



**DEPARTMENT OF DINÉ EDUCATION
THE NAVAJO NATION**

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Jonathan Nez
President

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Vice-President

NNBEMA-608-2020

**RESOLUTION OF THE
NAVAJO NATION BOARD OF EDUCATION**

Relating to Education; Declaration of an Emergency and Recommending the Closure of All Public Law 100-297 Grant Schools, Public Law 93-638 Contract Schools, Bureau of Indian Education-Operated Schools, Higher Education Institutions Operating on the Navajo Nation, All Public Schools (Including Charter Schools) Operating on the Navajo Nation, All Private Schools, All FACE Programs, Early Childhood Programs, Child Care Development Fund (CCDF) Programs, and Navajo Head Start Programs on the Navajo Nation for Three (3) Weeks; Tribally Controlled Residential Halls/Dormitories Shall Follow any Closure Procedures of Their Host School District.

WHEREAS:

1. The Department of Diné Education (hereinafter the “Department”) 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 Department is under the immediate direction of the Board. 10 N.N.C. § 107 (B).
2. The Navajo Nation Board of Education (hereinafter the “Board”) 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 (A). The Board carries out its duties and responsibilities through the Department of Diné Education. 10 N.N.C. §106 (G)(3). In addition, “the Board [has the] general power to monitor the activities of all Bureau of Indian Affairs funded schools and local community school boards serving the Navajo Nation...” 10 N.N.C. § 106 (G)(1).
3. The Navajo Nation has substantial authority and broad jurisdiction to regulate all matters within its territorial boundaries pursuant to its inherent sovereignty and Treaty of 1868. This authority and jurisdiction include the ability to oversee and regulate matters regarding state public schools, Public Law 100-297 grant, Public Law 93-638 contract, Bureau of Indian Education-operated schools, high education institutions, and all FACE programs, early childhood education programs, and Navajo Head Start programs located on the Navajo Nation.
4. The Coronavirus disease (“COVID-19”) is a global pandemic infecting substantial numbers of people, and has spread exponentially and increased globally, as indicated by the Centers for Disease

NAVAJO NATION BOARD OF EDUCATION

*Priscilla B. Manuelito, President · Spencer W. Willie, Vice President · Dr. Victoria Yazzie, Secretary
Member: Sharon A. Toadecheenie · Marlene Burbank · Dr. Henry Fowler · Andrea K. Thomas
Freda Nells · Joan A. Gray · Emerson John · Dr. Pauletta White
Maggie Benally, Acting Superintendent of Schools*

Control (“CDC”) and World Health Organization (“WHO”) and other public health organizations located within the United States and regionally.

5. At the moment, there are no confirmed or verified COVID-19 cases on the Navajo Nation and area public health services are closely monitoring the situation. The Navajo Nation, in collaboration with various entities such as the U.S. Public Health Service Area Offices (Albuquerque, Navajo, Phoenix), CDC, state departments of health, Navajo Nation 638 tribal health organizations, and other multi-agency groups have organized an incident command approach to mitigate COVID-19 transmission on the Navajo Nation.
6. On March 12, 2020, the New Mexico Public Education Department directed the closure of all New Mexico public and charter schools for three (3) weeks, effective March 16, 2020. On March 10, 2020, the Arizona Department of Education left it up to local school districts and governing boards on whether or not they should close schools. The Utah State Board of Education also has not ordered a state-wide closure of schools and left it up the Utah Department of Health and local health departments who are empowered to close schools when necessary to protect public health. School districts are recommended to act in accordance with guidance from their corresponding local health departments in making the final decision as to whether conditions require the closure of schools.
7. Some Navajo Nation tribally controlled grant schools have decided to close their schools until further COVID-19 guidance and updates are provided. At the moment, BIE-operated schools have not closed any schools.
8. There are also five (5) Navajo Nation border-town residential halls/dormitories (Winslow Residential Hall, Kinteel Residential Campus, Kinlani Bordertown Dormitory, T’iisyaakin Residential Hall, Richfield Residential Hall) that host students attending public schools in their respective areas.
9. There are several higher education institutions operating on the Navajo Nation and serve substantial numbers of Navajo students. There are several private schools located on the Navajo Nation serving Navajo students.

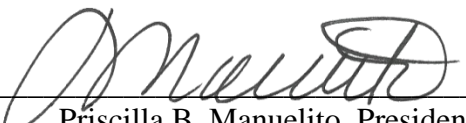
NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Nation Board of Education hereby declares an emergency and recommends the closure of all Public Law 100-297 grant schools, Public Law 93-638 contract schools, Bureau of Indian Education-operated schools, public schools (including charter schools) located on the Navajo Nation, private schools, higher education institutions operating on the Navajo Nation, early childhood programs including CCDF, Head Start, FACE Programs, and all after-school programs located on the Navajo Nation for three (3) weeks, effective March 16, 2020.

2. The Navajo Nation Board of Education further directs that off-residential halls/dormitories operating under the authority and jurisdiction of the Navajo Nation to follow to any closure processes/procedures of their host school district. If the host school district closes their schools, the residential hall/dormitory shall also close as well.
3. The Navajo Nation Board of Education further directs that all higher education institutions operating on the Navajo Nation to use web-based technology, video conferencing, or alternative means of delivering instruction.
4. The Navajo Nation Board of Education hereby recommends and empowers the Superintendent of Schools to take any actions deemed necessary and proper to carry out the purposes of this resolution and directive.

C E R T I F I C A T I O N

I hereby certify that the foregoing resolution was duly considered by the Board of Education of the Navajo Nation at a duly called meeting at Window Rock, Arizona (Navajo Nation) at which a quorum was present, motion by Dr. Pauletta White and seconded by Andrea K. Thomas and that the same was passed by a vote of 7 in favor; 0 opposed; 0 abstained, this 13th day of March 2020.



Priscilla B. Manuelito, President
Navajo Nation Board of Education