

Student Contract Q&A

Where can an agency place a student? A student can be placed in a state licensed foster home, state licensed childcare home or facility, or state operated institution.

Are there any placements that are ineligible for a student contract? Students in an unlicensed home, kinship/relative care, primary drug & alcohol treatment or who have left school to pursue a GED are not eligible for a student contract.

Once a student reaches the age of 18 and continues to receive services, who is responsible for the contract? The resident district for the student and their families is responsible for the costs of education for the student.

When does the State become responsible for tuition? When a student's custodial parent establishes residency outside the State, a TPR of parental rights, the student no longer has a custodial parent, or when the Superintendent of the North Dakota Department of Public Instruction has determined all reasonable efforts to locate parent has been unsuccessful.

Who resolves disputes over residency determinations? All disputes related to residency determination must be resolved with the placing agency.

When a school places a student outside of their district, who is responsible for costs? When a school places a special education student outside his/her district of resident (e.g. group home, residential facility) they are responsible for both educational and noneducational costs.

How many days does a district have after placement to get a tuition-agreement or student contract in place? This should happen within 30 days.

Who is responsible resident or serving district?

- Education remains the responsibility of the resident district
- Responsibility for the development of the IEP rests with the serving district (unless otherwise determined by the responsibility checklist)
- IEP meeting must include both the resident and serving district

When do you need to amend a student contract? When service ends, service starts, service changes significantly, home visit for more than 2 consecutive days, youth moves out of district, or student moves to homebound instruction.