

July 16, 2023

Nevada Indian Commission Executive Director Report

BUDGET

Nevada Indian Commission - 2600

Legislative Approved Budget = \$20,985,990*

Available Balance = \$514,710.14

Stewart Indian School Cultural Center - 2601

Legislative Approved Budget = \$428,677

Available Balance = \$156,710

Gift Fund

FY2023 Balance = \$67,954

**Includes \$20 million for ARPA subgrants, \$245,585 for administration fees of those grants, \$110,064 for opioid prevention coordinator. NIC budget includes 75% funding from General Fund and \$89,833 funding from NDTCA. SISCCM budget includes 38% funding from General Fund and \$267,618 from NDTCA.*

82ND (2023) NEVADA LEGISLATIVE SESSION AMERICAN RESCUE PLAN ACT (ARPA)

Historic outcomes will likely positively impact every Native American in our State; from new school construction to job training, to law enforcement to child welfare measures, to the NIC becoming a stand-alone agency; NIC actively followed the development and eventual endorsement by Governor Lombardo for: [AB 84](#); [AB 125](#); [AB 150](#); [AB 232](#); [AB 430](#); [AB 444](#); [AB 503](#); [AB 516](#); [AB 519](#); [SB 196](#); [SB 216](#); [SB 277](#); [SB 327](#); [SB 328](#); [SB 364](#); [SB 391](#); [SB 462](#).

TRANSITION TO NEW ADMINISTRATION

In April, staff hosted Governor Joe Lombardo, Chief of Staff, Communications Director and other senior staff to discuss history of the Stewart campus, tour campus, and discuss administrative goals. NIC Commissioner Krolicki attended. Those goals which are documented in required quarterly reports to Governor Lombardo include:

Distribute \$20 million of Nevada Recovery Funds to 28 Tribal Nations in compliance with American Rescue Plan Act (ARPA) to accelerate economic recovery and strengthen infrastructure on Tribal lands (*hired contract worker to administer funds*)

Secure equitable compensation for executive director (*completed per AB 243*)

Integrate additional cultural tourism with Native American commercial enterprises and create Indigenous business district at former Indian Boarding School (*consulting with DC&R*)

Solicit and expend Capital Improvement Project Funds to design, repair and upgrade Old Gym for meetings area, create revenue stream via rental space, and expand NIC programs (*secured CIP, structural engineering meetings; tests underway*)

Solicit and expend ARPA dollars to restore Bakery Building to become cultural center / museum repository as we work to recover items seized by the federal government including vital student records (*April 5, Assembly Ways and Means and Senate Finance Committee approved Advance Planning: Old Gym, Building Seismic Stabilization and Rehabilitation*)

Complete, implement strategic plan for Native American learners; 2022 AI/AN high school

graduation rate decreased to 69.13% while average rate 81.3% (*Update included with Indian Education Advisory Committee written report*)

STAFFING

July 3, Janet Davis (Northern Paiute) hired as Tribal ARPA Administrator

July 1, Chris Ann Gibbons promoted to Curator III

June 12, Valerie Seukteoma (Washoe) hired as administrative Assistant III

Search underway for health and human services management analyst, opioid prevention coordinator; curator III (education coordinator)

STANDING MEETINGS

- * Governor's Cabinet (last on July 19)
- * National Delegation Staffers, Senator Jacky Rosen (last on June 28)
- * Inter-Tribal Council of Nevada (last on June 15)
- * Tribal Health Directors (June 8)
- * Nevada Tribal Emergency Coordinating Council (May 9)
- * Nevada Joint Military Affairs Committee Meeting (February 23)
- * Governors' Interstate Indian Council (July 13)

MEDIA

[Expanding tuition waiver, liaisons with state agencies among Nevada tribes' priorities](#)

Nevada Indy, Tabitha Mueller, David Calvert, Feb. 17

[Behind the Bar: A look at how Indigenous issues are hitting the Legislature](#)

Nevada Indy, Jacob Solis, Tabitha Mueller, Sean Golonka, and Janelle Calderon, February 17

[The Art of Ben Aleck: New Exhibition Opening at Nevada Museum of Art](#)

2 News, Staff Report, March 29

[Lombardo signs law allowing religious and cultural adornments at graduation](#)

KOLO TV Channel 8, Steve Timko, May 25

[Bill creating Nevada Department of Native American Affairs passes committee](#)

Las Vegas Sun, Hillary Davis, May 26

[Legislation Supported by Nevada's U.S. Senator Catherine Cortez Masto to Investigate Indian Boarding Schools Injustices Clears Key Committee Hurdle](#)

Sierra Sun Times, Wire Report, June 10

[Governor signs bill funding replacement of Owyhee school on tribal land](#)

Nevada Indy, Carly Sauvageau, June 14

PRESENTATIONS / WELCOMES

Northern Nevada International Center (NNIC) "Advancing Minority Rights" February 23 at Stewart Indian School Cultural Center & Museum

UNR School of Social Work, Child Welfare Class "Why the Indian Child Welfare Act Must Be Reaffirmed by the US Supreme Court" at Ansari Business Building, February 24

University of Nevada's Osher Lifelong Learning Institute (OLLI) - Beverly Mobley, SISCCM volunteer / event organizer; "The Nevada Indian Commission: What We Do" May 4 at Stewart Indian School International Visitor Leadership Program (IVLP) "Women as Drivers of Social and Economic Growth: Female Leaders at the Stewart Indian Boarding School" June 27 at SISCCM

2023 Leadership Class from the Reno+Sparks Chamber of Commerce; Provided Welcome / Tour for 28 Future Business / Civil Servants, July 12 at SISCCM

OTHER HIGHLIGHTS / ONGOING PROJECTS

- Attended/spoke at the preview screening of: *The Martyrdom of Saint Ethel: Patron Saint of the Santee, Bloody Fourth and Gitmo Bay* produced and director by Dr. Myrton Running Wolf (Blackfeet) and filmed at the Stewart Indian School Old Gym (*see attachment*)
- Confirmed as board member for the University of Nevada Center for Economic Development and the College of Business

OTHER OUTREACH

Submitted grant application from the Stewart Indian school Preservation Alliance (SISPA) to San Manuel CARES, a giving program of the San Manuel Band of Mission Indians (owners and operators of the Palms Casino in Las Vegas); With the title, Building Nevada Indian Commission Capacity for Resilient, Sovereign Tribal Nations, our application explained that after the global pandemic and with leadership, the SISPA and the NIC need to build capacity; To continue to improve the quality of life for our Tribal communities, we must develop and strengthen our skills and approaches to processes and resources, so our state agency has and can secure what is needed for our organization to adapt and grow. Essential to that end is a strategic plan; With funding and technical guidance from the San Manuel Band of Mission Indians, we would use a \$10,000 grant to begin designing our future. Application status is pending

On June 1, travelled with Great Basin Native artists Melissa Melero Moose and Jack Malott, Western Shoshone elder Delaine Spilsbury, and Nevada Museum of Art Director David Walker, Chief Curator Ann Wolfe, and other senior staff to meet architectural / land artist Oscar Tuazon, his family and tour the future location of a Water School. In consultation with Goshute Chair Rupert Steele, the two conceived a plan to build a school near Cedar Spring (McGill, Nevada) to keep the issues of the [pipelines](#) in the news.



Report to the Nevada Indian Commission Board

April 6, 2023

Stewart Indian School Cultural Center & Museum:

Museum Director Bobbi Rahder and Curator Chris Ann Gibbons

Leadership, professional development, and organization structure

- Bobbi reviewed 18 grants for Association of Tribal Libraries, Archives, and Museums NEH grants: Sustaining the Humanities Through the American Rescue Plan Humanities Grants for Native Cultural Institutions Program
- Chris is attending professional development trainings on collections management
- Submitted information for Governor's Quarterly Report
- Developed strategic goals and Collections Policy with Stewart Cultural Advisory Committee
- Updating the Plan of Operations with new policies and procedures

Financial Stability

- Keeping the Welcome Center Gift Shop open on Fridays from 10 am to 4 pm. We have Stewart gear: t-shirts, hoodies, coffee cups, and caps. We also purchase art from local Native artists who sign an agreement that we follow the Indian Arts and Crafts Act of 1990. All proceeds go to purchase more art from local Native artists. To support local Native artists, we purchased art from these artists since the last quarterly report: Julia, Quincy, and Julia Parker; Jacqueline Rickard, Theo Steele, Gracie Dick, Norma Darrough, Joe Mike, Raelyne Thomas, as well as Dale Bennett's book "Together We Endured: A Washo Memoir of Foster Homes & Family;" and Nancy Raven's book "Wuzzie Comes to Camp."
- Considering grant programs for funding projects

Complying with Department of Interior Boarding School Initiative

- Waiting for BIA to approve SISCCM as repository for Stewart items in storage
- Working with National Native American Boarding School Healing Coalition to document the students who attended Stewart to create digital archive of records

Collections Stewardship

- Consultant Tera Bruhn is file managing and researching Stewart related photos
- Volunteer Renee Kolvet is working on creating student files
- UNR intern Kay Remington completed finding aids for 3 scrapbooks and worked on updating a finding aid for completed photo identification forms

- Working on entering contacts into Past Perfect Collections software in preparation for adding collections
- Volunteer Beverly Mobley is assisting with research requests
- Working with State Library and Archives as partner in a grant to make collection finding aids available online
- Indigenous graduate student intern at UNLV Analiesa Delgado shared research she is doing at National Archives: Stewart Superintendent Narratives and Statistical Reports from 1927-1935
- Scanned and made multiple copies of class photos for Stewart alumna Kym Arias
- Worked with Linda Eben Jones to create a MMIW display board for Tribes Day at the Legislature. In addition, transported and displayed the MMIW dress from the GBNA gallery at the event
- Assisted Stewart alumnus Ronald Lewis on commentary for a Stewart related parade float he was putting together
- Received two new donations to the collections. Sylvia Davis donated Stewart related negatives from the 1940's and alumnus John Burns donated two Robert Caples prints
- Attended two collections related professional development trainings – Caring for Scrapbooks and Digitizing Scrapbooks
- Completed 13 research requests including a request on John Lindly who worked at Stewart from 1927-1932 and a request on two Navajo students who attended in the 1950's.

Education and Interpretation

- Made presentations/tours to 13 organizations, including international visitors from UNR International Center, and 4 schools (93 students)
- A total of **9,366** people signed the sign-in sheets since the soft openings in December 2019 (taking into account being closed for five months in 2020 and closed for the holidays from Dec. 20-January 2, 2022)

Upcoming tours and presentations:

- Hosting Governor Lombardo's staff for tour, April 17, 1-3 pm Shelley Gould and Teri Burns will lead tour
- Hosting Board of Directors of Mariposa, Amador, Calaveras, and Tuolumne Health Board, Angels Camp, CA, April 19th
- Asked to present at National Automobile Museum History Symposium April 22 about Stewart WWI soldiers. Mr. Frank Joe will present
- Hosting Revel Rancharrh-Reno Independent Living group of 10, April 25th at 2 pm, Frank Joe will give tour
- Hosting UNR EDU 202 class April 26 at 2 pm, Teri Burns will give tour
- Hosting California Governor's Office of Tribal Affairs May 2.
- Hosting tour of Osher Lifelong Learning Institute for May 4 from 10-1
- Hosting Retired Washoe Teachers, tour by Linda Eben Jones at 10 am on May 8th.
- Journey Education School from Las Vegas, tour of fourth and fifth graders, May 12 from 3:30-5 pm
- Tour for Australian tour operators organized by Visit Carson City June.
- Hosting Great Basin Native Basket Weavers July 15, 10-5

Great Basin Native Artists Gallery

- Melissa Melero-Moose curated new exhibit for Great Basin Native Artists Gallery: The exhibition, *Dancing for the Earth, Dancing for the People: Pow Wow Regalia and Art of the Great Basin* displays contemporary pow wow dance regalia, photography, mixed media sculptures, Great Basin beadwork, digital graphic design, and more. Participating artists include: Phil Buckheart, Bucky Harjo, Linda Eben Jones, Jack Malotte, Lyndah Steele, Theo Steele, Janice Eben Stump, Chad Yellow John, and Bhie-Cie Zahn-Nahtzu, will be on display from October 12, 2022 – May 26, 2023
- “Dancing for the Earth” Reception, GBNA Gallery, 12-4:30 pm,
- Next exhibit will be “Creating Story: Artwork of the Stewart Alumni,” June 9-September 2023.

Outreach

- Stewart Indian School exhibit “We Remember Your Sacrifices, You are Not Forgotten: the History and Art of Stewart Indian School” was displayed at Reno-Tahoe Airport. This is a collaboration with Visit Carson City, Melissa Melero-Moose and Great Basin Native Artists Collective, and Josh Bonde at Nevada State Museum. The exhibit was taken down Feb. 21, 2023. Staff in conversations with two additional locations to show exhibit in 2023-2024
- Working with Donna Bristow at the Washoe Tribal clinic in Dresslerville to loan temporary exhibit items for display cases in the clinic; showing Washoe and Stewart artifacts, installing April 26, and exhibit will be up through September 2023
- Working with Samantha Williams (author of Stewart book) on a new book project highlighting the Stewart student writings. Samantha is working with Stewart alumni Frank Joe and Aletha Tom to write essays for the book; with grant to pay them honorariums
- Working with representatives from the 400 years project on photographers associated with the Stewart Indian School, including Harry Sampson from RSIC
- Meeting with Ripple Project, volunteer organization that worked with Billie Jean Guerrero to install medicinal garden at Pyramid Lake Paiute Museum and Visitor’s Center; interested in installing a medicinal garden at Stewart: Darlene Graham, Western Shoshone; Melanie Smokey, Yomba Shoshone and Washoe; Lorraine Cook, Apache; and Melissa Melero-Moose, Fallon Paiute/Modoc
- The Archive Bag has been checked out to two families who want to record oral histories of their relatives and information on how to preserve their family collections of photos, documents, and textiles
- Developing spring classes
- Misty, Delmar, and Ku Stevens are planning the third Remembrance Run for August 11-13. The runners will camp at Yerington Friday August 11th, start the run on August 12th, end at Stewart August 13th. The theme is Culture Cures, and they want to plan some cultural dances, presentations, and activities at Stewart for the final day, as well as visit the cemetery.

Facility and risk management

- Work is proceeding with H+K Architects, State Historic Preservation Office, and State Public Works to renovate Stewart bakery/post office building for environmentally controlled collection storage using American Rescue Plan funds of \$1,145,320. Final design documents will be

submitted April 2023, with construction beginning Sept. 2023, and a completed project by mid 2024

- Brian Wacker at State Public Works presented the Capital Improvement Project to renovate Stewart's old gym to Nevada Legislature April 5th. This part of the project is the design planning phase asking for \$2,026,160. In the next Legislative Session FY 2025 the state will request the construction costs of \$25,000,000.
- National Historic Landmark Application update from Dr. Gregory Smoak. The National Park Service approved an agreement with the National Association of Tribal Historic Preservation Officers to complete the application revisions and an RFP has been issued to hire a researcher to complete the revisions

Communication and Marketing

- Updating Stewart Indian School website
- Posting updates to Stewart Facebook page and Stewart Instagram account
- Working with Tourism Dept. staff for press releases, social media, and marketing
- Posting information to Carson City-Reno-Tahoe regional app called MOPO
- Created a page for the Stewart Indian School Cultural Center & Museum on AIANTA's NativeAmerica.travel website

Financial Report:

BA 2601

Fiscal Year 2023 Budget (July 2022-June 2023)

\$118,958 General Fund/ARPA Funds

\$189,069 Transfer of funds from Dept. of Tourism and Cultural Affairs

Total FY 23 budget: \$308,027

Current Balance: \$140,772

BA 3286 Stewart Indian School Cultural Center & Museum's Portion of Gift Fund (CAT 69)

\$53,368.22 donations via check and purchases

\$7,728.95 gift shop sales via check

Total: \$61,097.17

SISCCM Petty Cash and Change Account (authorized by NRS 233A.300)

Balance: \$631.62



NEVADA MUSEUMS & HISTORY
Joe Lombardo | Governor
Stacey Montooth | Executive Director

ADMINISTRATIVE OFFICES
5500 Snyder Avenue, Bldg. 3
Carson City, NV 89701

MAILING ADDRESS
5366 Snyder Avenue
Carson City, NV 89701

Report to the Nevada Indian Commission Board

July 21, 2023

Sarina Nez, Program Officer
&
Stewart Father's Day Powwow Chair

Attending the following meetings and providing feedback:

- Nevada Minority Health & Equity Coalition Tribal Communities Steering Committee
- Nevada Department of Veteran Services Suicide Prevention
- Public Health Resource Office – Office of the Governor
- Western Governors Assoc State Tribal Liaison Network
- Attended Various Legislative Session Hearings re: Tribal Impact Bills
- Provided Feedback, Support of \$20 Million ARPA subgrant for Nevada Tribes – including working with Manpower to hire contract employees to administer grant

Worked with Larry Burton to organize and prepare for AIANTA Conference held at the Stewart Gym, March 21 & 22

Hosted SISCCM information table at UNR Multicultural Powwow April 1, networked for drum, vendors for Stewart Father's Day Powwow

Attended the 41st Annual ICWA Conference in Reno, NV, April 2-5 – Attended many breakout sessions regarding healing trauma, ICWA 101, and substance abuse; Networked with vendors for Stewart Father's Day Powwow

Traveled to Las Vegas to attend UNLV Powwow for the Planet; Continued travel to Laughlin to organize, attend NIC Commissioner's workshop on Consultation Policy. While there met with Ashley Hemmers of Fort Mojave Tribe to tour Health Facility and attend Avi Kwa Me Celebration

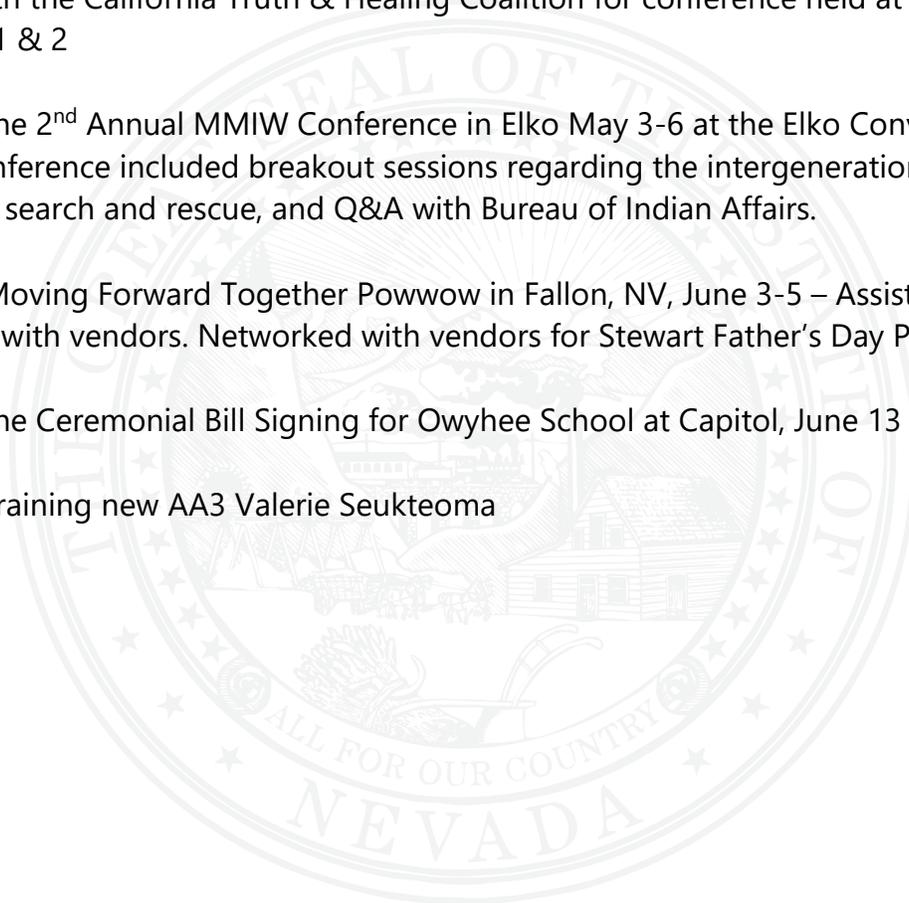
Worked with the California Truth & Healing Coalition for conference held at Stewart Gym, May 1 & 2

Attended the 2nd Annual MMIW Conference in Elko May 3-6 at the Elko Convention Center; Conference included breakout sessions regarding the intergenerational trauma, grass roots search and rescue, and Q&A with Bureau of Indian Affairs.

Attended Moving Forward Together Powwow in Fallon, NV, June 3-5 – Assisted committee with vendors. Networked with vendors for Stewart Father's Day Powwow

Attended the Ceremonial Bill Signing for Owyhee School at Capitol, June 13

Continue Training new AA3 Valerie Seukteoma





Stewart Father's Day Powwow

June 16-18, 2023, The Stewart Father's Day Powwow was a success.

Committee Members:

Sarina Nez	Stacey Montooth	Bobbi Rahder
Fredina Dyer-Romero	Loni Romo	Larry Burton
Linda Jones	Janice Stump	

2023 Powwow Schedule:

Return to three-day event:

Friday, June 16 th	6:30 pm Grand Entry – 10:30 pm close
Saturday, June 17 th	Noon Grand Entry – 4 pm 4 pm – 6:30 pm Dinner Break
Saturday, June 17 th	6:30 pm Grand Entry – 10:30 pm close
Sunday, June 18 th	Noon – 5 pm close

Approximately 100 dancers registered for powwow.

The Nevada Department of Corrections (NDOC) worked with the committee to set-up arena, stage, bleachers, and vendor spaces. Trustee's from NDOC greatly helped during setup and take down. Bert Heyman, Maintenance Repair Specialist with NDOC provided support with trash collection on Sunday. Mark Salinas and spouse volunteered Saturday for trash duty.

The powwow included over 60 vendors. Vendors were happy with their sales. Food vending was successful, we had five Indian Taco Vendors, one street taco vendor and one "snack" food vendor, including pretzels, hot dogs, nachos, etc. Arts and crafts vendors have stated Sunday was their most successful day of event.

We also saw the return of the Stewart Alumni BBQ. Over 50 alumni registered for the BBQ, and each was given a plus one. The volunteer team led by Fredina Dyer Romero and her family provided over one hundred meals. Savena Rogers and her family also volunteered in serving and clean-up.

New to the BBQ was a photobooth for alumni; this was a big hit and hope to have them back next year.

Other Items:

Advertising – Stewart Father’s Day Powwow was approved for a banner across Hwy 395/Carson Street downtown Carson City for the week of June 5th -11th. For 2024 will request week of powwow for advertising.

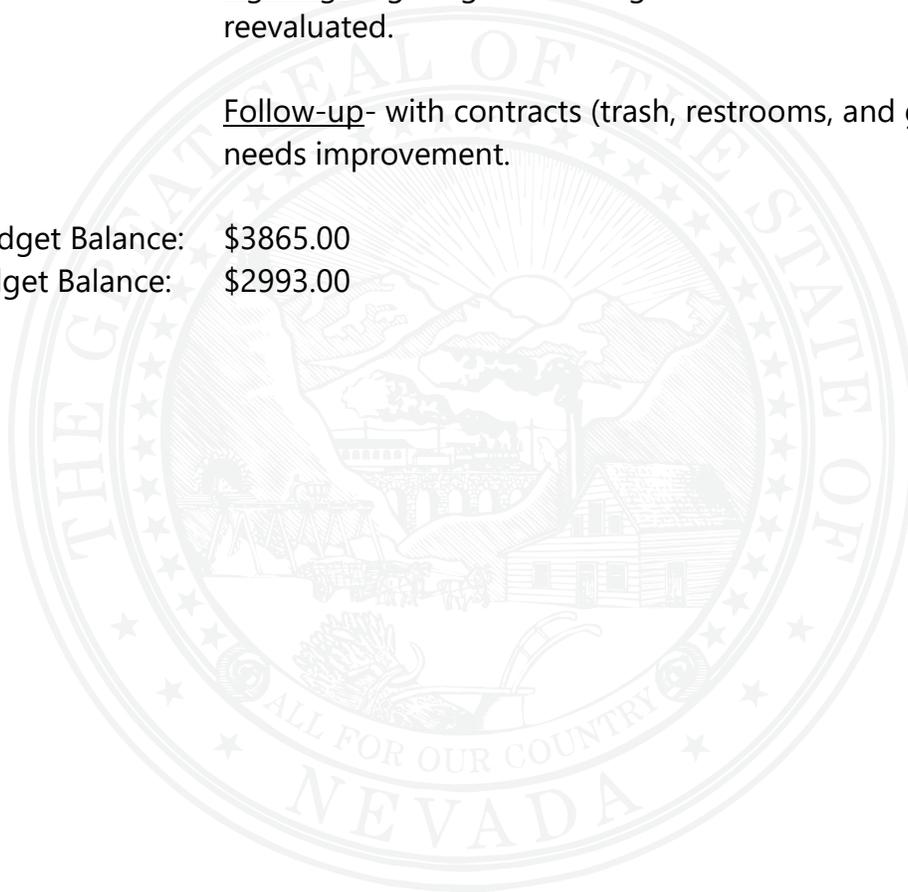
Stage – a new stage will need to be designed and built for 2024.

Lighting – lighting for evening sessions will need to be reevaluated.

Follow-up- with contracts (trash, restrooms, and generator) needs improvement.

Starting Budget Balance: \$3865.00

Ending Budget Balance: \$2993.00



Nevada American Indian Stakeholder Perceptions of Educational Supports

Introduction

In August 2022, the Indian Education Advisory Committee (IEAC) members met to develop an action research study. *Action research is a common research methodology used by many educators, particularly classroom teachers and principals. Action research, compared to traditional research designs can be immediately implemented and can be embedded into daily practice.* This methodology allowed us to quickly select a challenge or issue: **To better understand various stakeholder’s perspectives of educational support, or lack of it, at the local (district), tribal, and state levels.**

Typically, action research is fundamentally qualitative. Qualitative data sources, in education research, are interviews, observations, and other documents. However, action research can also be grounded quantitatively in the form of stakeholder surveys. Our action research study is quantitative in scope. With our committee analyzing the survey results.

Our goal is to better understand what supports are currently in place for various stakeholders to develop and create a new strategic plan. The committee has diligently met 13 times since the first meeting in August 2022. During this time, we have created, finalized, and shared three of four surveys: the Tribal Education staff survey, [Pre-K - Grade 12 Teacher](#) survey, and the [Survey Questions - Higher Ed Students](#) survey. As of today, nine responses have been received from the teacher survey; and eighteen responses for the native higher education student survey. The [Tribal Education Departments \(including T6 and JOM\)](#) received a few responses. The [Community](#) survey has yet to be distributed; we believe the community survey will receive the most responses. The community survey responses are vital to guiding our committee in structuring our strategic plan, along with the other surveys.

At our 6/30/2023 IEAC meeting, we discussed four concerns:

- 1. Completion of the community survey**
- 2. Identifying methods for collecting responses**
- 3. Data analysis.**
- 4. Strategic Planning Process**

Timeline

Ongoing: The IEAC will regularly update the NIC Board of Directors.
September 2023: Gather final survey responses from all categories. Determine if we have the resources available for stakeholder meetings.

October 2023: Analyze data to make preliminary findings.

November 2023: Work with outside consultant to assist with final analysis of survey and start the process to create strategic plan. Tentatively seeking resources through the Nevada Department of Education (NDE) Indian Education to pay for outside consultant.

March 2024: Share the IEAC Strategic Plan at the NDE Indian Education Summit

Survey Distribution

Tribal Education Staff Survey

Executive Director Stacey Montooth will share out the tribal education staff survey beginning this week along with a brief invitation statement and purpose. There will be three follow-up emails sent out each week following. **Our Goal is at least 14 respondents.**

Native American Student Higher Education Survey

Of the 18 responses, students attending TMCC, UNR, and UNLV have participated. Our goal is at least **30 respondents** before September 1. We will ask that Dr. Bauer (UNLV) and Dr. Emm (UNR) send out invitation emails beginning this week, along with three reminder emails for each week following.

Pre-K to 12 Teacher Survey

Fredina will share out email invitations to all Nevada school administrators that serve students on or near tribal lands this week, with a follow up email reminder each week for the next three weeks. **Our goal is 30 respondents.**

Nevada Rural/Urban Tribal Community Survey

The committee has narrowed distribution of this survey down to two options:

Option 1 - The committee designates two members to gather tribal community "Back-to-School Backpack" event dates and times. Then, attends at least four scheduled events.

Goal: 60 respondents

Option 2 - The committee designates two members to contact tribal education directors to identify, coordinate, and schedule focus groups in at least four tribal communities. Each focus group will be composed of interested community members who will be tasked with completing the survey. A focus group is small in number.

Goal: 20 respondents (4 focus groups of at least five participants)

Strategic Plan process

Once stakeholder feedback and analysis of the respondent data is complete, the committee will contract with individuals who will guide us through the planning process. The plan will include a vision, mission, goals and priorities, action steps, and other important components of a well-rounded strategic planning process. Our committee plans to share progress of the strategic plan at the next quarterly NIC meeting. Our goal is to have completed the strategic plan, share with stakeholders for feedback, and present to the public at our Indian Education Summit in March 2024.

Pre-K - Grade 12 Teacher Survey

Who should be filling this out?

If you are a(n) early childhood, elementary, or secondary education teacher employed by a:

- School district
- State department
- Tribal Government
- Tribal organization (non-profit)
- In any education-related position; please complete.

lancewest999@gmail.com [Switch account](#)



Not shared

* Indicates required question

Name (optional)

Your answer

Who is your employer? (optional)

- School District
- Nevada Department of Education
- Tribal Government
- Tribal organization (nonprofit)
- Other:

Years of teaching experience (optional)

- 1-2 years
- 3-5 years
- 6-10 years
- 10+ years

Are you a Citizen or Descendent of a tribal nation(s)? (optional)

- Yes
- No

If yes, what tribal nation(s) (optional)

Your answer _____

What grade level(s) do you currently teach? Select all that apply. *

Pre-K

K

1st

2nd

3rd

4th

5th

6th

7th

8th

9th

10th

11th

12th

For each of the sources below, how helpful has each source been for you in acquiring knowledge, skills, and information to teaching Native students? *

	Not helpful	Somewhat helpful	Helpful	Very helpful
My own personal research and studying	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My personal family background and experiences	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Locally sponsored Native cultural programs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Residing and working in a Nevada tribal community	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
College courses or workshops focusing on teaching Native students	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
College courses or workshops focusing on cultures or diversity	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Local or state sponsored professional development focusing on teaching Native students

How many times in the past year have you consulted each of the supports to help * you improve Native student academic achievement

Never

1 - 2 times

3 or more times

Websites

Professional articles and journals

Local tribal governments

Other teachers

Tribal community stakeholders including parents, elders, and leaders

Nevada Department of Education

How many times during the past year have you attended professional or community-sponsored learning workshops or trainings with an emphasis on instruction including the accurate and modern Indigenous perspective in curriculum? *

- Never
- 1 - 2 times
- 3 or more times

If you have attended professional learning workshops emphasizing instruction including Native perspectives in curriculum, how helpful has it been to implement in your classroom lessons? *

- Not helpful
- Somewhat helpful
- Helpful
- Very helpful
- I have not attended any professional learning specific to Native perspectives.

If you have attended professional or community-sponsored learning workshops in the past year, who facilitated the program? *

- State
- District
- Tribal education department
- College or university
- tribal organizations (nonprofit)

Do you speak any of the Great Basin Indigenous languages or any Native language spoken by Native students who attend your school? *

- I have no knowledge or skill
- Minimal knowledge; can speak some words or phrases
- Moderate knowledge; can express some ideas and communicate in some situations
- Fluent non-native speaker
- Fluent native speaker

Do you use your students' Native language(s) when you instruct any core academic subject? (reading, math, science, and social studies)? *

- No, instruction is entirely in English
- Somewhat, instruction is primarily in English, but words or phrases from the students' Native language(s) are used on occasion.
- Somewhat, instruction is primarily in English, but words or phrases from students' Native language(s) are used frequently.
- Yes, instruction is primarily in the students' Native language.

Do you integrate materials about the following topics into your lessons? *

	Never	At least once a year	At least once a month	At least once a week	Every day or almost every day
American Indian or Alaska Native culture or history	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Current issues affecting American Indian or Alaska Native people or communities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

How often do you have students do each of the following activities? *

	Never	At least once a year	At least once a month	At least once a week	Every day or almost every day
Read literature with American Indian or Alaska Native themes?	<input type="radio"/>				
Read literature by Native authors	<input type="radio"/>				
Read about or discuss current issues or concerns impacting Nevada tribal communities?	<input type="radio"/>				
Write about experiences or issues affecting Nevada tribal communities	<input type="radio"/>				
Write about their own experiences as a Native person	<input type="radio"/>				

Do you agree with the statements below regarding the materials available in your * school library, media center, or resource learning center.

	Strongly disagree	Disagree	Agree	Strongly agree
The number of books and materials available for students in my class is sufficient	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The quality of the books and materials available for my students is satisfactory	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The number of books and materials specific to American Indian and Alaska Native culture available for my students is sufficient.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The quality of the books and materials specific to American Indian and Alaska Native culture available for my students is satisfactory.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

What have you found to be the most effective teaching and learning strategies for increasing Native student academic achievement?

Your answer

Submit

Clear form

Survey Questions - Higher Ed Students

This survey is to be completed by Native American college students that has attended or is currently attending a Nevada college/university institution.

lancewest999@gmail.com [Switch account](#)



Not shared

* Indicates required question

Name *

Your answer

Citizen or Descendent of the _____ (Tribal Nation)

Your answer

Which higher education institution do you currently attend? *

Your answer

Age *

- 18-29
- 30-39
- 40+

Do you spend time on campus other than attending classes?

- Yes
- No

Only respond if you answered "Yes" to the previous question. *

What college/university resources do you use to help get organized and on track with classes. Check all that apply.

- Writing Center
- Tutoring
- Career Services
- Financial Aid
- Advisors
- Library
- Dining Services
- Child Care Services
- Student Organizations
- Health Services
- Information Technology Department
- Recreation Services
- Food Pantry

How satisfied are you with the available resources for Native American students? *

Choose ▼

I am involved with the following student organizations. (Check all that apply) *

- Academic
- Cultural
- Faith-Based
- National Honor Societies
- Political
- Sorority/Fraternity
- Service & Social Justice
- Special Interest
- Sports Clubs
- I am not involved in any student organizations

How important is it for dedicated campus space for Native American students? *

- Choose
- Not important at all
- Not so important
- Somewhat important
- Very important
- Extremely Important

How familiar are you with the NSHE Native American Fee Waiver? *

- Choose
- Not familiar at all
- Somewhat familiar
- Very familiar

Which of the following courses are:

Which of the following courses are:

Not difficult Somewhat difficult Very difficult

Please tell us how difficult each of the following courses are:

	Not difficult	Somewhat difficult	Very difficult
Natural Sciences	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Mathematics	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Foreign languages	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
English	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Humanities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Social sciences	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Visual and performing arts	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Prior to attending college, did you feel prepared? *

- Yes
- No

In high school, did you take AP (Advanced Placement) or college prep courses?

Yes

No

If you did take AP or college prep courses, which courses were they? (Check all that apply)

Geography

History

Computer Science

Psychology

Physics

Music

Chemistry

Calculus

Have you attended any of the following events held at your college or university? *
(Check all that apply)

Presentations by Native people about their traditions, language, and cultures.

Native art and craft demonstrations

Traditional Native music and/or dance performances

I have not attended any of the following events

Have you ever thought of dropping out of college? If so, what would be the reason? (Choose all that apply) *

- Higher education is expensive
- Unprepared for academic demands
- Lack of discipline
- Unhappy with the school or college experience
- Life happens
- Other: _____

Submit

Clear form

Survey - Tribal Education Departments (including T6 and JOM)

Who should be filling this out?

If you are employed by:

- A tribal nation
- School district
- State department
- Tribal organization (non-profit)

in any education-related position; please complete.

lancewest999@gmail.com [Switch account](#)



Not shared

* Indicates required question

Name (optional)

Your answer

Are you a Citizen or Descendent of a tribal nation(s)? (optional)

Yes

No

If yes, what tribal nation(s)?

Your answer

Job Title *

Your answer

Do you work for/with a tribal nation? If so, who(m) do you work for/with? *

Your answer

How is your position funded? (i.e. Title VI, Tribal, JOM, District, State) *

Your answer

Years at current position *

Choose ▼

How satisfied are you with communication between you and *

	Very satisfied	Satisfied	Neither Satisfied or Dissatisfied	Dissatisfied	Very Dissatisfied
Teachers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Principals	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
District Office	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Parents/Guardians	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Students	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tribal Administration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Nevada Department of Education	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Higher education institutions (colleges, trade schools, universities)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

How satisfied are you with matters related to student achievement concerns such * as grades, attendance, discipline?

	Very Satisfied	Satisfied	Neither satisfied nor dissatisfied	Dissatisfied	Very Dissatisfied
Teachers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Principals	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Parents/Guardians	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Students	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Tribal Administration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Nevada Department of Education	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Higher education institutions (colleges, trade schools, universities)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

How effective are the schools in which students in your tribal community attend, *
meeting the needs of your students?

	Very effectively	Effectively	Somewhat effective	Somewhat ineffective	Ineffective in
Socially and emotionally	<input type="radio"/>				
Educationally/academically	<input type="radio"/>				
Extracurriculars	<input type="radio"/>				
Valuing our traditional culture and language	<input type="radio"/>				
Community Resources & Referral Services (food pantry, McKinney Vento)	<input type="radio"/>				
Student safety and climate	<input type="radio"/>				
Health and nutrition (Breakfast after the Bell, FRL, after school programming, Boys & Girls Club)	<input type="radio"/>				
Parent/guardian involvement	<input type="radio"/>				

How familiar are you with the following achievement data?

	Very familiar	Somewhat familiar	Somewhat not familiar	Not familiar
Quarterly grades	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
NWEA MAP assessments	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
State SBAC annual assessments	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Discipline data	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Attendance data	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Transcripts	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Graduation rates	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Nevada Report Card school data	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
School Site Continuous Improvement Plans	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
District Performance Plans	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Nevada State Improvement Plan	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

How interested are you in professional development workshops designed to better assist you with understanding the value of student achievement data? *

Choose

Very interested

Somewhat interested

Not interested

related supports available in the tribal community you *

Please select all education-related supports available in the tribal community you live in. *

- Language Classes
- Tutoring Services
- Cultural Workshops
- Parenting Workshops
- Tribal Scholarships
- Adult Education Services
- Pre-school or Headstart
- Gift and Talented Programming
- Higher Education Workshops
- Career Readiness Training

On matters related to tribal community education, how satisfied are you with tribal education supports? *

Choose

Very Dissatisfied

Dissatisfied

Neither Satisfied or Dissatisfied

Satisfied

Very Satisfied

al community education program? Please

ty education program improve? Please

What strengths do you see in your tribal community education program? Please comment.

Your answer _____

In what areas can your tribal community education program improve? Please comment.

Your answer _____

How important is it to have access to the most recent achievement data on your PreK - Grade 12 students?

- Extremely important
- Very important
- Somewhat important
- Not so important
- Not at all important

Have you ever been asked to participate on any of the following school or district * committees or meetings? Please check all that apply

- School Improvement Plan Committee
- District Budget Committee
- Indian Policies and Procedures Committee
- Any School or District Professional Development Training/Workshop
- District Attendance Committee
- District Discipline Committee
- School or District Safety Committee
- None of the above

What level of professionalism do you receive when interacting with the following: *

	Extremely professional	Very professional	Somewhat professional	Not so professional	Not at all professional
Teachers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
School Administrators	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Counselors	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Coaches	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Superintendent	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
District Office Staff	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Secretaries	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

How has the relationship between you and the school district(s) impacted: *

	Positively	Neutral	Negatively
Student achievement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Parent/Guardian engagement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Acknowledging and valuing Native culture and language	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Are you satisfied with staffing levels in your department or program? *

Choose ▼

Are you satisfied with Nevada college/university outreach and recruitment efforts in your tribal community?

Choose ▼

Overall, how satisfied are you with your relationship between you and school district in which your students are enrolled? *

Choose ▼

Submit

Clear form

**Official Appointment of Representative to the
Indian Education Advisory Committee
Nevada Indian Commission**

The following individual is appointed as the representative to the Indian Education Advisory Committee, Nevada Indian Commission for our organization. This appointment authorizes the appointee to attend meetings and represent our organization on the respective Committee.

Name	Margaret Gunshows
Title	
*Tribe or Education Body	Type text here Inter-Tribal Council of Nevada Head Start

Address	10 State Street		
	City: Reno	State: NV	Zip Code: 89501

Work Phone	(775) 355-0600 Ext 141	E-Mail Address: mgunshows@itcn.org
Fax Number	(775) 355-5206	
Cell Phone	(775) 530-5518	

Date: 06.06.2023



*In order to represent an
organization, you must have
approval from an authorizing
Official.

Authorizing Official for Education Body/Tribe, Band or Colony

Print Name:
Mairia Warf

Print Title:
ITCN Head Start Director

Approval by the Indian Education Advisory Committee

This appointment is hereby approved by the Indian Education Advisory Committee for the Nevada Indian Commission on _____.

Appointment Term: 2 Years
Beginning: _____
Ending: _____

New Appointment:
Reappointment:
If reappointment, number of terms previously served: _____

Seat Filled

Chairperson or Vice-Chairperson

Approval by Nevada Indian Commission

This appointment is hereby ratified by the Nevada Indian Commission on _____.

Executive Director

**Official Appointment of Representative to the
Indian Education Advisory Committee
Nevada Indian Commission**

The following individual is appointed as the representative to the Indian Education Advisory Committee, Nevada Indian Commission for our organization. This appointment authorizes the appointee to attend meetings and represent our organization on the respective Committee.

Name	Emily Navarro
Title	
*Tribe or Education Body	Washoe Tribe of NV & CA

Address	1246 Waterloo Lane		
	City: Gardenerville	State: NV	Zip Code: 89410

Work Phone	(775) -782-6320	E-Mail Address:
Fax Number	()	enavarro@washoetanf.org
Cell Phone	()	

Date: 4/27/2023  _____
 *In order to represent an _____ Authorizing Official for Education Body/Tribe, Band or Colony
 organization, you must have _____
 approval from an authorizing _____
 Official. _____

Approval by the Indian Education Advisory Committee

This appointment is hereby approved by the Indian Education Advisory Committee for the Nevada Indian Commission on _____.

Appointment Term: 2 Years New Appointment:
 Beginning: _____ Reappointment:
 Ending: _____ If reappointment, number of terms previously served: _____

 Seat Filled Chairperson or Vice-Chairperson

Approval by Nevada Indian Commission

This appointment is hereby ratified by the Nevada Indian Commission on _____.

 Executive Director

**Official Appointment of Representative to the
Indian Education Advisory Committee
Nevada Indian Commission**

The following individual is appointed as the representative to the Indian Education Advisory Committee, Nevada Indian Commission for our organization. This appointment authorizes the appointee to attend meetings and represent our organization on the respective Committee.

Name	Maria Warf Brandi Vizcarra (alternate)
Title	ITCN Head Start Director/Child Care Development Fund Director
*Tribe or Education Body	Inter-Tribal Council of Nevada Early Childhood Education

Address	10 State Street		
	City: Reno	State: NV	Zip Code: 89501

Work Phone	(775) 355-0600 Ext 114	E-Mail Address:
Fax Number	(775) 355-5206	mwarf@itcn.org
Cell Phone	(775) 530-5488	

Date: 11/21/22

*In order to represent an organization, you must have approval from an authorizing Official.



 Authorizing Official for Education Body/Tribe, Band or Colony
 Print Name: Deserea Quintana

 Print Title: Executive Director

Approval by the Indian Education Advisory Committee

This appointment is hereby approved by the Indian Education Advisory Committee for the Nevada Indian Commission on _____.

Appointment Term: 2 Years
 Beginning: _____
 Ending: _____

New Appointment:
 Reappointment:
 If reappointment, number of terms previously served: _____

 Seat Filled

 Chairperson or Vice-Chairperson

Approval by Nevada Indian Commission

This appointment is hereby ratified by the Nevada Indian Commission on _____.

 Executive Director

**Official Appointment of Representative to the
Indian Education Advisory Committee
Nevada Indian Commission**

The following individual is appointed as the representative to the Indian Education Advisory Committee, Nevada Indian Commission for our organization. This appointment authorizes the appointee to attend meetings and represent our organization on the respective Committee.

Name	Richard Savage
Title	Coordinator II
*Tribe or Education Body	Clark County School District Indian Education Opportunities Program

Address	4212 Eucalyptus Ave, Building 8		
	City: Las Vegas	State: Nevada	Zip Code: 89121

Work Phone	(702)799-8515	E-Mail Address: savagr@d@nv.ccsd.net
Fax Number	()	
Cell Phone	(702) 336-6441	

Date: May 1, 2023

*In order to represent an organization, you must have approval from an authorizing Official.



Authorizing Official for Education Body/Tribe, Band or Colony

Print Name: Alvin Dizon

Print Title: Director, Engagement and Events

Approval by the Indian Education Advisory Committee

This appointment is hereby approved by the Indian Education Advisory Committee for the Nevada Indian Commission on _____.

Appointment Term: 2 Years
Beginning: _____
Ending: _____

New Appointment:
Reappointment:
If reappointment, number of terms previously served: _____

Seat Filled

Chairperson or Vice-Chairperson

Approval by Nevada Indian Commission

This appointment is hereby ratified by the Nevada Indian Commission on _____.

Executive Director

NEVADA INDIAN COMMISSION
POLICY TO PROMOTE COLLABORATION BETWEEN STATE AGENCIES AND INDIAN TRIBES

Section I. Background

- A. Every federally recognized tribe has inherent sovereignty and maintains a government-to-government relationship with the U.S. government, based on the U.S. Constitution, federal treaties, statutes, executive orders, and policies. The U.S. government also has a trust responsibility to each federally recognized tribe. Federal agencies help to fulfill the government-to-government relationship and trust responsibility to tribes through meaningful consultation with federally recognized tribes.
- B. Generally, numerous barriers have existed to effective tribal-state relations, which may be based on outdated and inaccurate perceptions of tribes by non-Indian communities, the lack of understanding of tribal governments and their sovereignty, faulty assumptions regarding tribal governmental capacity, or even tribal government hesitation to form working relationships with state governments because of the tribes' constitutional and direct relationship with the U.S. government. *See* Susan Johnson, et al., GOVERNMENT TO GOVERNMENT: MODELS OF COOPERATION BETWEEN STATES AND TRIBES (2nd ed. 2009). Nonetheless, there are many good reasons to strive for cooperation between tribal and state governments, including mutual interests and similar governmental goals to use resources effectively and efficiently, to provide comprehensive services and a safe environment for citizens, to protect natural environments, and to sustain healthy economics. *See id.*
- C. On June 8, 2019, the Governor of the State of Nevada ("State"), Steve Sisolak, approved Assembly Bill 264, "An ACT relating to governmental administration; requiring the Nevada Indian Commission to implement a policy that promotes collaboration between a state agency and Indian tribes; requiring the Governor to meet with the leaders of Indian tribes; requiring certain employees of state agencies to receive certain training; and providing other matters properly relating thereto" (hereinafter "AB 264") into law.
- D. AB 264 was codified into state law under Nevada Revised Statute ("NRS") § 233A.
- E. The purpose of AB 264 is to increase collaboration between the federally recognized tribal entities located within Nevada (hereinafter, collectively, "Tribes") and state agencies (hereinafter, collectively, "State Agencies") that are often charged with developing wide-ranging policies, agreements, and procedures.
- F. NRS 233A.260 charges the Nevada Indian Commission (hereinafter "Commission") with drafting a consultation policy (hereinafter "Policy") that promotes effective communication and collaboration between a state agency and Indian tribes, promotes positive government-to-government relations between the State and Indian tribes, and promotes cultural competency in providing effective services to Indian tribes.
- G. Although the Commission already serves as an intermediary for tribal-state relations, it does not speak for the Tribes, which retain their inherent sovereignty.
- H. A formal policy that establishes a consultation framework would improve the relationships between the Tribes and the State Agencies because it could be utilized by both the Tribes and the State Agencies to clarify what consultation entails and to provide guidance on what types

Commented [KL1]: NAC?

Commented [KL2R1]: This needs to be done.

Commented [KL3R1]: I don't believe that this was included under the NAC.

Commented [SN4]: Recognizing that AB 264 was modeled after New Mexico's legislation, NDCNR encourages Nevada to also model its policy after the New Mexico Environment Department's **Policy and Procedure**.

Commented [KL5R4]: New Mexico's legislation was originally looked at in drafting this draft; however, a few years has passed and we should check to see if New Mexico has made any updates or changes based on their experience with this type of policy.

Commented [KL6R4]: The reference to "procedures" here is not to consultation procedures, but rather procedures that may be developed by a State Agency.

Regardless, this draft is based on the more recent Department of the Interior's Part 512 Department Manual Chapters 4 (Policy) and 5 (Procedures).

NEVADA INDIAN COMMISSION
POLICY TO PROMOTE COLLABORATION BETWEEN STATE AGENCIES AND INDIAN TRIBES

of activities require formal tribal consultation. The formal policy could also ensure that there is appropriate training and mechanisms for maintaining relationships between the Tribes and the State Agencies.

- I. The Commission has used US Post, electronic mail, and fax machines (March 14, 2020; June 3, 2020; January 26, 2021; and February 1, 2022) to distribute letters to the Tribes, State Agencies, and other stakeholders (e.g., the Inter-Tribal Council of Nevada ("ITCN"), Nevada Urban Indians, and the Las Vegas Indian Center), requesting feedback and input on what the Policy should include. The Commission held several in-person and virtual public meetings regarding the Policy, including on September 25, 2019; November 8, 2019; January 31, 2020; April 6, 2020; September 9, 2021; and April 23, 2023. The Commission solicited feedback and input on the Policy at its quarterly meetings, ITCN Executive Leadership meetings (October 18, 2022, and December 16, 2022), and at the Agriculture and Natural Resources Tribal Submit. In addition to providing a matrix on November 7, 2019, which identified the requirements and spirit of AB264, Commission Chair Lathouris prepared a draft version of the Policy on December 6, 2020, which was subsequently reviewed and revised, leading to this final Policy.

Section II. Purpose

Through this Policy, the Commission provides the minimum requirements for consultation between State Agencies and Tribes. It expands and clarifies how to promote effective communication and collaboration between State Agencies and Tribes; positive government-to-government relations between the State and Tribes; cultural competency in providing effective services to Tribes; and a method for notifying employees of State Agencies of the provisions of NRS 233A.200 to 233A.280, inclusive and this Policy.

Section III. Scope

This Policy applies to all State Agencies that develop or implement a State Agency Action with Tribal Implications.

Section IV. Definitions

The following definitions shall apply to this Policy:

- A. "American Indian/Alaska Native" or "Indian" or "Native" means individuals who are members of any Indian Tribe; individuals who would meet the definition of "Indian" pursuant to 18 U.S.C. § 1153; or individuals who have been deemed eligible for services and programs provided to American Indians/Alaska Natives by the U.S. public health service, the Bureau of Indian Affairs, or other federal programs.
- B. "Collaboration" means an informal process in which State Agencies and Tribes work together to achieve a common set of goals. Collaboration may occur between the State Agencies and the Tribes, their respective agents or subdivisions, and may involve Indian organizations, if needed or requested by the State Agencies and/or Tribes. Collaboration is the timely communication and joint effort that lays the groundwork for mutually beneficial relations,

NEVADA INDIAN COMMISSION
POLICY TO PROMOTE COLLABORATION BETWEEN STATE AGENCIES AND INDIAN TRIBES

including identifying issues and problems, generating improvements and solutions, and providing follow-up as needed. Collaboration does not include meeting with individuals or groups of individuals that are not authorized to represent the State Agencies or Tribes.

- C. “Communication” means the verbal, electronic, or written exchange of information between the State Agencies and the Tribes.
- D. “Consensus” means what is reached when a decision or outcome is mutually satisfactory to the State Agencies and the Tribes affected and adequately addresses the concerns of those affected. The State Agencies shall endeavor to conduct deliberations with the Tribes in good faith and in accordance with the processes outlined in this Policy. Within this process, it is understood that consensus, while a goal, may not always be achieved.
- E. “Federally Recognized Indian Tribe” or “Tribe” means any Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the U.S. Department of the Interior acknowledges to exist as an Indian Tribe pursuant to the Federally Recognized Indian Tribe List Act of 1994, 25 U.S.C. § 5131.
- F. “Indian country” means Indian country as defined by 18 U.S.C. § 1151.
- G. “Indian Organizations” means those organizations that are predominately operated by American Indians/Alaska Natives, that represent or provide services to American Indians and/or Alaska Natives living on and/or off tribal lands and/or in urban areas.
- H. “State Agency” means an agency, bureau board, commission, department, or division of the Executive Department of State Government.
- I. “State Agency Action with Tribal Implications” means any State Agency regulation, rulemaking, policy, guidance, legislative proposal, plan, programmatic or operational activity, or grant or funding formula changes that may have a substantial direct effect on a Tribe in matters including, but not limited to:
 - 1. Tribal cultural practices; lands; treaty rights; resources; ancestral lands; sacred sites, including sites that are submerged; burial and massacre sites; and lands Tribes were removed from, or access to traditional areas of cultural or religious importance on State managed lands and waters;
 - 2. The ability of a Tribe to govern or provide services to its members;
 - 3. A Tribe’s relationship with the State Agency; or
 - 4. Any action planned by a non-State entity that involves funding, approval, or other final State Agency action, unless the Tribe is a party to the action.
- J. “State Agency Tribal Liaison” refers to an individual designated by a State Agency that communicates with the Tribes on a regular basis, who reports all matters related to this Policy directly to the office of the head of the agency. The State Agency Tribal Liaison shall assist

Commented [SN7]: NDCNR understands “Indian organizations” to include the Inter-Tribal Council of Nevada, Nevada Urban Indians, and other similar nonprofit nongovernmental organizations. NDCNR is interested to know whether collaboration might also involve individual Tribal Members or groups of Tribal Members with views that differ from the Tribal Government.

Commented [KL8R7]: Language has been included to address this concern.

Commented [SN9]: ITCN If consensus is not achieved, there is no dispute resolution process. Consensus on items like state permits may be an unrealistic goal due to the number of permits and schedules already outlined in existing state law

Commented [KL10]: How do we address massacre sites? Recommended that we look to see if there’s language in the Antiquities Act that we can borrow.

Commented [SN11]: DHHS wants to know if these means Division Administrator or is following the chain of command appropriate.

NEVADA INDIAN COMMISSION
POLICY TO PROMOTE COLLABORATION BETWEEN STATE AGENCIES AND INDIAN TRIBES

the head of the State Agency with ensuring the implementation of this Policy; serve as a contact person who shall maintain ongoing communication between the State Agency and the affected Tribes; and ensure that training is provided to the staff of the State Agency pursuant to NRS 233A.

- K. “Substantial Direct Effects on a Tribe” may include, but is not limited to:
 - 1. Impacts to the Tribe and its members, including health and welfare; the Tribe’s programs and jurisdiction; on-reservation land, activities, treaty, or other rights; and natural and cultural impacts; and
 - 2. Impacts to off-reservation treaty rights; subsistence rights; religious, traditional, or cultural rights; and sacred, traditional, or cultural resources, including submerged sites.
- L. “Tribal Government” means the elected governing body of a Tribe that has the authority to enact laws and delegate authority within the Tribe.¹
- M. “Tribal Officials” means the elected or appointed Tribal leader or official designated in writing by a Tribe to represent the Tribe in consultation with State Agencies.²

Section V. Consultation Principles

- A. State Agencies are required to invite Tribes to consult on a government-to-government basis whenever there is a State Agency Action with Tribal Implications.
- B. Consultation is a formal government-to-government process based on a recognition of sovereignty and is generally focused on a given issue or set of issues, including compliance with applicable laws.
- C. Throughout the consultation process, State Agencies must recognize and respect Tribal self-government and sovereignty; identify and consider Tribal treaty rights, reserved rights, and other rights; and respect and elevate Indigenous knowledge, including cultural norms and practices relevant to such consultations.
- D. State Agencies must make good-faith efforts to invite Tribes to consult early in the planning process and throughout the decision-making process and engage in robust, interactive, pre-decisional, informative, and transparent consultation when planning State Agency Actions with Tribal Implications.

¹ A Tribe’s governing body is commonly called a “Tribal Council”; however, Tribes maintain the power to determine their own governance structures. For example, the Tribe’s governing body may be called a “Tribal Legislature” or “Business Council”. Accordingly, State Agencies should take care to correctly identify the Tribe’s governing body. Knowing the correct terminology and structure is important to respecting Tribal sovereignty.

² The written designation is commonly done via a resolution of the Tribe’s governing body; however, this may not always be the case because Tribes maintain the power to determine how the Tribes makes laws.

Commented [SN12]: NDCNR recommends referring to the specific NRS, in place of AB 264. This comment applies to all AB 264 references throughout the draft policy, where reference to the specific NRS would be more appropriate

Commented [SN13]: M.NDOT We request the following edit: “State Agency Tribal Liaison” or “SATL” shall refer to the individual designated by a State Agency that communicates with the Tribes on a regular basis, who reports all matters related to this policy directly to the office of the head of the agency. .” As you may know, we were unable to create a new position for this policy and our existing Tribal Liaison has working relationships with many of the Tribes. In an effort to meet the intent of the Bill, we would prefer to keep the work responsibility where it is but have enhanced communication between that position and the Director’s Office.

Commented [SN14]: NDCNR recommends more clearly defining “Tribal Government.”

Commented [SN15]: NDCNR recommends considering the State of California’s definition of consultation: “The meaningful and timely process of seeking, discussing, and considering carefully the views of others, in a manner that is cognizant of all parties’ cultural values and, where feasible, seeking agreement. Consultation between government agencies and Native American Tribes shall be conducted in a way that is mutually respectful of each party’s sovereignty. Consultation shall also recognize the Tribes’ potential needs for confidentiality with respect to places that have traditional Tribal cultural significance.”

NEVADA INDIAN COMMISSION
POLICY TO PROMOTE COLLABORATION BETWEEN STATE AGENCIES AND INDIAN TRIBES

- E. Consultation means having both State Agency and Tribal Officials with decision-making authorities present at the government-to-government consultation session(s)/meeting(s) and exchanging information and respectful dialogue regarding a proposed State Agency Action with Tribal Implications and mutual understanding of the issues.
- F. Tribes must be granted the maximum administrative discretion possible.
- G. State Agencies must encourage Tribes to develop their own policies to achieve program objectives and, where possible, defer to Tribes to establish standards. State Agencies must determine whether to establish State standards, including consulting with Tribes as to the need for State standards and any alternatives to preserve the prerogatives and authority of Tribes.
- H. Consultation requires that information obtained from Tribes must be given meaningful consideration and that State Agencies must strive for consensus with Tribes for a mutually desired outcome.
- I. Information received from a Tribe must be deemed confidential, unless otherwise provided by applicable law, regulation, or policy, if disclosure would negatively impact a resource of the Tribe.
- J. Consultation must ensure that applicable information is readily available to all parties; that officials have adequate time to communicate; and that, after a State Agency makes a decision, the consulting Tribe is advised as to how the Tribe's input influenced that decision-making.
- K. Consultation is a shared responsibility that allows an open, timely, and free exchange of information and opinion among parties that, in turn, may lead to mutual understanding and comprehension.
- L. Consultation does not include meeting with individuals or groups of individuals that are not authorized to represent the State Agencies or Tribes.
- M. Upon request, the Commission may assist in planning and facilitating an effective consultation process or collaborative approach to decision-making.
- N. For all statutory or regulatory requirements applicable to Tribes that are subject to State Agency discretion and waiver, each State Agency must streamline the process by which Tribes apply for waivers of those requirements, use flexible policy approaches when reviewing Tribal requests for waivers of those requirements, and render a decision upon a complete application for a waiver within one hundred and twenty (120) days of receipt of such application. If the application for waiver is not granted, the State Agency must provide the Tribal applicant with timely written notice of the decision and the reasons.

Commented [SN16]: ITCN The definition for "consultation" in the Definition section of the draft policy is vague. I suggest looking at and using the State of California Gov. Code, § 65352.4. definition of consultation:
"[T]he meaningful and timely process of seeking, discussing, and considering carefully the views of others, in a manner that is cognizant of all parties' cultural values and, where feasible, seeking agreement. Consultation between government agencies and Native American Tribes shall be conducted in a way that is mutually respectful of each party's sovereignty. Consultation shall also recognize the Tribes' potential needs for confidentiality with respect to places that have traditional Tribal cultural significance."

Section VI. The Consultation Requirements

- A. Designating Points of Contact for Tribal Consultation:

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1. The head of each State Agency shall designate a primary point of contact for Tribal consultation matters (i.e., the State Agency Tribal Liaison) who is responsible for advising the State Agency's staff on all matters pertaining to Tribal consultation and serving as the primary point of contact for Tribal Officials seeking to consult with the State Agency.
2. The head of each State Agency shall consider designating additional points of contact as necessary to facilitate consultation on varied subject matter areas within the State Agency.
3. Each State Agency shall provide the names and contact information of its State Agency Tribal Liaison(s) on its website, as well as with the Commission.
4. The State Agency Tribal Liaison(s) may delegate consultation responsibilities to other decision-making State Agency officials within their State Agency as necessary and appropriate.

B. Determining Whether Consultation is Appropriate:

1. The State Agency Tribal Liaison must ensure that the State Agency undertakes an analysis as early as possible to determine whether Tribal consultation is required or appropriate, consistent with this Policy. This analysis must occur regardless of whether a Tribal Government requests consultation. Consultation should start when it becomes apparent that the nature and/or the location of an activity could affect Indian issues or concerns. State Agencies must consider the cultural history of a Tribe up to the present (land, treaties, etc.); governmental organization, primary Tribal Official and staff contacts; previous correspondence with Tribes; records of previous consultations; public participation records; plan protect records; transcripts of public hearings; and minutes of public meetings. State Agencies must pay attention to land claims; boundary disputes; water rights; hunting, fishing, and gathering concerns; past and current Tribal economic development proposals; ethnographic studies; and published and unpublished documentary sources.
2. State Agencies must focus on Tribes known to have concerns about the geographic area/particular resources/land uses involved. Nonresident Tribes with historic ties should be given the same opportunity as resident Tribes to identify their selected contact persons and their issues and concerns.
3. When a Tribe requests consultation, the State Agency—to the extent that it has not yet performed the analysis to determine whether consultation is appropriate—must conduct that analysis as soon as possible and respond to the Tribe within thirty (30) days.
4. If there is a reasonable basis to believe that there is a State Agency Action with Tribal Implications, the State Agency must follow the applicable requirements for consultation. State Agencies may still engage in Tribal consultation even if they

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determine that a State Agency Action will not have Tribal implications and should consider doing so if they determine that the action is of interest to a Tribe or Tribes.

5. State Agencies should operate under the assumption that all actions with land or resource use or resource impacts may have Tribal implications and should extend consultation invitations accordingly.
6. State agencies should also be aware that Tribes continue to have a connection and interest in their traditional homelands but may have been removed from those lands or may have reservations that are significantly reduced from their traditional homelands.
7. If multiple State Agencies are involved in the State Agency Action with Tribal Implications, they must work with each other to identify a lead State Agency for consultation—which may be the action proponent—and coordinate consultation to avoid duplicative consultation efforts.

C. Notice of Consultation:

1. When inviting a Tribe or Tribes to consult, the State Agency must provide adequate notice of consultation that includes: a description of the topics to be discussed; sufficient information on the topic to be discussed, in an accessible language and format, and context for the consultation topic, to facilitate meaningful consultation; the purpose and proponent of the State Agency Action with Tribal Implications; a detailed map of the proposal at the appropriate scale, if applicable; a summary of applicable laws and policies governing the State Agency's consultation process and decision-making, along with a clear explanation of the extent of the State Agency's discretionary decision-making authority under the applicable statutes; an explanation of upcoming opportunities for Tribal input into the State Agency's decision-making process and what the State Agency needs to know at different points in that process; an invitation for Tribes to specify how they would like to be engaged in the State Agency's decision-making process; a timeline of the process and possible outcomes of the State Agency Action with Tribal Implications under consideration; the State Agencies that will participate in the consultation and the development and implementation of the State Agency Action with Tribal Implications under consideration; the date, time, and location of the consultation, as requested by the State Agency or as developed in consultation with the Tribe or Tribes; if consulting virtually or by telephone, links to join or register in advance; an explanation of any time constraints known to the State Agency at that time, such as statutory deadlines; deadlines for any written comments on the topic; and names and contact information for State Agency staff who can provide more information.
2. Notice must include notifying the Tribes of the opportunity to provide feedback prior to the consultation, including time to request technical assistance and/or clarification on how the consultation process conforms to the requirements of this Policy.

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3. The notice of consultation must include a proposed agenda, framing paper (which, at a minimum, identifies the questions the State Agency has), and other relevant documents to assist in the consultation process.
4. The State Agency must transmit the notice of consultation using its standard method of communication to each affected Tribe and the Commission and consider posting it to the State Agency's website or any centralized State website for providing notice of or coordinating Tribal consultations.
5. The State Agency must provide notice of at least thirty (30) days to the Tribe or Tribes of any planned consultations and allow for a written comment period following the consultation for at least thirty (30) days. If there are time constraints such that the thirty (30) days' notice of consultation is not possible, or that the post-consultation written consultation period must be shorter than thirty (30) days, the notice of consultation must include information as to why the standard notice or written comment period cannot be provided. Upon the request of a Tribe, or where it would serve Tribal interests, State Agencies must consider adjusting deadlines for notice of consultations and for accepting written comments.
6. The State Agency must ensure that it uses available tools, databases, and agency documentation, as well as communicate with others who may be knowledgeable about those Tribes and the location(s) affected by the State Agency Action with Tribal Implications, to ensure the State Agency's invitation efforts are appropriately inclusive. Such efforts should account for the fact that Tribes may have connections or legally protected rights to locations and resources beyond their current Tribal lands, such as off-reservation fishing, hunting, gathering, or other rights.
7. Providing notification (the distribution of information from one or more State Agency representatives) to one or more Tribes of a State Agency Action with Tribal Implications as a stand-alone effort is not consultation. A State Agency may proceed with the expectation that interested Tribes will respond within a reasonable time only after documenting attempts to follow up on consultation letters through multiple forms (e.g., letters, emails, phone calls, communicating with the Commission, etc.).
8. If a Tribe is unresponsive, the State Agency must carefully document with the Commission the State Agency's consultation notice efforts (i.e., note when, how frequently, and by what means it used). State Agencies should remember that there could be a variety of reasons why a Tribe may be unable to respond, including but not necessarily limited to: sensitivity of the issues involved; reluctance to divulge specific information until later in the process, when it might become more certain that areas of concern will be adversely affected; mislaying or sidelining of State Agency correspondence; delegating response to Tribal staff members who are out-of-the office; lack of institutional capacity; traditional ceremonial or gathering practices; etc. It is also helpful for State Agencies to know the schedules for Tribal Government meetings and to consider requesting to be placed on the agenda for such meetings.

D. Conducting the Consultation:

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1. A State Agency should, to the greatest extent practicable, develop a protocol (“Protocol”) in collaboration with an affected Tribe, that maximizes the opportunity for timely input by the Tribe, is consistent with both the Tribe and State Agency’s schedules, and considers specific Tribal structures and traditional needs. A Protocol is a framework for maintaining the government-to-government relationship and is used to identify, establish, and manage expectations. If there is no Protocol in place, State Agencies should collaborate and develop Protocols with individual Tribes or with groups of Tribes—if collectively desired by the Tribe(s)—to establish procedures so that adequate good faith consultation will occur. These written documents may also be called a “Memorandum of Understanding” (“MOU”), “Memorandum of Agreement” (“MOA”), etc. **See Section VII(A) for Protocol considerations.**
2. State Agencies must ensure that State Agency representatives with appropriate expertise and, to the extent practicable, decision-making authority regarding the proposed action are present during the consultation meetings.
3. State Agencies must consider conducting the consultation in a manner that prioritizes participation of Tribal Officials.
4. The State Agency should obtain advance informed and written consent from the Tribe for the use of sensitive information provided by the Tribe and should inform the Tribe about any applicable laws that may require disclosure of such information.
5. Consultations are not public meetings. Aside from State Agency representatives, all other attendees require the consent of the Tribe.
6. Consultation session methods may include, but are not limited to, in-person meetings, video conferences, teleconferences, and correspondence to discuss a specific issue, and must identify the session as consultation in advance of the scheduled meeting. Consultation session methods may be expanded upon through subsequent correspondence after consultation is initiated through written notification. The State Agency must strive to include both in-person and virtual consultation session methods to provide Tribes with access to participate in at least one consultation session for a specific issue, regardless of travel capabilities. On a case-by-case basis, consultation may be held through a series of written correspondence with the Tribe’s leadership, but only when other consultation session methods are not feasible.
7. During consultation, State Agencies should consider asking Tribes for information, as relevant, regarding: Tribal concerns about a proposed action and how to resolve any issues that might affect Tribes; how to resolve adverse effects on traditional resources, use areas, trails, and natural or heritage resources identified in reviews of existing data; places of traditional religious or cultural importance that might exist but have not been identified in background data reviews for a project; treatment of human remains and cultural items as defined by the Native American Graves Protection and Repatriation Act, 25 U.S.C. § 3001, et seq., if discovery, excavation, or removal of those remains

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and items is anticipated; and the necessity for the State Agency to contact any traditional Tribal leaders or religious practitioners.

E. Record of Consultation:

1. The State Agency must maintain a record of the consultation process that includes: a summary of Tribal input received; a general explanation of how Tribal input influenced or was incorporated into the State Agency decision; and, if relevant, the general reasoning for why Tribal suggestions were not incorporated into the State Agency Action or why consensus could not be attained.
2. For state-wide or regional consultations, or if otherwise appropriate, the State Agency must also consider publicly posting the record of consultation to foster ease of reference and use by other agencies, employees, and processes, and to minimize burdens on Tribes to provide similar input on multiple consultations. Decisions regarding whether to publicly post a record of consultation must be made with Tribal input.

F. Implementation of Final State Agency Action:

1. The State Agency must timely disclose to the affected Tribe(s) the outcome of the consultation and the decisions made because of the consultation.
2. To the extent permitted by applicable law, the State Agency must ensure that information designated as sensitive by a Tribe is not publicly disclosed.
3. The State Agency may consider implementing a post-consultation review process that invites Tribal feedback or considers the need for training or technical assistance concerning the final State Agency Action.

G. Reporting Consultation: Pursuant to NRS 233A.270(3), on or before July 1st of each year, each State Agency that communicates with Tribes on a regular basis shall submit a report to the Commission on the activities of the State Agency pursuant to NRS 233A.200 to 233A.280, inclusive. The report must include:

1. The name and contact information of each person in the State Agency who is responsible for developing and implementing programs of the State Agency that directly affect Tribes;
2. Any actions taken or planned by the state agency to carry out the policy implemented pursuant to NRS 233A.260³;

³ For clarification, this includes summarizing and listing all consultation topics; listing all Tribes consulted; listing the location of each consultation or indicating if consultation was held virtually; summarizing outcomes (e.g., decisions made, actions planned or taken, and how Tribal input was incorporated); and summarizing successes and recommendations for improvements to the

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3. A certification by the Division of Human Resource Management of the Department of Administration of the number of managers and employees of the State Agency who have completed the training required pursuant to NRS 233A.270(2)⁴;
 4. A description of current and planned programs and services provided to or directly affecting Tribes and the amount of funding for each program; and
 5. A description of the method the State Agency established for notifying employees of the State Agency of the provisions of NRS 233A.200 to 233A.280, inclusive.
- H. **Dispute Resolution:** Where consensus cannot be reached, the State Agency must review the consultation information and consensus-seeking documentation and determine how to proceed. The Commission may be called upon to provide review and guidance to the State Agency.

Section VII. Additional Consultation Considerations

- A. **Protocol Considerations:** Protocols can be extremely helpful in developing the consultation process. In developing a Protocol, the parties should consider what issues might occur and any outstanding questions they may have about the consultation process. While not an exhaustive list, some Protocol considerations are:
1. Who will represent the Tribe and State Agency? Will decision-makers be involved at all meetings, or will there be meetings for subject matter experts who then report back to decision-makers?
 2. Will translators be needed?
 3. How long will a protocol stay in effect? Will it stay in effect until terminated or is it in effect for a limited duration (e.g., a certain project)? How can the protocol be amended?
 4. What is the succession/transition plan for continuity with both the State Agency and the Tribes? This addresses change of personnel due to elections, appointments, etc.

consultation process. State Agencies must get permission from the Tribe before including any information on successes in the report.

⁴ NRS 233A.280(2) requires that all heads of a State Agency and State Agency managers and employees who have ongoing communication Tribes shall complete a training provided by the Division of Human Resource Management of the Department of Administration, in consultation with the Commission. Such training must be designed to support: (a) the promotion of effective communication and collaboration between State Agencies and Indian tribes; (b) the development of positive government-to-government relations between this State and Tribes; and (c) cultural competency in providing effective services to Tribes.

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5. What are the roles of attorneys?
6. Are there escalation triggers that would require other parties or decision-makers to be present?
7. Will there be a land acknowledgment? If so, what does it look like? Who will do it?
8. Is there confidential or culturally sensitive information? What are applicable State laws requiring disclosure of such information, if shared by the Tribe? Does the Tribe want to share such information—or is it even necessary?
9. Are there any relevant cultural considerations? (E.g., time of season, animals, symbols, places, terminology, etc.)
10. What kind of background and preparation will be done or shared?
11. Where can the State Agency learn about the Tribe's cultural and historical information?
12. What is the State Agency's mission, purpose, involvement?
13. What is the Tribe's political system and governing process?
14. What is Tribe's preferred/appropriate channels of communication?
15. How does the Tribe want to be informed about the State Agency system and process?
16. Are there any accessibility considerations?
17. What are the opening/closing procedures?
18. Where will the consultation take place?
19. What is the proper dress code?
20. What activities does the Tribe want to receive notice about? Are there any types of activities that the Tribe does not want to receive notice about for consultation purposes?
21. How will consultation session agendas be created?
22. Will the parties identify action items during/at the end of each consultation session?
23. Will the parties be allowed to caucus during consultation sessions? Do they have to provide an estimated time frame for the caucus so the other party can plan accordingly?
24. What is the time frame for responding to communication?

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25. What technical assistance/research can be shared?
26. Will the Tribe or its representatives be compensated for certain services?
27. How often will the parties meet?
28. How will the parties resolve disputes?
29. What's part of the record? How will the record be kept?
30. How does the State Agency know what the Tribe's official response is? In other words, who "sits at the table" versus sitting behind the table in the audience?
31. What is the best meeting format? In-person, virtual, site visits, etc.
32. What are the food and beverage needs?
33. What are the technological needs?
34. What is the budget for compensation and expenses?
35. Will there need to be a facilitator?
36. What is the role of parties regarding the media?

B. Working With Indian Organizations: Tribal relations can be enhanced through the development of positive working relationships with Indian Organizations. State Agencies should maintain working relationships with relevant Indian Organizations and are encouraged to make presentations to them at their meetings. Individual government-to-government consultation with individual Tribes is still required, unless otherwise specified by a Tribe as part of a Protocol.

C. Learning Considerations: When working with Tribes, State Agency representatives should take to learn about the Tribes with which they will be working. While there may be similarities, tribes are not all the same. While not an exhaustive list, some questions to consider are:

1. What is the Tribe's history before the Federal Government and the State?
2. What is the Tribe's aboriginal, ancestral, or traditional land base?
3. What has been the Tribe's relationship with the Federal Government and the State?
4. Was a Tribe's reservation rights (if any) established by a treaty or by Executive Order?
5. How is the Tribe organized?

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6. Does the Tribe have off-reservation treaty rights or other reserved rights?
7. Is the Tribe related historically or culturally to other Tribes?
8. Are there specific cultural customs that may have a bearing on interactions and meeting protocols?

If available, State Agencies can learn from ethnographic histories, information produced by Tribes, Tribal media/websites, and meeting or contacting Tribal representatives.

D. Best Practice Considerations:

1. Most successful working relationships are built and maintained over a long period of time with the same individuals representing each party. Accordingly, State Agencies should assign Tribal coordination duties to a limited number of employees with the goal of encouraging those employees to develop long-term professional relationships with Tribes. State Agencies should also take appropriate actions to help minimize the turnover of personnel responsible for Tribal coordination.
2. State Agencies are encouraged to visit Tribal Governments and Tribal Officials on a reoccurring basis, including attending, as invited, economic enterprises, celebrations, dances, cultural festivities, sporting events, or feasts. When possible, State Agencies should take the opportunity to meet with new Tribal Officials at the start of their tenure to discuss ongoing planning, actions, and proactive programs of interest.
3. State Agencies should be mindful of Self-Determination Contracts (also known as “638” contracts) and Self-Governing Funding Agreements through the Indian Self-Determination and Education Assistance Act. 25 U.S.C. § 450, et seq.
4. State Agencies should be knowledgeable about any authority to provide compensation or require that compensation needed to acquire information necessary for the State Agencies to make decisions be provided by third parties. This includes whether a State Agency may utilize its own appropriated funds or cost reimbursable accounts to reimburse Tribal members for travel expenses to attend meetings or for taking time to discuss or provide certain information.
5. During consultation, State Agencies should ask Tribal Officials to not only identify concerns but also to suggest potentially effective mitigation strategies to deal with the concerns, including the most effective measures to reduce effects if complete avoidance is not feasible.
6. If a consultation session can be scheduled on or near a reservation, Tribal members are more likely to attend.
7. State Agencies should be respectful of the fact that meetings will often open and close with a prayer.

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8. State Agencies should be patient, especially if the meeting with the Tribal Government includes additional agenda items or follows no fixed schedule. To the greatest extent possible, the State Agency should prioritize building a healthy relationship over time efficiency.
9. If the State Agency is hosting a meeting, it should allow time at the beginning of the meeting to introduce participants and their roles and provide a brief overview of the venue to allow for comfort.
10. State Agencies should keep in mind that gifts and/or food may be important parts of cultural exchanges. If there are questions about this, they can be addressed as part of the Protocol.
11. State Agencies must always be clear about what they are doing and why, including which laws and regulations govern their actions. State Agencies must set realistic expectations about what they can and cannot do.
12. State Agencies must remember that Indigenous traditional ecological knowledge (“ITEK”) is recognized as “one of the many important bodies of knowledge that contributes to the scientific, technical, social, and economic advancements of the United States and to our collective understanding of the natural world.” Executive Office of the President, Office of Science and Technology Policy, Council on Environmental Quality, “Indigenous Traditional Ecological Knowledge and Federal Decision Making” (Nov. 15, 2021). ITEK includes insights based on evidence acquired through direct contact with the environment and long-term experiences, as well as extensive observations, lessons, and skills passed from generation to generation. It is a body of observations, oral and written knowledge, practices, and beliefs that promote environmental sustainability and the responsible stewardship of natural resources through relationships between humans and environmental systems. ITEK continues to evolve. It is owned by Indigenous people and State Agencies should only engage in ITEK through relationships with Tribes and Native communities. State Agencies must respect the rights of knowledge holders to control access to their knowledge, to grant or withhold permission, and dictate the terms of application. If shared, the knowledge should benefit everyone.

Section VIII. Dissemination of Policy

Upon adopting of this Policy, the Commission shall determine the appropriate method to distribute the Policy to all the State Agencies and the Tribes.

Section IX. Amendments and Review of Policy

The Commission will meet periodically with the State Agencies and the Tribes, at least once every two (2) years, to evaluate the effectiveness of this Policy, including the State Agencies’ promotion of cultural competence. This Policy is a working document and may be revised as needed by the Commission upon sixty (60) days’ notice of the proposed changes and an opportunity for State Agencies, Tribes, and the Deputy Attorney General to comment on the proposed changes.

Commented [SN17]: NDOT We recommend that a minimum review timeline is identified in the Policy (e.g. every 2 years). This would not require amending at that time, but will provide a specific timeframe when the State Agencies and Tribes review the policy and ensure it still meets the intent and needs of all. NDOT is interested in any feedback from Tribal Governments with regard to this Policy.

Commented [SN18]: SOS question: How is this accomplished? Is this through the generalized training? Is there other guidance relating to cultural competence? What the “promotion of cultural competence” mean? (Scott Anderson, SOS)

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Section X. Effective Date

This Policy shall become effective upon the date signed by the Commission.

Commented [SN19]: SOS question: Has this policy been reviewed by the Commission's DAG? (Scott Anderson) NIC, yes.

Section XI. Sovereign Immunity

This Policy shall not be construed to waive the sovereign immunity of the State of Nevada or any Tribe, or to create a right of action by or against the State of Nevada or any Tribe, or any State or Tribal official, for failing to comply with this Policy.

Section XII. Closing Statement/Signatures

The Commission hereby adopts this Policy.

Commented [SN20]: SOS: Please ensure that the policy has been reviewed by counsel for form and content.