



THE NAVAJO NATION

EXECUTIVE ORDER NO. 03-2024

EXECUTIVE ORDER TO REQUIRE SCHOOL DISTRICTS THAT SERVE NAVAJO STUDENTS TO ALLOW NATIVE REGALIA AT GRADUATION CEREMONIES

WHEREAS:

1. The President of the Navajo Nation serves as the Chief Executive Officer for the Executive Branch of the Navajo Nation government. 2 N.N.C § 1005 (A);
2. The President shall have the power to issue an executive order for the purpose of interpreting, implementing or giving administrative effect to statutes of the Navajo Nation in the manner set forth in such statutes. 2 N.N.C. § 1005 (C)(14);
3. Under the Navajo Sovereignty in Education Act of 2005, "It is the educational mission of Navajo Nation to promote the lifelong learning for the Navajo People, and *to protect the culture, integrity, and sovereignty of the Navajo Nation.*" 10 N.N.C. § 2 (emphasis added);
4. Through the Navajo Sovereignty in Education Act, the Navajo Nation Council has empowered the Executive Branch through the Navajo Board of Education and the Department of Diné Education to oversee the operation of all schools serving the Navajo Nation, to develop and implement appropriate educational standards, and to require educational programs and curriculum on Navajo language and culture in all schools that educate Navajo children. 10 N.N.C. §§ 106 (A); 111; 112.
5. Through the Navajo Sovereignty in Education Act, 10 N.N.C. §§ 107 (B)(3)-(4), the Navajo Nation through the Superintendent of Schools is empowered to:
 - a) Inquire into the educational situation of Navajo students in any school serving the Navajo Nation, and
 - b) Determine the impact of educational programs on Navajo students by inquiring into areas of concerns relevant to the educational situation of Navajo students;

6. The Nation through the Board and the Department of Diné Education authorizes local community-controlled schools to receive federal Bureau of Indian Education funding and has the authority to take control of such schools in specific circumstances. 10 N.N.C. § 106 (G)(1);
7. The Navajo Nation through the Board and Department of Diné Education funds state public schools serving Navajo students, both within and outside the boundaries of the Navajo Nation, through Johnson-O'Malley funding for Native cultural programs. State public school districts have executed funding agreements with the Department of Diné Education agreeing to create educational programs on Native culture under guidelines set by the Navajo Nation;
8. There have been recent reported incidents at several schools serving Navajo students where school administrators have prohibited Native students from displaying cultural or ceremonial regalia;
9. Native students have the fundamental right under Navajo, state, and federal law to display cultural and ceremonial regalia at graduation; and
10. Such rights cannot be infringed by allegedly facially neutral policies, which, as applied, discriminate against Native students by outlawing expressions of Native culture and beliefs.

THEREFORE, I, DR. BUU NYGREN, President of the Navajo Nation, by the authority vested in me, hereby **ORDER** the following:

All schools serving Navajo students, whether within or outside the boundaries of the Navajo Nation, shall allow the display of Native cultural and ceremonial regalia at graduation ceremonies. No school, school district, or local community-controlled school policy, whatever the alleged source of authority, shall be interpreted or applied to disallow such display.

EXECUTED this 17th Day of May 2024.



Dr. Buu Nygren, *President*
THE NAVAJO NATION

ATTEST:



Ethel Branch, *Attorney General*
NAVAJO NATION DEPARTMENT OF JUSTICE

