

RESOLUTION OF THE
HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
23RD NAVAJO NATION COUNCIL -- Fourth Year, 2018

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE;
SUPPORTING THE FORT DEFIANCE CHAPTER IN ITS CONCERNS REGARDING
THE ACTIONS OF THE DISTRICT'S SUPERINTENDENT OF SCHOOLS AND ITS
REQUEST TO THE WINDOW ROCK UNIFIED SCHOOL DISTRICT NO. 8 TO
CONDUCT A FORENSIC AUDIT

WHEREAS:

Section One. Authority

The Health, Education and Human Services Committee of the Navajo Nation Council has legislative authority and oversight over all matters related to education on the Navajo Nation. 2 N.N.C. § 401 (C) (1).

Section Two. Findings

- A. The Health, Education and Human Services Committee of the Navajo Nation Council is in receipt of the Fort Defiance Resolutions FDC-2018-03-11-05 and FDC-2018-03-11-06 respectively. See **Exhibits A and B.**
- B. The Health, Education and Human Services Committee of the Navajo Nation Council finds it to be in the best interest of the Navajo Nation for the concerns of the Fort Defiance Chapter as expressed in Resolution FDC-2018-03-11-05 be appropriately addressed. See **Exhibits A and C.**
- C. The Health, Education and Human Services Committee of the Navajo Nation Council finds it to be in the best interest of the Navajo Nation that the request of the Fort Defiance Chapter as expressed in Resolution FDC-2018-03-11-06 regarding performance of a forensic audit with respect to all schools within the Window Rock Unified School District No. 8 be recognized and implemented. See **Exhibit B.**

NOW, THEREFORE, BE IT RESOLVED:

- A. The Health, Education and Human Services Committee of the Navajo Nation Council hereby supports the concerns of the Fort Defiance Chapter as expressed in Resolution FDC-2018-03-11-05, as found at **Exhibit A**, and requests that these concerns be addressed by the appropriate authorities and in the manner provided.
- B. The Health, Education and Human Services Committee of the Navajo Nation Council hereby requests that the Fort Defiance Chapter's request as expressed in Resolution FDC-2018-03-11-06, as found at **Exhibit B**, regarding performance of a forensic audit with respect to all schools within the Window Rock Unified School District No. 8 be recognized and implemented.

CERTIFICATION

I, hereby, certify that the following resolution was duly considered by the Health, Education and Human Services Committee of the 23rd Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 3 in favor, 0 opposed, 1 abstained this 30th day of April, 2018.

N-M-B,

Norman M. Begay, Vice-Chairperson
Health, Education and Human Services Committee
23rd Navajo Nation Council

Motion: Honorable Jonathan L. Hale
Second: Honorable Amber Kanazbah Crotty



RUSSELL BEGAYE
Navajo Nation President

THE NAVAJO NATION
FORT DEFIANCE CHAPTER
P.O. Box 366 • Ft Defiance, Arizona 86504
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Wilson Stewart, Jr. President
Aaron Sam, Vice-President
Brenda Wauneka, Secretary/Treasurer
Herman Billie, Grazing Official
Benjamin Bennett Council Delegate

JONATHAN NEZ
Navajo Nation Vice President

FDC-2018-03-11-05

RESOLUTION OF FORT DEFIANCE CHAPTER

REQUESTING THE GOVERNING SCHOOL BOARD OF THE WINDOW ROCK UNIFIED SCHOOL DISTRICT NO. 8 FOR THE IMMEDIATE REMOVAL OF SUPERINTENDENT LYNETTE MICHALSKI

WHEREAS:

1. Pursuant to 26 N.N.C., Section 3 (A), the Fort Defiance Chapter is a duly recognized certified Chapter of the Navajo Nation government, as listed under 11. N.N.C., Part 1, Section 10 and;
2. Pursuant to 26 N.N.C., Section 1 (B), the Fort Defiance Chapter is vested with the authority to review all matters affecting the community and to make appropriate corrections when necessary and make recommendations to the Navajo Nation and other local agencies for appropriate actions, and;
3. The Fort Defiance Chapter requests the governing school board of the Window Rock School District No. 8 for the removal of superintendent Lynette Michalski for the following reasons: and;
4. The Fort Defiance Chapter requests the governing school board of the Window Rock School District No. 8 for the removal of superintendent Lynette Michalski for the reason being she has promoted and advocated adverse actions against Navajo jurisdiction and therefore undermining the Navajo Nation law, and;
5. The Fort Defiance Chapter requests the governing school board of the Window Rock School District No. 8 for the removal of superintendent Lynette Michalski for the reason being she is disrespectful and unreasonable in personnel management of the district; where she has placed district personnel on leave with strict compliance of policies and procedures, and;
6. The Fort Defiance Chapter requests the governing school board of the Window Rock School District No. 8 for the removal of superintendent Lynette Michalski for the reason being she does not adhere to policies and has replaced a qualified Navajo employee with her own daughter as an administrative assistant, who is allowed to travel on district time and expense; this is nepotism at the highest level of the school district, and;
7. The Fort Defiance Chapter requests the governing school board of the Window Rock School District No. 8 for the removal of superintendent Lynette Michalski and has hired district employees with unfavorable backgrounds and findings, and;
8. The Fort Defiance Chapter requests the governing school board of the Window Rock School District No. 8 for the removal of superintendent Lynette Michalski for the reason being she is allowing a high turn-over of administrative staff, and;
9. The Fort Defiance Chapter requests the governing school board of the Window Rock School District No. 8 for the removal of superintendent Lynette Michalski for the reason being she has allowed the degradation of students in the classroom and at the same time forcing students out of the school district and violating the "Every Student Succeeds Act,"

10. Fort Defiance Chapter requests the governing board of the Window Rock School District No. 8 for the removal of superintendent Lynette Michalski for the reason of providing a hostile working environment for the teaching staff, and
11. Fort Defiance Chapter requests the governing board of Window Rock School District No. 8 for the reason of violating the Navajo Nation Anti Bullying Act passed recently through the legislative branch.

NOW THEREFORE BE IT RESOLVED THAT:

The Fort Defiance Chapter hereby requests the governing school board of the Window Rock School District No. 8 to immediately remove superintendent Lynette Michalski from the position of Superintendent of Window Rock School District No. 8

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Fort Defiance Chapter at a duly called regular meeting at Fort Defiance Chapter, Navajo Nation, Arizona, at which a quorum was present and at the same time was passed by a vote of 18 in favor, 3 opposed and 8 abstained, on this 11 day of March 2018.

Motioned by: Kathryn Aru30

Seconded by: Larry Foster

Wilson C Stewart
Wilson C. Stewart, Jr., Chapter President



THE NAVAJO NATION
FORT DEFIANCCE CHAPTER
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Stewart, Jr. President
Aaron Sam, Vice-President
Secretary/Treasurer
Billie, Grazing Official
Benjamin Bennett Council Delegate

RUSSELL BEGAYE
Navajo Nation President

JONATHAN NEZ
Navajo Nation Vice President

FDC-2018-03-11-06

RESOLUTION OF FORT DEFIANCCE CHAPTER

Requesting the Governing Board of Window Rock School District No. 8 for a Forensic Audit all Schools, Departments and Accounts

WHEREAS:

1. Pursuant to 26 N.N.C. Section 3(A) the Fort Defiance Chapter is a duly recognized certified chapter of the Navajo Nation government, as listed under 11 N.N.C. Part 1, Section 10, and
2. Pursuant to 26 N.N.C. Section 1(B), the Fort Defiance Chapter is vested with the authority to review all matter affecting the community and to make appropriate motions when necessary and make recommendations to the Navajo Nation and other local agencies for appropriate actions, and
3. Fort Defiance Chapter request the governing board of Window Rock School District No. 8 for a forensic audit of all schools and department and accounts

NOW THEREFORE BE IT RESOLVED THAT:

Fort Defiance Chapter hereby requests the governing board of Window Rock School District No. 8 for a forensic audit of all schools, departments and accounts

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Fort Defiance Chapter at a duly called regular meeting at which a quorum was present and that same was approved by a vote of 21 in favor, 0 opposed, and 5 abstained this 11th day of March 2018.

MOTIONED: Ben Bennett

SECONDED: Kathryn Amiso

Wilson C. Stewart, Jr.
Wilson C. Stewart, Jr. Chapter President



EXHIBIT "C"

MARK BRNOVICH
ATTORNEY GENERAL

OFFICE OF THE ARIZONA ATTORNEY GENERAL
CIVIL LITIGATION DIVISION
GOVERNMENT ACCOUNTABILITY & SPECIAL LITIGATION UNIT

JACOB RICHARDS
LEGAL ASSISTANT
DIRECT PHONE No.: (602) 542-7710
JACOB.RICHARDS@AZAG.GOV

April 19, 2018

By First-Class Mail

Ken Cooper
P.O. Box 572
Fort Defiance, AZ 86504

Re: Open Meeting Law and the Window Rock Unified School District

Mr. Cooper:

We have received your April 16, 2018 complaint concerning the Window Rock Unified School District and potential violation(s) of Arizona's Open Meeting Law. An attorney on the Arizona Attorney General's Open Meeting Law Enforcement Team (OMLET) will review the complaint and, if appropriate, initiate an investigation pursuant to A.R.S. § 38-431.06.

If you have any additional information or documentation concerning the subject of your complaint, please forward the information to me at the address listed below. A member of the OMLET may contact you if additional questions arise about your complaint.

The timeframe for review and/or investigation will vary based on the nature of the complaint. You will be provided notice of the conclusions reached by the OMLET, although no report will be given until the review and/or investigation is complete.

Thank you for your interest in open government.

Sincerely,

Jacob Richards
Open Meeting Law Enforcement Team