



**DEPARTMENT OF DINÉ EDUCATION
THE NAVAJO NATION**

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Jonathan Nez
President

Myron Lizer
Vice-President

NNBEMA-611-2020

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

Relating to Education; Directing 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 the Remaining School Year

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, higher 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 Control (“CDC”) and World Health Organization (“WHO”) and other public health organizations located within the United States and regionally. Presently, there are numerous confirmed COVID-

NAVAJO NATION BOARD OF EDUCATION

*Priscilla B. Manuelito, **President** · Spencer W. Willie, **Vice President** · Dr. Victoria Yazzie, **Secretary**
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Freda Nells · Joan A. Gray · Emerson John · Dr. Pauletta White
Maggie Benally, Acting Superintendent of Schools*

19 cases on the Navajo Nation and the numbers are substantially increasing. Several Navajo tribally controlled schools and BIE-operated schools have also been identified as COVID-19 “hot spots” where employees or persons connected with a school have been infected with the COVID-19 virus.

5. 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 29, 2020 the Governor of the State of New Mexico Michelle Lujan-Grisham extended the school closure order for all New Mexico public and charter schools for the remainder of the school year.
6. On March 16, 2020, Arizona Governor Doug Ducey and Superintendent Kathy Hoffman announced a statewide closure of Arizona schools from effective March 16, 2020 through Friday, March 27, 2020. On March 30, 2020, Governor Doug Ducey and Superintendent Kathy Hoffman announced the extension of Arizona school closures through the end of the school year. On March 27, 2020, Governor Doug Ducey also signed [House Bill 2910](#) regarding school closures resulting from the COVID-19 pandemic.
7. On March 13, 2020, Utah Governor Gary Herbert and Utah Superintendent of Public Instruction Sydnee Dickson, announced a “soft closure” of all Utah K-12 public schools for the next two weeks, effective March 16, 2020, in the ongoing effort to minimize the spread of the coronavirus. On March 23, 2020, Gov. Gary Herbert announced that all Utah K-12 schools will extend their closures until May 1, 2020.
8. As of March 16, 2020, all Navajo Nation tribally controlled grant/contract schools have closed their schools until further COVID-19 guidance and updates are provided. Upon information and belief, all BIE-operated schools were closed as of March 16, 2020 with minimal staffing at all schools.
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.
10. The proposed extension of existing school closures follows updated guidance from the Centers for Disease Control and Prevention (CDC) and an announcement from the White House extending physical distancing guidelines until April 30, 2020. Upon information provided by the states and state departments of education, including the Bureau of Indian Education, all schools serving Navajo students have been sufficiently funded to ensure that school teachers and staff see no disruption in pay as a result of COVID-19 pandemic.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Nation Board of Education hereby directs the physical, face-to-face closure of classroom instructions of all school campuses 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 the remainder of the 2019/2020 school year.
2. The Navajo Nation Board of Education further directs that off-reservation 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 encourages all education institutions operating on the Navajo Nation to use continuous learning activities such as web-based technology, video conferencing, or alternative means of delivering instruction. Schools should make every effort to provide continued education learning opportunities through online resources or materials that can be sent home and communication to parents.
4. The Navajo Nation Board of Education seeks the assistance of Navajo Technical University and Diné College to expand its technological infrastructure, such as Learning Management Systems, to support High School Teachers to support learning with high school student, as well as dual credit coursework.
5. Schools and school districts should develop plans to continue breakfast and lunch services for all students. Schools and school districts should develop and implement precautions to ensure schools are a safe learning environment, including social distancing measures, and regular intervals for sanitization.
6. 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 Spencer W. Willie and seconded by Andrea K. Thomas and that the same was passed by a vote of 8 in favor; 0 opposed; 0 abstained, this 31st day of March 2020.



Priscilla B. Manuelito, President
Navajo Nation Board of Education