

RESOLUTION OF THE
NAABIK'IYATI' COMMITTEE OF THE
NAVAJO NATION COUNCIL

23RD Navajo Nation Council - Third Year, 2017

AN ACTION

RELATING TO NAABIK'IYATI' COMMITTEE; SUPPORTING AND RECOMMENDING THE
PASSAGE OF HOUSE BILL 2288, 53rd LEGISLATURE - STATE OF ARIZONA
RELATING TO CHILD CARE SERVICES

WHEREAS:

- A. The Navajo Nation established the Naabik'iyati' Committee as a Navajo Nation Council standing committee and as such empowered Naabik'iyati' Committee to assist and coordinate all requests for information, appearances and testimony relating to proposed county, state and federal legislation impacting the Navajo Nation. 2 N.N.C. §§ 164 (A) (9), 701 (A) (4), 701(A) (6) (2015); CO-45-12.
- B. Statements of policy are written statements submitted to federal, state or local governments by a Navajo Nation official stating the official position of the Navajo Nation on proposed legislation or other action by that government. 2 N.N.C. § 100 (W).
- C. House Bill 2288 (H.B. 2288) sponsored by Representative Rivero was introduced to the 53rd Legislature First Regular Session 2017 - State of Arizona; H.B. 2288 is attached as **Exhibit A**.
- D. H.B. 2288 is an act amending Title 46, Chapter 7, Article 1 of the Arizona Revised Statutes, by adding section 46-811; relating to child care services.
- E. The Navajo Nation respectfully requests an amendment to H.B. 2288 to extend eligibility of the child care assistance vouchers to include all tribal head start grantees.
- F. It is within the best interest of the Navajo Nation to support the passage of H.B. 2288 with the proposed amendment to extend eligibility of the child care assistance vouchers to include all tribal head start grantees.

NOW THEREFORE, BE IT RESOLVED:

- A. The Navajo Nation hereby supports and recommends the passage of H.B. 2288 with the proposed amendment to extend eligibility of the child care assistance vouchers to include all tribal head start grantees, attached as **Exhibit A**.

B. The Navajo Nation hereby authorizes the Navajo Nation President, the Navajo Nation Speaker, the Navajo Nation Chief Justice and their designees, to advocate for the passage of H.B. 2288 with the proposed amendment to extend eligibility of the child care assistance vouchers to include all tribal head start grantees.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of the 23rd Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 13 in favor and 0 oppose, this 6th day of April, 2017.

A handwritten signature in black ink, appearing to read "Lorenze C. Bates", written over a horizontal line.

Honorable Lorenze C. Bates, Chairperson
Naabik'iyáti' Committee

Motion: Honorable Leonard Tsosie
Second: Honorable Herman M. Daniels

23rd Navajo Nation Council

Naabik'iyati' Committee

DATE: April 6, 2017

Legislation 0087-17 (Main Motion)Motion: Leonard TsosieSecond: Herman Daniels

ALL DELEGATES:

	Yea	Nay
BATES, LoRenzo		
BEGAY, Kee Allen Jr.		
BEGAY, Norman M.		
BEGAYE, Nelson	✓	
BENNETT, Benjamin L.		
BROWN, Nathaniel	✓	
CHEE, Tom T.	✓	
CROTTY, Amber K.	✓	
DAMON, Seth	✓	
DANIELS, Herman	✓	
FILFRED, Davis		
HALE, Jonathan L.	✓	
JACK, Lee Sr.	✓	
PERRY, Jonathan	✓	
PETE, Leonard H.		
PHELPS, Walter	✓	
SHEPHERD, Alton Joe		
SLIM, Tuchoney Jr.		
SMITH, Raymond Jr.		
TSO, Otto		
TSOSIE, Leonard	✓	
WITHERSPOON, Dwight	✓	
YAZZIE, Edmund		
YAZZIE, Peterson	✓	

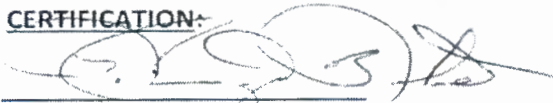
BY COMMITTEE:

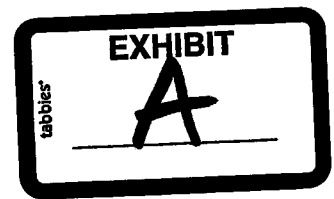
	Yea	Nay	TOTAL
BFC:			
CHEE, Tom T.			
DAMON, Seth			
JACK, Lee Sr.			
SLIM, Tuchoney Jr.			
WITHERSPOON, Dwight			
TSOSIE, Leonard			
HEHSC:			
BEGAY, Norman M.			
BEGAYE, Nelson			
BROWN, Nathaniel			
CROTTY, Amber K.			
HALE, Jonathan L.			
YAZZIE, Peterson			
LOC:			
BEGAY, Kee Allen Jr.			
DANIELS, Herman			
SMITH, Raymond Jr.			
TSO, Otto			
YAZZIE, Edmund			
RDC:			
BENNETT, Benjamin L.			
FILFRED, Davis			
PERRY, Jonathan			
PETE, Leonard H.			
PHELPS, Walter			
SHEPHERD, Alton Joe			
SPEAKER:			
BATES, LoRenzo			
(Votes only in a tie)			

GRAND TOTAL

13 10

CERTIFICATION:


 Honorable LoRenzo Bates
 Speaker



REFERENCE TITLE: early childhood education; assistance

State of Arizona
House of Representatives
Fifty-third Legislature
First Regular Session
2017

HB 2288

Introduced by
Representative Rivero

AN ACT

AMENDING TITLE 46, CHAPTER 7, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 46-811; RELATING TO CHILD CARE SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 46, chapter 7, article 1, Arizona Revised
3 Statutes, is amended by adding section 46-811, to read:

4 46-811. Child care assistance; early childhood education

5 A. TO CLOSE THE ACHIEVEMENT GAP AND INCREASE KINDERGARTEN READINESS
6 FOR LOW-INCOME AND MINORITY CHILDREN, THE DEPARTMENT SHALL PROVIDE CHILD
7 CARE ASSISTANCE VOUCHERS AT A HIGHER REIMBURSEMENT RATE FOR QUALITY EARLY
8 CHILDHOOD EDUCATION TO CHILDREN AND FAMILIES WHO ARE ELIGIBLE PURSUANT TO
9 SECTION 46-803, INCLUDING:

10 1. FOSTER FAMILIES CARING FOR CHILDREN WHO ARE IN THE CUSTODY OF
11 THE DEPARTMENT OF CHILD SAFETY.

12 2. FAMILIES WITH CHILDREN WHO ARE AT RISK FOR REMOVAL BY THE
13 DEPARTMENT OF CHILD SAFETY.

14 3. CHILDREN IN FAMILIES WHO ARE RECEIVING TEMPORARY ASSISTANCE FOR
15 NEEDY FAMILIES.

16 4. CHILDREN IN LOW-INCOME WORKING FAMILIES WHO ARE BELOW ONE
17 HUNDRED SIXTY-FIVE PERCENT OF THE FEDERAL POVERTY LEVEL.

18 B. A PROVIDER IS ELIGIBLE TO RECEIVE THE VOUCHER DESCRIBED IN
19 SUBSECTION A OF THIS SECTION AND WILL BE PAID A RATE EQUAL TO THE LESSER
20 OF THE SEVENTY-FIFTH PERCENTILE OF THE MOST RECENT MARKET RATE SURVEY OR
21 THE QUALITY FIRST SCHOLARSHIP RATE DETERMINED BY THE ARIZONA EARLY
22 CHILDHOOD DEVELOPMENT AND HEALTH BOARD IF THE PROVIDER MEETS ONE OF THE
23 FOLLOWING REQUIREMENTS:

24 1. IS A HEAD START GRANTEE.

25 2. RECEIVED A THREE TO FIVE STAR RATING FROM QUALITY FIRST, THE
26 ARIZONA EARLY CHILDHOOD DEVELOPMENT AND HEALTH BOARD'S QUALITY RATING
27 SYSTEM.

28 3. HAS A NATIONAL ACCREDITATION FROM AN ORGANIZATION THAT IS
29 RECOGNIZED BY THE DEPARTMENT OF EDUCATION.

46-803. Eligibility for child care assistance

(Caution: 1998 Prop. 105 applies)

A. The department shall provide child care assistance to eligible families who are attempting to achieve independence from the cash assistance program and who need child care assistance in support of and as specified in their personal responsibility agreement pursuant to chapters 1 and 2 of this title.

B. The department shall provide child care assistance to eligible families who are transitioning off of cash assistance due to increased earnings or child support income in order to accept or maintain employment. Eligible families must request this assistance within six months after the cash assistance case closure. Child care assistance may be provided for up to twenty-four months after the case closure and shall cease after a time period specified in rule by the department once the family income exceeds one hundred sixty-five percent of the federal poverty level but remains below eighty-five percent of the state median income. If the family income exceeds eighty-five percent of the state median income, child care assistance shall cease on notification by the department.

C. The department shall provide child care assistance to eligible families who are diverted from cash assistance pursuant to section 46-298 in order to obtain or maintain employment. Child care assistance may be provided for up to twenty-four months after the case closure and shall cease after a time period specified in rule by the department once the family income exceeds one hundred sixty-five percent of the federal poverty level but remains below eighty-five percent of the state median income. If the family income exceeds eighty-five percent of the state median income, child care assistance shall cease on notification by the department.

D. The department may provide child care assistance to support eligible families with incomes of one hundred sixty-five percent or less of the federal poverty level at the time of application to accept or maintain employment. Child care assistance shall cease after a time period specified in rule by the department once the family income exceeds one hundred sixty-five percent of the federal poverty level but remains below eighty-five percent of the state median income. If the family income exceeds eighty-five percent of the state median income, child care assistance shall cease on notification by the department. Priority for this child care assistance shall be given to families with incomes of one hundred percent or less of the federal poverty level.

E. The department may provide child care assistance to families referred by the department of child safety and to children in foster care pursuant to title 8, chapter 4 to support child protection.

F. The department may provide child care assistance to special circumstance families whose incomes are one hundred sixty-five percent or less of the federal poverty level at the time of application and who are unable to provide child care for a portion of a twenty-four hour day due to a crisis situation of domestic violence or homelessness, or a physical, mental, emotional or medical condition, participation in a drug treatment or drug rehabilitation program or court ordered community restitution. Child care assistance shall cease after a time period specified in rule by the department once the family income exceeds one hundred sixty-five percent of the federal poverty level but remains below eighty-five percent of the state median income. If the family income exceeds eighty-five percent of the state median income, child care assistance shall cease on notification by the department. Priority for this child care assistance shall be given to families with incomes of one hundred percent or less of the federal poverty level.

G. In lieu of the employment activity required in subsection B, C or D of this section, the department may allow eligible families with teenaged custodial parents under twenty years of age to complete a high school diploma or its equivalent or engage in remedial education activities reasonably related to employment goals.

H. The department may provide supplemental child care assistance for department approved education and training activities if the eligible parent, legal guardian or caretaker relative is working at least a monthly average of twenty hours per week and this education and training are reasonably related to employment goals. The eligible parent, legal guardian or caretaker relative must demonstrate satisfactory progress in the education or training activity.

I. The department shall establish waiting lists for child care assistance and prioritize child care assistance for different eligibility categories in order to manage within appropriated and available monies. Priority of children on the waiting list shall start with those families at one hundred percent of the federal poverty level and continue with each successive ten percent increase in the federal poverty level until the maximum allowable federal poverty level of one hundred sixty-five percent. Priority shall be given regardless of time spent on the waiting list.

J. The department shall establish criteria for denying, reducing or terminating child care assistance that include:

1. Whether there is a parent, legal guardian or caretaker relative available to care for the child.
2. Financial or programmatic eligibility changes or ineligibility.
3. Failure to cooperate with the requirements of the department to determine or redetermine eligibility.
4. Hours of child care need that fall within the child's compulsory academic school hours.
5. Reasonably accessible and available publicly funded early childhood education programs.
6. Whether an otherwise eligible family has been sanctioned and cash assistance has been terminated pursuant to chapter 2 of this title.
7. Other circumstances of a similar nature.
8. Whether sufficient monies exist for the assistance.

K. Families receiving child care assistance under subsection D or F of this section are also subject to the following requirements for that child care assistance:

1. Each child is limited to no more than sixty cumulative months of child care assistance. The department may provide an extension if the family can prove that the family is making efforts to improve skills and move towards self-sufficiency.
2. Families are limited to no more than six children receiving child care assistance.
3. Copayments shall be imposed for all children receiving child care assistance. Copayments for each child may be higher for the first child in child care than for additional children in child care.

L. The department shall review each case no more than once a year to evaluate eligibility for child care assistance.

M. The department shall report on December 31 and June 30 of each year to the joint legislative budget committee the total number of families who applied for child care assistance and the total number of families who were denied assistance under this section because the parents, legal guardians or caretaker relatives who applied for assistance were not citizens or legal residents of the United States or were not otherwise lawfully present in the United States.

N. This section shall be enforced without regard to race, religion, gender, ethnicity or national origin.

O. The department shall refer all child care subsidy recipients to child support enforcement and to local workforce services and provide information on the earned income tax credit.