

### PROGRAM 11 – TRIBAL COLLEGE ASSISTANCE

**NP 103 – Non-Indian/Non-Beneficiary Students** – The executive budget increases tribal college assistance \$303,500 over the biennium to support resident non-beneficiary students who attend any of the seven tribal community colleges in Montana, in accordance with 20-25-428 MCA.

**LED COMMENT** Although the executive budget decision package title addresses “non-Indian” students, the statutory program authorizing tribal college assistance (20-25-428, MCA) provides state funding assistance to “non-beneficiary” students, who in fact may be of Indian ancestry. Non-beneficiary is defined as persons who are not members of federally recognized tribes. Therefore, students who are indeed Indian, but members of a tribe that is not recognized by the federal government, are eligible for assistance as a non-beneficiary student.

**NP 104 – Enhancing Tribal College Programs - OTO** - The executive budget provides \$2.5 million in the 2007 biennium to support tribal colleges as follows:

- o 50 percent of the funds would be allocated equally among the tribal colleges for equipment needs
- o 50 percent of the funds would be allocated equally among the tribal colleges to support each college to detail their tribes’ history for use by the State of Montana in meeting the constitutional and statutory obligations related to the Indian Education for All program in K-12 education

The executive recommends that this be a one-time-only (OTO) appropriation.

**LED ISSUE** The tribal college assistance program is appropriated in HB2 as a separate line-item, appropriating the funds to the Board of Regents with the restriction that if the Board accepts the appropriated funds they must be used for the expressed purpose of the line-item.

Given that the executive NP 104 is a separate and distinct purpose of funds for the tribal colleges, distinct from the line-item for non-beneficiary student assistance, should the legislature approve this executive proposal the legislature may want to consider making this a separate restricted line-item appropriation in HB2.