

Editorial Notes

PRIOR PROVISIONS

A prior section 2509, Pub. L. 100-297, title V, § 5210, Apr. 28, 1988, 102 Stat. 394, related to role of Director, prior to repeal by Pub. L. 107-110, title X, § 1043, Jan. 8, 2002, 115 Stat. 2063. See section 2508 of this title.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Jan. 8, 2002, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 107-110, set out as a note under section 6301 of Title 20, Education.

§ 2510. The tribally controlled grant school endowment program**(a) In general****(1) Establishment**

Each school receiving a grant under this chapter may establish, at a federally insured financial institution, a trust fund for the purposes of this section.

(2) Deposits and use

The school may provide—

(A) for deposit into the trust fund, only funds from non-Federal sources, except that the interest on funds received from grants provided under this chapter may be used for that purpose;

(B) for deposit into the trust fund, any earnings on funds deposited in the fund; and

(C) for the sole use of the school any noncash, in-kind contributions of real or personal property, which may at any time be used, sold, or otherwise disposed of.

(b) Interest

Interest from the fund established under subsection (a) may periodically be withdrawn and used, at the discretion of the school, to defray any expenses associated with the operation of the school consistent with the purposes of this Act.¹

(Pub. L. 100-297, title V, § 5211, as added Pub. L. 107-110, title X, § 1043, Jan. 8, 2002, 115 Stat. 2078.)

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REFERENCES IN TEXT

This Act, referred to in subsec. (b), is Pub. L. 100-297 and probably should be “this part”, meaning part B of title V of Pub. L. 100-297, known as the Tribally Controlled Schools Act of 1988, which is classified generally to this chapter. For complete classification of part B to the Code, see Short Title note set out under section 2501 of this title and Tables.

PRIOR PROVISIONS

A prior section 2510, Pub. L. 100-297, title V, § 5211, Apr. 28, 1988, 102 Stat. 394, related to regulations, prior to repeal by Pub. L. 107-110, title X, § 1043, Jan. 8, 2002, 115 Stat. 2063. See section 2509 of this title.

Statutory Notes and Related Subsidiaries

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grams, see section 5 of Pub. L. 107-110, set out as a note under section 6301 of Title 20, Education.

§ 2511. Definitions

In this chapter:

(1) Bureau

The term “Bureau” means the Bureau of Indian Affairs of the Department of the Interior.

(2) Eligible Indian student

The term “eligible Indian student” has the meaning given such term in section 2007(f) of this title.

(3) Indian

The term “Indian” means a member of an Indian tribe, and includes individuals who are eligible for membership in a tribe, and the child or grandchild of such an individual.

(4) Indian tribe

The term “Indian tribe” means any Indian tribe, band, nation, or other organized group or community, including an Alaska Native Village Corporation or Regional Corporation (as defined in or established pursuant to the Alaska Native Claims Settlement Act [43 U.S.C. 1601 et seq.]), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(5) Local educational agency

The term “local educational agency” means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary schools or secondary schools in a city, county, township, school district, or other political subdivision of a State or such combination of school districts or counties as are recognized in a State as an administrative agency for the State’s public elementary schools or secondary schools. Such term includes any other public institution or agency having administrative control and direction of a public elementary school or secondary school.

(6) Secretary

The term “Secretary” means the Secretary of the Interior.

(7) Tribal governing body

The term “tribal governing body” means, with respect to any school that receives assistance under this Act,¹ the recognized governing body of the Indian tribe involved.

(8) Tribal organization**(A) In general**

The term “tribal organization” means—

(i) the recognized governing body of any Indian tribe; or

(ii) any legally established organization of Indians that—

(I) is controlled, sanctioned, or chartered by such governing body or is democratically elected by the adult members

¹ See References in Text note below.

¹ See References in Text note below.