

Navajo Nation's Response to the Yazzie-Martinez Case: Implications for Navajo Nation's Educational Sovereignty

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This paper analyzes the meaning of Navajo educational sovereignty and how it is impacted by state public schools operating on and off the Navajo reservation. It will discuss past actions by the New Mexico Public Education Department to close down schools and mention the Navajo Nation's authority over schools that opened during the COVID-19 pandemic. In addition, the paper will analyze the legal tools available to the Navajo Nation to support its authorities over the education of Navajo students, both on and off the reservation. Ultimately, the paper will examine the potential path forward for Navajo Nation Educational sovereignty, exploring the Navajo Nation's options for reclaiming control over the provision of education of all Navajo students on the Navajo Nation. This legal analysis will provide a context for the future of education for Native students in New Mexico.

Patricia Gonnie, Acting Superintendent, Navajo Nation Department of Dine Education

Ms. Patricia Gonnie has served as the Acting Superintendent for the Department of Dine Education since May 29, 2020. Pat brings twenty plus years of experience working in the field of education on the Navajo reservation. She has both classroom and administrative experience, working as a special education teacher, a Director of Exceptional Student Services and an Elementary School Principal. She has worked in Arizona state public schools at Kayenta, Chinle and Window Rock Unified School Districts, and two tribally-controlled grant schools including Rough Rock Community School and Kin Dah Lichi'i Olta', Inc. Pat joined Cognia Navajo Nation affiliate office in January 2020 serving as the Principal Education Specialist.

Pat was awarded the Administrator of the Year award at the 2018 AdvancED Fall Conference. A fluent speaker of her native Navajo language, Pat advocates for preservation of the students' heritage, culture and language. She served on the First Things First Navajo Nation Regional Partnership Council January 2015 to March 2020 and chaired the Navajo Language Preservation Subcommittee for several years. Pat completed her undergraduate and graduate programs at Northern Arizona University obtaining a Bachelor of Social Work degree, Master of Special Education, and Master of Educational Leadership, K-12 Principal.

Calvin White, Ph.D. Program Manager, Navajo Nation Department of Dine Education

Calvin White, Ph.D. is from White Cone, Arizona. He earned his doctorate in Counseling Psychology in 1998 from the University of Utah. Dr. White is currently employed with the Office of Dine School Improvement within the Department of Dine Education under the Executive

Branch of the Navajo Nation Government. Dr. White was the Principal Investigator of the Navajo Nation Rural Systemic Initiative. In 1998 the Navajo Nation received a National Science Foundation grant with the charge to close the achievement gap that exists on the Navajo Nation between Navajo and non-Navajo students in math and science. The NN-RSI documented the closing of the achievement gap at the end of the grant award in August 2005. Through the efforts of the NN-RSI the Navajo Nation amended the tribal education policies that led to the Navajo Nation Council legislation the Navajo Sovereignty in Education Act of 2005. The passage of this important legislation set the foundation for the Department of Dine Education to submit to the U.S. Department of Education and the U.S. Department of Interior the Dine School Accountability Plan (DSAP). DSAP is the operational definition of the Navajo Sovereignty Act of 2005 and a true exercise of the Navajo Nation's sovereign ability to govern schools on the Navajo Nation.

Alexandra Kinsella, Attorney, Navajo Nation Department of Justice

Alexandra Kinsella grew up in St. Louis, MO. She is a graduate of Vanderbilt University in Nashville, TN, and earned her law degree with a certificate in American Indian Law from the University of Colorado Law School in 2015. Ms. Kinsella currently works as an attorney with the Navajo Nation Department of Justice in the Human Services and Government Unit, specializing in Education Law. Previously, she worked under Dean James Anaya at the University of Colorado Law School, where she supported the Maya Peoples of Southern Belize in lands rights litigation against the Belize government and advocated for indigenous rights at the United Nations. Ms. Kinsella is licensed to practice law in the Navajo Nation, Arizona, and Colorado (inactive). She teaches yoga and dance classes in Gallup, NM.