

Sixtieth
Legislative Assembly
of North Dakota

REENGROSSED HOUSE BILL NO. 1395

Introduced by

Representatives Kasper, Boe, Charging, D. Johnson

Senators Flakoll, Wardner

1 A BILL for an Act to provide financial assistance to tribally controlled community colleges.

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

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

4 1. "Nonbeneficiary student" means a resident of North Dakota who is enrolled in a
5 tribally controlled community college but is not an enrolled member of a federally
6 recognized Indian tribe.

7 2. "Tribally controlled community college" means an institution of higher education in
8 this state which is formally controlled or has been formally sanctioned or chartered
9 by the governing body of an Indian tribe, or any combination of federally
10 recognized Indian tribes.

11 **SECTION 2. Institutions eligible for grant assistance.** Any tribally controlled
12 community college located in this state is eligible to receive supplemental grant assistance for
13 nonbeneficiary students.

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

18 **SECTION 4. Submission of grant application - Distribution of grants.** In order to
19 qualify for a grant under this Act, an institution shall submit an application in the manner
20 required by the state board of higher education. If an application is approved, the board shall
21 distribute to each tribally controlled community college, during each year of the biennium, four
22 thousand five hundred eighty-one dollars for each nonbeneficiary student on a full-time
23 equivalent basis. If the amount appropriated is insufficient, the board shall distribute a prorated
24 amount per nonbeneficiary student on a full-time equivalent basis.

1 **SECTION 5. Reporting by recipient institutions.** Each institution receiving a grant
2 under this Act shall annually provide to the state board of higher education an accurate and
3 detailed account of the expenditures of the grant funds received by the institution under
4 sections 1 through 5 of this Act and a copy of the institution's latest audit report and
5 documentation of the enrollment status and ethnic status of each student on whose account
6 financial assistance under this Act is sought.

7 **SECTION 6. GRANT ASSISTANCE - SOURCE.** The state board of higher education
8 shall use \$700,000, or so much of the sum as may be necessary, from the student financial
9 assistance grants line item in section 3 of House Bill No. 1003, as approved by the sixtieth
10 legislative assembly, for the purpose of providing grant assistance payments to tribally
11 controlled community colleges, for the biennium beginning July 1, 2007, and ending June 30,
12 2009. No more than \$350,000 may be expended for this purpose during the first year of the
13 biennium.