

TUITION – STUDENTS ATTENDING NON-RESIDENT SCHOOLS

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Putting Montana Students First **A+**

AGENDA

- Tuition types – What constitutes “tuition”?
- Payment amounts – What are the tuition rates?
- Payment dates – When is tuition paid?
- Tuition claims – How do I submit a tuition claim?
- Tuition reports – How do I see what has been entered?
- Tuition accounting – Where do tuition receipts go?

TUITION TYPES

- Parent choice – discretionary and mandatory
- District to district
- Foster and group home placement
- State facilities
- In-district special education levy
- Day treatment
- Juvenile detention

PARENT CHOICE

Discretionary Tuition

- “A child may be enrolled in and attend a school in a Montana school district that is outside the child’s district of residence or a public school in a district of another state or province that is adjacent to the county of the child’s residence, subject to discretionary approval by the trustees of the resident district and the district of choice.”

20-5-320, MCA

PARENT CHOICE

Mandatory Tuition

- Resides closer to the school the child wishes to attend ***and*** more than 3 miles from the resident district school ***and*** the resident district doesn't provide transportation.
- Resides in a location that is impractical to attend school in the district of residence ***as determined by the county transportation committee.***

20-5-321, MCA

PARENT CHOICE

Mandatory Tuition

- A member of a family required to send another child outside of the elementary district to attend high school **and** more than 3 miles from the resident district school; or
- A member of a family required to send another child outside of the high school district to attend elementary school **and** more than 3 miles from the resident district school.

20-5-321, MCA

PARENT CHOICE

Mandatory Tuition

- “Whenever a parent or guardian of a child...wishes to have a child attend a school under the provisions of this section, the parent or guardian...shall complete an out-of-district attendance agreement in consultation with an appropriate official of the district that the child will attend.”
- “...the trustees of the resident district and the trustees of the district of attendance shall approve the out-of-district attendance agreement.”

20-5-321, MCA

PARENT CHOICE

Who pays tuition?

TUITION SCENARIO	WHO PAYS?
Discretionary – Parent Choice	Parent/Guardian
Mandatory – Closer School	District of Residence
Mandatory – Geographic Barrier	District of Residence
Mandatory – Sibling Attendance	Parent/Guardian

PARENT CHOICE

Tuition rates must be the same for everyone in a single group. For the purpose of tuition in this section, parents are divided into two groups:

- Group 1: Parents of non-resident students
- Group 2: Parents who are residents of one unified system for grades K-8 and another unified system for grades 9-12.

PARENT CHOICE

Can you deny an attendance agreement?

- A provision of this title may not be construed to deny a parent or guardian the right to send a child, at personal expense, to any school of the district other than the resident district..." (20-9-320, MCA); but
- "...the trustees of the district where the school to be attended is located may disapprove an out-of-district attendance agreement whenever they find that, because of insufficient room and overcrowding, the accreditation of the school would be adversely affected by acceptance of the child." (20-9-321, MCA)

PARENT CHOICE

Tuition Rates

HB 206 (2021) established a tuition per-ANB rate (20-5-323, MCA):

- The maximum per ANB for the year/grade
- The data for achievement payment
- The Indian Education for All payment
- The per-ANB amounts of the instructional block grant and related services block grant

PARENT CHOICE

Tuition Rates

- Districts may charge parents ***up to*** 20% of the tuition per-ANB amount as tuition.
- Districts may not charge parents for special education expenditures
- Conditions for acceptance and tuition rates should be set in district policy.

DISTRICT TO DISTRICT

- Same tuition scenarios as Parent Choice
- Districts agree to place a child into another district for services:
 - ✓ Special education
 - ✓ Specialized programs
 - ✓ Other

DISTRICT TO DISTRICT

- Districts may charge other districts ***up to*** 20% of the tuition per-ANB amount as tuition.
- Districts may charge other districts for special education expenditures.
- First half of payment by December 31 and second by June 15 in the year following enrollment.

SPECIAL EDUCATION RATES

- Option A: Based on the number of hours in a student's IEP (minimum of 15). The rate cannot exceed the maximum regular education tuition rate.
- Option B: The actual cost of unique services provided to a student (not including teacher salary, construction, common equipment or supplies) minus 120% of the tuition per-ANB amount.

SPECIAL EDUCATION RATES

- Option C: Specialized school district programs. Requires the ***pre-approval*** of the Office of Public Instruction. Rate is determined by cost of the program minus 120% of the tuition per-ANB amount.
 - May create a program with the intention of enrolling out of district students.

FOSTER AND GROUP HOME

- Tuition is mandatory for students placed in foster or group homes outside of their resident district.
- Students may be placed by a court, state agency or parent.
- An out of district attendance agreement is required.

FOSTER AND GROUP HOME

Regular Education Tuition

- Resident district responsible for tuition at 40% of the tuition per-ANB amount.
- Agreement must be signed by the court, state agency, or parent/guardian (group home may sign ONLY in place of a parent/guardian).
- Use FP14.2 for foster home placement
- Use FP14.1 for parent group home placement and FP14.2 for court or state agency group home placement.

FOSTER AND GROUP HOME

FP14.1:

SECTION I: TO BE COMPLETED BY PARENT/GUARDIAN

I request that the following student be allowed to attend a school district outside the student's district of residence:

Student Name (last, first, middle initial)	Birthdate
Parent/Guardian Address (physical)	
Student Address (group home only)	
Parent/Guardian Signature (or Group Home Manager, in Place of Parent/Guardian) This agreement will be returned to the parent/guardian after acceptance by the district of choice and will specify the costs, if any, which will be charged to the parent/guardian for attendance. If the student attends under this agreement, the parent/guardian agrees to pay the costs, if any, charged to the parent/guardian under the terms of this agreement. Signature of Parent/Guardian _____ Date: _____	

FOSTER AND GROUP HOME

FP14.2:

SECTION I: TO BE COMPLETED BY OFFICIAL OF STATE AGENCY/COURT		
I request that the following student be allowed to attend a school district outside the student's district of residence:		
Student Name (last, first, middle initial)		Birthdate
ADDRESS OF FOSTER/GROUP HOME	Student Address	
Complete one of the following using the District of Residence determination on page 2:		
☐ PARENTAL RIGHTS NOT TERMINATED	Parent Address	
☐ PARENTAL RIGHTS TERMINATED	Address of Court	
PLACING AGENCY	Name of Agency	
	Name of Caseworker	Phone Number
	Agency Address	
SIGNATURE	Signature of Official of State Agency/Court _____ Date: _____	

FOSTER AND GROUP HOME

Regular Education Tuition

- Enrolling district must enter agreements not later than **June 30th**
- The resident district must pay $\frac{1}{2}$ of the obligation by December 31 and the remaining $\frac{1}{2}$ by June 15 in the year following attendance
- The district may pay the obligation from a permissive levy in the Tuition Fund (if properly noticed in accordance with 20-9-116, MCA), the General Fund or any other legally available fund in the district

FOSTER AND GROUP HOME

Special Education Tuition

- The state is responsible for all special education tuition
- The enrolling district identifies the Option (A, B, C) or the Program Exceeding Average Cost (max. \$2,500)

FOSTER AND GROUP HOME

Residency

- The residence of the minor's parents
- If one of the parents is deceased or the parents do not share the same residence, the residence of the parent having legal custody
- If neither parent has legal custody, the residence of the legal guardian or custodian appointed by a court of competent jurisdiction

FOSTER AND GROUP HOME

Residency

- The district of residence for a child following the termination of parental rights is the physical location of the district court that ordered the termination in accordance with 40 Opinion Attorney General No. 69 at 277 (1984)
- If there are questions concerning legal residency, consult with the agency responsible for the child's placement in the district
- In the case of controversy, the district court has jurisdiction over residence.

FOSTER AND GROUP HOME

Process

- Student attendance agreement is completed at the time of enrollment
- Student attendance agreement is approved by the enrolling district
- Enter the details of the agreement in MAEFAIRS
- Send a copy of the agreement to the resident district

FOSTER AND GROUP HOME

 **OPI MAEFAIRS**
opi.mt.gov

Home | Data Entry | Reports | Views | Administration | User Maintenance | Documentation | Instructions | Logout

- Assessor ▶
- Compensation Expenditures
- DOR Taxable Value
- Student Count For ANB ▶
- Entitlements ▶
- Indirect Cost Rates ▶
- Sinking Fund
- Foster and Group Home Tuition
- State Facility Tuition
- Trustee Financial Summary (TFS) ▶
- Budget ▶
- ESSA PPE Calculation

For general MAEFAIRS questions, contact OPI at (406) 444-3680

Enter student attendance agreement information

FOSTER AND GROUP HOME

Enter the student's State ID. The Last Name, First Name and Birth Date will populate automatically.

State ID:			
Last Name:		First Name:	
Birth Date:		Grade:	
District Of Residence:		Date Attendance Begins:	
Individual Making Request:		Student Placement:	
Special Ed Option:			
Days In School Year:			
☒ No Transportation Provided		Average Transportation Cost:	619.49
Additional Bus Miles For Non-Residential Students:		Over-Schedule Bus Service Charge:	
Regular Ed Rate:		Special Ed Rate:	
☐ Non IEP Student		Programs Exceeding Average Cost:	
Days Enrolled:			
Save	Clear		

FOSTER AND GROUP HOME

Enter the rest of the information:

- District of Residence
- Date Attendance Begins
- Individual Making Request
- Student Placement
- Days in School Year (total number of instructional day)

FOSTER AND GROUP HOME

Other Fields:

- Special Ed Option
 - Option A, B or C
 - Check Non IEP Student if Programs Exceeding Average Cost
- No Transportation Provided – only uncheck this if the state is paying for transportation costs (not usual)
- Special Ed Rate – enter the total special education rate for Options A, B or C (B or C minus 120% of the tuition per-ANB amount)
- Programs Exceeding Average Cost – maximum \$2,500

FOSTER AND GROUP HOME

Other Fields:

- Days Enrolled

- Entered at the end of the enrollment or at the end of the year
- Number of days enrolled, not number of days attended
- Must match the ADA - # Days Enrolled field in AIM

<u>END OF YEAR</u>		
<u>End of Year Attendance Totals</u>		
ADA - #Days Present	ADA - #Days Enrolled	ESSA - #Days Absent
164	180	0
<u>Completed Extracurricular Activities for Non-Public School Students</u>		
Number of 6+ week activities	Number of 18+ week activities	
▼	▼	

FOSTER AND GROUP HOME

MAEFAIRS Reports for Enrolling District:

MAEFAIRS>Reports>Tuition

- Foster and Group Home Tuition Entered – shows annualized tuition amounts per student
- Foster and Group Home Tuition Approved – shows actual tuition amounts based on Days Enrolled
- Foster and Group Home by Resident District – List of students and tuition amounts by resident district (one district per page)
 - May be used to **supplement** an invoice sent by the district for payment

FOSTER AND GROUP HOME

MAEFAIRS Reports for Resident District:

MAEFAIRS>Views>Tuition

- Foster and Group Home Resident District – shows all tuition agreements by another district and assigned to the selected resident district

Note: If there are controversies over the assignment of the resident district, contact the enrolling district to resolve disputes.

TUITION AGREEMENT PROCESS

Student attendance agreements should be completed upon enrollment:

- Within 10 days of application, the trustees of the district shall notify the parent/guardian and the district of residence of the anticipated date of approval or disapproval of the agreement;
- Within 10 days of approval or disapproval of the agreement, the trustees of the district of choice must provide a copy of the agreement to the parent/guardian and the district of residence;
- Within 15 days the district of residence shall approve or disapprove the agreement and forward to the county superintendent, the trustees of the district of choice, and the parent/guardian.

TUITION RECEIPTS

- Tuition receipts must be credited to the district's general fund – **except:**
 - Foster and group home tuition receipts for the current year that exceed the tuition receipts from the prior year may be deposited in the Miscellaneous Programs Fund;
 - Tuition receipts for a child with a disability that exceed tuition for a child without disabilities may be deposited in the Miscellaneous Programs Fund; or
 - Any other tuition receipts received in the current year that exceed tuition receipts from the prior year may be deposited in the Miscellaneous Programs Fund

STATE FACILITY TUITION

20-7-435, MCA establishes the obligation for in-state children's psychiatric hospitals and in-state treatment facilities to provide educational services to Montana children:

- The state contracts with the facility to provide educational services
- The facility must provide both regular education and special education services
- Services may be provided by:
 - The facility itself
 - Office of Public Instruction staff; or
 - By the public school where the facility is located
- Approved facilities: Shodair Children's Hospital, Intermountain, Yellowstone Boys & Girls Ranch (residential)

STATE FACILITY TUITION

- All 3 facilities are under contract and providing their own educational services
- The state receives and pays claims monthly
- Claims are entered into MAEFAIRS and verified by AIM enrollment
- Students may attend year-round (not limited to 180 days)

STATE FACILITY TUITION

*NEW FOR 2023

- HB 206 (2021), codified in 20-7-435, establishes a shared cost for students in in-state children's psychiatric hospitals and in-state residential treatment programs
- The state pays a daily rate of actual cost, not to exceed 100% of the tuition-per ANB amount divided by 180
- The resident district pays a daily rate of 40% of the tuition per-ANB amount divided by 180

STATE FACILITY TUITION

*NEW FOR 2023

- The facilities will bill the resident district prior to August 15 for obligations accrued in the 21-22 school year
- The resident district must pay $\frac{1}{2}$ of the obligation by December 31 and the remaining $\frac{1}{2}$ by June 15 in the year following attendance
- The district may pay the obligation from a permissive levy in the Tuition Fund (if properly noticed in accordance with 20-9-116, MCA), the General Fund or any other legally available fund in the district

STATE FACILITY TUITION

Report for Resident District

MAEFAIRS>Views>Tuition

- State Facilities Tuition District of Residence – shows all facility students assigned to the selected resident district

Note: If there are controversies over the assignment of the resident district, contact the facility to resolve disputes.

IN-DISTRICT SPED LEVY

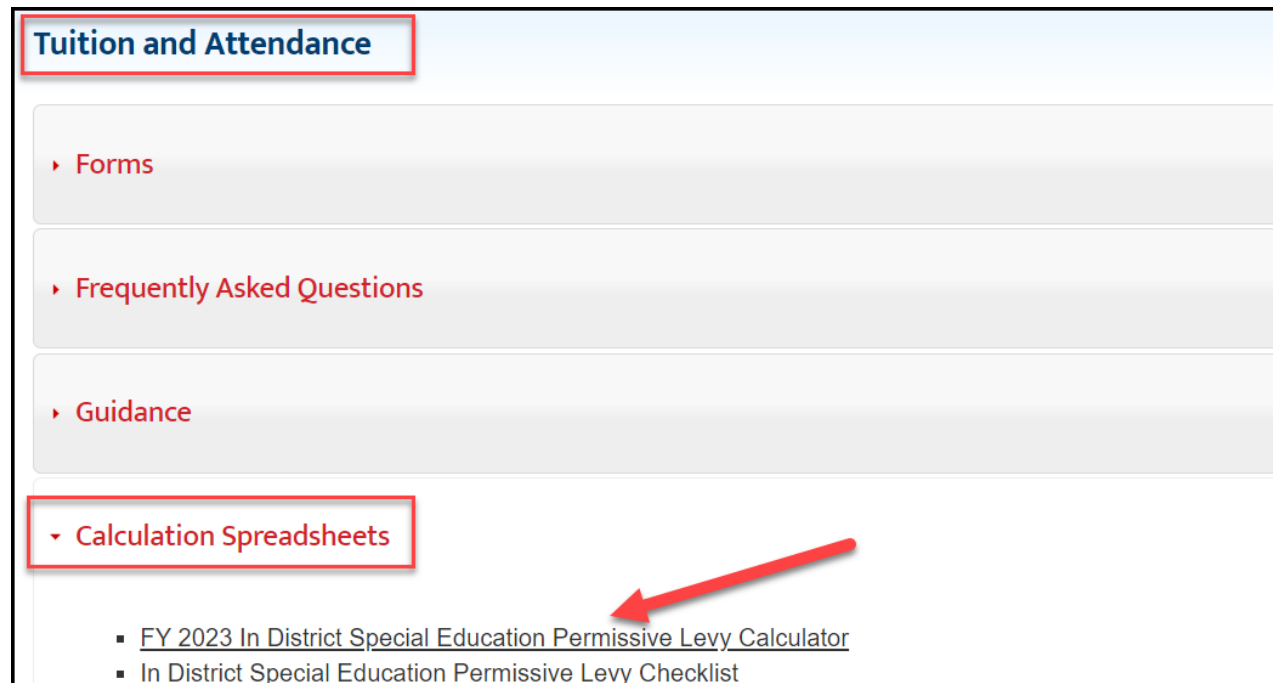
“(iii) In addition to use of a tuition levy to pay for out-of-district attendance of a resident pupil, a school district may also include in its tuition levy an amount necessary to pay for the full costs of providing a free appropriate public education, as defined in 20-7-401, in the district to any child with a disability who lives in the district. The amount of the levy imposed for the costs associated with educating a child with a disability under this subsection (5)(a)(iii) is limited to the actual cost of service under the child’s individualized education program minus: (A) the student’s state special education payment; (B) the student’s federal special education payment; (C) the student’s per-ANB amount; (D) the prorated portion of the district’s base entitlement for each qualifying student; and (E) the prorated portion of the district’s general fund payments in 20-9-327 through 20-9-330 for each qualifying student.”

20-5-324(5)(a)(iii), MCA

IN-DISTRICT SPED LEVY

- Use the In District Special Education Permissive Levy Calculator to calculate costs per student

[Tuition and Attendance \(mt.gov\)](#)



The screenshot shows a web page titled "Tuition and Attendance" with a light blue header. Below the header are three menu items: "Forms", "Frequently Asked Questions", and "Guidance", each preceded by a red right-pointing triangle. At the bottom, there is a section titled "Calculation Spreadsheets" with a red left-pointing triangle. This section contains two links: "FY 2023 In District Special Education Permissive Levy Calculator" and "In District Special Education Permissive Levy Checklist". A red arrow points from the right towards the first link.

Tuition and Attendance

- Forms
- Frequently Asked Questions
- Guidance
- ▾ Calculation Spreadsheets
 - [FY 2023 In District Special Education Permissive Levy Calculator](#)
 - [In District Special Education Permissive Levy Checklist](#)

IN-DISTRICT SPED LEVY

- One spreadsheet page per student
- May estimate the cost for the ensuing year or use actual cost from the preceding fiscal year.
- Calculate costs for each student separately
 - One-to-one aide
 - Specialized equipment
 - Related services
 - May use a portion of teacher/admin salary if the FTE can be justified (work with your auditor)
 - Do not include costs paid from another permissive fund (Retirement, Transportation)

IN-DISTRICT SPED LEVY

Calculator

IN-DISTRICT SPECIAL EDUCATION PERMISSIVE LEVY CALCULATOR						
Districts with structure changes should contact the OPI to ensure accuracy of calculations						
		Enter LE		LE Name		
Elem LE:						
HS LE:						
K12 LE:						
*Districts with an approved and accredited junior high school, 7th and 8th grade program or middle school calculate the tuition levy using the high school ANB rate ** Unaccredited 7-8 programs SEE INSTRUCTIONS FOR USING THIS CALCULATOR BELOW						
Use this calculator to identify the amount that may be levied from the district's Tuition fund (13). Districts have the option of levying either the estimated cost in the year of enrollment or the actual cost in the year following enrollment. If estimated costs are not realized the district must reduce their levy in the subsequent year. Expenditures from the Tuition and Transportation funds will count toward the district's Maintenance of Effort (MOE) calculation.						
	Elementary		Middle School		K-12	
	2022	2023	2022	2023	2022	2023
Student's Total SPED Costs K-6 or K-8**						
Student's Total SPED Costs 7-8*						
Student's Total SPED Costs 9-12						
a. SPED Allowable Cost Payment	-	-	-	-	-	-
Current Year ANB	-	-	-	-	-	-
b. Federal Allocation	-	-	-	-	-	-

ENTER DISTRICT LE NUMBER

ENTER ACTUAL COST IN THE CORRESPONDING BOX (TYPE/GRADE)

IN-DISTRICT SPED LEVY

Calculates the *maximum* levy amount (may levy less)

IN-DISTRICT SPECIAL EDUCATION PERMISSIVE LEVY CALCULATOR									
Districts with structure changes should contact the OPI to ensure accuracy of calculations									
Enter LE		LE Name							
Elem LE:	0350	Bozeman Elem							
HS LE:									
K12 LE:									
	Elementary	2022	2023	High School	2022	2023	K-12	2022	2023
Student's Total SPED Costs K-6 or K-8**			15,000						
Student's Total SPED Costs 7-8*									
Student's Total SPED Costs 9-12									
a. SPED Allowable Cost Payment		1,456,300.47	1,505,085.85	-	-	-	-	-	-
Current Year ANB		4,658	4,908	-	-	-	-	-	-
		312.65	306.66						
b. Federal Allocation		1,270,844.00	1,067,166.00	-	-	-	-	-	-
AIM October Enrollment		4,473	4,720	-	-	-	-	-	-
		284.11	226.09						
c. Per Student Entitlement		5,813.00	5,962.00						
		7,443.00	7,634.00						
d. Basic Entitlement E		-	443,273				-	-	-
Basic Entitlement M		-	-				-	-	-
Basic Entitlement H		-	-	-	-	-	-	-	-
Budget Limit ANB E		-	3,743				-	-	-
Budget Limit ANB M		-	-				-	-	-
Budget Limit ANB H		-	-				-	-	-
		-	118.43				-	-	-
e. 4 Funding Components		1,425,399.88	1,478,408.05				-	-	-
Budget Limit ANB		4,895	4,908				-	-	-
		291.20	301.22				-	-	-
Total Amount to Levy			8,085.59						

IN-DISTRICT SPED LEVY

Use the prior year column if:

- You are levying for actual cost in the prior year; or
- If you estimated cost in the prior year:
 - If you levied less than the actual cost – may recoup additional amount
 - If you levied more than actual cost – reduce the ensuing year's levy by the over-levied amount

DAY TREATMENT

ARM 10.20.106(5)(a)

“The district may not include for purposes of calculating ANB: (a) a student who is placed in a private, nonsectarian day treatment program. Districts may use the district tuition fund to pay for educational services and may claim an ANB reimbursement payment...”

DAY TREATMENT

FP 15 - Day Treatment

Use this form to claim a DSA reimbursement:

- Students who were enrolled in a day treatment program on one or both of the count dates;
- Students who were attending a private, non-sectarian day treatment program under the provisions of a district IEP

DAY TREATMENT

- Forms must be submitted to the OPI not later than June 30th for students attending in the prior school year
- Districts must submit a completed FP15 form and provide documentation of enrollment in the day treatment facility and cost for educational services
- Districts will be eligible for the state portion (44.7%) of the max ANB for the year and grade of enrollment

JUVENILE DETENTION

District Obligation for Educational Services (41-5-1807, MCA)

- Resident school districts are responsible for educational services for all students detained more than 9 consecutive days
- The district must pay the county treasurer \$20 a day for each youth
- The calculation must be sent to the district not later than June 30
- The district must pay the county treasurer where the facility is located not later than July 15
- The district may use the Tuition Fund or the Impact Aid Fund to pay the obligation (20-9-130, MCA)

SPECIAL CONSIDERATIONS

In order to permissively levy for ANY of the tuition obligations presented today, the district must meet the requirements of [20-9-116, MCA](#):

“The trustees of a school district shall adopt a resolution no later than March 31 of each fiscal year and provide notice pursuant to subsection (2) whenever the trustees intend to impose an increase in a nonvoted levy in the ensuing fiscal year for the purpose of funding any of the funds listed below:
(a) the tuition fund under 20-5-324...”

QUESTIONS



CONTACT INFORMATION

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