CHAPTER 15-70
TRIBALLY CONTROLLED COMMUNITY COLLEGE ASSISTANCE

15-70-01. Definitions.

As used in this chapter:

1. "Full time" means that a student is enrolled for at least twenty-four semester hours during an academic year.
2. "Nonbeneficiary student" means a resident of North Dakota who is enrolled in a tribally controlled community college but is not an enrolled member of a federally recognized Indian tribe nor a biological child of a living or deceased member of an Indian tribe.
3. "Tribally controlled community college" means an institution of higher education in this state which is formally controlled or has been formally sanctioned or chartered by the governing body of an Indian tribe, or any combination of federally recognized Indian tribes.

15-70-02. Institutions eligible for grant assistance.

Any tribally controlled community college located in this state is eligible to receive supplemental grant assistance for nonbeneficiary students.

15-70-03. Grant authorization.

The state board of higher education shall make grants to tribally controlled community colleges to defray the costs of education associated with enrollment of nonbeneficiary students. Grants made pursuant to this section must go directly to the recipient institutions.

15-70-04. Submission of grant application - Distribution of grants.

1. In order to qualify for a grant under this chapter, a tribally controlled community college shall submit an application at the time and in the manner required by the state board of higher education. The application must:
   a. Include the name and address of each student who qualifies for financial assistance under this chapter; and
   b. Document the enrollment status of each student who qualifies for financial assistance under this chapter.
2. If an application is approved, the state board of higher education shall distribute to the tribally controlled community college, during each year of the biennium, an amount equivalent to the most recent per student payment provided in accordance with the Tribally Controlled Colleges and Universities Assistance Act of 1978 [25 U.S.C. 20] for each nonbeneficiary student who is a resident of the state. If the amount appropriated is insufficient to meet the requirements of this section, the board shall prorate the amount to be distributed. The board may distribute no more than one-half of the biennial legislative appropriation provided for grants under this section during the first year of the biennium.
3. If after meeting the requirements of this section any amount remains available for distribution at the conclusion of each year of the biennium, the state board of higher education shall provide prorated distribution based on criteria set forth in this section.
4. At the time and in the manner determined by the state board of higher education, each tribally controlled community college receiving assistance under this section shall file a report indicating:
   a. The graduation rate of nonbeneficiary students; and
   b. The ratio between the amount of funding received by the tribally controlled community college under this section and the college's annual budget.

15-70-05. Reporting by recipient institutions - Failure to report.

Each institution receiving a grant under this chapter shall submit to the legislative council a report detailing the expenditures of the grant funds received by the institution under this chapter, a copy of the institution's latest audit report, and documentation of the enrollment status of each

student on whose account financial assistance under this chapter is sought. Any institution that fails to meet the requirements of this section is ineligible to receive future grants under this chapter until the institution submits the required information.