

ARTICLE 68-02

RULES OF PROCEDURE

Chapter
68-02-01 Tuition Appeals - Rules of Procedure

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Section
68-02-01-01 Notice
68-02-01-02 Testimony and Documentary Evidence
68-02-01-03 Findings, Conclusions, and Order

68-02-01-01. Notice. After receipt of a tuition appeal under subsection 1 of North Dakota Century Code section 15-40.2-05, the board will provide notice of the hearing to the parent or guardian who is applying for the payment of tuition and the involved school districts at least fifteen days prior to the time the hearing is to be held. The notice period may be shortened in case of an emergency or when agreed to by the involved parties. The notice will state that the board waives the application of the North Dakota Rules of Evidence to the hearing under subsection 1 of North Dakota Century Code section 28-32-06.

History: Effective December 1, 1992.

General Authority: NDCC 28-32-02(1), 28-32-05(3)(b)

Law Implemented: NDCC 15-40.2-05(1), 28-32-05(3)(b)

68-02-01-02. Testimony and documentary evidence. At the hearing, the board will consider the findings of the three-member county committee, as well as any other relevant testimony and documentary evidence proffered relating to the factors outlined in subsection 1 of North Dakota Century Code section 15-40.2-05. The board waives the application of the North Dakota Rules of Evidence to its hearings on tuition appeals.

History: Effective December 1, 1992.

General Authority: NDCC 28-32-02(1), 28-32-05(3)(b)

Law Implemented: NDCC 15-40.2-05(1), 28-32-05(3)(b), 28-32-06(1)

68-02-01-03. Findings, conclusions, and order. Following the board's consideration of the record and the relevant evidence received at the hearing, the board will make findings of fact and conclusions of law with respect to the factors outlined in subsection 1 of North Dakota Century Code section 15-40.2-05, and

issue an order regarding the payment of tuition. The order will be mailed by certified mail to all parties.

History: Effective December 1, 1992.

General Authority: NDCC 28-32-02(1), 28-32-05(3)(b)

Law Implemented: NDCC 15-40.2-05(1), 28-32-05(3)(b)