

AFFIRMATION OF CONSULTATION WITH TRIBAL REPRESENTATIVES
Elementary and Secondary Education Act (ESEA)
SECTION 8538 – Consultation with Indian Tribes and Tribal Organizations

Name of LEA: _____

LEA Superintendent: _____

Phone: _____ Email: _____

LEA Federal Programs Director: _____

Phone: _____ Email: _____

Affected LEAs are required to consult with local tribal officials on plans or applications for a covered program under ESEA, 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 ESEA 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 ESEA 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.

Description of Consultation Efforts:

In the space below, please describe the efforts the LEA has engaged in towards establishing a **meaningful consultation relationship** with Indian tribes or tribal organizations in a way that provided opportunity for appropriate officials from those tribes or tribal organizations **to meaningfully and substantively contribute** to the development of the LEA plan and application for funds under any of the covered programs received by the LEA. Include in the description any dates of meetings held with such individuals, and a listing of which tribes and tribal organizations were included in the LEAs consultative efforts. Attach additional pages as needed.

Completed forms are to be emailed to MDE-Indigenized@michigan.gov.

Michigan Department of Education

2/18/2022

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Successes:

In the space below highlight any successes you have had or significant accomplishments you have achieved regarding establishing long term effective consultative relationships with tribes.

Plans:

In the space below please identify your plans for continuing to engage tribes in the planning, implementation, monitoring, and evaluation for use of any applicable federal or other funds your district may receive.

Supports Needed:

In the space below please identify what, if any, additional supports you may need from the Michigan Department of Education or other entities to support ongoing and effective consultation with tribes.

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LEA ESEA AFFIRMATION OF CONSULTATION – Indian Tribes/Tribal Organizations

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SIGNATURES:

WE AGREE that timely and meaningful consultation occurred before the LEA made any decision affecting the participation of tribal members in any programs the LEA is operating under the Elementary and Secondary Education Act.

The specific grants discussed during consultation include the following (check all that apply):

- Title I, Part A – Improving Basic Programs
- Title I, Part C – Migratory Education
- Title I, Part D – Prevention/Intervention Programs
- Title II, Part A – Supporting Effective Instruction
- Title III, Part A – English Learner and Immigrant Programs
- Title IV Part A - Student Support and Academic Enrichment
- Title V, Part B - Rural Education Achievement Program
- Title VI, Part A – Indian Education

WE AGREE that we have participated in meaningful and timely consultation prior to LEA’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.

Signature of Public School Superintendent or designee (required) _____
Date

Position/Role

Tribal Official or Tribal Organization Official Signature _____
Date

Position/Role _____
Name of Tribe or Tribal Organization

Tribal Official or Tribal Organization Official Signature _____
Date

Position/Role _____
Name of Tribe or Tribal Organization

Tribal Official or Tribal Organization Official Signature _____
Date

Position/Role _____
Name of Tribe or Tribal Organization

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Position/Role _____
Name of Tribe or Tribal Organization

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Tribal Official or Tribal Organization Official Signature Date

Position/Role Name of Tribe or Tribal Organization

Tribal Official or Tribal Organization Official Signature Date

Position/Role Name of Tribe or Tribal Organization

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