



**Contact:** Karen Francis, *Judicial Liaison Officer*  
Administrative Office of the Courts  
**JUDICIAL BRANCH OF THE NAVAJO NATION**  
Office: 928-871-7018  
Facsimile: 928-871-6761  
E-mail: [karenfrancis@navajo.org](mailto:karenfrancis@navajo.org)  
<http://www.navajocourts.org>

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**FOR IMMEDIATE RELEASE**

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### **SUPREME COURT GRANTS DISMISSAL**

WINDOW ROCK – The Navajo Nation Supreme Court has issued an *Opinion Granting Dismissal* in *Hasgood et al v. Cedar Unified School District*, SC-CV-33-10, an appeal of a Navajo Nation Labor Commission personnel matter involving local school board employees.

The parties agreed to dismiss the appeal after the federal court for the district of Arizona found that the Navajo Nation had no regulatory or adjudicatory jurisdiction over a local school board as a political subdivision of the State of Arizona which is present on the Navajo Nation to fulfill its constitutional mandate to provide public education to children within the state. Neither the parties nor the Commission appealed the federal court's decision.

The Supreme Court said it would grant the dismissal but strongly questioned the basis of the federal court's decision because the federal court's reasoning greatly extends current federal court decisions and lends itself to be read as excluding all state-run schools on the reservation from tribal regulatory and adjudicative jurisdiction.

The federal district court's reasoning may be read as empowering school boards to impose policies and practices diametrically opposed to Navajo Nation education policies, such as the recent Arizona law prohibiting classes designed primarily for pupils of a particular ethnic group.

The Supreme Court said the decision “would require territory leased by the state on a long-term basis such as school buildings on the reservation, to be treated akin to embassies or territorial concessions in which educational activities and decision-making are to be entirely administered by the state with no regard for the education-related and other laws of the Navajo Nation which holds sovereignty over it.”

Since the matter was not appealed, the Supreme Court said it would entertain future challenges based on different arguments, and urged the policy leaders of the Navajo Nation to address the matter with the federal and Arizona governments before allowing more time to pass.

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