



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

**(APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN
THE TRIBE AND FIRST THINGS FIRST FOR DATA COLLECTION
AND USAGE FOR A REGIONAL NEEDS ASSESSMENT)**

- WHEREAS,** The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation (“Constitution”) provides, at Article IV, Section 1(b) that the Tribal Council (“Council”) shall exercise the power “To negotiate, make and perform agreements of every description, not inconsistent with Federal law or [the] Constitution, with any person, association, or corporation, with any municipality or any county, or with the State of Arizona...”; and
- WHEREAS,** First Things First ("FTF") was established in 2006 by the voter approved Arizona Early Childhood Development and Health Initiative; and
- WHEREAS,** FTF is one of the critical partners in creating a sustainable, comprehensive, collaborative, family-centered and high-quality early childhood system that supports the development, health and early education of all Arizona's children through five years of age, so they are ready to succeed in school and in life; and
- WHEREAS,** The Tribe has elected to have the Fort Apache Indian Reservation treated as a separate region under the Initiative (A.R.S. § 8-1164(D)(2)), and therefore FTF created the White Mountain Apache Tribe Regional Partnership Council (the "Regional Council") to carry out the roles and responsibilities as defined in the FTF statutes (see A.R.S. Title 8, Chapter 13); and
- WHEREAS,** FTF recognizes the White Mountain Apache Tribe as a sovereign nation that has the right to regulate research and data collection conducted on its tribal lands; and
- WHEREAS,** FTF collects data and other information from tribal governments, early childhood professionals and families living on tribal lands for three purposes, namely: (i) needs and assets reports, (ii) program and service administration and implementation and (iii) research and evaluation studies; and
- WHEREAS,** FTF often collects this data through contracted program or service providers (“grant partners”), which is sometimes a tribal entity; and
- WHEREAS,** FTF seeks approval from the White Mountain Apache Tribe for FTF and its contractors to collect data for needs and assets reports, both for the 2020 report and for future biennial reports and for program and service administration and implementation as

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described in the attached Memorandum of Understanding ("MOU" attached and incorporated herein by reference); and

WHEREAS, FTF and its contractors may receive this data in individual or aggregate form in accordance with the MOU, and no personally identifiable information will be collected or published; and

WHEREAS, FTF and its contractors will collect the data in accordance with the MOU as well as FTF's Tribal Data Policy, FTF's Data Security Policy & Procedures, which includes data suppression guidelines, and FTF's Data Security, Submission and Suppression Guidelines and Requirements for Collaborators which are included as attachments in the MOU; and

WHEREAS, The White Mountain Apache Tribe may request copies of collected data from FTF by submitting the FTF Tribal Data Request Form as outlined in FTF's Tribal Data Policy; and

WHEREAS, FTF engages in continuous and meaningful government-to-government dialogue in accordance with FTF's Tribal Consultation Policy as a means to maintain sustainable communication with the Tribe when seeking approval and support on a Needs and Assets Report; and

WHEREAS, FTF will notify the Council in writing at least 60 days prior to the start of the collection of data or information from the White Mountain Apache Tribe or individuals for the purpose of preparing a regional Needs and Assets Report, and the notification will include the data to be collected and the identification of any FTF contractor that FTF will use to collect the data in accordance with the MOU; and

WHEREAS, FTF will submit proposed regional Needs and Assets Reports to the White Mountain Apache Tribal Council for a 30-day review period, and FTF may publish and disseminate the Reports after receiving approval from the Tribe in accordance with the MOU; and

WHEREAS, FTF may publish, disseminate and utilize the Needs and Assets Report (after the 30-day review period), including the collected data and information appearing in the Report, in other products/publications (such as fact sheets and annual reports) in printed or electronic format for the purposes of describing the needs of young children and the work of FTF in the Region without seeking further approval unless additional data analysis is completed or additional conclusions are drawn in accordance with the MOU; and

WHEREAS, The Council has reviewed First Things First's proposal as well as the MOU, and finds that approving the MOU will enable First Things First to continue to provide high quality services to children on the Fort Apache Indian Reservation, and is in the best interests of the Tribe and its members.

NOW THEREFORE, BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the attached Memorandum of Understanding between the Tribe and First Things First, providing

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for the collection of certain data to be used for the compilation of a regional needs assessment is hereby approved.

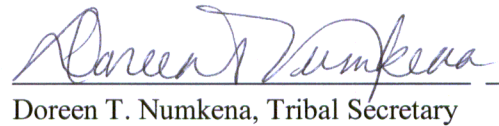
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution 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 it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

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 **NOVEMBER 6, 2019** duly adopted by a vote of **NINE** for, **ZERO** against, and **ZERO** 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 12/3/19


Doreen T. Numkena, Tribal Secretary Date 12/3/19