

Title 16 – Tribal Education Code

Chapter 3. School Board and Governing Bodies

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Sec. 301. School Boards.

(a) State law and Tribal law govern school boards. State law, including but not limited to that set forth in Title 20 of the Montana Code Annotated, governs school boards. In addition, school boards are subject to this Tribal Education Code, and other Tribal law as specified in this Code and as otherwise permitted by federal law and Tribal law.

(b) School boards to cooperate with the Tribal Education Department. School boards shall ensure that their schools and staff cooperate with the Tribal Education Department in the implementation of this Code and in addressing other education problems and issues that arise on the Reservation. Such cooperation shall include, but not be limited to: providing written educational data to the Tribal Education Department annually following the format specified by the Department; ensuring that their educators participate effectively in the human network system provided for by this Code; and ensuring that their administrators participate effectively in the on-site assessment evaluation teams provided for by this Code.

(c) School boards to provide policies and procedures to Tribal Education Department and align them with Tribal Education Code. School boards shall provide a complete and current copy of all existing written policies and procedures regarding school governance to the Tribal Education Department. School boards shall annually pro-

vide copies of any and all amended or new policies to the Department. Existing policies and procedures which are inconsistent with this Code are subject to revision with technical assistance from the Tribal Education Department. Amended or new policies shall be aligned with relevant provisions of the Tribal Education Code before their adoption by the school board.

(d) School boards to include Tribal Education Department in their established processes for reviewing curriculum, education standards, and educational policies and programs. Because such inclusion may be necessary to the development by the Department of tribal curriculum, education standards, and educational policies and programs under this Code, school boards shall include the Tribal Education Department in their established processes used for reviewing applicable curriculum, education standards, and educational policies and programs.

(e) School boards to ensure that local schools include Tribal curriculum in their curriculum and standards. School boards shall ensure that local schools provide instruction that is in substantial compliance with the Tribal curriculum provided for and developed under this Tribal Education Code.

(f) School boards to ensure that local schools attain Tribal education standards. School boards shall ensure that local schools attain or meet the Tribal education standards provided for and developed under this Tribal Education Code.

(g) School boards to provide Tribal educational programs. School boards shall ensure that local schools provide the Tribal educational programs provided for and developed under this Tribal Education Code.

Sec. 302. Governing Bodies of Other Educational Institutions.

(a) Establishment and creation of governing bodies. The establishment or creation of the governing bodies of other educational institutions shall be accomplished by charter or by other enactment of the Tribal council. Their powers and duties, administrative organization and structure, and operation shall also be so accomplished.

(b) Tribal Education Code governs governing bodies of other educational institutions. In addition to their charter or other enactment establishing or creating them, the governing bodies of other educational institutions are subject to this Tribal Education Code and to other tribal law as specified in this Code.

(c) Governing bodies of other educational institutions to cooperate with the Tribal Education Department. The governing bodies of other educational institutions shall ensure that their schools and staff cooperate with the Tribal Education Department in the implementation of this Code and in addressing other education problems and issues that arise on the Reservation. Such cooperation shall include, but not be limited to: Providing written educational data to the Tribal Education Department annually following the format specified by the Department, and ensuring that their educators participate effectively in the human network system provided for by this Code.

(d) Governing bodies of other educational institutions to provide policies and procedures to Tribal Education Department and align policies with Tribal Education Code. The governing bodies of other educational institutions shall provide a complete and current copy of all existing written policies and procedures regarding school governance to the Tribal Education Department. The governing bodies of other educational institutions shall annually provide copies of any and all amended or new such policies to the Department. Existing policies and procedures which are inconsistent with this Code are subject to revision with technical assistance from the Tribal Education Department. Amended or new policies shall be aligned with relevant provisions of the Tribal Education Code before their adoption by the governing bodies.

(e) Governing bodies of other educational institutions to include Tribal Education Department in their established processes for reviewing curriculum, education standards, and educational policies and programs. Because such inclusion may be necessary to the development by the Department of Tribal Curriculum, education standards, and educational policies and programs under this

Code, the governing bodies of other educational institutions shall include the Tribal Education Department in the established processes use by other educational institutions for reviewing applicable curriculum; education standards, and educational policies and programs.

(f) Governing bodies to ensure that other educational institutions include Tribal curriculum in their curriculum. The governing bodies of other educational institutions shall ensure that other educational institutions provide instruction that is in substantial compliance with the Tribal curriculum provided for and developed under this Tribal Education Code.

(g) Governing bodies to ensure that other educational institutions attain Tribal educational standards. The governing bodies of other educational institutions shall ensure that other educational institutions attain or meet the Tribal education standards provided for and developed under this Tribal Education Code.

(h) Governing bodies to ensure that other educational institutions provide Tribal educational policies and programs. The governing bodies of other educational institutions shall ensure that other educational institutions provide the Tribal education policies and programs provided for and developed under this Code.