

RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION

- WHEREAS, the Tribal Council of the White Mountain Apache Tribe had by prior Resolution Nos. 83-100 and 83-161, manifested the intent of the Tribal Council to contract with the Bureau of Indian Affairs for the total operation of the Cibecue Day School, including but not limited to school operations, school administration, maintenance and operations, food services, all educational facilities, and living quarters, and
- WHEREAS, the Tribal Council has been advised by the Tribal Attorney that 25 CFR 271.18(c) requires that the tribal governing body's request or resolution for the P.L. 93-638 contract must include certain statements, and
- WHEREAS, the Tribal Attorney advises the Tribal Council that although prior Resolutions Nos. 83-100 and 83-161 manifest the intent of the Tribal Council to contract pursuant to P.L. 93-638, the operation of the Cibecue Day School, it would be advisable to reiterate the substance of those two prior resolutions and to clarify any ambiguity that might exist in the prior resolutions and to further insure exact compliance with the provisions with 25 CFR 271.18 et seq. and
- WHEREAS, Resolution No. 83-161 contains a reference to the Cibecue Day School becoming chartered under the laws of the State of Arizona which is not the desire of the Tribal Council which shall charter the School Board pursuant to Tribal Law rather than State Law, and
- WHEREAS, the Tribal Council of the White Mountain Apache Tribe, the governing body of the tribe organized pursuant to Section 16 of the Indian Reorganization Act of 1934, hereby requests the Bureau of Indian Affairs to enter into a contract with the Tribal Council for the total operation of the Cibecue Day School, including but not limited to all school operations, school administration, hiring and firing, maintenance and operation, food services, all educational facilities and living quarters as well as appropriate Chapter I and Special Education Programs, and
- WHEREAS, the Cibecue School Board shall be the tribally-chartered administrator of the aforescribed responsibilities and further will be authorized to contract for Chapter I programs and Special Education, and
- WHEREAS, the Tribal Council requests that the Bureau of Indian Affairs contract with the Tribal Council for the operation of the Cibecue Day School for an initial contract term of three years, and

WHEREAS, the Tribal Council hereby authorizes the Tribal Council Chairman to negotiate the contract and any amendments thereto as well as to execute the contract and any amendments thereof, and

WHEREAS, the expiration date of the authorities granted by this resolution to the Tribal Council Chairman shall occur upon the last day of the contract with the Bureau of Indian Affairs for the operation of the Cibecue Day School, and

WHEREAS, the proposed date for contract commencement shall be September, 1983 and continue therefrom for a proposed term of three years, and

WHEREAS, the Tribal Council has been requested by the Cibecue Day School Board to be issued a charter empowering said School Board as the official tribal Board of Education for the Cibecue Day School with authorization to operate and administer the school operations for the Cibecue Day School, and

WHEREAS, the Tribal Council grants the request of the School Board of the Cibecue Day School for such a charter, and

WHEREAS, this resolution shall supersede Resolution Nos. 83-100 and 83-161.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby requests that the Bureau of Indian Affairs enter into a contract with the Tribal Council, the governing body of the White Mountain Apache Tribe, for the operation, administration and maintenance of the Cibecue Day School to commence September, 1983 with a proposed term of three (3) years.


BE IT FURTHER RESOLVED by the Tribal Council that it hereby authorizes the Tribal Council Chairman to negotiate the contract and any amendments thereto and to execute the contract and any amendments thereof, said authorization to expire upon the expiration date of the contract with the Bureau of Indian Affairs for the operation, administration, and maintenance of the Cibecue Day School.

BE IT FURTHER-RESOLVED by the Tribal Council that the request for a contract with the Bureau of Indian Affairs pursuant to P.L. 93-638 is for the total operation of the Cibecue Day School, including but not limited to, school operations, school administration, maintenance and operation, food services, all educational facilities, hiring and firing of teachers and other school personnel, and management of living quarters as well as contracting for chapter I and Special Education Programs.

BE IT FURTHER RESOLVED by the Tribal Council that the Cibecue Day School Board shall administer this contract and perform all of the operations, maintenance, hiring and firing, faculty recruitment, living quarters maintenance, and administration of chapter I and Special Education grants and programs.

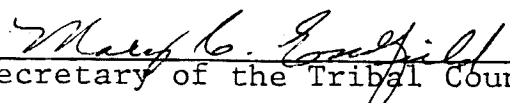
BE IT FURTHER RESOLVED by the Tribal Council that it hereby issues a charter to the Cibecue Day School Board of Education as the official tribal school board for the Cibecue Day School which authorizes said chartered board of education to exercise the functions of a board of education as set forth in its Articles of Incorporation and By-Laws to be attached hereto and made a part hereof, subject to the applicable laws of the White Mountain Apache Tribe as may hereinafter be enacted, for a period of five years from the date hereof unless sooner revoked by authority of law or the White Mountain Apache Tribal Council.

The foregoing resolution was on June 09, 1983 duly adopted by a vote of 8 for and 0 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (b & i) of the Amended Constitution and By-Laws of the Tribe, ratified by the Tribe June 27, 1958 and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).


Chairman of the Tribal Council

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FORT APACHE INDIAN
AGENCY
WHITERIVER, ARIZ


Secretary of the Tribal Council