

Support for Collaborations with Native American Populations

Research Integrity and Assurance

Protections and Support

Human Subjects

Animal Care and Use

Biosafety

Conflicts of Interest

Export Controls

Responsible Conduct of Research

Programs Involving Native Americans

A Brief History - Tribal Consultation

ABOR Policy 1-118

Purpose

ABOR and ASU value their relationships with the 22 sovereign tribal governments throughout Arizona, as well as those across the country and throughout the world. The purpose of the ABOR Policy and University Practice is to describe and implement a consultative approach required to protect these most important relationships.

Background

Native American tribes have community, religious and cultural ties that intersect with mutual interests of ASU. These tribes also enjoy a unique status which must be recognized and respected. To understand this unique status it is critical to understand the concepts of *sovereignty*, *government-to-government relations* and *trust responsibilities*. Understanding these concepts are critical to developing mutually respectful collaborations.

Definitions

Sovereignty of Native American nations is reflected in the U.S. Constitution, treaties, federal statutes, and decisions of the Supreme Court. Sovereignty means that Native American nations have independent and self-governing powers not subject to the authority of any local or state government nor, in some important aspects, to the federal government. ASU recognizes the distinctive rights which flow from their inherent sovereignty and acknowledges the right of tribes to self-determination.

Definitions

Government-to-government relations refer to the manner in which ASU engages with tribes. Federal law and ABOR policy require that official relations between the ASU and Native American tribes be conducted on a government-to-government basis. This means that tribes are governmental entities. Government-to-government relations will typically be different with Native American tribes than with state or local governments or other constituencies since tribal governments have powers separate and very distinct from those of state and local governments.

Open and Continuous Tribal Consultation

ABOR Policy requires that the University take affirmative steps to communicate early with individual tribal governments regarding proposed collaboration involving Tribes to arrive at mutual agreement regarding any proposed research.

Open and Continuous Tribal Consultation

ABOR and the universities will first initiate written communication with the tribal institutional review board when required and where available.

If no tribal institutional review board is established or required ASU will confirm that the necessary Tribal authorization is in place before the project can begin to ensure that cultural guidance is considered in the review process and local research codes are considered.

Operational Considerations

ASU will be open and candid with tribal government(s) during consultations so that the affected tribe(s) may fully evaluate the potential impact of any program or proposal so that ASU may fully consider tribal views in its decision-making processes. Consultations, whether initiated by the tribe or the ASU, will be respectful of tribal sovereignty. Tribal needs for privacy and confidentiality of certain kinds of information will be respected. Such information will be deemed confidential, unless otherwise negotiated in writing if/when disclosure would negatively impact a known tribal resource.

Review requirements

What needs to have institutional review by the advisory reviewers?

1. Human Subjects Research
2. Classroom Projects
3. Sponsored Programs
4. Service Agreements

Tribal Processes

Processes may vary depending on the nature of the study and tribal requirements. Points to consider -

1. Some tribes have a local IRB
2. Tribal approval may take other forms such as:
 - A. Tribal Counsel
 - B. Tribal Leader Approval
 - C. Educational Counsel
 - D. Research Counsel

Contacts

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