

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Papago Agency Superintendent for Education)**

RESOLUTION NO. 94-476

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3 **WHEREAS, the Human Resource Development Committee (HRDC) of**
4 **the Tohono O'odham Legislative Council is charged with**
5 **the responsibility to oversee the adequacy and quality of**
6 **education for schools throughout the Tohono O'odham**
7 **Nation; and**

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9 **WHEREAS, on September 6, 1994 the HRDC received reports of the**
10 **use of condemned classroom trailers at the Santa Rosa**
11 **Ranch School (SRRS) in jeopardy of the safety of students**
12 **and staff at SRRS; and**

13 **WHEREAS, on September 16, 1994, the smell of smoke was detected**
14 **in one of the condemned classroom trailers causing the**
15 **school to vacate the facilities; and**

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17 **WHEREAS, following this incident, HRDC and SRRS attempted to**
18 **contact the Agency Superintendent of Education, George**
19 **Scott, but he was not available for consultation; and**

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21 **WHEREAS, the Tohono O'odham Legislative Council then called a**
22 **special session on September 19, 1994, to address this**
23 **critical issue; and**

24 **WHEREAS, the Agency Superintendent of Education was not in**
25 **attendance at this session; and**

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27 **WHEREAS, the Legislative Council called another special session on**
28 **September 21, 1994 to hear from the Superintendent of**

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Education regarding his plan to remedy the emergency situation; and

WHEREAS, during this session, Mr. Scott demonstrated a lack of concern for the seriousness of the situation; and

WHEREAS, during these sessions it was revealed that the need to replace the SRRS classrooms had been known to Mr. Scott since at least January of 1994, but the Superintendent of Education chose to take no action to replace, remove or otherwise address the condition of the unsafe classrooms; and

WHEREAS, the Superintendent informed the Legislative Council at the September 21, 1994 session that the reason he could take no action to address the problem was because only Assistant Secretary Ada Deer could approve allocation of funds to deal with this emergency situation; and

WHEREAS, the Chairperson of HRDC was later informed that the Phoenix Area Director had full authority to correct this safety hazard and there was currently \$165,000 available at the Area Office for such purpose; and

WHEREAS, contacts were then made with BIA Phoenix Area Office and the hazard was quickly addressed; and

WHEREAS, further investigation revealed numerous complaints

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from school boards and others concerning the consistent absence of the Superintendent of Education resulting in the neglect of his duties and responsibilities; and

WHEREAS, it was further revealed that schools are functioning without adequate classroom supplies, specifically textbooks; and

WHEREAS, although the Superintendent of Education states he never received purchase order requesting textbooks, the school staff insists purchase orders were submitted for textbooks; and

WHEREAS, the School Board of Tohono O'odham High School passed a Resolution dated September 26, 1994 recommending that the Agency Superintendent curtail his travel and attend to improving education at the Bureau Schools; and

WHEREAS, the School Board of SRRS in a letter to the Nation brought to the attention of the Nation the lack of leadership and questionable actions of the Papago Agency Education Administration, and recommended that only committed and responsible administrators be retained; and

WHEREAS, the Board of Directors of the Tohono O'odham Education

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Committee passed a resolution dated October 27, 1994 supporting the action of the HRDC to resolve the serious and critical issues at SRRS and holding George Scott and the Agency School Board accountable and responsible for resolving this issue; and

WHEREAS, Mr. Scott threatened to retaliate against school staff for disclosing, and assisting the Nation in resolving, the problems affecting student health and safety, as well as the gross lack of adequate textbooks, other supplies and classroom facilities; and

WHEREAS, the Legislative Council takes this action pursuant to the Constitution of the Tohono O'odham Nation, Article VI, Section 1 (k) and Article VI, Section 1(c)(7).

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1. The Director of the Office of Indian Education Programs of the Bureau of Indian Affairs (the "BIA Education Director") remove George Scott from his position as the Agency Superintendent for Education of the Papago Agency, and refrain from transferring or assigning Mr. Scott to any position within the Papago Agency or any other position which entails any responsibility for, or supervising of, matters**

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affecting the Tohono O'odham Nation.

- 2. The BIA Education Director issue instructions that no disciplinary or other adverse personnel action be taken against the school staff members who assisted the Nation in addressing the safety, health and other concerns expressed in this Resolution.**
- 3. The BIA Education Director consult with the Nation in the selection of a replacement of the Superintendent of Education for the Papago Agency.**
- 4. The Chairman of the Legislative Council, the Chairman of the Nation and the Chairperson of HRDC are authorized and directed to transmit this Resolution to the BIA Education Director and request an immediate meeting with him to discuss these issues.**

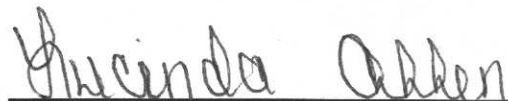
The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 10TH day of NOVEMBER, 1994 at a meeting at which a quorum was present with a vote of 1,612.0 FOR; -0- AGAINST; 151.0 NOT VOTING; and 08 ABSENT, pursuant to the powers vested in the Council by Section 1(c)(7) & (k) of Article VI of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL


For. Alex J. Ramon, Legislative Chairman

11 day of Nov, 1994

ATTEST:


Acting Legislative Secretary

11th. day of November, 1994.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 11 day of Nov., 1994 at 1:04 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL


For. Alex J. Ramon, Legislative Chairman

APPROVED on the _____ day of _____, 19____

DISAPPROVED at _____ o'clock, _____.M.

SYLVESTER LISTO, Chairman
TOHONO O'ODHAM NATION

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Returned to the Legislative Secretary on the 11th day of
November, 1994, at 1:56 o'clock, P.M.

Yucinda Allen
Acting Legislative Secretary

ACTION: PAPAGO AGENCY SUPERINTENDENT FOR EDUCATION

MOVED: COUNCILMAN DENNIS RAMON

SECOND: COUNCILMAN KENNETH ANTONE

DATE: NOVEMBER 10, 1994

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 151.0	1. WILLARD JUAN, SR. (Delbert Thomas)	75.5			X	
	2. MARY ANN ANTONE (Nellie Miguel)	75.5			X	X
SELLS 290.0	1. ANDREW M. PATRICIO (Lucille Encinas)	145.0	X			
	2. JOSEPH T. JOAQUIN (Allen W. Garcia, Jr.)	145.0	X			
SCHUK TOAK 113.0	1. FRANCES FRANCISCO ()	56.5	X			X
	2. KENNETH J. ANTONE ()	56.5	X			
SAN XAVIER 135.0	1. EUGENE ENIS, SR. ()	67.5	X			
	2. DENNIS RAMON ()	67.5	X			
BABOQUIVARI 230.0	1. FRANCES MIGUEL ()	115.0	X			X
	2. EARL A. FRANCISCO ()	115.0	X			
GU ACHI 180.0	1. WILLARD ANITA ()	90.0	X			
	2. ALEX J. RAMON (Marian Johnson)	90.0	X			X
PISINEMO 128.0	1. CHESTER ANTONE (Fernando Valentine)	64.0	X			X
	2. JOHNSON M. JOSE (Roseleen Antone)	64.0	X			
SAN LUCY 98.0	1. JOHN RENO ()	49.0	X			X
	2. ALBERT MANUEL, JR. (Ernestine Marquez)	49.0	X			
GU VO 124.0	1. EMILIO LEWIS ()	62.0	X			
	2. MICHAEL FLORES (Fern Salcido)	62.0	X			
HICKIWAN 136.0	1. MANUEL OSEQUEDA, JR. ()	68.0	X			X
	2. LLOYD FRANCISCO ()	68.0	X			
CHUKUT KUK 178.0	1. MARILYN FRANCISCO	89.0	X			X
	2. KENNETH WILLIAMS ()	89.0	X			
TOTAL		1,763.0	1,612.0	-0-	151.0	08

****PASSED VOTES**