

Title 16 – Tribal Education Code

Chapter 1. General Provisions

Sec. 102. Authority of the Tribal Government.

(a) Inherent authority over formal education. The Fort Peck Tribal Government has the power and duty to exercise its inherent authority over formal education on the Fort Peck Reservation, by enacting and implementing a tribal education code applicable to local schools, other educational institutions, and chartered educational programs and chartered schools.

(b) Tribal laws apply to local schools and other educational institutions to maximum extent. In the operation of local schools and other educational institutions, the laws and ordinances of the Fort Peck Tribes apply to the maximum extent of the jurisdiction of the Tribes.

(c) Authority of Board to negotiate agreements to implement Tribal Education Code. As provided in the Tribal Constitution, Art. 7, Sec. 1, the Tribal Executive Board is empowered to negotiate with the federal, state, and other tribal governments, or their political subdivisions, any agreements necessary to implement the policies and provisions of this Tribal Education Code.

(d) Other rights and powers not abrogated by authority over formal education. In exercising its authority over formal education on the Fort Peck Reservation, the Tribal Executive Board does not sanction or cause any abrogation of the rights of the Tribes or its members based upon federal law or inherent sovereign powers, nor does it diminish any trust responsibility of the federal government, including but not limited to obligations set forth in the laws of the United States or of the state government or any political subdivision thereof, including but not limited to the obligation to provide a non-discriminatory public education.