

TRIBAL CONSULTATION Q&A

Who is responsible for initiating ESSA tribal consultation?

The school district superintendent or charter holder is responsible for contacting tribal leaders.

What tribe or tribes should be invited to an LEA ESSA tribal consultation meeting?

LEAs that serve American Indian students within 50 miles of a tribe's reservation boundary must invite tribal representatives from that community to participate in consultation meetings.

What if an LEA is not located in a tribal jurisdiction?

LEAs that are located more than 50 miles from the tribe's reservation boundary and have more than 30 Native students from one or more tribes in Arizona, are strongly encouraged to invite tribal leaders from the tribes represented by those students to participate in consultation meetings.

When should tribal consultations begin?

The Title VI formula grant tribal consultation process must be completed by the end of the Part 2 application process, which is typically due in June.

For Title I-A, Title I-C, Title I-D, Title II-A, Title III-A, Title IV-A, Title IV-B, and Title V-B, subpart 2, the consultation process must be completed prior to grant submission. Typically, consultation occurs between February and May.

What are the consequences of not conducting required consultation with tribal representatives?

Tribal consultation is public law. Funding for programs under ESSA will not be approved for those funds that are administered through the Arizona Department of Education except when the following applies:

- ◆ The LEA has documented at least three, good faith, attempts to set up consultation meetings with applicable tribe(s) in a timely manner, without a response from the tribe(s) in question. For example:
 - Written correspondence sent via registered mail.
 - Emails that were sent to tribes (council members, education directors, etc.).
 - Phone calls documented via phone logs.