

CHAPTER 128B

PINE POINT EXPERIMENTAL SCHOOL IN BECKER COUNTY

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128B.01 RUN AS K-8 PUBLIC SCHOOL BY TRIBAL COUNCIL.

Subdivision 1. **Run by tribal council.** The care, management, and control of the experimental school in independent school district No. 309, Park Rapids, is vested in the White Earth reservation tribal council.

Subd. 2. **For K-8 pupils.** The school is for pupils in kindergarten through grade 8.

Subd. 3. **Indian education committee.** The Indian education committee shall serve in an advisory capacity to the White Earth reservation tribal council and may exercise the powers or duties delegated to it by the White Earth reservation tribal council.

Subd. 4. **Committee defined.** For purposes of this chapter, except in subdivision 3, "committee" means the White Earth reservation tribal council.

Subd. 5. **Like school board.** The committee shall superintend and manage the experimental school; adopt, modify, or repeal rules for its organization, government and instruction and for the keeping of registers; and prescribe textbooks and courses of study.

Subd. 6. **Public school; course standards.** Notwithstanding any law to the contrary, the experimental school shall be considered a public school. The courses of study shall meet the standards for similar courses of study available in the public schools of this state.

History: 1973 c 683 s 26 subds 2,6; 1981 c 358 art 6 s 39,40; 1Sp1985 c 12 art 7 s 25,32

128B.02 TERMS OF OFFICERS; ELECTIONS; VOTING.

Subdivision 1. **Terms.** The term of office for an officer of the committee shall be three years and until a successor qualifies.

Subd. 2. **Section 123.11 on elections.** Elections of committee officers shall be held in accordance with the applicable provisions of section 123.11.

Subd. 3. **Who can vote.** Any qualified voter residing on the land comprising former independent school district No. 25 shall be entitled to vote at such election.

Subd. 4. **District 309 elections.** Nothing contained in this chapter shall be construed to prohibit any qualified voter residing in the area comprising former independent school district No. 25 from participating in the elections of independent school district No. 309.

History: 1973 c 683 s 26 subds 3,4; 1Sp1985 c 12 art 7 s 32

128B.03 FINANCES, INSURANCE, TRANSPORTATION.

Subdivision 1. **Cannot bond, tax, borrow.** Nothing contained in this chapter shall be construed to authorize the committee to issue bonds, levy taxes, or borrow funds in its behalf.

Subd. 2. **May get federal aid.** The White Earth reservation tribal council is eligible to receive federal aid to Indians pursuant to section 124.64.

Subd. 3. District 309 state aid. The board of district No. 309 shall transfer to the committee all state aids, grants, and refunds earned and received by reason of the pupils actually attending the experimental school established by this chapter.

Subd. 4. District 309 federal aid. The board of district No. 309 shall transfer to the committee, to the extent permissible, any federal aids or grants to which such district may be eligible or entitled by reason of the population in the experimental school area, the pupils actually attending the experimental school, the program of the experimental school, the boundaries of the experimental school or for any reason related thereto.

Subd. 5. Audits; state auditor law. The committee shall cause an audit to be made annually of all accounts of the experimental school which shall be completed within one year following the year for which the audit is made. In all respects, the committee shall be subject to the provisions of chapter 6.

Subd. 6. Treasurer's bond. The treasurer of such committee shall give a corporate surety bond to the state in an amount sufficient to protect the interest of the district as set by the board of independent school district No. 309.

Subd. 7. Insurance. The committee may procure the insurance specified in sections 123.35, subdivision 13, and 123.41. The committee shall purchase insurance to the extent required by chapter 466 and shall not be liable beyond the extent provided by section 466.12, subdivision 3a. The term "average number of pupils" as set out in section 466.12, subdivision 3a shall mean, for the purposes of this section, the average number of pupils attending the experimental school.

Subd. 8. Transportation. To the extent permitted by statute, the board of independent school district No. 309 shall remain responsible for providing transportation for district No. 309.

History: 1973 c 683 s 26 subds 2,5,7,8,9,11,14; 1Sp1985 c 12 art 7 s 32

128B.04 ALL PUPILS IN AREA ARE RESIDENT PUPILS.

Any kindergarten through 8th grade pupil residing within the defined boundaries of former independent district No. 25 shall be considered a resident pupil of the experimental school area, as if the experimental school area were a school district, for purposes of chapter 120.

History: 1981 c 358 art 6 s 41; 1Sp1985 c 12 art 7 s 32

128B.05 EMPLOYEES; APPROPRIATE UNIT; INDIAN INSTRUCTORS.

Subdivision 1. Hiring. The committee shall employ necessary teachers in accordance with section 125.12 and may employ other necessary personnel.

Subd. 2. Committee teachers unit. Teachers employed by the committee shall be employees of the experimental school and shall constitute an "appropriate unit" or "unit" for the purposes of chapter 179A, notwithstanding the provisions of section 179A.03, subdivision 2.

Subd. 3. District 309 teachers. Teachers employed by the board of district No. 309 and assigned by the board to the school designated as the experimental school shall remain employees of the board.

Subd. 4. Indian culture instructors. The committee shall have the authority to employ instructors in the area of Indian culture. Notwithstanding the provisions of chapter 125, or any rule of the state board relating to license requirements, said instructors need not be licensed by the state board. For all other purposes, said instructors shall be deemed to be "teachers" as defined by section 125.03, subdivision 1.

History: 1973 c 683 s 26 subd 10; 1Sp1985 c 12 art 7 s 32

128B.06 EDUCATION CODE, INDEPENDENT DISTRICT LAW GOVERN.

Subdivision 1. Education code. Except as otherwise provided by this chapter, the

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care, management, and operation of the experimental school by the committee shall be governed in accordance with the provisions of the education code, as defined by section 120.01, and any other statutes affecting public school districts.

Subd. 2. **Independent district law.** Unless otherwise provided in this chapter, the committee shall operate pursuant to statutes governing independent school districts.

History: 1973 c 683 s 26 subd 12; 1Sp1985 c 12 art 7 s 32

128B.07 PRETRANSFER OBLIGATIONS STAY WITH DISTRICT 309.

All legally valid and enforceable claims and contract obligations entered into by the board of district No. 309 prior to the effective date of the transfer to the committee shall remain the obligations of district No. 309.

History: 1973 c 683 s 26 subd 15; 1Sp1985 c 12 art 7 s 32

128B.08 REPORTS TO LEGISLATURE.

Prior to December 1 of each year the committee shall submit to the legislature a report of the experimental school established by this chapter. Such report shall document the success or failure of the experimental school.

History: 1973 c 683 s 26 subd 17; 1975 c 432 s 88; 1977 c 447 art 7 s 28; 1981 c 358 art 6 s 42; 1Sp1985 c 12 art 7 s 32

128B.09 TERMINATION, TRANSFER BACK TO DISTRICT 309.

At any time before July 1, 1989, the experimental school may be terminated upon unanimous vote of the officers of the committee and 30 days notice to the board of district No. 309, whereupon the board of district No. 309 shall resume the care, management, and control of the entire district on July 1 following.

History: 1973 c 683 s 26 subd 17; 1975 c 432 s 88; 1977 c 447, art 7 s 28; 1981 c 358 art 6 s 42; 1Sp1985 c 12 art 7 s 26,32

128B.10 REPEALER.

This chapter is repealed July 1, 1989.

History: 1973 c 683 s 26 subd 17; 1Sp1985 c 12 art 7 s 26,32