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Washington Office of Superintendent of
PUBLIC INSTRUCTION
Chris Reykdal, Superintendent

May 23, 2022

(X) Action Required
Due date: September 18, 2022
(X) Informational

BULLETIN NO. 030-22 ELEMENTARY EDUCATION, EARLY LEARNING, SPECIAL PROGRAMS & FEDERAL ACCOUNTABILITY/OFFICE OF SYSTEM AND SCHOOL IMPROVEMENT

TO: Educational Service District Superintendents
School District Superintendents
School District Business Managers

FROM: Chris Reykdal, Superintendent of Public Instruction

RE: Affirmation of Consultation with Tribal Representatives

CONTACT: Jon Claymore, Executive Director, Office of Native Education
360-725-6160, jon.claymore@k12.wa.us

Dr. Jon Mishra, Assistant Superintendent, Elementary Education, Early Learning,
Special Programs & Federal Accountability
360-725-6100, jon.mishra@k12.wa.us

PURPOSE/BACKGROUND

School districts that access Elementary and Secondary Education Act of 1965 federal funds as reauthorized under Section 8538 of the Every Student Succeeds Act (ESSA) that meet the ESSA tribal consultation criteria described below are required to ensure timely, meaningful, and ongoing consultation on issues affecting American Indian and Alaska Native students. Those school districts are also required to consult with appropriate officials from Indian tribes or tribal organizations prior to the school district's submission of a required plan or application. Such consultation shall be done in a manner and in such time that provides the opportunity for officials from Indian tribes or tribal organizations to contribute to such plan meaningfully and substantively.

REQUIREMENTS AND TRAINING

ESSA Tribal Consultation Criteria

School districts who are required to participate in ESSA tribal consultation meet the following criteria:

1. 50% or more of their total student enrollment comprises students identified as American Indian/Alaska Native for fiscal year 2022, **and/or**
2. They received a grant under Title VI, Part A, subpart 1, that exceeded \$40,000 for fiscal year 2023.

A [full list of 2022–23 ESSA affected school districts](#) is available on the OSPI website.

Each affected school district is required to maintain in the district's records **AND** upload with the General Assurances in Education Grant Management System (EGMS) the "[Affirmation of Consultation with Tribal Representatives](#)" form. Appropriate signatures must be secured on the form, assuring the required consultation has occurred. Federal Title funds will not be released to districts until the OSPI Tribal Consultation Assurance form is verified by the Office of Native Education and/or documentation of attempts to consult, including scheduled future consultation meetings, is provided to the Office of Native Education.

Affirmation of Consultation with Tribal Representatives forms must be completed and uploaded with the General Assurances in EGMS **by September 18, 2022**.

District and Tribal Relationship Training

With the recent passage of Senate Bill 5252 (2022), training designed to support district-tribal relationships and strengthen tribal consultation processes will be available and required for school district leaders designated to engage in ESSA tribal consultation. Tribal consultation training sessions will be announced and offered by the Office of Native Education in 2023.

INFORMATION AND ASSISTANCE

For questions regarding this bulletin, please contact Jon Claymore, Executive Director, Office of Native Education, at jon.claymore@k12.wa.us or Dr. Jon Mishra, Assistant Superintendent, Elementary Education, Early Learning, Special Programs and Federal Accountability, at jon.mishra@k12.wa.us. The OSPI TTY number is 360-664-3631.

This bulletin is also available on the [Bulletins](#) page of the OSPI website.

Michaela W. Miller, Ed.D., NBCT
Deputy Superintendent

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Assistant Superintendent
Office of System and School Improvement

Jon R. Mishra, Ed.D.
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Elementary Education, Early Learning, Special Programs & Federal Accountability

CR:jm

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