

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0052-24\_

SPONSOR: Vince R. James

**TITLE: An Action Relating to Health, Education and Human Services; Approving  
2024-2028 Navajo Nation School Board Apportionment Plan**

***Date posted:*** March 05, 2024 at 7:31PM

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**LEGISLATIVE SUMMARY SHEET**

**Tracking No. 0052-24**

**DATE:** March 5, 2024

**TITLE OF RESOLUTION: AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; APPROVING 2024 -2028 NAVAJO NATION SCHOOL BOARD APPORTIONMENT PLAN**

**Final Authority:** Health, Education and Human Services Committee

**Vote Requirement:** Simple Majority

**PURPOSE:** The purpose of this proposed resolution is to approve the 2024-2028 School Board Apportionment Plan.

**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 5-5-24  
Website Posting Time/Date \_\_\_\_\_  
Posting End Date: 03-10-24  
Eligible for Action: 03-11-24

1 PROPOSED STANDING COMMITTEE RESOLUTION  
2 25th NAVAJO NATION COUNCIL -- Second Year, 2024

3 INTRODUCED BY

4   
5  
6  
7 (Prime Sponsor)

8  
9  
10 TRACKING NO. 0052-24

11 AN ACTION  
12  
13 RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; APPROVING 2024 -  
14 2028 NAVAJO NATION SCHOOL BOARD APPORTIONMENT PLAN

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16 **BE IT ENACTED:**

17  
18 **SECTION 1. AUTHORITY**

- 19 1. The Health, Education and Human Services Committee is a standing committee of the  
20 Navajo Nation Council. 2 N.N.C. §400(A).  
21 2. The Health, Education, and Human Services Committee is responsible for approving school  
22 board apportionment plans for use in elections every four years. 11 N.N.C. § 11.  
23 3. The Election Code provides, in relevant part:  
24 On or before the first Monday of November 2003 and every four years thereafter, the  
25 Health, Education and Human Services Committee of the Navajo Nation Council shall  
26 set the size of each Local Community School Board and shall apportion the number of  
27 school board seats among the Chapter or Chapters represented in each Local  
28 Community School Board. This apportionment shall establish election precincts for  
29 each Local Community School Board containing approximately equal numbers of  
30 students attending the Local Community School at the time of the apportionment. The

1 Health, Education and Human Services Committee, for purposes of public comment or  
2 collecting data, may extend the time for approval of an apportionment plan. Should an  
3 extension be ordered, the Navajo Board of Election Supervisors shall adjust, if  
4 necessary, the opening filing period for elective school board positions." 11 N.N.C. §  
5 11(B).

6  
7 **SECTION 2. FINDINGS**

- 8 1. The Health, Education and Human Services Committee set forth a Proposed School Board  
9 Apportionment Plan (the "Proposed Plan"), attached as **Exhibit A**, for the purpose of  
10 receiving public input through written comments and public hearings.
- 11 2. In preparing the Proposed Plan, the Health, Education and Human Services Committee  
12 received input from the Navajo Nation Elections Administration, the Department of Diné  
13 Education, and the Diné Bi Olta School Board Association.
- 14 3. Along with the Proposed Plan, a Public Notice, attached as **Exhibit B**, announced the Health,  
15 Education and Human Services Committee would accept written comments through February  
16 14, 2024. The Proposed Plan and the Public Notice were distributed beginning on December  
17 11, 2023.
- 18 4. The Navajo Nation Code provides that "[t]he Health, Education and Human Services  
19 Committee shall allow at least 60 days for persons interested to provide comments." 2  
20 N.N.C. § 2(H). The comment period was scheduled to close on February 14, 2024, which  
21 exceeded the minimum statutory time period. However, the Health, Education and Human  
22 Services Committee considered all comments received, including those past February 14,  
23 2024.
- 24 5. In addition to accepting written comments, as required by the Navajo Nation Code, the  
25 Health, Education and Human Services Committee conducted public hearings in each of the  
26 five agencies of the Navajo Nation, to hear from community members, as follows:
- 27 01/08/2024 Fort Defiance Agency, Dilkon Medical Center, Dilkon, Arizona;  
28 01/16/2024 Northern Agency, Navajo Preparatory School, Farmington, New Mexico;  
29 01/29/2024 Eastern Agency, Navajo Technical University, Crownpoint, New Mexico;  
30 02/05/2024 Western Agency, Tonalea Chapter House, Tonalea, Arizona; and

1           02/12/2024    Central Agency, Pinon Community School, Pinon, Arizona.

- 2   6. Furthermore, the Health, Education and Human Services Committee presented the Proposed  
3   Plan at the Diné Bi Olta School Board Association Conference on Friday, December 15,  
4   2023. At the end of the presentation, the Committee members heard from school board  
5   members regarding the Proposed Plan.
- 6   7. The Health, Education and Human Services Committee met on February 29, 2024 and March  
7   5, 2024 to review and discuss the written comments received, as well as the comments heard  
8   at the public hearings. As a result of that meeting, the Proposed Plan was adapted to create  
9   the 2024-2028 Navajo Nation School Board Apportionment Plan, attached as **Exhibit C**.

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11   **SECTION 3. ADOPTING 2020-2024 SCHOOL APPORTIONMENT PLAN**

- 12   1.   The Health, Education and Human Services Committee of the Navajo Nation Council  
13   hereby approves the 2024-2028 Navajo Nation School Board Apportionment Plan, attached  
14   as **Exhibit C**.
- 15   2.   The Navajo Election Administration and the Navajo Board of Election Supervisors shall  
16   use the apportionment plan adopted herein for use in the 2024 Navajo Nation Chapter  
17   Elections.

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19   **SECTION 4. SAVING CLAUSE**

20           Should any portion of this action of the vision of the Health, Education and Human  
21   Services Committee or any portion of the apportionment plan adopted herein be determined  
22   invalid by the Navajo Nation Supreme Court, or the District Courts of the Navajo Nation  
23   without appeal to the Navajo Nation Supreme Court, those portions the action or  
24   apportionment plan which are not determined invalid shall remain the law of the Nation.