

HEHSC & NNBOE

Wednesday June 28, 2023

Overview

- Title X- 11 members
- Administrative Assistant position is vacant
- Challenges: Board attendance, timeline in hiring for Superintendent, 164 process hinders the way that training is brought in, grants, etc.
- Solutions: review policy and modify board operations manual; HR department in DODE; modify 164 process

NNBOE Plan of Operations

- Most recent update:
 - Legislation HEHSCD-10-22, December 14, 2022
 - NNBOE Resolution- NNBEMA-697-2021, March 18, 2021
- The following slides are the plan of operations.

SECTION I. ESTABLISHMENT OF THE NAVAJO NATION BOARD OF EDUCATION

The Navajo Sovereignty in Education Act of 2005, adopted by Navajo Nation Council Resolution CJY-37-05, July 2005, established the Navajo Nation Board of Education (hereinafter "the Board") within the Executive Branch of the Navajo Nation. The Board is comprised of eleven (11) members:

- (1) Six (6) appointed by the President of the Navajo Nation, confirmed by the Education Committee, and serving six-years terms.
- (2) Five (5) elected at large from the Western, Chinle, Fort Defiance, Shiprock and Eastern agencies for four-years terms.

The Board shall work under the legislative oversight of the Health, Education, and Human Services Committee of the Navajo Nation Council. The Board shall appoint a Navajo Nation Superintendent of Schools (hereafter "Superintendent") subject to confirmation by the Navajo Nation Council. The Board is empowered to do all things necessary and proper to carry out its responsibilities under Title 10, Navajo Nation Code.

The Board represents the Navajo people in overseeing the education of their children in all schools serving the Navajo Nation and has authority over the operation of all current and future programs in the Department of Diné Education (hereafter "Department").

SECTION II.

PURPOSES

The educational purpose of the Navajo Nation is to promote and foster lifelong learning for Navajo people and to protect the cultural integrity and sovereignty of the Navajo Nation.

The Navajo Nation Board of Education (hereinafter, "the Board") is established within the Executive Branch of the Navajo Nation government for the specialized purpose of overseeing the operation of all schools serving the Navajo Nation, either directly if under the immediate jurisdiction of the Navajo Nation, or if operated by another government, by joint powers agreements, memoranda of understanding/agreement, cooperative agreements or other appropriate intergovernmental instruments.

The Board shall also serve as the governing body for the Navajo Head Start program (Resolution HEHSCS-035-13).

The Board has the authority and responsibility to oversee operations of all schools serving the Navajo Nation either by direct oversight or through intergovernmental agreements with their governmental entities, and to monitor the activities of all Bureau of Indian Affairs (hereinafter "BIA") funded schools and local community schools boards including assuming control of local community controlled schools, pursuant to its statutory authority.

SECTION III.

GOALS

- A. To propose needed education legislation to the Health, Education, and Human Services Committee.
- B. To oversee the operations of all schools serving the Navajo Nation through intergovernmental agreements with local, state and federal agencies or cooperative agreements with other Navajo Nation divisions and programs and other education entities.
- C. To establish guidelines and procedures relative to the assumption of control of BIA-funded contract or grant schools pursuant to its statutory authority.
- D. To report at least quarterly to the Health, Education, and Human Services Committee and annually to the Navajo Nation Council.
- E. To report to the Health, Education, Human Services Committee in any instance where the Board has assumed control of a local community-controlled school(s).
- F. To actively pursue funding to support Navajo Nation education programs.
- G. Subject to Navajo Nation law, the Board is authorized to solicit funds, propose budgets and plans of operation, create positions, and establish organization relationships, and employ and supervise personnel through a chain of command.

SECTION IV. STAFFING AND ORGANIZATION

Section 6 of Navajo Nation Council Resolution CJY-37-05 transferred all employee, including the Executive Director, programs, facilities, equipment, supplies, and other assets of the former Division of Diné Education into the Department of Diné Education.

The Board shall oversee the operation of the Department through the Superintendent of Schools. The "Navajo Nation Superintendent of Schools" shall be appointed by the Navajo Nation Board of Education, subject to confirmation by the Navajo Nation Council, and shall be empowered to do all things necessary and proper to carry out the responsibilities of the Board. The Superintendent shall serve at the pleasure of the Board.

The organizational chart of the Board and the Department is attached and incorporated herein.

SECTION V. AUTHORITY AND RESPONSIBILITIES

The Board is empowered with the authority to solicit funds, propose budgets and plans of operation, and employ and supervise personnel through a chain of command. Within budgetary constraints and consistent with the Department's Plan of Operation, the Board may establish subordinate offices, staff, organizational relationships, and advisory bodies as necessary to carry out its duties and responsibilities.

The Board has oversight authority over the following duties and responsibilities, which are to be carried out by the Superintendent and the Department, in consultation with, and subject to the review of the Board:

- A. Establish procedures to implement and enforce Navajo education laws to the full extent of Navajo jurisdiction.
- B. Develop and negotiate intergovernmental agreements as necessary to coordinate the activities of the Department with the BIA and those state departments of education that are geographically contiguous to the Navajo Nation.
- C. Develop and negotiate cooperative agreements with other Navajo Nation divisions, programs, and education entities as deemed necessary to carry out the intent of the amended Title 10, Education Code.
- D. Actively pursue funding from all appropriate sources to support the activities of Navajo Nation education programs.
- E. Propose needed education legislation to the Health, Education, and Human Services Committee including the development of procedures to enforce Navajo Nation school attendance laws.
- F. Inquire into the impact of educational programs on Navajo students in schools serving the Navajo Nation and develop recommendations based on these inquiries.

- G. Report the results of inquiries into educational programs on Navajo students as stated in Section V(F) and make recommendations to the Health, Education, and Human Services Committee, local community school boards, school board associations, local communities and any other entities serving the Navajo Nation that might be affected by the subject matter of these inquiries.
- H. Provide guidance for school accreditation activities of the Navajo Nation North Central Accreditation Office (COGNIA).
- I. Comply with all applicable Navajo Nation, federal and state laws concerning the confidentiality of records.
- J. Implement the procedures and processes for re-authorizing school contracts and grants and recommend revisions to the procedures as deemed necessary.
- K. Oversee the accountability of, and compliance with all Navajo Nation and applicable federal education laws or regulations.
- L. Assume control of local community-controlled schools in accordance with the Board's statutory authority.

M. Cooperatively work with schools serving the Navajo Nation in the areas of:

- 1. Developing and establishing curriculum content, academic achievement standards and testing instruments that reflect the unique needs of Navajo students.**
- 2. Receiving monitoring and evaluation reports on all elementary and secondary programs serving the Navajo Nation.**
- 3. Ensuring the accountability of BIA-funded schools as required by Navajo Nation and federal law.**
- 4. Licensing BIA-funded school administrators of contract and grant schools authorized by the Navajo Nation.**
- 5. Certifying Navajo language and culture instructors and creating and publishing instructional materials and testing instruments for the teaching of Navajo language and culture.**
- 6. Overseeing educational research, in cooperation with the Health, Education and Human Services Committee, on the academic performance and needs of Navajo students and school systems.**

SECTION VI. LEGISLATIVE OVERSIGHT

The Health, Education, and Human Services Committee of the Navajo Nation Council is the oversight committee for the Board pursuant to 2 N.N.C. § 401 (D) (3).

SECTION VII. AMENDMENTS

This Plan of Operation may be amended by the Health, Education, and Human Services Committee of the Navajo Nation Council.

Strategy and timeline of securing a hire for the NN Superintendent of Schools

- Superintendent of Schools
 - 1 applicant, still going through the qualification assessment
- Assistant Superintendent
 - 2 applicants, still going through the qualification assessment
- Navajo Head Start Assistant Superintendent
 - 2 applicants, still going through the qualification assessment
 - >currently in the hands of DPM. Timeline is based on DPM and their assessment process.

Status of implementing Diné language criteria in curriculum requirements

- Navajo Nation
 - tied to DSAP/SEA movement, a requirement for meeting the alternative assessment criteria in the qualification for Accountability Plan establishment, ref. Statute/law, DCS)
- BIE / Tribally Controlled Schools (DCS is required academic proficiency policy; amend 10 N.N.C. to define specific application).
- State (strengthen 10 N.N.C. to make DCS a Navajo Nation (SEA) alternative assessment requirement as defined in DSAP).
- Tracking Navajo students enrolled in Diné language and cultural courses (develop tracking measures for Public, Grant, BIE and Charter schools; amend 10 N.N.C. to support reporting requirements (SEA)).

Plans to establish Navajo Nation as a "State Educational Agency" (SEA)

- Assume functions comparable to state departments of education, where the Navajo nation would have regulatory control over standards, curriculum development, instruction, teacher certification, professional development, assessment tools in all areas, vocational training and certification of professional personnel desiring endorsement in Navajo language and culture.
- The Department of Dine education already performs some SEA functions by monitoring and providing technical assistance to 32 BIE-funded contract and grant schools.
- We are often referred to as "TED", tribal education department. However, inherent treaty rights go beyond the status of a TED and SEA. The idea would be to go to Congress to establish the status of SEA and enact our inherent treaty rights.
- Everything is rooted in the Dine Language and Culture, thus DSAP in addition to the 5 federal requirements in the school profiles.

Status of DoDE and Programs' Plans of operation

Program	Resolution from NNBOE	Resolution for HEHSC	Most recent update
Cognia Navajo Nation	NNBEMA-850-2023	HEHSC 0100-23	11-May-23
Department of Dine Education ADMIN		HEHSCN-29-17	11/17/2017
JOM		HEHSCN-29-17	11/17/2017
Navajo Nation Board of Education		HEHSCD-10-22	12/14/2022
Navajo Nation Library	NNBESE-747-2021	HEHSC2-16-21	9/29/2023
ODAC			
ODSI- Office of Dine School Improvement		HEHSCAP-09-19	4/22/2019
ODY- Administration		HEHSCJA-01-20	1/4/2020
Office of Educational Research and Stats		HEHSCN-29-17	11/17/2017
ONNSFA		HEHSCN-29-17	11/17/2017
Office of Standards Curriculum Assessment Development.	NNBEFE-601-2020		2/13/2020

DoDE – Education building renovation to code plans

- Accessing NN FRF (ARPA) Funds for renovation / repairs

Encouraging the coordination of work efforts

- Navajo Nation--Office of Background Investigations (NNOBI)
 - In the past, NNOBI provided background investigation for Navajo Tribally Controlled Schools (P.L.100-279 & P.L. 93-638)
 - Currently NNOBI has pulled back their services to our schools and School Boards
 - Schools and School Boards now must seek services from outside the Nation or purchase their own fingerprint equipment
 - Navajo Schools should be able to utilize NNOBI services
 - School Board members should also be allowed to utilize NNOBI to reduce "Conflict of Interest"
 - Schools and School Boards follow Federal Statute regarding
- DBOSBA
 - Per Navajo Nation P.L. 93-638 Contract, DBOSBA provides:
 - School Board Training and speaks on behalf of the majority and minority
 - DBOSBA and DoDE work together to train school boards

TITLE X- DBOSBA Responsibilities

- The Diné Bi Olta School Board Association shall consider educational programs, problems and issues of a Navajo Nation-wide significance.
- The Diné Bi Olta School Board Association shall make recommendations to the Navajo Nation Board of Education and the Education Committee of the Navajo Nation Council concerning all BIA-funded schools and local community school boards.
- In order to fully address the views and situations of both community-controlled school boards and school boards of the schools operated by the Bureau of Indian Affairs, the Association shall establish a procedure that enables both categories of the school boards to fully air their views before the Association and to attempt to reach a joint recommendation.
- If a joint recommendation is not reached, a minority report may be included with the recommendation sent to the Committee and the Board.
- The Diné Bi Olta School Board Association shall plan such activities, including comprehensive school board training programs appropriate for the needs of both Navajo BIA operated schools and community controlled school boards, in order that all such school boards may effectuate the purposes of this chapter.

- The Diné Bi Olta School Board Association shall take all actions necessary to provide opportunities for local community school boards to share educational problems of mutual concern and to assist them in developing solutions to these problems.
- The Diné Bi Olta School Board Association will from time to time meet with the Education Committee of the Navajo Nation Council to review progress of education on the Navajo Nation, and make any proposals, which in the opinion of the Association would improve education in the Navajo Nation. In making such proposals, the Association shall use a procedure that enables community-controlled school boards and school boards of BIA operated schools to fully air their views before the Association and to attempt to achieve a joint proposal. If a joint proposal is not achieved, a minority report may be included with the proposal sent to the Committee.
- The Diné Bi Olta School Board Association shall recommend to the Education Committee of the Navajo Nation Council and the Navajo Nation Board of Education such policies, procedures, goals, and aims or such workshops as are required to implement the intent of this chapter, using a procedure that enables community controlled school boards and school boards of BIA operated schools to fully air their views before the Association and to attempt to reach a joint recommendation. If a joint recommendation is not recommended, a minority report may be included with the recommendation sent to the Committee and the Board.

Strategic plans with DHR to establish a Human Resource Dept. within DoDE

- In effort to Streamline the processes to become a fully functional SEA, DODE needs to be able to provide our own Human Resource services, financial services, and legal services.
- This would require legislative action to pass through council.
- Currently, Dr. Yellowhair is working on the Plans of Operation for HR, budget forms, and overall strategic plans with Ms. Edgewater and DODE Program managers.
- Timeline for implementation is January 1, 2024.

Initiate, coordinate or renew data sharing agreements with BIE, Arizona, New Mexico and Utah

- Data Sharing is important for several reasons:
 - Navajo Nation Reauthorization (BIE-Tribally Controlled Schools)
 - Student Academic Assessment Score tracking (BIE/States)
 - Monitor Navajo Language and Culture of Navajo Students language and Culture growth (States; LEA's)

Strategy for data collection

- Strategy for data collection of school size, funding, employees, community service population; student population, student race, dropout rate, student career and college/university preparation, address to eliminate higher education requirements for remedial courses; graduation rates, etc.
 - It is currently conducted by Office of Educational Research and Statistics to monitor Navajo student academic proficiency in public, BIE, grant, and charter schools.
 - Requirement for reauthorization and Navajo Nation academic proficiency reports.
 - We don't monitor remedial courses, community service population. Other entities might have this data.
- Funding for hardware from NN FRF (ARPA) Funds for Information Technology

Policy consideration for homeschool curriculum coordinating with higher education courses

- Home Schooling is a parental right
- DoDE (Navajo Nation) utilizes the respective "State" requirements for "Home Schooling"
- Dual enrollment between homeschool and high school will be at the discretion of the LEA's.
- Home Schooling Parents and students follow the college entrance requirements for specific colleges/universities, etc.
 - To be accepted in an accredited college/university, parents/students will need to be enrolled in accredited programs, such online accredited schools