

Sixty-first
Legislative Assembly
of North Dakota

REENGROSSED SENATE BILL NO. 2062

Introduced by

Legislative Council

(Workforce Committee)

1 A BILL for an Act to create and enact three new sections to chapter 15-62.2 of the North
2 Dakota Century Code, relating to opportunity grants for students attending certain institutions of
3 higher education; to amend and reenact subsections 1 and 3 of section 15-10-37 and sections
4 15-62.2-02 and 15.1-01-02 of the North Dakota Century Code, relating to student financial
5 assistance grants, technology grants, and joint meetings of the state's education boards; to
6 provide for a legislative council study; to provide an appropriation; to provide an expiration date;
7 and to declare an emergency.

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

9 **SECTION 1. AMENDMENT.** Subsections 1 and 3 of section 15-10-37 of the North
10 Dakota Century Code are amended and reenacted as follows:

- 11 1. The state board of higher education shall administer a science, technology,
12 engineering, and mathematics occupations student loan program that encourages
13 college students to pursue ~~technology-based~~ studies in these fields, to participate
14 in ~~technology~~ internship programs, and to remain in the state after graduation.
15 The board shall adopt rules to implement the program, including internship
16 requirements, guidelines to determine which technology-related courses of study
17 are eligible under the program, and standards ~~for~~ of eligibility for primary sector
18 employment.
- 19 3. The state board of higher education shall distribute student loan grants directly to
20 the Bank of North Dakota to repay outstanding student loan principal balances for
21 eligible applicants. The maximum student loan grant amount for which an
22 applicant may qualify is ~~one~~ two thousand dollars per year and a total of ~~five~~ ten
23 thousand dollars, or a lesser amount established by rule adopted by the state
24 board of higher education.

1 **SECTION 2. AMENDMENT.** Section 15-62.2-02 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **15-62.2-02. State board of higher education - Powers and duties.**

4 1. The state board of higher education shall:

5 ~~4.~~ a. Administer the North Dakota student financial assistance program and the
6 North Dakota scholars program and adopt functional rules regarding the
7 eligibility and selection of grant and scholarship recipients.

8 ~~2.~~ b. Determine the amount of individual grants, ~~but~~ which may not exceed one
9 two thousand dollars per recipient per academic year, under the North Dakota
10 student financial assistance program.

11 ~~3.~~ c. ~~Adopt for~~ For the North Dakota student financial assistance program, adopt
12 criteria for substantial need, based upon the ability of the parents or guardian
13 to contribute toward the applicant's educational expenses.

14 ~~4.~~ d. Establish the appropriate procedures for fiscal control, fund accounting, and
15 necessary reports.

16 ~~5.~~ e. Apply for, receive, expend, and administer granted moneys from federal or
17 private sources.

18 2. The state board of higher education may not expend in excess of twenty-six million
19 dollars for student financial assistance grants during the 2009-11 biennium.

20 **SECTION 3.** A new section to chapter 15-62.2 of the North Dakota Century Code is
21 created and enacted as follows:

22 **Opportunity grant - Eligibility.** A student is eligible for an opportunity grant if the
23 student:

24 1. Was a resident of this state for the twelve months preceding the date the student
25 met the graduation or high school diploma requirements set forth in subsection 2;

26 2. During or after the 2010-11 school year:

27 a. Graduated from a public or nonpublic high school in this state;

28 b. Graduated from a high school in another state under chapter 15.1-29; or

29 c. Met the requirements for a high school diploma through home education, in
30 accordance with section 15.1-23-17;

- 1 3. Completed the requirements for a merit scholarship with technical honors or a
2 merit scholarship with academic honors, as set forth in House Bill No. 1400, as
3 enacted by the sixty-first legislative assembly;
- 4 4. Submitted an application for an opportunity grant to the state board of higher
5 education or an accredited private higher education institution; and
- 6 5. a. Is enrolled in an institution of higher education under the control of the state
7 board of higher education or an accredited private higher education
8 institution;
- 9 b. Is a "full-time" student, as defined by the institution;
- 10 c. Is enrolled in an associate or baccalaureate program; and
- 11 d. Maintains a minimum 3.0 cumulative grade point average.

12 **SECTION 4.** A new section to chapter 15-62.2 of the North Dakota Century Code is
13 created and enacted as follows:

14 **Opportunity grant - Amount payable - Annual increase.**

- 15 1. Beginning with the 2010-11 school year, if a student who is eligible for an
16 opportunity grant enrolls in an institution of higher education, the board shall
17 forward to the enrolling institution, on behalf of the student, an amount equal to
18 one thousand two hundred dollars per semester.
- 19 2. A student is not entitled to receive more than eight thousand eight hundred dollars
20 under section 3 of this Act.
- 21 3. Section 3 of this Act does not require a student to be enrolled in consecutive
22 semesters. However, an opportunity grant is valid for only six academic years
23 after the student's graduation from high school and may not be applied to graduate
24 programs.

25 **SECTION 5.** A new section to chapter 15-62.2 of the North Dakota Century Code is
26 created and enacted as follows:

27 **Annual report.** The state board of higher education shall provide to the legislative
28 council an annual report regarding the number of grants provided under section 4 of this Act
29 and demographic information pertaining to the recipients.

30 **SECTION 6. AMENDMENT.** Section 15.1-01-02 of the North Dakota Century Code is
31 amended and reenacted as follows:

1 **15.1-01-02. Joint meetings - State board of public school education - State board**
2 **of higher education - Education standards and practices board - State board for career**
3 **and technical education.** The state board of public school education, the state board of
4 higher education, the education standards and practices board, and the state board for career
5 and technical education shall meet together at least once each year at the call of the
6 superintendent of public instruction, the commissioner of higher education, the executive
7 director of the education standards and practices board, and the director of career and
8 technical education for the purposes of:

- 9 1. Coordinating elementary and secondary education programs, career and technical
10 education programs, and higher education programs-;
- 11 2. Establishing high standards and expectations of students at all levels of the
12 education continuum;
- 13 3. Ensuring that all students have access to challenging curricula;
- 14 4. Ensuring that the individuals instructing students at all levels of the education
15 continuum are highly qualified and capable;
- 16 5. Cooperating in the provision of professional growth and development opportunities
17 for ~~elementary and secondary teachers and administrators.~~ individuals instructing
18 students at all levels of the education continuum; and
- 19 ~~3.~~ 6. Ensuring cooperation in any other jointly beneficial project or program.

20 **SECTION 7. LEGISLATIVE COUNCIL STUDY - HIGHER EDUCATION STUDENT**
21 **TRUST FUND.** During the 2009-10 interim, the legislative council shall consider studying the
22 establishment of a higher education student trust fund, including available funding sources.
23 The study, if conducted, must review best practices to include demonstrated in-migration
24 patterns and long-term return on investment to the citizens of North Dakota by ensuring
25 students are prepared to meet the changing needs of a global economy and to strengthen the
26 economy of the state. The legislative council shall report its findings and recommendations,
27 together with any legislation required to implement the recommendations, to the sixty-second
28 legislative assembly.

29 **SECTION 8. APPROPRIATION.** The funds provided in this section, or so much of the
30 funds as may be necessary, are appropriated out of any moneys in the general fund in the state
31 treasury, not otherwise appropriated, to the state board of higher education for the purpose of

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1 implementing student financial aid programs, for the biennium beginning July 1, 2009, and
2 ending June 30, 2011, as follows:

3 Needs-based financial aid program	\$20,000,000
4 Opportunity grants	4,000,000
5 STEM student loan forgiveness	<u>1,000,000</u>
6 Total general fund appropriation	\$25,000,000

7 **SECTION 9. EXPIRATION DATE.** Section 1 of this Act is effective through June 30,
8 2011, and after that date is ineffective.

9 **SECTION 10. EMERGENCY.** Section 2 of this Act is declared to be an emergency
10 measure.