



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Memorandum of Agreement Between White Mountain Apache Tribe Head Start and McNary Elementary School District No. 23 for Provision of Special Education-Related Preschool Services)

WHEREAS, The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation (“Constitution”) 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...”; and

WHEREAS, The White Mountain Apache Head Start (“Head Start”) is the agency of the Tribe, operating under federal grant, that provides free and public early childhood education designed to prepare the Tribe’s children for elementary school; and

WHEREAS, Among Head Start’s federal mandates is to provide services tailored to serve the needs of children with disabilities; and

WHEREAS, To help it meet these mandates and better provide services for special needs children, Head Start, this day proposes to enter into a memorandum of agreement (“Agreement” attached and incorporated herein by reference) with the McNary Elementary School District No. 23, that will allow Head Start and this local public-school district to collaborate in delivery of services to Head Start-aged children with special needs until the end of the 2022 school year; and

WHEREAS, The Council have reviewed the Agreement and finds that its approval will help the Tribe’s special needs children get the services that they require, and is in the best interest of the Tribe and its members.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the attached Memorandum of Agreement between the White Mountain Apache Head Start and the McNary Elementary School District for Special Education Preschool services is hereby approved.

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.

Resolution No. 11-2021-231

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairwoman, or in her 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 **NOVEMBER 10, 2021** 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 September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

			
Gwendena Lee-Gatewood, Chairwoman	Date	Doreen T. Numkena, Tribal Secretary	Date