

LEGISLATIVE SUMMARY SHEET

Tracking No. 0089-19

DATE: March 22, 2019

SUBJECT: AN ACTION RELATING TO THE HEALTH, EDUCATION AND
HUMAN SERVICES COMMITTEE, AMENDING THE NAVAJO
NATION DEPARTMENT OF DINE EDUCATION OFFICE OF DINE
SCHOOL IMPROVEMENT PLAN OF OPERATION

PURPOSE: To approve amendments to the Navajo Nation Department of Dine Education
Office Of Dine School Improvement Plan Of Operation.

**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
review the proposed resolution in detail.**

5-DAY BILL HOLD PERIOD:
Website Posting Time/Date:
Posting End Date: 04-21-19
Eligible for Action: 04-22-19

Health, Education & Human Services Committee

PROPOSED STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL—First Year, 2019

INTRODUCED BY

Daniel G. Lee

[Signature]

Primary Sponsor

[Signature]

TRACKING NO. 0089-19

AN ACTION

RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES
COMMITTEE, AMENDING THE NAVAJO NATION DEPARTMENT OF DINE
EDUCATION OFFICE OF DINE SCHOOL IMPROVEMENT PLAN OF OPERATION

BE IT ENACTED:

SECTION ONE. AUTHORITY

The Health, Education and Human Services Committee is the oversight committee for
Department of Diné Education and as such is empowered to adopt, amend, or rescind its Plan
of Operation. 2 N.N.C. § 401(C)(1).

SECTION TWO. FINDING

A. Amendments to the Plan of Operation for the Department of Diné Education
Office of Diné School Improvement are attached as **Exhibit A**.

B. The Department of Justice has reviewed the amendments to the Plan of Operation
for the Department of Diné Education Office of Diné School Improvement and
offered suggestions for revision to the document submitted. The Department of
Justice documents are attached as **Exhibit B**.

SECTION THREE. APPROVAL

1 The Health, Education and Human Services Committee of the Navajo Nation Council
2 approves amendments to the Plan of Operation for the Department of Diné Education
3 Office of Diné School Improvement as indicated in **Exhibit A.**
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**DEPARTMENT OF DINÉ EDUCATION
OFFICE OF DINÉ SCIENCE, MATHEMATICS, AND TECHNOLOGY
SCHOOL IMPROVEMENT
PLAN OF OPERATION**

**SECTION I. ESTABLISHMENT OF THE OFFICE OF DINÉ SCIENCE,
MATHEMATICS, AND TECHNOLOGY SCHOOL IMPROVEMENT**

~~The Office of Diné Science, Mathematics, and Technology was established in 2001 by the Government Services Committee of the Navajo Nation Council, Resolution No. GSCAP-35-01. The Office of Diné Science, Mathematics, and Technology is situated in the Department of Diné Education within the Executive Branch of the Navajo Nation Government. The activities of the Office of Diné Science, Mathematics, and Technology shall be conducted by the Program Director who shall be under the general direction of the Superintendent, Department of Diné Education.~~

The Office of Dine School Improvement is established to support the establishment of the Department of Diné Education as a State Education Agency and to meet the mandates of the Sovereignty in Education Act of 2005, the Department has restructured, whereby amending Government Services Committee Resolutions: GACAP-35-01, GSCJN-12-04, and GSCMY-19-07. Consequently, the following four three programs: ODCLCS, ODSMT, and OMETA, and NCA have aligned into three new programs based on organizational functions with specific job positions and budgets to ensure that programs reflect the academic language and cultural needs of Indian students. One of these new programs is The Office of Diné School Improvement that will provide technical assistance to schools and educators in their quest of to improvement as defined by the Dine School Accountability Plan (DSAP) and closing the achievement gap.

SECTION II. PURPOSE

~~The purpose of the Office is to enhance the academic achievement of Navajo students in science, mathematics, and technology by implementing and sustaining education reform in schools with large numbers of Navajo students (Navajo schools). The office will serve as a catalyst for the creation of a standards-based teaching and learning environment in science, mathematics and technology in Navajo schools. The purpose of the Office of Diné School Improvement (ODSI) is to improve schools through professional development, coaching and mentoring of educators; enhancing and training educators on data analysis and making data driven decisions; developing and implementing school improvement plans with educators; strengthening leadership skills and knowledge of educators and parents; and leveraging technology in new and innovative ways for the purposes of systemic support, instructor excellence and student academic achievement.~~

SECTION III. GOALS

~~The Office of will promote cultural infusion to enhance science, mathematics, and technology education. The following goals are established for the Office: Diné School Improvement is to improve schools based on the following goals:~~

1. Curriculum, Instruction, and Assessment: Assist Navajo schools in their effort to develop a comprehensive standards-based science and mathematics curriculum that is aligned with instruction and standardized assessment, and is supported by technology and the Navajo language and cultural experiences of the students to enhance science and mathematics learning. Professional Development: Assist schools with the professional development of their teachers, administrators, and other educators striving for consistent and constant improvement in classroom instruction.
2. Policy: Assist the Navajo Nation and education entities in their effort to develop a coherent and consistent set of policies and standards that support high-quality science and mathematics education of Navajo students; the preparation and continuing education of science and mathematics teachers; the implementation of science, mathematics and technology education reform; and cultural infusion to enhance scientific and mathematic literacy of Navajo students. Coaching and Mentoring: Assist educators through meaningful coaching and mentoring programs based on constant improvement in classroom instruction.
3. Resource Convergence: Collaborate with stakeholders to align resources to support science, mathematics, and technology education to upgrade and continually improve science, mathematics, and technology education of all Navajo students. Data Analysis and Data Driven Decision-Making: Assist schools and educators with data collection, analysis, database development, and using data as a basis for targeted systemic improvements.
4. Broad-Based Support: Develop broad-based support for all stakeholders. Focus on increasing parental involvement in schools. Leadership and Parental Training: Assist schools with increasing and strengthening the involvement of parents in all aspects of their child's education; improving the communication and feedback between parents, teachers, and administrators; and helping parents take an active part in school improvement measures.
5. Student Attainment and Achievement: Make available an array of evidence that demonstrates increased achievement and participation in science, mathematics, and technology. Technological Management: Develop and maintain the Navajo Education Information System (NEIS) as a central database to launch and evaluate research, curriculum development, and present vital feedback to teachers, parents, administrators, and students.
6. Closing the Gap: Reduce the academic disparities of Navajo students relative to science, mathematics, and technology. Collect and analyze data obtained from schools.
7. Assist with the development and maintenance of the Navajo Educational Information System (NEIS.)

SECTION IV. STAFFING AND ORGANIZATION

A. Staffing

The Program ~~Director~~ Manager shall be the administrator of the Office of Diné ~~Science, Mathematics, and Technology. School Improvement.~~ The Program ~~Director~~ Manager shall be hired in accordance with the Navajo Nation Personnel Policies. ~~The Program Director is hereby authorized to assume the general responsibility to carry out and implement the duties and responsibilities of the office through the Central office and five regions With strategically located offices situated in schools providing services to Navajo students.~~

The Program ~~Director~~ Manager ~~shall be~~ is authorized to hire additional personnel as needed to carry out the organization purpose and plan of operation, as stated herein. Additional positions shall be acquired

in accordance with duly approved Navajo Nation Personnel Policies Manual and within applicable budget rules established for conducting the annual Navajo Nation budget process.

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

B. Organization

The organization chart of the Office of Diné Science, ~~Mathematics, and Technology~~ School Improvement is attached and incorporated herein as Exhibit A.

SECTION V. AUTHORITY AND RESPONSIBILITIES

- A. a. Provide guidance and leadership to participating schools and districts to ensure that all students benefit from science, mathematics, and technology as defined by Navajo Nation, state and/or national standards.
- ~~B.~~ b. Assist Navajo schools with the selection and implementation of standards-based science, mathematics, and technology instruction.
- C. c. Implement the Navajo Education Information System in conjunction with existing data systems utilized by the State Departments of Education and programs under the Department of Diné Education to track Navajo student achievement in science, mathematics, and technology.
- ~~D.~~ d. Provide an analysis of Navajo student academic achievement in science, mathematics, and technology.
- E. e. Participate in local, state and national meetings, forums, workshops and seminars related to systemic reform issues and disseminate ideas, undertake activities, and produce written materials.
- F. f. The Office of Diné Science, ~~Mathematics, and Technology~~ School Improvement will work with the Bureau of Indian Education funded schools and public schools that are defined by state accountability systems as low performing.
- G. g. Assist with the implementation of the Memorandum of Understanding or Agreements with the State Departments of Education.
- H. h. Work with the Advisory Board as a resource to Office of Diné Science, ~~Mathematics, and Technology~~ School Improvement.
 - i. Maintain security of student level data pursuant to the Family Education Rights Privacy Act (FERPA).
 - j. Conduct research in schools serving the Navajo Nation to inquire, produce reports and make recommendations on the academic status of schools serving Navajo students.
 - k. Apply data collection and analysis toward education policy issues for legislative purposes.
 - l. Collaborate and maintain working relationships with local, regional, state and national officials regarding education issues that affect the educational services provided to students.
 - m. Collect research information from local, regional, state and national agencies and researchers pertaining to Diné and American Indian Education.
 - n. Disseminate information and promote awareness of research initiatives and data through conferences, workshops and trainings.

SECTION VI. LEGISLATIVE OVERSIGHT

The Health, Education and Human Services Committee of the Navajo Nation Council is the oversight committee for the Department pursuant to 2 N.C.C. §§ 482 and 484.

SECTION VII. AMENDMENTS

The Board may forward recommendations for amendments to this Plan of Operation to the Health, Education and Human Services Committee, and the ~~Education~~ Committee would make final recommendations for amendments of this Plan of Operation to the ~~Government Services~~ Náí'ké'yaa'tí Committee of the Navajo Nation Council.

NAVAJO NATION DEPARTMENT OF JUSTICE



REQUEST FOR SERVICES



DOJ
12/5/18 12:12
DATE/TIME
RFS #: 18-2863
UNIT: 115-16

☐ RESUBMITTAL

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

CLIENT TO COMPLETE

DATE OF REQUEST: 12/5/2018	ENTITY/DIVISION: Of Education
CONTACT NAME: Calvin White	DEPARTMENT: Ofc of Dine School Improvement
PHONE NUMBER: 871-7448	E-MAIL: Click here to enter text.

COMPLETE DESCRIPTION OF LEGAL NEED AND SERVICES REQUESTED (Attach Documents):
Need a legal review of the amendments to the Office of School Improvement's Plan of Operation

DEADLINE:	Click here to enter a date.	REASON:	Limited to 40 characters
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DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: 12/5 @ 10:10	REVIEWING ATTORNEY/ADVOCATE: JM
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DATE TIME OUT OF UNIT: 12/7 @ 1040	PREPARED BY (initial): [Signature]
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DOJ ATTORNEY / ADVOCATE COMMENTS

See Memo.

REVIEWED BY: (PRINT) Jay C. McCray	DATE/TIME: 12/7/18 9:23am
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DOJ Secretary Called: Calvin	for Document Pick Up on 12/7 at 1040	By: [Signature]
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PICKED UP BY: (PRINT)	DATE/TIME:
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**DEPARTMENT OF DINÉ EDUCATION
THE NAVAJO NATION**

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



Russell Begaye
President

Jonathan Nez
Vice-President

December 3, 2018

To: Jay McCray, Department of Justice, Navajo Nation

Fr: Calvin White, Ph.D., Program Manager, Office of Dine School Improvement, DODE

Re: Amending the Office of School Improvement's Plan of Operations

This is a written request for your legal review of the amendments we are proposing to our current Plan of Operations for the Office of Dine School Improvement (ODSI) under the Department of Dine Education (DODE). The amendments include work to be completed within the Dine School Accountability Plan (DSAP). Our office provides technical assistance for school improvement initiatives at the school level within the parameters of school improvement under DSAP.

Thank you for your attention and time to fulfill my request. Please call me at 871-7448 for any questions regarding this matter.

BOARD OF EDUCATION

Bennie Begay, President · Gloria Johns, Vice President · Delores Greyeyes, Secretary
Members: Dolly C. Begay · Dr. Pauline Begay · Dr. Bernadette Todacheene · Patrick D. Lynch · Marlene Burbank
Dr. Tommy Lewis, Superintendent of Schools



**NAVAJO NATION DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL**

*Ethel Billie Branch
Attorney General*

*Cherie Espinosa
Acting Deputy Attorney General*

ATTORNEY-CLIENT PRIVILEGE

MEMORANDUM:

TO : Calvin White Ph.D., *Education Administrator*
Office of Dine' School Improvement
Department of Dine' Education

FROM: 
Jay C. McCray, *Staff Attorney*
Human Services & Government Unit
Office of the Attorney General/ NNDOJ

DATE : December 6, 2018

RE : **Review of Office of Dine' School Improvement Plan of Operation**

On December 5, 2018 the Department of Justice ("DOJ") received a Request for Services from the Office of Dine School Improvement ("ODSI"). ODSI requested the DOJ to review the Office of Dine' School Improvement Plan of Operation.

The Office of Management Budget issued a memorandum regarding the drafting of Plan of Operation and Enabling Legislation. The purpose of the memorandum is to ensure that Navajo Nation Program Plan of Operation and Enabling Legislation is consistent and uniform. After careful review, DOJ recommends the following:

1. Section I. This section needs clarity. First, identify ODCLCS, ODSMT and OMETTA. DOJ believes ODSMT is the Office of Dine Science, Mathematics and Technology. The ODSMT establishment is set forth in the first paragraph but there is no reference to OMETTA and ODCLCS. Therefore, if the program decides to keep the first paragraph then the program should also provide information on OMETTA and ODCLCS. This section should also cite what authority aligned the OMETTA, ODCLCS and ODSMT into three new programs. Overall this section is confusing and does not clearly the establishment of the Office of Dine' School Improvement.

Memo to: Kalvin White Ph.D., Education Administrator, Office of Dine' School Improvement/ DoDE
RE: Review of Office of Dine' School Improvement Plan of Operation
December 6, 2018
Page 2 of 2

2. Section III.(1), "Implement ~~to~~ academic accountability ~~requires~~ requirements of the Dine School Accountability Plan (DSAP) for a Bureau of Indian Education ~~F~~-funded Schools;
3. Section IV.(B), "Education Administrator is authorized to recommend additional professional, technical and clerical positions as needed to carry out the organization purpose and Plan of Operation, as stated herein...."
4. Section IV. (E), "Education Administrator is under the general direction of the Superintendent of Schools", Client needs to determine if this is correct.
5. Section V., "The Office of Dine' School Improvement has the authority and responsibility to:"
6. Section V.(j), "Maintain security of student level data pursuant to the Family Education Rights Privacy Act (FERPA) and the Navajo Nation Privacy Act at 2 N.N.C. § 81 et seq."
7. Section VI., "The Health, Education, and Human Services Committee of the Navajo Nation Council is the oversight committee for the Department pursuant to 2 N.N.C. § 400 482 and 484."
8. Section VII., "The Board may forward recommendations for amendments to this Plan of Operation to the Education Committee, and the Education Committee would make final recommendations for amendments of this Plan of Operation to the Government Services Committee of the Navajo Nation Council. Sections I through VI maybe amended by the Health, Education and Human Services Committee upon recommendation of the Board of Education as deemed necessary."

If you have any questions, please contact my office at (928) 871-6935.

DEPARTMENT OF DINÉ EDUCATION
OFFICE OF DINÉ SCHOOL IMPROVEMENT
PLAN OF OPERATION

SECTION I. ESTABLISHMENT OF THE OFFICE OF DINÉ SCHOOL IMPROVEMENT

The Office of Diné Science, Mathematics, and Technology was established in 2001 by the Government Services Committee of the Navajo Nation Council, Resolution No. GSCAP-35-01. The Office of Diné Science, Mathematics, and Technology is situated in the Department of Diné Education within the Executive Branch of the Navajo Nation Government. The activities of the Office of Diné Science, Mathematics, and Technology shall be conducted by the Program Director who shall be under the general direction of the Superintendent, Department of Diné Education.

Why is this here?

To support the establishment of the Department of Diné Education as a State Education Agency and to meet the mandates of the Sovereignty in Education Act of 2005, the Department has restructured, whereby amending Government Services Committee Resolutions: GACAP-35-01, GSCJN-12-04, and GSCMY-19-07. Consequently, the following four three programs: ODCLCS, ODSMT, and OMET, and NCA have aligned into three new programs based on organizational functions with specific job positions and budgets to ensure that programs reflect the academic language and cultural needs of Indian students. One of these new programs is the Office of Diné School Improvement that will provide technical assistance to schools and educators in their quest of school improvement and closing the achievement gap.

SECTION II. PURPOSE

The purpose of the Office of Diné School Improvement (ODSI) is to improve schools through professional development; coaching and mentoring of educators; enhancing and training educators on data analysis and making data driven decisions; developing and implementing school improvement plans with educators; strengthening leadership skills and knowledge of educators and parents; and leveraging technology in new and innovative ways for the purposes of systemic support, instructor excellence and student academic achievement.

SECTION III. GOALS

The Office of Diné School Improvement is to improve schools based on the following goals:

1. Implement academic accountability requirements of the Dine School Accountability Plan (DSAP) for a Bureau of Indian Education Funded Schools;
2. Provide Professional Development in compliance with the DSAP academic accountability requirements in math, science, and language arts;
3. Assist schools with the professional development of their teachers, administrators, and other educators striving for consistent and constant improvement in classroom instruction;
4. Coaching and Mentoring: Assist educators through meaningful coaching and mentoring programs based on constant improvement in classroom instruction.

Requirements

5. Data Analysis and Data Driven Decision-Making: Assist schools and educators with- data collection, analysis, database development, and using data as a basis for targeted systemic improvements;
6. Leadership and Parental Training: Assist schools with increasing and strengthening the involvement of parents in all aspects of their child's education; improving the communication and feedback between parents, teachers, and administrators; and helping parents take an active part in school improvement measures; and
7. Technological Management: Develop and maintain the Navajo Education Information System (NEIS) as a central database to launch and evaluate research, curriculum development, and present vital feedback to teachers, parents, administrators, and students.

SECTION IV.

STAFFING AND ORGANIZATION

- A. The ~~Program Manager~~ **Education Administrator** shall be the administrator of the Office of Diné School Improvement. The ~~Program Manager~~ **Education Administrator** shall be hired in accordance with the Navajo Nation Personnel Policies Manual.

- B. ~~Program Manager~~ **Education Administrator** is authorized to hire additional personnel as needed to carry out the organizational purpose and Plan of Operation, as stated herein. Additional positions shall be acquired in accordance with the duly approved Navajo Nation Personnel Policies Manual and within applicable budget rules established for conducting the annual Navajo Nation budget process.
- to recommend additional Professional, technical, Central Positions*

- C. All personnel shall be employed and compensated in accordance with applicable Navajo Nation Personnel Policies Manual.

B.D Organization

The organizational chart for the Office of Diné School Improvement is attached and incorporated herein as Exhibit A.

- E. ~~Administrator~~ **Under general direction of ...** *Super of School?*

SECTION V. AUTHORITY AND RESPONSIBILITIES:

has the authority and guidance
The Office of Diné School Improvement will be under the general supervision of the ~~Program Manager~~ **Education Administrator** who has the authority to: *and Reson. ...*

- a. Provide guidance and leadership to participating schools and districts to ensure that all students benefit from science, mathematics and technology as defined by the Navajo Nation Dine School Accountability Plan, state and/or national standards;
- b. Assist Navajo schools with the selection and implementation of standards-based science, mathematics, language arts and technology instruction;
- c. Implement school improvement initiatives as prescribed by the Dine School Accountability Plan;
- d. Implement the Navajo Education Information System in conjunction with existing data systems utilized by the state departments of education and programs under the Department of Diné Education to track Navajo student achievement in science, mathematics and technology;

- e. Provide an analysis of Navajo student academic achievement in science, mathematics and technology;
- f. Participate in local, state and national meetings, forums, workshops and seminars related to systemic reform issues and disseminate ideas, undertake activities and produce written materials;
- g. ~~The Office of Diné Science, mathematics and Technology~~ The Office of Dine School Improvement will work with the Bureau of Indian Education funded schools and public schools that are defined by state accountability systems as low performing;
- h. Assist with the implementation of the Memorandum of Understanding or Agreements with the State Departments of Education on school improvement initiatives.;
- i. ~~Work with the Advisory Board as a resource to Office of Diné science, Mathematics and Technology.~~
- j. Maintain security of student level data pursuant to the Family Education Rights Privacy Act (FERPA), 5 N.N.P.R. Act & N.N.C. Sec. 81;
- k. Conduct research in schools serving the Navajo Nation to inquire, produce reports and make recommendations on the academic status of schools serving Navajo students;
- l. Apply data collection and analysis toward education policy issues for legislative purposes;
- m. Collaborate and maintain working relationships with local, regional, state and national officials regarding education issues that affect the educational services provided to students;
- n. Collect research information from local, regional, state and national agencies and researchers pertaining to Diné and American Indian Education; and
- n. Disseminate information and promote awareness of research initiatives and data through conferences, workshops and trainings.

SECTION VI. LEGISLATIVE OVERSIGHT

~~The Education Committee~~ The Health Education Human Services of the Navajo Nation Council is the oversight committee for the Department pursuant to 2 N.N.C. §§ ~~482 and 484.~~

SECTION VII. AMENDMENTS

~~The Board may forward recommendations for amendments to this Plan of Operation to the Education Committee, and the Education Committee would make final recommendations for amendments of this Plan of Operation to the Government Services Committee of the Navajo Nation Council.~~

Sections I through VI May be Amended by HE-HSC upon recommendation by BOE as deemed necessary.

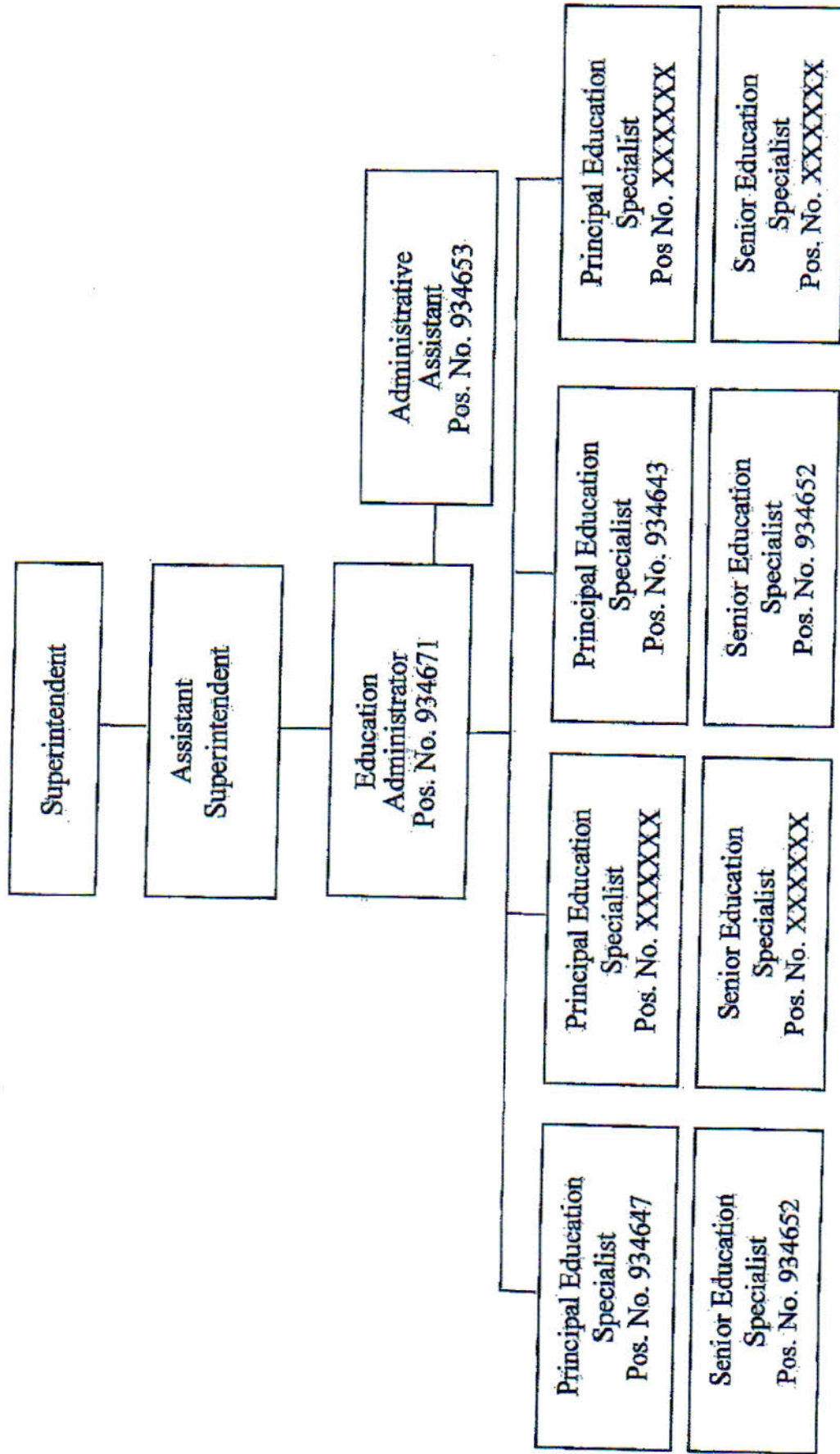
Office of Diné School Improvement

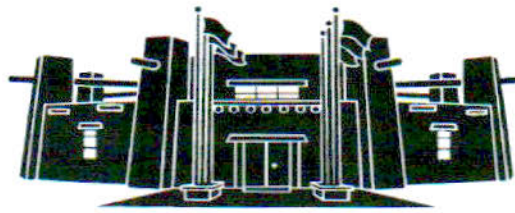
Business Unit: 109009

Department: 44

Division: EDUCATION

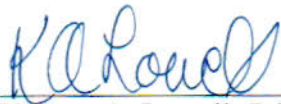
Branch: Executive





MEMORANDUM

TO: Honorable Daniel E. Tso, Chair
Health, Education and Human Services Committee
24th Navajo Nation Council

FROM: 
Kristen A. Lowell, Principal Attorney
Office of Legislative Counsel

DATE: March 22, 2019

SUBJECT: AN ACTION RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE, AMENDING THE NAVAJO NATION DEPARTMENT OF DINE EDUCATION OFFICE OF DINE SCHOOL IMPROVEMENT PLAN OF OPERATION

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution as drafted is legally sufficient. As with any action of government however, it can be subject to review by the courts in the event of proper challenge.

Please ensure that this particular resolution request is precisely what you want. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

The Office of Legislative Counsel confirms the appropriate standing committee(s) based on the standing committees powers outlined in 2 N.N.C. §§301, 401, 501, 601 and 701. Nevertheless, "the Speaker of the Navajo Nation Council shall introduce [the proposed resolution] into the legislative process by assigning it to the respective oversight committee(s) of the Navajo Nation Council having authority over the matters for proper consideration." 2 N.N.C. §164(A)(5).

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.