

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0183-26

SPONSOR: Andy Nez

TITLE: An Act Relating to the Health, Education and Human Services, Law and Order, and Naabik'iyáti' Committees, and the Navajo Nation Council; Amending 10 N.N.C. §§ 3, 106, 107, 108, 116, and 119 of the Navajo Nation Code to Incorporate Restorative Justice Principles and Practices into the Navajo Nation's Education Laws

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Executive Director
Office of Legislative Services
P.O. Box 3390
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LEGISLATIVE SUMMARY SHEET

Tracking No. 0183-26

DATE: July 21, 2026

TITLE OF RESOLUTION: AN ACT RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES, LAW AND ORDER, AND NAABIK'ÍYÁTI' COMMITTEES, AND THE NAVAJO NATION COUNCIL; AMENDING 10 N.N.C. §§ 3, 106, 107, 108, 116, AND 119 OF THE NAVAJO NATION CODE TO INCORPORATE RESTORATIVE JUSTICE PRINCIPLES AND PRACTICES INTO THE NAVAJO NATION'S EDUCATION LAWS

PURPOSE: This legislation, if approved, would amend 10 N.N.C. §§ 3, 106, 107, 108, 116, and 119 of the Navajo Nation Code to recognize and incorporate restorative justice principles and practices into the Navajo Nation's education laws for schools serving Navajo students.

FINAL AUTHORITY: Navajo Nation Council

VOTE REQUIRED: Simple Majority

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: Johnson
Website Posting Time/Date: _____
Posting End Date: 07-26-26
Eligible for Action: 07-27-26

Health Education & Human Services Committee
Thence
Law & Order Committee
Thence
Naabik'íyáti' Committee
Thence
Navajo Nation Council

PROPOSED NAVAJO NATION COUNCIL RESOLUTION
25th NAVAJO NATION COUNCIL—Fourth Year, 2026

Introduced By:



Primary Sponsor

Tracking No. 0183-26

AN ACT

**RELATING TO THE HEALTH, EDUCATION AND HUMAN SERVICES,
LAW AND ORDER, AND NAABIK'ÍYÁTI' COMMITTEES, AND THE
NAVAJO NATION COUNCIL; AMENDING 10 N.N.C. §§ 3, 106, 107, 108,
116, AND 119 OF THE NAVAJO NATION CODE TO INCORPORATE
RESTORATIVE JUSTICE PRINCIPLES AND PRACTICES INTO THE
NAVAJO NATION'S EDUCATION LAWS**

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Health Education and Human Services Committee is a standing committee of the Navajo Nation Council with the purpose of promulgating regulations, promoting accountability to policies, and providing legislative oversight on matters involving health, social service, education, and general governmental services and human services and veteran services. 2 N.N.C. §§ 400(A), (C)(1) and (C)(3), 401(B)(6)(A), and 401(C)(6).
- B. The Law and Order Committee is a standing committee of the Navajo Nation Council with the enumerated power to review and make recommendations to the Navajo Nation Council on proposed amendments to and enactments in the Navajo Nation Code. 2 N.N.C. §§ 600(A) and 601(B)(14).

- 1 C. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation
2 Council with the authority to hear proposed resolutions requiring final action by the
3 Navajo Nation Council. 2. N.N.C. §§164 (A)(9), 700 (A) and 701 (A)(3).
4 D. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §
5 102 (A).
6

7 **SECTION TWO. FINDINGS**

- 8 A. The Navajo Nation Council enacted the Navajo Sovereignty in Education Act of
9 2005 through Resolution CJY-37-05, which amended Title 10 and Title 2 of the
10 Navajo Nation Code, reorganized the Navajo Nation's education laws, established
11 the Navajo Nation Board of Education, established the Navajo Nation Department
12 of Diné Education, reaffirmed the Navajo Nation's commitment to the education of
13 the Navajo People, repealed obsolete language, and updated the education
14 provisions of the Navajo Nation Code.
15 B. Title 10 of the Navajo Nation Code recognizes that the Navajo Nation has the
16 inherent authority and responsibility to prescribe and implement educational laws
17 and policies for schools serving the Navajo Nation and for educational programs
18 receiving significant funding for the education of Navajo students.
19 C. Title 10 also recognizes that Navajo education must protect the cultural integrity
20 and sovereignty of the Navajo Nation, while working cooperatively with state,
21 federal, community-controlled, charter, and private education providers serving
22 Navajo students.
23 D. The Navajo Sovereignty in Education Act of 2005 provides that schools serving the
24 Navajo Nation should address character development based upon the *Diné Ké*
25 concept, which reflects the Navajo Nation's long-standing position that education
26 for Navajo students must include cultural, relational, and community-based values.
27 E. On February 17, 2026, the Navajo Nation Human Rights Commission approved its
28 "2025 Public Hearing Report on the Gallup McKinley County School District,"
29 attached hereto as **Exhibit A**, following public hearings concerning the experiences
30

1 of Navajo students and families within the Gallup McKinley County School
2 District.

3 F. The recommendations in the “2025 Public Hearing Report on the Gallup McKinley
4 County School District” identify the need for stronger language in Title 10 of the
5 Navajo Nation Code regarding Restorative Justice in schools serving Navajo
6 students.

7 G. On April 16, 2026, the Navajo Nation Human Rights Commission approved
8 Resolution No. NNHRCAPR-05-26, attached hereto as **Exhibit B**, which included
9 proposed amendments to the Navajo Sovereignty in Education Act of 2005 to
10 recognize and implement alternative restorative justice practices in schools serving
11 the Navajo Nation.

12 H. Incorporating Restorative Justice into Title 10 of the Navajo Nation Code is
13 consistent with the Navajo Nation’s inherent authority over the education of Navajo
14 students, the Nation’s responsibility to protect the cultural integrity of Navajo
15 education, and the need to ensure that school discipline and student support
16 practices reflect *Diné* values, accountability, healing, and community restoration.

17 I. On May 7, 2026, the Navajo Nation Board of Education approved Resolution No.
18 NNBEMY-1130-2026, attached hereto as **Exhibit C**, in support of amendments to
19 Navajo Nation Code Title 10 to add Restorative Justice as a definition and specific
20 actions to reduce unfair and harmful disciplinary actions towards Navajo students
21 attending public schools.

22 J. In July 2026, the New Mexico Department of Justice (“NMDOJ”) released
23 “Forced Out: How Exclusionary and Disparate Disciplinary Practices at Gallup-
24 McKinley County Schools Rob Students of Instructional Time,” attached hereto as
25 **Exhibit D**. This report provided the NMDOJ findings and recommendations from
26 their investigation concerning Gallup McKinley County School District’s student
27 discipline. NMJOD’s investigation found that Gallup McKinley County School
28 District has some of the highest rates of discipline in the state for years and that
29 this excessive reliance on discipline falls on the backs of Native American and
30 Hispanic students at disproportionate rates. Additionally, On July 2, 2026, the

1 NMDOJ wrote a letter to the Chair of the Navajo Nation Human Rights
2 Commission about the NMDOJ findings of the Gallup McKinley County School
3 District investigation, attached as **Exhibit E**.

4 K. The Navajo Nation Council finds that amending Title 10 to include Restorative
5 Justice will strengthen the Navajo Nation's education laws by providing clearer
6 direction to schools serving Navajo students and by advancing an education
7 framework that supports student growth, family involvement, cultural identity, and
8 the restoration of respectful relationships within school communities.

9
10 **SECTION THREE. AMENDING TITLE 10 OF THE NAVAJO NATION CODE**

11 A. The Navajo Nation Council hereby amends Title 10 of the Navajo Nation Code as
12 follows:

13 _____

14
15 **NAVAJO NATION CODE**

16 **TITLE 10. EDUCATION**

17 **CHAPTER 1. POLICY AND PLANNING**

18 **SUBSECTION 2. MISCELLANEOUS PROVISIONS**

19 **ARTICLE 1. NAVAJO NATION EDUCATION**

20 * * *

21
22 **§ 3. Definitions**

23 * * *

24 Q. "Restorative Justice" means when a Navajo student is identified to be disciplined,
25 the school will follow the values of the Navajo people's peacemaking system to
26 utilize a restorative justice process.

27 * * *

28 **§ 106. Navajo Nation Board of Education**

29 * * *

30 G. Powers and duties.

1 3. The Board shall carry out the following duties and responsibilities through the
2 Navajo Nation Department of Education:

3 f. In cooperation with the Health, Education and Human Services
4 Committee of the Navajo Nation Council, develop procedures to
5 enforce the Navajo Nation school attendance laws and restorative
6 justice implementation in school student code of conduct.

7
8 **§ 107. Department of Diné Education**

9 * * *

10 B. The Department is under the immediate direction of the Navajo Nation
11 Superintendent of Schools, subject to the overall direction of the Navajo Nation
12 Board of Education. In carrying out its responsibilities the Department, through
13 the Superintendent of Schools, is authorized and directed to:

14 * * *

15 4. Determine the impact of educational programs on Navajo students by
16 inquiring into areas of concern, such as achievement data, test results,
17 budgets, language proficiency, special education programs, supplemental
18 programs, staffing social and economic variables, curriculum, health and
19 safety, adequacy and accessibility of facilities, disciplinary actions and
20 process, and other areas of inquiry relevant to the educational situation of
21 Navajo students.

22
23 **§ 108. Parental Involvement**

24 A. The Navajo Nation promotes maximum parental involvement in all schools
25 serving Navajo communities. Parents have a right to know of their children's
26 academic achievement and progress. All schools shall be required to disclose to
27 parents information about the quality of their children's teachers, and their
28 children's school performance as defined and required by the Navajo Nation,
29 federal, and state laws, and disciplinary process. Every parent should be afforded
30 the opportunity to fully participate in upgrading the quality of the local education

1 plan. Schools must provide clear guidance on the rights of students and due
2 process if the student is being disciplined by the school.

3 * * *

4 **§ 116. School Counseling Services**

5 All schools serving the Navajo Nation shall maintain competent, qualified, and
6 appropriately staffed counselors and counseling programs. Counseling staff and
7 programs shall have an awareness of Navajo culture and tradition, restorative justice
8 and peacemaking, particularly as these relate to ~~the~~ individual needs and the life
9 circumstances of the students and their families. The counseling program shall be
10 concerned with the physical, cultural, intellectual, vocational and emotional growth of
11 each student. Schools unable to fulfill counseling programs and/or counselors must
12 consolidate their efforts to ensure services exist within regions or multiple schools
13 using available resources.

14 * * *

15 **§ 119. Substance and alcohol abuse**

16 Navajo Nation law prohibits the possession or consumption of alcohol and illegal
17 drugs on the Navajo Nation. 17 N.N.C. §§ 390-395, §§410-412. All schools serving
18 the Navajo Nation shall discourage the consumption of alcohol and illegal drugs
19 through education awareness, prevention and guidance programs for all Navajo
20 youth, including parents and guardians. Schools along with other community
21 resources shall encourage a positive self-concept, provide factual information and
22 encourage personal responsibility. Schools shall work with other community service
23 providers to seek and develop programs and resources to assist students addicted to
24 the use of alcohol and other illegal drugs so that they may fully participate in the
25 school programs. All schools shall develop policies and procedures that outline their
26 delivery of 10 N.N.C. § 119, which should include consequences for continuous
27 behavior. An important remedy is to offer restorative justice practices to resolve any
28 disputes arising from Navajo students accused of substance or alcohol abuse.

29 * * *

1
2 **SECTION FOUR. CODIFICATION**

3 The provision of these amendments of the Navajo Nation Code shall incorporate codified
4 by the Office of Legislative Counsel. The Office of Legislative Counsel shall incorporate
5 such amended provisions in the next codification of the Navajo Nation Code.
6

7 **SECTION FIVE. SAVING CLAUSE**

8 If any provision of this Act is determined invalid by the Supreme Court of the Navajo
9 Nation, or by a Navajo Nation District Court without appeal to the Navajo Nation
10 Supreme Court, the remainder of this Act shall remain the law of the Navajo Nation.
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12 **SECTION SIX. EFFECTIVE DATE**

13 This Action shall become effective in accordance with 2 N.N.C. § 221(A) and (B).
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