

August 8, 2022

Department of Diné Education proposes updated public community school audit policy & regulations

Public comments accepted on proposal until August 31

The Department of Diné Education (DODE) held a public/virtual hearing August 8 to discuss proposed changes to its local community school board audit policy and regulations. Through the hearing and receiving public comment, DODE aims to fulfill three objectives:

1. Provide public school board members, school officials, and state and chapter officials an opportunity to view and comment on the proposed regulations;
2. Inform tribal policy makers about need to enforce these policies;
3. Gather public input on the policies.

WHAT THE REGULATIONS ENTAIL

Under the proposed policy, local community schools, including DBOSBA, shall comply with the following guidelines:

1. Complete an annual audit which shall submitted to the DODE and federal government by the date specified by DODE. Each school shall submit then a copy of the audit report, including the corrective action plan, to DODE and the appropriate federal agency.
2. Adhere to due dates for annual audits specified by DODE. Failure to submit a timely audit report, including the corrective action plan, shall subject the school to sanctions.
 - a. After 10 days but within 90 days of the original due date, the school shall be required to submit monthly financial reports to DODE until the school is compliant with all financial and audit requirements.
 - b. After 90 days but within 180 days, the school shall submit a corrective action plan in addition to the monthly financial reports.
 - c. After 180 days, DOE assume control of the local community school pursuant to 10 N.N.C. § 106(G)(1)(a)(iii) and the local community school board shall be suspended from their authority as the school's governing body and placed under the authority of DODE to take the proper and necessary actions to improve the school's financial status. Return of control and authority of the local community school shall be at the recommendation of DODE.
 - d. Any school or school board that ignores or defies these sanctions, may subject the school to assumption of control by DODE. Non-compliance with this provision shall be considered an ethics violation and matter referred to the Office of Ethics and Rules for investigation and prosecution, and the non-compliant staff may be removed from office.

e. DBOSBA and/or its executive board members who ignore or defy these sanctions may be grounds for a revocation of the organization's P.L. 93-638 contract with the Navajo Nation and Bureau of Indian Education (BIE).

3. Retain an auditor and/or auditing firm no longer than three consecutive years.

4. Any school that submits two consecutive years of audits rated as "Qualified," "Modified," "Adverse," "Disclaimer," and/or no audits shall subject the school and its board members to sanctions that may be imposed by DODE, including withholding of stipends, travel restrictions, including up to, assumption of control of the local community school pursuant to 10 N.N.C. § 106(G)(1)(a)(iii).

5. Retaliation against school employees will be prohibited. Local school boards and/or individual school board members are expressly prohibited from retaliating against or taking adverse action against school employee(s) who are ensuring compliance with this policy.

The policy may be evaluated and reviewed by the Health, Education and Human Services Committee (HEHSC) of the Navajo Nation Council for compliance and monitoring on an annual basis as needed. The Superintendent of Schools will report on the compliance and any imposed sanctions to HEHSC at least twice annually.

"It is important to have feedback from the public and schools on the policy. We want to hear from the public through both oral and written comments on this proposed legislation. We will take their input into account at our next meetings, and we will proceed from there with the proposed legislation to share with as many of our lawmakers and stakeholders as possible," said Superintendent Harold G. Begay.

Written comments to the Department of Diné Education on the proposed school board audit policy and regulations may be addressed to:

Department of Diné Education
Attn: School Audit Policy
P.O. Box 670
Window Rock, AZ 86515-0670
Fax: (928) 871-7474
Email: comments@nndode.org

For the latest updates from the Department of Diné Education, visit <http://www.navajonationdode.org/> or follow us on Facebook and Twitter.