

## Nevada Affirmation for ESSA Tribal Consultation

SEC. 8538.  20 U.S.C. 7918 CONSULTATION WITH INDIAN TRIBES AND TRIBAL ORGANIZATIONS. (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, the affected local educational agency shall forward documentation that such consultation has taken place to the State educational agency.

### Local Education Agency (LEA) Contact Information

Fiscal Year: \_\_\_\_\_ For School Year Ending: \_\_\_\_\_

Name of LEA: \_\_\_\_\_

LEA Superintendent: \_\_\_\_\_

Phone: \_\_\_\_\_

LEA Federal Program Coordinator (FPC): \_\_\_\_\_

FPC Phone: \_\_\_\_\_ FPC Email: \_\_\_\_\_

### Section 8538(a)

Provide signatures of appropriate official from American Indian tribe(s), and/or tribal organization located in the area served by the LEA as identified in Section 8538(a). Use one form per tribal nation.

**Name of Tribe:** \_\_\_\_\_

Name of Tribal Representative one: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

### Identify Tribes who did not respond or choose not to participate in the ESSA Tribal Consultation

- LEAs repeated good faith at (3) attempts to be involved in the ESSA Tribal Consultation effort.

Name of Tribe: \_\_\_\_\_

- Tribal Opt-Out Option: We have been contacted by the listed LEA and choose not to participate in consultation for this school year. Name of tribe opting out:

\_\_\_\_\_  
\_\_\_\_\_

**Tribal Affirmation**

- We agree** that timely and meaningful consultation occurred before the LEA submitted plans or application for the following Title I Programs under ESEA.
- We agree** that we have participated in meaningful and timely discussion on each Title under ESEA and have chosen to participate in the programs marked below.
- We agree** that timely and meaningful consultation shall continue throughout implementation and assessment of services provided under section 8538. List future dates to cover program planning and services provided: \_\_\_\_\_

**Select all the programs addressed during consultation:**

- 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 (Prevention and Intervention Programs for Children and Youth who are Neglected, Delinquent, or At-Risk)
- 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 (21<sup>st</sup> Century Community Learning Centers)
- Title V, Part B, subpart 2 (Rural and Low-Income School Program)
- Title VI, Part A, subpart I (Indian Education Formula Grants to Local Educational Agencies)

**SIGNATURES:**

\_\_\_\_\_  
 Signature of School Superintendent or Designee Date  
 (required even if no response to requests for consultation)

\_\_\_\_\_  
 Tribal Official or Tribal Organization Official Signature Date

- Authority to Represent the Tribe: I acknowledge I have the authority to sign on behalf of the Tribe

This form must be retained on file by the LEA and submitted to the Nevada Department of Education. For any questions, please contact the Education Programs Professional for Indian Education/ESEA Tribal Consultation at [indianeducation@doe.nv.gov](mailto:indianeducation@doe.nv.gov).

Each LEA is required to keep on file a written affirmation, signed by authorized representatives of the participating tribes (or by tribal organizations approved by the tribes), confirming that the required consultation has taken place. For State-administered ESEA programs, this affirmation must also be submitted to the SEA. If tribal officials do not return a signed affirmation within a reasonable timeframe, the LEA must submit documentation to the SEA demonstrating that consultation was conducted.

If you have further questions, contact the office of Indian Education at [indianeducation@doe.nv.gov](mailto:indianeducation@doe.nv.gov)