



**RESOLUTION OF THE  
WHITE MOUNTAIN APACHE TRIBE OF THE  
FORT APACHE INDIAN RESERVATION**

**(Approving the Submission of a Grant Proposal for Special Education)**

- WHEREAS,** pursuant to Article IV, Section 1(a) and 1(s) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe; and
- WHEREAS,** the Individuals with Disabilities Education Act (IDEA – P.L. 105-17) authorizes tribes or tribal organizations to receive funds from Part C and Part B for specific special education activities for infants and toddlers and preschool age Indian children residing on reservations. In order to receive such funds, each reservation must be served by an elementary and/or secondary school for Indian children operated or funded by the Department of Interior (BIA); and
- WHEREAS,** the White Mountain Apache Tribe received notification of funding which is authorized by the Federal Government under P.L. 105-17, as amended by the Individuals with Disabilities Education Act (IDEA), Part C, Section 643 and Part B, Section 611; and
- WHEREAS,** the Tribal Division of Early Childhood Development will continue to work on data collection for Part B and Part C to determine the amount of funds the White Mountain Apache Tribe is eligible to receive; and
- WHEREAS,** the primary purpose of Part B is to meet the special educational needs of children with disabilities, such as: mental retardation; hearing impairments, including deafness; speech or language impairments; visual disturbance; orthopedic impairments; autism; traumatic brain injury; other health impairments; specific learning disabilities; or multiple disabilities, and who because of their impairments need special education and related services. The funds received by a tribe or tribal organization or consortium shall be used to assist States in child find screening, and other procedures for the early identification of (Indian) children, under three years of age, inclusive, and for parent trainings. The tribe or tribal organization or consortium is encouraged to involve (Indian) parents in the development and implementation of these activities. The above entities shall, as appropriate, make referrals to local, State, or Federal entities for the provision of services or further diagnosis. At the states discretion this term may include children who are developmentally delayed. Children are evaluated in accordance with SS 300.530.300.534; and
- WHEREAS,** the Primary purpose of Part C is for early intervention of infants and toddlers, from birth up to the third birthday, who meets the established state eligibility criteria as either: “developmentally delayed in one or more development areas, i.e., cognitive physical (including vision and hearing), communication, social or emotional, or adaptive, or have a diagnosed physician or mental condition which has a high probability of resulting in developmental delay; and

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**WHEREAS,** the White Mountain Apache Tribal Division of Early Childhood Development received funds for a similar program from the Bureau of Indian Affairs for fiscal year 2006, which was successful and beneficial to the Tribe; and

**WHEREAS,** P.L. 105-117 mandates that the Individual with Disabilities Education Act (IDEA) as amended, be turned over to Indian Tribes.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves submission to the Bureau of Indian Affairs Branch of Western Region Division of Acquisition Phoenix Area Office, of a grant proposal to be used in accordance with Part B and C.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice Chairwoman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on **AUGUST 21, 2007** duly adopted by a vote of **SEVEN** for and **ZERO** against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (i), (k), (s), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

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Chairman of the Tribal Council

*Cindy R. Harvey*  
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Secretary of the Tribal Council