



WHITE MOUNTAIN APACHE TRIBE

*A Sovereign Nation Exercising Self-Governance
Over the Fort Apache Indian Reservation*

Resolution No. 09-2012-137

(Approving two Memoranda of Agreement for Special Education Preschool Services Between McNary Elementary School District No. 23, Whiteriver School District No. 20 and the White Mountain Apache Head Start Program)

WHEREAS, the Tribal Council of the White Mountain Apache Tribe ("Tribe") is entrusted by the Tribe's Constitution to act in all matters that concern the welfare of the Tribe, to manage all economic affairs and enterprises of the Tribe, and to regulate subordinate organizations for economic and other purposes; and

WHEREAS, there is a need on the Fort Apache Reservation ("Reservation") to provide special education 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, ("Bureau") has developed Head Start Program Performance Standards on services for children with disabilities; and

WHEREAS, the McNary Elementary School District No. 23, Whiteriver School District No. 20 and the White Mountain Apache Head Start program would like to enter a Memorandum of Agreement ("MOA"), developed according to the Head Start program Performance Standards, combining the respective programs to offer special services to preschool children with disabilities; and

WHEREAS, the White Mountain Apache Tribe operates and manages the White Mountain Apache Head Start program in the interest of promoting Apache childhood education and development; and

WHEREAS, the White Mountain Apache Tribe Council supports Tribal Members with disabilities and finds it in the best interest of the Tribe to support the MOA as described herein.

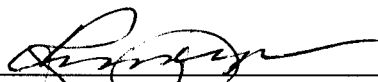
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the MOA between McNary Elementary School District No. 23 and Whiteriver School District No. 20 and the White Mountain Apache Head Start program for the purpose of offering services to preschool children with disabilities

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 it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances or Federal Laws, this Resolution shall be declared null and void and have no legal effect.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Acting Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution. In the event that the Chairman fails to delegate signatory authority to an Acting Chairman, the Vice-Chairman may sign.

The foregoing resolution was on **SEPTEMBER 5, 2012** duly adopted by a vote of **EIGHT** for and **ZERO** against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (j), (k), (s), (t) and (u) of the Tribal Constitution, 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

12/3/12

Date



Mariddie J. Craig, Secretary

11-28-2012

Date