

CHAPTER 128B

PINE POINT SCHOOL

128B.01	Repealed.	128B.06	This chapter prevails over code or district law.
128B.011	School governance and standards.	128B.07	Repealed.
128B.03	Finances, insurance, transportation.	128B.08	Reports to legislature.
128B.04	Resident pupils.	128B.09	Transfer to district 309.
128B.05	Employees; appropriate unit; Indian instructors.	128B.10	Repealer.

128B.01 [Repealed, 1991 c 265 art 3 s 40]

128B.011 SCHOOL GOVERNANCE AND STANDARDS.

Subdivision 1. **Governance.** The care, management, and control of Pine Point school is vested in the White Earth reservation tribal council. The council has the same powers and duties as a school board under chapters 120 to 129 and other provisions applicable to school boards. The tribal council may delegate powers and duties for the operation of the school to the Indian education committee. The committee may exercise powers and duties delegated to it.

Subd. 2. **Standards.** The school is a public school providing instruction for pupils in kindergarten through the 8th grade. Instruction shall meet the same standards for instruction as are required for other public schools.

Subd. 3. **Cooperation with school districts.** If the council determines it cannot adequately provide certain services, the council shall purchase or share services with one or more school districts or other provider for instruction, administration, or other requirements of operating the school, including curriculum, teachers, support services, supervision, administration, financial accounting and reporting, and other instructional and noninstructional programs. The council is encouraged to cooperate with school districts to increase and improve instructional and support services available to the pupils in the school.

History: 1991 c 265 art 3 s 20

128B.03 FINANCES, INSURANCE, TRANSPORTATION.

[For text of subs 1 and 2, see M.S.1990]

Subd. 3. [Repealed, 1991 c 265 art 3 s 40]

Subd. 3a. **State revenues.** The state shall pay to the council for the support of the school all aids, revenues, and grants available to a school district as though the school were a school district. The aids, revenues, and grants include, but are not limited to, the following:

- (1) general education revenue, as defined in section 124A.22, subdivision 1, including at least compensatory revenue;
- (2) transportation revenue;
- (3) capital expenditure facilities revenue;
- (4) capital expenditure equipment revenue;
- (5) special education revenue;
- (6) limited English proficiency aid;
- (7) career teacher aid;
- (8) assurance of mastery revenue;
- (9) school lunch revenue;
- (10) school milk revenue;
- (11) health and safety revenue;
- (12) Indian language and culture grants;

(13) arts planning grants; and

(14) all other aids, revenues, or grants available to a school district.

If there are eligibility requirements for an aid, revenue, or grant, the requirements shall be met in order to obtain the aid, revenue, or grant, except that a requirement to levy shall be waived. To compute the amount of aid, revenue, or grant requiring a levy, the amount of the levy shall be zero.

If a school district obtains revenue from the proceeds of a levy, the council shall be deemed to have levied and the state shall pay aid equal to the amount that would have been levied. The amount shall be approved by the commissioner of education.

The proceeds of any aid, grant, or revenue shall be used only as provided in the applicable statute.

Subd. 4. Federal aid. The school board of independent school district No. 309 must transfer to the council, to the extent permissible, any federal aids or grants which the school district is eligible for or entitled to because of:

(1) the population in the school attendance area;

(2) the pupils actually attending the school;

(3) the program of the school;

(4) the boundaries of the attendance area of the school; or

(5) a related reason.

Subd. 5. Audits. The council must have an audit done annually of the accounts of the school. The audit must be finished within one year after the year for which the audit is made.

[For text of subd 6, see M.S.1990]

Subd. 7. Insurance. The council may buy the insurance specified in sections 123.35, subdivision 13, and 123.41. The council must buy insurance to the extent required by chapter 466 and is not liable beyond the extent provided by chapter 466. The term "average number of pupils" in section 466.12, subdivision 3a, means, for this subdivision, the average number of pupils attending the school.

Subd. 8. [Repealed, 1991 c 265 art 3 s 40]

History: 1991 c 265 art 3 s 21-24

128B.04 RESIDENT PUPILS.

A pupil in kindergarten through 8th grade who resides within former independent school district No. 25 is a resident pupil for the purposes of chapter 120. Pupils enrolled in the school may not be counted by independent school district No. 309 for the purposes of receiving revenue according to chapters 120 to 129.

History: 1991 c 265 art 3 s 25

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

[For text of subd 1, see M.S.1990]

Subd. 2. Council teachers are unit. Teachers employed by the council are employees of the council and are an "appropriate unit" or a "unit" under chapter 179A, notwithstanding section 179A.03, subdivision 2.

Subd. 3. District 309 teachers. Teachers employed by the school board of independent school district No. 309 who are assigned by the board to the school remain employees of the board.

[For text of subd 4, see M.S.1990]

History: 1991 c 265 art 3 s 26,27

128B.06 THIS CHAPTER PREVAILS OVER CODE OR DISTRICT LAW.

Subdivision 1. **Education code.** The management of the school by the council is governed by the education code and other law affecting school districts.

[For text of subds 2 and 3, see M.S.1990]

History: 1991 c 265 art 3 s 28

128B.07 [Repealed, 1991 c 265 art 3 s 40]**128B.08 REPORTS TO LEGISLATURE.**

Before December 1 of each year the council must submit a report to the legislature on the school established by this chapter. The report must document the success or failure of the school.

History: 1991 c 265 art 3 s 29

128B.09 TRANSFER TO DISTRICT 309.

The school may be closed by unanimous vote of the tribal council effective June 30 of any year. The school board of independent school district No. 309 shall assume responsibility for the pupils in the school on July 1.

History: 1991 c 265 art 3 s 30

128B.10 REPEALER.

Subdivision 1. **Extension.** This chapter is repealed July 1, 1993.

Subd. 2. **State audit.** The state auditor shall conduct an audit of the school's finances for each even-numbered fiscal year without charge to the school. The report of each audit shall be submitted to the White Earth reservation tribal council, the Pine Point Indian education committee, the commissioner of education, and the legislative reference library.

Subd. 3. [Repealed, 1991 c 265 art 11 s 26]

History: 1991 c 265 art 3 s 31,32