
SERVICES; AMENDING PLANS OF OPERATION FOR NAVAJO
NATION DIVISION OF SOCIAL SERVICES

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. The resolution drafted is legally sufficient, although, as with all legislation, challenges are possible in the courts. You are advised and encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction. If you are satisfied with the proposed resolution, please sign it as "sponsor" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment. As you may be aware, the Speaker is authorized to refer this proposed resolution to other committees than those stated in the title.

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

OLC # 19-518-1

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0303-19

SPONSOR: Pernell Halona

TITLE: An Action Relating To Health, Education And Human Services; Amending
Plans Of Operation For Navajo Nation Division Of Social Services

Date posted: October 3, 2019 at 6:00 PM

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) 871-7586

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.: 0303-19

SPONSOR: Honorable Pernell Halona

TITLE: An Action Relating to Health, Education and Human Services; Amending Plans of Operation for Navajo Nation Division of Social Services

Posted: October 03, 2019 at 06:00 PM

5 DAY Comment Period Ended: October 08, 2019

Digital Comments received:

Comments Supporting	
Comments Opposing	1) Elise Mix, Senior Social Worker, NCFS 2) Marietta Dooline, Senior Social Worker DFS 3) Malerie Todecheenie, Caseworker NCFS 4) Cassandra Gorman, Senior Social Worker NCFS 5) Donna R. Toledo, BSW, NCFS
Inconclusive Comments	1) Lucy Laughter Begay, Senior Social Worker DFS 2) Lynette R. Mose, Social Worker NCFS

Note: Certain comments have been edited to Remove Personal Criticisms of other Employees; if you wish to review these documents, please contact Office of Legislative Services/Tracking Section at (928) 871-7254.



Executive Director
Office of Legislative Services

10/1/2019 - 12:06 PM

Date/Time

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



October 8, 2019

RE: Legislation No: 0303-19

Comments to the Health, Education and Human Services: Amending Plans of Operation For Navajo Nation Division of Social Services:

SECTION THREE. Approving Amendments to Plans of Operation For Division of Social Service, the Navajo Indian Child Welfare Act Program, Exhibit F. (attached).

Written by Elise Mix, LBSW, Senior Social Worker, Navajo Children and Family Services, Indian Child Welfare Act Unit, St. Michaels, AZ. 86511 (928) 245-4611. Have been in my current position since June 02, 2002.

Hello Honorable Delegates:

I wanted to share my thoughts and provide my recommendations regarding the new proposed ICWA Organization Chart.

First and foremost, I disagree with upgrading the title of Manager I to Manager II, currently occupied by Mrs. Regina Yazzie, MSW. If Mrs. Yazzie is making attempts to promote herself to a higher position with a higher pay, her competency would come into question for individuals who really do care about the program, about serving our poor people who are caught up in the State Social Welfare systems, upholding and defending the Indian Child Welfare Act Law. There are four to five Senior Social Workers: myself, Delphine Segodi, Lynette Mose, Cassandra Gorman and Celeste Smith who have been with this program for over ten years. And these ladies can attest to the on-going unethical practices by management, (Regina Yazzie and Lillie Reed) which would include the following; lack of leadership skills, lack of advocacy, lack of integrity, abuse of authority, abuse of employees, self-promotions by Regina Yazzie. Currently, if Mrs. Yazzie is promoted by Mrs. Deannah Nezwood-Gishey, it would not serve in the best interest of the Indian Child Welfare Act Program. In all my years working for this program and working with Regina Yazzie, there was not a single time she has spoken up on behalf of the social workers or on behalf the Indian Child Welfare Act law. Because that I have just learned of this new proposed legislation and comments are welcomed, I have attached some of my write ups about problems with Regina Yazzie, for the purposes that you all can make an informed decision.

Secondly, Ms. Crescentia Tso should be allowed to continue in her role as a Principal Social Worker. Ms. Tso has joined our program about two and half years ago and she is about the best thing that has ever happened to this program. She is articulate and will defend the social workers, when in disagreements with state agencies, who are attempting to take our children and those who try to undermined the law. We are not short of Non-Natives who will always try to by-pass the law, therefore; we cannot afford to have a manager who cannot even speak up.

RECOMMENDATIONS:

1. That all Program Managers and Supervisors should be required to obtain Social Work Licensure through the State of Arizona or New Mexico. This will allow workers or other citizens of the Navajo Nation to report unethical conduct of social workers to the

DIVISION OF SOCIAL SERVICES · NAVAJO CHILDREN AND FAMILY SERVICES
POST OFFICE BOX 1930 · WINDOW ROCK, AZ 86515 · PHONE: (928) 871-6806 · FAX: (928) 871-7667

state licensing agencies and if their licensure is revoked, this would disqualify them to continue in their role. Currently, there is no protection for employees and there.

2. There is no need for a Deputy Director.
3. Program Manager I should remain, as there is no evidence of any progress made by the current manager or not any of our knowledge as social workers.
4. That Crescentia Tso maintain her title as the Principal Social Worker.
5. Demote Lillie Reed to a Social Workers position as she is minimally functioning, but is protected by Regina Yazzie.
6. That Health, Education and Human Services Committee meet with the ICWA Staff and learn the truth of its current operations.

Respectfully Submitted,


 10/8/19
Elise Mix

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



TO : Deannah Neswood-Gishey, Executive Director
Navajo Nation Division of Social Services

FROM : 
Elise Mix, LBSW, Senior Social Worker
Lic.# B-4124, State of New Mexico
NCFS/ICWA Unit, St. Michaels, AZ.

DATE : October 01, 2019

SUBJECT : Follow up on meeting from September 03, 2019 and October 01, 2019.

This is a follow up of our meeting with the Chief of Staff, Paulson Chaco, Dr. Pherphelia Fowler, Executive Director, Human Resources, Regina Yazzie, Manager I, NCFS and my co-workers; Delphine Segodi, Lynette Mose, Malerie Todicheenie and Loretta Chia.

During the meeting, Dr. Fowler instructed us how we can improve our working relationship and provided, but is not limited to the following; 1. That there will be no retaliation against employees by Mrs. Regina Yazzie. 2. That she will be sent for further training on communication skills and 3. That she is to provide training and information to staff upon her return from the many future travels and past travels she has made. Starting with the trip to Washington, DC and more recently another trip to Denver, CO.

To date, we have not been informed of any dates to provide training to the staff and I feel my concerns that I have expressed in my memo to you (dated April 29, 2019) have not been addressed. But in a response from this morning, you shared that we cannot discuss old issues and only have a 20-day time period to file a grievance with the Department of Personnel. It is sad that these are the policies developed by the Personnel Office, possibly under the leadership of Sharon Begay-McCable. The response also brings up a concern that any prolong abuse of employees can be harmful to one's health and can have great contribution to low staff morale. It further sends a message that Navajo Nation Tribal employees are not appreciated and to hear that my concerns are not valid is of great concern.

Currently, the staff are not being informed of any future plans for the program as shared by the staff that we have to stumble across new information, example given about the Arizona IGA brought up by Ms. Mose. In response, Regina Yazzie shifts into her defense mode and made attempts to minimize issue presented, almost scolding Ms. Mose. Cassandra Gorman brought the Tribal Customary Adoption case and how she had to deal with her case without any guidance from her supervisor, Lillie Reed or from Regina Yazzie. These are legitimate concerns still brought forth by the staff. Instead, Mrs. Yazzie continues to make her attempts to find fault in our behaviors. In my situation, she continues to claim that my reports of the truth about lack of leadership and the toxic work environment is a problem and has been trying very hard to take disciplinary action against me. Isn't this an example of ongoing-practice of retaliation? I hope these challenges are being addressed in a fair and honest manner. Thank you for your time.

Regina Yazzie, MSW, Program Manager I, NCFS.
Crescentia Tso, MSW, Principal Social Worker, NCFS
Navajo Nation Personnel

October 8, 2019

Executive Director
Office of Legislative Services
Post Office Box 3390
Window Rock, Arizona 86515

Dear Executive Director,

I continue to be concerned about the decision to move the Adoption Unit from Navajo Children and Family Services (NCFS) to the Department of Family Service (DFS) - Foster Care Program. The reason I state this is because the Adoption Unit has been vital in assisting the Indian Child Welfare Act (ICWA) workers in certifying Navajo relative families and/or identifying non-relative Navajo families to adopt our Navajo children. These two units (Adoption & ICWA) worked together diligently to comply with ICWA Placement Preference. Why change a working collaboration (partnership between Adoption & ICWA) that has been in place for 20+ years? I strongly believe this change will negatively affect our precious resource, which is our Navajo children.

Under Mrs. Regina Yazzie's management, she abruptly makes decisions without input or recommendation from staff. There appears to be no rational for why this move was necessary. Also, under Mrs. Yazzie's management, there continues to be low staff morale among staff. Since I have been with NCFS, which is almost 10 years, the only supervisor that has been encouraging and positive to ICWA and Adoption staff, is the current ICWA Supervisor, Ms. Crescentia Tso.

Since the Adoption Unit has been moved to DFS, there is no need for 3 supervisory positions in the ICWA Program. I strongly advise the oversight committee to reassess the proposed ICWA organizational chart, which is such a small program. Since changes are being made, this is the time to place a new, experienced Social Worker in the Program Manager position. Someone who has more innovative management skills and empathy for the families and children ICWA serves, as well as for the ICWA staff.

I hope that my comments are taken into consideration.

Respectfully,



Marietta Dooline, Senior Social Worker
Department of Family Services
928-871-6829
mdooline@navajo-nsn.gov

NDSS - Indian Child Welfare Act Program

Malerie Todecheenie <mtodecheenie@navajo-nsn.gov>

Tue 10/8/2019 3:55 PM

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

This letter is in reference to the Navajo ICWA Program Organizational Chart. This is the first I've heard of this and I wish the staff inputs would have been nice to add to this chart. With this Organizational Chart it seems like most workers will be shift into different positions that we are not aware of and not sure if our job duties will remain the same as we do day in day out. Our biggest request is we hire more social workers which is needed in the ICWA Unit we've have several applicants but none were selected for the positions every time they were advertised. All the social workers are overloaded with the cases they have and are in and out of the office attending visits, court hearings and case staffing.

As for the case workers we need help as well. I've been in this case worker positions for several years now and same thing we have asking for another case worker to be hired as there is only two of us. I am assigned to assist 5 social workers with their caseloads such as maintaining their monthly stats, setting up new case files, closing out cases, making home visits and writing up reports. The previous case worker resigned last year in 2018 and since than we've had no help in filling that position and ask numerous times if the position was being advertised. I've asked several times if us case worker would be promoted to a Senior Case Worker but nothing has been done and I think we should as we do a lot more than what our job titles.

We have two ICWA Unit supervisors which we've asked why but since Ms. Crescentia Tso has come on board a lot of things have improved within in our ICWA office. She is my delegated supervisor and I've have a great working relationship with her. Before Ms. Tso was hired we were all under Ms. Lillie Reed but it was hard to get anything done or complete with her as she tends to questions everything you do and wants to know everything you do. She tends to use personal things against you and is constantly late to work every day and this has been brought up numerous times at our meetings with Regina Yazzie, Program Manager. She also delays getting things done. Since Crescentia has been aboard she is the main one everyone goes to for advice regarding cases. With Crescentia we've been able to close out cases a lot quicker, we have more case staffing with the State Agencies, we progressed more with Ms. Tso as the ICWA supervisor as she gets things done a lot quicker in our office. Lillie has been with this program for so long but things were at a stand hold with her as she took forever to review documents that needed to be signed in a timely manner. We still have no policy and procedure manual with our ICWA its been in draft mode as we are told.

Recommendations:

Is to keep the ICWA Unit as is with the staff, Keep Ms. Crescentia Tso as the Main ICWA Unit Supervisor, Hire more Social Workers and Case Workers for ICWA Unit.

Malerie Todecheenie, Caseworker
Navajo Children & Family Services-ICWA Unit
PO Box 769
St. Michaels, Arizona 86511
Ph: (928) 871-7006
Direct: (928) 871-7275
Fax: (928) 871-7049

October 8, 2019

MEMORANDUM

TO : 24th Navajo Nation counsel – First Year, 2019

FROM: Cassandra Gorman
Cassandra Gorman, M.S.W.
Senior Social Worker
Navajo Children Family Services, Indian Child Welfare Act Unit

SUBJECT: Legislation No.: 0303-19 SPONSOR: Pernell Halona
Title: An Action Relating to Health, Education and Human Services; Amending Plans of Operation for Navajo Nation Social Services

Since October 22, 2007, I, Cassandra Gorman I have been employed a Senior Social Worker with Navajo Children Family Services/Indian Child Welfare Act (ICWA) Unit. I am in receipt of the **“An Action Relating to Health, Education and Human Services; Amending Plans of Operation for Navajo Nation Social Services”** as of today, **October 8, 2019**. Upon reading this legislation, I have great concerns regarding the new proposed amendments regarding the ICWA Program. First, my maternal clan is BitterWater (Todichi'ii'nii) born for Rows of Houses (Kinaas'teenii) and my paternal grandfather Deeshchii'nii (Start of the Red Steak People) and my paternal grandfather is Big Water Clan (To'soh'nii). My mother raised myself and two siblings in Navajo, New Mexico. My father passed away when I was younger and he was from Nazlini, Arizona. My mother is from Seba Dalkai, Arizona and we still considered that our home. I grew up very traditionally but I can understand Navajo, read/ write Navajo but have difficulties speaking our language. I graduated from high school in 1995 and went onto college; I received two degrees from Arizona State University in 2001 and a Master's Degree in Social Work in 2007.

I am providing you a humanistic approach to my report because I would like for you to understand the position of a frontline Senior Social Worker. In reading the legislation that pertains to Navajo ICWA, these changes are all based on upper management whom have NEVER consulted any of the social workers in our office. At this time, there are eight social workers within our office and we are the individuals who do case management on the daily basis. Since I have been here, my case load has fluctuated between 77 to 97, 80, and now at 56 cases. During this time, we had one ICWA Unit Supervisor and Program Manager. These two individuals have never provided guidance as to how cases should be handled; in the meantime, a new supervisor was hired about two years and she had advocated for us in many ways. She exceeds all of my expectations as a supervisor; in fact, this supervisor should be the Program Manager for ICWA, not the current Program Manager.

First, on page 38 of 48 stating, “The Navajo ICWA Program shall be directed by and supervised under the guidance of a Program Manager II who shall be selected in accordance with the Navajo Nation Personnel Policies Manual. All other personnel shall be employed and compensated in accordance with the Navajo Nation Personnel Policies Manual.” Currently, the Program Manager is proposing an increase in pay. The current Program Manager is a I and proposing to be a II. The current Program Manager (PM) DOES NOT provide any information to any staff about any changes with the state

agencies, withholds information such as IGA between the three states and does not want any feedback about how to improve the program from the social workers. This has been an ongoing issue for many years. Secondly, the current PM does not allow workers to attend meetings to provide input regarding ICWA cases throughout the US. We can make recommendations and will deny the request or will take no action. A perfect example is with the current PM sent out an e-mail on 12/17/18 stating "As you are aware, the Office of Controller (OOC) has not been able to process our Special Need Requests in a timely manner. Therefore, effective immediately, we will no longer be processing Special Needs Requests on behalf of clients. OOC remains backlogged of prior submitted requests and adding additional paperwork to their piles is ineffective and inefficient. This procedure will remain in place until further notice, at least for the next four months. At which time we will reassess OOC's current processed paperwork." From that time, the current PM did not let any of the workers know when we can begin requesting for special needs. Special Needs Request is a request made on behalf of a social worker for the client with assistance such as rent, clothing, furniture or other request to help the family reunify with their children. On 8/28/19, after a case staffing, the current PM provided update stating that the adoption unit will be moving under foster care program. During that staffing, I asked her if she can provide an update on the Special Needs Request. I have not requested any Special Needs due to her email on 12/17/18. In response, the current PM stated we can make those request. We were each dumbfounded because no one knew of such changes! Which meant, these families from 12/17/18 to 08/28/19 social workers were unable to request for special needs due to the current PM lack of communication between the workers. This is an ongoing issue between the social workers and the current PM.

The current PM only has a Master's Degree in Social Work. As with many other fields, there are levels of credentials you can achieve. To move up as a Social Worker, you can become licensed with a Licensed Social Worker (LMSW), then with two years of clinical experience in addition to taking a clinical test you can become a Licensed Clinical Social Worker (LISW); it goes up from there. The current PM is not licensed nor has she worked clients in the clinical field. In ICWA cases, all parents are given a case plan to reunify with their children; they each have to complete a psychological evaluation and many of children or parents have been diagnosed clinically or have additional mental health issues. As a clinical worker, you are able to assist families and provide clinical guidance to better serve these families. It is recommended that the ICWA PM SHOULD BE A LMSW or a LISW with experience in dealing with families. The current PM does not deserve to be upgraded because ONLY individuals with more academics and clinical experience should be at Program Manager II or even a Program Manager III.

The current PM does not advocate for ICWA. There are no policies in place to guide a newly hired or longstanding Case Workers and Social Workers. Many of the workers are working based on their experience, asking other workers and/or learning things as they go. For instance, the State of California has a Tribal Customary Adoption (TCA) laws that prevent parents' parental rights being terminated if approved by the Tribal Court. During my experience at ICWA, I have encountered such a case and yet, there was no guidance or policies as to how the Navajo Nation ICWA handles TCA cases! I had to learn on my own through a training in Portland, Oregon about what TCA meant and the positive outcomes in doing a TCA. Unfortunately, as of today, there is still no policies as to how TCA are handled between the Tribal Court and ICWA. With no guidance from the current PM nor the First Supervisor, they should not be subject to any pay increase. It is as if they want the Program to go under and not exist.

The second issue is the Adoption Unit on page 39 of 48. The NCFS Program WAS a unique Program and it had an Adoption Unit. Please note that on 8/28/19, the current PM verbally informed the Adoption Unit and ICWA Unit that the two Adoption Workers were relocating to DFS and under new supervision. At this meeting, the current PM states, "nothing will change in case management except only the Supervisor." This Adoption Unit was vital to our Program because we had a pool of families whom were able to search for families to adopt children who are in state custody. Now, we no longer have those options. Our working relationship is now limited since this program is under the DFS. The two Adoption Workers are unable to access information the ICWA Workers have to effectively do their jobs. The Adoption Unit Social Worker were specialized in recruiting and also doing newborn relinquishments. As of today, the ICWA Social Workers have not been educated about doing new born relinquishments nor have been told that this is a new added on job duty.

The third issue is the Flow Chart on page 43. The Flow Chart has been completely revised to demote several prized Social Workers and deleting several worker's positions for the sake of increasing the current PM pay raise. This clearly demonstrates that the current PM is only looking out for her own financial interest and NOT the Program. The Navajo Nation President, Jonathan Nez indicated that funds are limited and yet, the current PM is promoting herself from a PM I to a PM II?? As I have stated before, ICWA has always had a high caseload; we have never had cases that fall below 35 cases or less. We are all accustomed to handling a high number of cases; but more recently, there have been four new workers that have been hired. Despite more workers, ICWA cases are all off the Navajo Nation and they require a lot of travel. In addition, you have to have a certain level of intelligence in dealing with high profile cases, difficult clients and to be able to network with various individuals. This job is extremely difficult, very demanding and it requires a lot of team work among the workers. In order for a social worker to fully dedicated time to one case, we always need more workers. It is known that ICWA receives a lot of money through the BIA and those monies should be utilized to increase Social Worker positions to Senior Social Workers positions and to hire more Senior Social Workers. The Flow Chart that is presented is unrealistic; it does not represent our case load nor does it represent the social worker's case management duties. It is feasible to focus on caseloads with more Social or Senior Social Workers. That way, workers are able to be more involved, participate in all the staffing and to be present for any hearings or visits.

Furthermore, there are current two ICWA Principal Social Worker (PSW) Supervisors. The First PSW has been with the Program for several years but has been and continues to be ineffective. When you need to staff a case with the First PSW, she writes everything on a post-it note; everything is on a post-it note. Also, this First PSW is chronically late, every day. How is a PSW supposed to be a role model to staff when you write notes on a post-it note and chronically late. Furthermore, the First PSW is unable to provide Social Work recommendations. Instead, the First PSW will provide procedural recommendations. For instance, I have a difficult case in Oklahoma City, Oklahoma and I will provide a synopsis of the case, make my recommendations and she will agree with my recommendations. In addition, the first PSW will ask if you have submitted a Travel Request and made travel arrangements. That is required yes, but I need guidance regarding the case itself. In addition, there are times when the first PSW will say, "I am sorry you are going through this." This does not constitute as effective PSW. As an example, I have attached a letter dated 6/14/19 stating why I did not want to go under the First PSW. I requested to stay under the Second PSW. As a response, the current PSW responded on 6/24/19 with no regards to my concerns about the First PSW nor any recommendations as to how the First PSW can improve her supervisory skills.

When the Second ICWA PSW arrived two years ago, the Second PSW is completely opposite to the First PSW. The Second PSW will listen to your staff, making recommendations pertaining to your case and will provide feedback regarding the case scenario. This Second Supervisor is highly experienced in the mental health field and is able to provide guidance as to how transitions should be developed and teaches you how to handle cases that require more attention. According to the Flow Chart, the Second Supervisor is being demoted which should not be the case. The Second PSW is always on time, does not turn you away, does not get mad if you have questions and is always finding ways to improve the working relationship between the states and ICWA Unit. In reality, it should be the Second Supervisor whom should be our Program Manager II and the current PM should be demoted to a Principal Social Worker.

Also in the Flow Chart, I noticed that my own personal position number is listed. In this Flow Chart, I am listed as a "Social Services Worker"; this position is lower than my current position as a Senior Social Worker. First, I have a Master's Degree in Social Work and I have 12 years of experience as an ICWA Social Worker. Furthermore, I have two years of prior experience in working in the Social Work field. This is great concern because it appears that I have been demoted WITHOUT MY KNOWLEDGE. This clearly indicates how much the current PM does not value employees who are highly dedicated Social Workers. During the time I've worked for ICWA, I always made sure ICWA is being followed, attended all my hearings, made recommendations on behalf of the Navajo Nation, I do relative home studies, adoption home studies, home visits, and I also provide ICWA Expert Testimony. I have earned the Senior Social Worker title and also the pay. Even then, all the other social workers should be all Senior Workers. We each have cases and when it becomes difficult, we each have to handle the cases; there is no difference in case load, case type and level of case difficulty among the workers. In a nutshell, we get what we get despite the level of pay.

All of these recommendations are based on my 12 years of experience at ICWA. It is amazing how the current PM does not ask any of the workers input regarding changes or even changes towards making the Program better, stronger and more effective in getting our children back with their families. I decided to stay at this job because I want children to be returned to their families or their parents; also, to uphold ICWA. There are many individuals that do not believe in ICWA and who think that our children are better off with non-Indian families; we fight each day to ensure children stay with families or Navajo adoptive families. It is just sad knowing that we also have to fight within our Program just to be heard and to make positive recommendations.

Thank you for taking the time to read my comments and recommendations. If you have any questions, please do not hesitate to contact me at cgorman77@yahoo.com I check my email daily. My mailing address is P.O. Box 858, Window Rock, Arizona 86515.

NDSS-Indian Child Welfare Act Program

Donna Toledo <donnatoledo@navajo-nsn.gov>

Tue 10/8/2019 4:37 PM

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

I am in disagreement with Tracking No. 0303-19, An Action relating to Health, Education Human Services; Amending plans of operation for Navajo Nation Division of Social Services. First of all, I am an ICWA Social Worker, under Navajo, Children & Family Services. I have front line experience as to what is expected of us to complete our jobs. This position is very tedious and we put in long day's work, before 8am and 5:00pm.

According to the new Amendment Navajo Nation ICWA Program Organizational chart, I disagree as some of the positions such as Senior Social Workers have been deleted and some positions have been renamed. With this Organizational Chart I feel we are moving backwards instead of forward. We need additional Senior Social Workers and Case Workers positions in order to effectively complete our jobs. The ICWA Program is demanding and our clientele are spread across United States including Alaska and Hawaii. Our ICWA cases are becoming harder, challenging and some have made national attention. Non-Natives individuals are filing in State Courts wanting to adopt our Navajo children. They are working against the "Indian Child Welfare Act Program" which is to keep our Navajo families together and in some instances our Navajo children be adopted by Navajo relatives, Navajo families and kinships.

The ICWA Program needs to have its own Unit. I have worked with outside entities in having their own Unit especially when they are working with clientele. The ICWA Program specializes and entails working with Navajo families living off the Navajo Reservation. Navajo clients live throughout United States including Alaska and Hawaii. We currently work with State Courts, Attorneys, Judges and Social Services entities off the Navajo Reservation. The ICWA Intakes are increasing, becoming more technical and challenging. In order to do a complete and productive work I feel we need to expand our ICWA Program and include Adoption, Foster Care and Recruitment.

In the new proposed Organizational Chart, Principal Social Worker position has been demoted to a Senior Social Worker. I feel this position needs to remain a Principal Social Worker, because of all the job duties it entails especially when reviewing, staffing or in Court attendance. The person in this position has a Master's Degree Level and has the experience in Behavioral Health. Which is one of helpful tool we need to do our jobs.

In the new proposed Organization Chart, the Program Manager I is being upgraded to a Program Manager II. This position needs to stay at a Program Manager I, the monies which is being utilized to upgrade the position should be used for adding or creating new positions to fulfill our jobs as ICWA Workers.

Donna R. Toledo, BSW
Navajo Children & Family srvcies, ICWA Unit
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Comments re Legislation 0303-19 HEHS Plans of Operation for Navajo Nation of Division of Social Services ICWA Unit

Lynette R. Mose <lynettemose@navajo-nsn.gov>

Tue 10/8/2019 3:43 PM

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

Honorable Health, Education & Human Services Members,

First of all, I appreciate the time you are taking to read my comments regarding the above subject matter. I have been a Social Worker for the Navajo Nation for the past 14 1/2 years, 12 years with the ICWA Unit. I have traveled all over the country attending state court hearings, advocating for our Navajo children to be placed with their family members on & off Navajo, in accordance with the ICWA placement preference.

Upon learning of the above subject matter today, I felt that it is important for me to provide my input regarding the proposed changes to the ICWA Unit. According to the "Navajo ICWA Program Organizational Chart" (Page 43) there are changes that will only move our already overloaded, understaff program **backwards**, resulting in losing more of our children to non-Indian permanent placement through Adoption, due to the proposed decreased in social workers.

Currently ICWA Unit has:

2 PSW aka Unit Supervisors. **Proposed Plan is to decreased to 1 PSW.**
5 SSW (Senior Social Workers) **Proposed Plan is to decreased to 4 SSW.**
3 SW (Social Workers) **Proposed Plan is to decreased to 2 SW.**
2 CW (Case Workers) 1 vacate position for approximate 1 year.

Proposed new position's:

Hire 1 Senior Case Worker.

Hire 4 Social Service Worker.

CONCERN #1:

Why is it recommended to decreased the number of Social Workers (SW)? It is the SW's who are assigned the cases involving our Navajo children who are in state custody due to allegations of abuse/neglect. We attend state court hearings, by person or by telephone, we conduct relative home study's across the reservation for placement purposes, we attend staffing's with state agencies, services providers & attorney's. We are the voice for the Navajo Nation in state courts. Why decrease this vital position? Currently average case load for SW's is approximately 60 cases, in approxiametly 10 states. A few years back SW's had over 100 cases each!!

Recommendation:

Hire at least 3 or 4 more SSW/SW positions instead of Senior Case Workers and Social Service Workers. Are these proposed new position going to be assigned cases?

CONCERN #2:

Proposed position of Program Manager II for current PM I, Mrs. Regina Yazzie. Funds to pay for an increase for Mrs. Yazzie is better spent on the Social Workers to attend training's and conferences pertaining to the ICWA, BIA Federal Guidelines, Mental Health, Abuse & Neglect, etc., etc. Why

decrease the number of SW's, but promote Program Mgr's position, with only ICWA Unit to supervised, following our Adoptions Unit staff being moved to DFS Foster Care?

Recommendation:

Keep PM I position, until Mrs. Yazzie, address the concerns brought up by ICWA Unit staff to OPVP Chief of Staff, Division Director Dr. Fowler & DSS Director Neswood-Gishey.

CONCERN #3)

Proposed plan to decreased to 1 Unit Supervisor. The recent hiring of Ms. Crescentia Tso has been a positive and moral boost that has long been needed at our unit, with productivity increasing amongst ICWA unit staff. However, it's been proposed to decreased to 1 supervisor, Ms. Tso does not have seniority, so it appears she may be demoted from her current position. Once again, we are moving in the wrong direction.

Recommendation:

Keep 2 ICWA Unit supervisors, who can supervise an equal number of SW's and CW's. This would prevent the staff from being unfairly treated by management and unit supervisor.

CONCERN #4:

Proposed (page 40) the ICWA Unit provide case management services involving "newborn relinquishments". Is this for cases involving mothers who give birth on Navajo? Per "Purpose" (page 37), ICWA unit is for "Navajo children who are domiciled off the Navajo Nation and are subject to out of home care".

Recommendation:

Such cases should be dealt with by the Department of Family Services (DFS), Foster Care & Adoptions Unit. Our former co-workers with the Adoptions Unit are now under DFS.

In closing, the proposed changes not only decreased the number of SW's with the ICWA Unit, but increase positions that are not directly involved in ICWA case assignments and case management. We need to hire more Social Workers to provide quality services to our Navajo children who are residing off Navajo.

Thank you for your time in reviewing my email.

Lynette R. Mose, Social Worker

THE NAVAJO NATION

Navajo Children & Family Services/ICWA Unit

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October 8, 2019

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515

Dear Executive Director;

The proposed plan of operation submitted regarding the Strengthening Families Program is quiet misguiding. Legislation 0315-16 was passed in September 2016 to create this program due to the ineffective structure at the time. The advocates who were hired to provide support services to victims were not able to fully apply their skills because they were assigned other tasks, such as completing guardian home studies, and assisting CPS workers. As the number of domestic violence cases increased, it became evident it was be most beneficial if the Nation created it's own DV program, hence, the Strengthening Families Program was established. However, now it's going to be shuffled back under Department of Family Services, where it initially was but was not properly administered. In fact, the Nation would or could face audit findings, however, those are not considered when this new proposal was initiated. There are no bases of a rational for these changes; any method or measurement of how the current structure is ineffective and or how the Nation or the Division stands to either improves is services for clients by doing these changes and or how there will be any cut in cost. It's hasty decision of such changes seem to continue to bring about low staff moral and to only please a hand full of people and yet, not take into consideration how we actually serve our people.

The new Strengthening Families Program was still being created and having their policies and procedures developed and in it's infancy stages, however, before the nation can witness it's success, it's being taken down. It's unfortunate because this would be been the first ever for the Navajo Nation actually have their own domestic violence program that would fully function as a program of it's own that would fully focus on services to the victims and their dependents.

I hope these comments give some light to anyone wanting to actually bring about the changes. Have a blessed day.

Respectfully,

/S/ *Lucy Laughter-Begay*

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Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515

Dear Executive Director;

The Navajo Children and Family Services, which is now going back to Navajo Indian Child Welfare Act Program. This is really not a change; with previous managers who aspired to build the capacity of the NCFS, it had incorporated the adoption unit over the past years with the passing of resolution HSSCJY-97-98. The adoption unit functioned as a critical component of the NCFS that supported the ICWA program, whereas it recruited and certified Navajo adoptive homes with the goal of complying with the ICWA placement preference.

However, in the past week, the adoption unit staff have been removed from the NCFS (AKA: ICWA Program) and have been moved to the Department of Family Services. Therefore, it appears their function is still included in the plan of operation under the proposed ICWA Program. This will be a duplication of services, it would be best to remove this portion and allow these services to be rendered by the adoption unit staff under DFS. I am referring to:

Section IV: Responsibilities and Authority (page 40 of 48)

B. Preserve child placements with relatives or other Navajo Families by strengthening families by providing education for parents and extended family members on traditional parenting and accessing community resources.

C. Provide specialized case management services including recruitment, completing relative/kinship studies, newborn relinquishments and post placement activities, educating and providing technical assistance on Navajo culture, traditional beliefs and practice recruitment and completing relative/kinship home studies.

In addition, the organizational chart of NCFS/ICWA appears to have three (3) supervisors when they are in the process of 'downsizing', yet, there are still 3 supervisors and 2 office specialist; **Organizational chart: 2 office specialists and three supervisors (Program manager, PSW and SSW).**

It would be highly recommended to examine the need for three supervisors for such a small program, in addition to look at their current performance. The intent of the law under ICWA has been compromised a number of times under Ms. Regina Yazzie, and Lillie Reed's management. It would be in the best interest of the Navajo Nation as it stands to protect it's most vital resources, our Navajo children that these two manager's position and performance be examine. In addition, Ms. Yazzie's recent cases that involved her domestic violence and child abuse cases have been over looked by the DSS administration and she is allowed to continue to function as a manager. This indeed infringe on the overall Navajo Nation's Social Work Code of Ethics. Again it's my hope these are examined thoroughly.

Respectfully,


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