



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving the Tribal Education Department’s Vocational Rehabilitation Program’s Memorandum of Understanding with the State of Arizona for Vocational Rehabilitation Services)

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- WHEREAS,** The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(b), that the Tribal Council (“Council”) shall exercise the power, “[t]o negotiate, make and perform contracts and agreements of every description, not inconsistent with federal law or this constitution, with any person, association, or corporation, with any municipality or any county, or with the State of Arizona or the United States, including agreements with the State of Arizona for rendition of public services”; and
- WHEREAS,** The Tribal Education Department’s Vocational Rehabilitation Program (“VRP”) has successfully sought and received the Tribal Vocational Rehabilitation Services Project for American Indians with Disabilities Grant under the United States Department of Education’s Rehabilitation Services Administration since 1996; and
- WHEREAS,** Tribal Resolution 07-2019-153 authorized the VRP to apply for the aforementioned grant for which they were awarded funding for five years after a highly competitive grant submission process; and
- WHEREAS,** The purpose of a new Memorandum of Understanding (“MOU”) is to define the roles of the respective Parties providing Vocational Rehabilitation (VR) services to eligible American Indians with disabilities residing within the Fort Apache Indian Reservation or residing near the boundaries of the Fort Apache Indian Reservation; and
- WHEREAS,** The Arizona Rehabilitation Services Administration is the Designated State Unit responsible for the administration of the VR grant program within the State of Arizona and provides services to the citizens of Arizona under the terms and conditions of the approved Workforce Innovation and Opportunity Act State Plan; and
- WHEREAS** The Tribe, by virtue of having received a federal Section 121 grant (under Title I of the Rehabilitation Act, as amended), provides VR services to eligible American Indians with disabilities residing within or near the boundaries of the Fort Apache Indian Reservation, and VR services are provided under the terms of the Tribe’s grant award; and
- WHEREAS,** The Tribe previously signed an MOU with the State of Arizona for VR Services in September 28, 2018, which has since expired requiring an updated MOU for continuity of services; and

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WHEREAS, The Tribal Education Department and its VRP recommends the approval of the MOU with the State of Arizona for VR Purposes, as outlined and incorporated in the attached MOU; and

WHEREAS, The Council finds that this MOU will further assist the VRP in providing our community members with an eligible disability with quality services within the means and limits of the approved grant, 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 the Tribal Education Department's Vocational Rehabilitation Program's Memorandum of Understanding with the State of Arizona for Vocational Rehabilitation Services, as outlined and incorporated in the attached MOU.

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 Chairman, or in his 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 JUNE 7, 2023 duly adopted by a vote of TEN 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 November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

<u>Kasey Velasquez</u>	<u>6.8.2023</u>	<u>Vaneysa Johnson</u>	<u>06/08/2023</u>
Kasey Velasquez, Chairman	Date	Vaneysa Johnson, Tribal Secretary	Date