

# Arizona Tribal Consultation Guide

**2019-2020**

**Arizona Superintendent of Public Instruction**

**Kathy Hoffman**





**IE**

Office  
of Indian  
Education

Arizona Department of Education  
[www.azed.gov/oie](http://www.azed.gov/oie)

Nadine Groenig  
Director of Indian Education  
[nadine.groenig@azed.gov](mailto:nadine.groenig@azed.gov)  
602-542-5235

Terri Beeler-Saucedo  
Administrative Assistant III  
[terri.beeler-saucedo@azed.gov](mailto:terri.beeler-saucedo@azed.gov)  
602-542-2345

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## Arizona Department of Education Office of Superintendent Kathy Hoffman

Dear Tribal Leaders and Superintendents:

It is our unique pleasure to serve the students, families, and educators who represent the twenty-two sovereign tribal nations in Arizona. Their history, culture, and language are a vital part of Arizona's past, present, and future. As State Superintendent, it has been an honor to travel around the state and elevate the voices of our tribal leaders.

One area of success has been through tribal consultation which has resulted in increased collaboration between local educational agencies (LEAs) and tribal nations and officials. Working under the requirements of the Every Student Succeed Act (ESSA), our LEAs and tribal leaders report positive partnerships with a focus on student success as well as increased opportunities to build and strengthen relationships between school districts and tribal representatives.

As we move through the next four years, I look forward to supporting collaboration between LEAs and tribal nations as we strive towards real innovation that will uplift our indigenous communities and honor the contributions they have made to Arizona. Thank you to all our partners who have successfully implemented tribal consultation over the past few years. I share your vision of creating an educational society based on equity for our Native American students, families, and communities and I look forward to creating that change together.

Sincerely,  
*Kathy Hoffman*

Kathy Hoffman, MS, CCC-SLP  
Arizona Superintendent of Public Instruction



Dear Tribal Leaders and Superintendents:

Formal consultation between affected local educational agencies (LEAs) and tribal representatives was incorporated into the Every Student Succeeds Act (ESSA) in December 2015. Pursuant to section 8538 of ESSA, we are happy to provide this Arizona Tribal Consultation Guide. The Guide includes information that will assist you in facilitating consultation, the results of which will inform the development of district plans and applications for funding under ESSA as they pertain to serving Arizona's Native American students.

In Arizona, there are currently fifty-two LEAs that meet the requirements to consult with tribal representatives approved by the tribes in the area served by the LEA. A list of these LEAs is included in the Guide. You will also find a list of Arizona's twenty-two tribes with addresses and phone numbers to make outreach efforts a little easier.

Many of you have already been conducting consultation with the tribes in your area with positive results. For others, this may be your first experience working with tribes through meaningful consultation efforts. In either case, we have provided materials that will prepare you for successful interaction and outcomes—always keeping in mind the children we all serve.

Our thanks go out to the National Indian Education Association, the Midwest Comprehensive Center at American Institutes for Research, and the Indigenous Education State Leaders Network whose collaborative efforts have resulted in many of the materials you will find here.

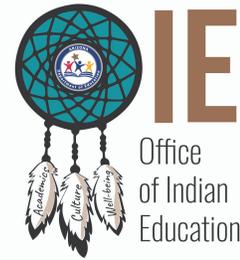
It is my hope that tribal consultation efforts will continue and that great things will happen for our Native American students—educationally, culturally, and spiritually. Please do not hesitate to contact me at 602-542-5235 with any questions you may have.

Sincerely,

*Nadine Groenig*

Nadine Groenig

Director of Indian Education



## What is Tribal Consultation?

Tribal consultation under ESSA is a formal process between tribal representatives and LEAs that serve an American Indian/Alaska Native (AI/AN) population. This consultation is for the LEAs' benefit and the students they serve. The consultation process is essential to meeting the needs of Arizona's Native American students. **NOTE:** LEAs include school districts and charter holders (charter schools).

The intent of the consultation process is to open the door to more conversation and collaboration between LEAs and tribes. Ideally, this work will be ongoing, timely, and meaningful for all parties concerned, especially Arizona's indigenous students.

## Every Student Succeeds Act (ESSA) - P.L. 114-95 Section 8538 – Consultation with Indian Tribes and Tribal Organizations

Per ESSA, Section 8535 – Consultation with Indian Tribes and Tribal Organizations, local districts and charter schools must consult with appropriate officials from tribes or tribal organizations before the local educational agency (LEA) submits an application for a covered program under ESSA. In addition, consultation shall take place prior to approval of LEA applications for use of funds under ESSA as administered by ADE.

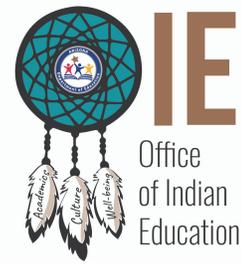
## Who is Required to Consult With Tribal Representatives?

Any LEA that has an AI/AN enrollment of 50% or more or receives more than \$40,000 in funding under Title VI – Indian, Native Hawaiian, and Alaska Native Education is required to consult with tribal representatives.

In Arizona, LEAs within 50 miles of a tribe's council chambers are required to offer consultation opportunities with one or more tribal representatives from that community. LEAs that are located outside this area but have more than 30 Native students from one or more Arizona tribes are obligated to invite tribal leaders from the tribes represented by those students to participate in consultation. If the result of this communication is a request for consultation from a tribe, the LEA will consult with that tribe and submit an appropriately completed Affirmation of Consultation with Tribal Representatives form (see next page). This Affirmation form will serve as evidence of compliance with ESSA. Go to *LEA Consultations with Tribes Reference Guide* for maps and related tribes.

## Recommended LEA Consultation Checklist

- LEA has arranged for consultation with relevant tribal nation(s), including time, place, and length of meeting(s).
- Tribal leader(s) has agreed upon the time, place, and length of meeting(s).
- LEA has provided a copy of all awarded grants under ESSA before the meeting(s).
- LEA has posted a public notice of the meeting(s).
- LEA has prepared an agenda for the meeting(s). District/Charter Holder has provided a
- sign-in sheet for the meeting(s).
- LEA has completed and uploaded the Affirmation of Consultation with Tribal Representatives.



# Affirmation of Consultation With Tribal Representatives

The form shown below is provided under Related Documents in the FY2020 Title I-A application in the Grants Management Enterprise system. Based on the information provided on page 6, download and complete the form for each tribe you have consulted with or made attempts to consult with, including signatures from officials representing both the LEA and Tribe. Upload the completed form(s) in the Title I-A application as a related document.

If efforts to conduct tribal consultation are met with no response from the tribe, check the box indicating at least three good-faith attempts have been made. The form must still be signed by an LEA official and uploaded in GME to meet compliance and receive funds under ESSA. It is extremely important to document all tribal consultation efforts.

## AFFIRMATION OF CONSULTATION WITH TRIBAL REPRESENTATIVES

Every Student Succeeds Act - P.L. 114-95  
SECTION 8538 - Consultation with Indian Tribes and Tribal Organizations  
For School Year Ending June 30, 2020

Name of LEA: \_\_\_\_\_  
LEA Superintendent: \_\_\_\_\_ Phone: \_\_\_\_\_  
LEA ESSA Coordinator: \_\_\_\_\_ Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

Name of Tribe/Organization: \_\_\_\_\_  
Address: \_\_\_\_\_  
Tribal Representative: \_\_\_\_\_ Phone: \_\_\_\_\_  
Email: \_\_\_\_\_  
Tribal Representative: \_\_\_\_\_ Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

Note: If necessary, list additional representatives on a second page and upload.

Check if the tribe/tribal organization has not responded to LEA's repeated, good-faith attempts (3) for consultation. (Evidence may be required for compliance monitoring.)

Affected LEAs are required to consult with local tribal officials on plans or applications for a covered program under ESSA, to include:  
Titles I-A, I-C, I-D, II-A, III-A, IV-A, IV-B, V-B Subpart 2 and VI-A Subpart 1.

Section 8538 of P.S. 114-95 states:  
(a) IN GENERAL.—To ensure timely and meaningful consultation on issues affecting American Indian and Alaska Native students, an affected local educational agency shall consult with appropriate officials from Indian tribes or tribal organizations approved by the tribes located in the area served by the local educational agency prior to the affected local educational agency's submission of a required plan or application for a covered program under this Act or for a program under title VI of this Act. Such consultation shall be done in a manner and in such time that provides the opportunity for such appropriate officials from Indian tribes or tribal organizations to meaningfully and substantively contribute to such plan.

Section 8538 of P.S. 114-95 states:  
(b) DOCUMENTATION.—Each affected local educational agency shall maintain in the agency's records and provide to the State educational agency a written affirmation signed by the appropriate officials of the participating tribes or tribal organizations approved by the tribes that the consultation required by this section has occurred. If such officials do not provide such affirmation within a reasonable period of time, the affected local educational agency shall forward documentation that such consultation has taken place to the State educational agency.

### SIGNATURES:

Tribal Opt-Out Option: WE HAVE been contacted by the above listed LEA and choose not to participate in consultation in FY2020, or

WE AGREE that timely and meaningful consultation occurred before the LEA made any decision affecting the participation of tribal members of the above-listed tribe in any programs the LEA is operating under the Every Student Succeeds Act.

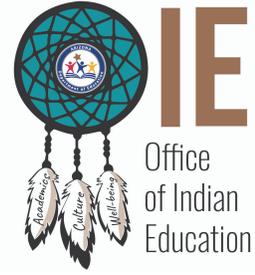
WE AGREE that we have participated in meaningful and timely consultation prior to the affected local educational agency's submission of a required plan or application for a covered program under this Act or for a program under Title VI of this Act.

WE AGREE that timely and meaningful consultation shall continue throughout implementation and assessment of services provided under this section on the following dates: \_\_\_\_\_

Signature of Public School Superintendent or designee (required even if no response to requests for consultation). \_\_\_\_\_ Date \_\_\_\_\_

Tribal Official or Tribal Organization Official Signature \_\_\_\_\_ Date \_\_\_\_\_

Completed forms are to be uploaded in GME under Related Documents in the FY20 ESEA Consolidated application.



## Every Student Succeeds Act (ESSA) - P.L.114 –95 Section 8535 – Consultation with Indian Tribes & Tribal Organizations: Affected LEAs

LEAs required to consult with tribes include those with:

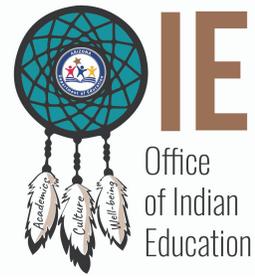
\*An enrollment of 50 percent or greater American Indian or Alaska Native students.

\*\*A Title VI Indian Education grant of more than \$40,000.

\*\*\*Both

### Arizona LEAs Required to Consult with Tribes or Tribal Organizations

- \*Akimel O’Otham Pee Posh Charter School, Inc.
- \*\*Alhambra Elementary District
- \*Arizona State School for the Deaf and Blind (EHR)
- \*\*\*Baboquivari Unified School District #40
- \*\*Blue Ridge Unified District
- \*\*Casa Grande Union High School District
- \*Cedar Unified District
- \*\*Chandler Unified District
- \*\*\*Chinle Unified District
- \*Coconino County Accommodation School District
- \*\*Coolidge Unified District
- \*\*\*Flagstaff Unified School District #1
- \*\*\*Fort Thomas Unified District
- \*\*Fountain Hills Unified School District
- \*\*\*Ganado Unified School District
- \*Gila County Regional School District
- \*Ha:san Educational Services
- \*\*\*Holbrook Unified District
- \*\*\*Kayenta Unified School District #27
- \*\*Kyrene Elementary School District
- \*\*Laveen Elementary School District
- \*\*Madison Elementary District
- \*\*Maricopa Unified School District
- \*McNary Elementary District
- \*\*Mesa Unified School District
- \*Navajo County Accommodation District
- \*\*\*Page Unified School District
- \*Painted Desert Demonstration Projects, Inc.
- \*\*Paradise Valley Unified District
- \*\*Parker Unified District
- \*\*\*Peach Springs Unified District
- \*\*Phoenix Union High School District
- \*Pillar Charter School
- \*\*\*Piñon Unified District
- \*\*\*Red Mesa Unified District
- \*\*Sacaton Elementary District
- \*\*\*Salt River Pima-Maricopa Community Schools
- \*\*\*San Carlos Unified District
- \*\*\*Sanders Unified District
- \*\*Scottsdale Unified School District #48
- \*Shonto Governing Board of Education, Inc.
- \*Skyline Gila River Schools, Inc.
- \*\*Sunnyside Unified School District
- \*\*Tempe School District #3
- \*\*Tempe Union High School District
- \*\*\*Tuba City Unified School District #15
- \*\*Tucson Unified School District
- \*Valentine Elementary District
- \*\*Washington Elementary District
- \*\*\*Whiteriver Unified District
- \*\*\*Window Rock Unified District
- \*\*\*Winslow Unified School District



# LEA Directory

## **Akimel O’Otham Pee Posh Charter School, Inc.**

3652 E. Blackwater School Road  
Coolidge, AZ 85128  
Principal: Jagdish Sharma  
Phone: 520-215-5859  
Email: jagdish.sharma@bwcs.k12.az.us  
Website: www.bwcs.k12.az.us

## **Alhambra Elementary District**

4510 N. 37th Avenue  
Phoenix, AZ 85019  
Assistant Superintendent: Mara Wayland  
Phone: 602-336-2925  
Email: marawayland@alhambraesd.org  
Website: www.alhambraesd.org

## **Arizona State School for the Deaf & Blind (EHR)**

153 W. Vista  
Holbrook, AZ 86025  
Superintendent: Annette Reichman  
Phone: 520-770-3362  
Email: annette.reichman@asdb.az.gov  
Website: www.asdb.az.gov/cooperatives/

## **Baboquivari Unified School District #40**

P.O. Box 248  
Sells, AZ 85634  
Superintendent: Dr. Edna Morris  
Phone: 520-383-6746  
Email: emorris@busd40.org  
Website: www.iobusd40.org

## **Blue Ridge Unified District**

1200 W. White Mountain Blvd.  
Lakeside, AZ 85929  
Superintendent: Dr. Michael L. Wright  
Phone: 928.368.6126  
Email: mwright@brusd.org  
Website: https://www.brusd.org/

## **Casa Grande Union High School District**

1362 N. Casa Grande Avenue  
Casa Grande, AZ 85122  
Superintendent: Dr. Steve Bebee  
Phone: 520-316-3360  
Email: sbebee@cguhsd.org  
Website: www.cguhsd.org

## **Cedar Unified District**

M.P. 208, Highway 264  
Keams Canyon, AZ 86034  
Superintendent: Dan Hute  
Phone: 928-738-2334  
Email: dhute@cusd25.k12.az.us  
Website: www.cedarusd.org

## **Chandler Unified District**

555 S. Pennington  
Chandler, AZ 85224  
Superintendent: Camille Casteel  
Phone: 480-812-7000  
Email: casteel.camille@cusd80.com  
Website: www.cusd80.com

## **Chinle Unified District**

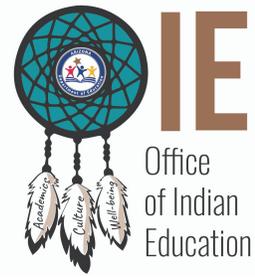
P.O. Box 587 Chinle, AZ 86503  
Superintendent: Quincy Natay  
Phone: 928-674-9632  
Email: quincy@chinleusd.k12.az.us  
Website: www.chinleusd.k12.az.us

## **Coconino County Accommodation School District**

110 E. Cherry Avenue Flagstaff, AZ 86001  
Superintendent: David Roth  
Phone: 928-527-2702 Email:  
droth@ccrasd.org  
Website: www.ccasdaz.org

## **Coolidge Unified District**

450 N. Arizona Blvd.  
Coolidge, AZ 85128  
Superintendent: Charie Wallace  
Phone: 520-773-2221  
Email: charie.wallace@coolidgeschools.org  
Website: www.coolidgeschools.org



# LEA Directory

## **CPLC Community Schools dba Hiaki High School**

251W. Irvington Road  
Tucson, AZ 85714  
Principal: Joseph Hines  
Phone: 520-807-7923  
Email: joseph.hines@cplc.org  
Website: www.cplc.org

## **Flagstaff Unified School District #1**

3285 E. Sparrow  
Flagstaff, AZ 86004  
Superintendent: Michael Penca  
Phone: 928-527-6002  
Email: mpenca@fUSD1.org  
Website: www.fUSD1.org

## **Fort Thomas Unified School District**

15560 Elementary School Rd  
Fort Thomas, AZ 85536  
Superintendent: Shane Hawkins  
Phone: (928) 485-9423  
Website: <http://www.ftUSD.org/>

## **Fountain Hills Unified School District**

16000 East Palisades Boulevard  
Fountain Hills, Arizona 85268  
Superintendent: Robert Allen  
Phone: (480) 664.5000  
Email: rallen@fhUSD.org  
Website: <https://www.fountainhillsschools.org/Home>

## **Ganado Unified School District**

Highway 264, PO Box 1757  
Ganado, AZ 856 05  
Superintendent: Claudia Russell  
Phone: 928-755-1018  
Email: claudia.russell@ganado.k12.az.us  
Website: <https://www.ganado.k12.az.us/>

## **Gila County Regional School District**

P.O. Box 2750  
Globe, AZ 85502  
Superintendent: Roy A. Sandoval  
Phone: 928-970-1760  
Email: rsandoval@gilacountyaz.gov

## **Ha:san Educational Services**

1333 E. 10th Street  
Tucson, AZ 85719  
Director of Finance & Operations: Frank Prezelski  
Phone: 520-303-9701  
Email: fprezelski@hasanprep.org  
Website: <http://www.hasanprep.org/>

## **Holbrook Unified District**

P.O. Box 640  
Holbrook, AZ 86025  
Superintendent: Dr. Robbie Koerperich  
Phone: 928-524-6144  
Email: koerp@holbrook.k12.az.us  
Website: <http://www.holbrook.k12.az.us/>

## **Kayenta Unified School District #27**

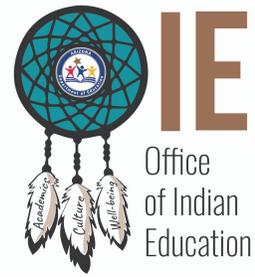
P.O. Box 337  
Kayenta, AZ 86033  
Superintendent: Lemual Adson  
Phone: 928-697-3251  
Email: Lemual.Adson@kUSD27.org  
Website: <https://www.kayenta.k12.az.us/>

## **Kyrene School District**

8700 S. Kyrene Road  
Tempe, AZ 85284  
Superintendent: Dr. Jan Vesely  
Phone: 480-541-1100  
Email: jvesely@kyrene.org  
Website: <https://www.kyrene.org/>

## **Laveen School District**

5001 W. Dobbins Rd  
Laveen, AZ 85339  
Superintendent: Bill Johnson  
Phone: 602-237-9100  
Email: bjohnson@laveeneld.org  
Website: <http://www.laveeneld.org/>



# LEA Directory

## **Madison Elementary District**

5601 N. 16th Street  
Phoenix, AZ 85016  
Superintendent: Quinn Kellis  
Phone: 602-664-7900  
Email: qkellis@madisoned.org  
Website: <https://madisonaz.org/>

## **Maricopa Unified School District**

44150 W. Maricopa-Casa Grande Hwy.  
Maricopa, AZ 85138  
Superintendent: Tracey Lopeman  
Phone: 520-568-5100  
Email: tlopeman@musd20.org  
Website: <https://www.musd20.org/>

## **McNary Elementary District**

P.O. Box 598  
McNary, AZ 85930  
Superintendent: Melisa Milan  
Phone: 928-334-2293  
Email: mmilan@mcnary.k12.az.us  
Website: <http://www.mcnary.k12.az.us/>

## **Mesa Unified School District**

63 E. Main Street, #101  
Mesa, AZ 85201  
Superintendent: Ember Conley  
Phone: 480-472-0200  
Email: econley@mpsaz.org  
Website: <http://www.mpsaz.org/>

## **Navajo County Accommodation District**

294 West Carlos  
Holbrook, AZ 86025  
Superintendent: Jalyn Gerlich  
Phone: 928-524-4201  
Email: Jalyn.gerlich@navajocountyaz.gov

## **Page Unified District**

P.O. Box 1927  
Page, AZ 86040  
Superintendent: Rob Varner  
Phone: 928-608-4100  
Email: rvarner@pageud.k12.az.us  
Website: <http://www.pageud.org/>

## **Painted Desert Demonstration Projects, Inc.**

145 Leupp Road  
Flagstaff, AZ 86004  
Director: Mark Sorensen  
Phone: 602-412-3533  
Email: mark@ttn.org

## **Paradise Valley Unified District**

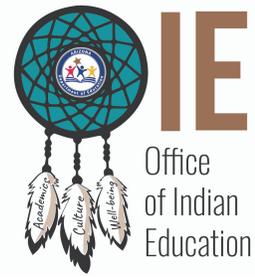
15002 N. 32nd Street  
Phoenix, AZ 85032  
Superintendent: Jesse Welsh  
Phone: 602-449-2298  
Email: jwelsh@pvschools.net  
Website: <https://www.pvschools.net/>

## **Parker Unified School District**

P.O. Box 1090  
Parker, AZ 85344  
Superintendent: Brad Sale  
Phone: 928-669-9244  
Email: bsale@parkerusd.org  
Website: <https://www.parkerusd.org/>

## **Peach Springs Unified District**

P.O. Box 360  
Peach Springs, AZ 86434  
Superintendent: Jaime Cole  
Phone: 928-864-7100  
Email: colej@psusd8.org  
Website: <https://www.psusd8.org/>



# LEA Directory

## **Phoenix Union High School District**

4502 N. Central Avenue  
Phoenix, AZ 85012  
Superintendent: Chad Gestson  
Phone: 602-764-1551  
Email: [gestson@phoenixunion.org](mailto:gestson@phoenixunion.org)  
Website: <https://www.phoenixunion.org/>

## **Pillar Charter School**

8433 N. Black Canyon Hwy., Ste.160  
Phoenix, AZ 85021  
Business Manager: Richard Hay  
Phone: 602-920-8253  
Email: [rhay@edvantagepartners.com](mailto:rhay@edvantagepartners.com)

## **Piñon Unified District**

P.O. Box 839  
Pinon, AZ 86510  
Superintendent: Chris Ostgaard  
Phone: 928-725-2301  
Email: [costgaard@pusdatsa.org](mailto:costgaard@pusdatsa.org)  
Website: <https://www.pusdatsa.org/>

## **Red Mesa Unified District**

HC 61 Box 40  
Teec Nos Pos, AZ 86514 9600  
Superintendent: Kirby Bedonie  
Phone: 602-449-2298  
Email: [kbedonie@rmusd.net](mailto:kbedonie@rmusd.net)  
Website: <https://www.rmusd.net/>

## **Sacaton Elementary District**

P.O. Box 98  
Sacaton, AZ 85247  
Superintendent: Cheryl Paul  
Phone: 520-562-8600, ext. 1020  
Email: [cpaul@sacatonschools.org](mailto:cpaul@sacatonschools.org)  
Website: <http://www.sacatonschools.org/>

## **Salt River Pima-Maricopa Community Schools**

10005 E. Osborn Road  
Scottsdale, AZ 85256  
Principal: Victoria Corlett  
Phone: 480-362-2061  
Email: [victoria.corlett@srpmic-ed.org](mailto:victoria.corlett@srpmic-ed.org)  
Website: <https://saltriverschools.org/>

## **San Carlos Unified District**

P.O. Box 207  
San Carlos, AZ 85550  
Superintendent: Deborah Dennison  
Phone: 928-475-2315  
Email: [d.dennison@sancarlos.k12.az.us](mailto:d.dennison@sancarlos.k12.az.us)  
Website: <https://www.sancarlosbraves.org/>

## **Sanders Unified District**

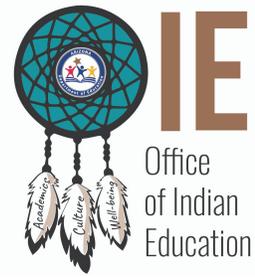
P.O. Box 250  
Sanders, AZ 86512  
Superintendent: Kim Pearce  
Phone: 928-688-4747  
Email: [kimpearce@sandersusd.net](mailto:kimpearce@sandersusd.net)  
Website: <http://www.sandersusd.net/>

## **Scottsdale Unified District #48**

7575 E. Main Street  
Scottsdale, AZ 85251  
Superintendent: Dr. John Kriekard  
Phone: 480-484-6120  
Email: [jkriekard@susd.org](mailto:jkriekard@susd.org)  
Website: <https://www.susd.org/>

## **Shonto Governing Board of Education, Inc.**

P.O. Box 7900  
Shonto, AZ 86054  
Superintendent: Ronald Thompson  
Phone: 928-672-2652  
Email: [Ronald.Thompson@shontoprep.org](mailto:Ronald.Thompson@shontoprep.org)  
Website: <http://www.shontoprep.org/>



# LEA Directory

## **Skyline Gila River Schools, Inc.**

255 E. Riggs Road  
Chandler, AZ 85248  
Principal: Ronda Owens  
Phone: 623-385-3580  
Email: rowens@skylineschools.com  
Website: <https://skylinegilariver.com/>

## **Sunnyside Unified School District**

2238 E. Ginter Road  
Tucson, AZ 85706  
Superintendent: Steve Holmes  
Phone: 520-545-2025  
Email: steveh@susd12.org  
Website: <https://www.susd12.org/>

## **Tempe School District #3**

P.O. Box 27708  
Tempe, AZ 85285  
Superintendent: Christine Busch  
Phone: 480-730-7305  
Email: cbusch@tempeschools.org  
Website: <https://www.tempeschools.org/>

## **Tempe Union High School District**

500 W. Guadalupe Road  
Tempe, AZ 85283  
Superintendent: Dr. Kevin J. Mendivil  
Phone: 480-839-0292  
Email: superintendent@tuhsd.k12.az.us  
Website: <https://www.tempeunion.org/>

## **Tuba City Unified School District #15**

P.O. Box 67  
Tuba City, AZ 86045  
Superintendent: Harold Begay  
Phone: 928-283-1027  
Email: hgbegay@tcusd.org  
Website: <http://webserve.tcusd.org/TCUSD3/>

## **Tucson Unified School District**

1010 E. 10th Street  
Tucson, AZ 85719  
Superintendent: Gabriel Trujillo  
Phone: 520-225-6060  
Email: Gabriel.Trujillo@tusd1.org  
Website: <http://tusd1.org/>

## **Valentine Elementary District**

HC 35 Box 50  
Peach Springs, AZ 86434  
Superintendent: Cliff Angle  
Phone: 928-769-2310  
Email: cliff.angle@mohavecounty.us  
Website: [www.valentineaz.net](http://www.valentineaz.net)

## **Washington Elementary District**

4650 W. Sweetwater  
Glendale, AZ 85304  
Superintendent: Paul Stanton  
Phone: 602-347-2602  
Email: paul.stanton@wesdschools.org  
Website: <https://www.wesdschools.org/>

## **Whiteriver Unified District**

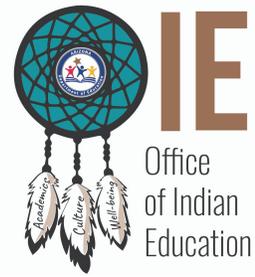
P.O. Box 190  
Whiteriver, AZ 85941  
Superintendent: Rea Goklish  
Phone: 928-358-5702  
Email: rgoklish@wusd.us  
Website: <https://www.wusd.us/>

## **Window Rock Unified School District**

P.O. Box 559  
Fort Defiance, AZ 86504  
Phone: 928-729-6706  
Website: <https://www.wrschool.net/>

## **Winslow Unified District**

P.O. Box 580  
Winslow, AZ 86047  
Superintendent: Cyndie Mattox  
Phone: 928-288-8101  
Email: cmattox@wusd1.org  
Website: <https://www.wusd1.org/>



# Arizona Indian Tribes Directory

## **Ak-Chin Indian Community**

42507 W. Peters & Nall Road  
Maricopa, AZ 85238  
Phone: 520-568-2227  
Website: [www.ak-chin-nsn.us](http://www.ak-chin-nsn.us)

## **Cocopah Indian Tribe**

14515 S. Veterans Dr.  
Somerton, AZ 85350  
Phone: 928-627-2101  
Website: [www.cocopah.com](http://www.cocopah.com)

## **Colorado River Indian Tribes**

26600 Mohave Road  
Parker, AZ 85344  
Phone: 928-669-9211  
Website: [www.crit-nsn.gov](http://www.crit-nsn.gov)

## **Fort McDowell Yavapai Nation**

P.O. Box 17779  
Fountain Hills, AZ 85269  
Phone: 480-837-5121  
Website: [www.fmyn.org](http://www.fmyn.org)

## **Fort Mojave Indian Tribe**

500 Merriman Avenue  
Needles, CA 92363  
Phone: 760-629-4591  
Website: [www.mojaveindiantribe.com](http://www.mojaveindiantribe.com)

## **Gila River Indian Community**

P.O. Box 97  
Sacaton, AZ 85147  
Phone: 520-562-9841  
Website: [www.gilariver.org](http://www.gilariver.org)

## **Havasupai Tribe**

P.O. Box 10  
Supai, AZ 86435  
Phone: 928-448-2731  
Website: [www.havasupaitribe.com](http://www.havasupaitribe.com)

## **Hopi Tribe**

P.O. Box 123  
Kykotsmovi, AZ 86039  
Phone: 928-734-2441  
Website: [www.hopi-nsn.gov](http://www.hopi-nsn.gov)

## **Hualapai Tribe**

P.O. Box 179  
Peach Springs, AZ 86434  
Phone: 928-769-2216  
Website: [www.hualapai-nsn.gov](http://www.hualapai-nsn.gov)

## **Kaibab Band of Paiute Indians**

HC 65 Box 2  
Fredonia, AZ 86022  
Phone: 928-643-8301  
Website: [www.kaibabpaiute-nsn.gov](http://www.kaibabpaiute-nsn.gov)

## **Navajo Nation**

P.O. Box 7440  
Window Rock, AZ 86515  
Phone: 928-871-7915  
Website: [www.navajo-nsn.gov](http://www.navajo-nsn.gov)

## **Pascua Yaqui Tribe**

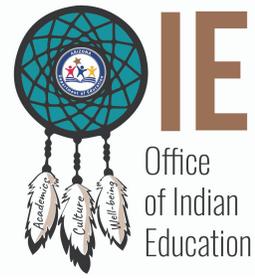
7474 S. Camino de Oeste  
Tucson, AZ 85757  
Phone: 520-883-5000  
Website: [www.pascuayaqui-nsn.gov](http://www.pascuayaqui-nsn.gov)

## **Pueblo of Zuni**

P.O. Box 339  
Zuni, NM 87327  
Phone: 505-782-7022  
Website: [www.ashiwi.org](http://www.ashiwi.org)

## **Quechan Tribe**

P.O. Box 1899  
Yuma, AZ 85366-1899  
Phone: 760-572-0213  
Website: [www.quechantribe.com](http://www.quechantribe.com)



# Arizona Indian Tribes Directory

## **Salt River Pima-Maricopa Indian Community**

10005 E. Osborn Road  
Scottsdale, AZ 85256  
Phone: 480-362-7400  
Website: [www.srpmic-nsn.gov](http://www.srpmic-nsn.gov)

## **San Carlos Apache Tribe**

P.O. Box "O"  
San Carlos, AZ 85550  
Phone: 928-475-2361  
Website: [www.sancarlosapache.com](http://www.sancarlosapache.com)

## **San Juan Southern Paiute**

P.O. Box 1989  
Tuba City, AZ 86045  
Phone: 928-283-5530  
Website: <https://www.sanjuanpaiute-nsn.gov/>

## **Tohono O'odham Nation**

P.O. Box 837  
Sells, AZ 85634  
Phone: 520-383-2028  
Website: [www.tonation-nsn.gov](http://www.tonation-nsn.gov)

## **Tonto Apache Tribe**

Tonto Apache Reservation 30  
Payson, AZ 85541  
Phone: 928-474-5000  
Website: [www.tontoapache.nsopw.gov](http://www.tontoapache.nsopw.gov)

## **White Mountain Apache Tribe**

P.O. Box 700  
Whiteriver, AZ 85941  
Phone: 938-338-4346  
Website: [www.wmat.nsn.us](http://www.wmat.nsn.us)

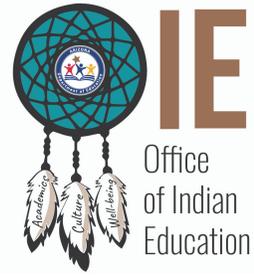
## **Yavapai-Apache Nation**

2400 W. Datsi Street  
Camp Verde, AZ 86322  
Phone: 928-567-1021  
Website: [www.yavapai-apache.org](http://www.yavapai-apache.org)

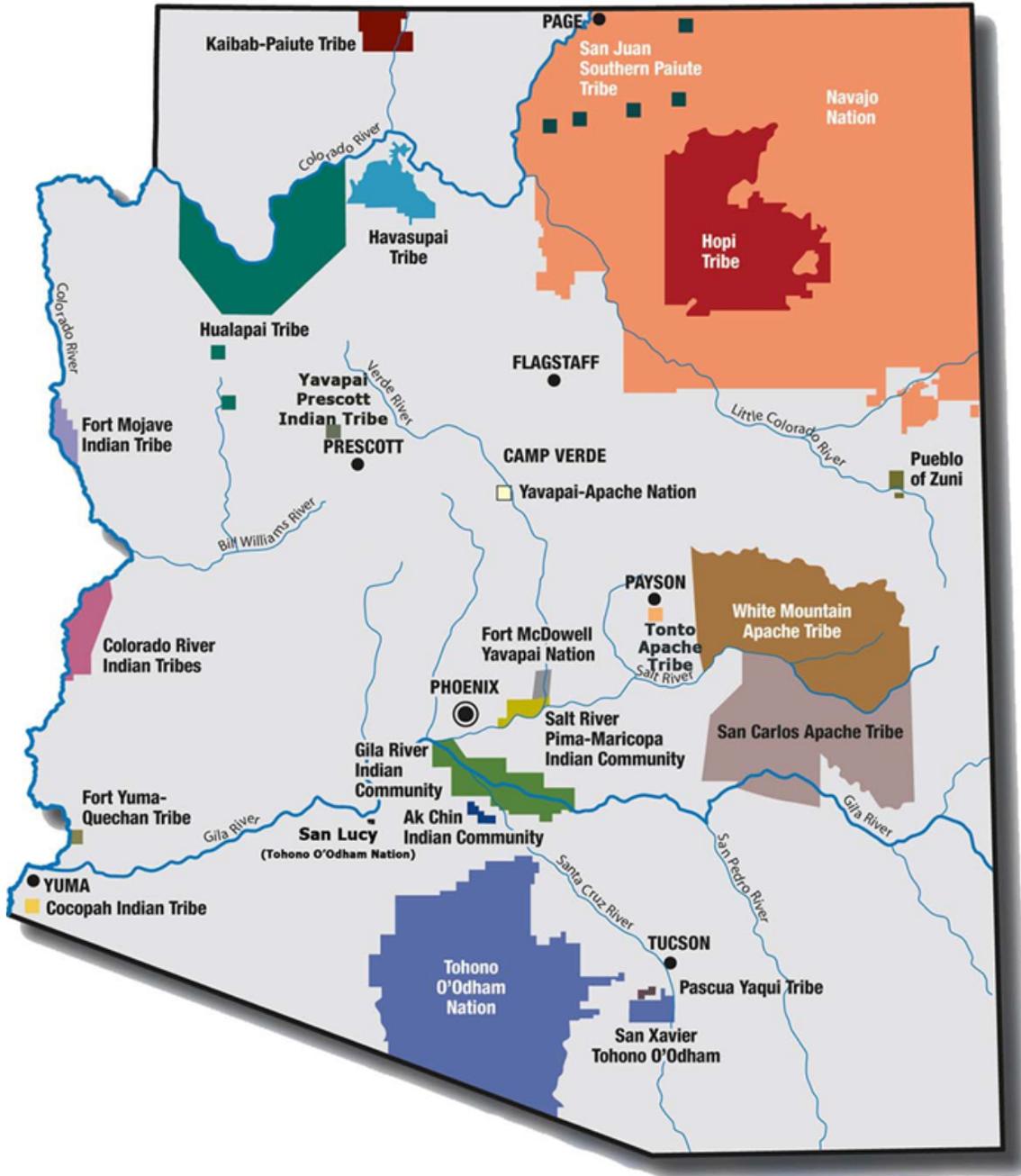
## **Yavapai-Prescott Indian Tribe**

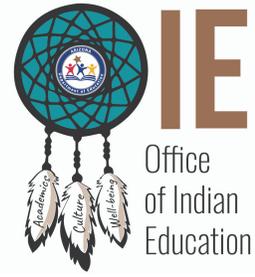
530 E. Merritt Street  
Prescott, AZ 86301  
Phone: 928-445-8790  
Website: [www.ypit.com](http://www.ypit.com)





# Tribal Jurisdictions in Arizona





# Appendix A: *Building Relationships with Tribes: A Native Process for Local Consultation Under ESSA*

## National Indian Education Association

**Mission Statement:** The National Indian Education Association advances comprehensive, culture-based educational opportunities for American Indians, Alaska Natives, and Native Hawaiians.

### Who is the National Indian Education Association (NIEA)?

NIEA is the nation's most inclusive advocacy organization that advances comprehensive culture-based educational opportunities for American Indians, Alaska Natives, and Native Hawaiians. Formed by Native educators in 1969 to encourage a national discourse on education, NIEA adheres to the organization's founding principles: to convene educators to explore ways to improve schools and the educational systems serving Native children; to promote the maintenance and continued development of language and cultural programs; and to develop and implement strategies for influencing local, state, and federal policy and decision makers.

### Consultation: NIEA's Process

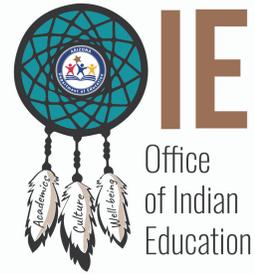
NIEA supports states and districts by first deepening their understanding of Native history, culture, and our sense of being as related to education. We believe that for meaningful consultation to take place, states and districts must understand how Native communities and students view education—both traditional Native education and Western education.

There is no one-size-fits all approach to stakeholder engagement. It must be tailored to the status, capacity, and needs of each community. In Indian Country, this process must be taken one step further from engagement to consultation to meet the trust agreement with tribal nations and comply with the requirements of ESSA. In Native Hawaiian communities, consultation and trusting working partnerships provide a platform for continuous improvement and increasing educational opportunities for Native students.

### What is Tribal Consultation?

Throughout the history of the U.S., Native ancestral lands were ceded to the federal government under signed treaties or by forcible removal. Since that time, Congress has enacted several laws to protect our lands, culture, natural resources, and hunting, gathering, and fishing rights to support the general well-being of Native people. The federal trust responsibility, upheld by the Supreme Court, places the responsibility for meaningful consultation squarely on federal agencies.

To create and sustain meaningful consultation, NIEA puts forward a process that enables both Native communities and educational agencies and systems to advance the well-being of Native students.



# Appendix A

## Essential Elements of Consultation

NIEA supports states and districts by first deepening their understanding of Native history, culture, and our sense of being as related to education. We believe that for meaningful consultation to take place, states and districts must understand how Native communities and students view education—both traditional Native education and Western education.

There is no one-size-fits all approach to stakeholder engagement. It must be tailored to the status, capacity, and needs of each community. In Indian Country, this process must be taken one step further from engagement to consultation to meet the trust agreement with tribal nations and comply with the requirements of ESSA. In Native Hawaiian communities, consultation and trusting working partnerships provide a platform for continuous improvement and increasing educational opportunities for Native students.

### Consensus-Based Decision Making

Consensus strives for the full empowerment of the Native community involved by offering the opportunity for all concerns to be shared, stories to be told, time to be invested, and trust to be built.

### Act with Respect

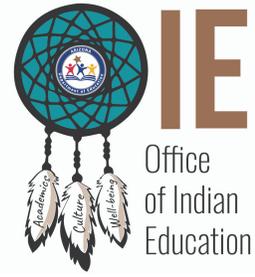
Beyond acknowledgement of community issues, school district representatives must sustain relationships with stakeholders that are based on mutual learning, understanding, and desire to identify solutions that benefit both Native communities and state/local agencies. Moreover, acting in a spirit of respect ensures voices are heard, assumptions and misgivings are relinquished, and a more inclusive decision-making approach is applied over a long period of time. Respect offers a vehicle to overcome the longstanding mistrust and wariness between stakeholders.

### Know Native Communities

As school districts start planning for consultation, it is critical to learn the history of tribal relations within the state and the community. This goes beyond the basics of identifying stake-holders and key issues, but to a deeper understanding of the school community, the Natives in the state, their story, and the history they have with the state and the education system. In these communities it is critical that a culture broker - someone within the Native community who has knowledge of the issues and trusting relationships within the community—be utilized to enhance general understanding of the history, practices, values, language, as well as critical issues that impact the education of students.

"The Indian way of behaving is: you watch and you observe before you act...and so once you know what is expected of you, then you act, but you never want to show off because it's not good taste to pound your own drum."

- L.M. CLEARY & T.D. PEACOCK



# Appendix A

## Sustain Progress

School districts who start with a genuine commitment to consensus-based decision making, rooted in respect and knowledge of Native communities, have a real opportunity to change Native education, in partnership with tribes and Native communities. In our experience, perhaps the most important step in local consultation is sustaining the progress gained through an initial meeting. Follow up on the initial local consultations can make the critical difference between a box-checking exercise and the consensus-based decision making that is the goal of local consultation.

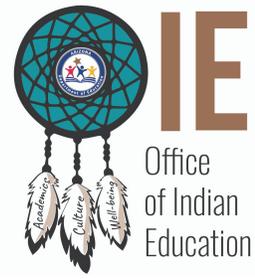
Several specific elements of sustaining progress are worth identifying. First, it is critical to follow up to learn the true educational concerns of the Native community that a district is consulting with. As with a District, these concerns may come out after an initial consultation, so the District should seek to follow up to gain the full picture of what concerns a tribe the most. Second, developing a long range vision of Native success is critical. What will the District and the community do together to improve the education Native students receive? Third, participation from the broader Native community is essential. Native educators and school administrators alone, without tribal council, student, and family input is unlikely to lead to the change we need. Setting up a new, broader method for collective decision-making and evaluation is more likely to be effective.

Perhaps the most important means for sustaining progress is to create a short, monitoring and evaluation plan that reflects the needs of both the Native community and state and local education systems. This need not be lengthy, but it is critical to set up a system for ongoing input and to see if the plan created by the initial local consultation is working.

The above essential elements are a step toward moving beyond the systems of education that the United States has used over the past two centuries, which have not respected Native ways of knowing and led to historical trauma, distrust, and tension. In many communities, such tension continues. Following the above elements of local consultation presents an opportunity to turn the page.

"True consensus is built through talking, listening, and considering different ideas until a new understanding takes place, and the decision makers come to 'one mind' about what to do."

- NORMA GENERAL, ELDER OF THE WOLF  
CLAN, CAYUGA NATION

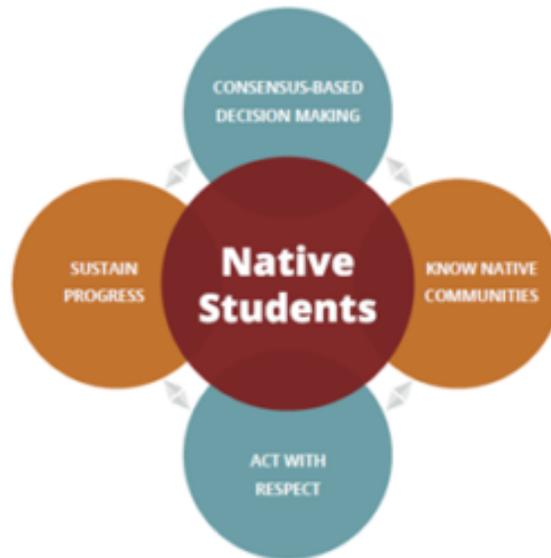


# Appendix A

## Completing the Circle

- The act of consultation should be a cyclical with ongoing inclusion of community perspectives.
- Be timely and clear with follow up, including how and when it will occur as well as who is responsible.
- Share relevant data, information, and feedback with tribal representatives, including how information will be used in any reports, policies or strategies.
- Ensure that feedback is shared and used not only consistently, but also constructively.
- Understand intentional silence during the days following the meeting or consultation is seen as proper protocol; using this time to figure out thoughts and focus on a response.

### Essential Elements of Consultation



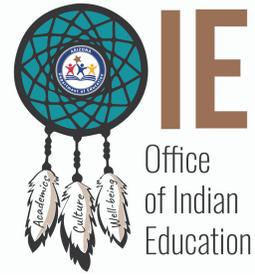
## ESSA Section 8538

### Important information to know about local consultation under ESSA.

- Local consultation requirements didn't exist under NCLB.
- Consultation must be "timely and meaningful."
- Consultation must "meaningfully and substantively contribute to the district's plan."

### What are the requirements of school districts under ESSA?

- School districts are required to consult with Indian tribes or tribal organizations before submitting a plan for a program covered by ESSA.
- Districts that receive more than \$40,000 for Title VI or have over 50 percent American Indian enrollment must hold tribal consultation.



# Appendix A

## The Need for Local Consultation

The research in favor of local engagement is clear: parent, family, and community involvement in education correlates with higher academic performance and school improvement. Researchers cite parent, family and community involvement as key to addressing the school dropout crisis and note that strong school-family-community partnerships foster higher educational aspirations and more motivated students. The evidence holds true for students at both the elementary and secondary level, regardless of the parent's education, family income, or background-and shows parent involvement affects minority students' academic achievement across all races

## Fundamental Change is Necessary

Without genuine community input and support, Native students struggle to see how education is relevant to their lives. The impacts of failing to truly consult Native communities at the local level can be seen in Native graduation rates which remain below the national average at 72%, while the overall U.S. high school graduation rate has reached an all-time high of 83%. Improving Native graduation rates must be a priority; engaging tribal leaders and Native communities is the only way to create the change we need.

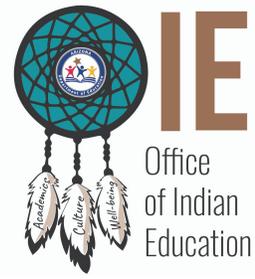
## ESSA is a Critical Turning Point

The Every Student Succeeds Act (ESSA) is a critical turning point: local consultation must be done at a new and higher level. The law requires local consultation, so the same box-checking that has been done in the past cannot be repeated. ESSA is a basic bargain that provides states and localities more flexibility in exchange for greater responsibility in improving outcomes for students who have traditionally not been served well. The shift in accountability systems from No Child Left Behind, which automatically placed schools into prescribed interventions, to ESSA, where schools are evaluated by states and school districts on additional measures of school quality, is a key part of that change. Along with this increased flexibility comes added responsibility. School districts must step up to this challenge and will need to engage with tribes to fulfill the overall purpose of ESSA for Native students

## Tribal Consultation in Affected School Districts What is an "Affected" School District?

- School districts located within 5 miles of a tribe's council chambers or reservation, have an obligation to reach out to the tribe to let them know of their right to engage in consultation with the school district in the following cases:
  - If the school district has an enrollment of American Indian or Alaska Native students not less than 50 percent of the total student enrollment; or
  - If the school district received \$40,000 or more in fiscal year 2017 under the Indian Education Formula Grants.
- School districts that are located more than 50 miles from the tribe's council chambers or reservation and have more than 30 Native students\* should invite tribal leaders to consultation.

\*The area served by school districts has been defined consistent with language in Section 6114 of ESSA. In addition, NIEA has identified 30 students as the appropriate minimum number above which tribes should be consulted because 30 reduces the burdensome rules for districts with small numbers of students while maintaining local consultation for districts with a large number of Native students.



# Appendix A

## NIEA's Practical Guide to Local Consultation

### Introductory Hearing

- The School District holds an initial set of hearings to invite tribes and Native community members to learn about local consultation under ESSA.
  - One hearing should be held during the day so that tribal leaders and District administrators have the opportunity to meet.
  - One hearing should be held during the evening so that Native families and community members can attend.
- Both initial hearings should be posted in accordance with open meetings requirements that apply to districts in your state.
- Districts should provide tribes with flyers about these meetings so that tribes can also provide Native families with notice.
- School Board Members should attend 1 of the 2 hearings.
- These hearings should only focus on ESSA Implementation. (The meetings could be held during the same time slot as Title VI Parent Advisory Committee (PAC) meetings, but local consultation under ESSA should be the only topic for discussion.)
- Districts should utilize the PAC as a resource to help spread the word about introductory hearings for ESSA.

### Tribal Council Meeting

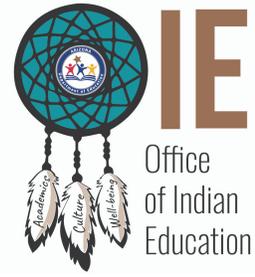
- Districts should offer to go to tribal council meetings for each of the tribes where more than 30 Native students attend schools in the district.
- Tribal Council Meetings represent a time intensive, but critical step in forging consensus.

### Discussion Meeting

- Districts should convene meetings to discuss key issues that affect Native children in the school district.
- All the individuals who came to the Hearings and the Tribal Council Meetings should be invited.

## Tips for Outreach to Tribes More than 50 Miles from the LEA

- Send a letter and call the Tribal Council office for the tribe in question.
- Follow up to ensure that the school district has actually spoken to tribal officials.



# Appendix A

## Implementation Meeting

- The School District should hold one meeting once a draft local plan has been disseminated to let tribal leaders and Native community members know how their feedback was incorporated into the final plan.
- For each year after the local plan is adopted, if the school district would like to make any significant changes, the school districts should hold a meeting to let participants know how feedback was incorporated.
- The initial review of the draft plan and implementation meetings in later years should be separate from the PAC meeting and should include the school board.

## Conclusion

For several generations, Native education stakeholders have urged policy makers to work collaboratively with them. The Every Student Succeeds Act allows educational stakeholders to enter into a new education era, one that requires timely and meaningful consultation.

Please remember: "Mitakuye Oyasin, we are all related," as the Lakota say. This metaphor personifies the expression of what Native people perceive as community-integrative and inclusive. NIEA offers this uniquely developed facilitation process as a means of creating collective, powerful allies in the advancement of Native education.

For more information on the specific phases and the overall process, please contact Ahniwake Rose, Executive Director of NIEA.

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For more information and resources or to download this publication electronically, visit NIEA's website for "Building Relationships with Tribes: A Native Process for Local Consultation Under ESSA" [www.NIEA.org](http://www.NIEA.org)

### **The National Indian Education Association**

1514 P St NW, Suite B, Washington, DC 20005

Phone: (202) 544-7290

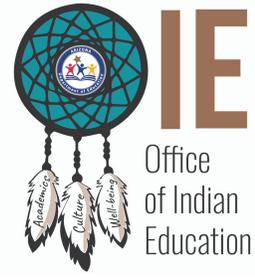
Fax: (202) 544-7293

Email: [NIEA@NIEA.org](mailto:NIEA@NIEA.org)

 /NIEAFanPage

 @WereNIEA

[www.NIEA.org](http://www.NIEA.org)



# **APPENDIX B *Tribal Consultation*** ***Under the Every Student Succeeds*** ***Act: A Guide for Affected Districts*** **Midwest Comprehensive Center at American** **Institutes for Research**

Under the Every Student Succeeds Act (ESSA), some districts are required to consult with tribal governments on the development of their education plans.<sup>1</sup> This practice brief is intended to serve as an overview of district-level ESSA tribal consultation requirements and as guidance for local education agencies (LEAs). This brief does not discuss state-level consultation for Title I, Part A planning or how ESSA applies to schools that fall under the jurisdiction of the U.S. Secretary of the Interior and the U.S. Bureau of Indian Education.

## **Affected Districts**

ESSA also requires districts with an enrollment of 50% or greater American Indian or Alaska Native students (1) and/or a Title VI Indian Education grant of more than \$40,000 to consult with tribal nations and communities “for a covered program under [ESSA] or for a program under Title VI of [ESSA]”.

The act requires tribal consultation to be (a) timely and (b) meaningful, but it does not define these terms, only that it “shall be done in a manner and in such time that provides the opportunity for such appropriate officials (2) from Indian tribes or Tribal organizations to meaningfully and substantively contribute”.

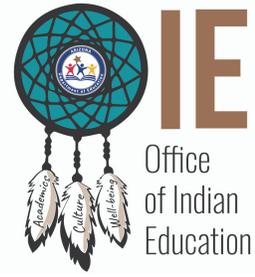
## **Timely**

To provide sufficient opportunity for tribal contribution, consultation processes and meetings should be established on an ongoing basis. Consultation must take place well before plan submission deadlines so that initial feedback can be gathered and incorporated into the plan. Regular meetings thereafter ensure that tribal leaders continue to have a voice in the implementation and review of the plan. The law does not specify forms of recourse available to tribal nations in cases of insufficiently meaningful or timely consultation. If there is insufficient time to conduct consultation that tribes consider meaningful before plans are due, it will be essential for tribal leaders and districts to agree on future consultation processes that will allow for regular, sustainable tribal input.

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<sup>1</sup> According to guidance from the U.S. Department of Education, “In order to determine whether an LEA has 50 percent or more of its enrollment made up of AI/AN students, an LEA should use the enrollment data from the 2016–2017 school year to determine whether it is an affected LEA in FY 2017. The total AI/AN enrollment data would include those students who self-identify as AI/AN alone and AI/AN in combination with one or more races, regardless of Hispanic ethnicity” (U.S. Department of Education, Office of Elementary and Secondary Education, 2016).

<sup>2</sup> “The term ‘appropriate officials’ means (A) tribal officials who are elected; or (B) appointed tribal leaders or officials designated in writing by an Indian tribe for the specific consultation purpose” (ESEA, 20 U.S.C. § 7918, 2015).



## APPENDIX B

### Meaningful

Districts will need to work collaboratively with tribes to develop shared understandings of “meaningful” consultation, which is required by ESSA but not defined by it. A key starting point is building a greater understanding of the infrastructure, processes, and community contexts of the tribes to be consulted. Tribal nations often have experience with consultation and can help districts construct strong and sustainable consultation processes.

Districts must document their consultation activities and provide the LEA with a copy of an affirmation signed by each consulted tribe to verify that appropriate consultation took place. In districts with more than one tribe represented, respect for the sovereignty and individuality of tribal nations dictates that requests for consultation should be handled separately.

### Covered Programs

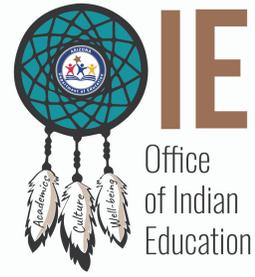
Affected districts are required by ESSA to consult with tribes on plans or applications for programs covered under the following:

- Title I, Part A (Improving Basic Programs Operated by State and Local Educational Agencies)
- Title I, Part C (Education of Migratory Children)
- Title I, Part D (Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk)
- Title II, Part A (Supporting Effective Instruction)
- Title III, Part A (English Language Acquisition, Language Enhancement, and Academic Achievement Act)
- Title IV, Part A (Student Support and Academic Enrichment Grants)
- Title IV, Part B (21st Century Community Learning Centers)
- Title V, Part B, Subpart 2 (Rural and Low-Income School Program)
- Title VI, Part A, Subpart 1 (Indian Education Formula Grants to Local Educational Agencies)

### Making Tribal Consultations Under ESSA Meaningful

When approaching tribal leaders for consultation, districts can do several key things that can contribute to meaningful consultation:

1. Recognize the sovereign status of tribal nations and the existence of a government-to-government relationship between those nations and the United States federal and state governments.
2. Deliver personal invitations to attend consultations to tribal leaders, providing ample time prior to the event to allow them to arrange their schedules. Invitations should be from senior district leadership with decision-making power, and these leaders should also attend the consultation meetings.
3. Show respect for the tribal nation’s culture and sovereignty by making a genuine effort to learn about their government, culture, and history with the district prior to consultation.



## APPENDIX B

### As part of meaningful consultation, tribal leaders should be:

- Informed of dates for upcoming meetings, including both tribal consultation meetings and information or input meetings that are open to the public
- Informed of deadlines for plan development and submission
- Provided with information on proposed programs
- Provided with formats and submission information for tribal input
- Notified of significant changes in plans
- Provided with information on how input was incorporated
- Given a final copy of plans or applications

### As part of meaningful consultation, tribal leaders should be provided with, or should be able to receive on request:

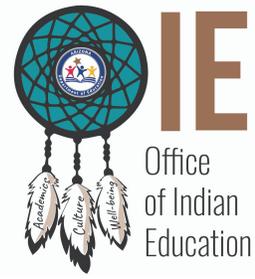
- Copies of previous education plans
- Contact information for district personnel or members of committees
- Presentations from state or local representatives about existing programs so that tribes have clarity regarding how the programs operate in the local, district, or state context
- Additional meetings to discuss the education plans or programs
- Information on the evidence on which planned activities are based
- Previous reports and evaluations on education plans or program outcomes

Most affected districts will need to consult regularly with local tribal nations to meet the ESSA requirements given the number of covered programs in the law.

### Guiding Questions for Meaningful Consultation

How has the district worked with tribal leaders and community members to:

- Identify tribal needs and priorities with regard to the development of programs to support American Indian student success?
- Develop district plans, policies, goals, objectives, and outcomes for programs that affect American Indian students and families?
- Leverage tribal cultural expertise and knowledge to support district programs involving American Indian students?
- Provide tribal leaders and community members with regular opportunities to offer input and feedback on program implementation?
- Determine effective ways to share and use data to support American Indian students?
- Include culturally appropriate and realistic performance measures and data collection methods?
- Regularly inform tribal leaders and community members of program progress and impacts?



# APPENDIX B

## Appendix B. Resources (Annotated Bibliography)

Elementary and Secondary Education Act of 1965, 20 U.S.C. §§ 6301–7981 (2015). Retrieved from <https://www2.ed.gov/documents/essa-act-of-1965.pdf> This is the full text of the Elementary and Secondary Education Act of 1965 as amended by the Every Student Succeeds Act of 2015.

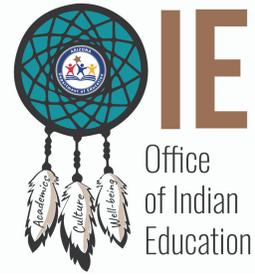
National Congress of American Indians. (2017). Tribal nations and the United States: An introduction. Washington, DC: Author. Retrieved from <http://www.ncai.org/about-tribes> This NCAI document is an introduction to tribal governments and their relationship (political, legal, and practical) to other public governments (federal, state, and local). It covers tribal consultation and how it is conducted when multiple tribal and public government agencies work together on common topics.

National Congress of American Indians, & Pyramid Communications. (n.d.). Effective tools for communications and leadership in Indian country. Washington, DC, and Seattle, WA: Authors. Retrieved from [http://www.ncai.org/news/Tribalcommunicators-resources/ncai\\_conferencebooklet\\_final\\_singlepage.pdf](http://www.ncai.org/news/Tribalcommunicators-resources/ncai_conferencebooklet_final_singlepage.pdf) This communications guide aimed at tribal leaders may also be helpful to districts wishing to understand some of the potential barriers to cross-cultural communication.

National Indian Education Association. (2016). Building relationships with tribes: A Native process for ESSA consultation. Washington, DC: Author. Retrieved from <http://www.niea.org/wp-content/uploads/2016/02/NIEA-BuildingRelationships-FINAL.pdf> The National Indian Education Association sets out a Native process for consultation with tribes in the context of ESEA. Major components include sections of ESEA that address consultation and essential elements of consultation.

Oklahoma State Department of Education. (2017). Oklahoma tribal consultation guide. Oklahoma City, OK: Author. Retrieved from <http://sde.ok.gov/sde/sites/ok.gov.sde/files/Tribal%20Consulation%20Guide.pdf> This guide was developed in 2017 by the Oklahoma Department of Education, the Chickasaw Nation, the Cheyenne & Arapaho Tribes, and the Muscogee (Creek) Nation.

U.S. Department of Education, Office of Elementary and Secondary Education. (2016, September 26). Dear colleague letter on tribal consultation FAQs. Washington, DC: Author. Retrieved from <https://www2.ed.gov/policy/elsec/leg/essa/faq/essafaqtribalconsultation.pdf> This letter and its accompanying list of frequently asked questions and answers provides basic information for districts about changes to the Elementary and Secondary Education Act of 1965.



## APPENDIX B

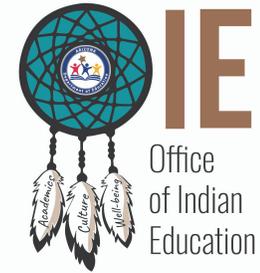
This document was created by the Midwest Comprehensive Center and Drs. Nicole Bowman and Martin Reinhardt of Bowman Performance Consulting. This document contains resources that are provided for the reader's convenience. These materials may contain the views and recommendations of various subject matter experts as well as hypertext links, contact addresses, and websites to information created and maintained by other public and private organizations. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of any outside information included in these materials. The views expressed herein do not necessarily represent the positions or policies of the U.S. Department of Education. No official endorsement by the U.S. Department of Education of any product, commodity, service, enterprise, curriculum, or program of instruction mentioned in this document is intended or should be inferred.

### About AIR

Established in 1946, with headquarters in Washington, D.C., American Institutes for Research (AIR) is an independent, nonpartisan, not-for-profit organization that conducts behavioral and social science research and delivers technical assistance both domestically and internationally. As one of the largest behavioral and social science research organizations in the world, AIR is committed to empowering communities and institutions with innovative solutions to the most critical challenges in education, health, workforce, and international development.

*This appendix has been modified by the Arizona Department of Education for clarity and continuity.*





# APPENDIX C:

## *Tribal Consultation Under the Every Student Succeeds Act: A Guide for Tribal Leaders and Communities*

### Introduction

This brief provides an overview of tribal consultation requirements under the Every Student Succeeds Act (ESSA) of 2015, Public Law 114-95, the latest reauthorization of the Elementary and Secondary Education Act (ESEA) of 1965. ESSA replaces the requirements of the No Child Left Behind (NCLB) Act, the previous reauthorization of the United States' national education law.

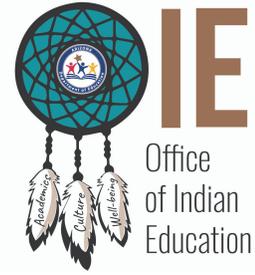
### Our Stakeholders: Our Children

American Indian children deserve every opportunity to realize their full potential physically, mentally, emotionally, and spiritually. They are the elders of the future, holders of knowledge and wisdom that will be passed down to succeeding generations. American Indian children require support for a quality education so that any opportunity and achievement gaps can be addressed.

Unfortunately, American Indian children today are not reaching the same levels of academic performance as their peers. Consider the following challenges:

- *Graduation rate:* American Indian students lag behind Asian/Pacific Islander, White, Hispanic, and Black students in graduating from high school within four years of starting the ninth grade.
- *Special education:* In 2012-13, the percentage of students served under the Individuals with Disabilities Education Act (IDEA) was highest for American Indian/Alaska Native students (16 percent).
- *Academic performance:* In 2015, 10 percent of American Indian 12th graders were proficient in mathematics, compared with 25 percent of all 12th graders tested; and 28 percent of American Indian students were proficient in reading, compared with 37 percent of all 12th graders tested on the National Assessment for Educational Progress (NAEP), known as the Nation's Report Card.

Despite these concerning facts, research shows that when culture is integrated into the curriculum, American Indian students have a greater chance of academic success.<sup>5</sup> Similarly, when tribal communities and families are engaged and when schools and communities work together to increase support for American Indian students, these students have a greater chance of academic success.



# APPENDIX C

## ESSA Tribal Consultation Requirements

ESSA requires that SEAs and affected districts consult with tribes in the development of their education plans. State education agencies are required by ESSA to engage in meaningful consultation with tribes when developing state plans for Title I, Part A funding. Affected districts that educate American Indian or Alaska Native students are also required to consult with tribes prior to submitting a plan or application for a covered program under ESSA or under Title VI. ESSA requires that tribal consultation be both *timely* and *meaningful*.

### Timely

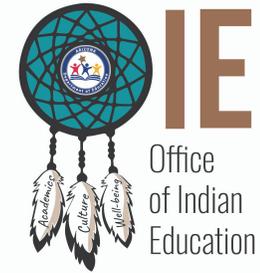
ESSA mandates that consultation with tribes must be timely and, crucially, that consultation should not delay the submission of education plans. Timelines for submission will vary by state. Initial questions that tribal leaders may want to ask SEAs or districts include:

- When does the state intend to submit its plan to the U.S. Department of Education?
- By what date does the state need input from tribes?
- When are district plans due to the state?
- Is a particular format required for the provision of tribal input and feedback?

ESSA does not specify forms of recourse available to tribal nations in cases of insufficiently meaningful or timely consultation. Tribes may find that there is insufficient time to conduct consultation that they consider meaningful before plans are due. In such cases, tribal leaders may wish to work with SEAs or districts, as appropriate, to agree on ongoing consultation processes that will allow for regular, sustainable tribal input.

## References

1. All references to "ESSA" in this document refer to the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESSA) of 2015.
2. National Center for Education Statistics. (2016). Public high school graduation rates. Retrieved from [https://nces.ed.gov/programs/coe/indicator\\_coi.asp](https://nces.ed.gov/programs/coe/indicator_coi.asp)
3. National Center for Education Statistics. Children and youth with disabilities. Retrieved from [https://nces.ed.gov/programs/coe/indicator\\_cgg.asp](https://nces.ed.gov/programs/coe/indicator_cgg.asp)
4. U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics, National Assessment of Educational Progress. (2016, April). 2015 results: Mathematics and reading, grade 12. Retrieved from [https://www.nationsreportcard.gov/reading\\_math\\_g12\\_2015/files/infographic\\_2015\\_g12\\_math\\_reading.pdf](https://www.nationsreportcard.gov/reading_math_g12_2015/files/infographic_2015_g12_math_reading.pdf)
5. Apthorp, H. (2016). Where American Indian students go to school: Enrollment in seven Central Region states. Washington, D.C.: Institute of Education Sciences. Retrieved from [https://ies.ed.gov/ncee/edlabs/regions/central/pdf/REL\\_2016113.pdf](https://ies.ed.gov/ncee/edlabs/regions/central/pdf/REL_2016113.pdf)
6. Wang, M., & Sheikh-Khalil, S. (2014). Does parental involvement matter for student achievement and mental health in high school? *Child Development*, 85(2), 610-625.
7. Powers, K., Potthoff, S., Beringer, L., & Resnick, M. (2003). Does cultural programming improve educational outcomes for American Indian youth? *Journal of American Indian Education*, 42(2), 17-49.



## APPENDIX C

### Meaningful

The earlier NCLB did not require SEAs or districts to consult with tribes. ESSA, however, mandates timely and meaningful consultation. Consequently, many SEAs and districts will be seeking input and assistance from tribes to develop shared understanding of meaningful consultation, which is required by ESSA but not defined by it. Tribal nations can draw on their experience of consultation to help districts and SEAs construct strong and sustainable consultation processes.

**As part of meaningful consultation, tribal leaders should be:**

- Informed of dates for upcoming meetings, including both tribal consultation meetings and information or input meetings that are open to the public.
- Informed of deadlines for plan development and submission.
- Provided with information on proposed programs.
- Provided with formats and submission information for tribal input.
- Notified of significant changes in plans.
- Provided with information on how input was incorporated.
- Given a final copy of plans or applications.

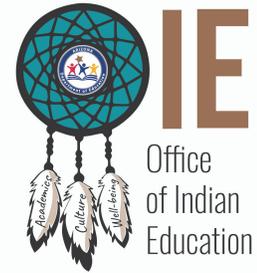
**As part of meaningful consultation, tribal leaders should be provided with, or should be able to receive on request:**

- Copies of previous education plans.
- Contact information for district personnel or members of committees.
- Presentations from state or local representatives about existing programs so that tribes have clarity regarding how the programs operate in the local, district, or state context.
- Additional meetings to discuss the education plans or programs.
- Information on the evidence on which planned activities are based.
- Previous reports and evaluations on education plan or program outcomes.

Realistically, tribal leaders may also expect to provide SEAs and districts with relevant historical, cultural, and linguistic information and awareness to help inform the writing of state and district education plans. Tribal nations may choose to invite tribal council members, the Indian Education director, education consultants, parents, teachers, students, and members of the parent council, among others, to participate in these consultations.

### State Education Agencies

SEAs must consult with tribes on state plans to meet Title I, Part A of ESSA. This section of the Act provides financial assistance to districts and schools with high numbers or high percentages of children from low-income families to help ensure that all children meet challenging state academic standards. States do not start from scratch on these plans; most draw on their existing plans as a beginning point.



## APPENDIX C

### Affirmation of Consultation

Districts are required to consult with tribal leaders on plans or applications for specific title programs, including those programs under Title VI of ESSA, if the districts meet the following criteria:

- Have an enrollment of American Indian or Alaska Native students that is 50 percent or more of the district's total student enrollment.
- Had a Title VII Indian Education grant of more than \$40,000 prior to 2016.
- Had a Title VI Indian Education grant of more than \$40,000 after 2016.
- 

Districts will need to have an affirmation signed by each tribe consulted in order to document that consultation took place. If districts cannot obtain this affirmation, they must document their consultation efforts and activities as part of any plan or application they submit for a program under specified sections of ESSA

### Appendix C: Resources

The resources listed below include guidance from the National Indian Education Association and the U.S. Department of Education's Office of Indian Education concerning relevant aspects of ESSA.

National Congress of American Indians, & Pyramid Communications. (n.d.). Effective tools for communication and leadership in Indian country. Washington, DC, and Seattle, WA: Authors. Retrieved from [https://www.ncai.org/news/tribal-communicators-resources/ncai\\_conferencebooklet\\_final\\_singlepage.pdf](https://www.ncai.org/news/tribal-communicators-resources/ncai_conferencebooklet_final_singlepage.pdf)

- This resource is a communication guide for tribal leaders containing information and tools that may be helpful in working with districts.

National Indian Education Association. (2016). The Every Student Succeeds Act. [Website]. Retrieved from <https://www.niea.org/for-advocates/education-priorities/elementary-and-secondary-education-act-essa-and-every-students-succeeds-act-essa/>

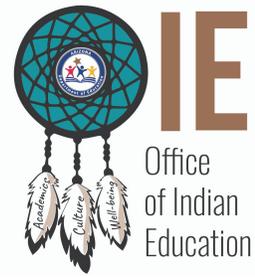
- This site contains a series of fact sheets that describe ESSA generally, as well as a series of Native education specific fact sheets, which cover topics such as State Tribal Education Partnerships and cooperative agreements, language immersion, Impact Aid, and Native Hawaiian and Alaska Native education.

20 U.S.C. § 6301 (1965), amended Pub. L. 114-95, title I, § 1001 (2015). Elementary and Secondary Education Act of 1965. Retrieved from <https://www2.ed.gov/documents/essa-act-of-1965.pdf>

- This is the full text of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act of 2015.

U.S. Department of Education, Office of Elementary and Secondary Education. (2016, September 26). Dear colleague letter on tribal consultation FAQs. Washington, DC: Author. Retrieved from <https://www2.ed.gov/policy/elsec/leg/essa/faq/essafaqtribalconsultation.pdf>

- This letter and its accompanying list of frequently asked questions and answers provides basic information for districts about tribal consultation requirements of Elementary and Secondary Education Act of 1965 as amended by ESSA.



# ***Appendix D: The Elementary and Secondary Education Act as Amended by the Every Student Succeeds Act of 2015: Title Summaries***

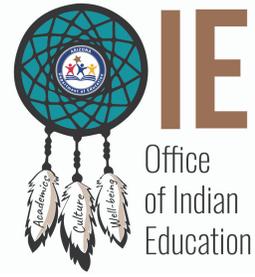
This document contains summaries of portions of the Elementary and Secondary Education Act (ESEA) as amended by the Every Student Succeeds Act of 2015 (ESSA) that are most relevant to tribal consultation. Each summary is followed by a list of questions that will assist states, districts, and tribal leaders in thinking about considerations that may be important to address during consultation. Considerations specific to state or district consultation have been noted.

The U.S. Department of Education has identified the following titles, parts, and subparts of ESSA as those that require affected districts (as defined by the Act) to engage in consultation with tribal leaders. Other consultation requirements that are not specific to affected districts are also included when they are of particular interest or relevance to tribes.

## ***Title I: Improving the Academic Achievement of the Disadvantaged***

### **Part A: Improving Basic Programs Operated by Local Educational Agencies**

Title I, Part A outlines the programs that provide states with money to fund districts to support schools with significant populations of disadvantaged students and schools that are otherwise low-performing. This section of the law requires challenging academic standards, aligned statewide testing, accountability, and reporting and school improvement activities at the state and local levels. Accountability by student subgroup such as race or ethnicity is required by this section.



# APPENDIX D

## Part A: Improving Basic Programs Operated by Local Educational Agencies

Basic grants fund schoolwide programs for schools that meet a schoolwide poverty threshold. Targeted grants are available to LEAs and schools with higher proportions of disadvantaged students. In addition to identifying schools for basic program supports, states must also identify low-performing schools from among public schools statewide for comprehensive support and improvement or targeted support and achievement based on:

- Academic achievement
- Graduation rates
- English learner progress toward English language proficiency
- At least one additional indicator of school quality or student success as determined by the state

Long-term and interim goals must be set for all students and for specific student subgroups (including American Indian students) for the first three indicators, and states must report performance against these targets. States will identify low-performing schools for two types of support:

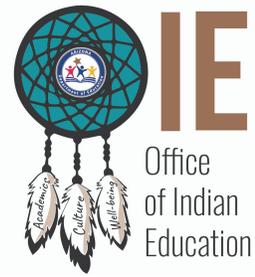
- **Comprehensive support:** schools must improve overall student performance.
- **Targeted support:** schools must improve performance in subgroups for which low performance was identified.

States, districts, and schools must report annually, in a clear public report card format, on performance on each of the required accountability indicators.

A state is required to consult with tribes in the development of its Title I plans and to notify tribes about state standards, academic assessments, and the state accountability system.

### **Several other provisions of Title I, Part A contain consultation or cooperation requirements that may be relevant to tribal leaders:**

- The state will ensure that districts will, to the extent feasible, work in consultation with outside intermediary organizations that have practical expertise in the development or use of evidence-based strategies and programs. (Sec. 1111(g)(2))
- District plans for meaningful family engagement should be developed jointly with parents and family members; the district will provide supports to build the capacity of all participating schools to plan and carry out the family engagement policy, which may include meaningful consultation with "individuals with expertise in effectively engaging parents and family members in education." (Sec. 1116(a)(2)(B))
- District plans must address how districts will coordinate and integrate Title I services "with other educational services at the local educational agency or individual school level, such as services for ... American Indian, Alaska Native, and Native Hawaiian children, and homeless children and youths, in order to increase program effectiveness, eliminate duplication, and reduce fragmentation of the instructional program." (Sec. 1112(c)(4))



## APPENDIX D

### Section 1111: State Plans

#### (a) FILING FOR GRANTS-

(1) IN GENERAL -For any State desiring to receive a grant under this part, the State educational agency shall file with the Secretary a plan that is:

- (A) developed by the State educational agency with timely and meaningful consultation with the Governor, members of the State legislature and State board of education (if the State has a State board of education), local educational agencies (including those located in rural areas), representatives of Indian tribes located in the State, teachers, principals, other school leaders, charter school leaders (if the State has charter schools), specialized instructional support personnel, paraprofessionals, administrators, other staff, and parents....

(2) LIMITATION-Consultation required under paragraph (1)(A) shall not interfere with the timely submission of the plan required under this section.

#### Section 111 (a)(2):

(B) the State educational agency will notify local educational agencies, Indian tribes and Tribal organizations, schools, teachers, parents, and the public of the challenging State academic standards, academic assessments, and State accountability system, developed under this section...

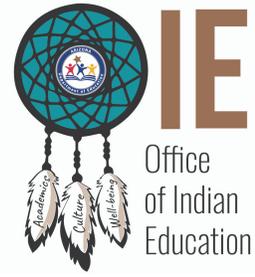
### Part C: Education of Migratory Children

This part provides funding supports for programs and provision to assist migrant children.

### Part D: Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At Risk

This part provides funding supports for programs that assist children and youth who are neglected, delinquent or at risk. The definition of "at risk" includes students who are a year or more behind their peers academically or who have high rates of absenteeism, as well as those with addictions, histories of abuse, or other major risk factors. Title I, Part D applies to children and youth in local, tribal, and state institutions and provides support for programs that equalize student opportunities for academic achievement, prevent dropouts, and support transitions from correctional facilities to employment or further schooling.

Subgrant funding to districts under this part can also be used to coordinate health and social services for at-risk children and youth, meet the "unique academic needs" of participating children and youth, and provide programs for at-risk American Indian children and youth.



# APPENDIX D

## Potential Considerations for Tribal Consultation for Title I

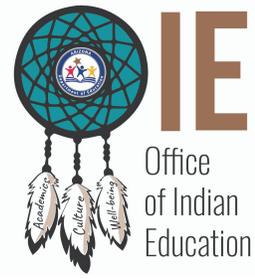
- **Tribal representatives:** Which tribal representatives will review state and local plans, attend important meetings, and make recommendations on behalf of the tribe about Title I programs?
- *Changes to plan:* What do previous plans under this part look like? What has changed and why?
- **Assessments used for Title I accountability:** Have the assessments used in their students' schools been reviewed for bias against tribal students? What were the results?
- **Data use and access:** How can tribes help ensure that data about tribal students are included in state and local accountability plans in a meaningful way?
  - *N-size* - What is the state's n-size (i.e., the smallest number of students who will be included in district and school outcome reporting) for subgroup reporting?
  - *Tribal Access* - How can tribes access data about their youth in Title I programs?
  - *Local Data Sharing* - Can data sharing agreements be developed between the tribe and the district to provide both entities with more information on tribal youth?
- **Supports for tribal youth:** Are American Indian students included in any comprehensive support or targeted support schools? How will supports address the needs of those students? What kinds of technical assistance will be provided?
- **Exploring best practices:** How are best practices in the education of tribal youth specifically being addressed in state and local school improvement efforts? What is the definition of "evidence-based" programs, and how does that definition apply to specific strategies for supporting tribal youth?
- **Early Childhood:** Are there plans to initiate/implement early childhood (pre-K) programs to increase potential for school readiness?
- **AI Youth in Juvenile Justice System:** What are the critical partnerships that need to be formed for American Indian students who are involved in the juvenile justice system or are at risk of becoming involved?

## Title II: Preparing, Training, and Recruiting High-Quality Teachers, Principals, and Other School Leaders

### Part A: Supporting Effective Instruction

Title II is focused on improving educator quality and on increasing the number of teachers, principals, and other school leaders who are effective in improving student academic achievement. It also contains provisions intended to provide low-income and minority students with greater access to effective teachers, principals, and other school leaders.

Grants under this part can cover, among other state initiatives, those that establish or expand alternative certification for subject areas with shortages of teachers, support districts in recruiting or retaining effective minority teachers, or support collaboration on early childhood transitions to elementary school.



# APPENDIX D

## Title II: Preparing, Training, and Recruiting High-Quality Teachers, Principals, and Other School Leaders

### Part A: Supporting Effective Instruction

Grants for districts under Title II, Part A can include, among many other things, programs intended to:

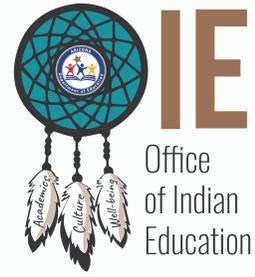
- Assist schools in recruiting and retaining effective teachers.
- Support mentorship or induction programs for new teachers.
- Provide evidence-based professional development for teachers on engaging parents and the community and coordinating services.
- Conduct in-service trainings on working with students who have experienced trauma or have been exposed to trauma and forming mental health partnerships with community organizations.

### Consultation

Section 2012 requires districts submitting applications for subgrants to consult with "... parents, community partners, and other organizations or partners with relevant and demonstrated expertise in programs and activities designed to meet the purpose of this title ... regarding how best to improve the local educational agency's activities."

### Potential Considerations for Tribal Consultation for Title II

- **Educator preparation to work with tribal youth:** What is the state or district doing to prepare, train, and recruit teachers, principals, and other school leaders concerning American Indian education specifically? What are ways tribes can provide input on teacher preparation in the area of cultural foundational principles of educating American Indian students?
- **Training to support tribal youth:** What skills, competencies, and capacities will be developed in training programs to support American Indian students and their education? Is there evidence that these approaches work specifically with American Indian students? Does the tribe have information it can share with the state or district on educational approaches that are proven to work with American Indian children or youth?
- **Identification of essential knowledge and skills:** What do new and current educators need to know to work effectively with American Indian students from this tribe?
- **High quality instructional standards:** What are the standards for recruiting and retaining teachers who provide high quality, culturally appropriate, and relevant instruction? Do these standards include attention both to process (e.g., high quality interactions between teacher and student) and to structural factors (e.g., class size)?
- **Professional development:** Has the district applied for-or does it intend to apply for-grants for professional development of teachers and education professionals?



## APPENDIX D

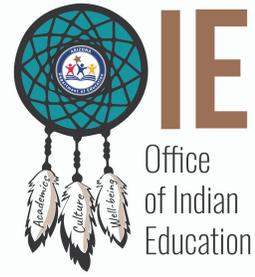
### Title III: English Language Acquisition, Language Enhancement, and Academic Achievement Act

#### Part A: English Language Acquisition, Language Enhancement, and Academic Achievement Act

This title addresses efforts to ensure that students who have limited English proficiency or limited native language proficiency attain high levels of proficiency in these respective languages as well as high levels of achievement in other academic subjects in these respective languages. It describes eligible uses of funds, including specific guidelines for supporting such efforts and guidelines for subgrants to districts and other organizations.

#### Potential Considerations for Tribal Consultation for Title III

- **Native language programs alignment:** If the tribe has a native language program, how does it align with programs for English learners (ELs) proposed by the state or district? For example, is the reading/language arts portion of the English language instruction program administered, or offered to be administered, in the EL's native language?
- **Data collection on native languages:** What data on ELs is collected regarding tribal background and the unique relationship between tribal languages and EL programs? For example, is the native language used at home by parents, elders, or other relatives asked about when students are assessed for EL inclusion? If so, does this qualify an American Indian student to be classified as an EL?
- **Language immersion:** What Indigenous and culturally responsive language immersion models will be used with American Indian students? Will participation in native language immersion programs be acknowledged as an effort toward becoming biliterate and bilingual?
- **Professional development to support tribal youth:** What professional development will non-native partners implementing language and English learner programs receive to prepare them to effectively support American Indian students and their education? Can partnerships with tribal colleges be developed to support this professional development?



# APPENDIX D

## Title IV: 21st Century Schools

### Part A: Student Support and Academic Enrichment Grants

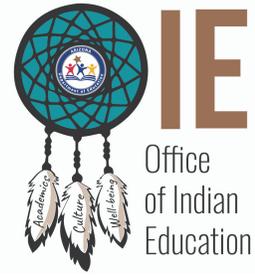
Title IV, Part A provides funding to improve students' academic achievement by increasing access to a well-rounded education, improving conditions for learning, and leveraging the use of technology to improve the digital literacy and academic achievement of all students. Activities and programs under this title must be coordinated with other schools and with community-based services and programs and may include partnerships with higher education institutions, businesses, nonprofits, community-based organizations, tribes, and other, similar entities.

### Part B: 21st Century Community Learning Centers

Title IV, Part B funds the establishment and expansion of community learning centers that provide programming and services to meet the academic and nonacademic needs of students and their families including outside of regularly-established school hours. Programs can support a well-rounded education, include counseling programs, programs for students suspended or expelled, credit recovery programs, and programs that collaborate with employer-partners, among others.

## Potential Considerations for Tribal Consultation for Title IV

- **Culturally-based discipline approaches:** Are there discrepancies in school discipline between tribal and nontribal youth in the state or district? How could disparities be addressed through culturally-based programs?
- **American Indian studies:** Are there opportunities within the state or districts to address native language and cultural immersion needs in the context of a well-rounded education or technology supports? Is there opportunity to provide instruction on the history, government, and culture of the tribal nation(s) to all students?
- **Statewide programs:** Is there potential for a statewide initiative on American Indian education focused on academic achievement of tribal students?
- **Online access:** What opportunities exist, or could be developed, to establish or expand educational Internet access for tribal youth?
- **Community learning center approaches:** What community learning centers exist that currently serve tribal youth, and how do the centers address the culturally related academic needs of American Indian students?
- **Tribal community outreach:** What comprehensive community programs are currently in existence? How do those programs incorporate tribes?
- **Support for nonacademic needs:** How can these programs be leveraged to address the nonacademic needs of students; e.g., through content (such as nutrition, physical education) or counseling?
- **School reform models:** What school reform models will be used with American Indian students under programs funded through Title IV? Do schools have the resources, staff, and infrastructure they need to meet the needs of American Indian students and families?
- **Transportation:** Will there be opportunities or options for transportation to and from community learning centers for students and/or their families?



# APPENDIX D

## Title V: Flexibility and Accountability

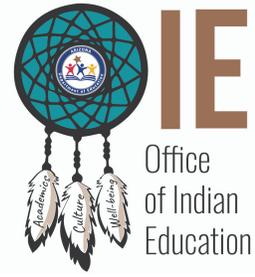
### Part B, Subpart 2: Rural and Low-Income School Program

Part B, subpart 2 of Title V specifies the criteria for district eligibility for rural and low-income subgrants from the state and the method by which those grant awards should be calculated.

### Potential Considerations for Tribal Consultation for Title V

- **Supporting innovation and flexibility:** What models and strategies have non-native partners used (or propose to use) to support innovation, flexibility, and collaboration with tribal governments for supporting rural native students and their education?
- **Activities eligible for funding:** What activities that are culturally appropriate for rural American Indian students would be eligible for funding?





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### Title VI: American Indian, Native Hawaiian, and Alaska Native Education

#### Part A, Subpart 1: American Indian Education Formula Grants to Local Educational Agencies

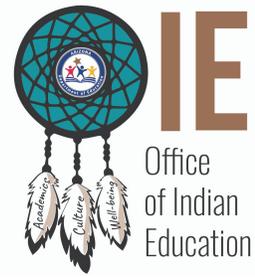
Districts, tribes, and local consortia are eligible to apply for grants under Part A, Subpart 1 if their student enrollment: (a) includes 10 or more American Indian students; or (b) is comprised of 25 percent or more American Indian students.\*

Plans are provided first to the state, which may choose to review and comment, and then to the U.S. Department of Education. If a state chooses to comment on one district's application, it must comment on all district applications. Title VI grants can be used to carry out a number of activities in support of the American Indian students in the district, tribe, or consortium. Such grants can be used to:

- Meet culturally-related academic needs of American Indian students, including:
  - Native language revitalization programs
  - Culturally related activities in support of Title VI grant programs
  - Childhood and family programs that support school readiness
  - Enrichment programs focused on problem solving and cognitive skill development
  - Integration of educational services, including programs that promote parental involvement
  - Career preparation activities
  - Violence, suicide, and substance-abuse prevention
  - Supports for culturally responsive teaching and learning
  - Family literacy services
  - Dropout prevention
  - Meeting the needs of incarcerated youth, including transition supports
- Provide professional development to ensure that new teachers and staff are prepared to work with American Indian students and that teacher involved with the programs covered by the grant have been properly trained. Grantees must evaluate how all American Indian students are doing (including those who do not participate in the program) and provide that information to the community and to tribes.

Activities under these grants may incorporate appropriately qualified tribal elders, including as native language instructors.

\*Does not apply to tribes in Alaska, California, or Oklahoma or to districts located on or near reservation lands. Tribes or consortia of tribes are eligible to apply to develop elementary and secondary school programs for Indian students if youth from their tribe(s) represent more than 50 percent of the Indian children in an eligible district and the district has not formed a Title VI committee as required in Section 6114(c)(4). Tribes may also apply on behalf of eligible districts or consortia of districts.



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### Title VI: American Indian, Native Hawaiian, and Alaska Native Education

#### Consultation

District applications for subgrant funding must include a description of "the process the [district] used to meaningfully collaborate with [American] Indian tribes located in the community in a timely, active, and ongoing manner."

The district also must report to the U.S. Department of Education on how the funds were used, how they addressed the "unique cultural, language, and educational needs" of the American Indian students, information on how those needs were determined and how the program was staffed to meet them, and how the district "developed [its program plan] in open consultation with [American Indian stakeholders] including through public hearings ... to provide ... a full opportunity to understand the program and to offer recommendations regarding the program."

#### The Title VI Committee

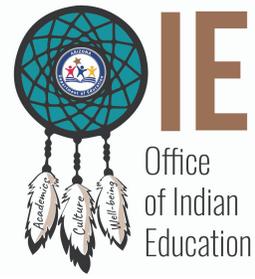
Specifically, districts are required to develop their Title VI, Part A programs with the participation of a committee (the Title VI committee) that is selected by, and primarily comprised of, the parents and families of American Indian children. Other committee participants should include tribal representatives of tribal nations with lands located within 50 miles of any school that the agency will serve if such tribes have any children in such schools, teachers, and Indian secondary school students.

Districts must have the Title VI committee's written approval of the plan and be able to describe the process by which the Title VI committee reviewed the program and determined that it would support American Indian students and not diminish culturally related program opportunities.

#### Use of Title VI Funds for Schoolwide Programs

Specifically, districts are required to develop their Title VI, Part A programs with the participation of a committee (the Title VI committee) that is selected by, and primarily comprised of, the parents and families of American Indian children. Other committee participants should include tribal representatives of tribal nations with lands located within 50 miles of any school that the agency will serve if such tribes have any children in such schools, teachers, and Indian secondary school students.

Districts must have the Title VI committee's written approval of the plan and be able to describe the process by which the Title VI committee reviewed the program and determined that it would support American Indian students and not diminish culturally related program opportunities.



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## Title VI: American Indian, Native Hawaiian, and Alaska Native Education

### Technical Assistance

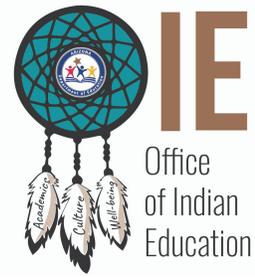
Specific technical assistance is available on request from the U.S. Department of Education to:

- Conduct local stakeholder outreach
- Develop Title VI program plans
- Improve and evaluate Title VI program plans
- Integrate Title VI program with other local programs
- Assist rural LEAs in applying for any competitive grants under the Act

Title VI also contains a section (6116) allowing districts, tribes, or consortia to apply to consolidate their federal funding and/or programs that serve American Indian students.

### Potential Considerations for Tribal Consultation for Title VI

- **Existing Title VI, Part A programs:** Does the district currently operate a Title VI, Part A program?
  - If not, is there a plan to apply for one?
  - If so, are there any tribal representatives on the Title VI committee?
  - Is the district's use of Title VI funding communicated adequately to the tribe?
  - Does the tribe and/or the Title VI committee have access to outcome data or reports on the program?
  - Does the tribe have access to contact information for all members of the Title VI committee?
- **Tribal education needs:** Are the needs of the tribe aligned with the programs offered by the district? If not, are there types of programs covered under this Title that tribes would like to see districts offer?
- **Tribal partnerships:** How can the tribe collaborate with the district to offer programs that better serve its needs?
  - The tribe and district can form a consortium for the purpose of developing Title VI programs.
  - Tribal elders can support the district in providing culturally informed and appropriate services to tribal youth.
  - The tribe and district can form partnerships to increase the capacity of the tribal education agency and coordinate programming.
- **Program effectiveness:** Has the district applied (or does it have plans to apply) for grants for national research activities?
- **Evidence-based:** What is the indigenous research base and/or culturally responsive models, programming, curriculum, assessment, or professional development the district is using in programs intended to support American Indian students and their education?



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## Consultation Language in Other Titles

Although affected districts under ESSA are not required to consult on Titles VII or VIII of the legislation, brief summaries of key points are included here. Title VII requires consultation from "federally impacted" districts (different from, but in many cases overlapping with, "affected districts" under ESSA), while Title VIII contains the specific language of the affected district consultation mandate.

## Title VII: Impact Aid

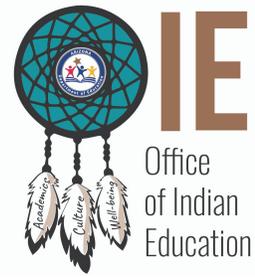
Impact Aid affects districts whose boundaries include federal land or land removed from the tax code, including reservation land. Impact Aid funds supplement these districts to compensate for their reduced tax base. ESSA includes new language that should allow for more timely payments of Impact Aid funds, a provision designed to help districts avoid sudden funding shortfalls, changes to the funding formula to increase equity, and increased appropriations authorizations. Some of the funding for Impact Aid is directly tied to the number of children residing on federal or nontaxed land, making accurate counts of those populations (which may be done by parent-pupil survey or by a tribal official) essential.

## Consultation Requirements

Consultation is required under Title VII for federally impacted districts serving children from Indian lands. These may or may not also be districts that are required to consult with tribes as "affected districts" under section 8538 of ESSA.

Section 7004 of Title VII requires that parents of children on Indian lands must be consulted on school programs and involved in school plans; and plans, evaluations, and applications for these programs must be provided to parents and tribal leaders. Districts are required to develop "Indian policies and procedures" (IPPs) to outline how and when the district will take these actions, and IPPs are evaluated yearly. If a tribe does not feel that a district is following the federal requirements, it may lodge a formal complaint with the U.S. Department of Education. Tribes may also waive their right to Section 7004 activities and policies by sending a letter to the district expressing satisfaction with the educational services provided by the school to students living on Indian lands.

Districts apply annually for funding directly to the U.S. Department of Education, usually in January. Impact Aid does not pass through the state; funding comes directly to districts.



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### Title VIII: General Provisions

The provisions of ESSA that relate specifically to schools funded through the Bureau of Indian Education are not included in this title summary, but Title VIII does contain some language specifying circumstances in which those schools must be given the same consideration as LEAs. Title VIII contains specific language requiring ~affected districts" to consult with tribes and tribal organizations.

#### SEC. 8103. 20 U.S.C. 7803: Applicability to Bureau of Indian Education Operated Schools

For the purpose of any competitive program under this Act:

- a consortium of schools operated by the Bureau of Indian Education;
- a school operated under a contract or grant with the Bureau of Indian Education in consortium with another contract or grant school or a tribal or community organization; or
- a Bureau of Indian Education school in consortium with an institution of higher education, a contract or grant school, or a tribal or community organization, shall be given the same consideration as a local educational agency.

#### SEC. 8538. Consultation with Indian Tribes and Tribal Organizations

- IN GENERAL-To ensure timely and meaningful consultation on issues affecting American Indian and Alaska Native students, an affected local educational agency shall consult with appropriate officials from Indian tribes or Tribal organizations approved by the tribes located in the area served by the local educational agency prior to the affected local educational agency's submission of a required plan or application for a covered program under this Act or for a program under Title VI of this Act. 5 Such consultation shall be done in a manner and in such time that provides the opportunity for such appropriate officials from Indian tribes or Tribal organizations to meaningfully and substantively contribute to such plan.
- DOCUMENTATION: Each affected local educational agency shall maintain in the agency's records and provide to the State educational agency a written affirmation signed by the appropriate officials of the participating tribes or Tribal organizations approved by the tribes that the consultation required by this section has occurred. If such officials do not provide such affirmation within a reasonable period of time, the affected local educational agency shall forward documentation that such consultation has taken place to the State educational agency.

