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To: TED Advisory Committee
From: Angelina Okuda-Jacobs, Ordinance No. 36 Consultant
Date: December 14, 2018
Subject: **Report, Recommendation, and Outline for new Hopi Education Code**

EXECUTIVE SUMMARY

This “Report, Recommendation, and Outline for the new Hopi Education Code” summarizes the Public Works Feasibility Study and my findings. My examination has found that each Hopi school is essentially operating as its own unified school district. Each is required to undertake all the roles and responsibilities of a school district. This overburdens administration personnel, and does not allow the schools to achieve cost savings and economies of scale.

The CSAs, teachers, and other stakeholders are in general agreement that centralized support would benefit many of the schools’ needed services. Their greatest concern is the loss of local autonomy and over-reach by the Tribal Council or a superintendent. At the same time, there is a need for greater accountability and administrative support for Hopi schools. The proposed Hopi Education Code seeks to balance all these needs and considerations.

Based on the Feasibility Study’s findings and recommendations, my findings from Hopi site visits, and my analysis of tribal education codes and education law and policy, it is my recommendation that the Hopi Tribe adopt an Option 4 Unified School District Model that is tailored to the Hopi school system. I also recommend that Hopi develop a Comprehensive 10-year Hopi Education Plan.

This Report includes:

- Part A -- a summary of the Feasibility Study’s key findings and recommendations.
- Part B -- my findings and recommendation for the Hopi school system.
- Part C -- an outline, table of contents, organizational chart, and other supporting documents to show how the new Hopi Unified School District would be established.

The Hopi Education Code will be completed no later than June 2019. Once it is adopted by the Hopi Tribal Council, the project will enter a Planning phase during which stakeholders will plan the detailed structures and procedures of the new Hopi school system. Once Planning is completed, the project will enter the Implementation phase to transition to the new Hopi Unified School District. While some aspects of the new Hopi Education Code will begin as soon as the Code is adopted, the entire transition process will likely take 1-2 years.

REPORT, RECOMMENDATION AND OUTLINE

A. Key Findings and Recommendations of Public Works Feasibility Study

Because Public Works Feasibility Study has previously been presented to Hopi education stakeholders, I provide here only key findings and recommendations as stated in the Feasibility Study, particularly as they relate to the organizational structure of the Hopi school system.

1. Key Findings of the Feasibility Study:

- a) The current Hopi educational system isn't working well and the Hopi's locally controlled schools need more support; however, the Tribal government lacks the financial ability or administrative capacity to provide it. For example:
 - Because Hopi schools are independent, peers are not learning from each other.
 - Schools are not optimizing resources because they are failing to achieve economies of scale.
 - Community members and school staff alike want more support from a reservation-wide entity.
 - There is no synergy between schools or accountability for poor academic performance or ineffective governance.
- b) The current Hopi Board of Education does not have the capacity to support or oversee all Hopi schools effectively.
- c) The schools need administrative and curricular supports that they are not receiving, and that could be provided by a schools' superintendent.
- d) If a central authority is constituted, its responsibilities, and the roles, powers and duties of the local schools, still can vary widely across a range of substantive areas.
- e) The schools can collaborate, pool funds, or even centralize authority in certain administrative areas, without necessarily ceding authority over money and budget, however, if a district office was established or supplemental supports created for schools, it needs to consider additional resources.
- f) Lack of curricular alignment between the elementary and secondary levels and the sustained low performance at the elementary level have culminated in lack of preparedness and low performance of students at the secondary level.
- g) The Hopi Tribal government lacks administrative capacity, and/or financial ability to provide support for schools, and therefore, it lacks the trust of some stakeholders that it can provide oversight over a Hopi school system.

2. Key Recommendations of the Feasibility Study:

- a) If the Hopi decide to design a reservation-wide education system, they should consider how to structure a central board.
- b) Regardless of the organizational structure chosen, the Hopi should consider hiring a superintendent who will oversee all schools and support all school leaders.
- c) In considering a centralized entity that would provide more consistent support and/or oversight to Hopi schools, the TED Advisory Committee should determine those administrative, non-curricular areas to which the superintendent would provide support and/or oversight.
- d) The Hopi Tribe should determine how to fund its centralized entity and/or separate operational areas.
- e) Whether implementing a consortium, a central entity, or a unified school district, the TED Advisory Committee should consider what aspects of curriculum would be maintained locally, and what aspects would be developed on a reservation-wide basis.
- f) As a first step toward building a comprehensive educational system, however it is structured in the long-term, the Hopi educational leadership should take immediate steps to compile data, strengthen its governance capacity, act collaboratively, and build trust as it continues the community dialogue about long-term options.

B. Angelina Okuda-Jacobs' Key Findings and Recommendations for the Hopi School System

To determine the best structure for the updated Ordinance No. 36, I have conducted three site visits to Hopi this year. I have also conducted extensive research into federal, state and tribal education policy and laws.

In May, I met with the Hopi Board of Education and other education stakeholders and attended the Public Works two-day presentation of their Feasibility Study. In October, I visited all seven Hopi schools and met with the schools' CSAs, board members, teachers, teacher assistants, students and administrative staff. In November, I held public forum meetings at the schools to gather input from Hopi village communities and parents. I met again with school CSAs, staff, teachers, teacher assistants, and students. I also met with the Tribal Council, Hopi Board of Education, and Hopi Foundation.

These meetings expanded on the information collected in the Feasibility Study and provide a basis for my recommendation. Here are the key findings from these meetings.

1. Key Findings of Angelina Okuda-Jacobs Meetings with Hopi education stakeholders and Analysis of Education law and policy:

- a) Hopi schools are all essentially operating each as their own unified school district. Each school is required to undertake all the roles and responsibilities of a school district. This overburdens administration personnel and does not allow the schools to achieve cost savings, efficiencies from uniform operations, and economies of scale. In addition, because administration and teaching staff are so busy with the operation of the schools, there is little time to create multi-year strategic planning, develop innovative curricular and assessment plans, and otherwise engage in dynamic teacher and administrative evaluation and planning.
- b) CSAs and members of local school boards of the elementary schools generally agreed that many areas could be centralized. However, they were concerned with the loss of local autonomy and over-reach from the Tribal Council or a superintendent, and suggested due process provisions to prevent this. They also did not want the local school boards to be dissolved. (The areas that they generally agreed should and should not be centralized are listed in Addendum No. 1.)
- c) The Hopi Junior/Senior High School has less of a need for centralized administrative assistance because they already have significant administrative staffing, budget and transportation resources.
- d) All seven schools reported difficulty with finding people to run for their local school governing boards.
- e) Many stakeholders reported that nepotism and favoritism are continuing issues among school teaching staff, administration, and school boards. Similarly, disharmony and gossip among teaching/administration staff and community members is present among many of the schools and impacts staff and student morale.
- f) The local school governing boards and the CSAs generally have good working relationships. However, in some instances, the relationships between the local boards and CSAs are so close that the oversight responsibilities of the boards may not be as present as the school needs. On the other hand, some school boards may be overzealous in their application of critique of staff personnel.
- g) While the CSAs are beginning to hold discussions on ways they could collaborate, there is no system in place to ensure equal and fair use of resources, open communication, data sharing, and accountability. If a centralized resource-sharing system was in place, for example, a federal grant specialist could identify federal grants on a daily basis, report these grants to all Hopi schools, and assist with grant writing.

- h) Teachers:
 - Across all the elementary schools, the teachers are all at different pay scales. This leads to competition amongst the schools for teachers.
 - Hopi Junior/Senior High School teachers reported that they have not had an across the board pay increase for 10 years, however, HJSHS administration reports that they did have an across the board pay increase 5 years ago.
 - Some teachers and teacher assistants had concerns about unequal treatment of the staff by administration and lack of consistency in evaluation and enforcement of employee policies.
 - Many teachers and teaching assistants were in agreement that a unified school district would be beneficial for the Hopi school system. Some also did not think that the local school boards were effective or managed their operating/travel budgets appropriately.
- i) Many parents/guardians are withdrawing their children and changing schools. Sixty-seven percent of junior high school AVID students reported changing schools in a one year time period. The reasons for changing schools vary, including job needs of their parents, unique activities at certain schools, smaller classroom size/more one-on-one attention, and disliking a teacher or administration.
- j) Elementary Schools
 - CSAs and teachers suggested a consistent curriculum and accountability protocols among the elementary schools in part because when students change schools, they are at different levels of preparedness.
 - However, some also had concerns about losing ability to determine curriculum and teaching methods.
 - Junior/Senior High School staff also confirmed that the elementary school students come into the JSHS at different levels.
- k) All stakeholders agreed that the 7th and 8th graders should be separated from the high school.
- l) The two areas most stakeholders suggested could be centralized were transportation and special needs education:
 - Transportation: All the elementary schools suggested a centralized transportation system for Hopi; however, one elementary school had questions about what would happen to buses the school had previously purchased. In another case, one bus driver stated that she personally inspects underneath her bus because there are no mechanics on the school staff. She is also one of two drivers at her school. There are no substitute drivers. Therefore, if the other driver is out sick, she must do the entire route herself which results in some of the students being on the bus for two and half hours in the morning and in the afternoon.

- Special Needs Education: Stakeholders did not want a single school where all of the special needs students would attend. Instead, they wanted a centralized support program that would assist with special needs services, hiring and retaining special needs teachers.
- m) Stakeholders want more parental and community participation in the schools.
- n) Many stakeholders asked for a centralized system to determine certification, curriculum, and assessment for a Hopi language, culture and history program for all Hopi schools.
- o) Two of the schools report they are in need of a new school – Moencopi and Hotevilla/Bacavi. Hopi Day School may also need a new school.
- p) In a meeting with a class of 11th grade AVID (Advancement Via Individual Determination) students at the Hopi junior/senior high school:
- 43% of these AVID students stated that they did not feel prepared for post-secondary education or work life. As these students are some of the high school's top students and are actively preparing for college, this is a high percentage. In addition, this percentage is likely higher among non-AVID students.
 - 67% of them reported that during their elementary school years, they changed schools at least once within a one-year time frame. This is a very high percentage and results in disruption of students' academic and social development. It also takes up significant amount of administrative time to process these students' departures and arrivals, particularly as the schools do not currently follow the same data and tracking systems for students.
 - For those students who switched schools between a Hopi and non-Hopi school, 100% of them reported that the non-Hopi school was more rigorous, such that they were ahead if they transferred into a Hopi school and behind if they transferred into a non-Hopi school.
 - They reported that one of the things they dislike about school is when teachers get angry or mad and then take their anger out on the students.
 - They are also looking for opportunities after they graduate so that they can stay on the reservation. They would like to see more internships and vocational classes at the high school. They would also like to see more Hopi culture, history, activities, guest speakers/storytellers, and conversational Hopi language classes.

- q) In meetings with elementary school students, some of the key concerns these students expressed were:
- Long bus rides (over an hour and 15 minutes)
 - Needing more good teachers and substitutes
 - Wanting more Hopi culture and language classes, technology, sports, and art and music classes
 - Bullying/Gossip

2. Angelina Okuda-Jacobs Recommendation:

Based on the Feasibility Study's findings and recommendations, my findings from Hopi site visits, and my analysis of tribal education codes and education law and policy, it is my recommendation that the Hopi Tribe adopt an Option 4 Unified School District Model that is tailored to the Hopi school system.

I also recommend that Hopi develop a Comprehensive 10-year Hopi Education Plan. This Plan could be created during the planning phase for the new Hopi school system. The first five years of the 10-year Plan should focus on planning, organizing, and implementing the new Hopi Unified School District. The second five years of the 10-year Plan should focus on making adjustments as needed and on creating the learning system the Tribe wants for its children so that it truly reflects Hopi academic goals as well as Hopi culture, values, history and language.

By bringing all the schools together under a single, unified school district, the schools will be able to pool their expertise and join together to develop a comprehensive vision and strategy for the education of all Hopi children.

3. Overview of my recommended Hopi School System Structure

Below is a brief overview of how the Option 4 Unified School District Model could be implemented for the Hopi school system. An organizational chart of the Hopi Unified School District is also provided in Addendum No. 2:

- a) Creation of a new "Hopi School Board." This new Hopi School Board would be organized as an independent Regulated Entity. The Hopi School Board would have budgetary and policy making authority over the new Hopi Unified School District and its seven schools.
- Members of the Hopi School Board will be decided by a vote from each attendance area. Each attendance area will vote for one member to be on the Board. This will assure equal representation and authority for each local school and attendance area on the Board.
 - The Hopi School Board will replace the existing Hopi Board of Education, which would be disbanded. The local school governing boards will be

converted into school site councils, and their governing authority will be transferred to the Hopi School Board.

- b) The Hopi School Board will hire and oversee a Superintendent:
 - Superintendent must be thoroughly qualified and will be charged with making day-to-day management decisions for the Hopi Unified School District.
 - Superintendent hires, supervises and manages the central staff (for example, transportation director, facilities director, etc.). Superintendent generally assists the CSAs with administrative tasks. Hiring/firing of CSAs is made by Hopi School Board in consultation with the Superintendent. School CSAs oversee and manage staff and daily operations within their schools.
- c) Local schools will continue to have general managing authority over their schools, and will implement policies as set forth by the Hopi School Board. They will make recommendations to the Superintendent for hiring/firing of school staff, budget needs, supplies, transportation needs, etc. The Superintendent must approve schools' recommendations unless he/she has specific and reasoned justifications to reject the recommendation. Any rejection of a school's recommendation must be documented in writing, and the school may appeal the decision to the Hopi School Board, and ultimately to the Tribal Council, which will issue the final decision.

4. Remaining Funding Questions to be Determined

The following budgetary questions would need to be determined for the Hopi Unified School District:

- a) Will BIE funding continue to go to the local schools, or will BIE funding go to the new Hopi School Board under a single, BIE Tribally Controlled School grant?
 - If BIE funding stayed with the local schools, the Tribe would need to sign a Memorandum of Agreement ("MOA") with each school. These MOAs would contain joint-purchasing agreements that allow the schools to "purchase" administrative services and supplies for their schools. This would ensure that the costs allocation formula for administrative services is agreed to by all parties and the responsibilities of each party are clearly identified. Several schools indicated that they would agree to contribute to this sort of system. While this option would not result in any loss of BIE funds, it would be more administratively complex than a budget system controlled by the Hopi School Board.
 - If BIE funding goes directly to the new Hopi School Board, the Tribe would need to issue a new Tribal Resolution stating that the schools would now be operating under a single grant. This Resolution would then be sent to BIE.

The primary budget difference with this single grant option is that BIE administrative costs funding would likely be reduced. For example, using Hopi's budget numbers for the 2017-2018 school year, the administrative costs for all Hopi schools combined would be reduced by 27%, or \$1,159,100. The other BIE budget numbers would not be impacted by the single grant option. While this option would bring in less administrative dollars, the administrative budget would be less with the increased efficiency, and therefore, it may not result in a net loss.

- b) The Feasibility Study did include an example of a tribe who has successfully implemented a single grant, unified school district, the Choctaw Tribe of Mississippi. The Choctaw system demonstrates that centralized, cost savings and careful allocations can support the cost of running a unified school district:
- The Choctaw Tribe operates a unified school district under a single grant. The Tribe oversees eight schools, which are all Tribally Controlled Schools, and has an enrollment of approximately 2,340 students.
 - They have a centralized administrative staff consisting of about 30 employees and 25-30 administrative staff (principals/assistant principals/secretaries) within the schools themselves.
 - The annual BIE budget for all Choctaw schools is approximately \$35 million. This \$35 million BIE budget covers the cost of operating all eight Choctaw schools, including administrative costs. The Tribe contributes some funding but this is for supplemental programs.

NOTE: The annual BIE budget for all Hopi schools is approximately \$30 million. This covers seven schools and about 1,500 students.

- The Choctaw Tribe, not BIE, provides the office building space for the central administrative staff.

- c) In determining the feasibility of a unified school district for Hopi, it is helpful to examine the spending of other unified school systems. These figures demonstrate the importance and successful application of cost savings and efficiency that come with unified schools. Here are the expenditures for operational program costs per pupil for Arizona, the U.S. National average, the Chinle Unified School District, small rural schools in Arizona, and Bureau of Indian Education at Hopi:

STATE OF ARIZONA PER PUPIL¹ 2017	NATIONAL AVERAGE PER PUPIL² 2016	CHINLE UNIFIED SCHOOL DISTRICT, CHINLE, AZ 2017	SMALL RURAL SCHOOLS IN ARIZONA PER PUPIL 2017	BIE PER PUPIL AT HOPI 2017/2018
\$8,141	\$11,762	\$13,653	\$7,774	\$18,884

- To compare equally across all school systems, only operational expenditures are included here. Nonoperational areas (land, buildings, interest, equipment) are not included, and amount to about \$1500/pupil/year for both Arizona and the national average.
- To provide a more parallel comparison to a school district similar to Hopi, I have also included the Chinle Unified School District. As you know, Chinle is on the eastern edge of Hopi and completely on the Navajo Reservation. The Chinle Unified School District has a per pupil spending rate of \$13,653. Most of the funds for Chinle's per pupil budget come from federal revenue dollars, which is \$10,453 per pupil.
- Rural, non-reservation school districts which are of similar size, location, and type as Chinle have a much lower per pupil expenditure. These schools are operating without the benefit of federal revenue dollars and are maintaining their schools with an average cost of \$7,774 per pupil per year in Arizona.
- I have included a copy of State of Arizona and the Chinle Unified School District report pages from the Arizona State Auditor General Report for your review. See Addendum No. 3.
- The figure for Hopi is based on BIE funding figures for each school which came directly from BIE. Bureau of Indian Education, Hopi Budget source document for 2017/2018 school year (Nov. 2018). I used the student count numbers which the schools provided to me to reach a per pupil average.

¹ Arizona State Auditor General, "Arizona School District Spending Report, FY 2017" (Mar. 1, 2018).

² U.S. Census Bureau, "Annual Survey of School System Finances, FY 2016" (May 21, 2018).

**C. Outline of proposed Hopi Education Code implementing the Option 4
Unified School District Model**

As you will see below, I have included more explanation and detail in this Table of Contents than would be in a normal Table of Contents. I did this so that all stakeholders would have a more thorough understanding of these provisions at this stage. These explanations and details will be removed from the Table of Contents as the drafting stage begins.

HOPI EDUCATION CODE

TABLE OF CONTENTS

Chapter 1. General Provisions

Short Title

Authority and Responsibility

Findings, Intent and Purpose, and Declaration of Policy

Definition of Terms

Severability

Repeal of Inconsistent Ordinances and Resolutions

- Hopi Tribal Resolution H-33-81, Ordinance No. 36, is hereby repealed.

Chapter 2. Tribal Council

Tribal Council

- Tribal Council delegates authority to the new regulated entity, the Hopi School Board, to manage, develop policy, and oversee all Hopi schools.
- Under extraordinary circumstances, the Tribal Council may review a Hopi School Board action or inaction if the Tribal Council agrees to the review by a greater than 50% vote.
- Any and all powers not specifically included in the Hopi Education Code and Hopi School Board bylaws and policies are reserved to the Hopi Tribal Council.
- Hopi School Board bylaws and policies shall be ratified by the Tribal Council.

Health and Education Committee

- Health and Education Committee (“HEC”) is the committee with jurisdiction over issues regarding education on the Hopi reservation.
- The HEC shall review regular reporting from the Hopi School Board.

Chapter 3. Hopi School Board

Creation of the “Hopi School Board” as a Hopi Regulated Entity

- The Hopi School Board will replace the existing Hopi Board of Education and the local school governing boards.
- The Hopi Board of Education shall be disbanded with its powers transferred to the Hopi School Board upon the date of enactment of this Code.
- The existing local school governing boards shall be converted into school site councils with their governing and oversight powers transferred to the Hopi School Board upon the date of enactment of this Code.

Election of Hopi School Board members – [Suggested Two Options]:

- Total Board membership shall be nine (9) members:
 - One member elected from each attendance area (7 members)
 - One member elected from an at large voting position who shall serve as the Chairperson of the Board (1 member)
 - One member appointed to it by the Tribal Council (1 member).*OR,*
- Total Board membership shall be seven (7) members:
 - One member elected from each attendance area (7 members)
 - Chairperson shall be one of the 7 elected Board members and shall be determined by a vote of the 7 members.

Terms of office: 4 years, staggered every 2 years

Eligibility for Board membership??

Removal from the Board

Vacancies

Duties and Obligations of Hopi School Board

- General supervision over all Hopi schools (K-12)
- Establish educational policy
- Budget
- Establish Education Standards for all Hopi Schools
- Establish Curriculum for all Hopi Schools
- Hiring and firing of CSAs in consultation with the Superintendent
- Meet quarterly with the HEC to report on Hopi schools
- Meet annually with Tribal Council to present Annual “Educational State of the Hopi” Report

Duties and Obligations of the Chairperson

Annual “Educational State of the Hopi” Report

- With the Superintendent, prepare annual Educational State of the Hopi Report
- Present Annual “Educational State of the Hopi” Report to Tribal Council

Hearings

- Board shall have power to hold public hearings on education related matters.

Committees

- May create “committees” to address Hopi education issues
- Coordinate with the Department of Education and Workforce Development and the TED project to create a Committee to oversee the planning and implementation of the new Hopi Education Code, including examination of separating 7th and 8th graders from the Hopi Junior/Senior High School.
- Create a Committee to oversee the creation of a Comprehensive 10-year Hopi Education Plan.
- Create Committee to oversee the creation of a Comprehensive Hopi language, culture and history curriculum and assessment program.

Bylaws

- Adopt bylaws establishing rules of procedure and internal governance within 90 days following the Hopi School Board’s first election authorized by this Code. These Bylaws shall be submitted to the Hopi Tribal Council for review and approval.

Policies

- Adopt school policies within 180 days following the Hopi School Board’s first election authorized by this Code. These Policies shall be submitted to the Hopi Tribal Council for review and approval.

Responsibility for unacceptable performance of duties

- In exercising any powers granted, each Board Member shall not be immune from any responsibility that results from willful, knowledgeable and unacceptable performance of his/her duties.

Meetings

- Board shall meet not more than twice a month.

Records

- Hopi School Board shall keep records and minutes of all meetings.

Chapter 4. Superintendent

- The Hopi School Board shall hire and supervise a Superintendent of all Hopi Schools.
- Provide a list basic qualifications that will be required of the Superintendent.
- Superintendent shall be charged with making day-to-day management decisions for all Hopi schools, including educational programing, curriculum, spending, and facilities.
- Superintendent shall have authority to hire, supervise and manage the central staff (for example, transportation director, facilities director, etc.) and CSAs/principals.
- Superintendent shall develop procedures, in consultation with local schools, to implement policies set forth by the Hopi School Board. In developing procedures, the Superintendent shall consider special circumstances for local schools.

- Superintendent shall, in consultation with local schools, develop a uniform system of records and a comprehensive data collection and sharing system for all Hopi schools.
- Compile student data to submit report to Hopi School Board.
- Meet with Hopi School Board once per month and give report.
- Meet quarterly with the HEC to report on Hopi schools.

Chapter 5. School Site Councils³

- All local school governing boards shall become “School Site Councils.”
- All local school boards’ governing authority shall be transferred to the Hopi School Board.
- Membership in these School Site Councils shall be determined by _____.
- School Site Council purposes shall be to:
 - Advise their school in implementing school policies, like budget, calendar, and discipline;
 - Address community/parental concerns and bring parents into school decision-making processes;
 - Improve academic achievement;
 - Support teachers and administrators; and
 - Assist with other local school matters not otherwise within the jurisdiction of the Hopi School Board.
- Any School Site Council operating expenses, member compensation, training and travel budget shall be approved by the Superintendent.

Chapter 6. Local Schools

- All local Hopi schools shall implement and report to Superintendent on education policies developed in conjunction with the elected Hopi School Board
- Required to submit student data to Superintendent
- Schools retain general authority to operate their school, determine instruction methods, set schedules, set discipline policies, choose supplies, and other powers not otherwise within the jurisdiction of the Hopi School Board and Superintendent
- Hiring Decisions and other matters.
 - Local schools shall provide their recommendations in writing to the Superintendent regarding hiring decisions and other matters requiring Superintendent approval.
 - Superintendent shall approve the school’s recommendation unless he/she has specific reasons for rejecting the recommendation.
 - If the Superintendent does not agree with the hiring or other recommendation, the Superintendent shall provide a written statement of reasons to the local school within 15 days of receiving the

³ An example template for a school site council’s bylaws, as created by the California Department of Education, is attached for your review in Addendum 4.

recommendation.

- The local school may appeal the Superintendent's rejection to the Hopi School Board within 15 days of receipt of the Superintendent's decision.
- If the local school appeals, the Hopi School Board shall provide a hearing on the matter within 30 days of receiving the appeal, and issue a decision within 15 days of the hearing.
- If dissatisfied with the decision of the Hopi School Board, the school may appeal the decision to the Hopi Tribal Council within 15 days of the School Board's decision.
- The Tribal Council shall issue a final decision, which shall not be further appealable.

Chapter 7. Department of Education and Workforce Development Collaboration

- Department of Education and Workforce Development and the Hopi school system shall fully collaborate to ensure consistency in curriculum and preparedness at all learning stages, particularly with the Department's early childhood, Head Start, Hopilavayi, and post-secondary education and workforce development programs.

Chapter 8. School Attendance Requirements

Chapter 9. Attendance Area Designation

- The Every Students Succeeds Act no longer requires school choice as previously mandated by the No Child Left Behind Act. The Bureau of Indian Education still requires Tribally Controlled Schools to define attendance area boundaries.
- The existing Hopi attendance area boundaries shall remain in effect.
- To support the unique values and culture of Hopi village communities, all Hopi students are required to attend the school for the attendance area within which they currently reside.
- In the event that a parent or guardian wishes their child to attend a school not within their attendance area boundary, they may apply for a waiver.
- The Hopi School Board shall determine factors to be considered in reviewing a waiver application.
- The implementation of the Attendance Area Boundary requirement shall be done prospectively on a rolling basis as follows:
 - The attendance area requirement shall apply to all new students who enter the Hopi school system.
 - Students who, as of the date of enactment of this Code, are NOT attending the school of the attendance area of their residence shall be automatically granted a waiver so that they can remain in that school if they so choose.

- If they want to change schools, they may change to the school of the attendance area of their residence without applying for a waiver.
- If they want to change to a school not in the attendance area of their residence, they must apply for a waiver.
- Students who, as of the date of enactment of this Code, are attending the school of the attendance area of their residence must apply for a waiver if they want to change schools.
- The Hopi School Board shall have the authority, in consultation with local villages and schools, to revise the attendance area boundaries as needed.
- Hopi Tribal Resolution H-100-2002 is hereby repealed.

Chapter 10. Educators

- Certification requirements
- Cultural orientation for new teachers, staff, etc.
- Certification of Hopi language, culture and history teachers
- Hopi School Board shall implement policies which ensure fairness in staff evaluation and prevent favoritism/nepotism.

Chapter 11. Hopi Values Learning Framework

Chapter 12. Parental Involvement Policy

Chapter 13. Home Education and Private Schools

Chapter 14. Consultation, Cooperative Agreements, and Partnerships with Non-Hopi Schools

- Utilize Every Student Succeeds Act and other laws and policies to create agreements with non-Hopi schools where Hopi students attend so that the Tribe can better influence these Hopi students' education.

Chapter 15. Future Development of Hopi Education Standards, Curriculum and Assessments

- At some point in future, Hopi may undertake to develop its own Hopi education standards, curriculum and assessments as provided for in federal law and regulations.
- Hopi may establish an AdvancED Hopi Office to monitor and improve curriculum, training, professional support, and other programs.

Chapter 16. Appropriations/Finances

- *This still needs to be decided. See Part B.4. Suggested Options are:*
 - Keep multiple grants with BIE funding going to each local school -- The Tribe and the schools shall sign Memorandum of Agreements to allow joint purchasing agreements to fund administrative services to the schools. This would result in more complicated financial administration by using MOAs, but would not result in any loss of BIE funding.

- Single BIE Grant -- Consolidate BIE funding under a single grant under the direction of the new Hopi School Board. This would streamline administration, audits, accounting, and bring down costs. At the same time, it will likely result in the loss of BIE “admin cost” dollars of about \$1 million per year for all Hopi schools combined. Because administration costs would be reduced, this may or may not result in a net loss.

Chapter 17. Non-Compliance with the Hopi Education Code

Chapter 18. In loco parentis

- School Board shall not assume parental rights for any child while such child is in attendance at a Hopi school.
- Corporal punishment shall not be permitted as a form of discipline in any policy of the Hopi School Board.

Chapter 19. Amendments

Chapter 20. Sovereign Immunity

- Nothing in this Chapter shall be construed as a waiver of sovereign immunity of the Hopi Tribe in any State, Federal or Tribal Court of competent jurisdiction.

Chapter 21. Effective Date of Ordinance