



NAVAJO NATION

DEPARTMENT OF DINE EDUCATION (DoDE)

**SY 2023-2024 Reauthorization Training for P.L. 100-297 and P.L. 93-638
School Board and School Administrative Teams**

F2F Training

Monday, October 9, 2023



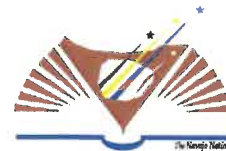
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**DEPARTMENT OF DINÉ EDUCATION
THE NAVAJO NATION**

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Vice-President**

Department of Diné Education (DODE) Auditorium
Navajo Nation Reauthorization Training for Tribally Controlled Schools
Window Rock, Arizona
Monday, October 9, 2023 (Lunch on your own)
9am to 5pm

Agenda
(Subject to Change)

1. Invocation *Grant School Volunteer*
2. Welcome Address *•Claudia Edgewater,
Acting Superintendent of Schools*
3. 2024 Reauthorization Overview *•Mr. Darrick Franklin,
Education Program Manager (delegated)
Office of Diné Accountability & Compliance
& Senior Planner, DoDE Administration*
 - Reauthorization PowerPoint Presentation
 - Federal and Tribal Laws that Support the Reauthorization Process
 - Reauthorization Application Content--The A through Q Requirements
4. DoDE-Office of Diné Accountability Compliance (ODAC) Administrative Review Instruments *•Mr. Darrick Franklin, ODAC*
 - School Governance
 - Budget and Finance
 - Human Resources
 - Home-Living (Residential)
5. Aligning School Leadership Plan (School Improvement Plan) to School Budget *•Mr. Darrick Franklin, ODAC*
6. School Improvement Initiatives with Schools *•Dr. Ferlin Clark,
Education Program Administrator,
Office of Diné School Improvement
(ODSI)*

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- 7. COGNIA
 - Dr. Shayla Yellowhair,*
Education Program Manager
COGNIA Navajo Nation
- 8. Navajo Language and Culture
 - Ms. Delores Noble,*
Education Program Manager,
Office of Standards, Curriculum &
Assessment Development (OSCAD)
- 9. Data Submission
 - Mr. Roy Tracy,*
Statistician/Demographer
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Statistics (OERS)

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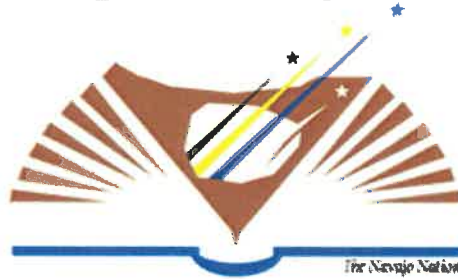


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Department of Diné Education Office of Diné Accountability & Compliance (ODAC)



Reauthorization Training for School Boards and School Administrative Teams
Monday, October 9, 2023 at 9am

Outline of Presentations:

- History of Navajo Nation's Reauthorization
- Criteria to determine the number of years for Reauthorization
- Application Content: "A thru Q" (Reauthorization Application)
- Presentation from the following offices (New direction of presentation during the Reauthorization Meetings):
 - Office of Educational Research and Statistics (OERS)
 - Office of Standards, Curriculum, & Assessment Development (OSCAD)
 - COGNIA Navajo Nation
 - Office of Diné School Improvement (ODSI)
 - Navajo Nation Office of Background Investigation (NNOBI)

Beginning of P.L. 100-297 on the Navajo Nation

- **Navajo Nation Legislation: ACMA-35-84**
 - **The Education Committee of the Navajo Tribal Council is authorized to develop policies and procedures to implement Tribal education law; and**
- **Navajo Nation Legislation: ACF 32-88**
 - **Education Committee of the Navajo Tribal Council has been directed to develop procedures for Tribal authorization of grants pursuant to the provisions of P.L. 100-297; and ...**
- **Navajo Nation Legislation: ECA-064-88**
 - **Grant Authorization procedures to be developed and presented for consideration in order to expedite their adoption prior to the beginning of fiscal year (August 25, 1988)**
 - **Reauthorization process started in 1988 with the passage of PL 100-297 Tribally Controlled Schools Act, which also amended PL 93-638, [reaffirmed in ECF-12-01]**

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Background on Authorization/Reauthorization

- **Navajo Nation is the ONLY tribe in the United States with a “Reauthorization” process for Tribally Controlled (Grant) P.L. 100-297 and P.L. 93-638 Contract Schools**
 - **Grant schools protest that there “*is no statutory basis for reauthorization...*”**
 - **P.L. 100-297 doesn’t require “**reauthorization;**” however, the Navajo Nation Council made it a **Navajo law.****

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Background on Authorization/Reauthorization

ECF-12-01 (copy provided in booklet):

- ❖ **Resolution of the Grant /Contract Conversion/Maintenance Handbook, to supersede Education Committee Resolution ECA-064-88 entitled “Procedures for Public Law 100-297 Grant Authorization”, and the Advisory Committee Resolution ACS-188-88, for use by School Boards wishing to convert from BIA Operated to Grant/Contract School Status.**
- ❖ **As more BIA Operated Schools converted, the NN Council became aware of the Navajo Nation’s need to update procedures and practices in processing and approving Grant/Contract applications for school boards, as well as developing criteria to determine if approved Grant/Contract are being satisfactorily administered. The Authorization / Reauthorization process required Tribally Controlled Schools to go through a lengthy review /approval Tribal Review Process. (164 SAS)**

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Background on Authorization/Reauthorization

• CJY-37-05:

- ❖ **Navajo Nation Council enacted the “Navajo Sovereignty in Education Act of 2005” to delegate the former “Education Committee” now the “Health, Education, Human, Services Committee” (HEHSC), as the Tribal Governing Body to authorize/reauthorize.**
- ❖ **Authorization/Reauthorization is an express authority of the former Education Committee, now HEHSC (2 N.N.C. § 484(B)(3); 2 N.N.C. § 400(B)(4)(b) [*Enacted through CAP-10-11*] as the “Tribal Governing Body.”**

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NN Council Downsize to HEHSC

CAP 10-11:

❖ **The Navajo Nation Council enacted the “2011 Amendments of Title 2 that reduced the number of delegates from 88 to 24 members.**

❖ **Under the reorganization of the standing committees of the Navajo Nation Council, the Health, Education Human, Services Committee (HEHSC) is a new standing committee and assigned to oversee matters relative to health, social services, education, general governmental services and human services.**

ODAC Reauthorization Training, October 9, 2023

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Enactment of HEHSCMY-012-12

(copy provided in booklet):

The HEHSC hereby delegates to the Navajo Nation Board of Education (NNBOE) the authority to approve P.L. 93-638 and P.L. 100-297 Contract Reauthorization Applications for a one, two or three year(s) terms for the operation of education and education related programs and/ or residential programs, and in accord with grant applications and BIE funded education and education related programs.

➤ **Compromise was reached when the HEHSC, “delegated” their “Tribal Governing Body” reauthorization authority 2 N.N.C. § 400(B)(4), through 2 N.N.C. § 400(B)(5) with the enactment of HEHSCMY-012-12 on May 16, 2012.**

ODAC Reauthorization Training, October 9, 2023

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Enactment of HEHSCMY-012-12

- ❖ **The Department of Dine' Education is established, with authority to enforce all education laws on the Navajo Nation.**
- ❖ **The Superintendent of Schools within the Department of Diné Education is authorized to administer and manage to ensure quality education, accountability, and compliance with Navajo Nation legislative mandates, applicable federal rules, statues, and laws. This is administered by monitoring, evaluating, and providing technical assistance to Navajo Tribally Controlled Schools. While also providing technical assistance to Navajo BIE Operated Schools.**

ODAC Reauthorization Training, October 9, 2023

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Enactment of HEHSCMY-012-12

- ❖ **The Superintendent of Schools shall administratively review, process, and recommend reauthorization of the Grant/Contract school's application to the NNBOE based on the criteria established by HEHSCMY-12-01 when school complies with all policies.**

**2 N.N.C § 1801 (B) ; 10 N.N.C§107 (A) ; 10 N.N.C§106(G) (3)
CJY-39-05 amended by GSCMY -19-07**

ODAC Reauthorization Training, October 9, 2023

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HEHSCMY-012-12 Requirements

Re-Affirmed Resolution ECF-12-01 “Grant/Contract Conversion Maintenance Handbook”

- ❖ **The HEHSC hereby requires the Navajo Nation’s Department of Diné Education: Office of Diné Accountability & Compliance to ensure that all schools express their option to convert to grant or contract status, and all schools currently operating under the authority of P.L.93-638 or P.L. 100-297 in order to maintain authorization from the Navajo Nation to operate their schools, to comply with the approved and applicable provisions of the Grant/Contract Conversion/ Maintenance Handbook as approved by resolution ECF-12-01**

HEHSCMY-012-12 Requirements

Re-Affirmed Resolution ECF-12-01 “Grant/Contract Conversion /Maintenance Handbook”

- ❖ **BIE Operated Schools conversion and existing grant/ contract schools under the authority of PL 93-638, PL 100-297, and PL 95-561 are required to fully comply with the provision of ECF-12-01 to maintain their continued authorization from the Navajo Nation.**
- ❖ **The Office of Diné Accountability & Compliance (ODAC) is responsible for ensuring that schools comply with ECF-12-01**

HEHSCMY-012-12 Requirements

❖ Pursuant to 10 N.N.C. Section 107 (A):

❖ The “Department of Diné Education” (DoDE) is the administrative agency within the Navajo Nation Government with the responsibility and authority for implementing and enforcing education laws of the Navajo Nation. In exercising its responsibilities, the Department **shall work cooperatively with the local school governing boards.**”

HEHSCMY-012-12 Requirements

❖ When schools comply with all Navajo Nation policies, including ECF-12-01 (Grant/Contract Conversion Maintenance Handbook), the NNBOE was delegated with the authority to reauthorize schools based on 2 objective criteria:

- ❖ Condition of a Schools’ Finances and Audits
- ❖ Academic Performance

❖ Based on the Superintendent of School’s recommendation, the Navajo Nation Board of Education shall Reauthorize Grant/Contract Schools for:

❖ **a) 1 year or less (months); b) 2 years; or c) 3 years.**

HEHSCMY-012-12 Requirements:

II. DELEGATION

A. Pursuant to 2 N.N.C. § 401(B)(5), the Health, Education and Human Services Committee hereby delegates to the Navajo Nation Board of Education the authority to approve P.L. 93-638 and P.L. 100-297 Contract Reauthorization Applications for a **one, two or three year terms** for the operation of education and education-related programs and/or residential programs, pursuant to Public Law 93-638 and Public Law 100-297, and in accord with the grant application and BIA-funded education and education-related programs. **Guidelines that shall govern the number years of reauthorization shall be as follows:**

1. **One or less year(s)** reauthorization shall be granted where schools and/or residential programs have material weaknesses in their current financial audit reports, which includes, but is not limited to serious audit findings, failure to submit audits, etc.
2. **Two-year reauthorization** shall be granted to schools and/or residential programs that **do not** have material weaknesses in their current financial audit reports, but have **not met** academic proficiency based on the current existing academic assessment systems in place.
3. **Three-year reauthorization** shall be granted to schools and/or residential programs that **do not** have material weaknesses in their current financial audit reports and **met** academic proficiency based on the current existing academic assessment systems in place.

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HEHSCMY-012-12 Requirements

What ODAC/ DODE looks for in School Audits (KEY WORDS)

- "UNMODIFIED"/"UNQUALIFIED"** (No "Material Weaknesses")
Note: Schools qualify for 3 or 2 years of Reauthorization depending on Student Academic performance
- "UNMODIFIED"/"UNQUALIFIED"** (May have "Material Weaknesses")
Note: Schools qualify for 1 year or less for Reauthorization
- "QUALIFIED"** ("Generally Indicates Significant Findings, Deficiencies, Etc." Audits typically contain "Material Weaknesses", "Significant Deficiencies,")
Note: Schools qualify for 1 year or less for Reauthorization
- "ADVERSE/DISCLAIMER/QUALIFIED"** (Generally, the Auditor Can't Make "Heads or Tails" on whether a School's finances are accurate or correct; Records may not be available; Audit typically has Material Weaknesses, and Significant Deficiencies, evidence of fraud, etc.)
Note: Schools qualify for 1 year or less for Reauthorization

***Audit Deadline is March 31st of every year (Some extenuating circumstances may be considered (Weekend/Holidays) Time Stamp within the Federal Audit Clearinghouse. See [Federal Audit Clearinghouse - Home \(census.gov\)](https://www.census.gov))

ODAC Reauthorization Training, October 9, 2023

Enactment of HEHSCMA-02-21

(copy provided in booklet)

- Relating to Health, Education, and Human Services; Approving Clarification Instructions for the Grant Application under the Grant/Contract Conversion/Maintenance Handbook
 - BE IT ENACTED:
 - SECTION ONE. AUTHORITY
 - SECTION TWO. FINDINGS
 - SECTION THREE. APPROVAL OF CLARIFYING INSTRUCTIONS ON GRANT APPLICATION CONTENT
 - The Health, Education and Human Services Committee hereby approves clarifying instructions to grant application content provisions of the Grant/Contract Conversion/Maintenance Handbook, section 3. These instructions are attached hereto as Exhibit A.
 - All schools seeking contract or grant authorization or reauthorization under Public Law 93-638 and public Law 100-297 shall comply with provisions of the Grant/Contract Conversation/Maintenance Handbook, including the clarifying instructions approved herein.
 - Resolution Approved by HEHSC of the 24th Navajo Nation Council at a duly called meeting at Window Rock, (Navajo Nation) Arizona, at which quorum was present and the same was passed by a vote of 5 in favor, 0 opposed, on this 3rd day of March 2021.

Purpose of Reauthorization Training

- **This training is required to all NAVAJO P.L. 93-638 & P.L. 100-297 School Board Members (Grantee) per the requirements of the Grant/Contract Conversion Maintenance Handbook**
- **During School Reauthorization meetings with the Navajo Nation Board of Education (NNBOE), schools will provide the following information in their presentation:**
 - Audit designation for years ending 2023, 2022 & 2021
 - *Indicate the number of years with current Audit Firm*
 - Student High-Stake Assessments **NO Short Cycle Assessments will be used**
 - Navajo Language and Culture Implementation
 - School Improvement Initiatives (working with DODE/Office of Diné School Improvement)
 - Accreditation Status with COGNIA Navajo Nation

HEHSCMA-02-21 Requirements

GRANT / CONTRACT CONVERSION / MAINTENANCE HANDBOOK	
1. OVERVIEW	<p>..The handbook is used to assist those bureau funded schools whose school boards are currently operating their schools under authority of P.L. 100-297 or P.L. 93-638 and Navajo Nation Law in meeting the minimum requirements to maintain authorization from the Navajo Nation to operated their schools.</p>

ODAC Reauthorization Training, October 9, 2023

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HEHSCMA-02-21 Requirements

GRANT / CONTRACT CONVERSION / MAINTENANCE HANDBOOK	
2. APPLICATION PROCESS	<p>All applications should be submitted to the NN DODE no later than 5pm of the 3rd Monday of March of the current fiscal year. No Waivers will be authorized.</p> <ul style="list-style-type: none">• The Federal Law (25 USC 2505 (e) requires the Office of Indian Education Program (OIEP) to receive approved applications in the Fiscal Year that comes before the school year the Grant is to start. Therefore, approved applications should be submitted to BIA/OIEP by July 1, but must be submitted no later than September 30.

ODAC Reauthorization Training, October 9, 2023

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Reauthorization Application Due Date:

- Monday, March 18, 2024 by 5pm
- Must be dropped off at the DoDE/ODAC Office, Window Rock, AZ
 - Preschedule your visit, email preferred, when arrived please call ODAC at 928-871-7466/7481
- Submit **ONLY ONE** copy of the Binder/Application
- You will receive a confirmation delivery sheet from ODAC

HEHSCMA-02-21 Requirements

GRANT / CONTRACT CONVERSION / MAINTENANCE HANDBOOK	
3. APPLICATION CONTENT – A-Q	<p>A. Name, address & phone number of the school board submitting the application.</p> <p><u>Schools will need to submit the following on school letterhead:</u></p> <p><u>Name of school, school address, school website information, school phone and fax numbers</u></p> <p><u>For contact purposes, all School Board members' names, addresses, emails and contact phone numbers should be included</u></p>

HEHSCMA-02-21 Requirements

GRANT / CONTRACT CONVERSION /MAINTENANCE HANDBOOK	
3. APPLICATION CONTENT – A-Q	<p>B. Resolutions from the local school board & and the chapter(s) within the schools’ authorized boundaries supporting the school board application.</p> <p><u>As a point of clarification, each School Board (aka: Grantee) must provide a recent resolution of intent to continue operation under Public Law 100-297 or Public Law 93-638 status. This resolution shall be effective for the duration of the School’s reauthorization, or for a minimum of one year.</u></p>

HEHSCMA-02-21 Requirements

GRANT / CONTRACT CONVERSION /MAINTENANCE HANDBOOK	
3. APPLICATION CONTENT – A-Q	<p>B. Resolutions (continued)</p> <p><u>The Grantee must obtain and provide a recent, approved Chapter Resolution(s), from each Chapter that represents the school, which support the Grantee’s intent to continue operation under Public Law 100-297 or Public Law 93-638 status. These resolution(s) shall be effective for the duration of the School’s reauthorization, or for a minimum of one year. Such Resolutions must be included with every reauthorization application submission. The Grantee has the sole responsibility to obtain the Chapter resolutions as it is their responsibility to communicate with their stakeholders. Prior Chapter resolutions without beginning and end dates will not be accepted.</u></p>

HEHSCMA-02-21 Requirements

GRANT / CONTRACT CONVERSION / MAINTENANCE HANDBOOK	
3. APPLICATION CONTENT – A-Q	B. Resolutions (continued) <u>Grantees who require Agency Council resolutions should follow the steps above, as applicable</u>

HEHSCMA-02-21 Requirements

GRANT / CONTRACT CONVERSION / MAINTENANCE HANDBOOK	
3. APPLICATION CONTENT – A-Q	C. Narrative explanation of the school board's prior experience and knowledge in operating the school. <u>Each School Board member must submit an updated narrative with every reauthorization application which includes information on all training(s) attended. Please do not include copies of certificate(s) and/or attendance sheet(s). Narratives submitted from prior reauthorization applications will not be accepted.</u>

HEHSCMA-02-21 Requirements

GRANT / CONTRACT CONVERSION / MAINTENANCE HANDBOOK	
3. APPLICATION CONTENT – A-Q	D. Information on the geographic and demographic factors in the affected areas Please provide the following information: <ul style="list-style-type: none">• <u>School history</u>• <u>School Location</u>• <u>Local resources available for your students</u>• <u>List of current feeder schools</u>• <u>Student demographics & number of students attending your school</u>• <u>Economic services located near your school</u>• <u>Education services available to your community and students</u>

ODAC Reauthorization Training, October 9, 2023

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HEHSCMA-02-21 Requirements

GRANT / CONTRACT CONVERSION / MAINTENANCE HANDBOOK	
3. APPLICATION CONTENT – A-Q	E. A narrative description identifying each of the programs to be offered by the school board and a description of an implementation plan for each program. <u>Grantees must list all current programs to be offered with a description of how they will be implemented. A strong emphasis should be placed on academic programs, Navajo language and culture programs, parent involvement efforts, and enhanced support for student learning.</u>

ODAC Reauthorization Training, October 9, 2023

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HEHSCMA-02-21 Requirements

GRANT / CONTRACT CONVERSION / MAINTENANCE HANDBOOK

3.
APPLICATION
CONTENT –
A-Q

F. If not adopted, an affirmative statement that the Navajo Nation North Central Association (NN/NCA) Academic Standards will be adopted, and that NN/NCA Certification will be acquired within one year.

Grantees must submit a current copy of their COGNIA Certificate of Accreditation. The Navajo Nation North Central Association (NN/NCA) is now called "COGNIA Navajo Nation."

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HEHSCMA-02-21 Requirements

GRANT / CONTRACT CONVERSION / MAINTENANCE HANDBOOK

3.
APPLICATION
CONTENT –
A-Q

G. Statement certified by the school board, if applicable, that the Residential Standards will be in conformance with 25 CFR Part 36, Subpart H. School boards shall report to OIEP with respect to instances of non-compliance with space and privacy requirements due to inadequate facilities.

Schools will need to submit the signed certification on school letterhead, if applicable.

ODAC Reauthorization Training, October 9, 2023

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HEHSCMA-02-21 Requirements

GRANT / CONTRACT CONVERSION /MAINTENANCE HANDBOOK	
3. APPLICATION CONTENT – A-Q	<p>H. A specific point-by-point description of how the school board will handle the Requirements of:</p> <p>1. Accounting and Management of equipment of the school and future equipment acquisitions.</p> <p><u>Identify where this requirement is within the school’s policies and procedures.</u></p>

ODAC Reauthorization Training, October 9, 2023

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HEHSCMA-02-21 Requirements

GRANT / CONTRACT CONVERSION /MAINTENANCE HANDBOOK	
3. APPLICATION CONTENT – A-Q	<p>H.</p> <p>2. A bookkeeping and accounting procedure system.</p> <p><u>Identify where this requirement is within the school’s policies and procedures.</u></p> <p>3. Recruitment and retention of adequately trained personnel.</p> <p><u>Identify where this requirement is within the school’s policies and procedures.</u></p>

HEHSCMA-02-21 Requirements

GRANT / CONTRACT CONVERSION / MAINTENANCE HANDBOOK

3.
APPLICATION
CONTENT –
A-Q

H.

4. Personnel policies and procedures.

Schools must submit the current approved school board personnel policies/procedures and School Board By-Laws with date adopted.

5. Financial policies and procedures.

Schools must submit the current approved school board financial policies and procedures with date adopted

HEHSCMA-02-21 Requirements

GRANT / CONTRACT CONVERSION / MAINTENANCE HANDBOOK

3.
APPLICATION
CONTENT –
A-Q

H.

6. Risk management programs (insurance, including but not limited to general liabilities, property protection, fire, vehicles, etc.)

Schools must provide all current insurance policies and manuals with coverage information

HEHSCMA-02-21 Requirements

GRANT / CONTRACT CONVERSION / MAINTENANCE HANDBOOK

3.
APPLICATION
CONTENT –
A-Q

H.

7. Consolidated School Reform Plans (Section 1114).

Schools must submit the following approved, finalized, and current plans for the upcoming school year during Reauthorization: Comprehensive Support and Improvement Plans; Needs Assessment and SMART Goals; the School Wide Budget; and its proposed continuous School Improvement Plan.

*Updated: Consolidated school reform plans are now referred to as Comprehensive Support and Improvement Plans (which must include the Needs Assessment, SMART goals, Professional Development Plan, and the School Wide Budget)

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Consolidated School Reform Plan (Plan 1114)

Comprehensive Needs Assessment

Demographics

Student Achievement

Perception

Priority Opportunities for Growth

Comprehensive Needs Assessment Data Documentation

SMART Goals

SMART Goal 1: Students in grades 3rd - 6th will increase in reading proficiency by 5% as measured by the annual assessment in English Language Arts/Reading when compared from 2023 and 2024.

SMART Goal 2: Students in grades 3rd - 6th will increase in Math proficiency by 5% as measured by the annual assessment in Math when compared with data from 2023 and 2024.

SMART Goal 3: Students in grades K - 6th will increase in Dine' Language proficiency by 10% based on the school-based checklist developed consistent to the Navajo Nation Dine' Language Standards for each grade level.

All these documents should be linked to one another.

Examples from “Plan4Learning”

Bureau of Indian Education
Comm School
2023-2024 Improvement Plan

School Type: Navajo
ERC: Chino

Generated by Plan4Learning.com

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October 1, 2023 11:39 AM

Examples from “Plan4Learning”

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HEHSCMA-02-21 Requirements

GRANT / CONTRACT CONVERSION / MAINTENANCE HANDBOOK

3.
APPLICATION
CONTENT –
A-Q

H.

8. Reporting Requirements (Single Agency Audit Act of 1984, as amended).

Note: Identify where this requirement is within the school’s policies and procedures that they will abide by the reporting requirements of the Single Agency Audit Act of 1984 as amended.

HEHSCMA-02-21 Requirements

GRANT / CONTRACT CONVERSION / MAINTENANCE HANDBOOK

3.
APPLICATION
CONTENT –
A-Q

H.

9. Implementation and enforcement of the Navajo Nation Ethics in Government Law (2 N.N.C. §6).

Identify where this requirement is within the school’s policies and procedures.

HEHSCMA-02-21 Requirements

GRANT / CONTRACT CONVERSION / MAINTENANCE HANDBOOK

3. APPLICATION CONTENT – A-Q

I. Documentation of Incorporation with the Navajo Nation Corporation Commission.

Schools must provide (1) a copy of the initial Certificate of Incorporation; and (2) a Certificate of Good Standing for two consecutive years to validate compliance with the Navajo Nation Business Regulatory Department.

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Example of Navajo Nation Certificate of Good Standing

NAVajo NATION
CORPORATION CODE

CERTIFICATE OF GOOD STANDING

We all in Whom Good Stands, Good Stands, Good Stands.

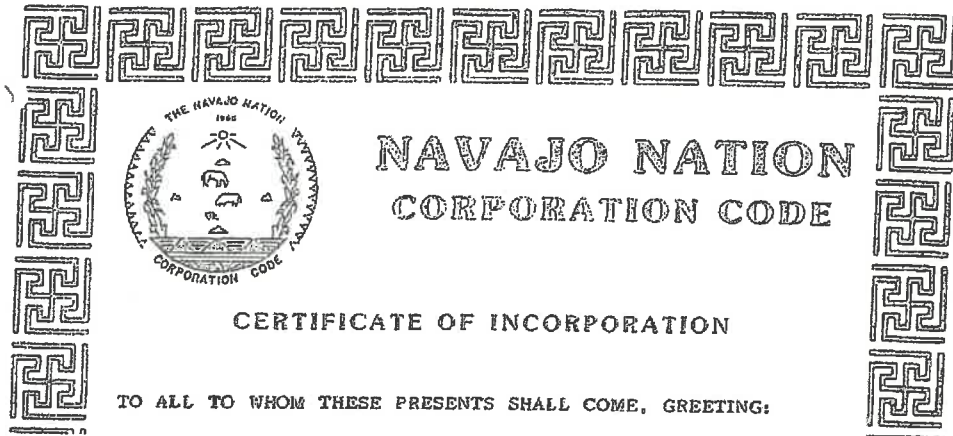
I, the Director of the Business Regulatory Department, DO HEREBY CERTIFY that [redacted] a Corporation registered under the laws of the Navajo Nation Corporation Act, did incorporate on [redacted] February 12, 1999.

I FURTHER CERTIFY that the corporation has filed all affidavits and annual reports and has paid all annual filing fees required to date and, therefore, is in good standing within the Navajo Nation.

IN WITNESS WHEREOF, I have hereunto set my hand and signed the official seal of the Navajo Nation Corporation Code, State of Navajo, Navajo, Arizona, the Capital of the Navajo Nation, this [redacted] day of [redacted] A.D. 2023.

[Signature]
Director, Business Regulatory
Division of Economic Development

Example of **Initial** Navajo Nation Certificate of Incorporation



HEHSCMA-02-21 Requirements

GRANT / CONTRACT CONVERSION / MAINTENANCE HANDBOOK

3. APPLICATION CONTENT – A-Q

- J. A **Scope of Work** that addresses program implementation and compliance to be utilized as a foundation by an **independent auditing firm** that will be retained to conduct an annual audit which meets the requirements of the Single Agency Audit Act of 1984, as amended in 1996.

Schools must submit their current and past two (2) years' "Scope of Work" (also known as Engagement Letters) associated with each audit within their application.

According to the Grant/Contract Conversion/Maintenance Handbook: "All grantee/contractors will select a different certified auditing firm each time the grant/contract is reauthorized." The Navajo Nation permits existing grant/contract schools to retain their auditing firm for no more than three (3) consecutive years and must select a different auditing firm thereafter.

HEHSCMA-02-21 Requirements

GRANT / CONTRACT CONVERSION / MAINTENANCE HANDBOOK

3. APPLICATION CONTENT – A-Q

K. Assurances that all employees will receive a background investigation and that the employees will meet the minimum standards for character and suitability required in 25 CFR Part 63.11. School board members, in compliance with Navajo Law (including Navajo Election Law) and Federal laws, will also receive criminal background investigations. The criminal background check will include federal, state, and tribal convictions or Nolo Contendere pleas on child related convictions. No individuals convicted of any child related crimes may serve on the school board.

School board members shall submit the signed certification on school letterhead.

ODAC Reauthorization Training, October 9, 2023

45

HEHSCMA-02-21 Requirements

GRANT / CONTRACT CONVERSION / MAINTENANCE HANDBOOK

3. APPLICATION CONTENT – A-Q

L. Certification from each school board member that they have read and understand 25 USC 450d – Criminal Activities Involving Grants, Contracts, etc, Penalties.

School board members shall submit the signed certification on school letterhead.

ODAC Reauthorization Training, October 9, 2023

46

HEHSCMA-02-21 Requirements

GRANT / CONTRACT CONVERSION / MAINTENANCE HANDBOOK	
3. APPLICATION CONTENT – A-Q	<p>M. Certification from each school board member that they understand that all funds received must be deposited in accounts that are insured by an agency or instrumentality of the United States.</p> <p><u>School board members shall submit the signed certification on school letterhead.</u></p>

ODAC Reauthorization Training, October 9, 2023

47

HEHSCMA-02-21 Requirements

GRANT / CONTRACT CONVERSION / MAINTENANCE HANDBOOK	
3. APPLICATION CONTENT – A-Q	<p>N. Certification from each school board member, <u>the school chief administrative officer, and the fiscal and personnel manager</u> that they have read and understand the Provisions of the OMB Circular, A-87, particularly those sections that pertain to allowable and unallowable cost.</p> <p><u>School board members, including the school chief administrative officer, and the fiscal, and personnel manager shall submit the signed certification on school letterhead.</u></p>

ODAC Reauthorization Training, October 9, 2023

48

HEHSCMA-02-21 Requirements

GRANT / CONTRACT CONVERSION / MAINTENANCE HANDBOOK	
3. APPLICATION CONTENT – A-Q	<p>O. Certification from each school board member that they have read and understand the “Indian Child Protection and Family Violence Prevention Act of 1990” requiring child abuse reporting procedures plan and background investigation requirement procedures.</p> <p><u>School board members shall submit the signed certification on school letterhead.</u></p>

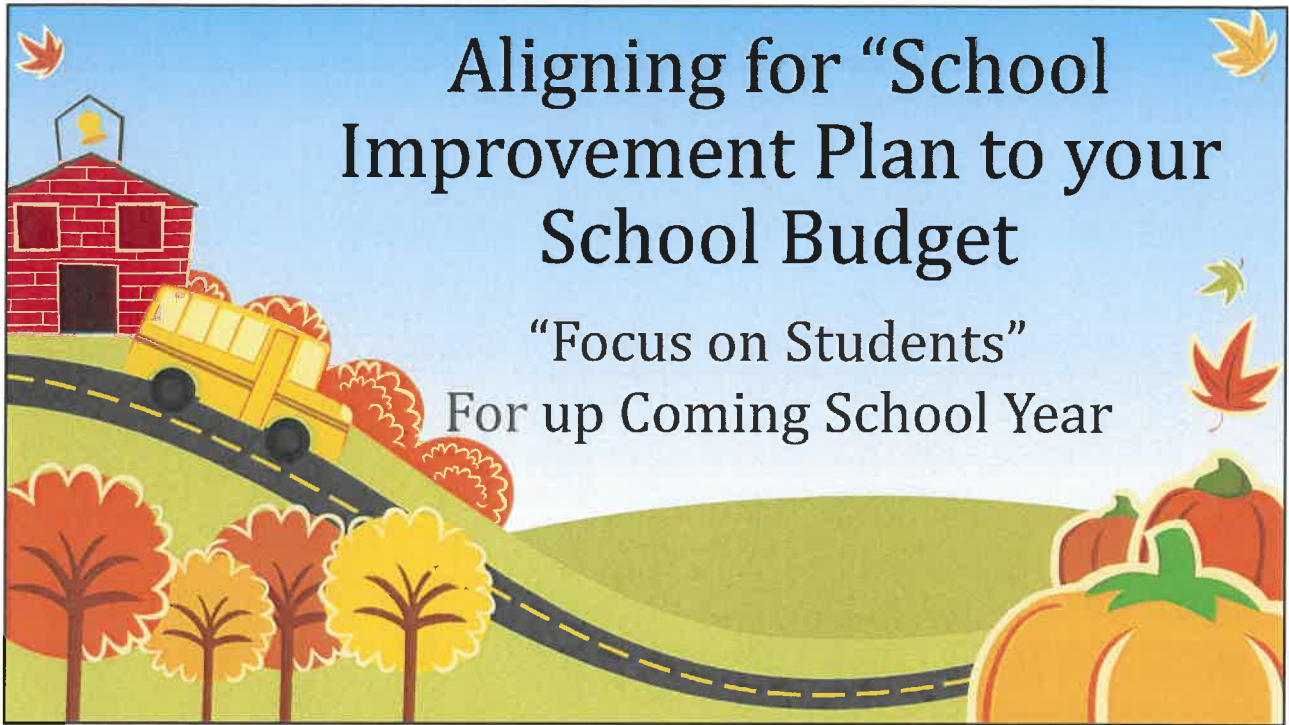
HEHSCMA-02-21 Requirements

GRANT / CONTRACT CONVERSION / MAINTENANCE HANDBOOK	
3. APPLICATION CONTENT – A-Q	<p>P. Signed copy of a School Board Code of Ethics from each school board member.</p> <p><u>School board members shall submit the signed certification on school letterhead.</u></p> <p>Q. Certification from each school board member that they have received training in the contents of these requirements.</p> <p><u>School board members shall submit the signed certification on school letterhead.</u></p>

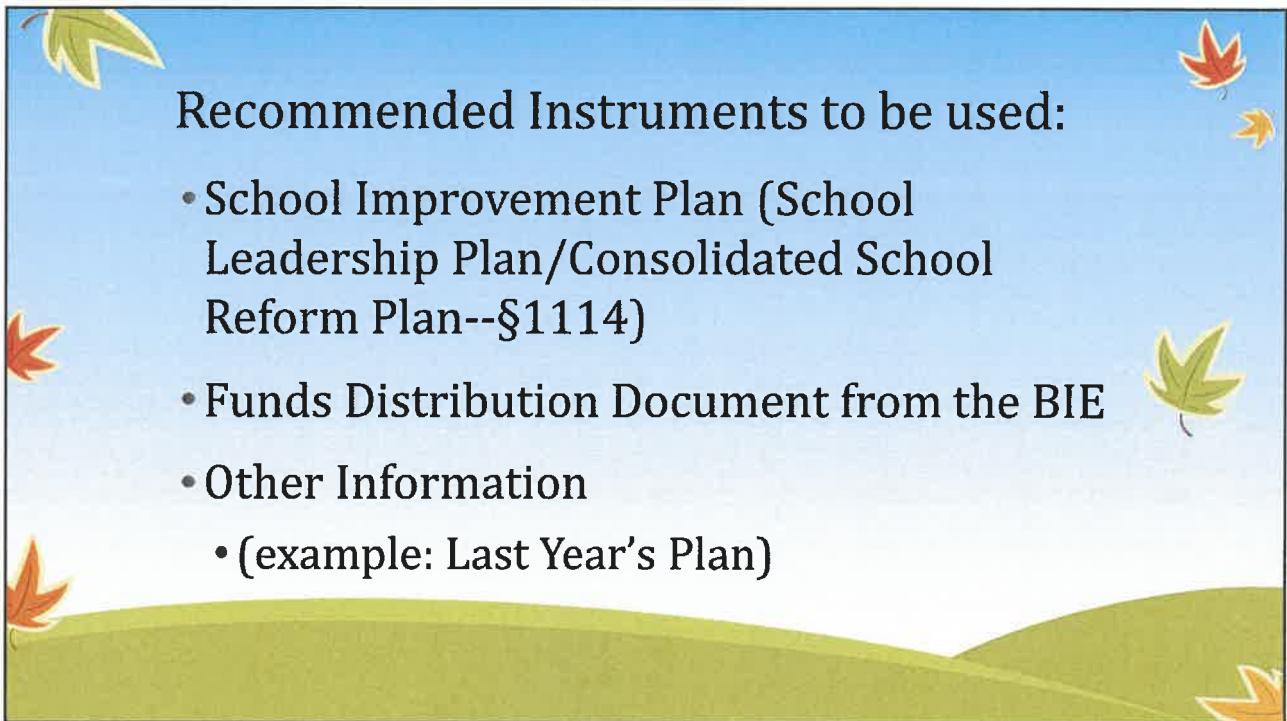
DoDE: Office of Diné Accountability & Compliance (ODAC) Staff:

- **Darrick Franklin**, Education Program Manager (delegated)
- **Lavida Maestas**, Senior Education Specialist
- **Jamey Lowrey**, Senior Education Specialist
- **Vacant**, Senior Education Specialist
- **Ryan Tsoisie**, Office Specialist

Questions/Comments

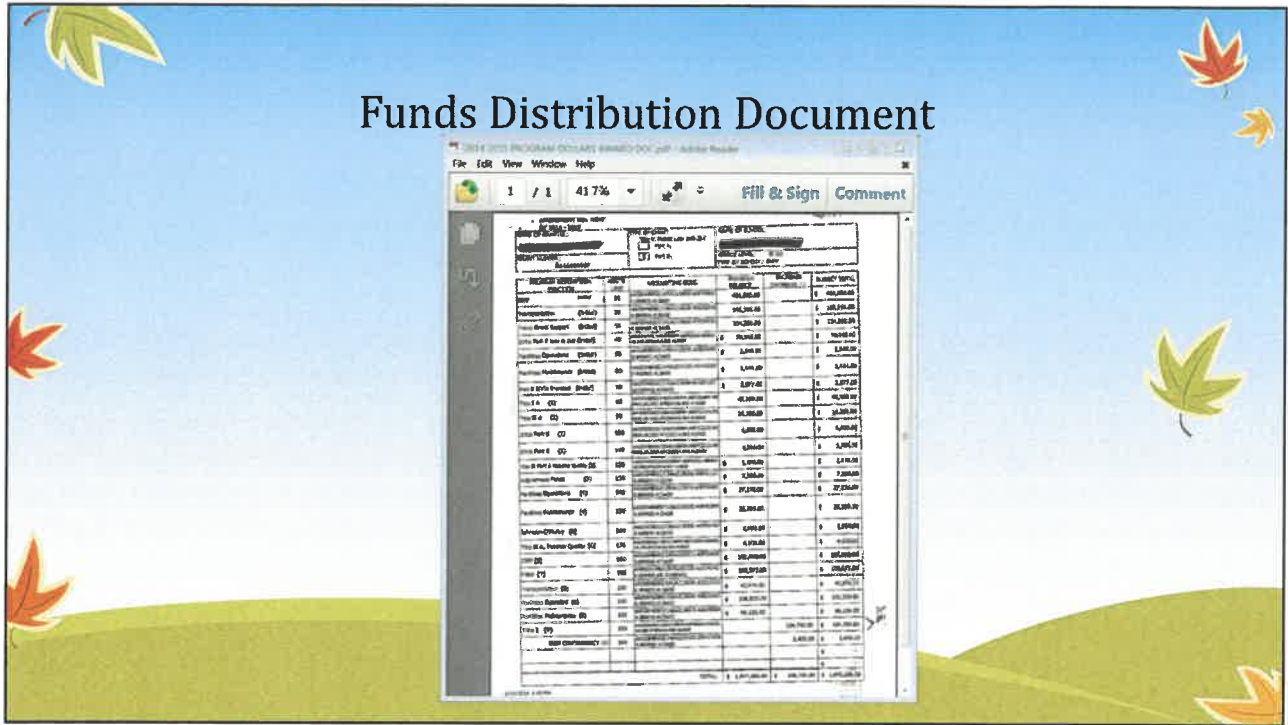


1



2

Funds Distribution Document



3

School Improvement Plan SY 2017-2018

SCHOOL IMPROVEMENT PLAN 2015.16 – the summary

The aspect	The priorities	The vision	The how	The who
LEADERSHIP AND MANAGEMENT	<ul style="list-style-type: none"> Developing leaders Future structures 	Leaders continue to embody and promote a culture of excellence, building capacity and structures, great teachers and effective leaders for the future.	<ul style="list-style-type: none"> Training programmes for subject and middle leaders Coaching, mentoring and thoughtful conversations Action plans that impact Curriculum spotlight weeks Support and accountability through line management, team work, CPD, appraisal and pedagogical discussion 	Lead: Tracy and Claire All middle leaders accountable for their responsibility areas Curriculum: Gillian → Brad Wray
TEACHING, LEARNING AND ASSESSMENT	<ul style="list-style-type: none"> Expectations Challenge Feedback 	We all have the highest of expectations and make it our professional and moral duty to offer an excellent standard of teaching and learning for all pupils.	<ul style="list-style-type: none"> A growth mindset Review assessment, marking and feedback practice PaC introduced Learning Journey books and other outcomes that evidence quality teaching and learning Opportunities to discuss, share, debate, take risks, make mistakes (and learn from them), give and receive feedback 	Lead: Claire with wider leadership team: Janet, Gillian, Katie, Jen & Richard → Barry Hynes
OUTCOMES	<ul style="list-style-type: none"> Boys' writing Skilful readers Confident speakers 	We will build on our consistently high standards in progress and achievement making sure that all pupils achieve success.	<ul style="list-style-type: none"> Silver Birch Story Book groups Support for the teaching of writing A dynamic curriculum Support and check through pupil progress meetings, work scrutiny, learning and teaching reviews, curriculum reviews, discussion and feedback 	Lead: Claire with wider leadership team and middle leaders Curriculum: Gillian
PERSONAL DEVELOPMENT, BEHAVIOUR AND WELFARE	<ul style="list-style-type: none"> Impeccable behaviour Healthy living 	We will build on our good behaviour and support for the wider aspects of learning to develop healthy, safe and aware pupils.	<ul style="list-style-type: none"> Employing a full-time sports coach New MUCA, playground and equipment Broad range of after school clubs and opportunities including Young Voices and cycling Promoting healthy eating and raising awareness with parents Review behaviour aspects including responsibility and consent 	Lead: Monica and Jen Bodu Sports Playground team
EARLY YEARS	<ul style="list-style-type: none"> Parent Partnership Consistency across setting & curriculum 	Children and families make an excellent start to their life at Woolmore; standards are above local and national by the end of the early years across all areas of learning.	<ul style="list-style-type: none"> New ways to engage with parents and carers Admissions policy reviewed Quality provision and teaching across the curriculum, indoors and out Learning and progress checks; early intervention for individual needs 	Lead: Janet with Jen Admissions team SENCO

All senior, middle and subject leaders have action plans that ensure the success of the School Improvement Plan.

DO MORE • BE MORE • WOOLMORE

4



5

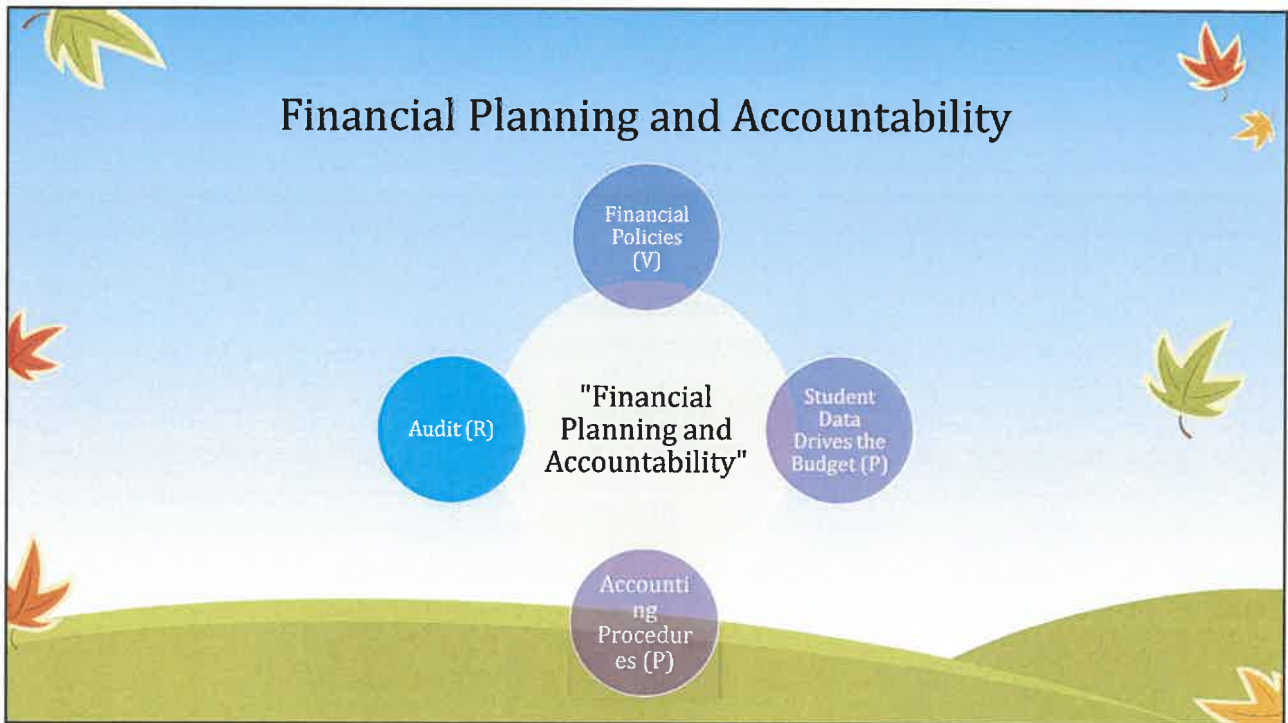
Developing your "PLAN"

- Plan consist of all employees
 - They work on the plan (ex. Special ED, Reading Program, Math Program, 21st Century, FACE, Transportation, Facilities, Food Services etc.)

6

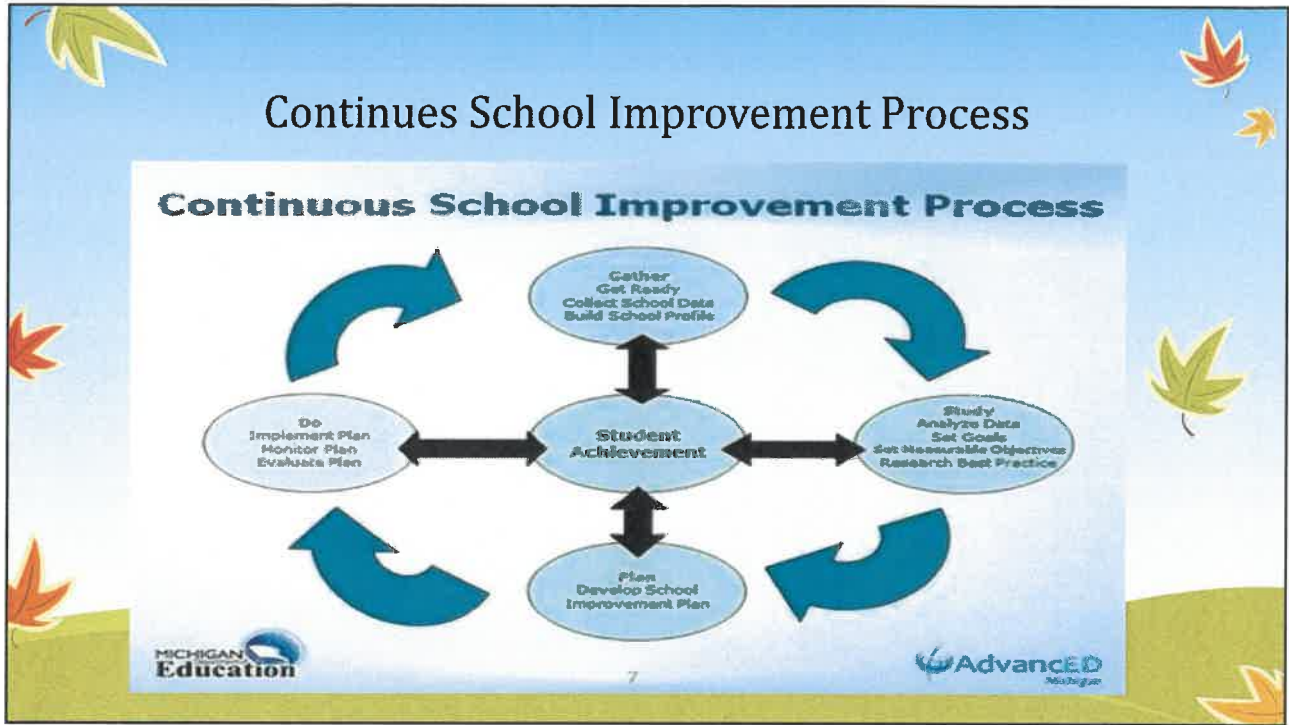


7



8

Continues School Improvement Process



9

Present Plans to the School Board for Approval and/or Recommendations

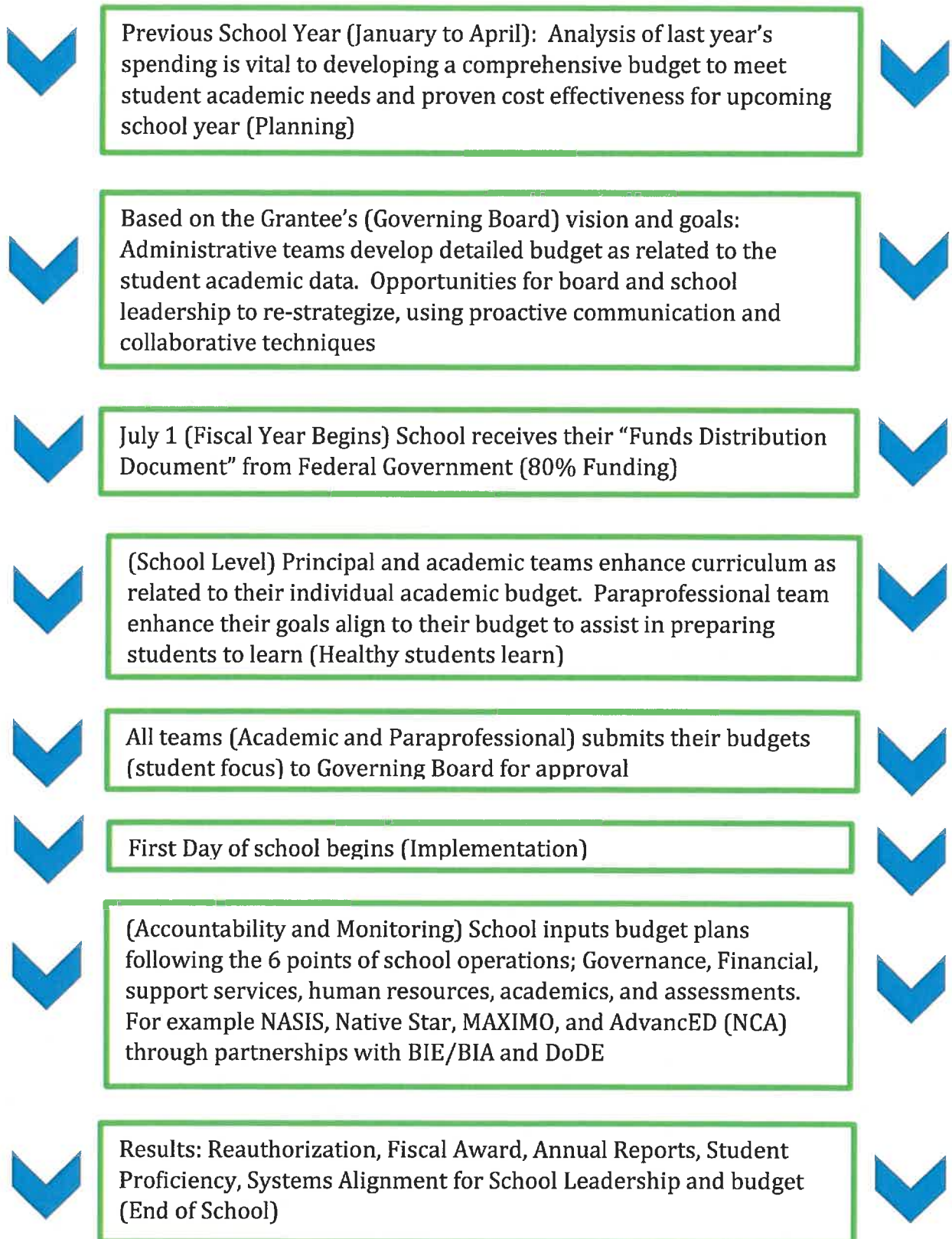


10



11

School Budget Timeline



RESOLUTION OF THE
EDUCATION COMMITTEE
OF THE NAVAJO NATION COUNCIL

Approving the "Grant/Contract Conversion/Maintenance Handbook" to Supercede Education Committee Resolution ECA-064-88, entitled "Procedures for Public Law 100-297 Grant Authorization," and Advisory Committee Resolution ACS-188-88, for Use by School Boards wishing to Convert from B.I.A. Operated to Grant/Contract School Status

WHEREAS:

1. Pursuant to 2 N.N.C. §§481 and 482, the Education Committee is established and continued as a standing committee of the Navajo Nation Council for the purpose of overseeing the educational development of the Navajo Nation and to develop policies for a scholastically excellent, and culturally relevant education; and
2. The Education Committee of the Navajo Nation Council is empowered to review, sanction and authorize applications for Self-Determination Act contracts and grants for the operation of educational programs, subject to final approval, by the Intergovernmental Relations Committee of the Navajo Nation Council, 2 N.N.C. §484 (B)(3); and
3. The Education Committee of the Navajo Nation Council has legislative oversight responsibility, oversight of the Division of Diné Education, responsibility for the initiation of education legislation and its implementation; and
4. The Navajo Nation, since 1988, has required a review and a recommended approval from the Education Committee of the Navajo Nation Council of all Public Law 93-638 contract and Public Law 100-297 grant applications before any local school board can receive authorization for a contract/grant by the Navajo Nation; and
5. About twenty-eight (28) schools and five (5) residential dormitories have been previously authorized and are operating their educational programs by contract/grant authority and a majority of these schools sanctioned by the Navajo Nation have experienced success in being responsible for the education of Navajo children; and
6. As more Bureau of Indian Affairs operated schools consider the option of contracting/granting the operations of their school, the Education Committee of the Navajo Nation Council became aware that the Nation needed to update its procedures and practices in processing and approving contract/grant applications for school boards, as well as criteria to determine if approved contracts/grants are being satisfactorily administered; and

7. In April of 2000, the Education Committee of the Navajo Nation Council directed the Subcommittee on School Board Policies (Memorandum attached as Exhibit "A") to develop a handbook, which would standardize procedures and requirements for Contract/Grant applications, as well as, Procedures and Requirements for Authorization to continue Contract/Grant school operations; and

8. Partnership efforts from the Division of Diné Education, Navajo Area School Board Association, Inc. (NASBA), Association of Navajo Community Controlled School Boards, Inc. (ANCCSB), Native American Grant School Association (NAGSA), and other interested individuals made contributions to the development of the "Grant/Contract Conversion/Maintenance Handbook" herein attached as Exhibit "B." All comments, both written and oral, were given due consideration and numerous revisions were made to earlier versions of the Handbook; and

9. The Education Committee of the Navajo Nation Council finds that it would be in the best interest of Navajo children and families, chapters, community schools boards, and educational entities for the adoption of the "Grant/Contract Conversion/Maintenance Handbook."

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Education Committee of the Navajo Nation Council hereby approves the "Grant/Contract Conversion/Maintenance Handbook" to supercede Education Committee Resolution ECA-064-88, entitled: "Procedures for Public Law 100-297 Grant Authorization" (attached as Exhibit "C") and Advisory Committee Resolution ACS-188-88 (attached as Exhibit "D") for use by School Boards wishing to convert from B.I.A. operated to grant/contract school status.

2. The Education Committee of the Navajo Nation Council hereby requires compliance from all school boards and communities that wish to exercise their option to convert to grant or contract school status with the provisions contained in the "Grant/Contract Conversion/Maintenance Handbook."


3. The Bureau of Indian Affairs funded schools whose school boards are currently operating under the authority of Public Law 100-297 or Public Law 93-638 will be required to comply with the provisions in the Handbook in order to maintain authorization from the Navajo Nation to operate their schools.

4. The Education Committee of the Navajo Nation Council recognizes that the Navajo Nation supports local control of education and the authority of local School Board within established laws identified in the Handbook.

5. The "Grant/Contract Conversion/Maintenance Handbook" may be amended by the Education Committee of the Navajo Nation Council as they deem appropriate, 2 N.N.C. §484 (B)(1).

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Education Committee of the Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of (5) in favor, (0) opposed and (0) abstained, this 13th day of February, 2001.


Wallace Charley, Vice Chairperson
Education Committee
NAVAJO NATION COUNCIL

Motion: Frank C. Willetto, Sr.
Second: Dr. Samuel Billison



MEMORANDUM

TO : Genevieve Jackson, Director
Division of Diné Education

FROM : Andy R. Ayze
Andy R. Ayze, Chairman
Education Committee

DATE : May 8, 2000

SUBJECT : Proposed Amendments to Resolution Nos. ECA-064-88 and
ACS-188-88

On April 28, 2000, the Education Committee of the Navajo Nation Council by a vote of 5 in favor, 0 opposed and 0 abstaining, designated the Subcommittee on Navajo School Board Policies to work with the Division of Diné Education to amend the policy on grant/contract conversion for Navajo BIA operated schools in the Resolution Nos. ECA-064-88 and ACS-188-88, respectively. The following Education Committee members are on the Subcommittee:

1. Wallace Charley, Chairman
2. Christine Apache, member
3. Calvin Kirk, member
4. Frank Chee Willetto, alternate

If there are questions, please call Ms. Peggy Nakai, Legislative Advisor and she will gladly assist you.

c: Education Committee members
Frank Seanez, Attorney IV, OLC

RESOLUTION
OF THE
EDUCATION COMMITTEE
OF THE
NAVAJO TRIBAL COUNCIL

EXHIBIT C

Recommending the Adoption of "Procedures for P.L. 100-297 Grant Authorization", and Taking Certain Other Actions

WHEREAS:

1. By Resolution Number ACMA-35-84 the Education Committee of the Navajo Tribal Council is authorized to develop policies and procedures to implement Tribal education laws; and
2. By Resolution Number ACF-32-88, the Education Committee of the Navajo Tribal Council has been directed to develop procedures for Tribal authorization of grants pursuant to the provisions of P.L. 100-297; and
3. The Alamo Navajo School Board, Inc., the Leupp Boarding School Board, Inc., the Rough Rock School Board, Inc., and the Tuba City High School Board, Inc. have elected to exercise their right under P.L. 100-297 to convert from P.L. 93-638 contract operation to grant operation at the start of Fiscal Year 1989, and have notified the United States Secretary of the Interior in accordance with the legal deadline for such notification; and
4. As, at the time of said deadline, there were no Tribal procedures in place for authorizing such conversions, the four School Boards named herein did not violate any Tribal or Federal legal requirements simply by notifying the Secretary of the Interior of their decisions; and
5. Each of these School Boards, as duly authorized by the Navajo Tribe, has responsibly operated its school under a P.L. 93-638 contract with the Bureau of Indian Affairs for at least three years; and
6. As with any such new law, decisions will be made and regulations and precedents will be created with respect to P.L. 100-297 during the first year of its implementation which will seriously and directly affect the future use of that law by the Navajo Tribe and local Navajo School Boards; and
7. It is therefore highly desirable that there be Navajo School Boards which will be directly and immediately affected by those regulations, precedents and decisions involved in making them; and
8. Those School Boards so affected should not be penalized or prevented from being involved due to a lack of duly adopted procedures; and
9. There remains short but sufficient time to adopt and implement Tribal authorization procedures as directed so as not to jeopardize Navajo interests and lose the significant benefits for Navajo students which can be realized under P.L. 100-297; and

10. Each of the four local Navajo School Boards recognizes the sovereign status of the Navajo Nation and the legal right of the governing body of the Navajo Nation with regard to retrocession of grants made under P.L. 100-297; and

11. This Committee, by Resolution Number ECA-063-88, dated August 25, 1988, has directed that grant authorization procedures be developed and presented to it for consideration in order to expedite their adoption prior to the beginning of Fiscal Year 1989; and

12. Given that the four School Boards affected are all experience and responsible contractors, the Education Committee of the Navajo Tribal Council is inconvenienced that a current Tribal reauthorization to contract under P.L. 93-638 combined with a written agreement from each of the respective School Boards to comply with the additional requirements contained herein as an amendment to existing P.L. 93-638 recontracting procedures will be sufficient to ensure appropriate accountability of the prospective grantee School Boards to the Navajo Tribe; and

13. The Education Committee of the Navajo Tribal Council recognizes that this procedure is sufficient to address the needs and concerns of the Navajo Tribe with regard only to those four School Boards named herein and that additional procedures are needed to address the authorization of other School Boards in the future.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Education Committee of the Navajo Tribal council hereby declares that it finds the attached amended "Procedures for Review of Recontracting applications" (Attachment "A") to be appropriate for authorizing the School Boards which are currently eligible to convert to grant operation under that law as of October 1, 1988; and

2. The Education Committee of the Navajo Tribal Council hereby declares that it finds that the existing provisions in the final form of P.L. 100-297 combined with the additional provisions contained in the attached amended "Procedures..." adequately address the need for accountability of grantees to the Navajo Tribe; and

3. The Education Committee of the Navajo Tribal Council hereby declares that each of the four Local Navajo School Boards named herein is required to comply with all provisions of their current respective individual P.L. 93-638 recontracting authorization, and shall be required to comply with all such duly adopted additional Tribal requirements and standards as are uniformly applicable to all grantees under P.L. 100-297; and

4. The Education Committee of the Navajo Tribal Council hereby directs that the submission of these recommendations to the Advisory Committee be expedited by the Navajo Nation Education System so that they may be included on the agenda for the next meeting of the Advisory Committee of the Navajo Tribal Council after August 31, 1988 for its approval; and

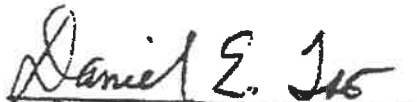
5. The Education Committee of the Navajo Tribal Council hereby strongly recommends and urges that the Advisory Committee of the Navajo Tribal Council approve these procedures as recommended at the earliest possible time so that the Navajo Tribe and the affected Navajo School Boards, schools and students will not be deprived for another year of the significant benefits which can be realized under this new law; and

6. The Education Committee of the Navajo Tribal Council hereby directs that procedures for authorizing Local Navajo School Boards to operate under the provisions of P.L. 100-297 which have not yet elected to do so be developed by the Navajo Nation Education System without delay and in cooperation and consultation with those affected; and

7. The Education Committee of the Navajo Tribal Council hereby respectfully requests that all appropriate offices and officials of the Navajo Nation Education System and the Navajo Tribe to all things within their power and authority to realize the intent of this Resolution.

CERTIFICATION

I hereby certify that the foregoing Resolution was duly considered by the Education Committee of the Navajo Tribal Council at a duly called meeting at Albuquerque, New Mexico at which a quorum was present, and that same was adopted by a vote of 04 in favor, 00 opposed and 01 abstaining this 31st day of August, 1988.


 Daniel E. Tso, Chairman
 EDUCATION COMMITTEE

MOTION: Billy Todachennie
 SECOND: David J. Tsosie

PROCEDURES FOR REVIEW OF RECONTRACTING APPLICATIONS AND
ASSURANCE FOR ACCOUNTABILITY MEASURES UNDER P.L. 100-297

DEADLINE (ELAPSED DAYS)	WHO	WHAT (ACTION TO BE TAKEN)
DAY 0	Applicant	Submit application to Navajo Nation Education System (NNEs), Executive Director's Office. Application must be submitted by close-of-business in order to be dated on day submitted.
		Send copy of application to Agency Education Superintendent (AES), and Area Director (AD).
		Submit notice of date of receipt by NNEs to Area Director
	NNEs	Issue official signed, dated receipt for application to contractor, with copy to AD
		If application is hand-delivered, date of receipt is determined by date of presentation before close-of business at NNEs offices.
		If application is mail delivered, date of receipt is determined by actual date of postal delivery to NNEs offices, as documented by mail-receipt date stamp.
Upon receipt of copy of application	AD and AES	Issue official dated, signed receipt for copy of application to contractor, with copy of receipt to NNEs
	NNEs	Begin Tribal Review
Upon receipt of copy	AES	Begin review of availability of funds, change(s) in scope, or effect on personnel agreements involved in application.
Upon receipt copy	AD	Begin Area review of application. However, this review shall not be construed as submission of the application by the Tribe after review or as a waiver or termination of the Tribal review process.
10 days from receipt of application	AES	Report results of review to Area Director

Complete administrative review and report recommendations to Education Committee through Chairman of the Education Committee.

IF OBJECTION ISSUES EXIST:

- a. Arrange for formal hearing before Education Committee.
- b. Issue notice to contractor to include
 - . Clear statement of questions being raised
 - . Rationale for raising them
 - . Date, time and place of hearing
 - . Names of witnesses to be called, if any.

Within period of 10 days from issuance of objection issue notice	Education Committee	Hold hearing on objection issues.
45	Education Committee	Submit Formal Resolution(s) (if any) objecting to recontracting, to Area Director, by end of the business day.
46	Area Director	Complete Area Review & Issue requisite notices.

ADDITIONAL REQUIREMENTS FOR CONTRACTORS SEEKING TO CONVERT TO
P.L. 100-297 GRANT OPERATIONS

DEADLINE	WHO	WHAT (ACTION TO BE TAKEN)
Prior to August 1, 1988 *	Contractor	Submit notice of election to convert to grant operation to Secretary of Interior.
		* If notice of election is submitted after September 30, 1988, the Contractor must secure a waiver from the Secretary in accordance with Section 5209 (b) (3) of P.L. 100-297, and a formal waiver of this deadline from the Education Committee.

Prior to
October 1, 1988

Contractor

Submit notice of election to convert to grant operation to Education Committee.

Submit to Education Committee a written agreement to:

1. Comply with all provisions of the Contractor's existing P.L. 93-638 recontracting authorization unless clearly in conflict with relevant provisions of P.L. 100-297, and to comply with such Tribal Education Standards as have been or may be duly adopted by the Navajo Nation.
2. Comply with all provisions of Section 5207 of P.L. 100-297.
3. Permit monitoring visits to their respective schools by representatives of Navajo Nation Education System upon receipt of written notice from the Executive Director of the Navajo Nation Education System, or an authorized representative, at least forty-eight hours in advance of the intended visit. The monitoring performed during such visits shall be based on a mutually agreed-upon Tribal monitoring checklist to be included in the grant.
4. Provide to the Navajo Nation Education System, Office of the Executive Director, one copy of each of the School Board's personnel and property management manuals, and one copy of the School Board's Articles of Incorporation no later than 120 days after the commencement of the grant.
5. Recognize the right of the Navajo Nation to be represented at grant negotiations.
6. Comply with such school attendance boundaries as are or may be duly adopted by the Navajo Nation.
7. Comply with the following additional requirements:

ADDITIONAL REQUIREMENTS:

1. School Boards which are formally authorized to convert to P.L. 100-297 grant operations and do in fact so convert shall submit quarterly reports to the Education Committee, and a copy of same to the Navajo Nation Education System, which report shall, at minimum, consist of:
 - a. a brief description of any substantial administrative benefits and/or problems attributable to grant versus contract operations.
 - b. a brief description of any substantial financial benefits attributable to grant operations, including information regarding investments, if any, of grant funds.
 - c. a brief description of any substantial programmatic benefits or problems attributable to grant versus contract operations.
 - d. such additional information as may be requested in writing by the Committee at least two weeks prior to the due date of the next quarterly report.

ACS-188-88

Class "C" Resolution
No BIA Action Required.

RESOLUTION OF THE
ADVISORY COMMITTEE OF THE
NAVAJO TRIBAL COUNCIL

Adopting the "Procedures for P.L. 100-297 Grant
Authorization", and Taking Certain Other Actions

WHEREAS:

1. Pursuant to 2 N.T.C. Section 341 (b)(1), the Advisory Committee of the Navajo Tribal Council is authorized to act as the Executive Committee of the Navajo Tribal Council with general authority, to act for the Navajo Tribal Council at such times when the Navajo Tribal Council is not in session; and
2. Pursuant to the Plan of Operation of the Education Committee of the Navajo Tribal Council, the Education Committee shall, where appropriate, seek concurrence of the Advisory Committee of the Navajo Tribal Council or the Navajo Tribal Council in framing official responses from the Navajo Nation to proposals for major changes in educational programs, such as proposals regarding major school closures or transfers of jurisdictions; 2 NTC 484 (b)(12); and
3. Pursuant to Resolution ACF-32-88, the Advisory Committee of the Navajo Tribal Council has established its position that no contract or grant be authorized without a specific action of the Navajo Tribal Government to authorize such grant or contract. Furthermore, authorization of contracts or grants will be contingent upon procedures and assurances of accountability developed by the Education Committee of the Navajo Tribal Council in conjunction with the Navajo Nation Education System and approved by the Advisory Committee of the Navajo Tribal Council; and
4. The Advisory Committee of the Navajo Tribal Council further directed that the Tribal grant procedures and accountability mechanisms developed by the Education Committee of the Navajo Tribal Council be considerably more stringent than for P.L. 93-638 contracted schools currently and include performance based reporting and evaluation criteria; Resolution ACF-32-88; and
5. The Advisory Committee of the Navajo Tribal Council further stated that said procedures and authorization for P.L. 93-638 contracts remain in effect; Resolution ACF-32-88; and

6. The Alamo Navajo School Board, Inc., the Leupp Boarding School, Inc., the Rough Rock School Board, Inc., and the Tuba City High School Board, Inc., have elected to exercise their right under P.L. 100-297 to convert from P.L. 93-538 contract operation to grant operation at the start of Fiscal Year 1989, and have notified the United States Secretary of the Interior in accordance with the legal deadline for such notification; and

7. School Boards and school representatives in conjunction with the Navajo Nation Education System have developed procedures for P.L. 100-297 grant authorization, which were presented to and adopted by the Education Committee of the Navajo Tribal Council; Resolution ECA-064-88.

NOW THEREFORE BE IT RESOLVED THAT:

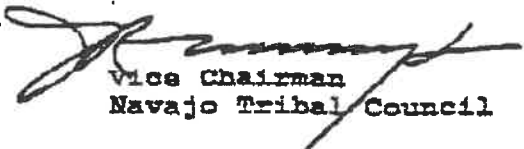
1. The Advisory Committee of the Navajo Tribal Council hereby adopts the "Procedures for P.L. 100-297 Grant Authorization" as presented by the Navajo Nation Education System and as approved by the Education Committee of the Navajo Tribal Council, attached hereto and incorporated herein as Attachment "A".

2. The Advisory Committee of the Navajo Tribal Council hereby declares that it finds that the existing provisions in the final form of P.L. 100-297 combined with the additional provisions contained in the attached amended "Procedures..." (Attachment A) address the need for accountability of grantees to the Navajo Nation.

3. The Advisory Committee of the Navajo Tribal Council hereby directs that the Navajo Nation Education System develop and implement additional standards and assurances of accountability needed to address the authorization of P.L. 100-297 grants to other school boards in the future.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Advisory Committee of the Navajo Tribal Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and that same was passed by a vote of 16 in favor and 0 opposed, this 22nd day of September, 1988.


Vice Chairman
Navajo Tribal Council

GRANT/CONTRACT CONVERSION/MAINTENANCE HANDBOOK



DIVISION OF DINÉ EDUCATION
EDUCATION COMMITTEE OF THE NAVAJO NATION
SUBCOMMITTEE ON SCHOOL BOARD POLICIES
FALL 2000

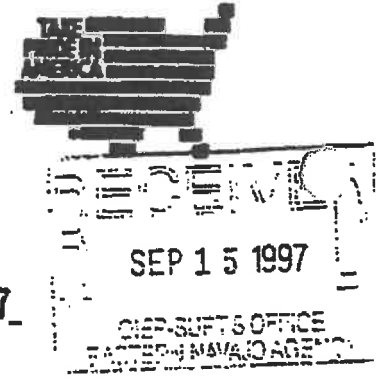
GRANT/CONTRACT CONVERSION/MAINTENANCE HANDBOOK

1. Overview
2. Application Process
3. Application Content
4. Checklist
5. Grant Administrative Requirements
6. Appendix
 - A. Public Law 100-297
 - B. Public Law 100-297 "Conditions and Provisions"
 - C. Public Law 103-382 "Tort Claims"
 - D. 25 USC 450d-Criminal Activities
 - E. 25 USC 450e-Wage /Labor Standards
 - F. 25 CFR Part 36 Subpart H – Residential Standards
 - G. 25 CFR Part 63 Indian Child Protection/Family Violence Prevention
 - H. Child Protection Handbook
 - I. OMB-Circulars:
 - 1) A-133 Illegal Acts
 - 2) A-87 Cost Principles
 - 3) A-102 Agency Authority
 - J. 43 CFR Part 12-Administrative Requirements and Cost Principles for Assistance Programs
 - K. Public Law 101-301 Grant Amendments Authorized for Facilities Improvement Projects
 - L. Tribal Review Process (164 SAS)
 - M. Navajo Nation Corporation Code
 - N. BIA/OIEP Checklist
 - O. Navajo Nation Title 10: Education
 - P. Navajo Nation Title II: Standards of Conduct and Restricted Activities of Public Officials and Employees
 - Q. Navajo Nation Ethics In Government Law (1999 Edition)
 - R. School Board Code of Ethics
 - S. Election Code
 - T. Navajo Nation Business Preference Law
 - U. Navajo Preference in Employment Act
 - V. Standing Committees' Resolutions
 - 1) Education/NNC Resolution (Authorization)
 - 2) Education/NNC Resolution (Reauthorization)
 - 3) Education/NNC Resolution Authorizing Facilities Improvement Projects
 - 4) Intergovernmental Relations/NNC Resolution (Authorization)
 - 5) Intergovernmental Relations/NNC Resolution (Reauthorization)
 - 6) Intergovernmental Relations/NNC Resolution Authorizing Facilities Improvement Projects

TO: <i>ALL ELO'S</i>	FROM: <i>Bill Mehajda</i>
CO: <i>OIEP</i>	CO: <i>OIEP</i>
DEPT:	PHONE #
FAX #	FAX #

Department of the Interior

INDIAN AFFAIRS
Washington, D.C. 20240



IN REPLY REFER TO:
OIE-00

SEP 12 1997

Memorandum

To: All Education Line Officers

From: *Acting* Director, Office of Indian Education Programs

William Mehajda, Jr.

Subject: Grant School Conversion

The purpose of this memorandum is to clarify the conversion process of Bureau of Indian Affairs operated schools to grant status.

According to 25 U.S.C. §2505(e), "a grant provided under this part, and any transfer of the operation of a Bureau school made under subsection (b), shall become effective beginning with the academic year succeeding the fiscal year in which the application for the grant or transfer is made, or at an earlier date determined by the Secretary." The Bureau of Indian Affairs interpretation and implementation of this language provides that the effective date of all grant conversions is the academic year beginning after the last day of the fiscal year in which application for grant conversion is completed. For example, applications submitted from October 1, 1997, to September 30, 1998, are eligible for grant conversion July 1, 1999. Applications submitted October 1, 1998, to September 30, 1999, are eligible for conversion July 1, 2000.

Additionally, House report language accompanying the FY 1998 Department of the Interior and Related Agencies Appropriations Bill states: "As a prerequisite to contracting for additional Federal programs, sufficient funds must be available to the BIA to pay severance and lump sum payments to those Federal employees displaced as a result of tribal contracting activity." Further, report language notes that "...some tribes may still experience delays in contracting for BIA programs and schools. The Bureau is encouraged to work with the tribes to phase in contracting for BIA programs and schools. The Bureau is encouraged to work with the tribes to phase in contracting activity over time when employee displacement funds are insufficient."

The clear intention of the Appropriations Committee is to allow the BIA to delay the contracting for programs and schools if there are not sufficient severance cost funds available. Therefore, while we continue to make every effort to facilitate tribal operation of schools, grant conversions must be limited to those schools for which there are sufficient funds appropriated for associated severance costs. The priority order for conversions will be based on the date on which applications are submitted in completed form.

Please distribute this to tribes and school boards in your jurisdiction. We hope this clarifies the conversion process and provides all interested parties with a method to effectively plan and implement the conversion of schools to tribal control.

**RESOLUTION OF THE
HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
OF THE NAVAJO NATION COUNCIL**

22nd NAVAJO NATION COUNCIL – SECOND YEAR, 2012

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; DELEGATING HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE POWER SET FORTH AT 2 N.N.C. § 401 (B)(4)(b) TO THE NAVAJO BOARD OF EDUCATION TO INCREASE EFFICIENCY AND STREAMLINING OF GOVERNMENT PROCESSES IN THIS MATTER PURSUANT TO THE COMMITTEE-APPROVED ADMINISTRATIVE RULES AND REGULATIONS GOVERNING THIS DELEGATION AND THE RESCISSION OF SUCH DELEGATION.

BE IT ENACTED:

Section 1. Findings

1. The Navajo Nation Council by Resolution CAP-10-II, April 21, 2011, enacted the "2011 Amendments of Title 2" that reduced the number of delegates to the Navajo Nation Council from 88 to 24 members pursuant to an initiative vote of Navajo voters.
2. Under the reorganization of the standing committees of the Navajo Nation Council, the Health, Education and Human Services Committee was one of the five new standing committees of the Navajo Nation Council. The Committee was delegated at least three functions of previous standing committees and assigned to oversee matters relative to health, social service, education, general governmental services and human services.
3. Pursuant to 2 N.N.C. § 401 (B)(4)(b), the Health, Education and Human Service Committee is authorized to approve, sanction and authorize application, reapplications, reauthorization and amendments for Indian Self-Determination and Education Assistance Act contracts and grants under the Tribally Controlled Schools Act for the operation of education programs, approval or denial of authorizations and reauthorizations shall constitute approval or denial by the Navajo Nation the Tribal Governing Body.
4. Further, pursuant to 2 N.N.C. § 401(B)(5), the Health, Education and Human Service Committee is authorized to delegate responsibilities and authorities as appropriate to the Divisions, Chapters and appropriate entities for efficiency and streamlining of government processes provided that the Committee first approves rules and regulations governing such delegations and rescission of such delegations.
5. The Navajo Department of Dine Education is the administrative agency within the Navajo Nation with responsibility and authority for implementing and enforcing the educational laws of the Navajo Nation. 2 N.N.C. § 1801(B); 10 N.N.C. § 107(A). The Navajo Nation Board of Education is the education agent in the Executive Branch for the purposes of overseeing the operation of all schools serving the Navajo Nation. 10 N.N.C. § 106(G)(3).

6. The Navajo Nation Board of Education reviews and recommends the reauthorization of Indian Self-Determination and Education Assistance Act contracts and grants under the Tribally Controlled Schools Act for the operation of education and education-related programs in accord with the contract application for a certain number of years up to three years and bases an formulates its recommendations upon the testimony, reports, and supporting information provided by the contract schools and the monitoring reports and recommendations provided by the Department of Dine Education. The Navajo Nation Board of Education also recommends to the oversight committee to condition its sanction, approval and authorization upon the standard conditions which the Navajo Nation places upon Navajo Nation tribal organizations which are authorized to operate BIE-funded education and education-related programs.


7. The Navajo Nation determines that in the best interest of the Nation, the power of the Health, Education and Human Services Committee set forth at 2 N.N.C. § 401 (B)(4)(b), should be delegated to approve, sanction and authorize applications, reapplications, reauthorizations and amendments for Indian Self-Determination and Education Assistance Act contracts and grants under the Tribally Controlled Schools Act for the operation of education programs, approval or denial of authorizations and reauthorizations shall constitute approval or denial by the Navajo Nation the Tribal Governing Body.

8. Pursuant to 2 N.N.C. § 401(B)(5), the Health, Education and Human Services Committee delegates, effective immediately, its power set forth at 2 N.N.C. § 401 (B)(4)(b) to the Navajo Board of Education to increase efficiency and streamlining of government processes in this matter pursuant to the Committee-approved Administrative Rules and Regulations governing this delegation and the rescission of such delegation, attached as Exhibit A.

9. The Health, Education and Human Services committee hereby requires the Navajo Nation Office of Monitoring, Evaluation and Technical Assistance ensure that all schools that wish to exercise their option to convert to grant or contract status and all schools currently operating under the authority of Public law 93-638 or Public law 100-297 in order to maintain authorization from the Navajo Nation to operate their schools, to comply with the approved and applicable provisions of the Grant/Contract Conversion/Maintenance Handbook as approved by Resolution ECF-12-01.

CERTIFICATION

I hereby certify that the foregoing Resolution was duly considered by the Health, Education and Human Services Committee of the Navajo Nation Council at a duly called meeting at Window Rock, Navajo Nation (Arizona), at which a quorum was present and the same was passed by a vote of 5 in favor, 0 opposed and 0 abstained, this 16th day of May, 2012.


Jonathan Hale, Chairperson
Health, Education and Human Services
Committee

Motion: Honorable Charles Damon
Second: Honorable Walter Phelps

ADMINISTRATIVE RULES AND REGULATIONS FOR THE DELEGATION OF AUTHORITY TO THE NAVAJO NATION BOARD OF EDUCATION REGARDING P.L. 93-638 AND P.L. 100-297 CONTRACT REAUTHORIZATION APPLICATION AND APPROVAL

I. AUTHORITIES

A. The Navajo Nation Council, by Resolution No. CAP-10-11, amended provisions of Title Two of the Navajo Nation Code and established the Health, Education and Human Services Committee with authority to delegate responsibilities and authorities as appropriate to the Divisions and Chapters for efficiency and streamlining of government processes provided that the Committee first approves rules and regulations governing such delegations and rescission of such delegations. 2 N.N.C. § 401(B)(5).

B. The Health, Education and Human Services Committee by 2 N.N.C. 401(B)(4)(b), has the final authority to grant approval, sanction and authorize application, reapplications, reauthorization and amendments for Indian Self-Determination and Education Assistance Act contracts and grants under the Tribally Controlled Schools Act for the operation of education programs, [and the] approval or denial of authorizations and reauthorizations shall constitute approval and denial by the Navajo Nation Governing Body.

C. The Department of Diné Education is established by Resolution CJY-39-05 (amended by GSCMY-19-07) with authority to enforce educational laws on the Navajo Nation. The Superintendent of the Department of Dine Education is authorized to administer and manage the Department of Dine Education.

D. The Department of Diné Education is responsible to ensure quality education, accountability, and compliance with Navajo Nation legislative mandates, applicable federal rules, statutes and laws by monitoring, evaluating and providing technical assistance to schools and providing technical assistance to BIE schools.

II. DELEGATION

A. Pursuant to 2 N.N.C. § 401(B)(5), the Health, Education and Human Services Committee hereby delegates to the Navajo Nation Board of Education the authority to approve P.L. 93-638 and P.L. 100-297 Contract Reauthorization Applications for a one, two or three-year terms for the operation of education and education-related programs and/or residential programs, pursuant to Public Law 93-638 and Public Law 100-297, and in accord with the grant application and BIA-funded education and education-related programs. Guidelines that shall govern the number years of reauthorization shall be as follows:

1. One or less year(s) reauthorization shall be granted where schools and/or residential programs have material weaknesses in their current financial audit reports, which includes, but is not limited to serious audit findings, failure to submit audits, etc.

2. Two-year reauthorization shall be granted to schools and/or residential programs that do not have material weaknesses in their current financial audit reports, but have not met academic proficiency based on the current existing academic assessment systems in place.

3. Four-year reauthorization shall be granted to schools and/or residential programs that do not have material weaknesses in their current financial audit reports and met academic proficiency based on the current existing academic assessment systems in place.

4. Any recommendation to retrocede an educational program to the Bureau of Indian Education (BIE) or if a BIE school converts to a Public Law 93-638 contract or Public Law 100-297 grant school shall be subject to final approval by the Health, Education and Human Services Committee.

5. A challenge to the number of years or reauthorization as approved by the Navajo Nation Board of Education may be finally reviewed by the Health, Education and Human Services Committee.

B. Unless provided otherwise, the Navajo Nation Board of Education shall exercise this delegation without further review and approval by the Health, Education and Human Services Committee.

C. This delegation of authority to the Navajo Nation Board of Education shall not be delegated to any other Navajo Nation official or entity.

III. AUTHORITY, DUTY AND RESPONSIBILITY

A. All P.L. 93-638 and P.L. 100-297 Contract Reauthorization Applications shall be administratively reviewed, processed and recommended by the Superintendent of Schools of the Department of Diné Education before presentation to the Navajo Nation Board of Education.

1. All-Navajo Nation Board of Education approval shall be by a quorum consisting of a simple majority of all voting members and shall be by written resolution duly certified by the presiding officer, setting forth the action taken and signed by the presiding officer.

2. This delegation of authority does not authorize the Navajo Nation Board of Education to reallocate funds authorized for specific schools.

B. The Superintendent of the Department of the Diné Education and the Director of the Office of Monitoring, Evaluation and Technical Assistance shall implement and administer the approved P.L. 93-638 and P.L. 100-297 Contract Reauthorization Applications for the operation of education and education-related programs and/or residential programs, pursuant to Public Law 93-638 and Public Law 100-297, in accord with the grant application and BIA-funded education and education-related programs.

IV. REVIEW AND AMENDMENT

A. The scope and administration of this delegation of authority may be evaluated and reviewed annually by the Health, Education and Human Services Committee of the Navajo Nation Council for compliance and the continuance of the delegation of authority.

B. The Superintendent of the Department of the Diné Education shall report on the status of school reauthorizations to the Navajo Nation Board of Education and the Health, Education and Human Services Committee at least twice each year.

C. Pursuant to 2 N.N.C. § 401(B)(5) and other applicable authorities, this Administrative Rule may be amended by the Health, Education and Human Services Committee of the Navajo Nation Council upon the recommendation of the Navajo Nation Board of Education or this delegation of authority may be rescinded in whole or in part at any time without cause.

RESOLUTION OF THE
HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
of the 24th NAVAJO NATION COUNCIL - THIRD YEAR, 2021

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; APPROVING
CLARIFICATION INSTRUCTIONS FOR GRANT APPLICATIONS UNDER THE
GRANT/CONTRACT CONVERSION/MAINTENANCE HANDBOOK

BE IT ENACTED:

SECTION ONE. AUTHORITY

- A. The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 400 (A).
- B. The Health, Education and Human Services Committee has oversight over the Division of Diné Education. 2 N.N.C. § 401 (C) (1). The committee is authorized "to delegate responsibilities and authorities as appropriate to the Divisions, Chapters and appropriate entities for the efficiency and streamlining of government processes provided that the Committee first approves rules and regulations governing such delegations and rescission of such delegations." *Id.*, at 401(B)(5).

SECTION TWO. FINDINGS

- A. The Health, Education and Human Services Committee, by resolution HEHSCMY-12-12, delegated to the Navajo Board of Education the authority to "approve, sanction and authorize applications, reapplications, reauthorizations and amendments for Indian Self-Determination and Education Assistance Act contracts [Public Law 93-638] or grants under the Tribally Controlled Schools Act [Public Law 100-297] for the operation of education programs, approval or denial of authorization and reauthorization ..." Section 5, HEHSCMY-012-12 (incorporated herein by this reference). By the same action, the Navajo Nation Office of Monitoring, Evaluation and Technical Assistance "[now] the Office of Dine Accountability and Compliance (ODAC)". Was required to ensure that all schools operating under Public Law 93-638 or Public Law 100-297 comply with provisions of the Grant/Contract Conversion/Maintenance Handbook as approved by resolution ECF-12-01 (incorporated herein by this reference).

- B. To ensure compliance with Public Law 93-638 and Public Law 100-297 and provisions within the Grant/Contract Conversion/Maintenance Handbook, and for purposes of clarification, it is necessary that instructions on the content of grant applications thereunder be approved.
- C. The Navajo Nation Board of Education has approved the updates and revisions to the Grant/Contract Conversion/Maintenance Handbook. See Exhibit B, resolution NNBEFE-694-2021."

SECTION THREE. APPROVAL OF CLARIFYING INSTRUCTIONS ON GRANT APPLICATION CONTENT

- A. The Health, Education and Human Services Committee hereby approves clarifying instructions to grant application content provisions of the Grant/Contract Conversion/Maintenance Handbook, section 3. These instructions are attached hereto as Exhibit A.
- B. All schools seeking contract or grant authorization or reauthorization under Public Law 93-638 and Public Law 100-297 shall comply with provisions of the Grant/Contract Conversion/Maintenance Handbook, including the clarifying instructions approved herein."

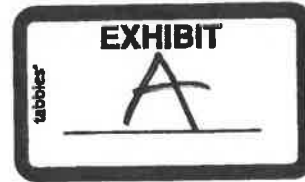
CERTIFICATION

I, hereby, certify that the following resolution was duly considered by the Health, Education and Human Services Committee of the 24th Navajo Nation Council at a duly called meeting at Window Rock, (Navajo Nation) Arizona, at which quorum was present and that same was passed by a vote of 5 in favor, 0 opposed, on this 3rd day of March 2021.



Daniel E. Tso, Chairperson
Health, Education and Human Services Committee
Of the 24th Navajo Nation Council

Motion: Honorable Edison J. Wauneka
Second: Honorable Pernell Halona



Grant Application Content

- A. Name, address and phone number of the school board submitting the application.

Note: Schools will need to submit the following on school letterhead:

- Name of school, school address, school website information, school phone and fax numbers
- For contact purposes, all School Board members' names, addresses, emails and contact phone numbers should be included

- B. Resolutions from the local school board and the chapter(s) within the schools' authorized boundaries supporting the school board application.

Note:

- As a point of clarification, each School Board (aka: Grantee) must provide a recent resolution of intent to continue operation under Public Law 100-297 or Public Law 93-638 status. This resolution shall be effective for the duration of the School's reauthorization, or for a minimum of one year.
- The Grantee must obtain and provide a recent, approved Chapter Resolution(s), from each Chapter that represents the school, which support the Grantee's intent to continue operation under Public Law 100-297 or Public Law 93-638 status. These resolution(s) shall be effective for the duration of the School's reauthorization, or for a minimum of one year. Such Resolutions must be included with every reauthorization application submission. The Grantee has the sole responsibility to obtain the Chapter resolutions as it is their responsibility to communicate with their stakeholders. Prior Chapter resolutions without beginning and end dates will not be accepted.
- Grantees who require Agency Council resolutions should follow the steps above, as applicable

- C. Narrative explanation of the school board's prior experience and knowledge in operating the school.

Note: Each School Board member must submit an updated narrative with every reauthorization application which includes information on all training(s) attended. Please do not include copies of certificate(s) and/or attendance sheet(s). Narratives submitted from prior reauthorization applications will not be accepted.

D. Information on the geographic and demographic factors in the affected areas.

Note: Please provide the following information:

- School history
- School Location
- Local resources available for your students
- List of current feeder schools
- Student demographics & number of students attending your school
- Economic services located near your school
- Education services available to your community and students

E. A narrative description identifying each of the programs to be offered by the school board and a description of an implementation plan for each program.

Note: Grantees must list all current programs to be offered with a description of how they will be implemented. A strong emphasis should be placed on academic programs, Navajo language and culture programs, parent involvement efforts, and enhanced support for student learning.

F. If not adopted, an affirmative statement that the Navajo Nation North Central Association (NN/NCA) Academic Standards will be adopted and that NN/NCA Certification will be acquired within one year.

Note: Grantees must submit a current copy of their COGNIA Certificate of Accreditation. The Navajo Nation North Central Association (NN/NCA) is now called "COGNIA Navajo Nation."

G. Statement certified by the school board if applicable, that the Residential Standards will be in conformance with 25 CFR Part 36 Subpart H. School boards shall report to OIEP with respect to instances of non-compliance with space and privacy requirements due to inadequate facilities.

Note: Schools will need to submit the signed certification on school letterhead, if applicable.

H. A specific point by point description of how the school board will handle the Requirements of:

- 1) **Accounting and Management of equipment of the school and future equipment acquisitions.**

Note: Identify where this requirement is within the school's policies and procedures.

- 2) **A bookkeeping and accounting procedure system.**

Note: Identify where this requirement is within the school's policies and procedures.

- 3) **Recruitment and retention of adequately trained personnel.**

Note: Identify where this requirement is within the school's policies and procedures.

- 4) **Personnel policies and procedures.**

Note: Schools must submit the current approved school board personnel policies/procedures and School Board By-Laws with date adopted.

- 5) **Financial policies and procedures.**

Note: Schools must submit the current approved school board financial policies and procedures with date adopted

- 6) **Risk management programs (Insurance, including but not limited to, general liabilities, property protection, fire, vehicles, etc.).**

Note: Schools must provide all current insurance policies and manuals with coverage information

- 7) **Consolidated school reform plans (1114).**

Note: Schools must submit the following approved, finalized, and current plans for the upcoming school year during Reauthorization: Comprehensive Support and Improvement Plans; Needs Assessment and SMART Goals; the School Wide Budget; and its proposed continuous School Improvement Plan.

*Updated: Consolidated school reform plans are now referred to as Comprehensive Support and Improvement Plans (which must

include the Needs Assessment, SMART goals, Professional Development Plan, and the School Wide Budget)

- 8) **Reporting Requirements (Single Agency Audit Act of 1984 as amended).**

Note: Identify where this requirement is within the school's policies and procedures that they will abide by the reporting requirements of the Single Agency Audit Act of 1984 as amended.

- 9) **Implementation and enforcement of the Navajo Nation Ethics in Government Law (2 N.N.C. §6).**

Note: Identify where this requirement is within the school's policies and procedures.

- I. **Documentation of Incorporation with the Navajo Nation Corporation Commission.**

Note: Schools must provide (1) a copy of the initial Certificate of Incorporation; and (2) a Certificate of Good Standing for two consecutive years to validate compliance with the Navajo Nation Business Regulatory Department.

- J. **A Scope of Work that addresses program implementation and compliance to be utilized as a foundation by an independent auditing firm that will be retained to conduct an annual audit which meets the requirements of the Single Agency Audit Act of 1984 as amended in 1996.**

Note: Schools must submit their current and past two (2) years' "Scope of Work" (also known as Engagement Letters) associated with each audit within their application.

According to the Grant/Contract Conversion/Maintenance Handbook: "All grantee/contractors will select a different certified auditing firm each time the grant/contract is reauthorized." The Navajo Nation permits existing grant/contract schools to retain their auditing firm for no more than three (3) consecutive years and must select a different auditing firm thereafter.

- K. **Assurances that all employees will receive a background investigation and that the employees will meet the minimum standards for character and suitability required in 25 CFR Part 63.11. School board members, in compliance with Navajo Law (including Navajo Election Law) and Federal laws, will also receive criminal background investigations. The criminal background check will include federal, state, and tribal convictions or *Nolo***

Contendere pleas on child related convictions. No individuals convicted of any child related crimes may serve on the school board.

Note: School board members shall submit the signed certification on school letterhead.

- L. **Certification from each school board member that they have read and understand 25 USC 450d-Criminal Activities Involving Grants, Contracts, etc.; Penalties.**

Note: School board members shall submit the signed certification on school letterhead.

- M. **Certification from each school board member that they understand that all funds received must be deposited into accounts that are insured by an agency or instrumentality of the United States.**

Note: School board members shall submit the signed certification on school letterhead.

- N. **Certification from each school board member, the school chief administrative officer, and the fiscal & personnel manager that they have read and understand the Provisions of OMB Circular, A-87 particularly those sections that pertain to allowable and unallowable cost.**

Note: School board members, including the school chief administrative officer, and the fiscal, and personnel manager shall submit the signed certification on school letterhead.

- O. **Certification from each school board member that they have read and understand the "Indian Child Protection and Family Violence Prevention Act of 1990" requiring child abuse reporting procedures plan and background investigation requirement procedures.**

Note: School board members shall submit the signed certification on school letterhead.

- P. **Signed copy of a School Board Code of Ethics from each school board member.**

Note: School board members shall submit the signed certification on school letterhead.

Q. Certification from each school board member that they have received training in the contents of these requirements.

Note: School board members shall submit the signed certification on school letterhead.

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
Special Meeting
March 03, 2021

Roll Call
Vote Tally Sheet

THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE NAVAJO
NATION COUNCIL to whom has been assigned;

LEGISLATION NO. 0025-21

AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES
COMMITTEE; APPROVING INSTRUCTIONS FOR GRANT APPLICATIONS UNDER THE
GRANT/CONTROL CONVERSION/MAINTENANCE HANDBOOK

Sponsor: Honorable Carl Roessel Slater
(Eligible for Committee Action March 02, 2021)

March 03, 2021 - Amendment One (1) Motion

Motion by: Honorable Edison J. Wauneka

Seconded by: Honorable Pernell Halona

Vote: 05 in favor 0 opposed; Chairperson Not Voting

Yeas: Paul Begay, Jr.; Carl R. Slater; Pernell Halona; Charlaine
Tso, Edison J. Wauneka,

Nays: none

Not Voting: Daniel E. Tso

Absent (excused):

March 03, 2021 - Main Motion

Motion by: Honorable Edison J. Wauneka

Seconded by: Honorable Pernell Halona

Vote: 05 in favor; 0 Opposed; Chairperson Not Voting

Yeas: Paul Begay, Jr.; Carl R. Slater; Pernell Halona; Charlaine
Tso; Edison J. Wauneka

Nays: none

Not Voting: Daniel E. Tso

Absent (excused):



Daniel E. Tso, Chairperson
Health, Education and Human Services Committee



Lauren Spencer, Legislative Advisor Pro Tem
Health, Education and Human Services Committee

**Navajo Nation Department of Diné Education
Office of Dine' Accountability & Compliance (ODAC)
Administrative Review**

Grant Administration - Governance

1. Does the school maintain a master grant file? Does it contain the following?

- Copy of Public Law 100-297
- Tribal Resolution that authorize the school to assume responsibilities for school operations.
- Tribal Resolution authorizing the school to assume responsibilities for facilities management - Quarters Operations.
- Tribal resolution authorizing the school to assume responsibilities for Construction Projects?
- Original Grant document with ELO & Grantee signatures.
- Original School Reauthorization Binder with Navajo Board of Education Approved Resolution indicating number of years reauthorized.

(y) (n) Copies of "funds distribution documents for all funds paid by the Bureau to the Grant.

(y) (n) Does the school have on file School Board adopted Personnel Policies and Procedures Manual?

(y) (n) Does the school have on file School Board adopted Financial Policies and Procedures Manual?

(y) (n) Does the school have on file School Board adopted Procurement Policies and Procedures Manual that is in compliance with OMB Circular A-110 & A-87?

(y) (n) Does the school have on file School Board adopted Property Management System Manual?

(y) (n) Does the school have on file an up dated inventory of all personal property obtained since the school converted to Grant?

(y) (n) Has the school invested school grant funds in accordance with 25 USC 25-7-(b)(2)? Obligations or securities guaranteed or insured by an agency or instrumentality of the United States; or mutual (or other) funds registered with the Securities and Exchange Commission and which only invest in obligations of the United States or securities that are guaranteed or invested in the United States.

(y) (n) Did the school submit the required Annual Report for School Operations by September 30 of each year since the school converted to Grant status?

(y) (n) Has the school submitted the required Annual Audit conducted to the standards of

the Single Audit Act, OMB Circular A-133?

(y) (n) Has the school completed background checks on all employees of the school as required by the Department of Interior, Bureau of Indian Affairs' Child Protection Handbook?

(y) (n) Does the school comply with the Child Abuse and Neglect reporting procedures?

(y) (n) Has the school submitted the required Annual Report for Facilities Management – O&M by December 31 of the fiscal year as required by the Special Conditions for Granting Facilities Management (O&M)

(Y) (N) Does the School Board follow the Navajo Nation Uniformed Stipend and Travel Policy?

(Y) (N) Does the School Board follow the Navajo Nation Ethics and Rules for Elected Officials that include School Board?

RATING:

(UA) Unacceptable (N) Needs Improvement (A) Acceptable (E) Exemplary

Strengths of the Component are:

Recommendation for improvement are:

Reviewed by: _____ Date _____

**Navajo Nation Department of Diné Education
Office of Diné Accountability & Compliance (ODAC)
Administrative Review**

Budget & Finance

School Name: _____

1. Finance Manual

- Does the School Board have an approved Finance Manual? (Y) (N)
- When was it updated? (Y) (N)
- Does the financial manual describe the financial system used? (Y) (N)

2. Staffing:

- Does the School have a Business Manager? Accounts Payable? Payroll technician? Procurement Technician? (Y) (N)
- Was the position description and performance elements covered with the business office staff by the Chief School Administrator (CSA)? (Y) (N)
- Is there a separation of duties between staff on financial transaction? (Y) (N)

3. Budget Software

- What Budget Software does the school use?
 - Cyma
 - Visions
 - MIP
 - Quick Book
 - Other: _____

4. Files or Agreements:

- Funds Distribution Documents (FDD) (Y) (N)
- Grants Agreement Documents (Y) (N)
- SF-425 Quarterly Reports (Y) (N)
- Navajo Nation or State Incorporation Annual Report (Y) (N)
- Lease Agreement Documents (Y) (N)
- Student organization activity funds documents (Y) (N)
- School Budget reports (monthly reports) (Y) (N)
- Bank statements on file for current and the past three school years? (Y) (N)
- Contract files for:
 - NTUA Utilities (Y) (N)
 - Telephone (Y) (N)
 - Food Contract (USDA, Milk and Bread) (Y) (N)
- Vendor Files (Y) (N)
- Consultants (Y) (N)

- Attorney Contract (Y) (N)
- Endowments (Y) (N)

5. Records / Documents:

Disbursements, is there a current log and maintained files for:

- Accounts payable list? (Y) (N)
- Requisitions? (Y) (N)
- Purchase orders? (Y) (N)
- Travel authorizations? (Y) (N)
- Credit card holder(s) purchases? (Y) (N)
- Journal entries on file containing receiving reports, PO's and invoices? (Y) (N)
- Impress cash? (Y) (N)
- Bank statements for current and the past three school years? (Y) (N)
- Late payments list? (Y) (N)
- Procurement and obligation documents with appropriate signatures? (Y) (N)
- Payroll records (salary, stipends, state & federal taxes, retirement, medical benefit payments salary, stipends, state & federal taxes, retirement, medical benefit payments)? (Y) (N)

6. Budget, does it reflect that,

- School budget was developed with the involvement of staff members, supervisors and School Board members? (Y) (N)
- There a list/chart of accounts? (Y) (N)
- All reimbursement authority documents and amounts are in the budget? (Y) (N)
- All investment securities and amounts are in the budget? (Y) (N)
- All carry-over amounts are in the budget. (Y) (N)
- School board receives budget report on monthly basis?
- If any, endowment funds are received by the school. (Y) (N)
- All supplemental program funds are in the budget? (Y) (N)
- All cash receipts are in the budget? (Y) (N)
- USDA reimbursements are in the budget? (Y) (N)
- TSCGP is in the budget? (Y) (N)
- School Board has a separate budget based on the Navajo Nation School Board Stipend and Travel Policy? (Y) (N)

7. Reconciliations

- Is the budget reconciled on monthly basis? (Y) (N)
- General ledger reflect the chart of accounts? (Y) (N)
- Check register reflect the chart of accounts? (Y) (N)
- Does the School Board receive the monthly budget reconciliation report? (Y) (N)
- Are bank statements reconciled to the general ledger? (Y) (N)
- Are procurement documents reconciled? (Y) (N)
- Is the student organization activity funds records reconciled monthly? (Y) (N)

8. Audit, records and documents reflect that,

- School bank is audited annually? (Y) (N)
- Audit reports are current per the Single Audit Act? (Y) (N)
- Prior year audit reports are on file? (Y) (N)
- Material weaknesses have been corrected? (Y) (N)

Rating:

(A) Acceptable (N) Needs Improvement (UA) Unacceptable (E) Exemplary

Strengths of the Component are:

Recommendation for improvement are:

Reviewed by: _____ **Date:** _____

**Department of Diné Education
Office of Diné Accountability & Compliance (ODAC)
Administrative Review**

Budget & Finance

1. **School Budget Contains:**
 - a. Monthly & annual summary of expenditures by program reports? (y) (n)
 - b. Accounts payable (y) (n)
 - c. General Ledger (y) (n)
 - d. Payroll (y) (n)
 - e. Procurement (y) (n)
 - f. Journal Entries

2. **Disbursements Files**
 - a. Requisitions files (y) (n)
 - b. Purchase orders (y) (n)
 - c. Travel Authorizations (y) (n)
 - d. Credit Cards (y) (n)
 - e. Do they have appropriate signatures? (y) (n)

3. **Voucher packets** submitted in timely manner and on file containing:
 - a. Receiving reports (y) (n)
 - b. Purchase Orders (y) (n)
 - c. Invoices (y) (n)
 - d. Voucher Packets (y) (n)

4. **Reconciliation** is made of the following:
 - a. Chart of Accounts (y) (n)
 - b. General Ledger (y) (n)
 - c. Accounts Payable (y) (n)
 - d. Bank Statements (y) (n)
 - e. Procurement Documents (y) (n)
 - f. Payroll (y) (n)
 - g. Student Activity Funds (y) (n)
 - h. Cash Receipts (y) (n)
 - i. Check Registers (y) (n)
 - j. Budget (monthly report to the Board) (y) (n)
 - k. Other non-governmental funds (y) (n)
 - l. Investments (y) (n)
 - m. USDA reimbursements (y) (n)
 - n. School Board Budget (y) (n)

5. **Contract and Agreement documents**
 - a. Utilities Services (y) (n)

- b. Food Service Contract (y) (n)
- c. Laundry Service (if applicable) (y) (n)
- d. Consultants Services (y) (n)
- e. Office equipment repair Contract, (y) (n)
- f. School attorney (y) (n)
- g. Lease Agreements

6. Reports

- a. Audit is performed annually (y) (n)
- b. Material Weaknesses (y) (n)
- c. Significant Findings (y) (n)
- d. Corrective Action Plan (y) (n)
- e. Unallowable Cost (CAP) (y) (n)

7. Financial Reports

- a. Quarterly Reports (SF-425) (y) (n)
- b. Funds Distribution Documents (y) (n)
- c. Draw Downs (ASAP) (y) (n)
- d. Grant Agreement (y) (n)

8. Bank Statements

- a. Late Charges (y) (n)

9. Records

- a. Payroll Records (Contract, Salary, Stipends, State & Federal taxes, retirement, medical benefit payments) (y) (n)
- b. Insurances (Structural, Automobile, Liability, Life, Health, and Workmen Compensatory, other Assets. (y) (n)
- c. Finance Policies (y) (n)
- d. Personnel Policies (y) (n)
- e. Investments/Securities (y) (n)
- f. Finance Manual (y) (n)

RATING:

(UA) Inacceptable (N) Needs Improvement (A) Acceptable (E) Exemplary

Strengths of the Components are:

Recommendation for Improvement are:

Reviewed by: _____ Date: _____

**Department of Diné Education
Office of Diné Accountability & Compliance
Administrative Review**

Annual Audit

- (Y) (N) Does your School Board members know the audit requirements?
- (Y) (N) Did your Business Office Staff receive training on Audit requirements?
- (Y) (N) Did your School have the required Internal Audit? By who?
- (Y) (N) Is your school External Audit up to date?
- (Y) (N) Who is your School Auditor? _____
- (Y) (N) Was your Auditor with your school for more than three years?
- (Y) (N) Did your School Board approve the RFP for the Audit?
- (Y) (N) Was it advertised? Where?
- (Y) (N) Was the contract with your Auditor submitted on time to allow for the draft audit report to be sent back to the school by the end of January?
- (Y) (N) Did the School receive a "confirmation letter" from the Auditor
- (Y) (N) Did the Auditors have an Entrance Conference with the School Board?
- (Y) (N) Was your Business Office staff ready with the required documents for the auditor to examine?
- (Y) (N) Did the Auditor have an Exit Conference with the Board?
- (Y) (N) What was the auditor's opinion of your audit?
- (Y) (N) Were there any finding(s) in the Financial Statement?
- (Y) (N) Were corrective actions made within 6 months of the reported findings?
- (Y) (N) Were there any finding(s) in the Federal Awards?
- (Y) (N) Were corrective actions made within 6 months of the reported findings?

(Y) (N) Did the school submit the Audit Reports to:

- National Clearing House?
- Bureau of Indian Education?
- Department of Diné Education?
- Other pertinent funding agencies?

RATING:

(A) Acceptable (NI) Needs Improvement (UA) Unacceptable (E) Exemplary

Strength of the Components are:

Recommendation for improvement are:

Reviewed by: _____ **Date:** _____

**Navajo Nation Department of Diné Education (DoDE)
Office of Dine Accountability and Compliance (ODAC)
Administrative Review**

Human Resources/Personnel Services

School: _____

Staff Members

1. What is the total number of staff? _____
 - Teachers: _____
 - Teacher Supervisors _____
 - Teacher Assistants: _____
 - Reading Coach: _____
 - Math Coach: _____
 - Librarian: _____
 - Counselors: _____
 - School Nurse: _____
 - Principal: _____
 - Administrative Assistants: _____
 - Secretary: _____
 - Registrar/attendants clerk: _____
 - Ass't Principal: _____
 - Business Managers: _____
 - Accountants: _____
 - Clerks i.e..Payroll, procurement, property , etc. _____
 - Personnel Officer/HR: _____
 - Facilities Maintenance Workers...Boiler, electrical, general maintenance: _____
 - Facilities Manager: _____
 - Security Officers: _____
 - Janitors: _____
 - Homeliving Specialist: _____
 - Dormitory Manager: _____
 - Homeliving Assistance: _____
 - Social Worker/Counselor: _____
 - Food Service Manager/Coordinator _____

- Cooks _____
- Food Service Workers _____
- USDA Clerk: _____
- Transportation Coordinator: _____
- Bus Drivers (full time): _____
- Bus Drivers (part time): _____

Certification and Licensures:

2. Are your teachers, counselors, librarian, and core teachers certified?

Yes: _____ No: _____ Why not? _____

3. Does your teacher assistants have AA degrees or have more than 30 required hours?

Yes: _____ No: _____ Why not? _____

4. Do all your staff members have a high school diploma or a GED?

Yes: _____ No: _____ Why not? _____

5. Do all your paraprofessional staff members have their required license or certificate i.e. (bus drivers-CDL, food service workers -food handlers permit, security officers – certificate and school nurse - certificate)?

Yes: _____ No: _____ Why not? _____

6. Does your Homeliving Specialist have a Masters Degree?

NA: _____ Yes: _____ No: _____ Why not? _____

7. Does your Dormitory Manager have an Associates of Arts Degree: NA _____
 Yes: _____ No: _____ Why not? _____
8. Do all your Residential Assistants have their required 30 or more college credits or an Associates of Arts Degree? NA _____ Yes: _____
 No: _____ Why not? _____
9. Does the Administrative Head have Administrative Certification? Yes _____ NO _____
 Why not? _____

Official Personnel File (OPF)

10. Is there a position description on file for each position?
 Yes: _____ No: _____ Why not? _____
11. Is there a Contract on file for each hired staff member?
 Yes: _____ No: _____ Why not? _____
12. Do each employment contract have the required employee and Board President signature with an effective and ending date of an employment?
 Yes: _____ No: _____ Why not? _____
13. Are all the required documents file together in each employees' OPF Including?
- Contract Yes _____ No: _____
 - Position Description Yes _____ No _____
 - If applicable Certificate of Indian Blood Yes _____ No _____ NA _____
 - High school Diploma or GED Certificate Yes _____ No _____
 - Valid Driver License Yes _____ No _____
 - State, Federal and Tribal Background Check documents: Yes _____ No _____
 - Finger Print Card Yes _____ No _____
 - Teaching/Administrative Certificates Yes _____ No _____
 - College/University Transcript Yes _____ No _____
 - Training Certificates Yes _____ No _____
 - Annual Performance Appraisal Yes _____ No _____

- Original application Yes _____ No _____
- Certified Copy attesting knowledge of the requirements of SCAN, Alcohol/Drugs and Corporal Punishment Yes _____ No _____
- Other personal confidential documents Yes _____ No _____

Background Check

14. All staff members are required background checks to include:

- a. Record/Reference Check from Former Employer (Definition: Record check for former employer(s) (verification for last 5/10 years). If applicable, record check of former military service. _____ Completed _____ Outstanding
- b. Reference Check from Former Supervisor (Definition: Interview former supervisors (last 5/10 years). _____ Completed _____ Outstanding
- c. Personal Reference Checks (3) (Definition: At least three (3) reference contacts. _____ Completed _____ Outstanding
- d. Local Law Enforcement Check (Definition: Law enforcement agency check (including tribal entities) for which the individual identifies as former residences or places of work (last 5/10 years). _____ Completed _____ Outstanding
- e. Tribal Clearance Completed Before Hire Date? _____ Completed _____ Outstanding
- f. State Repository Check (Definition: Checks for each state the individual identifies as former residences or places of work (last 5 years). _____ Completed _____ Outstanding
- g. State Clearance Completed Before Hire Date? _____ Completed _____ Outstanding
- h. Federal Bureau of Investigation (FBI) Check (Definition: The FBI name and fingerprint check must be submitted on original fingerprint cards). _____ Completed _____ Outstanding
- i. Federal Clearance Completed Before Hire Date? _____ Completed _____ Outstanding
- j. Record Check of Former School (Definition: Verification of last degree and/or transcript) _____ Completed _____ Outstanding

- k. Sexual Offender Repository Check (Definition: State sexual offender repository checks for which the individual identifies as former residences or places of work (last 5 years). Completed Outstanding
- l. Adjudication of all investigated records with or without criminal records? Completed Outstanding
- m. Verification of last diploma/Degree on official transcript(s)? Completed Outstanding
- n. Motor vehicle records? Completed Outstanding
- o. Are employee records secured appropriately? Completed Outstanding
- p. Was investigation conducted properly within time frame prior to employment? Completed Outstanding
- q. Were Background Clearances Reinvestigated with the last five years? Completed Outstanding
- r. Has the Administrative Head received Adjudication training? Yes No
- s. Has the Human Services Manager received Adjudication training? Yes No
- t. List all the individuals who are trained/certified Adjudicator(s) and provide:

Personnel Policy Handbook

- 15. Do you have a personnel policy handbook? Yes No
- 16. When was it updated and approved by the Board?
- 17. When was the organizational chart approved?
 - Does it include all the personnel listed? Yes No
- 18. When was the salary scale approved by the Board
 - Does it include all personnel listed? Yes No
- 19. Is your Executive Director or the Chief School Administrators salary negotiated or is it included in the salary scale? Yes No
 Why?

Consultants

20. Do you have consultants? Yes _____ No _____

21. Do you issue Contracts to the Consultants? Yes _____ No _____

22. Are all your Consultants obtained through RFP? Yes _____ No _____

Why? _____ Are the RFP filed in accordance with OMB Circular A-87? (Y) _____ (N) _____

23. Who does your consultant's negotiations?

24. Who are your consultants and what is the amount of their contract?

Termination

25. How many past terminations have been adjudicated through the Navajo Nation Office of Labor Relations: _____

- How many have been paid out? _____ Why? _____

- How many have been adjudicated in school's favor? _____

26. What is the limit on your Liability Insurance: _____

27. Who is your School Attorney? _____

28. How much do you pay your School Attorney? _____

29. Do you use the attorney for the following?

- Attending regular meetings Yes _____ No _____
- Attending special meetings Yes _____ No _____
- Legal reviews of Policies and Procedures _____ Letters _____
budget _____ Lobbying _____ legal representation _____
Labor disputes _____ training _____

(A) Acceptable

(N) Needs Improvement

(UA) Unacceptable

Strengths of the Component are:

Recommendation for improvement are:

Reviewed by: _____ **Date** _____

Human Resources Narrative of an Administrative Review

Purpose of Human Resources Administrative Review: As part of meeting the requirements Federal laws, it is important for schools to have implemented the following criteria to ensure all functions of Human Resources are carefully followed as a part of school operations:

Staff Members:

The purpose of the taking an accurate account of staff at a school site is very valuable and needs to be assessed every year for the following reasons:

- Depending on the amount of students, the staff numbers should reflect this amount. Schools do not want to be top heavy. Without keeping track of the number of staff will usually result in difficult situations within the school and outside the school.
- Staff with special certifications need to be accounted for and aligned with students with special needs as written within their Individual Education Plan (IEP). This includes the need for schools to have services rendered by School Psychologist, School Counselor, school nurse, etc.

Certification and Licensures:

- The appropriate certification and Licensures need to be strictly followed in accordance to the laws pertaining to grade level, subject's area, and students with specials needs.
- Classified/paraprofessional staff will need to have the appropriate licenses and/or college/university credit hours required to hold positions within their school as stated within the USC 25 CFR

Official Personnel File

- An accurate filing system will need to be assessed to insure all confidential files are kept in the appropriate place within the school.
- Appropriate signatures within certain documents will need to be in place to insure proper authorization channels have taken place.

Personnel Policy Handbook

- Each P.L. 100-297 and P.L. 93-638 School within the Navajo Nation are required (per Grant/Contract Conversion/Maintenance Handbook, ECF-12-01) to develop a Personnel Policy and Procedure to correspond to the needs of their school's environment, culture, and operations to meet the needs of their students.

Consultants

- To insure all consultants are treated fairly, it is important that school hire consultant(s) following their personnel policy and procedures process.

- If a school uses a “Request for Proposal” (RFP’s) to obtain consultant(s), then RFP need to be filed in accordance with OMB Circular A-87.

Termination

- It is very important for schools to keep accurate records of all termination processes. A school’s “Liability Insurance” may require these types of records and the length of membership depends on the outcomes of such terminations.
- A school attorney is often used in this type of situation(s), and it is important to understand how they communicate and work with their respective school boards.

Outcome of a Human Resources Administrative Review:

- A report of a school’s STRENGTHS will be giving during an exit report. This report may be given to the School’s Administrative staff and the Governing Board if they are available.
- A report on “Recommendation for Improvement” will also be given during an exit report. Items missing from the “checklist” will be used in this report.

**Navajo Nation Department of Diné Education
Office of Diné Accountability and Compliance (ODAC)
Administrative Review**

Home Living Requirements Check List

School Name: _____

(Y) (N) (NA) Does your residential program involve Co-Educational dormitories?

How many girls? _____ How many boys? _____

How many staff members? _____

(Y) (N) (NA) Does your school operate a 5-day residential program?

(Y) (N) (NA) Does your school operate a 7-day residential program?

(Y) (N) (NA) Does your school use residential facilities during the summer?

(Y) (N) (NA) Are your residential sleeping rooms barracks style?

(Y) (N) (NA) Does your school have an adopted residential program organizational chart?

(Y) (N) (NA) Are your residential program positions fully occupied?

(Y) (NA) (N) Does the Homeliving Supervisor have a Bachelor's Degree?

(Y) (NA) (N) Does the Homeliving Manager have an Associate of Arts Degree?

(Y) (NA) (N) Does the Homeliving Program Staff have the required 32 semester hours or 48 quarter hours in child development, education, behavioral sciences or cultural studies?

(Y) (NA) (N) Does the dormitory have the minimum required (1) half-time Behavioral Health Professional (BHP) for every 50 students? (May use contract services/private/nonprofit volunteer service organizations and available at request of homeliving program. Support staff or teachers is used to meet behavioral health staffing requirements.

(Y) (NA) (N) Do the BHP staff spend at least 75% of their work hours with students in their Dormitories?

(Y) (NA) (N) How many hours do students out of the academic setting receive behavioral health services per from the BHP? (A minimum of 5 hours is required)

(Y) (NA) (N) If there is a contracted BHP to meet staffing requirements, is the agreement under MOU or other programs

(Y) (NA) (N) Do you have a licensed or certified school counselor or a social worker?

(Y) (NA) (N) Do you have a school nurse?

(Y) (NA) (N) Does the dormitory provide all annual and continuous professional training and development appropriate to the certification and licensing requirements.

- (Y) (NA) (N) Is the following required annual training provided before the first day of student occupancy for the year?
- (Y) (NA) (N) First Aid/Safety/Emergency Crisis Preparedness? Date: _____
- (Y) (NA) (N) CPR—Automated External Defibrillator; Date: _____
- (Y) (NA) (N) Student Checkout Policy; Date: _____
- (Y) (NA) (N) Confidentiality (Health Information Privacy Act and the Family Education Right to Privacy Act); Date: _____
- (Y) (NA) (N) Medication administration; Date: _____
- (Y) (NA) (N) Student rights; Date: _____
- (Y) (NA) (N) Child Abuse Reporting Requirements and Protection Procedures; Date: _____
- (Y) (NA) (N) Suicide Prevention; Date: _____
- (Y) (NA) (N) De-escalation/Conflict Resolution; Date: _____
- (Y) (NA) (N) Substance Abuse Issues; Date: _____
- (Y) (NA) (N) Ethics; Date: _____
- (Y) (NA) (N) Parenting Skills/Child Care; Date: _____
- (Y) (NA) (N) Special Education and Working with Students with Disabilities; Date: _____
- (Y) (NA) (N) Student Supervision Skills; Date: _____
- (Y) (NA) (N) Child Development (recognizes various stages of development in the student population); Date: _____
- (Y) (NA) (N) Basic Counseling Skills; Date: _____
- (Y) (NA) (N) Continuity of Operations Plan (COOP) Date: _____

****Staff Annual Training in BLUE are required BEFORE the first day of student occupancy***

Do you provide the following services (§36.90)

- (Y) (NA) (N) Academic program? What type? _____
- (Y) (NA) (N) Student Safety? What type? _____
- (Y) (NA) (N) Recreational activities: What type? _____
- (Y) (NA) (N) Health care services? What type? _____

Does your behavioral health program provide the following required services? (§36.91)

- (Y) (NA) (N) Behavioral Health Screening/Assessment? By whom? _____
- (Y) (NA) (N) Diagnosis? By whom? _____
- (Y) (NA) (N) Treatment Plan?
- (Y) (NA) (N) Treatment and Placement?
- (Y) (NA) (N) Evaluation
- (Y) (NA) (N) Record of services? (when applicable in coordination with the student's Individual Education Plan).
- (Y) (NA) (N) Required written procedures for dealing with emergency *behavioral health care issues*?
- (Y) (NA) (N) Has parents opt out of any non-emergency behavioral health services by submitting a written request?
- (Y) (NA) (N) Are parents/guardians consulted before a child is prescribed behavioral health?
- (Y) (NA) (N) Is medication prescribed to children in BHP program? How? _____

Does the homeliving program have the following required activities?

- (Y) (NA) (N) One hour per day of scheduled, structured physical activity Monday through Thursday?
- (Y) (NA) (N) Two hours of scheduled physical activities on the weekends for weekend students?
- (Y) (NA) (N) One hour per day scheduled structured study four days per week for all students?

- (Y) (NA) (N) Additional study time for students who are failing any classes?
- (Y) (NA) (N) Tutoring during study time?
- (Y) (NA) (N) Native language or cultural activities?
- (Y) (NA) (N) Wellness program that include character, health, wellness, and sex education?
- (Y) (NA) (N) Does your student handbook contain all the provisions in §36.94?
- (Y) (NA) (N) Is a current and updated copy of student rights and responsibilities provided to the parents/guardians?
- (Y) (NA) (N) Do you have an orientation for all students and parents on the handbook and student rights and responsibilities? When? _____
- (Y) (NA) (N) Do the students, school staff and parents/guardians confirm in writing that they have received a copy of and understand the homeliving handbook?

Does your Student Handbook contain the following?

- (Y) (NA) (N) Mission/Vision Statement?
- (Y) (NA) (N) Discipline Policy?
- (Y) (NA) (N) Parent/student Rights and Responsibilities?
- (Y) (NA) (N) Confidentiality?
- (Y) (NA) (N) Sexual Harassment Policy?
- (Y) (NA) (N) Violence/Bullying Policy?
- (Y) (NA) (N) Homeliving Policies and Procedures?
- (Y) (NA) (N) Services Available?
- (Y) (NA) (N) Personnel and Position Listing?
- (Y) (NA) (N) Emergency Procedures and Contact Numbers?
- (Y) (NA) (N) Bank Procedures?
- (Y) (NA) (N) Transportation Policy?
- (Y) (NA) (N) Check-Out Procedures?
- (Y) (NA) (N) Dress Code?
- (Y) (NA) (N) Drug/Alcohol Policy?
- (Y) (NA) (N) Computer Usage Policy?
- (Y) (NA) (N) Medication Administration Policy and Procedure?
- (Y) (NA) (N) Isolation/Separation Policy?

Does the homeliving program meet all of the following standards?

- (Y) (NA) (N) Are the restrooms, showers, and common areas cleaned daily?
- (Y) (NA) (N) Are rooms cleaned daily; by whom? _____
- (Y) (NA) (N) Are linens changed and cleaned weekly? Who is your Laundry Contractor? _____
- (Y) (NA) (N) Do you provide the basic toiletries?
- (Y) (NA) (N) Do you have washing machines and dryers? How many? _____
- (Y) (NA) (N) Do students assist with the required daily and weekly cleaning? Why and why not? _____

Subject to agreements between the BIE and the Indian Health Service or between a tribally-operated homeliving program and the Indian Health Service or tribal health program, do you provide the following services?

- (Y) (NA) (N) Basic medical? By whom? _____
- (Y) (NA) (N) Dental? By whom? _____
- (Y) (NA) (N) Vision? By whom? _____
- (Y) (NA) (N) Other necessary health services?

- (Y) (NA) (N) Do parents sign when they are not available for an emergency the homeliving supervisor or designee will act *in loco parentis* during emergency?
- (Y) (NA) (N) Does your homeliving program have an isolation room(s)?
- (Y) (NA) (N) Do you have a separate room for students with contagious conditions?
- (Y) (NA) (N) Does your isolation room(s) have a separate access to shower and restroom facilities?
- (Y) (NA) (N) Do you have a policy on isolation room supervision? How often does your staff supervise sick students in isolation? hours _____ minutes _____
- (Y) (NA) (N) Do you have an immunization policy as required by state, federal and tribal governments?

Does your homeliving program follow the minimum requirements for student attendance checks as follows?

- (Y) (NA) (N) All students are physically accounted for four times daily?
- (Y) (NA) (N) Each student count is least two hours apart?
- (Y) (NA) (N) Do you have a student check log?
- (Y) (NA) (N) Do you log student checks on an off-campus activity? How often? _____
- (Y) (NA) (N) At night all student rooms should be physically checked at least once every hour
- (Y) (NA) (N) Do you have a policy on unaccounted students?
- (Y) (NA) (N) Do you have an established search procedures?
- (Y) (NA) (N) Do you notify the school of a student from you homeliving program who is going to be absent from school? When? _____
- (Y) (NA) (N) Do you have an established supervision policy for students who have been separated for emergency behavioral or health reasons? What is the frequency of supervision? _____
- (Y) (NA) (N) Does your homeliving program have an access to Library resources such as books and resource materials, including the school library and public library?
- (Y) (NA) (N) Does your homeliving program have copy of each textbook used by the academic program?
- (Y) (NA) (N) Does your homeliving program have access to a computer with Internet access to facilitate homework and study?

Do you provide privacy for your dormitory students for storing personal effects as follows?

- (Y) (NA) (N) At least one lockable closet?
- (Y) (NA) (N) Dresser drawer or storage space.

Have you submitted the required annual accountability report within 45 days following the end of the school year to:

- (Y) (NA) (N) Local school board? When _____
- (Y) (NA) (N) Tribal governing body (Department of Diné Education – ODAC)
- (Y) (NA) (N) BIE Line Officer: and
- (Y) (NA) (N) Deputy Director of BIE

Does your Annual Accountability Report contain the following?

- (Y) (NA) (N) Enrollment figures identified by the homeliving count period per ISEP regulations
- (Y) (NA) (N) A brief description of programs offered (academics, recreational activities, student safety and health care services)
- (Y) (NA) (N) A statement of compliance with the requirements of 25 CFR Part 36 (Section 1122 of PL 107-110)

(Y) (NA) (N) Recommendations to improve the homeliving program including identification of issues and needs.

Acceptable

(N) Needs Improvement

(UA) Unacceptable

Strengths of the component are:

Recommendations for Improvement are:

Reviewed by: _____ Date: _____

Navajo Election Administration

11 N.N.C - ELECTION CODE

QUALIFICATIONS FOR CANDIDATES FOR
SCHOOL BOARD

§ (8)(D)(4) – Qualifications for Candidates for School Board:

- a. **Must not be a member of the Navajo Nation Council.**
- b. **Must be an enrolled member of the Navajo Nation and be on the Agency Census roll of the Navajo Nation Office of Vital Records.**
- c. **Must be a registered voter of the Chapter or Agency he or she will represent, and certify that he or she will remain so registered for the duration of his or her term of office.**
- d. **Must be at least twenty-one (21) years of age at the time of the election.**
- e. **Must not be an employee or the spouse of an employee of the School on whose board he or she would serve.**
- f. **Must not have a conflict of interest arising from any tribal, state, or federal laws regarding his or her employment.**
- g. **Must not have been convicted of a felony.**
- h. **Must not have been convicted of the following misdemeanor crimes:**
 - (1) **Any crimes involving elements of deceit, untruthfulness and dishonesty, including but not limited to extortion, bribery, forgery, fraud, theft, embezzlement, perjury, misrepresentation, false pretense, conversion, or misuse of public funds or property;**
 - (2) **Any crimes involving the welfare of children, child abuse, or child neglect;**
 - (3) **Aggravated Assault or Aggravated Battery;**
 - (4) **Any crimes involving the use of intoxicating alcohol or illegal substance abuse including unlawful transport, sales or distribution of controlled substances.**
- i. **Must have fully complied with all orders or sanctions imposed by the Ethics and Rules Committee of the Navajo Nation Council or Courts of the Navajo Nation for any violations of the Navajo Nation Ethics in Government Law.**
- j. **School Board members shall maintain the qualifications stated herein through out their terms of office.**
- k. **If elected or appointed, the candidate shall serve on no more than one Local Community School Board.**

§. 6 - Terms of Office; oath

- D. **Local Community School Board members shall serve only four consecutive terms, inclusive of present terms. The School Board member must not have a conflict of interest arising from any tribal, state or federal laws regarding his or her employment, including being an employee of the Navajo Nation Elections Administration or a member of the Navajo Nation Board of Election Supervisors.**
- E. **Must not have been an employee of the school within the last five years to prevent conflict of retaliation from being a recent employee to becoming a new school board member.**