

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 1.**

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.~~In order to~~  
24 qualify for a grant under this section, an applicant must be a tribally controlled community

1 college not located on an Indian reservation or a tribally controlled community college located  
2 on an Indian reservation with an unemployment rate of greater than thirty percent. The  
3 department of commerce shall consult with the executive director of the Indian affairs  
4 commission to determine eligible tribally controlled community colleges.

5 **SECTION 2.**

6 **Purpose of grants.**

7 Any grant awarded under section 21 of this Act may be used at the discretion of the college:

- 8 1. For development of programs that assist in providing certificates or degrees to North  
9 Dakota students attending the college that qualify the student to obtain jobs for which  
10 applicants are being sought within the state, as identified by the department of  
11 commerce, job service North Dakota, or any of the federally recognized Indian tribes  
12 within North Dakota; or  
13 2. To assist any North Dakota student attending the college to establish, or to assist in  
14 establishing, a new business operating within North Dakota that will employ North  
15 Dakota citizens.

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

18 **SECTION 3.**

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

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

25 **SECTION 4.**

26 **Use of grants.**

27 ~~A grant awarded under this Act may be used for:~~

- 28 ~~1. Maintenance and operation of the program; including development costs; costs of~~  
29 ~~basic and special instruction, including special programs for individuals with~~  
30 ~~disabilities; academic instruction; materials; student costs; administrative expenses;~~  
31 ~~boarding costs; transportation; student services; day care and family support programs~~

~~for students and their families, including contributions to the costs of education for dependents; and student stipends;~~

~~2. Capital expenditures, including operations, maintenance, improvements, repair, and capital construction projects for the improvement of the college;~~

~~3. Costs associated with improvement, repair, upkeep, replacement, and upgrade of the instructional equipment;~~

~~4. Institutional support of the college, including assistance with any business development of the college that is operating in North Dakota and employing North Dakota citizens that is intended to assist the students of the college; and~~

~~5. Scholarships for students attending the college.~~

A grant awarded under this Act may be used to carry out the purposes specified in section 2 of this Act, including maintenance and operation of the program; development costs associated with any new or redesigned courses of instruction at the college; costs of instruction, including special programs for individuals with disabilities; and academic instruction and associated materials.

## **SECTION 5.**

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

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

~~1. How the funds received by the college were spent during the previous twelve months;~~

~~2. The number of students assisted by the grants, either directly or indirectly;~~

~~3. The graduation rate of students assisted by the grants;~~

~~4. The kind of jobs for which training programs were developed by the college;~~

~~5. The placement rate of all graduates of the college in jobs needed in North Dakota in relation to all jobs in which graduates were placed;~~

~~6. The rate of students graduating from the tribal college who pursue further degrees;~~

and

~~7. The number of jobs and businesses created or which were assisted in being created or maintained with funds provided under this Act.~~

1 shall provide to the department of commerce, in the form prescribed by the department, the  
2 following information:

3 1. A detailed report of expenditures under the grant;

4 2. The number of students assisted by the grant;

5 3. The graduation rate of students assisted by the grant and the graduation rate for all  
6 students at the college;

7 4. A description of any new or improved training or other program leading to a certificate  
8 or a degree which was developed by the college with funds provided by the grant and  
9 the types of jobs for which the new or improved training program is designed;

10 5. The placement rate of graduates of the college assisted by the grant in relation to the  
11 placement rate of all graduates of the college;

12 6. The rate of students assisted by the grant who pursue further educational  
13 opportunities immediately after graduation from the college; and

14 7. The number of jobs or businesses created as a result of funds provided by the grant.

15 **SECTION 6. APPROPRIATION.** There is appropriated out of any moneys in the general  
16 fund in the state treasury, not otherwise appropriated, the sum of ~~\$5,000,000~~\$3,000,000, to the  
17 North Dakota department of commerce for the purpose of providing grants to tribally controlled  
18 community colleges under this Act for the biennium beginning July 1, 2013, and ending  
19 June 30, 2015. ~~No more than fifty percent of the appropriation may be expended during the first~~  
20 ~~year of the biennium.~~