

**NORTH DAKOTA ADMINISTRATIVE CODE  
TITLE 67**

**ARTICLE 67-27  
OPEN ENROLLMENT PAYMENT PROVISIONS**

Chapter 67-27-01 Open Enrollment Payment Provisions

**CHAPTER 67-27-01  
OPEN ENROLLMENT PAYMENT PROVISIONS**

Section

67-27-01-01 Tuition Payments Waived

67-27-01-02 Costs for Open-Enrolled Students With Disabilities

67-27-01-03 Foundation Aid Payments

67-27-01-04 Tuition Apportionment

**67-27-01-01. Tuition payments waived.** School districts educating students who are residents of other school districts are required to pay a tuition charge determined under North Dakota Century Code section 15-40.2-03. However, this tuition charge is waived for students accepted under open enrollment.

**History:** Effective February 1, 2000.

**General Authority:** NDCC 15.1-02-04, 28-32-02

**Law Implemented:** NDCC 15-40.2-02, 15-40.2-03, 15-40.2-05, 15-40.3-03

**67-27-01-02. Costs for open-enrolled students with disabilities.** In the case of open-enrolled students with disabilities, the admitting district is entitled to reimbursement for education and related services that exceed the admitting district's educational cost per pupil. The educational cost per pupil must be determined on the basis of the district's full-time equivalent average daily membership and include the annual expenditures permitted in determining the educational cost per pupil in North Dakota Century Code section 15-40.1-06. The district of residence is responsible for the cost of these services up to a maximum each school year of two and one-half times the state average educational cost per student. The state is responsible for the costs in excess of this amount.

**History:** Effective February 1, 2000.

**General Authority:** NDCC 15.1-02-04, 28-32-02

**Law Implemented:** NDCC 15-40.2-02, 15-40.2-03, 15-40.2-05, 15-40.3-03, 15-40.3-04

**67-27-01-03. Foundation aid payments.** Foundation aid for open-enrolled

students is paid to the admitting district in accordance with North Dakota Century Code chapter 15-40.1, except in the case of students with disabilities. Foundation aid for a student with disabilities is paid to the district of residence in accordance with North Dakota Century Code section 15-59-06. The district of residence must pay the admitting district the amount of foundation aid received for an open-enrolled student with disabilities.

**History:** Effective February 1, 2000.

**General Authority:** NDCC 15.1-02-04, 28-32-02

**Law Implemented:** NDCC 15-40-05, 15-40.1-01, 15-40.2-02, 15-40.2-03, 15-40.3-03

**67-27-01-04. Tuition apportionment.** Tuition apportionment for open-enrolled students with disabilities is paid to the admitting district through an adjustment to the school census. The adjustment to the census is made annually by the department by adding one to the census of the admitting district and subtracting one from the census of the district of residence based on the status of the student reported on SFN 50056 fall report of students participating in open enrollment, attached as an appendix to this chapter.

**History:** Effective February 1, 2000.

**General Authority:** NDCC 15.1-02-04, 28-32-02

**Law Implemented:** NDCC 15-40.2-02, 15-40.2-03, 15-40.2-05, 15-40.3-03