



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

**(Approving the MOA for Special Education Preschool Services  
Between the Whiteriver Unified School District No. 20 and the  
White Mountain Apache Head Start Program)**

**WHEREAS,** pursuant to Article IV, Section 1(a) and 1(s) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe; and

**WHEREAS,** there is a need on the Fort Apache Reservation to provide special education preschool services to assist White Mountain Apache tribal members that have disabilities; and

**WHEREAS,** the United States Department of Health and Human Services, Administration for Children and Families, Head Start Bureau, has developed Head Start program performance standards on services for children with disabilities; and

**WHEREAS,** the Whiteriver Unified School District No. 20 and the White Mountain Apache Head Start program would like to enter into a Memorandum of Agreement ("MOA"), developed according to the Head Start program performance standards, that combines each of their respective programs offering special services to preschool children with disabilities; and

**WHEREAS,** the White Mountain Apache Tribe operates and manages the White Mountain Apache Head Start program; and

**WHEREAS,** the White Mountain Apache Tribal Council supports the development of its tribal member children; and

**WHEREAS,** given the urgency of this request, the Tribal Council further finds that the Memorandum of Agreement needs to be considered and made outside of its regularly scheduled meeting; and

**WHEREAS,** the Tribal Council further finds that: (1) this Resolution may be voted upon by signature of a member of the Tribal Council where a signature indicates a vote for this Resolution, (2) the Tribal Council Secretary should attempt to obtain signatures for members of the Tribal Council personally, (3) no signature would mean that the respective Tribal Council member is against this Resolution, (4) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

**Resolution No. 12-2009-394**

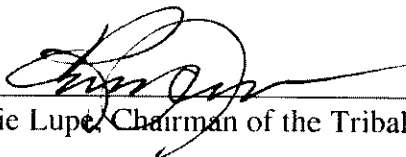
**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it approves the MOA referenced hereto between the Whiteriver Unified School District, No. 20 and the White Mountain Apache Head Start program to offer special services to preschool children with disabilities.

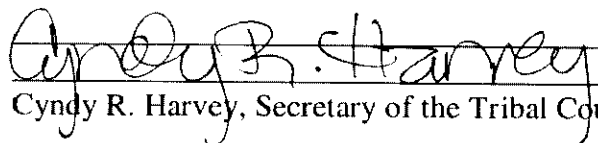
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that given the urgency of the request described herein, this Resolution may be voted upon as follows: (a) by signature of a member of the Tribal Council, including the Chairman of the Tribal Council and the Vice-Chairwoman of the Tribal Council, where a signature indicates a vote for this Resolution, (b) the Tribal Council Secretary shall attempt to obtain signatures for members of the Tribal Council personally, (c) no signature shall mean that the respective Tribal Council member is against this Resolution, (d) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature, and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall govern.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice Chairwoman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on **December 21, 2009**, duly adopted by a vote of **SEVEN** for and **ZERO** against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (b), (j), (k), (s), (t), and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

  
\_\_\_\_\_  
Ronnie Lupe, Chairman of the Tribal Council

  
\_\_\_\_\_  
Cyndy R. Harvey, Secretary of the Tribal Council

Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution No. 12-2009-394 initiated the 21<sup>st</sup> day of December 2009. Presented Personally by Tribal Council Secretary (TCS)-Indicated by Initials

\_\_\_\_\_  
Date Signed \_\_\_\_\_ TCS Initials \_\_\_\_\_  
Ronnie Lupe  
Tribal Chairman  
Margaret Baha-Walker  
Margaret Baha-Walker  
Vice Chairwoman  
12/21/09  
Date Signed \_\_\_\_\_ TCS Initials CM

\_\_\_\_\_  
Date Signed \_\_\_\_\_ TCS Initials \_\_\_\_\_  
Arnold Beach, Sr.  
District I Council Member  
Evangelina Gatewood  
Evangelina Gatewood  
District I Council Member  
12/21/09  
Date Signed \_\_\_\_\_ TCS Initials CM

\_\_\_\_\_  
Date Signed \_\_\_\_\_ TCS Initials \_\_\_\_\_  
Victoria Brewer  
District II Council Member  
Rubert Lupe, Sr.  
Rubert Lupe, Sr.  
District II Council Member  
12/21-09  
Date Signed \_\_\_\_\_ TCS Initials CM

\_\_\_\_\_  
Date Signed \_\_\_\_\_ TCS Initials \_\_\_\_\_  
Alvin DeClay, Sr.  
District III Council Member  
Alvin DeClay Sr.  
Alvin DeClay, Sr.  
District III Council Member  
12-18-09  
Date Signed \_\_\_\_\_ TCS Initials CM

\_\_\_\_\_  
Date Signed \_\_\_\_\_ TCS Initials \_\_\_\_\_  
Kirk Massey, Sr.  
District III Council Member  
Noland Clay  
Noland Clay  
District IV Council Member  
12/18/09  
Date Signed \_\_\_\_\_ TCS Initials CM

\_\_\_\_\_  
Date Signed \_\_\_\_\_ TCS Initials \_\_\_\_\_  
Wayne Colelay, Jr.  
District IV Council Member  
Wayne Colelay Jr.  
Wayne Colelay, Jr.  
District IV Council Member  
12-18-09  
Date Signed \_\_\_\_\_ TCS Initials CM

\_\_\_\_\_  
Date Signed \_\_\_\_\_ TCS Initials \_\_\_\_\_  
Reno Johnson, Sr.  
District IV Council Member  
Reno Johnson  
Reno Johnson, Sr.  
District IV Council Member  
12-18-09  
Date Signed \_\_\_\_\_ TCS Initials CM

ATTEST:

Cyndy R. Harvey  
Cyndy R. Harvey, Tribal Council Secretary  
12-21-09  
Date Signed \_\_\_\_\_