



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Memorandum of Agreement Between Head Start and McNary Elementary School District No. 23 for 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 Program (“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, including federal mandates to provide services to needs of children with disabilities; and

WHEREAS, Head Start annually enters into an agreement (attached and incorporated herein by reference) with McNary Elementary School District to provide services to Head Start-aged children with special needs for the school year; and

WHEREAS, The Council finds it in the best interest of the Tribe and its members to approve the agreement between Head Start and McNary Elementary School District.

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

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.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his 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 OCTOBER 24, 2022 duly adopted by a vote of NINE for, ZERO against, and ZERO abstentions by the Tribal Council of the

Resolution No. 10-2022-254

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 November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

<i>Kasey Velasquez</i>	<i>10.24.22</i>	<i>Vaneysa Johnson</i>	<i>10/25/22</i>
Kasey Velasquez, Chairman	Date	Vaneysa Johnson, Tribal Secretary	Date