

Arizona Commission on the Arts Tribal Consultation Policy

Substantive Policy Statement

This Substantive Policy Statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties, you may petition the agency under Arizona Revised Statutes §41-1033 for a review of the statement.

Agency Mission

We imagine an Arizona where everyone can experience and participate in the arts.

Agency Description

The Arizona Commission on the Arts is a 56-year-old agency of the State of Arizona. The agency receives and administers funds from the State of Arizona and the National Endowment for the Arts and directs this funding to programs that contribute to the growth and stabilization of the arts, enhance student learning, nurture, and develop artists' craft and skills, preserve the rich traditions of Arizona communities, and encourage participation by residents of all ages and abilities.

Arizona has a rich and diverse arts and culture sector comprising artists, educators, arts administrators, community leaders, and nonprofit organizations dedicated to serving their communities through the arts. In pursuit of our mission to ensure all Arizonans can participate in and experience the arts, the agency considers these individuals and organizations our partners. In accordance with our enabling statutes, the agency is committed to a just and equitable distribution of arts-based resources and opportunities with an emphasis on racial equity and geographic parity.

Introduction

The Arts Commission has been involved to varying degrees with the cultural institutions run on tribal lands and run by the Tribal Nations within the borders of Arizona since its inception. With 22 federally-recognized tribes making up almost a quarter of the land base and over 5% of the population, the agency recognizes the need to better ensure the citizens of these Nations have access to arts resources and experiences. The agency also recognizes the rich legacy and continued importance these Tribal Nations and their citizens have in Arizona's arts and culture landscape.

On June 2, 2021, the Arizona Commission on the Arts adopted a Tribal Relations policy (610) to ensure the agency would be compliant with ARS §41-2051.

Policies

The Arizona Commission on the Arts recognizes the sovereignty of the 22 Tribal Nations and their jurisdiction over lands with Indian Country as defined by federal law (which includes all lands within reservation boundaries [18 U.S.C.A. §1151]).

As part of this recognition, the agency acknowledges the unique relationship between the state government and the Tribes within Arizona. All interactions and partnerships between the Arts Commission and the Tribes shall be consistent with the principles of tribal sovereignty.

In service of these statements, the Arts Commission enacts the following policies:

1. Support (technical, fiscal, etc.) will be provided in the interest of the State and the agency's mission and will not be used as the basis for assertion of State authority within Indian Country.
2. The Arts Commission commits to developing and maintaining cooperative relationships with Tribes and respect for all cultural concerns and practices of each Tribal Nation.
3. The Arts Commission will take appropriate steps to address existing programmatic impediments to working directly and effectively with tribes.
4. The Arts Commission will proactively invite tribal governments and cultural leaders to programming held when and where appropriate.
5. The Arts Commission will seek and integrate, to the best of the agency's ability, input generated from tribal consultation into the agency's program development and decision-making processes before undertaking any action or policy that will, or is reasonably believed to, have the potential to affect a tribal community or its members.
6. The Arts Commission shall work with other federal departments, state agencies, and non-governmental entities to enlist their interest and support in cooperative efforts to assist tribes to accomplish their goals within the context of all agency programming, grantmaking, and initiatives.
7. The Arts Commission shall do within the limits of its abilities support the strengthening of Tribal capacity in service of self-governance and self-determination.
8. The Arts Commission will assign a staff member to act as Tribal Liaison, who will assist with building trust and maintaining relationships with tribal entities and ensure open lines of communication are maintained between tribal entities and the agency.

Procedures

1. As of Fiscal Year 2022, Anna Needham has been designated the Tribal Liaison for the agency.
2. The Arts Commission may enter into Intergovernmental Agreements or Memoranda of Understanding with the Tribal Nations as appropriate.
3. The Arts Commission may enter into Memoranda of Understanding with organizations within the boundaries of Tribal Nations as appropriate.

4. The Arts Commission will provide support and invite Tribal Nations to trainings and other programming.
5. The Arts Commission will solicit and recommend the appointment of Tribal representatives to the Commission.
6. The Arts Commission will ensure there is equitable representation of Native Americans in grant panels, prioritizing those who are members and citizens from any of the Tribal Nations of Arizona.
7. The Arts Commission will ensure there is equitable representation in grant applicant pools of arts and cultural organizations run by or within the boundaries of the Tribal Nations of Arizona.
8. The Arts Commission will ensure equitable representation of Native Americans in grant applicant pools, with recognition of the diverse locations these individuals are from. Emphasis will be placed on soliciting applications from those who are members and citizens from any of the Tribal Nations of Arizona.
9. The Arts Commission will work with the Governor's Office on Tribal Relations as appropriate.
10. The Arts Commission will share appropriate technical information, documentation, and data with Tribes.

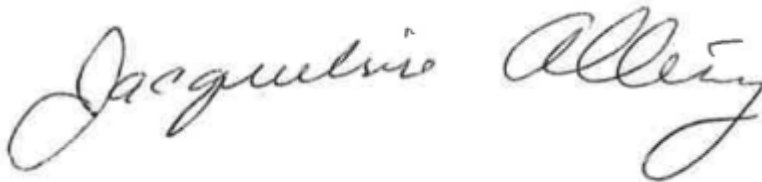
Reporting

The Arts Commission will meet the requirement to provide an annual report for Tribal leaders and legislators by September 30 of each year. This annual report will include a description of activities undertaken as a result of the Policy and include any updates on the participation and partnership between the agency and Tribal Nations.

Implementation

Responsibility for the implementation of this policy rests with the Executive Director, Deputy Director, Tribal Relations Liaison, and all Arts Commission staff. This policy will change based on the input of Tribal Nations and thereby will be a living document that will be updated by the approval of the Executive Director and the agency's Commissioners. The policy will also exist on both the Governor's Office on Tribal Relations and the Arizona Commission on the Arts websites and will be updated promptly following any approved changes.

Approval



Jacqueline Alling

Executive Director, Interim

Liaison Contact Information

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