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2003 SENATE EDUCATION

SB 2119

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2119

Senate Education Committee

☐ Conference Committee

Hearing Date 1-13-03

Tape Number	Side A	Side B	Meter#
1	X		0 - 24.4
	1 - 1		
ommittee Clerk Signatu	andra	Johnson	

Minutes: Chairman Freborg called the committee to order.

Roll call was taken with all (6) members present.

Chairman Freborg opened the hearing on SB 2119 relating to the tuition assistance grant program.

Testimony in support of SB 2119:

Senator Judy Lee, District 13, testified in support of the bill. (see attached testimony)

Senator Cook asked if Aakers Business College is IBC (which is no longer in operation). No, but it is similar. Senator Flakoll asked if Trinity Bible College is able to offer its students access to ND state grant program for tuition assistance. He also would like an update on tuition assistance funds. (see attached testimony from Michel Hillman, ND University System).

Senator Tony Grindberg, District 41, stated there are several accrediting bodies in the US.

Aakers is recognized by an accrediting agency of the US Dept. of Education. Other institutions are accredited by the North Central Accrediting Agency. There is another bill in the Legislature

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Page 2 Senate Education Committee Bill/Resolution Number SB 2119 Hearing Date 1-13-03

Walt.

on expanding the requirements for accrediting schools. If IBC were still in operation, its students would be able to receive grants and tuition assistance if this bill is passed. Ten years ago, the question of the availability of funds, if another 200 - 300 students qualified in the state for the assistance. He thinks the fiscal note at the time was \$200,000. After that biennium, and after the bill had passed, there was a surplus of \$250,00 in that grant fund. He does not know what happened to those dollars, but it is all based on eligibility.

Betty Largent, Director of Aakers Business College, spoke. (see attached testimony). Senator Flakoll asked if the tuition assistance grant program applies to any student or only to those pursuing a degree program. She stated it will apply to all students at Aakers. Senator Christenson stated there are two types of accreditation: 1. National Accreditation, which is an overall umbrella relating to Title IV. Under this accreditation is the regional accrediting agency, which for ND is the North Central Accrediting Agency. 2. Programmatic accreditation, where you must have either National or regional accreditation to have this.

Senator Taylor asked how this will play in the whole tuition assistance program that is now offered. Betty Largent stated the students have to qualify for this program as with other assistance programs but these monies go directly to the student, not the institution. Senator G. Lee asked how many of the students as Aakers would qualify for this assistance. Betty Largent stated 288 as of now, but this number would change quarterly.

There was no opposition to the bill.

Hearing closed.

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2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2119

Senate Education Committee

☐ Conference Committee

Hearing Date 01-15-03

Tape Number	Side A	Side B	Meter #
1		X	46.0 - end
Committee Clerk Signatu	re II		

Minutes: Senator Freborg called the committee to order with all (6) members present.

Senator Freborg asked the committee to consider SB 2119. The written testimony of Senator

Judy Lee was presented to the committee.

Senator Cook moved a DO PASS. Seconded by Senator G. Lee.

Roll Call Vote: 6 YES. 0 NO. 0 Absent. Motion Carried.

Carrier: Senator Cook

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FISCAL NOTE

Requested by Legislative Council 04/04/2003

Amendment to:

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SB 2119

1A. State fiscal effect: Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2001-2003 Biennium		2003-2005	Blennlum	2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures			\$146,400		\$146,400	
Appropriations			\$146,400		\$146,400	

1B. County, city, and school district fiscal effect: Identify the fiscal effect on the appropriate political subdivision. 2001-2003 Biennium 2003-2005 Biennium 2005-2007 Blennium School School School Counties Cities **Districts** Counties Cities **Districts** Counties Cities **Districts**

2. Narrative: Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

SB2119, with the House amendments, would make students attending for-profit postsecondary institutions, which offer a program of at least two academic years in length, eligible for a state student grant. Students attending Aakers Business College in Fargo, would become eligible for grant funding. Currently, students attending public, private non-profit and tribal colleges are eligible for this grant program.

Engrossed HB1003 contains an appropriation of \$4,430,215 for the state student grant program. Of this amount, \$2,930,215 will likely be available in 03-05. Based upon this funding level, the NDUS will be able to assist approximately 2,500 students per year or about 7.5% of the 33,000 students who currently apply per year. The additional appropriation of \$146,400 provided for in SB2119, with House amendments, is projected to cover most, if not all, of the additional cost for students attending "for profit" private institutions that would become eligible under this bill. The funding in HB1003 would continue to be allocated to students attending public, private non-profit and tribal colleges.

- 3. State fiscal effect detail: For information shown under state fiscal effect in 1A, please:
 - A. Revenues: Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.
 - B. Expenditures: Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line Item, and fund affected and the number of FTE positions affected.

Expenditure levels would increase by approximately \$146,400 to cover the cost of state grant awards to eligible students from "for profit" private institutions.

C. Appropriations: Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the blennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

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According to Aakers, in January 2003, they have 244 ND resident students. If 25% of these students were eligible (met the financial need criteria and were among the highest in demonstrating financial need) for the \$600 per year grant, an additional state general fund appropriation of \$73,200 would be required. If 75% of the students were eligible, an additional state general fund appropriation of \$219,600 would be required. (The mid-point of \$146,400 is reflected on page 1).

Name:	Laura Glatt	Agency:	NDUS
Phone Number:	328-4116	Date Prepared:	04/04/2003

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FISCAL NOTE

Requested by Legislative Council 03/05/2003

Amendment to:

SB 2119

1A. State fiscal effect: Identify the state fiscal effect and the fiscal effect on agency appropriations compared to

funding levels and appropriations anticipated under current law.

	2001-2003 Blennium		2003-2005	Biennium	2005-2007 Blennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures			\$146,400		\$146,400	
Appropriations			\$146,400		\$146,400	

1B. County, city, and school district fiscal effect: Identify the fiscal effect on the appropriate political subdivision.

2001-	1-2003 Biennium 2003-2005 Biennium		2003-2005 Blennium		05 Biennium 2005-2007 Bienniu			nium
Countles	Cities	School Districts	Counties	Cities	School Districts	Countles	Cities	School Districts

2. Narrative: Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

SB2119, with the House amendments, would make students attending for-profit postsecondary institutions, which offer a program of at least two academic years in length, eligible for a state student grant. Students attending Aakers Business College in Fargo, would become eligible for grant funding. Currently, students attending public, private non-profit and tribal colleges are eligible for this grant program.

Engrossed HB1003 contains an appropriation of \$4,430,215 for the state student grant program. Of this amount, \$2,930,215 will likely be available in 03-05. Based upon this funding level, the NDUS will be able to assist approximately 2,500 students per year or about 7.5% of the 33,000 students who currently apply per year.

- 3. State fiscal effect detail: For information shown under state fiscal effect in 1A, please:
 - A. Revenues: Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.
 - B. Expenditures: Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

Expenditure levels would increase only if additional state general fund appropriations are provided to cover the cost of the new students that would become eligible for program funding under the House amendment, since Engrossed HB1003 currently states that state student grants are to be made to students attending public, private, or native American institutions. Engrossed HB1003 does not provide for the grants to be made to students attending for-profit institutions. The fiscal note expenditures assume an additional appropriation as outlined in 3.(c.)

C. Appropriations: Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

According to Aakers, in January 2003, they have 244 ND resident students. If 25% of these students were eligible

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0-16.03 Date (met the financial need criteria and were among the highest in demonstrating financial need) for the \$600 per year grant, an additional state general fund appropriation of \$73,200 would be required. If 75% of the students were eligible, an additional state general fund appropriation of \$219,600 would be required. (The mid-point of \$146,400 is reflected on page 1). Without an additional state general fund appropriation, fewer students attending public and tribal colleges, and to a limited extent students attending the private colleges, would receive less financial assistance.

Name:Laura GlattAgency:NDUSPhone Number:328-4116Date Prepared:03/06/2003

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Date



Date: ///5/03 Roll Call Vote #: /

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES BILL/RESOLUTION NO. SB2119

Senate EDUCATION				_ Com	mittee
Check here for Conference Con	nmittee				
Legislative Council Amendment Nu	mber				
Action Taken	o Pa	ss			
Action Taken Motion Made By Locality	rk	Se	econded By Sen. G	· Lu	
Senators	Yes	No	Senators	Yes	No
LAYTON FREBORG, CHAIR.	V		LINDA CHRISTENSON	1V	
GARY A. LEE, V. CHAIR.	1		RYAN M. TAYLOR	V	
DWIGHT COOK	IV				
TIM FLAKOLL	V				
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otal (Yes)		No	·		
Thront 6					
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Toor Assignment Sen	<u></u> C	ook			
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REPORT OF STANDING COMMITTEE (410)
January 15, 2003 1:10 p.m.

Module No: SR-07-0588 Carrier: Cook Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2119: Education Committee (Sen. Freborg, Chairman) recommends DO PASS
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2119 was placed on the Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-07-0588

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2003 HOUSE EDUCATION

SB 2119

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2003 HOUSE STANDING COMMITTEE MINUTES BILL/RESOLUTION NO. SB 2119 House Education Committee

☐ Conference Committee

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Hearing Date March 04, 2003

Tape Number	Side A	Side B	Meter #
1	X		826-3400
			Na January
Committee Clerk Signa	ature SUNDA FL	echtner	

Vice Chair Johnson opened the hearing on HB 2119.

Senator Judy Lee, District 13, See Attached Testimony with amendments

Rep. Herbel what are the amendments for again

Lee: They are two part: 1st part is to clarify the section, It is wrong on the bill. the second part is clarifies which institutions can apply. Rep. Meier What is the size of Aaker's

Lee: I will defer that to the director, who is here to testify.

(1450) Betty Largent, Campus Director, Aaker's Business College, See Attached Testimony.

(1950) Rep. Hunskor How come this is surfacing now, Aaker's has been there for years?

Largent: We have been in existence since 1902, It is my understanding that this was presented in 1991 and 1993 in the Senate Education. It never made it out of that committee.

Rep. Herbel What would be the maximum number of students can your school take? Are you going to get a flood of people coming in because they can get assistance with financial aid?

Largent: The maximum the Fargo school hold 425, do we see a flood, I don't think we would be seeing more individuals who would be able to partake in the education that we offer. We offer

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Page 2
House Education Committee
Bill/Resolution Number SB 2119
Hearing Date March 4, 2003

two year associate degrees, diploma and certificate program in business management and accounting, executive secretary with a medical or legal emphasis, travel business management. We offer the different types of programs that have job opportunities. So with the jobs that are available, the students that graduate with our type of education are taking those jobs that they would not be able to have before. So we have found that we are benefiting the student and the state of ND by offering skilled employees to them.

Rep. Haas What records do you have on placement rates.

Largent: We are required by our accrediting body to issue yearly placement rates, however our college requires that our career service director give quarterly placement rates, because we graduate students quarterly. At the current time we are sitting at the graduate year of 2001-2002 that was submitted to DPI that was 78%. Of our graduates who wish to seek work are employed in there field, that is not to say that they are not employed, but we have to submit in field, out-of-field and not seeking work, not employed due to medical, and military. Of those students who wish to seek work, who are employed in their field of study was 78%. Of our graduates that I submitted the information 86% of the graduates are employed in ND.

Rep. Mueller: The number of the students that you have come to your college, do many of them become because of the job that they had wanted them to come (requirement of their job) and if so are those businesses helping them with the expenses?

Largent: We are seeing more of that where the employers are requiring the employees to have an associate degree, in order to advance. So the majority of our students are single parents, women, who have a high school education or a GED who do not have skills who have a hard time being employed. So they are looking to be educated and have a job. We are seeing and increase need

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Page 3
House Education Committee
Bill/Resolution Number SB 2119

Hearing Date March 4, 2003

for individual classes so that they can be promoted for the job that they are in. We are skills based. We are doing more coding and billing for the medical industry.

Rep. Hunskor The 90's this similar bill was not passed, did you have a two year program them. Largent: they came into play in the 1994 and we moved from Grand Forks to Fargo because of the population.

John Lezeranko, Business Department Chair at Aaker's

I would like for you to support this bill to include Aaker's student into this opportunity. Our students do struggle financially and they need to get an education. The student work while they are in college, this help would relieve some of their worries were they could focus more on the education side. So I do ask for your support.

Opposition: none

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Neutral: Laura Glatt, ND University System

Based upon the amendment that is being offered by Sen. Lee there will be a fiscal impact associated with the bill. I trust that if the amendment is adopted that Legislative Council will request the completion of the note. Based upon the testimony offered this morning by Aaker's which they indicated they have 244 students that are ND residents, If you assume that all of those students will be eligible for the grant program, that would have an impact of about 290,000 on this program, if you assumed 1/2 are eligible that is 145,000 over the course of the biennium. HB1003 which is the appropriations bill for the ND University System currently has an appropriation of 2.9 for the state grant program. Aaker's students would become eligible for that program if this bill is passed. Right now the funding in that program is allocated to students attending public institutions, private and tribal colleges. We receive about 33K applications to

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Page 4
House Education Committee
Bill/Resolution Number SB 2119
Hearing Date March 4, 2003

that program on a annual basis. Currently we are able to fund about 2500 of those students of the 33K who are applying. The more students we add to the program obviously without additional funding added would take away from the ones that are currently participating.

Rep. Hawken: Taking away from them? we are just adding more students to apply for the grant program. It is a pool of money and those who are the most in need get the money, correct.

Closed hearing (3082)

Glatt: Correct it is based upon need.

Rep. Williams moved to adopt the amendments 30293.0101, Rep. Meier second the motion. passed by a voice vote.

Rep. Williams moved a DO PASS As amended, Rep. Sitte second the motion

Discussion: Rep. Herbel There really should not be a fiscal note if they have 33000 applicants and they are only going to select 2500 individuals, it is just the mater of who that will be.

Chairman Kelsch we will request just to make sure we are not missing something.

Rep. Williams all this bill does is allow them to apply for the grant

roll vote: 13-1-0, Rep. Hawken will carry the bill to the floor.

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2003 HOUSE STANDING COMMITTEE MINUTES BILL/RESOLUTION NO. SB 2119 House Education Committee

☐ Conference Committee

Hearing Date March 17, 2003

Tape Number	Side A	Side B	Meter #
1	X		1173-1750
Committee Clerk Signat	ure Linda-	tiechtner-	

Vice Chair Johnson moved to reconsider, Rep. Mueiler seconded., passed voice vote.

Rep. Jon Nelson moved a DO PASS AS AMENDED AND REREFER to Appropriations,

Vice Chair Johnson second the motion,

Some conflicts on the fiscal note, same pool of money, but a increase of students applying for the dollars. There is a conflict on the Higher Education budget bill before this bill passes. Aaker's would not qualify so that needs to be changed.

Passed 8-5-1, Rep. Hawken will carry the bill.

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10-16-03 Date

Date: Roll Call Vote #:

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES BILL/RESOLUTION NO. 2/19

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Date: 3/4/03
Roll Call Vote #: 2

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES BILL/RESOLUTION NO. 2/19

House HOUSE EDUCATIO	N			_ Com	mittee
Check here for Conference	Committee				
Legislative Council Amendment	Number				
Action Taken	to Pas	D (as amend	'	equest
Motion Made By Wille	ams_	Seco	nded By <u>Bittl</u>	<u></u>	iscal not
Representatives	Yes	No	Representatives	Yes	No
Chairman Kelsch					
Rep. Johnson	<u> </u>				
Rep. Nelson	V				
Rep. Haas	レ				
Rep. Hawken	V				
Rep. Herbel	V				
Rep. Meier	iν				
Rep. Norland	V				
Rep. Sitte	V				
Rep. Hanson	V				
Rep. Hunskor	レ				
Rep. Mueller	V			Î	
Rep. Solberg	V				
Rep. Williams	V				
Total (Yes)	1	3 No		1	
Absent 0	ken.				Administration of control of
If the vote is on an amendment, by		e intent:	ANNA ARTINA CONTINUE		· <u>·····</u>

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REPORT OF STANDING COMMITTEE (410) March 4, 2003 4:03 p.m.

Module No: HR-38-3905 Carrier: Hawken Insert L.C: 30293.0101 Title: .0200

REPORT OF STANDING COMMITTEE

SB 2119: Education Committee (Rep. R. Kelsch, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2119 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact subsection 2 of section 15-62.2-00.1 of the North Dakota Century Code, relating to eligible institutions under the student financial assistance program.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 2 of section 15-62.2-00.1 of the North Dakota Century Code is amended and reenacted as follows:

"Eligible institution" means an accredited public or nenprefit private postsecondary institution offering a program of at least two academic years in length in this state."

Renumber accordingly

(2) DESK, (3) COMM

HR-38-3905

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MIN SIL

Date: 3/17/03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES BILL/RESOLUTION NO. 2/19

House HOUSE EDUCATIO	N			Committee
Check here for Conference	Committee			
Legislative Council Amendment	∕ 1 ~			
Action Taken	Keco nson	nole	ie	
Motion Made By	nson	Seco	nded By	eller
Representatives	Ϋ́es	No	Representatives	Yes No
Chairman Kelsch				
Rep. Johnson				
Rep. Nelson				
Rep. Haas				
Rep. Hawken				
Rep. Herbel				
Rep. Meier				
Rep. Norland				
Rep. Sitte				
Rep. Hanson				
Rep. Hunskor				
Rep. Mueller				
Rep. Solberg				
Rep. Williams				
Total (Yes)	Mil	No _		
Absent	yote			
Floor Assignment		<u> </u>		
if the vote is on an amendment, b	riefly indicat	e intent:		

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Date: 3/17/03
Roll Call Vote #: 2

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES BILL/RESOLUTION NO. 2/19

	Action Taken	in Taken <u>00 Pass</u> as amender.				reference
	Action Taken Action Made By Nelson Seconded By Horn Seconded By					
	Representatives	Yes	No	Representatives	Yes	No
	Chairman Kelsch		7			
	Rep. Johnson	1				
	Rep. Nelson					
	Rep. Haas	AB				
	Rep. Hawken	V				
PACE	Rep. Herbel		V			
	Rep. Meier	<u> </u>				
	Rep. Norland					
	Rep. Sitte		<u> </u>			•
	Rep. Hanson					
	Rep. Hunskor					
	Rep. Mueller					
	Rep. Solberg		V			
	Rep. Williams	レ	ل_			
	Total (Yes)	8	No		5	
	Absent					
	Floor Assignment ###	vken				·
	If the vote is on an amendment, briefly indicate intent:					
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REPORT OF STANDING COMMITTEE (410) March 17, 2003 2:58 p.m.

Module No: HR-47-4943 Carrier: Hawken

Insert LC: 30293.0101 Title: .0200

REPORT OF STANDING COMMITTEE

SB 2119: Education Committee (Rep. R. Kelsch, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (8 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING). SB 2119 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact subsection 2 of section 15-62.2-00.1 of the North Dakota Century Code, relating to eligible institutions under the student financial assistance program.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 2 of section 15-62.2-00.1 of the North Dakota Century Code is amended and reenacted as follows:

"Eligible institution" means an accredited public or nenprefit private postsecondary institution offering a program of at least two academic vears in length in this state."

Renumber accordingly

(2) DESK, (3) COMM

Page No. 1

HR-47-4943

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2003 HOUSE APPROPRIATIONS
SB 2119

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2119

House Appropriations Committee Education and Environment Division

☐ Check here for Conference Committee

Hearing Date April 2, 2003

Tape Number	Side A	Side B	Meter #
1	X		5.7
			,
		<u> </u>	
Committee Clerk Signatur	e Colote K	elle	

Minutes:

Chairman Martinson opened the hearing on SB 2119, relating to eligible institutions under the student financial assistance program. All members of the committee were present. The education committee passed this out with a do pass with the exception of one vote, Rep. Kelsch. The higher ed people came down with a fiscal note. It would take \$146,000 out of the grant money to provide tuition assistance for private institutions.

Rep. Brusegaard I move we amend SB 2119 by adding an appropriation for \$146,400.

Rep. Wald Seconded.

Rep. Aarsvold Which programs and institutions are we talking about specifically?

Chairman Martinson It is not the money for Jamestown and Mary. It would come out of the pool for the other public schools. I think that the only school that this affects is Aakers Business School in Fargo.

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Page 2
Education and Environment Division
Bill/Resolution Number 2119
Hearing Date April 2, 2003

<u>Chairman Martinson</u> took a voice vote on the motion to amend SB 2119 and the motion carried. Rep. Aarsvold and Rep. Gulfeson voted no.

Rep. Aarsvold I think they do a good job at Aakers, that is not my concern. I do have concern in these times of financial difficulty that we would expand into another area.

Rep. Brusegaard I would move a do not pass as amended on SB 2119 and Rep. Gulleson seconded.

ROLL CALL VOTES ON A DO NOT PASS AS AMENDED

7 YES

0 NO

0 ABSENT

Chairman Martinson closed the hearing on SB 2119.

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2119

House	Annroi	nristions	Committ	PA
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☐ Conference Committee

Hearing Date 04-02-03

Tape Number	Side A	Side B	Meter #
1	X		0.0 - 6.5
	A		
ommittee Clerk Signatur	e livis	Voller	

Minutes:

Chairman Svedjan Opened SB 2119 for discussion. A quorum was present.

Rep. Brusegaard This is an attempt to offer money for Higher Education, but not specifically college. Aakers Business College would now qualify. I move amendment .0103 2nd by Rep. Martinson.

Rep. Koppleman Why would this affect the Higher Education budget and the truck driver training wouldn't?

Rep. Brusegaard The truck driver training program isn't long enough.

Rep. Brusegaard I move a Do Not Pass As Amended. 2nd by Rep. Wald. Motion Carries 19-1-3. Rep. Brusegaard will carry this on the floor.

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Date: April 2, 2003 Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES BILL/RESOLUTION NO. 2119

Armain

Appropriations Education/Environment Division				Committee	
Check here for Conference Confere	ommittee				
Legislative Council Amendment N	lumber _				
Action Taken DO NOT PASS	DO NOT PASS AS AMENDED				
Motion Made By Rep. Brusega	ard	Seco	nded By Rep. Gulleson		
Representatives	Yes	No	Representatives	Yes	No
Representative Martinson	X				
Representative Brusegaard	X				
Representative Monson	X				
Representative Rennerfeldt	X				
Representative Wald	X				
Representative Aarsvold	Х				
Representative Gulleson	X				
Total (Yes)		7_ No			0
Absent			****		0
Floor Assignment None					
f the vote is on an amendment, brid	efly indicat	e intent:			

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MAMILIA 14.



Module No: HR-60-6658 Carrier: Brusegaard

Insert LC: 30293.0103 Title: .0300

REPORT OF STANDING COMMITTEE

SB 2119, as engrossed: Appropriations Committee (Rep. Syedian, recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT PASS (19 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). Engrossed SB 2119 was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on pages 780 and 781 of the House Journal, Senate Bill No. 2119 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to arnend and reenact subsection 2 of section 15-62.2-00.1 of the North Dakota Century Code, relating to eligible institutions under the student financial assistance program.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 2 of section 15-62.2-00.1 of the North Dakota Century Code is amended and reenacted as follows:

"Eligible institution" means an accredited public ornenprofit private postsecondary institution offering a program of at least two academic <u>years in length</u> in this state.

SECTION 2. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$146,400, or so much of the sum as may be necessary, to the North Dakota university system office for the purpose of expanding the student financial assistance program as provided for in section 1 of this Act, for the blennium beginning July 1, 2003, and ending June 30, 2005."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment adds a section to the bill to provide a \$146,400 general fund appropriation to the North Dakota University System office to expand the student financial assistance program.

(2) DESK, (3) COMM

Page No. 1

HR-60-6658

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2003 TESTIMONY

SB 2119

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10-16-03

Date

Marie Marie

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(For Sen. J. Lee)

Scratch Pad for Bill: SB 2119

SB 2119

January 13, 2003

I am Senator Judy Lee and I am here to support SB 2119.

This bill was introduced to correct a situation in which Aaker's Business College in Fargo is not able to offer its students access to North Dakota's state grant program for tuition assistance. It is the only college in the state which cannot use the program.

Chapter 15-62.3 of the ND Century Code provides for a state grant program for qualified students, but it does not allow for access by students attending some private institutions. The amendments to the Century Code required by this bill will allow students at Aaker's Business College, which is accredited by a national accrediting body, to participate.

Aaker's offers educational opportunities to many individuals to who are enrolled in programs which will allow them to qualify for careers which offer better salaries. Many of their students are single parents for whom the flexibility of scheduling and support of their family situations offered by Aaker's make the difference between the student being able to attend classes or not.

I have been at Aaker's Business College on several occasions and I have always been impressed with the facility and the professional levels of the instructors and the programs offered there. 86% of the Aakers' graduates since 2000 have stayed and are working in ND.

We all know that becoming better educated helps people to become self-sufficient and more self-confident. That is the goal which Aaker's Business College has for its students.

I support this change in state law and I hope that your committee grants it a favorable review.

http://auth.intranetapps.nd.gov/lr/legislature/laws?request=LRLawsPrintScratchPad&memt... 1/13/2003

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10-16-03 Date



The Vital Link to a Brighter Future

January 13, 2002

The Honorable Layton Freborg, Chairman Senate Education Committee 600 East Boulevard Avenue Bismarck, ND 58505

RE: SB2119

55.

Dear Senator Freborg and Members of the Senate Education Committee:

I am pleased to follow up on questions from Senator Education Committee clerk, Danette, relative to SB 2119 as it relates to Chapter 15-62.3 – Tuition Assistance Grant Program. After the committee hearing I learned that the Tuition Assistance Grant (TAG) Program has not been funded since the 1985 Legislative Session. At that time, the TAG Program was funded at \$500,000 for the biennium.

In 1987, the Tuition Assistance Grant Program was successfully merged with the Student Financial Assistance (State Grant) Program – Chapter 15-62.2. See Attachment 1. Under current statute, State Grant awardees may take their State Grant to an accredited public or nonprofit private postsecondary institution in this state. Attachment 2 gives a brief overview of the State Grant Program and shows the number of State Grants offered by institution type.

The State Grant Program, each biennium, has minimal carryover from biennium to biennium. The reason for this carryover is twofold: (1) There are students who drop out late in second semester, and, as result, we are unable to re-award those funds at the end of a biennium. (2) The State Grant Program has a maintenance of effort (MOE) requirement. Under federal law, states are required to meet or exceed the maintenance of

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The North Dakota University System is governed by the State Board of Higher Education and Includes:

Bismarck State College • Dickinson State University • Lake Region State College • Mayville State University •

Minot State University • Minot State University-Bottineau Campus • North Dakota State College of Science •

North Dakota State University • University of North Dakota • Valley City State University • Williston State College.

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effort requirement to ensure continued federal funding. The MOE requirement is the average expenditure of non-federal dollars for the past three years. If the North Dakota University System anticipates a shortfall in funding to the State Grant Program from one biennium to another, the State Board of Higher Education has opted to carry-forward a small amount of funding to ensure that we are able to meet our MOE and not lose out on federal funding.

I hope this information is helpful. Please don't hesitate to contact Peggy Wipf, Director of Financial Aid, or myself at 328-4114 should the committee have additional questions about these programs.

Sincerely

Michel Hillman

Vice Chancellor for Administrative Affairs

xc: Senator Tony Grindberg

Senator Judy Lee

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STATE STUDENT INCENTIVE GRANT PROGRAM (State Grant or SSIG)

HISTORY

This program is need-based. Along with determining if a student may be eligible for a SSIG (based on financial need), we have required that a student also be a first-time undergraduate, enrolled for 12 or more credits, not in default or owe a refund on a student loan or other Title IV programs, attend an eligible in-state institution, be a North Dakota resident, and meet the April 15 top priority date.

Prior to the 1979 Legislative Session, representatives of the independent, non-profit colleges in North Dakota determined that the State Grant Program had not responded to the needs of students choosing to attend independent colleges. The State Grant funds awarded to students attending independent, non-profit colleges was a very small share of the total, reflecting fairly closely their share of total enrollment. The independent colleges decided that as long as the State Grant Program failed to take into account the higher tuition of independent, non-profit colleges, they could not expect to gain a larger share of State Grants. Legislation was proposed in the 1979 Legislative Session that established a Tuition Equalization Grant (TAG) Program only for students attending Jamestown College and the University of Mary. The TAG Program was authorized and \$200,000 was appropriated for the 1979-81 biennium. It should be noted that students attending the independent, non-profit colleges could receive a State Grant and a Tuition Assistance Grant at the same time. The unmet need for the TAG Program was tallied for all applicants to yield an aggregate unmet need figure. That figure was divided into the funds available for a given year to further yield a percentage of funds available to meet the unmet need. Our office was told to administer the TAG Program, even though no administrative funds were appropriated. Another factor for combining programs is that our office was never granted administrative monies to administer the Tuition Assistance Grant Program. With the combined programs, we do have funds for computer capabilities.

By the 1985 Legislative Session, the TAG Program had grown to a biennial appropriation of \$500,000.

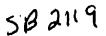
A successful merger of the State Grant Program and Tuition Assistance Grant Program occurred in the 1987 Legislature. As a result, the amounts allowed in each student's budget have been standard except for the amount allowed for tuition. With the defunding of the TAG Program, the State Grant Program began to allow a higher budget for students attending independent, non-profit colleges and universities to reflect the higher tuition they pay. This is consistent with student grant programs in other states. A somewhat lower tuition figure is also used for the regional universities and the two-year colleges since their tuition is lower than for UND and NDSU.

Continued representation from the private, non-profit, and tribal colleges is necessary on the State Grant Advisory Board to ensure that North Dakota does not return to two separate state grant programs for need-based student financial aid.

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The Vital Link to a Brighter Future

NORTH DAKOTA STATE STUDENT INCENTIVE GRANT PROGRAM (SSIG or State Grant) 2002-2003

The North Dakota State Student Incentive Grant Program provides grants to undergraduate students in need of financial assistance. For 2002-2003, students who are awarded a State Student Incentive Grant will be notified of an award on or before May 31, 2002. The State Grant award has been \$600 per academic year for the past twelve years.

NEED AND ELIGIBILITY DETERMINATION

The State Grant Program uses the federally approved Free Application for Federal Student Aid (FAFSA) as its application form. This federally approved application methodology is used to determine a family's financial need and provides equitable treatment of all applicants. It considers each family's financial circumstances including income, assets, taxes, family size, the number of family members in college, and other factors that affect a family's ability to pay for college.

All applicants are ranked according to their financial unmet need. Financial unmet need is the net difference between the educational expenses and the applicant's available funding. The applicant's available funding includes the family's (parent/student) expected contribution, the Pell Grant, and other resources (i.e., veteran benefits) the student may have available. The educational expenses include tuition, fees, books and supplies, room and board, and personal expenses.

Awards will be offered to students who exhibit the greatest financial unmet need and who meet all other eligibility requirements, within the limit of funds available.

ELIGIBILITY REQUIREMENTS

To be eligible for a State Grant, you must meet all of the following requirements:

- ✓ Be a citizen or national of the United States or eligible non-citizen and a North Dakota resident.
- ✓ Be a graduate of a high school, or hold the General Equivalency Diploma (GED), and be able to meet all requirements for admission as a full-time student of an eligible institution.
- ✓ Use any grant awarded to you at an eligible institution in North Dakota. (Hereafter the term "eligible institution" means an accredited public or nonprofit private postsecondary institution in this state.)
- ✓ Enroll as a full-time student as defined by the eligible institution you attend and maintain full-time enrollment over the period for which a grant is awarded (24 credits or more for the academic year).
- ✓ Enroll in a program of at least one academic year as defined by the eligible institution.
- ✓ Be a first-time undergraduate student (a non-baccalaureate or graduate-degree-holding status) during the period of the award. (Any freshman through senior student is eligible to apply.) A student may not have attended college for more than 8 semesters or 12 quarters since their high school graduation.
- ✓ Not be in default on any Federal Family Education Loan Programs.
- ✓ Not owe a refund on any Title IV grants or loans.

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North Dakota State University • University •

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You can apply for the State Grant Program by completing the Free Application for Federal Student Aid form. This federally approved form assists financial aid officers in determining a family's ability to pay for college. It is strongly encouraged that you complete ALL four-pages. If you are a North Dakota resident, you must indicate that in Step 1 question 12. [NOTE: For Air Base personnel, your state of residency is ND if you are stationed on either the Minot or Grand Forks Air Force Base.]

PRIORITY DEADLINE DATE

The deadline date to submit an application in order to receive priority consideration for the State Student Incentive Grant Program is April 15, 2002. The April 15 priority date is determined by the date your Free Application for Federal Student Aid is processed by the central processor and not the date your application was mailed. Please keep in mind that the FAFSA takes four to six weeks to process.

You may still mail in your Free Application for Federal Student Aid after April 15, but you will only be considered for a State Grant if available funds have not already been spent.

NOTIFICATION/DISBURSEMENT

It is the goal of the State Grant Program to mail notification of award to eligible applicants from mid May to early June. Only State Grant awardees will be notified of the disposition of their application.

State Grants will be disbursed to students through the eligible institution they are attending. The grants will be disbursed according to the number of semesters at the eligible institution; i.e., two disbursements for a semester school.

TRANSFER

If you are awarded a State Grant, the eligible institution you plan to attend will be notified at the same time you are notified. Should your choice of institution change subsequent to receiving an award, you may transfer your grant to any other eligible institution in North Dakota. HOWEVER, you should be aware that changing institutions might affect your continued eligibility for a State Grant. When you notify the State Grant Program of your intent to change institutions, we will review your eligibility and notify you if you will not be eligible for the grant upon transfer.

RENEWAL OF GRANT AWARDS

State Grant recipients may apply for renewal of a grant while earning their first undergraduate degree. Students may be eligible to receive a grant annually until the recipient has attended college for 8 semesters or 12 quarters, or until they have earned their first baccalaureate degree, whichever occurs first. To be eligible for renewal awards, recipients must maintain satisfactory academic progress as determined by the institution.

Returning students may apply for the State Grant by completing and returning the Renewal Free Application for Federal Student Aid. Please be assured that if you choose to complete and return the renewal application for processing and you certify that you are a North Dakota resident and give permission to have the renewal application information released, this will be considered your application for the State Grant Program.

NOTE: When the student applies for a State Grant, the financial aid office at the eligible institution may verify the student's information on the <u>Free Application for Federal Student Aid</u> and may notify the State Grant Program of any discrepancies. Any discrepancies that may affect the student's award may be transmitted from the eligible institution to the State Grant Program, from one eligible institution to another, or from the State Grant Program to the eligible institution.

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A DESCRIPTION OF THE PERSON OF

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Attachment 2

Access - General

December 2002

State Grant Program

The North Dakota Student Financial Assistance Program (State Grant) provides a \$600 non-repayable grant per year to North Dakota residents pursuing their undergraduate degree and who attend North Dakota's public, private (not-for-profit), and tribal colleges. The purpose of this needbased grant is to assist students with their cost of attending a North Dakota postsecondary institution. A State Grant also reduces the amount of money a student needs to borrow for their education.

- Over 33,000 North Dakota students applied for a state grant during 2001-2002. The State Grant Program was able to fund 2,482 needy students or roughly 8 percent of the eligible students during 2001-2002. For 2001-2002, the greatest unmet need of a State Grant Program recipient was \$10,192 while the average unmet need was \$4,843. Unmet need for this program is calculated as follows: Cost of education minus parent/student expected contribution, minus Federal Pell Grant, minus other resources, e.g., veterans' benefits, equals unmet need. For academic year 2001-2002, State Grant dollars were exhausted at an unmet need figure of \$5,934. In other words, those students demonstrating an unmet need of \$5,934 or less did not receive State Grant support.
- State funding to support the State Grant program is equivalent to 1.4 percent of annual tuition collections.

Students Receiving State Grant Dollar Awarded by Institution Type										
		Private Non-Profit	Native							
		4-Year Colleges & Hospital School	American Community							
	Public Institution	of Nursing	Colleges	Total						
2002-2003 School Year (est.)										
# Applying 32,412										
# of Students Receiving Awards	1,893	567	85	2,545						
\$ Awarded	\$1,127,400	\$336,120	\$51,000	\$1,514,520						
% of Total \$ Awarded	74.4%	22.2%	3.4%	100%						
% of all ND Students Attending College	87%	9%	4%	100%						
2001-2002 School Year										
# Applying 33,046										
# of Students Receiving Awards	1,876	529	77	2,482						
\$ Awarded	\$1,053,000	\$300,732	\$42,300	\$1,402,032						
% of Total \$ Awarded	75%	22%	3%	100%						
% of all ND Students Attending College	87.2%	9.1%	3.7%	100%						

FOR MORE INFORMATION CONTACT:

Peggy Wipf, Director of Financial Aid and Federal Relations Coordinator 701.328.4114 Peggy.Wipf@ndus.nodak.edu

www.ndus.nodak.edu

Section 8 - Page 3

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• The State Grant Program has a maintenance of effort (MOE) requirement. Under federal law, states are required to meet or exceed the maintenance of effort requirement to ensure continued federal funding. The MOE requirement is the average expenditure of non-federal dollars for the past three years. To maintain the MOE requirement for the 2003-2005 blennium, an estimated \$2.8 million in non-federal dollars is needed for the blennium, based on the (hold-even) budget request.

OR MORE INFORMATION CONTACT:

Peggy Wipf, Director of Financial Aid and Federal Relations Coordinator 701.328.4114 Pegg.Wipf@ndus.nodak.edu

www.ndus.nodak.edu

Section 8 - Page 3.1

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Section 21 of the Declaration of Rights in Article I of the Constitution of the State of North Dakota prohibits "special privileges" for one segment of taxpayers over others. Additionally, this section allows legislative assembly the ability to "alter, revoke, or repeal" unjust laws within the state. This segment of our law provides the vehicle for elected officials to produce change. Change that is long overdue in regard to the North Dakota Tuition Assistance Grant Program.

Chapter 15-62.3 of the North Dakota Century Code provides a state grant program for qualified students. Unfortunately, one definition of the law disregards Section 21 of the State constitution by excluding taxpayers that choose to attend a private institution.

It is important to remember that the North Dakota Tuition Assistance Grant Program is a student aid and not an aid to the institution.

A growing number of your constituents ask of you: assist in amending the definition of an "accredited private school" under the old law and include private institutions with national accreditation approved by the United States Department of Education. The current discriminatory language filters the students' right to funds specifically to state-run schools and to private institutions accredited only by the north central association of colleges and secondary schools or the accrediting association of bible colleges. In fact, legislators have actually responded to North Dakota residents' e-mail regarding the issue that the law is written that way to exclude private schools in order to secure the monies for state educational facilities. This grant is not monies for the educational facility, but for the North Dakota residents needing financial assistance to further their education. Surely, we, as a state, do not promote discrimination for financial gain. Amendment of this discriminatory definition will show support for taxpayers that choose to attend a college that is recognized by the United States Department of Education. The alteration of the definition will give residents the ability to benefit from tax-based educational funding. The change will demonstrate that leaders in North Dakota do read and respond to constituent concerns.

The United States Department of Education stipulates a list of accrediting agencies whose accreditation enables the institution they accredit to establish eligibility to participate in the Federal student financial assistance programs administered by the Department under Title IV of the Higher Education Act of 1965. Title IV schools have recognized accreditation. Certainly we should not fault the Department of Education with their requirements for a resident's participation in the Federal student financial assistance programs to not include the North Dakota residents' right to participate in the North Dakota Tuition Assistance Grant.

Currently, students in the State of North Dakota have a choice of attending any degree-granting institution in North Dakota – and have access to the North Dakota Tuition Assistance Grant – with the exception of students who are attending private colleges in the State of North Dakota who are accredited by a national accrediting agency recognized by the Department of Education. It is unfair of the State of North Dakota to deny the

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North Dakota resident, a choice of which degree-granting institution to attend based on the availability of the North Dakota Tuition Assistance Grant.

Aakers Business College has had 1,189 students who reside in North Dakota and 263 students who reside in Minnesota since November 9, 1999. The 1,189 students were denied the tuition assistance grant right. Of the student body, 82% were North Dakota residents, paying North Dakota taxes, and 86% of the graduates have chosen to be employed by North Dakota companies and remain in North Dakota as constituents and taxpayers. On January 10, 2003, Aakers Business College had an enrollment of 330 students; 277 (84%) of these individuals were degree-seeking students with 244 (88%) of these students being North Dakota residents. Again, this is a resident of North Dakota's right to an educational grant for financial assistance, not a grant to the college.

US Senator Byron Dorgan responded to Debora Murray's letter to him regarding this issue, "The state of North Dakota should ensure that all citizens wishing to receive an education can do so without having to surrender benefits or face laws and regulations that prohibit them from receiving the financial aid necessary to go to school due to the choice of institution they wish to attend".

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BYRON L, DORGAN NORTH DAKOTA 713 HART BUILDING WASHINGTON, DC 3010-3406 302-324-3961 302-324-0979 TOO

HTTEES:
JPMATIONE
GÖMMERCE, SCIENCE & TRANSPORTATION
SNERGY & MATURAL RESOURCES
INGIAN APPAIRS

CHARMAN, DEMOCRATIC POLICY COMMITTEE

United States Senate

WASHINGTON, DC 20510-3405

October 16, 2000

STATE OFFICES:

312 PEDERAL BUILDING THIRD AND ROBBER AVENUE P.G. BOX 2579 BISMARUK, NO 58802 701-250-4618

112 ROBERTS STREET, FOOM 116 P.O. BOX 2250 FARIGO, NO 58107

102 NORTH 4TH STREET, ROOM 108 GRAND PORKS, NO 585/01 701-746-6972

100 IST STREET, S.W., ROOM IOS MINOT, NO 58701 701-862-0703

Debora Murray
Financial Aid Director
Aaker's Business College
4012 19th Ave S.W.
Fargo, ND 58103

Dear Debora:

Thank you for keeping me informed regarding the University System's yearly request for FISAP data. I understand your frustration and strongly urge you begin contacting your local legislators. The upcoming Legislative session would be an opportunity for your concerns to be heard.

You should take pride in the success of Aaker's Business College. And the state of North Dakota should ensure that all citizens wishing to receive an education can do so without having to surrender benefits or face laws and regulations that prohibit them from receiving the financial aid necessary to go to school due to the choice of institution they wish to attend.

Thanks again for the information, Debora. Please keep me updated on your efforts to address this issue with the North Dakota Legislature.

Sincerely,

Byron L. Dorgan

U.S. Senator

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POSTS COMMAN EBECATION

Accrediting Agencies Recognized for Title IV Purposes

Accreditation Home

Accreditation in the U.S.

National Recognition of Accrediting Agencies

Secretary's Regulations Governing National Recognition

Lists of Nationally Recognized Accrediting Agencies

National Advisory Committee on Institutional Quality & Integrity

State Approval Agencies for Public Prossecondary Vocamonal Education

State Approval Agencies for Norse Education

National Committee on Foreign Medical Education & Accreditation The following is a list of accrediting agencies whose accreditation enables the institutions they accredit to establish eligibility to participate in the Federal stufinancial assistance programs administered by the Department under Title IV o Higher Education Act of 1965 as amended.

ACCREDITATION COMMISSION FOR ACUPUNCTURE AND ORIENTA MEDICINE (FORMERLY NACAOM)

Title IV Note: Only freestanding schools or colleges of acupuncture or Orient medicine may use accreditation by this agency to establish eligibility to partici in Title IV programs.

*ACCREDITING ASSOCIATION OF BIBLE COLLEGES, COMMISSION (
ACCREDITATION

ACCREDITING BUREAU OF HEALTH EDUCATION SCHOOLS

Title IV Note: Only freestanding allied health education schools may use
accreditation by this agency to establish eligibility to participate in Title IV
programs.

ACCREDITING COMMISSION OF CAREER SCHOOLS AND COLLEGES TECHNOLOGY

ACCREDITING COUNCIL FOR CONTINUING EDUCATION AND TRAIT Title IV Note: Only those institutions classified by this agency as "vocational use accreditation by this agency to establish eligibility to participate in Title IV programs.

*ACCREDITING COUNCIL FOR INDEPENDENT COLLEGES AND SCHITILE IV Note: The only institutions preaccredited by this agency that may use preaccreditation to establish eligibility to participate in Title IV programs are private, non-profit junior and senior colleges of business and private, non-prof freestanding institutions offering only graduate business and business-related programs at the master's degree level.

*AMERICAN ACADEMY FOR LIBERAL EDUCATION

Title IV Note: Only institutions of higher education accredited by this agency use that accreditation to establish eligibility to participate in Title IV program:

AMERICAN ASSOCIATION OF NURSE ANESTHETISTS, COUNCIL ON ACCREDITATION OF NURSE ANESTHESIA EDUCATIONAL PROGRAI Title IV Note: Only hospital-based nurse anesthesia programs and freestandinurse anesthesia institutions may use accreditation by this agency to establish

http://www.ed.gov/offices/OPE/accreditation/titleivagencies.html

1/10/2003

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eligibility to participate in Title IV programs.

AMERICAN BAR ASSOCIATION, COUNCIL OF THE SECTION OF LEG. EDUCATION AND ADMISSIONS TO THE BAR

Title IV Note: Only freestanding law schools may use accreditation by this ag to establish eligibility to participate in Title IV programs.

AMERICAN BOARD OF FUNERAL SERVICE EDUCATION, COMMITTE ACCREDITATION

Title IV Note: Only freestanding schools or colleges of funeral service or mor science may use accreditation by this agency to establish eligibility to participatitle IV programs.

AMERICAN DIETETIC ASSOCIATION, COMMISSION ON ACCREDITA APPROVAL FOR DIETETICS EDUCATION

Title IV Note: Only postbaccalaureate dietetic internship programs may use accreditation by this agency to establish eligibility to participate in Title IV programs.

*AMERICAN OSTEOPATHIC ASSOCIATION, BUREAU OF PROFESSIO EDUCATION

Title IV Note: Only freestanding schools or colleges of osteopathic medicine is use accreditation by this agency to establish eligibility to participate in Title II programs.

*AMERICAN PODIATRIC MEDICAL ASSOCIATION, COUNCIL ON PODIATRIC MEDICAL EDUCATION

Title IV Note: Only freestanding schools or colleges of podiatric medicine ma accreditation by this agency to establish eligibility to participate in Title IV programs.

- *ASSOCIATION OF ADVANCED RABBINICAL AND TALMUDIC SCHOOL ACCREDITATION COMMISSION
- *ASSOCIATION OF THEOLOGICAL SCHOOLS IN THE UNITED STATE AND CANADA, COMMITTEE ON ACCREDITING

Title IV Note: Only freestanding institutions, colleges, or seminaries of theolomay use accreditation by this agency to establish eligibility to participate in Tiprograms.

COMMISSION ON MASSAGE THERAPY ACCREDITATION

THE COUNCIL ON CHIROPRACTIC EDUCATION, COMMISSION ON ACCREDITATION

Title IV Note: Only freestanding schools or colleges of chiropractic may use accreditation by this agency to establish eligibility to participate in Title IV programs.

*COUNCIL ON OCCUPATIONAL EDUCATION, COMMISSION (FORME SACS-COEI)

http://www.ed.gov/offices/OPE/accreditation/titleivagencies.html

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JOINT REVIEW COMMITTEE ON EDUCATION IN RADIOLOGIC TECHNOLOGY

Title IV Note: Only hospital-based radiologic technology programs and freestanding radiologic-technology institutions may use accreditation by this a to establish eligibility to participate in Title IV programs.

*MIDDLE STATES ASSOCIATION OF COLLEGES AND SCHOOLS, COMMISSION ON HIGHER EDUCATION

MIDWIFERY EDUCATION ACCREDITATION COUNCIL

Title IV Note: Only freestanding, direct-entry midwifery educational institution may use accreditation by this agency to establish eligibility to participate in the IV programs.

MONTESSORI ACCREDITATION COUNCIL FOR TEACHER EDUCATION COMMISSION ON ACCREDITATION

Title IV Note: Only freestanding Montessori teacher education schools may u accreditation by this agency to establish eligibility to participate in Title IV programs. Further, that accreditation must have been granted in conjunction v the accrediting activities of one of the following review committees: the Americ Montessori Society Review Committee and the Independent Review Committee

NATIONAL ACCREDITING COMMISSION OF COSMETOLOGY ARTS & SCIENCES

NATIONAL ASSOCIATION OF SCHOOLS OF ART AND DESIGN, COMMISSION ON ACCREDITATION

Title IV Note: Only freestanding schools or colleges of art and design may use accreditation by this agency to establish eligibility to participate in Title IV programs.

NATIONAL ASSOCIATION OF SCHOOLS OF DANCE, COMMISSION O ACCREDITATION

Title IV Note: Only freestanding schools or colleges of dance may use accred by this agency to establish eligibility to participate in Title IV programs.

NATIONAL ASSOCIATION OF SCHOOLS OF MUSIC, COMMISSION ON ACCREDITATION AND THE COMMISSION ON NON-DEGREE-GRANTING ACCREDITATION, COMMISSION ON COMMUNITY/JUNIOR COLLEGE ACCREDITATION Title IV Note: Only freestanding schools or colleges of music may use accred. by this agency to establish eligibility to participate in Title IV programs.

NATIONAL ASSOCIATION OF SCHOOLS OF THEATRE, COMMISSION ACCREDITATION

Title IV Note: Only freestanding schools or colleges of theatre may use accreditation by this agency to establish eligibility to participate in Title IV programs.

http://www.ed.gov/offices/OPE/accreditation/titleivagencies.html

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NATIONAL LEAGUE FOR NURSING ACCREDITING COMMISSION Title IV Note: Only diploma programs and practical nursing programs not low in a regionally accredited college or university may use accreditation by this a to establish eligibility to participate in Title IV programs.

*NEW ENGLAND ASSOCIATION OF SCHOOLS AND COLLEGES, COMMISSION ON INSTITUTIONS OF HIGHER EDUCATION

*NEW ENGLAND ASSOCIATION OF SCHOOLS AND COLLEGES, COMMISSION ON TECHNICAL AND CAREER INSTITUTIONS

Title IV Note: Any public vocational/technical schools accredited by this ager that offer non-degree, postsecondary education and that wish to use that accreditation to estublish eligibility to participate in Title IV programs must be accredited by the agency as offering education through the 13th and/or 14th gilevel.

NEW YORK BOARD OF REGENTS

- *NORTH CENTRAL ASSOCIATION OF COLLEGES AND SCHOOLS, TH HIGHER LEARNING COMMISSION
- *NORTH CENTRAL ASSOCIATION OF COLLEGES AND SCHOOLS, EXECUTIVE BOARD OF THE COMMISSION ON SCHOOLS

 Title IV Note: Only those vocational/technical schools accredited by this ager that offer non-degree, postsecondary education may use that accreditation to establish eligibility to participate in Title IV programs.
- *NORTHWEST ASSOCIATION OF SCHOOLS AND COLLEGES, COMMISSION ON COLLEGES
- *SOUTHERN ASSOCIATION OF COLLEGES AND SCHOOLS, COMMISON COLLEGES
- *TRANSNATIONAL ASSOCIATION OF CHRISTIAN COLLEGES AND SCHOOLS, ACCREDITING COMMISSION
- *WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES, ACCREDIT COMMISSION FOR COMMUNITY AND JUNIOR COLLEGES
- *WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES, ACCREDIT COMMISSION FOR SCHOOLS

Title IV Note: Only adult and postsecondary schools accredited by this agency offer postsecondary programs below the degree level may use accreditation by agency to establish eligibility to participate in Title IV programs.

- *WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES, ACCREDIT COMMISSION FOR SENIOR COLLEGES AND UNIVERSITIES
- * Preaccreditation status may be used as an alternative to full accreditation by a public or private non-profit institutions accredited by this agency for the purpo

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Page 5 of 5

establishing eligibility to participate in Title IV programs. Please note that preaccreditation is not available as an option for establishing such eligibility by profit institution accredited by this agency.

NOTE: "Freestanding" is defined as not part of a larger college or universi that is accredited by a regional accrediting agency or another natio recognized institutional accrediting agency. In general, a freestand institution is a separate single-purpose institution that offers a specialized program of study in a particular field.

Accreditation Home | Accreditation in the U.S. | National Recognition of Accrediting At | Secretary's Regulations Governing National Recognition | Lists of Nationally Recognition | Accrediting Agencies | National Advisory Committee on Institutional Quality & Integrity Approval Agencies for Public Postsecondary Vocational Education | State Approval Agencies | National Committee on Foreign Medical Education & Accredit

This page last modified October 9, 2002 (pss)

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Accrediting Council for Independent Colleges and Schools

750 First Street, NE, Suite 980 Washington, DC 20002-4241 TEL: (202) 336-6780 FAX: (202) 842-2593 www.acios.org

August 27, 2002

ID Code M00001

BY E-MAIL ONLY

Ms. Elizabeth Largent Director Aaker's Business College 4012 19th Avenue, S.W. Fargo, ND 58103

Dear Ms. Largent:

The Council has acted to give your institution a new grant of accreditation to offer programs through the occupational associate's degree level through December 31, 2008. The Council also acted to approve your institution's application for final inclusion of the associate of applied science (occupational associate) degree in Network Support Specialist within the scope of your institution's new grant of accreditation.

The Council is pleased to have this continued relationship with your institution. Please contact Carol S. Malinowski at (202) 336-6847 if you have any questions.

Sincerely,

Steven A. Eggland, Ph.D.

Steven a. Eggland

Executive Director

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STATE BOARD FOR VOCATIONAL AND TECHNICAL EDUCATION

Wayne Kutzer STATE DIRECTOR & EXECUTIVE OFFICER

State Capitol 15th Floor 300 E Blvd. Ave Dept 270 Hamarck NO 58505-0610 701-328-3180 701-328-1255 (Fax)

I-mail: shvia @state.nd.us July 11, 2002

www.state.nd.ue/vie

TOARD MEMBERS

3r. Charles Brickner ,namperson 101-652-3156

Ms. Elizabeth Largent

Jamel Reminator

Director

Ace Chair 101-824-2736 Aaren Daley

Aakers Business College 4012 19th Avenue South

01-328-2836

Fargo, North Dakota 58103

Robert Gesks 01-497-3437

Dear Ms. Largent:

arry lesak fember '01-328-2960 RE: Authorization to Operate

Alcheel Mees

01-226-2206 % Wayne Sensions

The State Board for Vocational and Technical Education has renewed Aakers Business College's authorization to operate through June 30, 2003. Kindly keep the Board informed of any changes affecting the school's operations through the renewal period.

lusan Stibbe lember '01-874-2184

01-028-4572

Sincerely,

Itta Wilhalmi 10mber 101-628-2211

Debray. Hicker Debra J. Huber Administrator

Private Postsecondary Institutions

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SB2119

NORTH DAKOTA

State Approving Agency
Kirkwood Office Tower Suite 603

919 South 7th Street
Bismarck, North Dakota 58504-5835
(701) 328 - 9660 Fax: (701) 328 - 9662

Rhonda Schauer Director

December 11, 2002

Ms. Michelle Lacy Education Division Dept. of Veteran Affairs 400 S 18th St. St. Louis, Missouri 63103

Dear Ms. Lacy:

The North Dakota State Approving Agency revises the approval of the undergraduate degree offerings (reference 2002-2003 Course Offerings Catalog, Volume I and Brochure) for Aaker's Business College, Facility Code: 2-4-9011-34, 4012 19th Avenue Southwest, Fargo, ND 58103.

The authority for this approval action assumed under the provisions of Title 38, U.S. Code, Section 3675, is effective September 23, 2002.

PROGRAMS, CURRICULA, AND COURSE DESCRIPTIONS

he following are the approved programs that lead to an Associate of Applied Science Degree for a full time measurement of 12 quarter credit hours.

Degree	Program	Reference 2002-2003 Catalog
A.A.S.	Accounting with an emphasis in either Financial Accounting or	pg, 6
	Banking and Finance	
A.A.S.	Business Management	pg. 8
A.A.S.	Executive Administrative Assistant with either a	pg. 9
	Legal emphasis	• •
A.A.S.	Network Support Specialist	pg. 12
A.A.S.	Travel Business Management	pg. 14

Approved are the following diploma/certificate programs that have met the Two Year Rule. Full-time measurement is 12 quarter credit hours.

Program	Program Objective	Reference 2002-2003 Catalog
Accounting	Certificate	pg. 7
Managerial Accounting	Diploma	pg. 7
Legal Office Specialist	Diploma	pg. 10
Indiaal Melaa Caasialist	Dialogo	
Secretarial	Diploma	pg. 11
* Network Support Technician	Diploma	pg. 13

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* The Network Support Technician diploma program qualifies for VA educational award benefits under the provisions of **R 21. 4251 on October 2, 2002.**

Please note the "Leave of Absence Policy" in the catalog. The School will report a change in the hours of attendance or interruption as required by CFR 21.4203 to the Veterans Administration immediately.

All individual unit courses that lead to the approved programs are approved for VA educational award benefits.

The approval action should adequately cover the curriculum offered, however, if there are any questions, please call this agency at 701-328-9660.

Best regards,

Rhonda Schauer

RS/Def

Director

XC:

Betty Largent, Director, Aaker's Business College, 4012 19th Ave. S. E., Fargo, ND 58103

For NDSAA Office Use Only IHL NCD

APP OJT A.) Program Approval Actions Approved 5 6 Facility discontinues program offerings Disapproved B.) Other Approval Actions-program & Approved 3 policy info contained in facility publication, revision to policy or practice, any other Disapproved approval action

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SB2119



Edward T. Schafer, Governor . Jennifer L. Gladden, Executive Director

1000 E Divide Ave . PO Box 5507 . Bismarck ND 58506-5507

July 29, 1998

Aaker's Business College 4012 19th Avenue SW Fargo, ND 58103

Dear Kristi Waite, President:

Job Service North Dakota is the administrative agency for the Job Training Partnership Act (JTPA) in the state of North Dakota. We currently have an individual interested in enrolling in a program at your training facility.

JTPA classroom training procurement requires that contractual arrangements be established between Job Service North Dakota and vendors of classroom training programs.

A JT-05, Classroom Training Agreement, is enclosed and must be signed and on file with Job Service before we can assist any JTPA participant with training at your training facility.

The JT-05 should be sent to:

Job Service North Dakota
Program Support
P.O. Box 5507
Bismarck, North Dakota 58506-5507

If you have any questions, please contact Program Support at (701) 328-2997.

Sincerely,

for Tom Pederson

Manager Program Support

Enclosure

701/328-2825 (Voice) • 701/328-3202 or 800/438-2509 (TDD) • 701/328-4000 (PAX)

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CLASSROOM TRAINING AGREEMENT 5B2119
10B SERVICE NORTH DAKOTA

ADMINISTRATOR

TRAINING INSTITUTION

Name:	Job Service North Dakota	Name: Aaker's Business College
		Fargo-Moorhead Campus
Street:	1000 East Divide Avenue	Street: 4012 19th Avenue SW
	PO Box 5507	
City/St./ZIP	Bismarck ND 58506-5507	City/St/ZIP: Pargo ND 58103
Phone:	(701) 328-2997	Phone: 701-277-3889
, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		Fax 701-277-5604
Signature:		Signature:
Typed Name	: Jennifer Gladden	Typed Name: Kristi Waite
Title:	Executive Director	Title: President
		Date:
This agreem	·	MBER:
and/o	agreement shall begin and remodify said agreement. All modifications to this agreemy with 30 days written notice.	remain valid until such time as either party doesse it necessary to terminate presment shall be made in writing. This agreement may be terminated by
	raining Institution shall provide classroom training its taining the skills necessary to secure employment.	struction which will assist individuals selected by Job Service North Dakota
Dako Which	m. Approved course of study, and/or courses, shall be	on only in the course of study or courses approved by Job Service North sprovided to the institution by means of an Authorization to Entoll form the will pay the tuition, books, and fees as stipulated in the Authorization is tuition policies.

- 4. Once the participant identified in the Authorization to Enroll completes the requirements for the course of study or courses identified by Job Service North Dakots, all job training assistance will terminate.
- 5. If Job Service North Dakota determines that, because of unsatisfactory participation or progress on the part of the student, it would be in the best interest to terminate support under job training programs, the Training Institution will be notified in writing of the decision, the effective date, and the reason for termination. Job Service has the right to officially drop a participant from any class or course of study funded by Job Service North Dakota.
- 6. The Training Institution agrees to shide by all applicable federal, state, and local laws governing its organization and its programs during the life of this agreement which shall include, but not be limited to, all levels of policy and regulation eminating from the Job Training Partnership Act of 1992; Public Law 97-300, as amended or revised; and Job Opportunities and Basic Skills Programs.
- 7. The Training Institution will take affirmative action to ensure the training will be provided on a nondiscriminatory basis regarding race, color, religion, sex, national origin, ago, disability, political affiliation or belief, for beneficiaries only, citizenship, or participation in Job Training Parmership Act, Job Opportunities and Basic Skills, or Trade Adjustment Assistance Programs.

Job Service is an equal opportunity employer/program provider.

Auxiliary side and services are available.

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Operator's Signature

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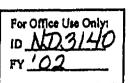
- 8. Payments to the institution shall be predicated on submission of properly completed documents. Documents shall be evidence of enrollment, tuition, ices, and appropriate adjustment, discounts, rebates, and refunds consistent with the policies of the institution governing tuition, books, and fees.
- 9. The Training Institution assures that Federal Pell Grant Program/Federal Supplemental Education Opportunity Grant (FSEOG) and/or other federal, state, and local grants available to the student and JTPA/JOBS/TAA funds will not be used for the same expenses. The Training Institution and the Agency shall fully disclose to any JTPA participant total financial obligations of the training and the investments being made by employment training programs administered by Job Service North Dakota, grants, work study, and any and all other contributions to the education of the participant. The Resource Cost of Attendance (RCOA) developed by Job Service North Dakota for a participant may include student locals as long as there is documentation that the participant is informed in writing that JTPA funds or JOBS funds will not be available to repay the loans. Participants must further be informed that the decision to secure a student loan is as independent act of the participant and not a part of the authorized JTPA/JOBS commitment.
- 10. The Training Institution agrees that all departments involved in implementation of this agreement are informed of all terms and conditions including, but not limited to, the financial aid office, classroom instructors, institution bookstores, and the Training Institution's business office and controller.
- 11. The Training institution agrees to report to Job Service North Dakota as soon as they become aware of unsatisfactory program participation or a drop in classes after the school term is started by any participant selected to attend the Training Institution by Job Service North Dakota.
- 12. The Training Institution, through its financial aid office, agrees to provide notification to Job Service North Dakota of financial aids and scholarships provided to participants selected for participation in training by Job Service North Dakota during the time students participate in programs funded under JTPA or JOBS.
- 13. Funds available under this agreement shall be used exclusively for tuition, books, and fees as approved by Job Service North Dakota in accordance with the Training Institution's published fees. Funds for certified individuals served under this agreement shall not exceed the amounts on the training authorization supplement unless it is modified by Job Service North Dakota.
- It is further agreed that Job Service North Dakota will have access to grade point achievement, course of study, class schedule, course drafts, etc., and other pertinent information the institution compiles concerning the participants who are selected by Job Service North Dakota and copies of this information will be tendered to Job Service North Dakota, federal Department of Labor, and the state Department of Human Services upon request. Pursuant to the source of funds for the Job Training Partnership Act, the state and federal regulations require that access be granted to the U.S. Controller General, Secretary of Labor, and/or designated agents. The Training Institution shall provide to Job Service North Dakota copies of all grades of JTPA and JOBS participants during the life of this agreement. Job Service North Dakota has on file a copy of JSND-688, Vocational Training Agreement, signed by the participant authorizing release of this information to Job Service North Dakota.
- 15. The Training Institution agrees to provide a list of all required tools and equipment for programs of training and courses identified by Job Service North Dakots.
- 16. The Training Institution agrees to retain physical control of all tools and equipment purchased for participants selected by Job Service North Dakota until completion of all training at that school or institution and/or release notification issued by Job Service North Dakota. Tools and equipment may be removed from the Training Institution if it is a requirement of the class for study purposes.
- 17. The Training Institution agrees to save and hold harmless Job Service North Dakota from all losses by liabilities, claims and judgments, demands and legal proceedings, recoveries, costs, expenses, and attorney fees brought or recovered against the Training institution which may arise as a result of the acts of any of its personnel in its performance of its obligations under this agreement.
- 18. This agreement, including any subagreements or modifications made a part of this agreement, including any subagreements or modifications made a part of this agreement, including any subagreements or modifications made a part of this agreement and is without affect.

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ROSTER OF COLLEGE OFFICIALS

Dollars for Scholars* - Scholarship Management Services* - ScholarShop*

To facilitate communication update its mailing list of	f college officials.	Please provide	the information rec	
important that our records	include this inform	ation. Thank you	l	
Aakers Busines NAME OF INSTITUTE				
4012 19th Aven	ue SW		orth Dakota	58103
Address		Ci	ty, State, Zip	
Debora R. Murr	av	Financia	1 Aid Directo	r
CONTACT PERSON		TI	TLE .	
				1
701 , 277-3889	(701)	277-5604	dmurray@aa	kers-college.com
Phone	Fax		E-Mail	
Kristi Waite				
PRESIDENT				
(701) 277-3889	(701)	277-5606		Ì
Phone	Fax		E-Mail	
Debora R. Murray	,			
DIRECTOR OF FINANC				
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I. COLLEGIATE PARTNERS AGREEMENT

NOW, THEREFORE, Aakers Business College
(the institution)'s commitments to Citizens' Scholarship Foundation of America, Inc. and its Dollars for Scholars scholarship foundations and other CSFA-related scholarships are as follows:

1. Agree that CSFA-related scholarships will be used to fill any unmet student need remaining after the institution's financial aid package has been calculated. CSFA defers to the institution's formula for defining student need.

- 2. When unmet need no longer exists, CSFA-related scholarships of up to \$1,000 will be used to adjust the "self-help" portion of students' financial aid packages. CSFA prefers that loans be reduced before work study grants. However, if the self-help portion of a student's aid package is not large enough to completely offset a CSFA-related award of up to \$1,000, CSFA recognizes the institution's right to make adjustments to its institutional grant to the extent that the CSFA-related award exceeds total self-help.
- 3. When need is fully met, treatment of the portion of CSFA-related scholarships that exceeds \$1,000 will be at the institution's discretion.*
- 4. Pay CSFA an annual fee of \$125 to enroll in the Collegiate Partners program.

Additional Options for Collegiate Partners:

Agree	to support CSFA further in the area(s) checked below:	
v	Duarida anadram fan Dellam fan Cabalana mantakana	

 Provide	speakers	ior	Dollars	ior	Scholars	workshops

1	Host Dollars	for Scholars	or other CSFA ex	vents
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 Support	efforts to	organize	a	local	Dollars	for	Scho	lars (chapte	16
1					•					

·	Refer potential	corporate student	aid sponso	rs to CSFA
'	Other:		٠.,	

II. PARTNERS PLUS PROGRAM (Optional)

Partners Plus institutions agree to reduce the self-help portion of the student's financial aid package (loans and work study) beyond the contractual limit of \$1,000 for all Collegiate Partners. Partner Plus schools indicate the "threshold" limit for their school. The Partners Plus Agreement is optional and is not required for enrollment in the Collegiate Partners program.

 Our	institution	enrolls	as a	a i	PARTNER	PLUS,	and	agrees	to	allow	awards	of
 \$		to	repla	1CE	e students' u	nmet no	ed or	r self-he	lp.			

(CSFA will provide special recognition of your institution's status as a Partner Plus in the 2001-2002 Collegiate Partners Directory and in the CSFA 2001 Annual Report.)

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Date

III. MATCHING PARTNERS AGREEMENT (Optional)

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Many of CSFA's Collegiate Partners take their support for private sector student aid one step further by agreeing to match scholarships for Dollars for Scholars chapters. CSFA's Collegiate Partners become Matching Partners by completing this section. The Matching Partners Agreement is optional and is not required for enrollment in the Collegiate Partners program.

For students with unmet need, we will match their Dollars for Scholars student awards, over and above any institutional funds previously committed to the student. Our institution will continue to match any scholarship until the date listed below. If we decide not to enroll in CSFA's Collegiate Partners program next year, we will continue to honor our commitment to the Dollars for Scholars students by matching their awards until the expiration date of this agreement.

to nonor our communent to the Dollars for Scholars students by matching their awards until the expiration date of this agreement.	
NOTE: The CSFA Matching Partners expiration date is your institution is listed in the current CSFA Collegiate Dollars for Scholars awards for the upcoming school year year for matching.	Partners Directory, the high school students receiving
•	Expiration Date: July 31, 2003
WHEREAS, Aakers Business College agrees to become a Matching Partner and	id makes further commitments to match
scholarship awards coming to its campus as fo	llows:
X Option 1: Agrees to match Dollars community volunteers, up will reserve a total budge academic year for these reci	for Sc. ola.s chapter awards, raised by to \$\frac{500.00}{2}\$ per recipient. We ted amount of \$\frac{5}{2}\$ per pients.
community volunteers, up to will reserve a total budge academic year for these remarks CSFA-managed corporate will be will be will be academic.	for Scholars chapter awards raised by o \$ per recipient. We eted amount of \$ per ecipients; AND IN ADDITION, agrees to orate awards up to \$ reserve a total budgeted amount of cademic year for these recipients.
IV. SIGNATURE REQUIRED OF ALL INSTITUTIONS	
WITNESS the execution hereof by the undersigned, duly authorized officers from the Collegiate and/or Matching Partner institution and Citizens' Scholarship Foundation of America, Inc.	
Aakers Business College	Citizens' Scholarship Foundation of America. Inc.
Octobra R. Muxxau	
Signature (1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2
Debora R. Murray	William C- Nelson
Print or Type Name	William C. Nelsen
Financial Aid Director Title	President, CSFA
(701) 277-3889 Phone	Phone: (800) 248-8080
Prione	

When completed, please forward this document and the \$125 enrollment fee to the CSFA field office listed on the enclosed sheet.

(REV: 10/2000)

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Section 21 of the Declaration of Rights in Article I of the Constitution of the State of North Dakota prohibits "special privileges" for one segment of taxpayers over others. Additionally, this section allows legislative assembly the ability to "alter, revoke, or repeal" unjust laws within the state. This segment of our law provides the vehicle for elected officials to produce change. This is change that is long overdue in regard to the Student Financial Assistance and Scholars Program.

Chapter 15-62.2 of the North Dakota Century Code provides a Student Financial Assistance and Scholars Program for qualified students. Unfortunately, one definition of the law disregards Section 21 of the State constitution by excluding taxpayers that choose to attend a private institution. An "eligible institution" is defined as an accredited public or nonprofit private postsecondary institution in this state.

A growing number of your constituents ask of you: assist in amending the definition of an "accredited public or nonprofit private postsecondary institution" under the old law and include an accredited public or private postsecondary institution offering a program of at least two academic years in length in this state.

Chapter 15-62.3 of the North Dakota Century Code states that the definition of an "Accredited private institution"......accredited by the north central association of colleges and secondary schools or the accrediting association of Bible colleges.

Again, a growing number of your constituents ask of you: assist in amending the definition of an "accredited private school" under the old law and include private institutions with national accreditation approved by the United States Department of Education. The current discriminatory language filters the students' right to funds specifically to state-run schools and to private institutions accredited only by the north central association of colleges and secondary schools or the accrediting association of bible colleges. In fact, legislators have actually responded to North Dakota residents' email regarding the issue that the law is written that way to exclude private schools in order to secure the monies for state educational facilities. This grant is not monies for the educational facility but for the North Dakota residents needing financial assistance to further their education. Surely, we, as a state, do not promote discrimination for financial gain. Amendment of this discriminatory definition will show support for taxpayers that choose to attend a college that is recognized by the United States Department of Education. The alteration of the definition will give residents the ability to benefit from tax-based educational funding. The change will demonstrate that leaders in North Dakota do read and respond to constituent concerns.

It is important to remember that the Student Financial Assistance and Scholars Program is a student aid and not an aid to the institution.

The United States Department of Education stipulates a list of accrediting agencies whose accreditation enables the institution they accredit to establish eligibility to participate in the Federal student financial assistance programs administered by the Department under Title IV of the Higher Education Act of 1965. Title IV schools have recognized

Operator's Signature

accreditation. Certainly we should not fault the Department of Education with their requirements for a resident's participation in the federal student financial assistance programs to not include the North Dakota residents' right to participate in the Student Financial Assistance and Scholars Program.

Currently, students in the State of North Dakota have a choice of attending any degree-granting institution in North Dakota — and have access to the Student Financial Assistance and Scholars Program — with the exception of students who are attending private colleges in the State of North Dakota who are accredited by a national accrediting agency recognized by the Department of Education. It is unfair of the State of North Dakota to deny the North Dakota resident, a choice of which degree-granting institution to attend based on the availability of the Student Financial Assistance and Scholars Program.

Aakers Business College has had 1,189 students who reside in North Dakota and 263 students who reside in Minnesota since November 9, 1999. The 1,189 students were denied the right to this program. Of the student body, 82% were North Dakota residents, paying North Dakota taxes, and 86% of the graduates have chosen to be employed by North Dakota companies and remain in North Dakota as constituents and taxpayers. On January 10, 2003, Aakers Business College had an enrollment of 330 students; 277 (84%) of these individuals were degree-seeking students with 244 (88%) of these students being North Dakota residents. Again, this is a resident of North Dakota's right to this program for financial assistance, not a grant to the college.

US Senator Byron Dorgan responded to Debora Murray's letter to him regarding this issue, "The state of North Dakota should ensure that all citizens wishing to receive an education can do so without having to surrender benefits or face laws and regulations that prohibit them from receiving the financial aid necessary to go to school due to the choice of institution they wish to attend".

Operator's Signature

(For Sen. J. Lee)

Scratch Pad for Bill: SB 2119

SB 2119 House Education Committee March 4, 2003

I am Senator Judy Lee and I am here to support SB 2119.

This bill was introduced to correct a situation in which Aaker's Business College in Fargo is not able to offer its students access to North Dakota's state grant program for tuition assistance. It is the only college in the state which cannot use the program.

Chapter 15-62.2 of the ND Century Code provides for a state grant program for qualified students, but it does not allow for access by students attending some private institutions. The amendments to the Century Code required by this bill will allow students at Aaker's Business College, which is accredited by a national accrediting body, to participate.

I have attached an amendment which corrects the chapter to subsection 2 of section 15-62.2-00.1, which was in error in the original bill. The amendment also clarifies that students attending a college such as Aaker's would qualify, because it offers programs of at least two academic years in length. This was recommended in order to more clearly identify the institutions from which students can qualify.

Aaker's offers educational opportunities to many individuals to who are enrolled in programs which will allow them to qualify for careers which offer better salaries. Many of their students are single parents for whom the flexibility of scheduling and support of their family situations offered by Aaker's make the difference between the student being able to attend classes or not.

I have been at Aaker's Business College on several occasions and I have always been impressed with the facility and the professional levels of the instructors and the programs offered there. 86% of the Aakers' graduates since 2000 have stayed and

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are working in ND.

We all know that becoming better educated helps people to become self-sufficient and more self-confident. That is the goal which Aaker's Business College has for its students.

I support this change in state law, with the amendments, and I hope that your committee grants it a favorable review.

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