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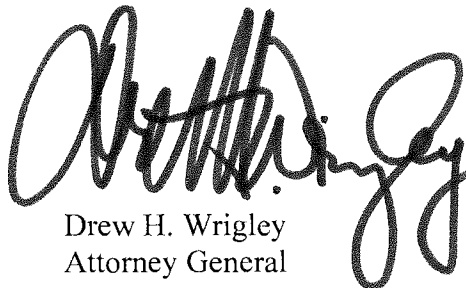
OPEN RECORDS AND MEETINGS SUMMARY OPINION
2026-O-18

DATE ISSUED: August 31, 2026

ISSUED TO: Mandan Public School District

SUMMARY OPINION¹

S. Paul Jordan requested an opinion from this office under N.D.C.C. § 44-04-21.1 asking whether Harlow's School Bus Service violated N.D.C.C. § 44-04-18 by not responding to an open records request. Harlow's contracts with the Mandan Public School District to provide busing services at fair market value. A recent opinion from this office dealing with nearly identical circumstances concluded that Harlow's was not a public entity because it provides services to the school district at fair market value.² Because Harlow's is not a public entity, it is not subject to the open records law.³ It is therefore my opinion that no violation of the open records law occurred in this instance.



Drew H. Wrigley
Attorney General

srh

cc: S. Paul Jordan

¹ This Summary Opinion is issued pursuant to the authority granted to this office in N.D.C.C. § 44-04-21.1(1).

² N.D.A.G. 2025-O-13; *see also* N.D.C.C. §§ 44-04-17.1(10), (13).

³ N.D.A.G. 2025-O-13.