

2009 HOUSE EDUCATION

HB 1566

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1566

House Education Committee

☐ Check here for Conference Committee

Hearing Date: January 27, 2009

Recorder Job Number: 7831

Committee Clerk Signature

Carmen Hunt

Minutes:

Chairman Kelsch: We heard Rep. Kasper's comments about HB 1566 when testifying earlier on HB 1394. **(See HB 1394 minutes and Recorder Job Number 7830.)**

Dr. Jim Davis, President, Turtle Mountain Community College, appeared in support of HB 1566. This college is also a member of North Dakota Association of Tribal Colleges. **(See**

Attachment 1. This is testimony on behalf of all member colleges of the North Dakota Association of Tribal Colleges.) In the formative years, there were some formalized agreements between their communities and the neighboring college or university. When they became accredited years later, they still struggled, but they had a different relationship with the colleges and universities throughout North Dakota. What they see in HB 1566 is something that is being formalized. He doesn't think this bill is intended to be a one-way street for the tribal colleges solely, but how can the universities benefit as well. There needs to be a better understanding and better working relationship between their colleges and the ND university system.

Dr. David Gipp, President, United Tribes Technical College, appeared in support of HB 1566. United Tribes Technical College is a member of North Dakota Association of Tribal Colleges. They believe it would be a good beneficial thing for all of their tribal colleges and for the respective 11 public institutions and for their tribal government in seeking ways in which

they can better work together, how they can coordinate, and how they can look at ways in which they can improve upon their research asking and participate in growth capacity in terms of the future of North Dakota particularly as it relates to the growing and young population they have to serve throughout the state.

There was no opposition to HB 1566.

Chairman Kelsch: I have a technical question for the chancellor's office on HB 1566. Is the chancellor listed as the commissioner of higher education in statute?

Michel Hillman, ND University System, appeared to answer Chairman Kelsch's question. Actually in the constitution he is listed as commissioner so he serves as both commissioner and chancellor, but for the formal constitutional and label references, we use the title commissioner.

Rep. Jerry Kelsh: I see there is no fiscal note or appropriation on here. Can this be done without some money being spent or do you have some in your budget that you can spend in this area?

Michel Hillman: I think there is quite a bit of flexibility here the way the bill is worded right now. We could continue on with joint meetings and talk about where things go and basically there would be travel expenses involved. Obviously, the chancellor's cabinet meets anyway so we try to double up as much as we can. If they are actually hiring a consultant for statistical work or those kinds of things, certainly there could be expenses involved. Again, I think we are waiting to see the legislative discussion, what the expectations are. As you heard from the testimony this morning I think we have an excellent and, improving still, relationships with the tribal colleges, but we are all about continuous improvement too. If there are things that we can and should be doing better, we would like to know about that. We will work on those.

Vice Chair Lisa Meier: Have there been any studies in the past with tribal colleges and the university system of North Dakota?

Michel Hillman: We do have, depending on how you label the word study. There are a lot of relationships and a lot of things when we come together. We do an official fall enrollment, for example, where we require degree credit enrollments at university system campuses. We also invite the tribal and private colleges to participate. It is not always 100%, but we do see in our enrollment report we have enrollment information when it is provided by tribal colleges included. Actually our office serves as ICA(?) as integrated by secondary education data system. US Dept. of Education official statistics are for data collection, and so we work with the tribal and private colleges on all of those things. We had a meeting last week on the tenth floor where we talked about the university system economic impact study. The tribal colleges also want to do that but will probably use the same consultant and a lot of the background in that study. I can't think of a special study that we worked on together just regarding the cooperation itself. I think there is a free and open communication chain. There aren't any barriers.

The hearing was held open for a few minutes because it was technically scheduled for 11:30.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1566

House Education Committee

☐ Check here for Conference Committee

Hearing Date: January 27, 2009

Recorder Job Number: 7833

Committee Clerk Signature

Carmen Hart

Minutes:

Rep. David Rust made a motion for a **Do Pass** on HB 1566. There was a second by **Rep.**

Dennis Johnson.

Rep. Corey Mock: I was curious. What is the relationship between HB 1566 and HCR 3004?

Chairman Kelsch: The difference is that in HCR 3004 that study resolution would be done by

Legislative Council interim committee, and HB 1566 would be done by the chancellor. My guess is that there probably would be some similarities to them, but I think that the chancellor's office would be looking at—their study would be more collaborative efforts. HCR 3004 looks more at what we can do to make things more successful.

Rep. Jerry Kelsh: Another difference would be that 1566 would have to be done and that study resolution would have to be approved by Legislative Council before it would be done.

DO PASS, 14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING. Vice Chair Lisa Meier is the carrier of the bill.

Date: 1-27-09
Roll Call Vote #: _____

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1566

House Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken ☒ Do Pass ☐ Do Not Pass ☐ Amended

Motion Made By Rep. Rust Seconded By Rep. Johnson

| Representatives | Yes | No | Representatives | Yes | No |
|--------------------------|-----|----|----------------------|-----|----|
| Chairman RaeAnn Kelsch | ✓ | | Rep. Lyle Hanson | ✓ | |
| Vice Chairman Lisa Meier | ✓ | | Rep. Bob Hunsakor | ✓ | |
| Rep. Brenda Heller | ✓ | | Rep. Jerry Kelsh | ✓ | |
| Rep. Dennis Johnson | ✓ | | Rep. Corey Mock | ✓ | |
| Rep. Karen Karls | ✓ | | Rep. Phillip Mueller | ✓ | |
| Rep. Mike Schatz | ✓ | | Rep. Lee Myxter | ✓ | |
| Rep. John D. Wall | ✓ | | | | |
| Rep. David Rust | ✓ | | | | |
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Total (Yes) 14 No 0

Absent 0

Floor Assignment Rep. Meier

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
January 27, 2009 2:28 p.m.

Module No: HR-16-1041
Carrier: L. Meler
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1566: Education Committee (Rep. R. Kelsch, Chairman) recommends DO PASS
(14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1566 was placed on the
Eleventh order on the calendar.

2009 SENATE EDUCATION

HB 1566

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 1566

Senate Education Committee

☐ Check here for Conference Committee

Hearing Date: March 4, 2009

Recorder Job Number: 10133

Committee Clerk Signature

Minutes:

Chairman Freborg opened the hearing on HB 1566. All members were present.

Representative Kasper introduced the bill. Collaboration has already started with the North Dakota college presidents and the tribal college presidents. He asked Chancellor Goetz if this bill would be appropriate and helpful to have a study and he said by all means. The bill would require Higher Education to study through the Chancellor's office the opportunity for increased collaboration and cooperation between the North Dakota University System and the tribal colleges. Over 90% of the graduates of the tribal colleges stay in North Dakota. The highest birthrate in the state of North Dakota is among the Native American citizens. We are looking for work force development and a more educated work force. This is a good chance to continue to look at how we can expand this opportunity. Many tribal college graduates go on to education with the North Dakota University System. It is a required study and the Chancellor supports it.

Senator Flakoll said in line 12, is it the legislative intent to look at all graduates from the tribal colleges including the non beneficiary students or just the Native American students.

Representative Kasper said it is his intent to look at all options to increase educational opportunities for all North Dakota students.

Russell Mason, President of Fort Berthold Community College, testified in favor of the bill. See written testimony.

Jim Davis, President, Turtle Mountain Community College, testified in favor of the bill. See written testimony. The tribal colleges are good feeder programs to the North Dakota University System 4 year schools.

Russell Swagger, Vice President, United Tribes Technical College, distributed testimony from David Gipp who was out of town. See written testimony. Now more than ever, United Tribe Technical College students go on for further degrees. This collaboration will help make sure there is no impediment to their transfer to the other institutions of higher education. We need to consider the economic impact of the ease of transfer, the return on investment is 20:1 at UTTC.

Chairman Freborg closed the hearing on HB 1566.

Senator Flakoll moved a Do Pass on HB 1566, seconded by Senator Bakke. The motion passed 5 – 0. Senator Flakoll will carry the bill.

Date: 3/4/09
Roll Call Vote #: 1

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. *1566*

Senate Education Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken

Motion Made By

Seconded By[illegible]

Total (Yes) 5 No 0

Absent _____ O

Floor Assignment

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
March 4, 2009 12:00 p.m.

Module No: SR-39-4018
Carrier: Flakoll
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1566: Education Committee (Sen. Freborg, Chairman) recommends DO PASS
(5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1566 was placed on the
Fourteenth order on the calendar.

2009 TESTIMONY

HB 1566

NORTH DAKOTA ASSOCIATION OF TRIBAL COLLEGES

Attachment 1
HB
1566

Written Testimony Regarding HB 1566 Support for the Commission Study of Higher Education and Tribally Controlled Community Colleges

January 27, 2009

Madam Chairwoman and Members of the Committee;

On behalf of the North Dakota Association of Tribal Colleges, please accept this document as our collective support for HB 1566.

This Legislation introduced by Representative Kasper and co-sponsored by you, Madam Chairwoman, Representative Meier, and Senators Flakoll and Wardner represents the Legislation's continued commitment and support of higher education and strengthening the relationship between the North Dakota University System and the tribally controlled colleges of the North Dakota Association of Tribal Colleges.

We, the North Dakota Association of Tribal Colleges, join Representative Kasper and Chancellor Goetz by enthusiastically supporting this legislation to establish a commission study of higher education and tribally controlled community colleges. We believe the information garnered from this study will result in greater opportunities for North Dakota students pursuing higher education, and stronger collaborations between the North Dakota University System as a whole, its individual campuses, and the member tribally controlled colleges of the North Dakota Association of Tribal Colleges.

We are greatly encouraged by the continued commitment, effort and support of this legislative body, the North Dakota University System, and specifically the leadership of Rep. Kasper, as we move this legislation through fruition. We would like to sincerely thank Representative Kasper, you, Madam Chairwoman, and members of the House Education Committee for your careful consideration and support of HB 1566. Furthermore, we respectfully request that HB 1566 receive a "Do Pass" from the House Education Committee.

Sincerely and Respectfully;

The North Dakota Association of Tribal Colleges Board of Directors;

Mr. Russell Mason; Fort Berthold Community College – President
Dr. Laurel Vermillion; Sitting Bull College – Vice President
Dr. David Gipp; United Tribes Technical College - Secretary
Ms. Diana Canku; Sisseton Wahpeton College - Treasurer
Dr. James Davis; Turtle Mountain Community College – Member at Large
Dr. Cynthia Lindquist Mala; Cankdeska Cikana Community College – Member at Large

North Dakota Association of Tribal Colleges President and Chief Executive Officer;

Dr. T. M. Bull Bennett

NORTH DAKOTA ASSOCIATION OF TRIBAL COLLEGES

Written Testimony Regarding HB 1566 Support for the Commission Study of Higher Education and Tribally Controlled Community Colleges Senate Education Committee

March 4, 2009

Honorable Chairman Freborg and Members of the Committee;

On behalf of the North Dakota Association of Tribal Colleges, please accept this document as our collective support for HB 1566.

This Legislation introduced by Representative Kasper and co-sponsored by you, Mr. Chairman, along with Representatives Kelsch and Meier, and Senator Wardner represents the Legislation's continued commitment and support of higher education and strengthening the relationship between the North Dakota University System (NDUS) and the tribally controlled colleges of the North Dakota Association of Tribal Colleges (NDATC).

There are a number of examples that demonstrate ongoing willingness and commitment to cultivate a strong relationship between NDUS and NDATC. This legislation is another important step in realizing this commitment. We, the member colleges of NDATC, join Representative Kasper and Chancellor Goetz by enthusiastically supporting this legislation to establish a commission study of higher education and tribally controlled community colleges. We believe the information garnered from this study will result in greater opportunities for North Dakota students pursuing higher education, and stronger collaborations between the NDUS as a whole, its individual campuses, and the member tribally controlled colleges of NDATC.

We are greatly encouraged by the continued commitment, effort and support of this legislative body, the NDUS, and specifically the leadership of Rep. Kasper, as we move this legislation through fruition. We would like to sincerely thank Representative Kasper, you, Chairman Freborg, and members of the Senate Education Committee for your careful consideration and support of HB 1566. Furthermore, we respectfully request that HB 1566 receive a "Do Pass" from the Senate Education Committee.

Sincerely and Respectfully;

The North Dakota Association of Tribal Colleges Board of Directors;

Mr. Russell Mason; Fort Berthold Community College – President
Dr. Laurel Vermillion; Sitting Bull College – Vice President
Dr. David Gipp; United Tribes Technical College - Secretary
Ms. Diana Canku; Sisseton Wahpeton College - Treasurer
Dr. James Davis; Turtle Mountain Community College – Member at Large
Dr. Cynthia Lindquist Mala; Cankdeska Cikana Community College – Member at Large

North Dakota Association of Tribal Colleges President and Chief Executive Officer;

Dr. T. M. Bull Bennett

HOUSE BILL 1566
61st Legislative Assembly of ND
Senate Education Committee – Layton Freborg, Chairman
Wednesday, March 4, 2009 – Missouri River Room
Testimony by: Jim Davis, President, TMCC

Good morning! Thank you Chairman Freborg and members of the Committee for allowing me time to testify on behalf of the Turtle Mountain Community College and in support of HB-1566. My name is Jim Davis and I am the President of the Turtle Mountain Community College located in Belcourt, ND.

The commission study under this bill is yet another step in North Dakota to strengthen higher education amongst all institutions of higher learning. Although we have had collaboration and articulation agreements with most of the higher education institutions in ND, this bill provides the means to strengthen even more the higher education opportunities that we can and should offered to all of our citizens.

I wish to thank Dr. Goetz and his staff within the North Dakota University System for the work they have done to informally discuss common issues and concerns as they apply to NDUS and the tribal colleges in this state. To formalize this process and find ways to strengthen higher education in ND is something that was not thought of years ago when tribal colleges first came onto the scene some thirty-five years ago.

I am greatly encouraged by the people in the ND legislature who are willing to understand and appreciate the importance tribal colleges play toward providing higher education opportunities available to all citizens. Tribal Nations and their people have been the most underserved population when it comes to higher education in the past. Today, TMCC has a student enrollment of 790 students. Many of these students will be transferring to the mainstream institutions in the state upon completion of their two years at TMCC.

There are many other ways we can improve the transfer of our students to the ND mainstream institutions and later today and tomorrow I and members of my staff will be meeting with NDSU President Chapman and his staff to improve and find ways so there is a seamless transition of tribal college students to NDSU.

I believe this bill, if passed, will have a positive impact on the mainstream institutions once we collectively determine how to do this. I also believe the results of this study will help achieve this through a written report, a report we can use to strengthen higher education in North Dakota.

I recommend a "do pass" by this Committee. Thank you and I will entertain any questions you may have at this time.

Testimony on HB 1566

**A bill requiring the North Dakota board of higher education to conduct
a study on the "Interplay" between the North Dakota university system and the Tribally
controlled colleges**

**Before the Senate Education Committee
61st Legislative Assembly, State of North Dakota**

March 4, 2009

**David M. Gipp, President
United Tribes Technical College**

Mr. Chairman and members of the Committee:

HB 1566 is basically a study resolution that seeks to explore the relationship between the Tribally controlled colleges in North Dakota and the North Dakota university system.

At the outset, I want to make clear to the Committee that the Tribal colleges have been meeting with the North Dakota university system for some time regarding a number of issues. For example, the tribal colleges have agreed to a common course numbering system consistent with that of the North Dakota university system, allowing easier recognition by the North Dakota state colleges of general education credits earned by students attending tribal colleges.

Essentially, HB 1566, asks the state commissioner for higher education in North Dakota to do three things:

- 1) study the relationship generally between the tribal colleges and the North Dakota university system and determine how they can work together more effectively;
- 2) study how Native American students can be assisted to pursue options in higher education;
- 3) study how Native American students can be assisted so that retention rates and graduation rates from college are increased;

While I believe that we are making progress with the North Dakota university system independent of the study contemplated by HB 1566, the study contemplated by HB 1566 is a good step forward and will aid in development of the relationship between the tribal colleges and the North Dakota university system. Therefore, we urge the House Education Committee to give HB 1566 a "DO PASS" recommendation.