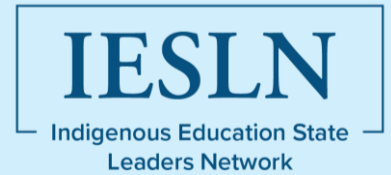


State Approaches to Tribal Affiliation Data Collection



October 2024 | Traci Maday-Karageorge and Nara Nayar

Over the past decade, an increasing number of state education agencies (SEAs) have begun to collect Tribal affiliation data about their K–12 students. SEAs are changing the ways they collect or disaggregate data on Indigenous students to increase the accuracy and appropriateness of their student counts.

Often driven by Tribes through Consultation processes, this movement to improve student identification and data sharing has manifested differently in each state. This brief highlights how states are improving their Tribal affiliation data collection practices to better serve Indigenous students in K–12 schools.

Emerging Takeaways

- Drop-down menus from which to select Tribal affiliation(s) contribute to more consistent data for reporting. When allowing students to identify more than one Tribal affiliation, consider carefully the terms and definitions used. Work closely with student information systems (SIS) vendors, state data governance agencies, and IT professionals to ensure data collection is user friendly and results in clean data for the SEA and Tribes.
- The order of response options matters for usability. Several states have chosen to list all 574 federally recognized Tribes (as of October 2024) in a drop-down menu but list the Tribes within their state at the top of the list to make them easier to find.
- The list of federally recognized Tribes does not include state-recognized or previously terminated Tribes. Students affiliated with such Tribes are also eligible for certain federal funding streams like Indian Education Formula Grants. A few states provide a write-in option in addition to a drop-down menu of Tribes. Any list of Tribes will need to be periodically updated to reflect current recognition status.

- Tribal leaders and governments are likely to have varied interpretations and definitions of the term *Tribal affiliation* that will surface during Consultation and discussions. There will be pros and cons to any approach, and the aim should be to find the solution that best fits the needs of the Tribes, the SEA, and the districts that will be involved in collecting and using the data.
- Because a student may have familial or cultural ties to a Tribe but not be a formally enrolled member of that Tribe, Tribal agencies may be interested in differentiating students who identify as affiliated from those who are enrolled members. Both data points are of interest and can help Tribes make informed decisions about serving their youth and evaluating their services and programs.
- Individuals may be enrolled in more than one Tribe, although currently no state collecting Tribal affiliation data has a system that permits a student or family to identify more than one Tribal enrollment. However, Arizona’s data system allows students and families to identify one enrollment Tribe and numerous affiliated Tribes.

State Profiles

Obtaining an Indigenous student count that is accurate, appropriate, and accountable (AAA) (see textbox) requires ongoing collaboration and consultation with Tribes to address the challenges and barriers associated with collecting Tribal affiliation data.

Each of the eight states profiled below has developed an approach and selected definitions to best fit the needs and perspectives of the Tribes whose students are also served by the SEA. Each state currently collects or uses additional data to identify students’ Tribal affiliation, and each worked with its Tribes to understand what data are needed and how they should be collected and reported as part of developing state policies. Other states are in the process of forming or actively considering similar policies.

All states need to be aware of and take steps to obtain Tribal affiliation data that are AAA.

ACCURATE

An accurate count is one in which states, districts, and Tribes help ensure that the count of students *closely matches the number of students for a given definition*.

APPROPRIATE

An appropriate count is one in which the federal government, states, districts, and Tribes help ensure that the definitions and collection used are *the right fit for the intended policy purpose*.

ACCOUNTABLE

An accountable counting process is one in which districts and states consult and collaborate with Tribes to *support data transparency and respect Tribal data sovereignty*. Accountable counting processes are characterized by *meaningful consultation practices and active community engagement*.

Arizona

Background

The Arizona Department of Education (ADE) requires SIS vendors to provide districts with the ability to collect Tribal affiliation data for its Indigenous students. Districts are able to choose SIS vendors from an approved list.

Data Details

Arizona is the first state to allow Indigenous students to indicate affiliation with multiple Tribes. The definitions used in the state education data system differentiate between *Tribal enrollment* and *Tribal affiliation*. *Tribal enrollment* refers to legal membership or citizenship. These data are self-identified data, not Tribally verified in the student information system, but they allow students to distinguish nuances of their Tribal identities for educational purposes. *Tribal affiliation* has a broader definition meant to include familial or cultural ties to a Tribe. In addition to identifying *one* Tribal enrollment, students and families can identify *all* the Tribes with which the student is affiliated. The questions are formatted as drop-down menus where the 574 federally recognized Tribes are listed, with the 22 Tribes in Arizona listed first.

Implementation Notes

The ADE worked closely with vendors to ensure their SIS systems collect and differentiate *Tribal enrollment* from the various *Tribal affiliations* a student may have. Doing so ensures the additional data collection capacity integrates into the state longitudinal data system and allows ADE to share Tribally disaggregated student outcome data with Tribes with whom it has data-sharing agreements.

Michigan

Background

In July of 2023, the Michigan legislature passed Senate Bill 173,¹ requiring the collection of Tribal affiliation data for students and staff:

A district . . . shall collect and submit to the [Center for Educational Performance and Information] Tribal affiliation data for all students and staff and the identification of student participation in federal programs [relevant to Indigenous education].

The Michigan Department of Education (MDE), through the Indigenous Education Initiative, then began engaging in outreach and listening sessions with Tribal government leaders, Tribal education departments, and Tribal communities that share land with Michigan in preparation for formal consultation with Tribes:

¹ Access Michigan's Senate Bill 173 at https://www.house.mi.gov/hfa/PDF/Summaries/23h4286h1_SchAid_Budget_Bill.pdf.

The data must be reported in a form and manner prescribed by the center in consultation with the federally recognized Indian Tribes in this state and the department in adherence to the department’s Tribal consultation policy.

Implementation Notes

MDE’s proposed plan is to add a Tribal affiliation data element as a separate item in the state student data system that is not linked to race/ethnicity and reflects an important political distinction for Tribally affiliated individuals. In the 2023–24 school year, MDE initiated conversations with Tribes to gather input and perspectives about the new Tribal affiliation data element. The extensive discussions and upcoming formal consultation are in recognition of Tribes’ sovereign right to be consulted on matters that impact their communities and citizens. MDE is seeking this critical input for a definition to be used for the purposes of this data collection

Minnesota

Background

The Minnesota Department of Education (MDE) has been collecting additional data on its Indigenous students since 2018, using a state definition that further and more accurately identifies American Indian/Alaska Native (AI/AN) students as specifically affiliated with North American Tribes (as opposed to South or Central American Tribes).² MDE uses an inclusive counting method to create a “state count” of AI/AN students for state reporting and policy implementation. An inclusive count includes all students that identify as AI/AN alone or in combination with other races/ethnicities. This inclusive count is used to determine whether a district, charter school, or Tribal school has enough AI/AN students (i.e., 20 students) to make it eligible for the state’s American Indian Education Aid program and to require that it establishes an American Indian Parent Advisory Committee to advise that program. Minnesota’s state data system also has the capacity to collect more detailed ancestral/ethnicity information, including Tribal affiliation for common Tribal groupings in the state.

Data Details

The definition of AI/AN used by MDE includes persons who have origins in any of the original peoples of North America and who maintain cultural identification through Tribal affiliation or community recognition. Students and families who indicate that they meet this definition then have the option

² The United States Office of Management and Budget (OMB) provides the federal standard definition used by state and local government and education agencies. The current OMB definition, established in 1997, defines an American Indian or Alaska Native as “a person having origins in any of the original peoples of North and South America (including Central America), and who maintains Tribal affiliation or community attachment.” A revised definition—“Individuals with origins in any of the original peoples of North, Central, and South America, including, for example, Navajo Nation, Blackfeet Tribe of the Blackfeet Indian Reservation of Montana, Native Village of Barrow Inupiat Traditional Government, Nome Eskimo Community, Aztec, and Maya”—will replace the current definition by 2030.

to further identify with one of the Tribal groups that are most prevalent across the state—Anishinaabe/Ojibwe, Dakota/Lakota, or Cherokee—or to select “Other North American Indian Tribal affiliation” or “Unknown.”

Implementation Notes

SIS vendors interested in contracting with Minnesota districts for state reporting must be certified by MDE. This certification process ensures that state reporting requirements are met for districts using the software. However, as is the case in many states, one challenge is that a complex web of information systems and platforms operate across the state. Additional technical or programming efforts may be needed for the multiple systems to effectively and efficiently share data about student Tribal affiliation.

New Mexico

Background

The origins for Tribal affiliation data collection at the New Mexico Public Education Department (NMPED) emerged from a need for more detailed student information that arose across various agencies in the state. The state longitudinal data system includes a variable for students and families to self-report their Tribal affiliation.

Data Details

NMPED uses a drop-down menu to collect Tribal affiliation data. Although the menu does not include all 574 federally recognized Tribes, it does include an “Other” option, and NMPED has added Tribes to the menu to reflect the range of Tribal affiliation among the student population. Currently, students and families can only select one Tribal affiliation, although NMPED recognizes that many students have multiple affiliations and is seeking solutions to collect this additional information.

Implementation Notes

The state provides funding for programs based on the number of Tribally affiliated students, and the 23 Tribes and Pueblos within New Mexico are interested in receiving this data from NMPED. Data-sharing agreements between Tribes and NMPED are currently being negotiated and often necessitate extensive deliberations. Due to the rate of student mobility between Tribal and Bureau of Indian Education (BIE) schools, NMPED is considering how to link a student’s Tribal affiliation(s) with their unique student identifier so that the data follow the student regardless of where they register to attend school.

Oklahoma

Background

In 2021, House Bill 1104³ amended Oklahoma’s Student Data Accessibility, Transparency and Accountability Act to include Tribal affiliation data collection for students identified as having American Indian heritage. Now, all schools must enter Tribal affiliation into the student data system; they do not have to provide documentation of affiliation.

The Oklahoma State Department of Education (OSDE) works with The Oklahoma Advisory Council on Indigenous Education, which indicates what data and information is needed or of interest. The OSDE is able to identify and report on students by Tribe and enter into agreements for sharing the data.

Data Details

As in other states, OSDE requires that districts collect Tribal affiliation data but allows district discretion over the system used to collect the data. In school year 2022–23, data were collected with a write-in field where respondents entered the name of their affiliated Tribe. Once collected, this required manual reviews to aggregate students who listed the same Tribe with different wording. Beginning in school year 2023–24, OSDE implemented a drop-down menu to gather cleaner data. Now, students and families are given the option to select from the 574 federally recognized Tribes.

Implementation Notes

OSDE is now able to report Tribally specific student data to Tribes and has several memorandums of understanding, data-sharing agreements, and contracts in place to share data with Tribes across the state. Tribes now know where in the state their students attend school and can make data-informed decisions about serving and supporting them.

Oregon

Background

In spring 2024, the Oregon Department of Education issued an executive memo⁴ to express its commitment to serving AI/AN students and its intention to improve the accuracy of data collection and reporting about those students by initiating Tribal affiliation data collection.

Data Details

The new *Tribal affiliation* data field replaced the *Tribal membership* field. Per the memo, the revised definition “signifies a student’s connection to an AI/AN Tribal Affiliation through their own

³ Access Oklahoma’s House Bill 1104 at http://webserver1.lsb.state.ok.us/cf_pdf/2021-22%20enr/hb/hb1104%20enr.pdf.

⁴ Learn about Oregon’s Executive Numbered Memo 002-2023 at [https://www.oregon.gov/ode/about-us/stateboard/SiteAssets/Executive Numbered Memo 002-2023-24.docx](https://www.oregon.gov/ode/about-us/stateboard/SiteAssets/Executive%20Numbered%20Memo%20002-2023-24.docx).

enrollment, their parent’s or their grandparent’s enrollment, regardless of ethnicity and primary, secondary or multiple race categorization.”

Implementation Notes

The Tribal affiliation data collection in Oregon is required at the time of student registration and included within a student’s secure identifier. The data are required only for the registration system and are voluntary for other student information systems used in the state and districts.

Utah

Background

The Utah State Board of Education (USBE) has been collecting Tribal affiliation data for its students since the early 2000s.

Data Details

The collection, which is required if the student indicates AI/AN as their race and optional otherwise, includes the state’s five Tribal groupings—Goshute, Navajo, Paiute, Northwest Band Shoshone, and Ute—as well as the opportunity to indicate “Other.”

Implementation Notes

Although the USBE shares aggregate data with all Tribes within its borders, it has had a more extensive data-sharing agreement with the Navajo Nation for the last decade. This agreement ensures that the Navajo Nation has access to the data needed to evaluate its federally funded education programs.

Wisconsin

Background

The Wisconsin Department of Public Instruction (WDPI) has incorporated a Tribal affiliation data element into its statewide longitudinal data system. Voluntary district reporting of Tribal affiliation has been encouraged (and gradually increasing) for several years and was implemented statewide in school year 2021–22. WDPI maintains memorandums of understanding with 6 of the state’s 11 federally recognized Tribes, most of which include data-sharing provisions.

Data Details

The WDPI state data system only collects and reports *one* Tribal affiliation for a student. The data element defines Tribal affiliation as the Tribe a student is enrolled in or a descendant of. Although a family may have heritage with or identify as a descendant of multiple Tribes, they can only “officially” be affiliated with one Tribe in the data collection. The response in the WDPI systems first lists all federally recognized and organized Indian communities within the borders of Wisconsin, from which

the student must select one response. An “other” option provides a list of Tribes from across the region and country, which students and families can then type as responses.

Implementation Notes

The WDPI does not endorse specific vendors, but it maintains a list of vendors that have participated in the annual WISEdata Ed-Fi certification process. This technical process provides verification that a vendor system conforms to WDPI’s Ed-Fi API standard.

This data element can be collected for students whose race is reported as AI/AN. The Tribal affiliation data element, however, is separate from the race/ethnicity data element.



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