

Sixtieth
Legislative Assembly
of North Dakota

ENGROSSED 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 or by any combination of any federally
10 recognized Indian tribes.

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 nonbeneficiary students.

14 **SECTION 3. Grant authorization.** The office of management and budget shall make
15 grants to tribally controlled community colleges to defray the costs of education associated with
16 enrollment of nonbeneficiary students. Grants made pursuant to this section must go directly to
17 the recipient institutions.

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

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

8 **SECTION 5. Reporting by recipient institutions.** Each institution receiving a grant
9 under this Act shall annually provide to the office of management and budget an accurate and
10 detailed account of the expenditures of the grant funds received by the institution, a copy of the
11 institution's latest audit report, and documentation of the enrollment status and ethnic status of
12 each student on whose account financial assistance under this Act is sought.

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