

Affirmation of Tribal Consultation

For School Year:

This form affirms that the requirements for tribal consultation, as set forth under Section 8538 of the Elementary and Secondary Education Act of 1965 (ESEA) as amended by the Every Student Succeeds Act (ESSA), have occurred between the school district and appropriate officials from Indian tribes or tribal organizations. This requirement is designed “to ensure timely and meaningful consultation on issues affecting American Indian and Alaska Native students.”

PRIOR TO CONSULTATION

The school district should consider providing a list of issues or questions on which the school district seeks input, or provide draft plans for this purpose, in advance of the consultation and before it makes a final decision on significant and substantive issues related to the content of the plans. School districts should consider providing written responses to explain how input was considered. Consultation required under Section 8538 shall not interfere with timely submission of the plans or applications.

REQUIRED CONSULTATION TOPICS

Affected school districts must ensure meaningful consultation with tribes before submitting plans or applications on 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 (Educational Support for Neglected, Delinquent or At-Risk Children and Youth)
- 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)

Meaningful consultation is defined as an opportunity to provide input and feedback to the school district on plans for any covered program. Consultation must be done "in a manner and in such time that provides an opportunity for such appropriate officials from Indian tribes or tribal organizations to meaningfully and substantively contribute" (Sec 8538(a)).

ADDITIONAL INFORMATION

For more information regarding the requirements of tribal consultation, visit the following resources:

[ESSA Tribal Consultation Overview](https://education.alaska.gov/akessa/stakeholder/ESSA_Tribal_Consultation_Overview.pdf)

education.alaska.gov/akessa/stakeholder/ESSA_Tribal_Consultation_Overview.pdf

[Dear Colleague letter from the United States Department of Education](https://oese.ed.gov/files/2020/07/essafaqtribalconsultation.pdf)

oese.ed.gov/files/2020/07/essafaqtribalconsultation.pdf

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For School Year: _____

Contact Information

District Information

Name of District: _____ Name of Superintendent: _____

Address (Street, City, State, Zip): _____

Phone: _____ Fax: _____ Email: _____

Tribal Official Information

Name of Tribe/Tribal Organization: _____

Name and Title of Tribal Official: _____

Phone: _____ Fax: _____ Email: _____

Consultation

Affirmation of Meaningful Consultation

The Tribal Official(s) agree that timely and meaningful consultation occurred, and that the district provided the opportunity to provide input and to contribute to the school district's ESEA programs listed in the Required Consultation Topics on page 1 (as applicable).

Timely and meaningful consultation **DID NOT** occur. Please explain: _____

Tribal Official Signature: _____ Date: _____

Each school district must maintain in their records and, for State-administered ESEA programs, provide to DEED, a written affirmation signed by the appropriate officials of the participating tribes (or tribal organizations approved by the tribes) that the required consultation occurred. If tribal officials do not provide such affirmation within a reasonable period of time, the school district must forward to DEED documentation that consultation has taken place.