

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0109-23_

SPONSOR: Andy Nez

TITLE: An Action Relating to the Health, Education and Human Services Committee: Supporting the To'Hajiilee Community School Board of Education, INC., A P.L. 100-297 Grant School, in the Planning, Designing, and in All Construction Phases of a New To'Hajiilee Community School Campus

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0109-23

DATE: May 16, 2023

TITLE OF RESOLUTION: AN ACTION RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE; SUPPORTING THE TO'HAJIILEE COMMUNITY SCHOOL BOARD OF EDUCATION, INC., A P.L. 100-297 GRANT SCHOOL, IN THE PLANNING, DESIGNING, AND IN ALL CONSTRUCTION PHASES OF A NEW TO'HAJIILEE COMMUNITY SCHOOL CAMPUS

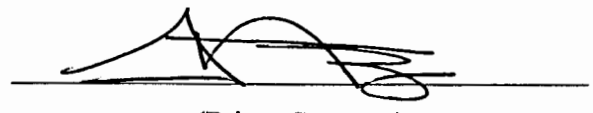
PURPOSE: The purpose of this proposed resolution is for the Health, Education and Human Services Committee to show its support for the planning, designing, and construction of a new community school in To'Hajiilee.

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 to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD
Website Posting Time/Date
Posting End Date: 05-22-23
Eligible for Action: 05-23-23

PROPOSED STANDING COMMITTEE RESOLUTION
25th NAVAJO NATION COUNCIL – First Year, 2023

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0109-23

AN ACTION
RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES
COMMITTEE; SUPPORTING THE TO’HAJIILEE COMMUNITY SCHOOL
BOARD OF EDUCATION, INC., A P.L. 100-297 GRANT SCHOOL, IN THE
PLANNING, DESIGNING, AND IN ALL CONSTRUCTION PHASES OF A NEW
TO’HAJIILEE COMMUNITY SCHOOL CAMPUS

WHEREAS:

- A. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council empowered to “[a]pprove, sanction, and authorize application, reapplications, reauthorization and amendments for Indian Self-Determination and Education Assistance Act contracts and grants under the Tribal Controlled Schools Act for operation of education programs, approval or denial of authorizations and reauthorizations shall constitute approval or denial by the Navajo Nation the tribal governing body.” 2 N.N.C. §§ 400(A) and 401(B)(4)(b).
- B. The To’Hajiilee Community School Board of Education, Inc., (“TCSB”) assumed authority and responsibility for the operation, including the construction activity, of the To’Hajiilee Community School as a P.L. 100-297 grant school, pursuant to Resolution ECJY-43-03 of the Education Committee, the predecessor to the current Health, Education and Human Services Committee, and the Resolution IGRJY-129-

1 03Intergovernmental Relations Committee, the predecessor committee to the
2 Naabik'iyáti' Committee.

3 C. Because of the age and dilapidated condition of the current To'Hajiilee Community
4 School, TCSB, the To'Hajiilee Chapter, and U.S. Representative Melanie Stansbury
5 advocated for funding for a new community school. Accordingly, in the "Disaster
6 Relief Supplemental Appropriations Act", H.R. 2617, 117th Cong. (2022) (the "Act"),
7 which is attached as **Exhibit A**, Congress appropriated \$90,465,000 to replace the
8 current To'Hajiilee Community School.

9 D. TCSB is a "tribal organization" as defined under 25 U.S.C. § 2511(8)(A) and 25 C.F.R.
10 § 900.6 for purposes of TCSB's carrying out the planning, design, and construction of
11 the new To'Hajiilee Community School campus.

12 E. The TCSB approved the planning, designing, and construction of a new community
13 school campus in Board Resolution TCSBE2223-004, attached as **Exhibit B**. The
14 Assistant Secretary of Indian Affairs, Department of Interior will oversee the new
15 school construction project for TCSB.

16 F. TCSB achieved a "low risk auditee status" in its recent audit report, attached as **Exhibit**
17 **C**, which is the top rating a P.L. 100-297 grant school can receive, demonstrating that
18 TCSB is fiscally responsible and competent to carry out the planning, design, and
19 construction of the new school campus.

20 G. The To'Hajiilee-Navajo Chapter withdrew 42 acres of surveyed Canoncito Band of
21 Navajos trust land (set aside by Act of Congress (1949) 25 U.S.C.A. §621) for the new
22 To'Hajiilee Community School campus, as indicated in Board Resolution TNC-22-11-
23 053, attached as **Exhibit D**.

24 H. The To'Hajiilee Navajo Chapter provided its full support for TCSB to plan, design, and
25 construct the new To'Hajiilee Community School Campus as shown by Chapter
26 Resolution TNC-23-03-040, attached as **Exhibit E**.

27 I. The Health, Education and Human Services Committee has considered the information
28 presented to it by the TCSB, and has determined it to be in the best interests of the
29 To'Hajiilee community for the TCSB to plan, design, and construct a new community
30 school in To'Hajiilee.

NOW, THEREFORE, BE IT RESOLVED:

The Health, Education and Human Service Committee of the Navajo Nation Council informs the Assistant Secretary of Indian Affairs for the Department of the Interior, the Director of the Bureau of Indian Affairs, the Director of the Bureau of Indian Education, the Division of Facilities and Management and Construction for the Bureau of Indian Affairs, and other federal and state entities that it supports the To'Hajiilee Community School Board of Education, Inc. in its decision for the planning, design, and construction of a new To'Hajiilee Community School Campus.

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