

## 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.