



State of Wisconsin  
2015 - 2016 LEGISLATURE



LRB-0359/3  
ARG:cjs&wlj:jf

## 2015 BILL

1     **AN ACT to amend** 20.285 (1) (a); and **to create** 36.31 (4) of the statutes; **relating**  
2           **to:** state funding for tribal colleges and making an appropriation.

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### *Analysis by the Legislative Reference Bureau*

This bill requires the Board of Regents (board) of the University of Wisconsin System (UW System) to make annual payments to tribal colleges, from the UW System's appropriation for general program operations. A tribal college is defined as a college that: 1) is operated or controlled by a federally recognized American Indian tribe or band in this state; 2) is governed by a board of directors or board of trustees a majority of which are Indians; 3) demonstrates adherence to stated goals, a philosophy, or a plan of operation that is directed to meet the needs of Indians; 4) if in operation for more than one year, has students a majority of whom are Indians; and 5) is accredited by a nationally recognized accrediting agency or association, as determined by the federal Secretary of Education. The amount of the payments is calculated by multiplying the amount of per student funding received by the tribal college from the federal Bureau of Indian Education for qualifying Indian students (as defined by federal law) by the number of full-time equivalent students who 1) are not Indian students; 2) reside in this state; and 3) are enrolled in the tribal college. A tribal college that desires to receive payments must report certain information to the board.

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For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 20.285 (1) (a) of the statutes is amended to read:

2           20.285 (1) (a) *General program operations; payments to tribal colleges.* The  
3 amounts in the schedule for the purpose of educational programs and related  
4 programs and for the payments under s. 36.31 (4) to tribal colleges. The board of  
5 regents may not encumber amounts appropriated under this paragraph for  
6 groundwater research without the approval of the secretary of administration.

7           **SECTION 2.** 36.31 (4) of the statutes is created to read:

8           36.31 (4) (a) In this subsection:

9           1. “Eligible student” means a student to whom all of the following apply:

10           a. The student is enrolled in a tribal college.

11           b. The student is a resident of this state.

12           c. The student is not an Indian student.

13           2. “Indian student” has the meaning given in 25 USC 1801 (a) (7).

14           3. “Indian student count” has the meaning given in 25 USC 1801 (a) (8).

15           4. “Tribal college” means an accredited college, operated or controlled by a  
16 federally recognized American Indian tribe or band in this state, that meets the  
17 requirements of 25 USC 1804.

18           (b) From the appropriation under s. 20.285 (1) (a), the Board of Regents shall  
19 make payments to the governing bodies of tribal colleges, as provided in par. (d).

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1 (c) Not later than October 15 of each year, the governing body of any tribal  
2 college that desires to receive payments under par. (b) shall report to the Board of  
3 Regents all of the following:

4 1. The number of full-time equivalent eligible students enrolled at the tribal  
5 college for the previous academic year.

6 2. The Indian student count for the previous academic year.

7 3. The per student funding amount that the tribal college has received or  
8 expects to receive from the bureau of Indian education in the federal department of  
9 the interior based on the tribal college's reported Indian student count for the  
10 previous academic year.

11 (d) Not later than December 31 of each year, the Board of Regents shall make  
12 a payment to each governing body of a tribal college that has timely submitted to the  
13 Board of Regents a report under par. (c). The amount of the annual payment to each  
14 tribal college shall be the result obtained by multiplying the number reported under  
15 par. (c) 1. by the per student funding amount reported under par. (c) 3.

16 (END)