

Fifty-fifth  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2329**

Introduced by

Senators LaFountain, Krauter, Thompson

Representative Kerzman

1 A BILL for an Act to provide financial assistance to tribally controlled community colleges; and  
2 to provide an appropriation.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. Definitions.** In this Act, unless the context otherwise requires:

5 1. "Nonbeneficiary" means a person who is less than one-quarter quantum Indian  
6 blood.

7 2. "Tribally controlled community college" means an institution of higher education  
8 located in this state which is formally controlled or has been formally sanctioned or  
9 chartered by the governing body of an Indian tribe, except that no more than one  
10 such institution may be recognized with respect to any one tribe.

11 **SECTION 2. Institutions eligible for grant assistance.** Any tribally controlled  
12 community college located in this state is eligible to receive supplemental grant assistance for  
13 students who do not qualify for federal assistance under the provisions of the Tribally Controlled  
14 Community College Assistance Act of 1978, as amended.

15 **SECTION 3. Grant authorization.** The office of management and budget may make  
16 grants to tribally controlled community colleges to defray the costs of education associated with  
17 the enrollment of nonbeneficiary students for whom federal subsidies are unavailable under the  
18 Tribally Controlled Community College Assistance Act of 1978. Grants made pursuant to this  
19 section must go directly to the general operating funds of the recipient institutions.

20 **SECTION 4. Submission of grant application - Distribution of grants.** Institutions  
21 seeking grants pursuant to this Act shall submit applications in the manner required by the state  
22 board of higher education. If an application is approved, the office of management and budget  
23 shall grant an amount allocated for nonbeneficiary students on a full-time equivalent student  
24 basis for that same academic year in the following manner: the office of management and

1 budget shall divide the amount allocated by the number of approved full-time equivalent  
2 students to determine the allocation per student. Each tribal college grant assistance payment  
3 must be determined by multiplying the total number of eligible full-time equivalent students by  
4 the allocation per full-time equivalent student. The number of full-time equivalent students is  
5 determined by adding the number of students enrolled full time and the full-time equivalent of  
6 the students enrolled part time, as determined by the quotient of the sum of all part-time  
7 students' credit hours divided by twelve, in each tribally controlled community college at the  
8 conclusion of the sixth week of an academic year. No grant made under this Act may exceed  
9 the total cost of the educational program provided by a recipient institution.

10 **SECTION 5. Reporting by recipient institutions.** Each institution receiving grant  
11 payments under this Act shall annually provide to the office of management and budget an  
12 accurate and detailed account of its operating and maintenance expenses and documentation  
13 of the enrollment status and ethnic status of each student on whose account financial  
14 assistance under this Act is sought.

15 **SECTION 6. APPROPRIATION.** There is hereby appropriated out of any moneys in  
16 the general fund in the state treasury, not otherwise appropriated, the sum of \$200,000, or so  
17 much of the sum as may be necessary, to the office of management and budget for the purpose  
18 of funding and administering grant assistance payments to tribally controlled community  
19 colleges, for the biennium beginning July 1, 1997, and ending June 30, 1999. No more than  
20 one-half of this appropriation may be expended during the first year of the biennium.