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1-118 Tribal Consultation

- A. The Arizona Board of Regents and the universities value their relationships with sovereign tribal governments throughout Arizona, across the country and around the world. The purpose of this policy is to describe the consultative approach to be taken to promote and protect these important relationships.
- B. The Board and the universities will seek input from appropriate elected or appointed tribal officials before undertaking any action or policy that will, or is reasonably believed to, have the potential to affect a tribal community or its members. The universities will defer to guidance from each tribe to determine who has authority to provide input on behalf of the tribe for individual issues. This policy is not intended to address matters such as tuition setting and other general issues that affect tribal members or communities to the same extent as the general population.
- C. The Board and the universities agree to work in good faith to integrate the input generated from tribal consultation into their decision-making to achieve mutually acceptable solutions on issues that have the potential to affect a tribal community.
- D. The executive director of the Board will designate a member of the central office staff to serve as a tribal liaison for the Board. Each university president will designate a member of the university staff to serve as a tribal liaison for the university and will communicate that designation to the executive director of the Board.
- E. Each university will adopt and submit for Board review and approval a tribal consultation policy that implements this policy. Each university will submit an annual report to the Board on the activities undertaken pursuant to the university tribal consultation policy.
- F. As part of its consultative policy, each university will address consultation with tribal governments regarding university research that may affect the tribe or its members. University research protocols will comply with all protections provided by applicable law. In addition, collaborative research between tribal entities and universities will uphold the following fundamental principles:

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1. Government-to-government relationship.
The Arizona Board of Regents and the universities it governs recognize and value the sovereign authority of the 22 Indian tribal governments in Arizona.

2. Open, continuous and meaningful tribal consultation.
The Board and universities will take affirmative steps to communicate early with individual tribal governments regarding proposed research involving tribes to arrive at mutual agreement regarding any proposed research. The Board and the universities will first initiate written communication with the tribal institutional review board. If no tribal institutional review board is established, the Board and universities will contact the highest levels of tribal government in writing to describe the proposed research and to seek guidance regarding appropriate tribal contacts and applicable tribal research codes or policies.

3. Collaborate in design, conduct and dissemination of research.
Universities and tribes will collaborate in the design of research in which they jointly choose to participate. Each party to the joint research will consult with all other parties regarding confidentiality, ownership of data and results, use of land or other resources, ownership and disposition of any biological materials collected in the course of research, proposed changes in the research, and proposed publications or presentations relating to the research. Information should be shared in a manner that is reasonably understandable by all parties.

- G. University consultation policies will also address training for researchers with regard to the protocol.

- H. Each year the board will submit a report to the office of the Governor to reflect activities undertaken at the Board and the universities pursuant to the consultative tribal policies.