



# WHITE MOUNTAIN APACHE TRIBE

## A Sovereign Tribal Nation

### (Approving the Formation of a Johnson O'Malley Indian Education Committee and Appointing its Membership)

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- WHEREAS,** The Constitution of the White Mountain Apache Tribe ("Tribe") of the Fort Apache Indian Reservation ("Constitution") provides, at Article IV, Section 1(a) that the Tribal Council ("Council") shall exercise the power "[t]o represent the tribe and act in all matters that concern the welfare of the Tribe, and to make decision not inconsistent with or contrary to this constitution"; and
- WHEREAS,** Tribal Resolution No. 76-59 authorized the Tribal Chairman to enter into a contract with the Bureau of Indian Affairs for Supplemental Johnson O'Malley Funds and also designated the "Tribal Education Committee" as the "Local Indian Education Committee" with powers and obligations of the contract being carried out by the Committee through the Tribal Education Office; and
- WHEREAS,** Tribal Resolution No. 86-317 appointed a five member Indian Education Committee whose purpose is to further Indian Education within and without the Fort Apache Indian Reservation, wherein nominations were made to serve on the committee and a vote by secret ballot was complete and canvassed; and
- WHEREAS,** On May 12, 1989 the Tribe contracted the Johnson O'Malley Program, and has since maintained this contract in good standing; and
- WHEREAS,** The Tribal Education Department was instructed by the Grants and Contract Department in March of 2017 to create a Corrective Action Plan to address the ongoing issues surrounding the Indian Education Committee and its adherence to Part 273 of Title 25 Code of Federal Regulations Subpart C- Indian Education Committee; and
- WHEREAS,** The Tribal Council held a special meeting with the Arizona Department of Education's Office of Indian Education on July 25, 2019 to discuss issue of the Indian Education Committee, and the Office of Indian Education agreed to provide technical assistance to bring the Tribe back into compliance with the Code of Federal Regulations. The Tribal Education Director was subsequently instructed by the Chairwoman to handle this matter; and
- WHEREAS,** The Tribal Education Department, this day, recommends approving and appointing a "JOM Indian Education Committee" whose membership will be comprised of the Presidents of the Parent Advisory Committees ("PAC") or another designee of all JOM eligible schools on the Fort Apache Indian Reservation; and

***Resolution No. 3-2022-37***

**WHEREAS,** The Council has reviewed the proposal by the Tribal Education Department, and finds that approving the formation of and appointing member to the JOM Indian Education Committee will help the Tribe maintain compliance with the federally-contracted Johnson O'Malley Program, and is in the best interests of the Tribe and its members.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby approves of the formation of the JOM Indian Education Committee, and appoints to its membership those persons occupying the following 8 positions:

1. Parent Advisory Council ("PAC") President or another designee of McNary Schools;
2. PAC President or another designee of Whiteriver Elementary School;
3. PAC President or another designee of Alchesay High School;
4. PAC President or another designee of Seven Mile Elementary School;
5. PAC President or another designee of Cradleboard Elementary School;
6. PAC President or another designee of Canyon Day Junior High;
7. PAC President or another designee of WMAT Headstart Program; and
8. PAC President or another designee of Blue Ridge School District.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Tribal Education Director and the JOM Program Staff to ensure that any further vacancy is filled immediately, and an updated list be maintained by the Tribal Education Department which be made able to Tribal Council as needed.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby understands the JOM IEC will be governed by Part 273 of Title 25 Code of Federal Regulations Subpart C-Indian Education Committee until such a time that the newly appointed JOM IEC creates their own governing policies which is subject to Tribal Council review and approval.

**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.

**Resolution No. 3-2022-37**

The foregoing resolution was on **MARCH 02, 2022** duly adopted by a vote of **ELEVEN** 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).

 3.7.22  3-7-2022  
Gwendena Lee-Gatewood, Chairwoman                      Date                      Doreen T. Numkena, Tribal Secretary                      Date