

Sixty-third  
Legislative Assembly  
of North Dakota

ENGROSSED SENATE BILL NO. 2218

Introduced by

Senators Wardner, Schaible, Warner

Representatives D. Johnson, Kasper, Boe

1 A BILL for an Act to provide workforce development grants to tribally controlled community  
2 colleges through the North Dakota department of commerce; and to provide an appropriation.

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

4 **SECTION 1.**

5 **Definitions.**

6 In this Act, unless the context otherwise requires:

7 1. "Institutional support" includes any ordinary and customary expenses associated with  
8 the operation of the college, including space and utility costs, the cost of providing  
9 financial services for any program or project funded by grants awarded under this Act  
10 and programs that operate to provide assistance between colleges.

11 2. "Tribally controlled community college" means an accredited institution of higher  
12 education in this state which is formally controlled or has been formally sanctioned or  
13 chartered by the governing body of a federally recognized Indian tribe or by any  
14 combination of any federally recognized Indian tribes.

15 **SECTION 2.**

16 **Establishment of workforce development grant for tribally controlled community**  
17 **colleges.**

18 There is established within the division of workforce development of the department of  
19 commerce a program to provide workforce development grants to tribally controlled community  
20 colleges in North Dakota. A tribally controlled community college in this state may apply to the  
21 department of commerce for a noncompetitive job training grant in such manner as the  
22 department of commerce prescribes. The funds appropriated under this Act must be divided  
23 equally among the tribally controlled community colleges that apply for a grant.

24 **SECTION 3.**

1        **Purpose of grants.**

2        Any grant awarded under section 2 of this Act may be used at the discretion of the college:

3        1.    For development of programs that assist in providing certificates or degrees to North  
4        Dakota students attending the college that qualify the student to obtain jobs for which  
5        applicants are being sought within the state, as identified by the department of  
6        commerce, job service North Dakota, or any of the federally recognized Indian tribes  
7        within North Dakota; or

8        2.    To assist any North Dakota student attending the college to establish, or to assist in  
9        establishing, a new business operating within North Dakota that will employ North  
10       Dakota citizens.

11       Any funds provided to tribally controlled community colleges must be used to supplement, not  
12       supplant, any existing program or funding source of the college.

13       **SECTION 4.**

14       **Cooperation and collaboration with other agencies.**

15       To the maximum extent possible, tribally controlled community college that receives a grant  
16       under this Act must endeavor to cooperate, collaborate, or partner with other tribal, state, or  
17       federal agencies or institutions that are providing economic development assistance or  
18       workforce training and development within the state, and the department of commerce must  
19       assist in facilitating such cooperation and partnerships.

20       **SECTION 5.**

21       **Use of grants.**

22       A grant awarded under this Act may be used for:

- 23       1.    Maintenance and operation of the program; including development costs; costs of  
24       basic and special instruction, including special programs for individuals with  
25       disabilities; academic instruction; materials; student costs; administrative expenses;  
26       boarding costs; transportation; student services; day care and family support programs  
27       for students and their families, including contributions to the costs of education for  
28       dependents; and student stipends;
- 29       2.    Capital expenditures, including operations, maintenance, improvements, repair, and  
30       capital construction projects for the improvement of the college;

- 1       3. Costs associated with improvement, repair, upkeep, replacement, and upgrade of the
- 2       instructional equipment;
- 3       4. Institutional support of the college, including assistance with any business
- 4       development of the college that is operating in North Dakota and employing North
- 5       Dakota citizens that is intended to assist the students of the college; and
- 6       5. Scholarships for students attending the college.

7       **SECTION 6.**

8       **Reports to the department of commerce.**

9       On an annual basis, within sixty days of the end of each fiscal year of the biennium for  
10 which funds are appropriated under this Act, each tribally controlled community college  
11 receiving a grant under this Act must provide a report to the department of commerce that  
12 states:

- 13       1. How the funds received by the college were spent during the previous twelve months;
- 14       2. The number of students assisted by the grants, either directly or indirectly;
- 15       3. The graduation rate of students assisted by the grants;
- 16       4. The kind of jobs for which training programs were developed by the college;
- 17       5. The placement rate of all graduates of the college in jobs needed in North Dakota in
- 18       relation to all jobs in which graduates were placed;
- 19       6. The rate of students graduating from the tribal college who pursue further degrees;
- 20       and
- 21       7. The number of jobs and businesses created or which were assisted in being created
- 22       or maintained with funds provided under this Act.

23       **SECTION 7. APPROPRIATION.** There is appropriated out of any moneys in the general  
24 fund in the state treasury, not otherwise appropriated, the sum of \$5,000,000, to the North  
25 Dakota department of commerce for the purpose of providing grants to tribally controlled  
26 community colleges under this Act for the biennium beginning July 1, 2013, and ending  
27 June 30, 2015. No more than fifty percent of the appropriation may be expended during the first  
28 year of the biennium.