

## Tribal Consultation

ESSA requires state education agencies (SEAs) and some individual school districts to consult with tribes on various education plans affecting American Indian students. The Minnesota Department of Education (MDE) felt that tribal consultation was important to ensure that input and advice from Minnesota tribes around the needs of American Indian students is thoroughly included in our state plan.

Commissioner Cassellius met with leaders of all of Minnesota's 11 Tribal Nations to discuss the ESSA state plan. At each meeting, tribal leaders and their guests were provided with information on the Every Student Succeeds Act and opportunities for school districts to work in collaboration with tribal nations. Commissioner Cassellius sought input on what should be considered for inclusion in the state plan and advice on what kind of guidance was needed, what meaningful consultation looks like, and program areas should be part of the consultation process.

Some of the key themes that ran through the conversations the commissioner had with tribal leaders across Minnesota included:

- For the consultation process to be meaningful, several tribal leaders, employees, and parent committee members spoke about the importance of providing tribal representatives with clear and complete information before their meetings with district representatives. Without adequate information and the time to review it, tribal representatives may be left at a disadvantage when discussing districts' plans.
- Another aspect of meaningfulness was the frequency of communication. Many of the tribal representatives we spoke to expressed interest in consultation occurring multiple times a year. This is an important part of maintaining the relationships that are important for consultation to be meaningful.
- Additionally, tribal leaders are looking for more than a single, signed document at the end of the process as proof that consultation occurred and was meaningful. The details of what districts will be required to send to MDE are still being developed, but we understand that we must go further than the process currently used with parent committees for districts' Indian education programs.
- Beyond the process of communication, a frequent topic of conversation with many tribes was the integration of Native culture, language, and history into schools' curriculum, instruction, activities, services, and teacher development. Training and hiring more American Indian teachers is another priority. The ESSA consultation process is one avenue for conversation on these topics. The World's Best Workforce engagement process required by Minnesota state law is another avenue, and those processes should be connected.

Based on these conversations, MDE has created guidance for affected local education agencies and affected schools. The guidance has been created to provide a solid foundation to ensure that parents, families, and Tribal Nations are meaningfully engaged in ongoing implementation of ESSA and American Indian programming for the state's American Indian students.



## Minnesota Indian Affairs Council

RESOLUTION 08232017\_0X

**WHEREAS**, the Minnesota Indian Affairs Council Membership consists of representatives of the eleven federally-recognized Indian Tribes located within the State of Minnesota, members of the legislature, commissioners from the state departments, and

**WHEREAS**, the Minnesota Indian Affairs Council is a liaison between the state and local units of government in the delivery of services to the American Indians in the State of Minnesota, and

**WHEREAS**, MN State Statute 124D.73§3 defines the Tribal Nations Education Committee (TNEC) as the committee established through tribal directive that the commissioner consults with on American Indian education programs, policy, and all matters related to educating Minnesota's American Indian students; and

**WHEREAS**, MN Statute 124D.79§4 **Consultation with the Tribal Nations Education Committee** states that the commissioner shall seek consultation with the Tribal Nations Education Committee on all issues relating to American Indian Education, and

Whereas, Public Law 114-95, known as the Every Student Succeeds Act (ESSA), was signed into law on December 10, 2015, and

Whereas, ESSA mandates **Consultation with Indian Tribes and Tribal Organization**, meant to ensure timely and meaningful consultation on issues affecting American Indian and Alaska Native students, and

Whereas, ESSA also mandates that Local Education Agencies (Public School Districts) shall consult with appropriate officials from Indian tribes or tribal organizations approved

by the tribes located in the area served by the local education agency prior to the submission of a required plan or application for Title VI Indian Education formula grant funding, and

Whereas, this annual tribal consultation is mandatory for public school districts that meet one of two thresholds of either receiving at least \$40,000 in Title VI funding in the previous year, or enrolling at least 50% American Indian and Alaska Native students, and

Whereas, public school districts shall consult with the nearest Tribal Nation located within a 50-mile radius of the district, or with the Tribal Nation that is most highly represented in American Indian/Alaska Native student enrollment, and

Whereas, there are 10 urban/metro public school districts in Minnesota that meet one of the two criteria to trigger mandated consultation, but are located outside of the 50-mile radius, and

Whereas, the TNEC membership includes representatives appointed from each of the eleven Tribal Nations in Minnesota, The Minnesota Chippewa (endorsed by MCT Tribal Executive Committee), Urban Indian Communities (endorsed by MIAC) and greater Minnesota (endorsed by MIAC), and

Whereas, the TNEC has met with MN Department of Education Office of Indian Education and determined that for purposed of fulfilling the tribal consultation mandate for these 10 districts, TNEC shall be the consultative body representing tribes.

**THEREFORE LET IT BE RESOLVED**, that the Minnesota Indian Affairs Council designates the Tribal Nations Education Committee as the consultative body for public school districts not within 50 miles of a Tribal Nation in Minnesota.

**CERTIFICATION:** We do hereby certify that the foregoing resolution was duly presented and acted upon by a vote of \_\_\_\_For, \_\_\_\_Against,\_\_\_\_Silent at Regular Meeting of the Minnesota Indian Affairs Council, a quorum present, held on August 23, 2017 at Onamia, Minnesota.

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Robert L. Larsen, Chairman

Minnesota Indian Affairs Council

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Norman Deschampe, Secretary / Treasurer

Minnesota Indian Affairs Council