

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0053-19\_

SPONSOR: Daniel Tso

**TITLE: 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**

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

Digital comments may be e-mailed to [comments@navajo-nsn.gov](mailto: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.*

PROPOSED STANDING COMMITTEE RESOLUTION  
24<sup>th</sup> NAVAJO NATION COUNCIL – First Year, 2019

INTRODUCED BY

Amiel G. Joe

(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).

LEGISLATIVE SUMMARY SHEET  
Tracking No. 0053-19

**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.-**

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

4  
5 **SECTION TWO. FINDINGS**

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

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

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

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

23 E. The Navajo Nation has authorized an "Indian Self- Determination" contract under section  
24 9 (4503-1) of the Public Law 93-638 since 1974 and is in compliance with the reporting  
25 and audit requirements and in accordance with Navajo Nation, state, federal laws. See,  
26 Resolution of the Dine Bi Olta School Board Association, Inc., included in **Exhibit A.**

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

30 G. It is in the best interest of the Navajo Nation to approve and authorize the contract

1 reauthorization for DBOSBA to continue its school board services pursuant to Public  
2 Law 93-638.

3  
4 **SECTION THREE. APPROVING THE REAUTHORIZATION TO CONTRACT**

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