

# THE NAVAJO NATION

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JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



August 24, 2020

The Honorable David Bernhardt  
Secretary  
U.S. Department of the Interior  
1840 C Street NW  
Washington, D.C. 20240

The Honorable Tara Sweeney  
Assistant Secretary – Indian Affairs  
U.S. Department of the Interior  
1840 C Street NW  
Washington, D.C. 20240

The Honorable Tony Dearman  
Director  
Bureau of Indian Education  
U.S. Department of the Interior  
1840 C Street NW  
Washington, D.C. 20240

## **Re: Reopening of BIE Schools within the Navajo Nation Must Provide Online or Distance Learning for the Fall 2020 Semester**

Dear Secretary Bernhardt, Assistant Secretary Sweeney, and Director Dearman:

We hope that this letter finds you and your loved ones well. We write to express the position of the Navajo Nation on the reopening of face-to-face in-classroom instruction for Bureau-operated schools located within the Navajo Nation. It is the Navajo Nation's official position that every federally operated school under the control of the Bureau of Indian Education (BIE) remains closed for face-to-face and in-classroom instruction for the entirety of the Fall 2020 semester. We expect every Bureau-operated school that is geographically located within the boundaries of the Navajo Nation to prepare-for and provide online or distance learning until January 2021, when at that time the Navajo Nation will reassess its position.

As we learned in your August 7, 2020 Dear Tribal Leader Letter and during our teleconference meeting on Tuesday, August 11, 2020, it is the position of the Administration to reopen schools for in-classroom and face-to-face instruction with a hard-reopen date of September 16, 2020. However, during the past couple of months the Navajo Department of Diné Education (DODE) has been proactively working with schools, parents, the states and our administration in planning and developing guidance for the reopening of both elementary and secondary schools as well as the Tribal colleges and universities. In order to have a better sense of what the community wants when it comes to the education of their children, DODE conducted an extensive community survey. Based upon the overwhelming response from the community, DODE learned that parents overwhelmingly support online learning, and fervently oppose in-person, face-to-face, and in-classroom learning. The Office of the President and Vice President, the Navajo Nation Board of Education, and the Department of Diné Education, support our Navajo parents and their concern for keeping their children, families, and communities safe. Furthermore, we have heard from teachers who have expressed concern for their safety and health should in-person, face-to-face and

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in-classroom learning remain unilaterally mandated by the United States, the BIE, and the U.S. Department of the Interior leadership.

Furthermore, the state educational departments and governors for the states of New Mexico, Arizona, and Utah have acknowledged the Navajo Nation's inherent sovereign authority to impose the Navajo Nation public health order for online learning only for schools within the Navajo Nation. The Navajo Nation's sovereign authority has also been recognized by the Navajo Area Bureau of Indian Education. Mr. Charles Sherman, Acting Associate Director for Navajo Area BIA stated that their plans for BIE schools within the Navajo Nation are focused on online learning only, consistent with the Navajo Nation's position regarding school reopening. In fact, Mr. Sherman informed us that Navajo BIE schools are heavily invested in updating and upgrading WIFI technology for online learning for Navajo students and their families.

Collectively, Navajo parents, the Navajo Department of Dine Education, the Navajo Nation Board of Education, the Office of the President and Vice President, Navajo Nation communities, the Navajo Nation Department of Health, the States of Arizona, New Mexico and Utah have all recognized the paramount need to protect the health and safety of Navajo children by supporting online learning until such a time when the health professionals and COVID-19 gating criteria inform us that it is safe to reopen schools in a phased approach, ever cautions to guard against COVID-19 infections, outbreaks, and closures. We are ready and prepared to ensure that all school entities within the Navajo Nation honor and recognize the Navajo Nation's inherent sovereign authority to protect the health and wellbeing of our most precious tribal resource, our children, their families, and our communities.

Therefore, we hope the Trump Administration, along with the Bureau of Indian Affairs and the Bureau of Indian Education will work in partnership with the Navajo Nation by respecting and adhering to the Navajo Nation's position for BIE schools to remain closed, and the classes and learning will remain online-only until the above conditions are met. The Navajo Nation will not allow the resumption of in-person, face-to-face in-classroom instruction within the Navajo Nation at this time. Our position is consistent with the exercise of our inherent sovereign authority to protect the health and welfare of our Navajo children, their families, our communities, and the Navajo Nation.

Throughout our experience combating this deadly virus, we have found that when we all work together in partnership, we are able to effectively overcome challenges and save precious lives. We appreciate your understanding and look forward to working with you to keep our students and communities safe. Should you have any questions, please do not hesitate to reach out to us, Milton Bluehouse Jr., Deputy Chief of Staff at [mbluehouse@navajo-nsn.gov](mailto:mbluehouse@navajo-nsn.gov), or Santee Lewis, Executive Director of the Navajo Nation Washington Office, at [slewis@nnwo.org](mailto:slewis@nnwo.org). Aheéhee', thank you.

Respectfully,



Jonathan Nez, *President*  
**THE NAVAJO NATION**



Myron Lizer, *Vice President*  
**THE NAVAJO NATION**

Cc: The Honorable Martin Heinrich  
The Honorable Mike Lee  
The Honorable Martha McSally  
The Honorable Mitt Romney  
The Honorable Kyrsten Sinema  
The Honorable Tom Udall  
The Honorable Andy Biggs  
The Honorable Rob Bishop  
The Honorable John Curtis  
The Honorable Ruben Gallego  
The Honorable Raúl Grijalva  
The Honorable Paul Gosar

The Honorable Deb Haaland  
The Honorable Ann Kirkpatrick  
The Honorable Debbie Lesko  
The Honorable Ben Ray Luján  
The Honorable Ben McAdams  
The Honorable Tom O'Halleran  
The Honorable David Schweikert  
The Honorable Xochitl Torres Small  
The Honorable Greg Stanton  
The Honorable Chris Stewart  
Navajo Area – Bureau of Indian Education