

Tuition Charges and Payments

The Fargo Public School District (“District”) will charge tuition to the parents/guardians of students who are not legal residents of the District. An exception to the requirement to pay tuition exists when the student's resident school district has entered into a tuition payment agreement with the District.

The District is required to comply with the McKinney-Vento Homeless Assistance Act (42 U.S.C. § 11431 et seq.) to ensure that each child of a homeless individual and each homeless youth has access to a free, appropriate public education. A homeless child or youth is defined as a child or youth who lacks a fixed, regular, and adequate night-time residence and includes:

- (i) Children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transition shelters; or are abandoned in hospitals;
- (ii) Children and youth who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- (iii) Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train station, or similar settings; and
- (iv) Migratory children who qualify as homeless because they are living in circumstances described in clauses (i) through (iii).

A student whose parents are divorced or separated may attend school in the resident district of either parent, as long as the decision is consistent with any court orders and the student is actually residing with the parent in the district of choice. The establishment of a power of attorney does not automatically change the residence of a minor child. The minor child must physically reside with the individual authorized through the power of attorney.

The school district in which a child resides at the time of any court order or act of a juvenile commissioner or any other lawful authority which shall have been issued requiring such child to stay for any prescribed period at a foster home or a home maintained by any nonprofit corporation, shall be construed to be the resident district of such child for purposes of tuition payments whenever such child shall attend any public school. If the parent moves from the district during the period of the court order, the new district of residence becomes the obligated district. If the move is out of the state or if the new location of the parent is unknown, the student's tuition may be paid by the Department of Public Instruction.

The District, without tuition, will accept foreign exchange students sponsored by an agency included within the Advisory List produced by the Council on Standards for International Education Travel. New American students who are placed within the district boundaries by a refugee program or who reside with a parent/guardian within the District's boundaries will be accepted without tuition. Any other student who is a resident of a foreign country and not a resident of the District will only be accepted by the school district upon payment of tuition in an

amount equal to that required of any other out-of-state student. Students may be required to participate in the Multilingual Learners Program in order to acquire English language skills.

Tuition charged to parents/guardians of students who are not residents of the District but are residents of the state, and tuition charged to North Dakota school districts shall be equal to the District's average per pupil cost based on the previous year plus state average per pupil capital outlay less the per pupil payment received from the state foundation aid program. Tuition for out-of-state residents will be equal to the District's average per pupil cost based on the previous year plus state average per pupil capital outlay. Tuition charged to North Dakota school districts for handicapped students will be based on the formula established by the Department of Public Instruction.

One-half of the annual tuition must be paid prior to enrollment. The remaining half must be paid at the beginning of the second semester. Failure to pay tuition will result in removal of the student from attendance rolls. Parents/guardians of students whose nonresident status is discovered during the year will be charged tuition retroactive to the day of enrollment.

The entrance or departure of nonresident students or the change in status from resident to nonresident shall be reported to the Business Office.

Legal Citations

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42 U.S.C. § 11431 et seq

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