

LEGISLATIVE SUMMARY SHEET

Tracking No. 0230-20

DATE: September 22, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; AMENDING HEHSCJA-02-20, THE PLAN OF OPERATION FOR THE DEPARTMENT FOR SELF RELIANCE, NAVAJO NATION DIVISION OF SOCIAL SERVICES; AND DIRECTING THE DEPARTMENT AND THE DIVISION TO AMEND ITS NAVAJO EDUCATION INCENTIVE (NEI) GUIDELINES

PURPOSE: This resolution, if adopted, would amending HEHSCJA-02-20, the Plan of Operation for the Department for Self Reliance, Navajo Nation Division of Social Services; and direct the Department and the Division to amend its Education Incentive (Nei) Guidelines.

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD: Johnson

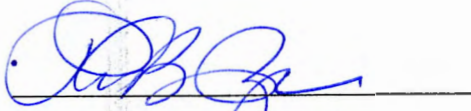
Website Posting Time/Date: 3:47pm 09-24-20

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Eligible for Action: 09-30-20

PROPOSED STANDING COMMITTEE RESOLUTION
24th NAVAJO NATION COUNCIL -- Second Year, 2020

INTRODUCED BY



(Prime Sponsor)

TRACKING NO. 0230-20

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; AMENDING
HEHSCJA-02-20, THE PLAN OF OPERATION FOR THE DEPARTMENT FOR SELF
RELIANCE, NAVAJO NATION DIVISION OF SOCIAL SERVICES; AND DIRECTING
THE DEPARTMENT AND THE DIVISION TO AMEND ITS NAVAJO EDUCATION
INCENTIVE (NEI) GUIDELINES

BE IT ENACTED:

SECTION ONE. AUTHORITY

The Health, Education and Human Services Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 400(A). Among various responsibilities, it serves as oversight authority for the Navajo Nation Division of Social Services and departments and programs therein, including the Department for Self Reliance. 2 N.N.C. § 401(C)(1).

SECTION TWO. FINDINGS

A. The Department for Self Reliance, Navajo Nation Division of Social Services, manages the school clothing program for Navajo school children. *Plan of Operation*, Navajo

1 Department for Self Reliance. *HEHSCJA-02-20*; see attached **Exhibit A** (with proposed
2 amendment).

3 B. The Navajo school clothing program operates pursuant to guidelines written by the
4 Department for Self Reliance, Division of Social Services. See **Exhibit B**, "Navajo
5 Education Incentive Guidelines."

6 C. It is in the best interests of all Navajo school children that the Navajo Education
7 Incentive Guidelines" (for the school clothing program) be amended to include assistance
8 for all children regardless of whether they attend school on or outside the Navajo Nation.
9

10 **SECTION THREE. APPROVING AMENDMENTS TO THE PLAN OF** 11 **OPERATION FOR DEPARTMENT FOR SELF RELIANCE**

12 The Health, Education and Human Services Committee of the Navajo Nation Council
13 hereby approves amendments to the Plan of Operation for the Department for Self
14 Reliance, Division of Social Services as reflected in the attached **Exhibit A**. Resolution
15 *HEHSCJA-02-20* is hereby amended accordingly.
16

17 **SECTION FOUR. DIRECTIVE TO AMEND GUIDELINES FOR SCHOOL** 18 **CLOTHING**

19 Consistent with the amendment approved herein, the Navajo Department for Self
20 Reliance is directed to amend its "Navajo Education Incentive (NEI) Guidelines" (*i.e.*,
21 the Navajo school clothing program) as follows:

22 ****

23 **Section Two: Eligibility**

24 A. In order to determine eligibility for NEI, the following requirements must
25 be met:

- 26 1. The Child must be between the ages of 3 to 17 years of age on the date
27 the Applicant submits an application.
- 28 2. The Child is an enrolled member of the Navajo Nation.
- 29 3. The Child is enrolled in a school located on or outside the Navajo Nation.
30

- 1 4. The Child must be attending Head-Start, Pre-Kindergarten, Preschool and
2 grades K through 12 for the 2020-2021 applicable Academic school year.

3 ****

4 **Section Three: Required Documents**

5 A. The Applicant must submit the following required documents to the NFAS:

- 6 1. The Child's Certificate of Indian Blood;
7 2. The Child's valid Social Security Card; and
8 3. A document on official school letterhead that verifies the child is
9 enrolled in that school for the 2020-2021 applicable Academic school
10 year; and
11 4. W-9 signed by Applicant

12 ****

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14 **SECTION FIVE. EFFECTIVE DATE**

15 The action of the Health, Education and Human Services Committee shall be effective
16 upon approval, and shall be applied to the 2020 – 2021 school year and thereafter.
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EXHIBIT A

NAVAJO NATION DIVISION OF SOCIAL SERVICES
Navajo Department for Self Reliance Plan of Operation

1. ESTABLISHMENT

There is hereby established the Navajo Department for Self Reliance within the Navajo Division of Social Services of the Executive Branch of the Navajo Nation.

II. PURPOSE

The Navajo Department for Self Reliance utilizes the Navajo concept and teachings of T'áá hwó ájít'éego to provide financial assistance and supportive services to eligible individuals and families, to empower and take responsibility for their lives through the development and implementation of a plan, which guide family members toward self-reliance.

III. STAFFING AND ORGANIZATION

A. Staffing

1. The Navajo Department for Self Reliance shall be directed by and supervised under the guidance of a Department Manager III who shall be selected in accordance with the Navajo Nation Personnel Policies Manual. All other personnel shall be employed and compensated in accordance with Navajo Nation Personnel Policies Manual.
2. The Department Manager III shall be under the general direction and supervision of the Executive Director of the Navajo Division of Social Services.

The Department Manager III shall determine and recommend the need for additional professional, technical, and administrative positions as needed to carry out the organizational purpose(s) as stated herein.

B. Organization

The Navajo Department for Self Reliance shall consist of an Executive Administration comprised of eight (8) sections to provide technical support services

1 and a Quality Case Management Services shall consist of a Direct Services
2 Administration comprised of three (3) direct service units, seven (7) field offices, and
3 one (1) sub office to execute the Navajo Department for Self Reliance's purpose,
4 authorities, goals, objectives, duties, and responsibilities. The Support Services and
5 Quality Case Management Services shall consist of the following:

6 1. Support Services

- 7 a. Executive Administration;
- 8 b. Finance and Recovery Section;
- 9 c. Information Technology Section;
- 10 d. Tribal Assistance System Administration Section;
- 11 e. Communication Section;
- 12 f. Compliance Section;
- 13 g. Liaison/Legislative Section;
- 14 h. Fraud and Investigation Section; and
- 15 i. Pathway to Quality Services Section.

16 2. Quality Case Management Services

- 17 a. Direct Service Administration;
- 18 b. Family Assistance Services;
- 19 c. TANF Services;
- 20 d. Education and Career Services;
- 21 e. Field Offices: Chinle, Crownpoint, Farmington, Gallup, Kayenta. Window
22 Rock and Tuba City;
- 23 f. Sub Office: Lower Greasewood; and
- 24 g. Other human services and programs as authorized.

25 The Navajo Department for Self Reliance Organizational Chart is displayed as
26 Attachment 1.

1 IV. RESPONSIBILITY AND AUTHORITY

- 2 A. Administer the federal legislative intent of Public Law 104-193, Personal
3 Responsibility and Work Opportunity Reconciliation Act of 1996 and other external
4 and internal-funded programs in full compliance with the Navajo Nation and federal
5 laws and policies.
- 6 B. Promote personal responsibility and self-reliance through the Navajo traditional
7 teachings of T'áá hwó ájit'éego; provide assistance and services that empower
8 Customers and families to progress toward Hózhók'eh Iiná; and reduce future
9 dependency on governmental assistance by promoting education, employment, safe
10 and stable families, and healthy lifestyles.
- 11 C. Provide school clothing assistance to eligible Navajo school aged children who are
12 enrolled in and attending schools on or outside the Navajo Nation.
- 13 D. Promote home energy crisis intervention by providing financial assistance to eligible
14 households with low-income to meet their immediate home energy needs.
- 15 E. Develop, negotiate and implement agreements and contracts with federal, state,
16 tribal, and other entities to expand services and increase opportunities for Customers
17 and their families to progress toward self-reliance.
- 18 F. Uphold the integrity of human services by developing, implementing and updating
19 program goals and objectives, policies, procedures and standards, and assuring
20 compliance with the Navajo Nation and federal fiscal and programmatic regulations
21 and circulars.
- 22 G. Monitor and evaluate program operations, services, resources (staff, property and
23 equipment), and expenditures to assure and improve the effectiveness and efficiency
24 of service delivery.
- 25 H. Assure due process is provided to Customers who would like to dispute a decision
26 made regarding their application or case. An initial consideration shall be provided
27 at the direct service level and the Navajo Department for Self Reliance Compliance
28 Hearing Officer shall consider formal hearing requests.
- 29 I. Establish, maintain and improve necessary infrastructure, including information
30 technology, to provide effective and efficient overall management and financial

1 guidance to the Support Services, Quality Case Management and Direct Services;
2 and to ensure continuity of services, assistance, and activities provided to Customers
3 and families.

- 4 J. Promote and support the professional growth of Navajo Department for Self Reliance
5 personnel through educational, training and advancement opportunities, so the
6 services provided to Customers continually improves and expands.

7
8 V. LEGISLATIVE OVERSIGHT

9 Pursuant to 2 N.N.C. 192 and 400 *et. seq.*, the Navajo Department for Self Reliance
10 shall operate under the legislative oversight of the Health, Education and Human
11 Services Committee of the Navajo Nation Council.

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13 VI. AMENDMENTS

14 This Plan of Operation may be amended from time to time as deemed necessary by the
15 Health, Education and Human Services Committee of the Navajo Nation Council (2
16 N.N.C. ~~1656~~ § 401(C)(1)).



Navajo Family Assistance Services
Navajo Education Incentive (NEI) Guidelines

Section One: Purpose

- A. The purpose of the Navajo Education Incentive (NEI) is provide financial assistance to eligible school age Navajo children to purchase clothing or school supplies in an effort to promote school attendance, support academic performance and support confidence.
- B. The Navajo Family Assistance Services within the Department for Self Reliance (DSR) is the lead agency to provide the NET for the Navajo Nation utilizing federal and Navajo Nation funding. This document is to serve as a Guideline for an Applicant of a Child (Applicant). The Applicant must be a parent or legal guardian of the child(ren).

Section Two: Eligibility

- A. In order to determine eligibility for NET, the following requirements must be met:
 1. The Child must be between the ages of 3 to 17 years of age on the date the Applicant submits an application.
 2. The Child is an enrolled member of the Navajo Nation
 3. The Child is enrolled in a school located on or outside the Navajo Nation.
 4. The Child must be attend ing Head-Start, Pre-Kindergarten, Preschool and grades K through 12 for the ~~2020-2021~~ applicable Academic school year.
- B. An Applicant is only eligible to receive assistance from the one of the following:
 1. NEI or
 2. DSR (TANF) Scholl Clothing benefits.
- C. The Applicant cannot simultaneously apply or receive funding from the funding sources provided in subsection (B) of this section.
- D. By submitting the application and receiving assistance, the Applicant self attests that the NEI funding will be used for the purposes outlined within this Guideline and that the information submitted is true and accurate.



Navajo Family Assistance Services
Navajo Education Incentive (NEI) Guidelines

Section Three: Required Documents

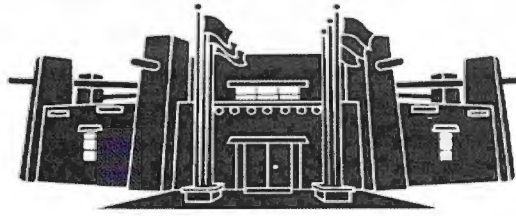
- A. The Applicant must submit the following required documents to the NFAS:
1. The Child's Certificate of Indian Blood;
 2. The Child's valid Social Security Card; and
 3. A document on official school letterhead that verifies the child is enrolled in that school for the 2020-2021 applicable Academic school year; and
 4. W-9 signed by Applicant

Section Four: NEI maximum amount:

The NEI funding assistance shall not exceed \$250.00 per eligible child for each Academic school year.


Section Five: Appeal Process

1. If application is denied, a written appeal for reconsideration must be submitted to the NFAS Senior Program and Project Specialist (SPPS) within fifteen (15) working days of the receipt of the denial letter. The written appeal shall outline the reason(s) why the Applicant is disputing the denial of an application and should include supporting document(s), if any. The NFAS SPPS decision will be final.



MEMORANDUM

To : Hon. Paul Begay, Jr., Delegate
Navajo Nation Council

From : 

Ron Haven, Attorney
Office of Legislative Counsel

Date : September 22, 2020

Re : AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; AMENDING HEHSCJA-02-20, THE PLAN OF OPERATION FOR THE DEPARTMENT FOR SELF RELIANCE, NAVAJO NATION DIVISION OF SOCIAL SERVICES; AND DIRECTING THE DEPARTMENT AND THE DIVISION TO AMEND ITS NAVAJO EDUCATION INCENTIVE (NEI) GUIDELINES

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. As to format, the resolution as drafted is legally sufficient. Regarding substance, as with any legislation, it can be subject to review by the courts in the event of proper challenge. Please ensure that this particular resolution request is precisely what you want.

If you are satisfied with the proposed resolution, please sign it as "sponsor" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment. If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution. Ahéhee'.

OLC # 20-356-1

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: 0230-20

SPONSOR: Paul Begay, Jr.

TITLE: An Action Relating To Health, Education And Human Services; Amending HEHSCJA-02-20, The Plan Of Operation For The Department For Self Reliance, Navajo Nation Division Of Social Services; And Directing The Department And The Division To Amend Its Navajo Education Incentive (NEI) Guidelines

Date posted: September 24, 2020 at 3:47PM

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

**Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586**

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

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