Title: An Action Relating To Health, Education And Human Services Committee; Approving The Dine Bi Ola School Board Association’s Proposal To Re-Contract To Continue Administering Bureau Of Indian Affairs And Bureau Of Indian Education Contract Funds Under Public Law 93-638, Indian Self-Determination Act, For The Period Of July 1, 2019 And Ending June 30, 2023

Date posted: March 12, 2019 at 5:33 PM

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PROPOSED STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL – First Year, 2019

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. 0053-19

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE:
APPROVING THE DINE BI OLTA SCHOOL BOARD ASSOCIATION’S PROPOSAL TO
RE-CONTRACT TO CONTINUE ADMINISTERING BUREAU OF INDIAN AFFAIRS
AND BUREAU OF INDIAN EDUCATION CONTRACT FUNDS UNDER PUBLIC
LAW 93-638, INDIAN SELF-DETERMINATION ACT, FOR THE PERIOD OF JULY 1,
2019 AND ENDING JUNE 30, 2023

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Health, Education and Human Services Committee of the Navajo Nation Council is
empowered to review and recommend resolutions regarding matters concerning
education. 2 N.N.C. § 401(B)(6)(a).

B. The Health, Education and Human Services Committee of the Navajo Nation Council
has final authority for “applications, reapplications, reauthorizations for Indian Self-
Determination and Education Assistance Act contracts and grants under the Tribally
Controlled Schools Act for operation of education programs. 2 N.N.C. § 401 (B)(4)(b).
DATE: March 12, 2019

SUBJECT: RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE; APPROVING THE DINE BI OLTA SCHOOL BOARD ASSOCIATION'S PROPOSAL TO RE-CONTRACT TO CONTINUE ADMINISTERING BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN EDUCATION CONTRACT FUNDS UNDER PUBLIC LAW 93-638, INDIAN SELF-DETERMINATION ACT, FOR THE PERIOD OF JULY 1, 2019 AND ENDING JUNE 30, 2023

PURPOSE: To approve reauthorization of Dine Bi Olta School Board Association's 638 contract and funding through the United States Department of Interior.

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.
C. The Navajo Nation has a government-to-government relationship with the United States of America and holds the government of the United States responsible for the education of the Navajo People, pursuant to the Treaty of 1868, August 12, 1868.

SECTION TWO. FINDINGS

A. The Navajo Sovereignty in Education Act of 2005 (hereinafter “NSEA”), mission statement provides, “[i]t is the educational mission of the Navajo Nation to promote and foster lifelong learning for the Navajo people, and to protect the culture[al] integrity and sovereignty of the Navajo Nation. See CJY-37-05.

B. The NSEA established the Dine Bi Olta School Board Association (DBOSBA), as “the only school board association recognized by the Navajo Nation to represent local community school boards.” 10 N.N.C. § 301(A).

C. Under Public Law 93-638 contract, the federal government allocates funding to DBOSBA to provide “technical services, school board training, handling expenses, local school board agreements, if the scope of work is related to education matters.

D. The DBOSBA provides school board services and training to local school boards serving Bureau of Indian Affairs (BIA) and Bureau of Indian Education (BIE) funded schools under the provisions of Public Law 93-638 Contract with the BIA, education services range from early childhood through twelfth grade and into adult education, including dormitories, facilities, student transportation and food services. Resolution of the Dine Bi Olta School Board Association, Inc., included in Exhibit A.

E. The Navajo Nation has authorized an “Indian Self-Determination” contract under section 9 (4503-1) of the Public Law 93-638 since 1974 and is in compliance with the reporting and audit requirements and in accordance with Navajo Nation, state, federal Laws. See, Resolution of the Dine Bi Olta School Board Association, Inc., included in Exhibit A.

F. The Navajo Nation Board of Education passed a resolution approving Dine Bi Olta School Board Association’s proposal for contract reauthorization, which is attached as Exhibit B.

G. It is in the best interest of the Navajo Nation to approve and authorize the contract
reauthorization for DBOSBA to continue its school board services pursuant to Public Law 93-638.

SECTION THREE. APPROVING THE REAUTHORIZATION TO CONTRACT

The Navajo Nation hereby approves and authorizes the contract reauthorization for Dine Bi Olla School Board Association under Public Law 93-638, Indian Self Determination Act, for the period of July 01, 2019 through June 30, 2023. All pertinent documents, including the model 108 contract, scope of work, and the annual funding agreement, related to this action of the Navajo Nation are contained in Exhibit A.