

Fifty-fifth  
Legislative Assembly  
of North Dakota

**HOUSE BILL NO. 1123**

Introduced by

Education Committee

(At the request of the Superintendent of Public Instruction)

1 A BILL for an Act to amend and reenact subsection 6 of section 15-40.2-08 of the North Dakota  
2 Century Code, relating to the establishment of minimum standards and rules for determination  
3 of educational costs for students by the superintendent of public instruction.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 6 of section 15-40.2-08 of the 1995  
6 Supplement to the North Dakota Century Code is amended and reenacted as follows:

7 6. An amount equal to the state average per student elementary or high school costs,  
8 depending on the educational level of the student, is payable to the admitting  
9 district or facility as part of the cost of educating the student for the school year.  
10 The department shall establish reasonable minimum standards and shall make  
11 such reasonable rules for the determination of educational costs as are necessary  
12 to carry out the purposes of this chapter. The payment may not exceed the actual  
13 per student cost incurred by the admitting district or facility. The remainder of the  
14 actual cost of educating the student not covered by other payments or credits must  
15 be paid by the state from funds appropriated for special education in the case of a  
16 student with disabilities, or from funds appropriated for foundation aid in all other  
17 cases within the limits of legislative appropriations.