



MDDE Recommends

Michigan Department of Education
<http://www.michigan.gov/studentissues>

SCHOOLS OF CHOICE

The sections of the *State School Aid Act* that address this issue are contained in the Michigan Compiled Laws under MCL 380.1401, 388.1606, 388.1705, 388.1705c and 388.1707.

Each local school board has the authority to offer a student the option of enrolling in the school building of his/her choice. A local school board may establish district policies for intra-district choice relative to the placement of its own students within select buildings in the district. In addition, a local school board may provide choice enrollment options to students from other school districts. Under current law, a local school board may participate in the following: (1) the state school of choice program under sections 105 or 105c of the *State School Aid Act* [MCL 388.1705 and 388.1705c]; (2) a cooperative choice agreement; or (3) local school district choice. In addition, choice options may be available for a student that is a victim of criminal sexual assault or other serious assault and a student who has been suspended or expelled to attend a nonresident alternative education program. A school district may elect not to participate in any of the schools of choice programs. For additional information on choice enrollment options, please contact State Aid/School Finance at (517) 373-3352 or CiloskiB@michigan.gov.

State Legislated Schools of Choice Program

Schools of Choice Program (Sections 105 and 105c)

The *State School Aid Act* provides each local school board with the option to participate in the state schools of choice program under sections 105 and 105c [MCL 388.1705 and 388.1705c]. The decision to participate in the program under one or both of the section(s) of this legislation is voluntary. Section 105 schools of choice programs provide students with the option to enroll in another school district that is within the same intermediate school district as their own. Section 105c schools of choice programs provide students with the option to enroll in a school district that is within another intermediate school district, but shares a boundary line with their intermediate school district. Under either section, districts may place a limit on the number of students that can enroll. In addition, district may also limit enrollment to specific grades, specific buildings, and/or programs. Districts determine the timeframe for accepting applications for their program, and will be the best resource for determining when to apply. Students are not required to obtain a release from their resident district to enroll through a Section 105 and/or 105c schools of choice program. For additional information on choice enrollment options, please contact State Aid/School Finance at (517) 373-3352 or CiloskiB@michigan.gov.

Local Schools of Choice Programs

Intra-District Choice

Intra-district choice provides a parent with the ability to enroll a student in a building other than the preselected building within the school district. A district may establish a local policy relative to the placement of students within select buildings in the district. The district may offer to provide transportation for a

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student who chooses to attend a different school building, but that is not required of the district. Michigan law does not require a public school to provide intra-district choice.

Inter-District Choice (Cooperative Agreement Choice)

A number of school districts may establish educational programs that permit the enrollment of a nonresident student. The agreement may be between districts in different intermediate school districts or counties. A receiving district must have a release from the resident district to count a nonresident student in membership in order to receive the foundation allowance for that student [MCL 388.1606(4)(b)]. The resident school district may approve or deny the request for the release. A cooperative choice agreement may limit the number of students participating in the program. Michigan law does not require a public school to provide inter-district choice.

Local School District Choice

The board of a local school district may enroll a nonresident student on an individual case-by-case basis. A nonresident district must have a release from the resident district to count a nonresident student in membership in order to receive the foundation allowance for that student [MCL 388.1606(4)(b)] unless the pupil meets one of the exceptions in MCL 388.1606(6). The resident school district may approve or deny the request for the release.

Other Forms of Choice Enrollment

Parent Paid Tuition

The board of a school district may enroll a nonresident student without release, and shall determine and collect tuition paid on behalf of the nonresident student for enrollment. [MCL 380.1401].

Public School Academy

A public school academy may enroll and count students for state aid purposes. Students are not required to obtain a release from their resident district to enroll. These pupils are treated as “residents” of the educating district and shall not be charged tuition.

Cooperative Education Programs

Districts may enter into cooperative agreements with each other to provide courses and educational services to other districts. The cooperative agreement replaces the need for a release to attend courses with the agreed district, and the resident district will cover the tuition for participation in the cooperative education program.

Part-Time Enrollment

Pupils may attend a district other than their own without a release from their educating district if their enrollment as a part-time student in the district does not exceed half of the courses needed to be considered full time in the primary district.

Pupils Enrolled in Middle College Program

A pupil enrolled in a middle college program in a district other than the pupil's district of residence where the enrolling district and the resident district are

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constituent districts of the same intermediate district. However, if the pupil's resident district is a first class district and the middle college program is held within the boundaries of that first class district, the enrolling district must have a release from the pupil's district of residence.

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