

Utah State Board of Education  
Title VI Indian Education  
Every Student Success Act (ESSA)

## Introduction

### Background

“With this bill, we reaffirm that fundamentally American ideal – that every child, regardless of race, income background, that zip code where they live, deserves the chance to make of their

Lives what they will.” --- President Barack Obama

The new Education Law, Every Student Succeeds Act (ESSA) section 8538, Public Law 114-95 is a measure to reauthorize the fifty-year-old Elementary and Secondary Education Act (ESEA) Known as No Child Left Behind (NCLB) the nation’s national education law. The new ESSA law recognizes educators, families, communities and Tribes to create a better opportunity for their students in schools.

The ESSA law allows greater opportunities for stakeholders to communicate and make recommendations that is a significant part of this act. This will also serve as a mechanism for consultation among stakeholders. The ESSA consultation with stakeholders and specifically with the American Indian Tribal Leadership will engage parents, families, and communities to become more involved. Because of the involvement, the consultation process will help to ensure success for students and accountability for schools. Some of the provisions are as follows:

- advances equity by upholding critical protections for disadvantaged and high-need students.
- require all students to be taught to the high academic standards that will prepare them to succeed in college and to be career ready.
- ensure significant assessment information be provided to educators, families, students, and community regarding the students’ progress.
- assist to support and grow local interventions developed by local leaders and educators.
- sustain and expand to high quality K-12 schools.
- accountability and proper support for those low performing schools with student’s not making academic progress and address the low graduation rates over extended periods.

### Tribal Consultation

Under the Every Student Success Act (ESSA) section 8538, Public Law 114-95 the affected districts are required to consult with local Tribal Nations on the development of their education plans. The intended purpose is how ESSA applies to schools that fall under their criteria. To create and sustain meaningful consultation the National Indian Education Association (NIEA) recommends a process that enables both the communities and LEAs advance the educational goals of the American Indian students. The essential elements from the National Indian Education Association (NIEA) entitled “Building Relationships with Tribes,” [A Native Process for Local Consultation Under ESSA](#) recommend four significant elements:

1. **Consensus-based Decision-Making** which empowers the community to share, invest, build trust and offer opportunities.

2. **Act with Respect** offers an avenue to overcome the longstanding of mistrust between stakeholders. All representatives maintain relationships with stakeholders based on mutual respect, learning, and understanding to find solutions that benefit both the Native community and local and state agencies.
3. **Know Native Communities** is significant to enhance the general understanding of the history, traditional practices, beliefs, values, and language that impact the Native students' education. This understanding and partnership between the Native communities and stakeholders is significant for the success of the American Indian students.
4. **Sustain Progress** is perhaps the critical step to sustain the progress of monitoring and evaluating the educational needs to reflect the students' progress. This is to address the needs and concerns of the Native student. (NIEA, 2017)

### **Affected Local Education Agencies (LEA)**

An affected LEA is a school district, charter school, or a Tribal school that receives Title VI (Formula Grant Application) Federal funding and are required to consult with local Tribes. There are a few school districts affected in Utah. The consultation criteria are as follows:

- An enrollment of 50 percent or greater of American Indian/Alaskan Native students.
- A school district who received more than \$40,000.00 or more in fiscal year 2016.

Schools are required to document their consultation activities. While there may be multiple Tribal consultation requests if is recommended to handle each request separately to honor the Tribes sovereignty.

### **Timely Consultation**

The Title VI Indian Education Coordinators meet monthly during each academic year with the American Indian Education Specialist from the Utah State Board of Education (USBE). Because of the required consultation with the American Indian Tribes, ESSA, Section 8538, the Title VI Coordinators developed consultation recommendations and submitted to the USBE American Indian Education Specialist who presented the consultation recommendations to the Utah Tribal Leadership. The Utah Tribal Leaders also made recommendations to the plan to improve the partnership and consultation mechanism. The consensus topics are as follows:

- Strengthen Tribal assurances.
- Creating and Strengthening Education Programs.
- Providing Funding for American Indian/Alaskan Native Students.
- Appendixes for full disclosures.

### **Meaningful Consultation**

Consultation with the Tribes are required and recommended to be mandated and meaningful to occur at the earliest possible time. This consultation ensures the Tribal Nations their views are well respected and honored. The following are a few of the recommendations intentions:

- to empower the community thru communication and partnerships.
- to share the in-depth understanding of the school community.
- sustain and address the concerns within the school and school district.
- provide Tribal Leaders and community members with regular updates and opportunities for dialog of programs being implemented.

**Appendix**  
**ESSA, Utah Title VI Programs**  
**Sec. 8538**  
**Utah Tribal Consultation Recommendations**  
**2016-2017**

**1. Tribal Consultation**

**A. Strengthen Tribal assurances**

***\*Innovative programs (community service, read along, pow-wow, pageants, etc.)***

- 1) Community service/recognition towards graduation
- 2) Teaching Utah Tribal languages
- 3) Incorporating Indigenous literature & curriculum
- 4) Student mentorship programs
- 5) American Indian Arts to enhance academic achievement
- 6) Cultural based reading/storytelling activities
- 7) Partner with state STEM programs to develop culturally based activities

***\*Data sharing with Tribes***

- 1) Test Scores (ACT, Native Language, state tests, ELL)
- 2) Graduation rates/dropout rates
- 3) Attendance
- 4) Be aware of FERPA

***\*Professional development, in-service training***

- 1) American Indian Sensitivity Training – School Districts
- 2) Funding from Title programs I, III, VI
- 3) Title VI Coordinator’s training/in-service
- 4) Grant/budget training
- 5) Scholarships
- 6) Utah Tribal Leaders training

***\*Parent engagement, participation, involvement (the how to)***

- 1) Parent committee training
- 2) Home visits
- 3) Title VI training – 506 Forms
- 4) Coordinators attend social events
- 5) Cultural night

## **B. Creating and strengthening education programs**

### ***\*Raise academic achievement (ACT, math, English, science, social studies, etc.)***

- 1) Awareness of ACT Preparation and fee waivers
- 2) Title VI tutoring lab/prep lab
- 3) Develop partnerships across school districts
- 4) Access to assessment data
- 5) Educational Parent Summit
- 6) Access to language/culture education

### ***\* Provide bilingual and bicultural programs and projects***

- 1) Guaranteed Education Specialists with cabinet member
- 2) Professional development/language awareness
- 3) Culturally/linguistically responsive classrooms
- 4) Bi-literacy seal
- 5) Title VI Native language programs
- 6) Tribal investment & recommendations in bilingual/bicultural programs
- 7) Sharing Native cultural resources
- 8) Access to Tribal college resources
- 9) Developing an awareness & advocacy of Tribal issues

### ***\*Transition and tracking students from elementary thru post-secondary programs***

- 1) Grant Writing
  - a. Frequent data updates – to build capacity
- 2) Work closer with school support services
- 3) Check & connect programs
- 4) Tutor-mentors connections
- 5) Home work nights

### ***\*Partnerships with institutions of higher education and technical programs, etc.***

- 1) Education pipeline programs
- 2) Connect with Gear-up/TRIO, college prep programs
- 3) Connect with University Outreach opportunities
- 4) College Walk programs
- 5) CTEC/Concurrent/AP classes/honors programs
- 6) FAFSA/Scholarship events
- 7) Community Education
- 8) ACT Prep
- 9) Businesses (what do they have to offer, ex; Home Depot, Lowes, etc.)

***\*Activities that include and support culture, language development, traditions, etc.***

- 1) Navajo Language class (Native language classes)
- 2) Navajo Government class (Native Government classes)
- 3) Family Nights/bringing in culture & language instructors
- 4) Participation in Governor's Summit
- 5) Arts and crafts class
- 6) Sacred Images projects
- 7) UNITY club
- 8) Pow-wow's

***\*Comprehensive related services***

1. Title I, III, VII
2. 21<sup>st</sup> Century
3. Special Education
4. Gifted & talented
5. At-risk
6. Homeless
7. Etc.).

***\*Increase attendance and high school graduation rates***

- 1) Create an ESSA Committee with all Title VI programs in their district
- 2) Access to data
  - a. Test scores, attendance, graduation rates, dropout rates
- 3) Mentoring
- 4) Parent Involvement – communication
  - a. School Board
  - b. IPAC
  - c. School PTA participation
  - d. Trust Lands
  - e. Technology/social media
- 5) After school programs (21<sup>st</sup> century)
- 6) Summer camps/summer school/enrichment programs
- 7) Partnerships with Tribe/community resources

**C. Provide funding for AI/AN students**

***\*Increase recruit and retain highly qualified teachers and administrators***

- 1) Something similar to the American Indian Education Act (Utah SB 14)
- 2) Work with local colleges and universities
- 3) Grow your own concept
- 4) Invite – mentoring

***\*State and national conferences, workshops, in-service, etc.***

- 1) Funding for State and National Conferences
- 2) Indigenous Language Conferences
- 3) Active member pertaining to American Indian Education Programs

**Objectives**

- I. Stakeholders (schools, community, parents, tribal leadership, etc.)
- II. On-going, open, and responsive dialogue
- III. A process of on-going conversation
- IV. Transparency with measurable outcomes
- V. Achievement, expectations, and support

(NIEA Tribal Consultation Guide, 2016)