

Title 16 – Tribal Education Code

Chapter 1. General Provisions

Sec. 104. Definitions.

Unless the Tribal Education Code otherwise indicates, the following definitions apply herein:

(a) Board of Directors. "Board of Directors" means the Board of Directors of the Fort Peck Tribal Education Department, which shall function as the policy making body of the Fort Peck Tribal Education Department, subject to the ratification authority of the Tribes' Health, Education and Welfare Committee.

(b) Charter or Chartered. "charter" or "chartered" means chartered by the Executive Board under the Tribal Constitution.

(c) Code. "Code" means the Tribal Education Code of the Fort Peck Tribes.

(d) College. "College" means Fort Peck Community College.

(e) Culture. "Culture" means shared patterns of human behavior adopted by a group of humans in order to survive as a people, including but not limited to (a) interpersonal and kinship relationships with all living beings; (2) spiritual relationships; (3) values, assumptions, rules, and attitudes; (4) language; (5) social and individual development processes; and (6) acquisition and use of knowledge.

(f) Curriculum. "Curriculum" means any planned education experience provided for students.

(g) Director. "Director" means the Director of the Fort Peck Tribal Education Department.

(h) Education standards. "Education standards" means minimum levels of performance that local schools and other educational institutions must attain or minimum requirements that local schools and other educational institutions must meet to provide and document quality curriculum and educational policies and programs.

(i) Educational data. "Educational data" or "data" includes but is not limited to: attendance reports, achievement data, test results, progress reports, evaluations, language proficiency data, information about curricula and instruction, in-

formation about employment practices and staffing, information about social and economic variables, information about funding, budgets, and finance, health and safety information, and information about school grounds and buildings.

(j) Educational policies and programs. "Education policies and programs" include but are not limited to policies or programs other than curriculum that develop strong student or parent knowledge of, skills in, or involvement with schools, their students, and their curricula.

(k) Educators. "Educators" includes but is not limited to: teachers, administrators, counselors, and other professional staff of local schools and other educational institutions.

(l) Governing body of an other educational institution. "Governing body of an other educational institution" is the authorized governing body of any other educational institution, with general charge, direction, and management of the institution and control and care of all property used by or belonging to it, as provided and limited by law.

(m) Indian Preference. "Indian preference" means that first preference shall be given to qualified members of the Tribes, second preference shall be given to qualified members of other federally recognized tribes, and third preference shall be given to qualified non-members who are not prejudiced towards American Indians.

(n) Local school. "Local School" is any school offering grades Kindergarten through twelfth, or any part of that span, located on the Reservation, and the Fort Peck Head Start Program.

(AMENDED PER RESOLUTION #1592-99-5, May 25, 1999.).

(o) Other Educational Institution. "Other Educational Institution" is any school (except Fort Peck Community College) other than a local school that is located on the Reservation, including but not limited to: chartered educational programs, chartered schools, early childhood programs, and any other education program or school authorized by the Executive Board or the Tribes.

(p) Parent. "Parent" means anyone who is a parent or legal guardian of a student, and includes parent groups and committees established under federal, state, and tribal education laws.

(q) Parenting and Family Life. "Parenting and family life" includes but is not limited to: family responsibilities, child growth and development, child birth and child care, prenatal and postnatal care for infants and mothers, prevention of child abuse, and related topics.

(r) Policies and procedures regarding school governance. "Policies and procedures regarding school governance" shall include but not be limited to education policies and procedures prescribed under federal, state, and tribal law.

(s) Reservation. "Reservation" and "Fort Peck Reservation" means all land, waters, and waterways within the exterior boundaries of the Fort Peck Indian Reservation, Montana, as set forth in the Agreement of December 28 and December 31, 1885, confirmed by the Act of May 1, 1888, 25 Stat. 113, Chap. 212.

(t) School. "School" is a place, institution, or process for formal teaching and learning.

(u) School Board. "School board" is the authorized governing body responsible for developing, maintaining, and locating local schools, and for providing educational opportunities and services on the Reservation.

(v) State. "State" or "state government" means the State of Montana, or any political subdivision thereof.

(w) Student. "Student" means anyone who is officially enrolled in a local school or an other educational institution.

(x) Tribal Constitution. "Tribal Constitution" or "constitution" means the Constitution of the Fort Peck Tribes.

(y) Tribal Executive Board. "Executive Board" or "Board" means the Executive Board of the Fort Peck Tribes.

(z) Tribal Education Department. "Tribal Education Department" or "Department" means the department within the Tribal Government charged with administering and empowered to administer this Tribal Education Code.

(aa) Tribal Government. "Tribal Government" means the authorized government of the Fort Peck Tribes, which is the Fort Peck Tribal Executive Board.

(bb) Tribal Education Committee. "Tribal Education Committee" or "Education Committee" means the Education Committee of the Fort Peck Tribes.

(cc) Tribes. "Tribes" or "Tribal" means the Fort Peck Tribes and includes the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation.