



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving the Tribal Education Department's Adult Education Program's Memorandum of Agreement with the White Mountain Apache Housing Authority for GED Related Services)

WHEREAS, The Constitution of the White Mountain Apache Tribe ("Tribe") of the Fort Apache Indian Reservation provides, at Article IV, Section 1(b) that the Tribal Council ("Council") shall exercise the power, "To negotiate, make and perform contracts and agreements of every description, not inconsistent with federal law or this constitution, with any person, association, or corporation ..."; and

WHEREAS, the Tribe assumed administrative oversight of the Adult Education Program from the Bureau of Indian Affairs ("BIA") through a PL 93-638 Contract on May 12, 1989 and has maintained said contract satisfactorily since then; and

WHEREAS, the COVID-19 pandemic halted all gatherings, including in-person gatherings for learning, which resulted in the Tribe's Adult Education Program's GED Class being disrupted and the Adult Education Coordinator has since retired from the Tribe in December of 2020; and

WHEREAS, the Tribal Education Director began meeting with the White Mountain Apache Housing Authority (Housing Authority) ROSS Program to discuss and explore a potential partnership and subsequently submitted a proposal to the Housing Authority's Board of Directors which they reviewed on February 10, 2023, and agreed to move forward with a Memorandum of Agreement (MOA) between the two tribal departments; and

WHEREAS, the Tribal Education Department recommends the approval of an MOA with the Housing Authority, wherein the Adult Education Program will utilize the Housing Authority's Computer Lab as the designated site for the Tribe's GED Program and other points mutually agreed upon in the attached MOA.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it has reviewed and hereby approves the MOA between the Tribal Education Department and the Housing Authority, wherein the Adult Education Program will utilize the Housing Authority's Computer Lab as the designated site for the Tribe's GED Program, along with other mutually agreed upon terms and conditions set forth in the attached MOA.

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.

Resolution No. 06-2023-135

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 **JUNE 7, 2023** 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 November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

<u>Kasey Velasquez</u>	<u>6-8-2023</u>	<u>Vaneysa Johnson</u>	<u>06/08/2023</u>
Kasey Velasquez, Chairman	Date	Vaneysa Johnson, Tribal Secretary	Date