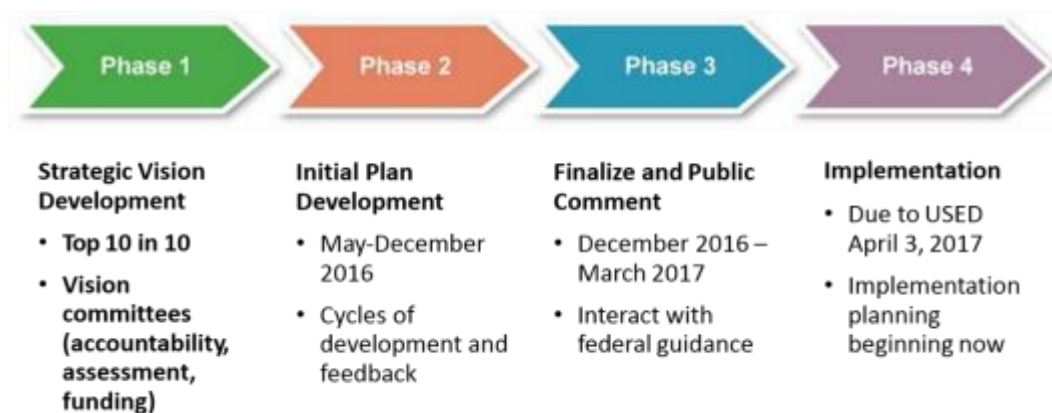


APPENDIX G – SUMMARY OF STAKEHOLDER ENGAGEMENT ACTIVITIES IN THE DEVELOPMENT OF MICHIGAN’S ESSA PLAN

Stakeholder Engagement Activities in the Development of Michigan’s Every Student Succeeds Act Plan

Throughout the development of Michigan’s Plan for the Every Student Succeeds Act (ESSA), the Michigan Department of Education (MDE) has sought the input and participation of stakeholders in the process. This input has taken many forms, both in-person and virtual, and respondents spanned multiple perspectives representing individuals, organizations, and all regions of the state.

Michigan’s Journey



1 PHASE 1 – STRATEGIC VISION DEVELOPMENT

The initial visioning for Michigan’s ESSA plan began with State Superintendent Brian Whiston’s call for input on the state’s Top 10 in 10 plan – asking respondents to share key priorities and activities needed in order for Michigan to become a top 10 education state within the next 10 years. This work also included a review of the strategies used by states and countries with leading education systems, including the strategies outlined in the National Institute for School Leadership’s *9 Building Blocks for a World Class Education*.

In response to our invitation for ideas, more than 30 education stakeholder organizations presented their ideas to the State Board of Education, with an additional 765 individuals responding to an online public input survey, which generated nearly 4,200 recommendations. State staff pulled this input together to create the Top 10 in 10 guiding goals and principles, approved by the State Board of Education in December 2015. Additional stakeholder input informed the effort to define and refine the

strategies recommended to accomplish the goals. Top 10 in 10 information is available at: www.michigan.gov/top10in10.

Additionally, the State Superintendent convened external stakeholders to serve on three vision committees around the topics of Accountability, Assessment, and School Funding.

Having already received this valuable input throughout 2015-16 through the Top 10 in 10 visioning process, MDE opted not to create a duplicative structure when the ESSA law was enacted, but rather build upon the work already underway through the Top 10 in 10 initiative. The recommendations from each of these efforts formed the starting point for several aspects of the state's ESSA vision and shaped the direction and focus of the ESSA work.

2 PHASE 2 – INITIAL PLAN DEVELOPMENT

This phase is where much of Michigan's ESSA stakeholder activity has taken place. The MDE adopted a multi-pronged approach, meeting with and presenting to large and small groups and organizations throughout the process. An overview of these activities is described below.

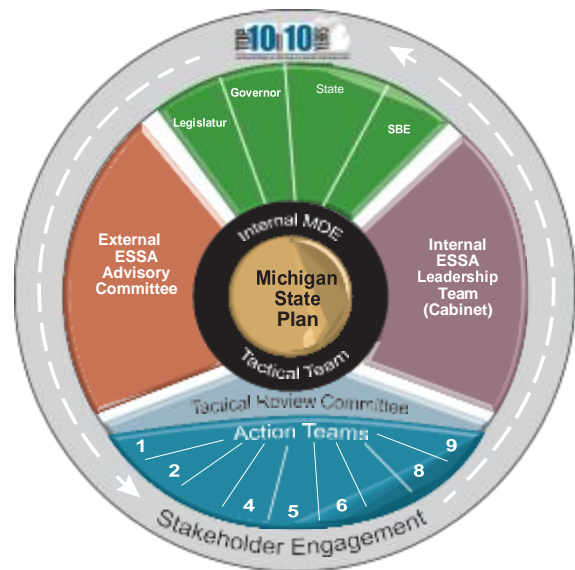
2.1 EXTERNAL STAKEHOLDERS INVOLVED IN FORMAL PLAN DEVELOPMENT AND REVIEW

The MDE created a formal structure to oversee its ESSA plan development process, as illustrated in the chart at right.

In addition to the internal review and development structures shown in this graphic, external stakeholders were represented on the nine Action Teams, led by department staff and including both internal and external topical experts, formed to review the new law and make recommendations for several specific aspects of the state plan.

Those Action Teams were:

- [Accountability System – Technical](#)
- [Additional Indicator of School Quality and Transparency Dashboard](#)
- [Assessment Implementation](#)
- [Communications and Outreach](#)
- [Fiscal](#)
- [Innovative Assessment Pilot](#)
- [Teacher and Leader Quality](#)
- [Using Data to Inform Instruction and Leadership](#)



Each Action Team's web page includes a link to background information on the Action Team, its initial charge, and a list of internal and external members of the team, as well as any subsequent reports or recommendations from that team.

The Action Teams met frequently (some as often as weekly), reviewing the committee's charge, related sections of the ESSA law, current practices, and input received through visioning committees, as well as conducting research and discussing options for recommendations to the state plan. As the work continued, the teams developed survey questions seeking broader stakeholder input and reviewed the responses received via those surveys.

External stakeholders also served on two larger committees charged with providing input on the combined recommendations of the Action Teams and the overall state plan. They were:

- The [Tactical Review Committee](#), whose members included representatives from local and intermediate school districts, as well as state organizations representing partners in the educational system, such as school nurses, social workers, librarians, and paraprofessionals, other state agencies, and many others whose expertise spanned multiple aspects of the ESSA plan.
- The [External Advisory Committee](#), comprising representatives of education associations, legislative leaders, the Governor's office, representatives of business and higher education, state advocacy organizations, and other state agencies with primary roles in the state's education system.

The Tactical Review and External Advisory Committees met monthly, initially reviewing and providing input on the overall structure of the work, and later looking at specific aspects of the Action Teams' work, often focusing on one or two topic areas in more depth and providing input to MDE staff.

2.2 PUBLIC COMMUNICATION

One of the first stakeholder engagement efforts was the creation of a new ESSA page on the MDE's website (www.michigan.gov/essa), which was used to share information related to the state's process for developing the plan with the public. Its key sections include: [State Plan Development](#) materials, such as draft recommendations, vision documents, Action Team information and work products, and any presentations made to the State Board of Education; [ESSA Resources](#), including links to the law itself and resources and guidance from MDE and the U.S. Department of Education (USED); opportunities to [Get Involved](#) in the ESSA plan development process by joining virtual focus groups, participating in online surveys, learning of other feedback opportunities, or signing up to receive ESSA updates; and [ESSA Notes](#), which contains archived versions of all ESSA Notes newsletters.

ESSA Notes newsletters, with an email distribution list of more than 3,400 subscribers, were sent whenever new opportunities for feedback or information on the plan development process was available. As the work progressed, a new edition of the newsletter was produced approximately every two weeks. Articles included information related to both state and federal activities and guidance around plan development, updates on opportunities to provide input, and status reports on Action Team activities.

2.3 ROUND ONE STAKEHOLDER SURVEY

As the work progressed and each Action Team developed preliminary recommendations or concepts, broader stakeholder input was sought in the form of an online survey, open for several weeks in August 2016. Notification of its posting was shared via the e-newsletter ESSA Notes, the MDE's weekly communication to schools and districts, the e-newsletter Spotlight on Assessments, and by education partners via notices in their member publications, as well as through staff presentations to the State Board of Education and other organizations. More than 1,100 individuals responded to the survey, which included questions on Accountability, Assessments, Supports for Students and Schools, Teacher and Leader Quality, and Using Data to Inform Instruction related to the ESSA recommendations. Results were analyzed by topic by the Action Team leads, and responses then informed the future direction of the committees' work. Detailed analysis of each survey was made available online:

- [Accountability System-Technical/Additional Indicator of School Quality and Transparency Dashboard \(combined results\)](#)
- [Assessment Implementation](#)
- [Innovative Assessments](#)
- [Supports](#)
- [Teacher and Leader Quality](#)
- [Using Data to Inform Instruction and Leadership](#)

2.4 OUTREACH TO STAKEHOLDERS VIA TARGETED FOCUS GROUPS AND CONFERENCE PRESENTATIONS

Throughout the plan development process, the MDE team was invited to present on ESSA at conferences, association meetings, and other venues. More than 40 presentations to groups ranging from ten people to more than 500 were given. Typically, there was opportunity for attendees to ask questions and provide input to the presenter.

In November, MDE staff led a half-day session with more than 100 members of local school boards to share details of the recommendations and seek input. These responses were shared with the relevant Action Team Lead or staff member for further consideration.

Presentations were made to all of the major education associations, and the State Superintendent provided regular updates and engaged in discussion with association leaders at their monthly Education Alliance meeting.

Several groups with interest in the ESSA plan development approached MDE seeking an opportunity to share input from their members' perspectives. We considered these *targeted focus groups*. These took the form of a meeting with multiple members of the group or organization in attendance, in focused discussion with MDE staff, to learn of their unique interests and concerns and discuss ways in which they might be addressed as part of the ESSA plan. Follow-up meetings with many of the groups will be held during the formal public comment process to outline where/how their input has been incorporated into the final plan or implementation activities. In many cases, additional input during the implementation phase will be sought, to assure continued alignment.

Groups with specific interest in meeting to discuss their feedback on ESSA included school librarians, representatives of Michigan’s Math and Science Center Network, arts education associations, student advocacy groups, parents of and organizations representing foster and homeless youth in the state, Michigan’s 12 federally recognized tribes, and several civil rights organizations (the latter two described in more detail below).

The MDE has committed to ongoing dialog with representatives of these various groups throughout the implementation phase of the ESSA plan.

2.5 TRIBAL CONSULTATION

Federally recognized tribal organizations are listed as one of the groups for whom engagement and consultation is required. This fit well with a developing Indigenous Education Initiative (IEI) that had recently been convened within the Department and the Governor’s 2012 executive order requiring each state agency to identify a liaison to coordinate departmental efforts related to Tribal-State affairs. Members of the ESSA planning team worked with the liaison and the IEI staff to convene several consultation meetings with representatives from Michigan’s 12 Indigenous tribes and their education associations, and through this process have created agreement to continue working together to provide guidance to state education agency (SEA) and local education agency (LEA) staff regarding ESSA consultation requirements and service to Native American children and their families.

As a results of these preliminary discussions, MDE has taken the following actions:

- Integrated references to tribal education departments throughout all foundational plan documents, to represent this commitment;
- Committed to quarterly consultation between the SEA and the federally recognized tribes;
- Committed to developing processes to engage in 1:1 consultation between the SEA and each federally recognized tribe individually;
- Adopted as guidance the Confederation of Michigan Tribal Education Directors “Guidance to Michigan Department of Education Regarding Tribal Consultation in the Every Student Succeeds Act,” with plans to use this as the core document to motivate consultation work between the SEA and the tribes as well as LEAs and tribes.

2.6 W.K. KELLOGG AND STEELCASE FOUNDATION GRANTS TO SUPPORT OUTREACH AND ENGAGEMENT EFFORTS

In partnership with the Council of Michigan Foundations (CMF), MDE sought grant funds from Michigan-based foundations to support the ESSA plan development process. The W.K. Kellogg Foundation awarded CMF/MDE \$175,000 and the Steelcase Foundation provided a \$10,000 match to foster stakeholder engagement efforts around ESSA and Michigan’s Top 10 in 10 initiative, with a focus on outreach to parents and traditionally underserved communities and groups. Because of the timing of the awards, much of MDE’s stakeholder engagement was already underway when the funds were received, so the funds are planned to be used for stakeholder engagement during the implementation phase of the plan, as well as in the later stages of plan development.

The MDE and CMF have contracted with Lansing-based Public Policy Associates to assist in these targeted outreach efforts. Details of these activities are described throughout this report.

2.7 CIVIL RIGHTS AND SCHOOL JUSTICE ORGANIZATIONS

Recognizing the importance of engagement with civil rights organizations in the development of the ESSA plan, the MDE used a portion of the grant funds provided through the W.K. Kellogg and Steelcase Foundations to partner with Public Policy Associates to convene a focus group of representatives from multiple civil rights organizations throughout the state. The draft recommendations were shared with the group, and MDE staff engaged in facilitated dialog with attendees to discuss their overall thoughts on improving the state's educational system and feedback on the draft plan. Following the discussion, participants were asked to prioritize areas of focus from the ideas generated during discussion. A key topic of discussion was the importance of increasing student voice and stakeholder participation and access to decision-making processes, coupled with a strong passion to break down silos within state government entities to coordinate mutual areas of work with students and their families.

At their request, all meeting attendees were added to the ESSA Notes email list, and invited to take part in future opportunities for stakeholder input. In direct response to this discussion, MDE added the collection of student suspension and expulsion data to its proposal for the transparency dashboard recommendation, and will be seeking additional feedback from these groups during the development phase of the transparency dashboard. On a broader scale, MDE leadership has begun outreach to other state agencies to facilitate increased partnership in certain areas of work, including the Partnership District concept.

Civil Rights organizations also provided input through the Michigan Students Succeed Coalition, a coalition of multiple state organizations (including civil rights and student advocacy groups) formed to share collective input on the ESSA plan. MDE staff, including the State Superintendent and Deputy Superintendent, met with representatives of the Coalition during the second phase of stakeholder input to discuss more detailed aspects of the plan recommendations and seek input from group members. A summary of this discussion was shared with MDE leadership and in addition to being considered for ESSA plan development, will be used to guide the department's work going forward, with the goal of continued engagement.

2.8 PARENT SURVEY

In partnership with an ongoing Student Voices initiative within MDE's Office of Education Improvement and Innovation, MDE partnered with YouGov to conduct a survey that ran during October-November 2016, aimed at parents of P-12 students, seeking thoughts and input on issues that related to aspects of the ESSA plan. The opportunity to participate was shared via ESSA Notes and the ESSA webpage, as well as directly to those who volunteered for the Parent virtual focus group and shared by stakeholder organizations. Additionally, the opportunity was reported in several media outlets. More than 1,700 Michigan parents of children under 18 responded. Parents were asked for their opinions on what is needed for their student to receive a great education, information deemed important to determine school quality, thoughts on why some schools are underperforming, who is responsible for student academic achievement, equity of distribution for education resources across the state, level of understanding of education terms and concepts, confidence with their own child's school, and opinions

and use of results on statewide assessments. An analysis of that survey was provided to the MDE, in which responses were reported both in aggregate, as well as compared across income levels and noting where responses varied across those groups.

This analysis was provided to MDE in December and was shared with Action Team Leads and other MDE staff, including those working on the ESSA plan. One of the findings of the survey was that responding parents supported the concept of MDE placing emphasis on helping teachers and aligning resources to support schools deemed as low-performing, which aligns well with the Partnership District concept. Additionally, respondents listed as most important to school quality: school safety; student achievement as determined by graduation rates, post-secondary enrollment, and the presence of art and music classes. This input, along with that received from other stakeholder groups, led to the addition of *time spent in arts, music, and physical education courses* as one of the components of the school quality and student success accountability indicator, and the consideration of other factors for inclusion on MDE's proposed Transparency Dashboard.

2.9 STATE BOARD OF EDUCATION

Throughout the plan development, information has been shared with and input gathered from members of the State Board of Education (SBE) via weekly email updates on ESSA plan development activities and formal presentations at SBE meetings. There will have been six presentations to the SBE, culminating in the presentation that will serve as the start of the official public comment period for Michigan's draft plan. Additionally, the ESSA vision and plan have been discussed at the SBE's Annual Retreat, at an orientation session for newly-elected members, in multiple discussions with individual board members, and during a special meeting convened just prior to the launch of formal public comment. This special meeting on February 6, 2017 provided more detailed information about the proposals to board members, answered their questions about the plan and timeline, and garnered feedback to inform the final draft. The 30-day formal public comment period will launch just after the February 14, 2017 presentation of the draft plan to the SBE.

2.10 LEGISLATIVE AND EXECUTIVE BRANCH INVOLVEMENT

State legislative leadership, as well as chairs of the House and Senate education policy committees and education-related appropriations subcommittees, were invited to join the ESSA External Advisory Committee (EAC), which convened monthly to review and provide input on the ESSA plan. Several legislators or their designees participated regularly in these meetings.

Other legislative engagement involved the State Superintendent or Deputy Superintendent (ESSA Lead) providing testimony on various aspects of ESSA or the ESSA components to legislative committees, as well as numerous one-on-one meetings with legislators by the State Superintendent and MDE staff. More of these opportunities are planned throughout the ESSA public comment and implementation periods.

Throughout the plan process, the State Superintendent met regularly with the Governor and his education advisors, providing updates on aspects of the vision and plan and seeking input and feedback. A member of Governor Rick Snyder's team also served on the External Advisory Committee and provided regular feedback verbally and in writing.

Additionally, the Deputy Superintendent, serving as the ESSA lead, met monthly with the governor's education advisor to discuss the ESSA process and key components of the plan.

3 PHASE 3 – PLAN DEVELOPMENT

This phase included refining of the initial recommendations, based on previous information and input received and the work of the Action Teams. At this point, Action Teams had developed preliminary recommendations for each aspect of the ESSA plan, and sought additional feedback from stakeholders to solidify the recommendations to the MDE leadership and State Superintendent.

3.1 FEEDBACK FORUMS

As various aspects of the plan developed, MDE partnered with intermediate school districts (ISDs) across the state to host regional [Feedback Forums](#) at six ISD locations. In addition to sharing this information by usual methods, ISDs also issued press releases within their communities, and several media outlets shared the information in their publications. All interested members of the public were invited to attend and more than 400 individuals did so, with additional people viewing the livestream video of one of the events, or watching the [archived video](#) at a later date.

At the forums (which ranged from two to six hours long), a [detailed overview](#) of the draft recommendations for Accountability, Assessments, Supports, and Educator quality components of the ESSA plan was presented to attendees, who were then invited to ask questions and share feedback with MDE staff. At several sessions, MDE topical experts were on hand for one-on-one discussions or to lead focused discussion with smaller groups.

These comments and questions were compiled and provided to Action Team leads to inform the next phase of recommendations and plans for implementation. The compiled questions became the basis for an online [ESSA FAQ document](#), which MDE plans to update as this work proceeds.

3.2 ROUND TWO STAKEHOLDER SURVEY

Following the feedback forums, all stakeholders were invited to provide feedback on the ideas and concepts presented at the forums, which comprised the plan component recommendations to-date. Again, members of the public were notified of these options via the ESSA Notes newsletter, through notices in MDE's various communications to the education community, announcements at State Board of Education meetings, and targeted outreach through partner organizations.

The survey was open December 2016-January 2017. Survey options included: five detailed topical surveys on the topics of Assessment, Accountability, Supports for Students and Schools, Educator Quality, and Supports for Special Populations, aimed at those who had attended a feedback forum or viewed the archived video; a general, less detailed survey for those who had not; and an open-text option for those who wanted to share general input on ESSA outside of the survey structure. Emailed feedback, questions, and comments were also accepted. More than 950 responses were received to the combined surveys. Detailed summaries of those responses can be found on the [ESSA website](#).

3.3 VIRTUAL FOCUS GROUPS

Parents, teachers, and paraprofessionals were invited to join virtual focus groups to discuss and provide input on the ESSA plan. These sessions, convened by Public Policy Associates, with support from the W.K. Kellogg and Steelcase Foundation grant funds, provided opportunity for more than 100 individuals to participate in moderated online discussions over several days with fellow parents, teachers, or paraprofessionals, providing input and sharing feedback on multiple aspects of the ESSA recommendations. Questions were targeted to the unique perspectives of each focus group, and discussion in each session varied, based on the initial responses of participants. Participants' feedback will be used to further refine the ESSA plan recommendations and implementation processes.

4 PHASE 4 - IMPLEMENTATION

4.1 PLANS FOR ONGOING STAKEHOLDER ENGAGEMENT THROUGHOUT IMPLEMENTATION

Through the implementation phase of ESSA, MDE plans to continue seeking stakeholder input. Though the Action Teams and Advisory Committees will be phased out with the submission of the final plan, the need for stakeholder feedback will continue. Implementation Teams will be convened around multiple aspects of the plan, to facilitate a smooth transition from NCLB to ESSA throughout the state. External stakeholders will inform and aid in these efforts in multiple ways. Through the connections that were built and strengthened throughout the ESSA plan development process, MDE is well positioned to begin this work, with the support and assistance from our many partners.

In addition to the implementation teams, MDE's work on stakeholder outreach and engagement through the funds provided by the W.K. Kellogg and Steelcase Foundation grants will continue into the implementation of the ESSA plan. Plans to hold regional community forums following submission of the final plan are in the works now. These events, hosted in partnership with local community foundations, will help inform and guide the MDE's ESSA transition and implementation planning efforts and the development of technical assistance materials.

Outreach to parents, particularly those in previously low-performing schools, through targeted focus groups will also take place in the transition and implementation period.

Communication to schools, districts, and other stakeholders regarding policy changes resulting from the transition to ESSA will be regular, and informed by input received throughout the process.

5 PHASE 5 - CONCLUSION

The MDE looks forward to this continued work and invites all interested stakeholders to continue to support these efforts by providing feedback on the ESSA Plan during the formal public comment period.

Please visit the [ESSA website](#) or email us at MDE-ESSA@Michigan.gov.

Appendix A: Involvement of Required Stakeholders in the ESSA Plan Development Process

ESSA requires engagement and consultation with representatives of the following groups. Below is a brief summary of ways in which each has participated or had opportunity to be involved in the plan development process.

All stakeholders: Had the opportunity to respond to multiple online surveys and attend or view one of the seven regional Feedback Forums.

State Board members: See State Board of Education section 2.9 above

Principals: School building principals served on several of the ESSA Action Teams. Additionally, leaders of state associations representing elementary, middle, and secondary school principals served on the External Advisory Committee.

Teachers: Teachers served as members of several of the ESSA Action Teams. Additionally, multiple representatives of Michigan's two major education labor unions served on the External Advisory and Tactical Review Committees. Opportunities to participate on Virtual Focus groups were shared via the MEA newsletter.

Service professionals, paraprofessionals, specialized instructional support personnel: Several paraprofessionals were included on the Tactical Review Committee and their voice was represented by the major education labor unions on the External Advisory Committee. Paraprofessionals were invited to participate in the paraprofessional virtual focus group sessions.

Representatives of school districts: Schools districts were represented in numerous ways throughout the process. Local education agency (LEA), public school academy (PSA), and intermediate school district (ISD) administrators, educators, board members, and staff participated on Action Teams and the External Advisory and Tactical Review Committees. MDE staff presented to and sought feedback from representatives through conferences, organization board meetings, and other small group meetings throughout the ESSA plan development process.

Private school officials: The Executive Director of the Michigan Association of Non-Public Schools served as a member of the External Advisory Committee, and is a member of the Michigan Education Alliance, which received monthly updates on ESSA from the State Superintendent. Additionally, MDE staff consulted with representatives from non-public schools in the creation of the position description for the private school ombudsman required under ESSA to support students and families being served by non-public schools in the state.

Local elected officials: LEA and ISD board members served on Action Teams and on the External Advisory and Tactical Review Committees. A half-day session for local school board members was part of the Michigan Association of School Boards' conference in November 2016, at which MDE staff shared the ESSA recommendations and sought input.

Parents: Parents served on several Action Teams and were represented through member organizations on the External Advisory Committee. MDE staff met with other parent groups to shape the stakeholder engagement activities. A Parent Virtual Focus group was created and a survey for parents was developed (both described in the main report). MDE staff also shared information with several organizations representing parents of students with disabilities and English learners, and other special populations. See also section 2.8 regarding outreach to parents in partnership with the YouGov survey. Additional focused parent outreach is planned during the implementation phase of our ESSA work.

Secondary students: MDE staff met with or presented to several groups of students during ESSA plan development, including students previously in the foster care system. Students had opportunity to respond to ESSA online surveys and attend Feedback Forums.

Community-based organizations: Representatives of several community-based organizations served on Action Teams and on the Tactical Review Committee. All had opportunity to respond to ESSA online surveys and attend Feedback Forums. Further outreach and discussion is planned in the implementation phase of the Partnership District model.

Civil rights organizations: Please refer to Civil Rights and School Justice Organizations section 2.7 above.

Institutions of higher education: The state organizations representing both public and private colleges and universities, as well as community colleges in the state, served on the External Advisory Committee. Additionally, representatives of institutions of higher education and their educator preparation institutions and a community college board member were represented on the Tactical Review committee.

Tribes: Please refer to Tribal Consultation Section 2.5 above.

Business/Employers: Representatives from of the Michigan Chamber of Commerce and several local Chambers of Commerce, as well as several other state and regional business advocacy groups, were invited to serve on the External Advisory and Tactical Review Committees.

Governor's Office: Please refer to Legislative and Executive Branch section 2.10 above.

State legislators: Please refer to Legislative and Executive Branch section 2.10 above.

General public: Served on Action Teams and the Tactical Review Committee.

Confederation of Michigan Tribal Education Directors

Guidance to Michigan Department of Education Regarding Tribal Consultation in the Every Student Succeeds Act

Background: The Every Student Succeeds Act (ESSA) is the latest reauthorization of the Elementary and Secondary Education Act of 1965. Previously known as the No Child Left Behind Act (NCLB), this reauthorization gives more freedom to states to implement standards and accountability. Please visit <http://www.ed.gov/essa> for more information. Passage of the Every Student Succeeds Act (ESSA) in 2015 marks a major change in education of the United States. Furthermore, there are additions which specifically impact Tribal Nations.

- Approval of the first phase of the Navajo Nation's alternative accountability system, which provides the tribe with the authority to implement uniform standards, aligned assessments, and alternative measurements of student success across its schools in multiple states; and
- A tribal consultation requirement to local education agencies and states; and
- Two new rounds of federal grants totaling nearly \$25 million to support native youth and educators.

For several generations, tribal leaders and Native education stakeholders have urged policy makers to work collaboratively with tribes. The Every Student Succeeds Act allows educational stakeholders to enter a new era of education, one that requires timely and meaningful tribal consultation. Meaningful tribal consultation, both in process and the product, is the foundation that will best support Native students. It would be helpful if states and districts approach consultation in the context of developing a mutually respectful relationship among tribes and localities. A key component in working with tribal representatives and supporting Native youth is trust.

Concern: As part of ESSA's new tribal consultation requirements and funding increases, how are Local Education Agencies, State Education Agencies & Higher Education Institutions coordinating with Tribal Nations to implement a successful transition?

Why Consult with Tribes?

Tribes are not merely a homogenous minority group, but as sovereign nations, maintain a unique political status and should be dealt with accordingly. With tribes, the fundamental basis of required consultation is recognition of Tribal sovereignty. Over the years, the federal government has refined the obligation to interact with Tribes on a government-to-government basis in a series of laws, amendments to existing laws, and executive orders, all of which direct agencies to engage in consultation with Tribes. Today, the government-to-government relationship with Tribes has evolved to the point where consultation on a government-to-government basis is not only the law, it is considered sound management policy and the right way for the United States to conduct business.

Following suit, the State of Michigan has institutionalized tribal consultation. There have been two Executive Orders issued pertaining to tribal consultation. These include Governor Granholm's Executive Directive 2004-05, and Governor Snyder's Executive Directive 2012-02. The Confederation of Michigan Tribal Education Directors' position is that tribal consultation between the Michigan Department of Education is non-negotiable and should always occur whenever Native students are impacted. In addition to inclusion in the State ESSA Implementation Plan to the federal government, the 12 federally recognized tribes would like to collaborate on a 10 year strategic plan for tribal education consultation with the Michigan Department of Education as mandated by Governor Granholm's Executive Directive 2004-05.

Confederation of Michigan Tribal Education Directors Guidance to Michigan Department of Education Regarding Tribal Consultation in the Every Student Succeeds Act

Leverage Tribal Leadership Through Consultation

Through self-determination, Indian tribes have an inherent right to self-governance, which means tribes are provided greater power to manage local governments and local issues that affect tribal citizenship. As sovereign nations, Indian tribes exercise inherent autonomy over education, which includes control in local schools, the development and administration of culture-based curriculum, and the presence of advisory councils. Since federal funding is allocated to states to collaborate with tribes, there must be strict guidance throughout the process to ensure Native voice is included in decision-making.

Similarly, in ESSA, under Section 8538, districts are required to consult with Indian tribes or tribal organizations prior to submitting a plan for a covered program under ESSA. It is critical that meaningful consensus-based decision making is a core component when implementing ESSA as it relates to Native students. However, without a distinct tribal state policy consultation, Native perspectives will be left out of the important process of developing local and state plans. As such, we strongly encourage the state of Michigan and local districts to define meaningful consultation with tribal leaders.

Below are core components of meaningful tribal consultation, many of which ED has outlined in its “Consultation and Coordination with American Indian Alaska Native Tribal Governments” policy:

- Consultation is meaningful when it occurs at the earliest possible stage, prior to the development of a program, initiative, or policy to ensure that tribal views are integrated.
- Tribal Consultation is most effective when it is seen and understood as a process that requires continuous input and discussion.
- True consultation is based on open communication and coordination that actively seeks and considers the views of all participants, and then seeks agreement on how to proceed.
- The process of meaningful consultation is equally as important as the product of consultation. If tribal input is not reflected in how education programs and services are administered to Native students, then we have missed a great opportunity in supporting our nation’s most vulnerable youth.
- Establishing a minimum set of requirements and expectations with respect to consultation along with establishing measurable outcomes are necessities for meaningful consultation.

For far too long, education has “happened” to Native people. It is important, especially in the State of Michigan where two Indian boarding schools were in operation, one as recently as 1983, that we move toward educating Native people in Michigan in more just and equitable ways. One step to shifting this relationship between tribes and education is to engage with tribes on government-to-government terms on any and all issues where they will be impacted and move beyond the longstanding history of omitting tribes from decision-making power over their education.

Successful tribal consultation also takes into consideration the timelines that need to be in place in order for tribal representatives engaged in consultation to have time to communicate with our Tribal leaders or Legal departments, if needed. Approaching consultation from an Indigenous understanding of what “consultation” means is of utmost importance. The Indigenous understanding of being in a relationship is predicated upon respect and reciprocity. Therefore, collaboration vs. consultation is of much more value when putting emphasis on the inclusion of all tribes. At the local level, it is important

Confederation of Michigan Tribal Education Directors

Guidance to Michigan Department of Education Regarding Tribal Consultation in the Every Student Succeeds Act

for LEA's to consider which tribes have a service area that covers their institutions. Many tribes have overlapping service areas and may require LEA's to work with multiple tribes to reach consensus. This may be tribal education directors or tribally elected officials, but should be up to the tribes to choose who represents their voices in the process of consultation. Tribal parents should also be in the consultation & collaboration processes.

Determining the Current Educational Landscape

In order to meaningfully support Native students, the current landscape of ESSA implementation on the state, district, and school levels must be identified. It is vital to determine key contacts to develop and maintain a strong Native voice during the implementation process of the entire law (even if the contacts are not formally on the ESSA workgroup). Under ESSA, the "Indian section" or Title VI is not the only portion of the legislation that affects Native Students. Topics such as accountability, assessments, and interventions affect Native students directly. A great resource for states and districts to reference is ED's Frequently Asked Questions document that provides states and districts basic information on tribal consultation as outlined in ESSA. Considering that Native students are assessed by the same criteria as non-Native students nationally, Native input is vital in addressing state plans, accountability systems, assessments, and interventions of low-performing students and schools. Key questions to think about include:

- Does Michigan have an Indian Education Department or full-time position in Indian education dedicated to facilitating ESSA requirements?
- What is the contact information for Michigan's Tribal Liaisons for each department?
- Do Tribal Liaisons meet regularly with Tribal Leaders?
- Are there professional development trainings for the MDE staff to understand tribal sovereignty and how it may affect job duties?
- Is there an active Indian Education Association in Michigan?
- Are there Native representatives on the ESSA working group?
- How are tribal leaders being informed about ESSA?
- Have you reached out to tribal education departments/ tribal education agencies to understand their ESSA implementation status?
- In what ways have you meaningfully consulted with tribal leaders and tribal organizations regarding key provisions under ESSA, such as the state development plan, accountability systems, assessments, and interventions for low-performing students and schools?

Why is this important?

Although ESSA is geared towards K-12 students, the impact it will have on Higher Education Institutions could be beneficial. In addition to State Tribal Educational Partnerships (STEP) Grant and Native Youth Community Project (NYCP) college & career readiness grants, the Indian Professional Development Program is designed to prepare and train Indians to serve as teachers and school administrators. Professional development grants are awarded to: increase the number of qualified individuals in professions that serve American Indians; provide training to qualified American Indians to become teachers, administrators, teacher aides, social workers, and ancillary education personnel; and improve the skills of those qualified American Indians who already serve in these capacities.

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Utilizing Collaborative Agreements such as MOU/MOA's

Collaborative agreements will help entities in several ways, such as determining accredited language revitalization, recruitment, data sharing, providing successful Tri-lateral models, meeting federal reporting mandates and timelines, and ensuring site equality.

Additional topics of interest for formalization and discussion include:

1. How will the department look at issues of districts that may have submitted consolidated applications for funding?
2. How will we increase access and notification to tribal education departments around equitable access to resources and individuals?
3. How will we braid federal Title funding; such as TITLE I, III, and VI?
4. How will we utilize Title I parent and family engagement funding to support schools in training staff regarding engagement strategies?
5. How will we allocate parent and family engagement funding for sub granting to schools to collaborate with community-based organizations that have a track record of improving family engagement and strengthening Native student success?
6. How can we work on restructuring TITLE III language to recognize Native language revitalization, additional tutoring, etc.?
7. How can Tribes coordinate with the SEA and LEA's to implement strategies of incorporating eagle feathers in the graduation of Native American students under Title VI?
8. How will we work to address FERPA issues around sharing student information?
9. How do we structure the collaborative meetings to share data and maximize its use for students?
10. How do we craft professional development services that are not based on ethnicity, but around a tribe's sovereign nation status?
11. How might we incorporate current successful tribal state partnerships? (digital badging, language accreditation, curriculum development)
12. How might we engage the higher education and teacher preparation institutions in meetings and conversations?
13. How do we build on previous agency successes in government-to-government collaborations?

Evaluate Progress

After establishing a clear understanding of an ESSA implementation system among tribal, state, and local entities, strategies must be developed to measure and monitor performance to ensure success. The evaluation strategies should be monitored collectively, encouraging ownership over each step of the consultation process to ensure all stakeholders are striving towards a consensus. Throughout the evaluation process it will be critical to bring stakeholders together again to address challenges and provide technical assistance in order to strengthen and formalize relationships. This consultation process should not be linear or stagnant. Consultation is not a single step process, it must be utilized multiple times to collaborate and monitor progress. Effective and ongoing evaluation is critical as states

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and districts work to develop and strengthen processes and policies to facilitate meaningful tribal consultation. If tribal input is not reflected in how educational programs and services are administered to Native students, then we have missed a great opportunity in supporting our nation's most vulnerable youth.

Below are critical components of the evaluation process that states and districts are encouraged to incorporate:

- Establish a minimum set of requirements and expectations with respect to consultation.
- Establish measurable outcomes for meaningful consultation.
- Ensure everyone involved understands the objectives of each meeting and the purpose of consultation.

Questions that should guide evaluation include:

- How was outreach conducted to reach groups or individuals whose views have not traditionally been recognized?
- Was the information provided relevant, produced in plain language, and easy to understand?
- Are all consultations accessible and welcoming?
- Did all participants have the opportunity to add their value to the meeting?
- What kind of follow-up was provided after the meeting?
- Did the consultation meeting change the relationship among participants?

Follow Up and Close the Loop

When a decision about policy issue is reached, it is critical that states and districts make available a written explanation of the outcome of the consultation process. For regulatory actions, the outcomes of the consultation process need to be addressed in the preamble to the regulatory document. The written explanation will include the reasons for accepting or rejecting suggestions from the Native community. The timing of this response may vary, depending on the state law that applies in each case, and will be determined based on the form of the proposed policy. For ongoing issues identified during regular and case-by-case consultation, states and districts will provide the appropriate parties with periodic status reports.

Conclusion

Through the inclusion of the above recommendations and strategies, states and districts will help ensure that ESSA implementation better addresses the needs of Native communities and Native students. Matters of culture, language, cognition, community, and socialization are central to Native learning. The coordination and collaboration between various stakeholders will allow Native students to have the best opportunity to develop their own identities, traditional knowledge, modern skills, and self-worth. These elements will undoubtedly lead to social and academic success.

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The Confederation of Michigan Tribal Education Directors appreciates the Departments full consideration of these suggested guidelines for tribal consultation.

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This guide is a collaborative work from National Indian Education Association, Tribal Education Directors National Assembly, Confederated Michigan Tribal Education Directors, and Michigan Department of Education and should be viewed as a living document.

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