

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

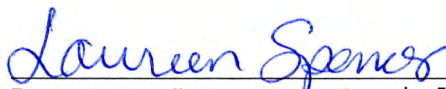
Nays: none

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