

Introduced by

1 A BILL for an Act to create and enact section 15-18.2-06.1 of the North Dakota Century Code,  
2 relating to a higher education funding formula minimum amount payable; to amend and reenact  
3 sections 15-18.2-03 and 15-18.2-05 of the North Dakota Century Code, relating to the higher  
4 education funding formula; to repeal section 15-18.2-04 of the North Dakota Century Code,  
5 relating to the institutional size factor of the higher education funding formula; to provide for a  
6 study; to provide for a report; and to provide legislative intent.

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

8 **SECTION 1. AMENDMENT.** Section 15-18.2-03 of the North Dakota Century Code is  
9 amended and reenacted as follows:

10 **15-18.2-03. Credit completion factor - Determination.**

- 11 1. ~~Except as provided in subsections 2 and 3 of this section, for each institution under its~~  
12 ~~control, the~~The state board of higher education shall multiply the product determined  
13 under section 15-18.2-02 by a base factor of:
- 14 a. ~~1.00 if the number of credit hours is at least 240,000;~~
  - 15 b. ~~1.05 if the number of credit hours is at least 180,000 but less than 240,000;~~
  - 16 e. ~~1.10 if the number of credit hours is at least 120,000 but less than 180,000;~~
  - 17 d. ~~1.15 if the number of credit hours is at least 90,000 but less than 120,000;~~
  - 18 e. ~~1.20 if the number of credit hours is at least 80,000 but less than 90,000;~~
  - 19 f. ~~1.30 if the number of credit hours is at least 70,000 but less than 80,000;~~
  - 20 g. ~~1.40 if the number of credit hours is at least 60,000 but less than 70,000;~~
  - 21 h. ~~1.50 if the number of credit hours is at least 50,000 but less than 60,000;~~
  - 22 i. ~~1.60 if the number of credit hours is at least 40,000 but less than 50,000;~~
  - 23 j. ~~1.70 if the number of credit hours is at least 30,000 but less than 40,000; and~~
  - 24 k. ~~1.80 if the number of credit hours is less than 30,000.~~

- 1        2. ~~If the square footage of an institution, when divided by the institution's weighted credit-~~  
2        ~~hours results in a quotient greater than 5.00, the state board of higher education shall~~  
3        ~~multiply the product determined under section 15-18.2-02 by a factor of 1.00. For~~  
4        ~~purposes of this subsection, the square footage of an institution includes real property~~  
5        ~~as determined by the state board of higher education in accordance with section~~  
6        ~~15-18.2-04.~~
- 7        3. ~~If the number of credit hours completed by an institution causes a decrease in the~~  
8        ~~credit completion factor for that institution, the new credit completion factor shall not be~~  
9        ~~in effect for calculation purposes for the first two fiscal years following the change.~~
- 10       4. for North Dakota state university and the university of North Dakota:
- 11       b. 1.10 for Bismarck state college and Minot state university for the number of  
12       credit-hours fewer than 180,000;
- 13       c. 1.50 for Lake Region state college, Dickinson state university, and Valley City  
14       state university for the number of credit-hours fewer than 60,000;
- 15       d. 1.60 for Mayville state university for the number of credit-hours fewer than  
16       50,000;
- 17       e. 1.70 for Williston state college for the number of credit-hours fewer than 40,000;
- 18       f. 1.70 for North Dakota state college of science for the number of credit-hours  
19       fewer than 120,000; and
- 20       g. 1.80 for Dakota college at Bottineau for the number of credit-hours fewer than  
21       30,000.
- 22       2. The state board of higher education shall multiply the product determined under  
23       section 15-18.2-02 by a credit growth factor of 1.0 for credits in excess of the base  
24       factor amount for each institution. Any weighted credit-hours multiplied by a credit  
25       growth factor under this section must have a weight of 1.0 under section 15-18.2-02.
- 26       3. For purposes of this section, the number of credit-hours must be those determined by  
27       the state board of higher education in accordance with section 15-18.2-01.

28       **SECTION 2. AMENDMENT.** Section 15-18.2-05 of the North Dakota Century Code is  
29       amended and reenacted as follows:

30       **15-18.2-05. Base funding - Determination of state aid.**

- 31       1. ~~Except as provided under subsection 2, in order to~~

1 To determine the state aid payment to which each institution under its control is entitled, the  
2 state board of higher education shall multiply the product determined under section  
3 ~~15-18.2-04~~15-18.2-03 by a base amount of:

4 ~~a.1.~~ \$60.87 in the case of North Dakota state university and the university of North Dakota;

5 ~~b.2.~~ \$90.98 in the case of Dickinson state university, Mayville state university, Minot state  
6 university, and Valley City state university; and

7 ~~c.3.~~ \$97.06 in the case of Bismarck state college, Dakota college at Bottineau, Lake  
8 Region state college, North Dakota state college of science, and Williston state  
9 college.

10 2. ~~An institution is entitled to an amount equal to seventy-five percent of the product~~  
11 ~~determined under subsection 1 for credits completed by students receiving a tuition~~  
12 ~~waiver pursuant to section 54-12-35.~~

13 **SECTION 3.** Section 15-18.2-06.1 of the North Dakota Century Code is created and  
14 enacted as follows:

15 **15-18.2-06.1. Base funding - Minimum amount payable.**

16 Notwithstanding any calculations required by this chapter, during each biennium beginning  
17 with the 2021-23 biennium, an institution may not receive less than ninety-eight percent of the  
18 state aid to which the institution was entitled under this chapter during the previous biennium.

19 **SECTION 4. REPEAL.** Section 15-18.2-04 of the North Dakota Century Code is repealed.

20 **SECTION 5. STATE BOARD OF HIGHER EDUCATION - STUDY OF THE HIGHER**  
21 **EDUCATION FUNDING FORMULA - REPORT TO THE LEGISLATIVE MANAGEMENT.**

22 During the period beginning July 1, 2021, and ending June 30, 2022, the state board of higher  
23 education shall study the higher education funding formula, including instructional program  
24 classification factors. The state board of higher education shall provide a report to the legislative  
25 management regarding any findings or recommended changes to the funding formula by  
26 June 30, 2022.

27 **SECTION 6. LEGISLATIVE INTENT - WEIGHTED CREDIT-HOURS - INSTRUCTIONAL**  
28 **PROGRAM CLASSIFICATION FACTORS.** It is the intent of the sixty-seventh legislative

29 assembly that veterinary medicine courses remain under the health sciences instructional

30 program classification within the higher education funding formula. It is further the intent of the

31 sixty-seventh legislative assembly that computer and information sciences and support services

Sixty-seventh  
Legislative Assembly

- 1 courses be transferred to the engineering instructional program classification within the higher
- 2 education funding formula.