



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Enacting Ordinance No. 295, Repealing the Tribe's Education Code in its Entirety and Replacing it with the Truancy Code)

WHEREAS, The Constitution of the White Mountain Apache Tribe of the Fort Apache Indian Reservation ("Constitution") provides, at Article IV, Section 1(a) that the Tribal Council ("Council") shall exercise the power to "...act in all matters that concern the welfare of the Tribe"; and

WHEREAS, Prompted by concerns about the truancy epidemic on the Fort Apache Indian Reservation, a group was convened which included education professionals, law enforcement representatives, court staff and the Tribe's Office of the Attorney General ("Truancy Workgroup"); and

WHEREAS, The Truancy Workgroup created a draft Truancy Code, which is intended to repeal the Tribe's Education Code in its entirety and replace it; and

WHEREAS, On August 22, 2019 by Resolution No. 08-2019-164, the Tribal Council authorized the public posting of Ordinance No. 295, pursuant to Article XV of the Constitution of the White Mountain Apache Tribe; and

WHEREAS, Ordinance No. 295, which repeals and replaces the Education Code with the Truancy Code, has been publicly posted for the requisite amount of time; and

WHEREAS, During the posting period, the Office of the Tribal Council Secretary received no comments regarding the proposed Ordinance; and

WHEREAS, The Council now finds that enacting Ordinance No. 295 will provide a family and community-based approach to fighting truancy, which will help the Tribe secure its future through educating its youth, and is in the best interests of the White Mountain Apache Tribe and its members.

BE IT ENACTED by the Tribal Council of the White Mountain Apache Tribe that it hereby enacts Ordinance No. 295, as attached hereto and incorporated by reference, which repeals the Education Code in its entirety and replaces it with the Truancy Code.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

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

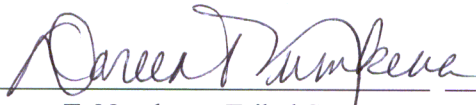
The foregoing resolution was on **OCTOBER 2, 2019** duly adopted by a vote of **TEN** for, **ZERO** against, and **ONE** abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).



Gwendena Lee-Gatewood, Chairwoman

Date

10/17/19



Doreen T. Numkena, Tribal Secretary

Date

10/14/19