



ADMINISTRATIVE RULES OF MONTANA



10.10.301 CALCULATING TUITION RATES

- (1) Regular Tuition. The district of residence must pay the district of attendance the rate as set in 20-5-323, MCA. For a kindergarten student enrolled in a half-time program as provided in 20-1-301(2)(a), MCA, and a preschool child with disabilities the rate is one-half the rate for an elementary student.
- (2) Tuition Rate for a Student Without Disabilities but Higher Than Average Cost. Pursuant to 20-5-323, MCA, the maximum tuition rate for a student without disabilities who has been placed in a group home or foster care, outside their district of residence, by a state agency or court may exceed the regular tuition rate calculated in (1) if:
 - (a) the student has unique needs that require a district to provide a program specifically designed to meet those needs; and
 - (b) the costs of the program can be documented and exceed the receiving school district's average general fund budget per budgeted ANB in the year preceding the year of attendance.
- (3) Tuition calculated in (2) may not exceed the lesser of:
 - (a) \$2,500; or
 - (b) the actual individual costs of providing that student's program minus 120% of the tuition per-ANB amount defined in 20-5-323(7).
- (4) Tuition Rate for Student with Disabilities. The maximum tuition rate for a student with disabilities may exceed the regular tuition rate calculated in (1) but may not exceed the rates established in ARM 10.16.3818.
- (5) All Circumstances. The calculations in this rule are the maximum tuition rates that a district may charge for a Montana resident student.
 - (a) Pursuant to 20-5-320 and 20-5-321, MCA, tuition cannot be waived.
 - (b) Regular education tuition charged for students under a group attendance arrangement for educational program offerings must be calculated in accordance with 20-5-320(3), MCA.
 - (c) Tuition amounts must be prorated for the portion of the year the student is enrolled. The proration is based on the percentage calculated by dividing the number of days the student is enrolled by the number of pupil instruction days scheduled by the district of attendance for the year of attendance.

Authorizing statute(s): 20-5-323, 20-9-102, 20-9-201, MCA

Implementing statute(s): 20-5-323, 20-6-702, MCA

History: NEW, 1990 MAR p. 717, Eff. 4/13/90; AMD, 1992 MAR p. 1238, Eff. 2/14/92; AMD, 1992 MAR p. 1365, Eff. 6/26/92; AMD, 1994 MAR p. 1824, Eff. 7/8/94; AMD, 1996 MAR p. 2168, Eff. 8/9/96; AMD, 2000 MAR p. 632, Eff. 2/25/00; AMD, 2002 MAR p. 1662, Eff. 6/14/02; AMD, 2006 MAR p. 3070, Eff. 12/22/06; AMD, 2008 MAR p. 1692, Eff. 8/15/08; AMD, 2010 MAR p. 1990, Eff. 9/10/10; AMD, 2016 MAR p. 880, Eff. 5/21/16; AMD, 2024 MAR p. 2182, Eff. 9/21/24.