



ADMINISTRATIVE RULES OF MONTANA



10.10.301C OUT-OF-STATE ATTENDANCE AGREEMENTS

- (1) The Superintendent of Public Instruction is authorized to establish reciprocal agreements for out-of-state attendance with border states or provinces. The tuition charge for a Montana student attending school in a state or province with a reciprocal agreement is governed by the conditions of the reciprocal agreement.
- (2) The amount of tuition paid by a Montana district for a student without disabilities who attends school in a state or province not governed by a reciprocal tuition agreement cannot exceed the annual average cost per student in the student's district of residence. If the tuition rate charged by the out-of-state district of attendance is less than the Montana district's annual average cost per student, the tuition payment may not exceed the lesser of the two amounts.
- (3) For out-of-state, districts may agree to pay tuition charges that are less than the maximum allowed rates.
- (4) A Montana school district in operating status that is responsible for paying tuition charges for a resident student who attends an out-of-state public school may receive reimbursement from the OPI for the amount of tuition paid, up to the state's portion of the per ANB entitlement per student for the year of attendance.
 - (a) Calculations will be based on the tuition reports submitted in accordance with ARM 10.10.301D.
 - (b) The Superintendent of Public Instruction must provide payment of the amount calculated in (4)(a), but not more than the amount of tuition paid by the district for resident students who attended school out-of-state, in the year the out-of-district attendance report is submitted. The report must be submitted, with documentation of payment, to the Superintendent of Public Instruction by June 30 of the student's school year of attendance.

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

Implementing statute(s): 20-5-314, 20-5-320, 20-5-321, 20-5-323, 20-5-324, MCA

History: NEW, 1994 MAR p. 1824, Eff. 7/8/94; AMD, 1996 MAR p. 2168, Eff. 8/9/96; AMD, 1998 MAR p. 1719, Eff. 6/26/98; AMD, 2002 MAR p. 1662, Eff. 6/14/02; AMD, 2004 MAR p. 3015, Eff. 12/17/04; AMD, 2016 MAR p. 880, Eff. 5/21/16; AMD, 2024 MAR p. 2182, Eff. 9/21/24.