



# Shonto Governing Board of Education, Inc. Policy Statement

SUBJECT: Indian Education Policies & Procedures  
POLICY NUMBER: IHBJ  
DATE OF ORIGINAL POLICY: 3/3/09

EFFECTIVE DATE: 6/01/2018  
DATE OF NEXT REVIEW: 12/2018  
DATED: 6/1/18

## I. PHILOSOPHY:

It is the intent of the Shonto Preparatory School (SPS) that all Indian children of school age have equal access to all programs, services and activities offered within the school district. To this end, the Shonto Preparatory School will consult with local tribal officials and parents of Indian children in the planning and development of Indian Policies and Procedures (IPPs), general education programs, and activities. These policies and procedures will be reviewed annually and revisions will be made within 90 days of the determination that requirements are not being adequately met.

Although the school is located on Navajo Nation lands and serves 100% native students SPS will continue to reach out to all parents and stakeholders through the formal Indian Education Committee (IEC) and Parent Advisory Committee (PAC). The IEC and PAC are the designated group to inform all parents of programs, meetings, and activities at the school.

Therefore, the Governing Board establishes the following policy:

## II. POLICY STATEMENT:

It is the policy of the Shonto Preparatory School that it will fully comply with all requirements of Title VIII (Impact Aid Program, 34 CFR – Education, Section 8001 – 8014, §222.91 (a)(3)(i)(ii); 34 CFR 222.94(a) of the Improving America's Schools' Act of 1994 (P.L. 103-382), also cites as the Elementary and Secondary Education Act of 1965 (formerly Public Law 81-874) in order that tribal officials and parents of Indian children shall be provided with the opportunity to comment on the participation of Indian children on an equal basis in all programs and activities offered by the District.

## III. EXCEPTIONS TO POLICY:

None

## IV. AMPLIFYING INSTRUCTIONS AND GUIDELINES:

*Policy 1 – An LEA must disseminate relevant applications, evaluations, program plans and information related to the LEA's education program and activities with sufficient advance notice to allow tribes and parents of Indian children the opportunity to review and make recommendations.*

A. The impact aid application, Johnson O'Malley (JOM) Application, and supplemental funds (Title I, II, IV, VI) applications will be disseminated seeking comment through the Indian Education Committee (IEC) and Parent Advisory Committee (PAC) during monthly meetings, school open house (one per semester), public hearings, and



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quarterly at the local governance chapter houses. In addition the applications will be shared with the school governing board during the annual summer work session (July) with an update during the winter (December) work session.

- B. Evaluations include student surveys, staff surveys, parent surveys, comprehensive needs assessment, and IEC and PAC meeting agendas and minutes will be shared during school open house, public hearings, and quarterly at the local governance chapter houses or as requested. Officers of the IEC will share the information with the local governance chapter houses. The IEC provides a quarterly report to the local governance in which community members and parents are present.
- C. The schools Integrated Action Plan and the Comprehensive Needs Assessment (CNA) will be presented to the Indian Education Committee and during the school open house by the school administrator.
- D. Timeline: For SY 2018-19, the draft impact aid plans, JOM plan, and IAP/CNA will be shared beginning in Fall 2017, with monthly updates with the IEC and PAC meetings for input.

*Policy 2 – Provide an opportunity for tribes and parents of Indian children to provide their views on the LEA's educational program and activities, including recommendations on the needs of their children and on how the LEA may help those children realize the benefits of the educational programs and activities. [34CFR222.94(a)(2)]*

Note: Shonto Preparatory School serves 100% native communities, is located on the Navajo Nation, and is considered by stakeholders to be the community school.

- A. The school Indian Education Committee (IEC) meets the second Wednesday of each month. The Parent Advisory Committee (PAC) meets the second Tuesday of each month. Both the IEC and PAC have by-laws that guide the election of officers, agenda development, and meeting processes.
- B. An agenda is prepared and distributed from the IEC/PAC to committee members, parents, and school administrators. Redundant methods of communication is used to alert parents and stakeholders.
  - i. During IEC and PAC meetings notes are taken and recorded. The IEC and PAC develop minutes and distributes the minutes to IEC and PAC members, school administration, and parents.
  - ii. The agenda is posted on the schools' and district social media page.
  - iii. The parent and school meeting information is also posted on the school - marquee upon entering the school.
  - iv. The school distributes monthly school calendars with meeting dates, time, and location regarding school parent meetings and IEC meetings.
  - v. The school uses One Call Now© automated phone call to alert parents, and
  - vi. The school use Tribal Text© to send text messages to parents about meetings.
- C. The districts governing board provides a summer and winter work session. An agenda is prepared and distributed accordingly with policy. IEC and PAC officers are invited and offer input to the board and school administrators regarding update on previous plans, moving forward plans, student data, and revenue and budget information. The governing board meeting is the first Friday of each month and there is opportunity for public input regarding school operations. The IEC and PAC officers attend board meetings regularly.



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- D. The superintendent provides work sessions as necessary to both the board, the IEC and PAC regarding plans, budgets, and other learning needs. The work sessions are provided on weekends at a nearby off-location site or on the school campus.

*Policy 3 - The LEA will, at least annually, assess the extent to which Indian children participate on an equal basis with non-Indian children in the LEA's education program and activities. [34CFR222.94(a)(3)]*

Note: Shonto Preparatory School serves 100% native communities, is located on the Navajo Nation, and is considered by stakeholders to be the community school.

A. As part of this requirement, the LEA will:

- i. Share relevant information related to Indian children's participation in the LEA's education program and activities during the monthly IEC and PAC meetings and work sessions with tribes and parents of Indian children; and
- ii. Allow tribes and parents of Indian children the opportunity and time to review and comment on whether Indian children participate on an equal basis with non-Indian children.

B. The Shonto Preparatory School will take the following measures to annually assess the extent to which Indian children participate on an equal basis with non-Indian children in the District's education program and activities. (Note: SPS is located on the Navajo Nation and serves 100% native students)

- i. The Shonto Preparatory School shall monitor Indian student participation in all academic and co-curricular activities.
- ii. Shonto Preparatory School officials shall review school data to assess the extent of Indian children's participation in the District's educational programs on an equal basis.
- iii. The Shonto Preparatory School shall share its assessment of district funding, Indian student participation, related academic achievements and other related data will be shared with the parents of Indian children and tribal officials by established communication protocol (Policy 2.a.i.ii.iii.iv.v.vi) at least 15 days in advance of any meeting to discuss the extent to which Indian children participate with non-Indian children. (Note: SPS is located on the Navajo Nation and serves 100% native students)

C. Parents of Indian children, tribal officials and other interested parties may express their views on participation at any time through direct communication with the school district, at any school board meeting or to the IEC and PAC.

- i. Copies of all annual reports will be provided to tribal officials via established communication protocol (Policy 2.a.i.ii.iii.iv.v.vi) at least 24 hours to 15 days in advance of any meeting to discuss the assessment and any related



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modifications to the educational program or activities to improve Indian participation.

- ii. Summaries of the assessments will be sent home to the parents of Indian children via established communication protocol (Policy 2.a.i.ii.iii.iv.v.vi) at least 24 hours to 15 days in advance of any meeting to discuss the assessment and any related modifications to the educational program or activities to improve Indian participation. Full copies of the assessment will be provided to parents upon request to the school district.

*Policy 4 – The Shonto Preparatory School will modify the IPPs if necessary, based upon the results of any assessment or input described in this document.*  
[34CFR222.94(a)(4)]

- A. There are specific meetings scheduled in July and October to discuss the content of the IPPs and educational program and activities. Parent of Indian children and tribal officials are notified via established communication protocol (Policy 2.a.i.ii.iii.iv.v.vi) regarding these meetings and their ability to submit comment. In addition, the parents of Indian children and tribal officials may make recommend changes to the IPPs or the educational program at any regularly scheduled Indian Education meeting, school board meetings, or in direct communication with the school district.
- B. School board meetings occur the first Friday of each month. The board meetings are posted on the schools' social media, the school marquee, and included on the school administrators written monthly reports to the IEC and PAC participants. IEC and PAC members typically attend each monthly board meeting.
- C. Input from the committee regarding plans and programs for Indian students during regular IEC and PAC meetings are discussed and dialogue is generated from the discussion. If necessary the dialogue is interpreted into the Navajo language by staff or IEC officers. The information is recorded into the meeting minutes.
- D. The input from stakeholders collected from the IEC and parent meetings is put up for vote for revisions to the IPPs if necessary. The officers of the IEC make the formal recommendation to the superintendent who then subsequently recommends to the governing board for approval.
- E. The recommendations requesting revisions to the IPPS to the governing board will be on the December board meeting of each year. The IPPs are revised and updated annually. The action taken by the board will be recorded in the minutes and the school administration will share the results with the IEC and parent at the next regular meetings.

*Policy 5 – Respond at least annually in writing to comments and recommendations made by tribes or parents of Indian children, and disseminate the responses to the tribe and parents of Indian children prior to the submission of the IPPS by the LEA.*



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- A. The superintendent, federal projects coordinator, and school principal meet regularly with the IEC officers and the superintendent and principal meet regularly with the PAC members. Open-door policy allows IEC officers and parents to come to the school at any time for information and to get updates on Indian children programs. In collaboration the school administrators and IEC officers develop written reports to share with parents at the regular IEC meetings. The IEC meetings occur the second Wednesday of each month at 530 pm.

Policy 6 – *Provide a copy of the IPPs annually to the affected tribe or tribes.*

- A. The approved IPPs are available on the school website. The IPPs are readily available from any school administrative office upon request. The IPPs are shared with the IEC and PAC at superintendent work sessions and monthly IEC and PAC meetings.

## V. COMPLIANCE

The school administrators are expected to review its Indian Education Policy and Procedures annually to ensure compliance with statutory and regulatory requirements. The Impact Aid Program also determines whether the LEA is in compliance by periodically reviewing the LEAS's documentation of its compliance activities. Upon annual review, the Governing Board shall review and approve the Governing Board's Policy Statement concerning Indian Policies and Procedures.

### A. Indian Education Complaint Procedures

All complaints will be investigated and resolved according to the following procedures:

#### 1. Contents of a Complaint

- a. For purposes of these procedures, a complaint is a signed statement that includes:
- Established adequate policies and procedures to ensure the participation of Indian parents and tribes in the education process;
  - Adhere to these policies and procedures; or
  - Take into consideration meaningful Indian input in designing the education program.
- b. Information that supports the allegation;
- A specific request for relief; and
  - A statement describing what steps it has taken to resolve with the District the matters on which the complaint is based.



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## 2. Who May File a Complaint

- a. Any tribal chairman or an authorized designee, that has students attending a District school, may in its discretion, and without regard to the requirements of any other provision of the law, file a written complaint with the Assistant Secretary for Elementary and Secondary Education (Assist Secretary) regarding any action of the District pursuant to, or relevant to, section 8004(a) and §222.94.
- b. If a tribe files a complaint through a designee, the tribe shall acknowledge in writing the complaint that the designee is authorized to act on its behalf.
- c. Parents of Indian children may not file a complaint direct with the Assistant Secretary.

Those parents shall submit their grievances to the tribe or its designee, although neither the tribe nor its designee is obligated to file those grievances in a complaint with the Assistant Secretary.

## 3. Where to File a Complaint

Complaints should be sent to the Assistant Secretary for Elementary and Secondary Education.

## 4. When to File a Complaint

Tribes may file only if:

- a. The District has complied with the requirements; and
- b. The tribe has taken reasonable steps to resolve with the District the issues on which the complaint is raised.

## 5. Receipt of Complaint by the Assistant Secretary Will be Considered Only After the Assistant Secretary determines that the complaint:

- a. Satisfies the requirement; and
- b. Is in writing and signed by a tribal officer or the tribe's authorized designee.

## 6. Dismissal of Complaint

- a. If the Assistant Secretary determines that a complaint fails to meet the requirements, the Assistant Secretary notifies the tribe or its designee that the complaint has been dismissed for purposes of invoking and hearing procedures.
- b. Each notice that a complaint has been dismissed includes the reasons why the Assistant Secretary determined that the complaint did not meet the requirements.



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- c. Notice that a complaint has been dismissed does not preclude other efforts to investigate or resolve issues that have originated in the complaint, including the “filing of an amended complaint.”

## B. HEARING PROCEDURES

### 1. Applicability of other laws:

- a. Administrative Procedure Act
- b. Federal Rules of Civil Procedure
- c. Federal Rules of Evidence

### 2. Parties to a Hearing

- a. The complaining tribe or tribes; and
- b. The affected district or districts.

### 3. Notice – within ten (10) working days after receiving a complaint, the Assistant Secretary

- a. Appoints a hearing examiner to conduct the hearing
- b. Selects a time for the hearing so that the hearing occurs no more than thirty days after the appointment of a hearing examiner;
- c. Designates a place for the hearing that is, to the extent possible:
- d. Near the district; or
- e. At another location convenient to the tribe and the District, if the Assistant Secretary determines that there is good cause to designate another location.
- f. Notifies the tribe and the District of the time, place, and nature of the hearing; and
- g. Sends copies of the complaint to the District and the tribe.

### 4. Conduct of the Hearing

- a. Public hearing – hearing must be open to the public
- b. Counsel – parties may be represented by counsel
- c. Evidence – each party may submit oral and written testimony that is relevant to the issues of the proceedings. A party may object to evidence it considers being irrelevant or unduly repetitious.

### 5. Transcripts

- a. The Assistant Secretary arranges for the preparation of a transcript of each hearing
- b. Retains the original transcript as part of the record of the proceedings; and
- c. Provides one (1) copy of the transcript to each party



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VI. DELEGATION OF AUTHORITY:

There shall be no delegation of authority in the LEA duties and responsibilities associated with enforcing IPP statutory and regulatory requirements.

VII. REPORTS:

The Board desires an annual report on the execution of this policy.

VIII. FORMS:

None

IX. EXPIRATION:

This policy will be reviewed and/or revised annually to ensure that the policy complies with the provisions in §8003(a); and are implemented by the LEA in accordance with §222.94; and other state and/or federal statutes. The policy will expire three (3) years after its acceptance unless re-approved.

X. SIGNATURE BLOCK:

Submitted by: Lemual B. Adson  
Superintendent

Date: 06/01/2018

Reapproved: June 1, 2018

Established: Tom Franklin  
Tom Franklin, President  
Shonto Governing Board of Education, Inc.