



NAVAJO NATION HUMAN RIGHTS COMMISSION

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NNHRC opposes proposed CCSD split after assessing human rights and voting rights standards

SAINT MICHAELS, Navajo Nation—After assessing standards for human rights and voting rights, the Navajo Nation Human Rights Commission has determined what serves the best interest for the Navajo Nation and opposes the Central Consolidated School District citizen-driven petition to split the school district and create a new one.

On May 21, 2012, NNHRC Commissioners unanimously opposed the CCSD split. The split would segregate non-Native American voters who are parents from the predominately Navajo school district.

According to NNHRC resolution (NNHRCMAY-19-12), “The Navajo Nation Human Rights Commission hereby opposes the splitting of the [CCSD] and urges the compliance with the human rights standards as follow:

- a. The Navajo people have the right to the dignity of their culture, tradition, history, and aspirations which must be appropriately reflected in the education and public information material;
- b. The United States of America and New Mexico must ensure effective measures, in consultation and consent of the Navajo people to combat prejudice and eliminate discrimination against the Navajo people in the education system serving the Navajo children;
- c. The Navajo people have the right, without discrimination, to improve on their, *inter alia*, economic and social conditions, and the education systems that serve their Navajo children; and
- d. Where the rights of the Navajo citizens and children will be impacted, such as splitting a school district where majority of the citizens in such school district is Navajo, the state public education departments must seek and secure the consent of the Navajo children and parents concerned and Navajo Nation to ensure the best interest of the Navajo children are protected.”

NNHRC Executive Director Leonard Gorman transmitted the resolution to the New Mexico Public Education Department’s Secretary-Designate Hanna Skandera on May 23, 2012. Attached to the resolution was one exhibit of the current district map with U.S

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Census data and two proposed redistricting maps, one illustrates the proposed school district from Children First and one other proposed by NNHRC. Each scenario utilized two land based generated GIS maps with the current U.S. Census data. NNHRC acquired the data after the release of the U.S. Census data in their redistricting efforts to protect the voting rights of Navajo people in New Mexico, Arizona, and Utah in each respective congressional, legislative and county proposed voting district. At that time, the Navajo Nation Council and NNHRC took on the effort to protect voting rights of Navajo people as a protected society, according to the Voting Rights Act of 1965. Council Delegates Jonathan Nez, Lorenzo Bates, Alton Shepherd, Leonard Tsosie and Kenneth Maryboy led redistricting efforts on behalf of the Navajo Nation Council.

NNHRC used the redistricting GIS database to generate redistricting maps about CCSD.

For the proposed school district by Children First, Navajos voting strength will be diluted. Diluting a protected society like Navajo violates the Voting Rights Act and undermines input about the school administration; therefore, it is not in the best interest of Navajo citizens.

As for the scenario NNHRC created, Navajos citizens voting rights are intact but as in any proposal for a new proposed district like a split from CCSD, N.M. PED must seek the consent of the Navajo Nation, under the principle of right of self-determination and sovereignty.

“By virtue of the enduring principles of sovereignty and self-determination it’s important for the Navajo Nation to weigh in on issues and creation of new school districts that involve their citizenry,” according to the NNHRCMAY-19-12 resolution.

“It was clearly demonstrated based on the people that spoke for and against splitting the Central Consolidated School District that the issue is racially polarized.”

Navajo Nation Vice-President Rex Lee Jim did weigh in on the issue.

On May 16, 2012, Hon. Jim provided a testimonial before Secretary-Designate Skandera, N.M. PED Indian Education Division Director Ferlin Clark, and N.M. PED attorney Willie R. Brown at a N.M. PED public hearing at San Juan College in Farmington, N.M.

Gorman was also in attendance on behalf of NNHRC.

The purpose of the public hearing, according to the public hearing announcement was, “In the matter of a public hearing on the creation of a new school district to be called Kirtland School District, and if approved, to be drawn and bounded within the geographical boundaries of Central Consolidated School District #22.”

“It was clearly demonstrated based on the people that spoke for and against splitting the Central Consolidated School District that the issue is racially polarized,” according to the NNHRCMAY-19-12 resolution. Furthermore, “The New Mexico Public Education

Department holding its quasi-judicial hearing at San Juan College, away from the main population areas of the Navajo people, thereby discouraging attendance by Navajo citizens at the public hearing.”

NNHRC involvement began after receiving a letter from Navajo Nation Council Delegate Jonathan Hale on December 21, 2011, in his role as the chairperson for the health, education and human services committee, to investigate further on the matter of CCSD.

With that, NNHRC will assert the Navajo Nation’s sovereignty and wants to ensure Navajo human and civil rights are protected including voting rights through advocacy, data, principles and standards.

“Both the State of New Mexico and the United States of America recognize separate sovereign governments and respect the principle of equality in education articulated in state and federal law,” according to NNHRCMAY-19-12 resolution. “Also the Navajo students have rights as citizens to a non-discriminatory public education in the respective states where they reside.”

On June 5, 2012, the oversight committee for NNHRC, the Naabiki’yati’ Committee of the 22nd Navajo Nation Council opposed the splitting of CCSD.

N.M. PED Secretary-Designate Hanna Skandera will issue the final decision regarding the proposed creation of a new school district no later than June 12, 2012, according to Willie R. Brown, a N.M. PED attorney.

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