

93-638, Jan. 4, 1975, 88 Stat. 2203, as amended, which is classified principally to subchapter II (§450 et seq.) of chapter 14 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 450 of this title and Tables.

EFFECTIVE DATE

For effective date and applicability of chapter, see section 6303 of Pub. L. 100-297, set out as an Effective Date of 1988 Amendment note under section 1071 of Title 20, Education.

SHORT TITLE

Section 5201 of Pub. L. 100-297 provided that: "This part [part B (§§5201-5212) of title V of Pub. L. 100-297, enacting this chapter] may be cited as the 'Tribally Controlled Schools Act of 1988'."

§ 2502. Declaration of policy

(a) Recognition

The Congress recognizes the obligation of the United States to respond to the strong expression of the Indian people for self-determination by assuring maximum Indian participation in the direction of educational services so as to render such services more responsive to the needs and desires of those communities.

(b) Commitment

The Congress declares its commitment to the maintenance of the Federal Government's unique and continuing trust relationship with and responsibility to the Indian people through the establishment of a meaningful Indian self-determination policy for education which will deter further perpetuation of Federal bureaucratic domination of programs.

(c) National goal

The Congress declares that a major national goal of the United States is to provide the resources, processes, and structures which will enable tribes and local communities to effect the quantity and quality of educational services and opportunities which will permit Indian children to compete and excel in the life areas of their choice, and to achieve the measure of self-determination essential to their social and economic well-being.

(d) Educational needs

The Congress affirms the reality of the special and unique educational needs of Indian peoples, including the need for programs to meet the linguistic and cultural aspirations of Indian tribes and communities. These may best be met through a grant process.

(e) Federal relations

The Congress declares its commitment to these policies and its support, to the full extent of its responsibility, for Federal relations with the Indian Nations.

(f) Termination

The Congress hereby repudiates and rejects House Concurrent Resolution 108 of the 83rd Congress and any policy of unilateral termination of Federal relations with any Indian Nation.

(Pub. L. 100-297, title V, §5203, Apr. 28, 1988, 102 Stat. 385.)

REFERENCES IN TEXT

House Concurrent Resolution 108 of the 83rd Congress, referred to in subsec. (f), is H. Con. Res. 108, Eighty-

third Congress, Aug. 1, 1953, 67 Stat. B132, which is not classified to the Code.

§ 2503. Grants authorized

(a) In general

(1) The Secretary shall provide grants to Indian tribes, and tribal organizations, that—

(A) operate contract schools under title XI of the Education Amendments of 1978 [25 U.S.C. 2001 et seq.] and notify the Secretary of their election to operate the schools with assistance under this chapter rather than continuing as contract schools;

(B) operate other tribally controlled schools eligible for assistance under this chapter and submit applications (which are approved by their tribal governing bodies) to the Secretary for such grants; or

(C) elect to assume operation of Bureau schools with assistance under this chapter and submit applications (which are approved by their tribal governing bodies) to the Secretary for such grants.

(2) Grants provided under this chapter shall be deposited into the general operating fund of the tribally controlled school with respect to which the grant is provided.

(3)(A) Except as otherwise provided in this paragraph, grants provided under this chapter shall be used to defray, at the discretion of the school board of the tribally controlled school with respect to which the grant is provided, any expenditures for education-related activities for which any funds that compose the grant may be used under the laws described in section 2504(a) of this title, including but not limited to, expenditures for—

(i) school operations, academic, educational, residential, guidance and counseling, and administrative purposes, and

(ii) support services for the school, including transportation.

(B) Grants provided under this chapter may, at the discretion of the school board of the tribally controlled school with respect to which such grant is provided, be used to defray operation and maintenance expenditures for the school if any funds for the operation and maintenance of the school are allocated to the school under the provisions of any of the laws described in section 2504(a) of this title.

(C) If funds allocated to a tribally controlled school under title I of the Elementary and Secondary Education Act of 1965 [20 U.S.C. 6301 et seq.], the Individuals with Disabilities Education Act [20 U.S.C. 1400 et seq.], or any Federal education law other than title XI of the Education Amendments of 1978 [25 U.S.C. 2001 et seq.] are included in a grant provided under this chapter, a portion of the grant equal to the amount of the funds allocated under such law shall be expended only for those activities for which funds provided under such law may be expended under the terms of such law.

(b) Limitations

(1) No more than one grant may be provided under this chapter with respect to any Indian tribe or tribal organization for any fiscal year.

(2) Funds provided under any grant made under this chapter may not be used in connec-