

Sixtieth  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2404**

Introduced by

Senators Marcellais, Heckaman, Warner

Representatives Boucher, Charging

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 in  
8 this state which is formally controlled or has been formally sanctioned or chartered  
9 by the governing body of an Indian tribe, except that no more than one institution  
10 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 shall make  
16 grants to tribally controlled community colleges to defray the costs of education associated with  
17 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 recipient institutions.

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

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

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

15 **SECTION 6. APPROPRIATION.** There is appropriated out of any moneys in the  
16 general fund in the state treasury, not otherwise appropriated, the sum of \$700,000, or so much  
17 of the sum as may be necessary, to the office of management and budget for the purpose of  
18 funding grant assistance payments to tribally controlled community colleges, for the biennium  
19 beginning July 1, 2007, and ending June 30, 2009. No more than one-half of this appropriation  
20 may be expended during the first year of the biennium.