



Traverse Bay Area
Intermediate School District

Inter-District Open Enrollment Policy 2014-17

A reciprocal agreement between the
TBAISD Board of Education and the
Boards of Education of the sixteen
TBAISD constituent districts.
(Agreement will be renewed every 3 years)

_____ SCHOOLS
BOARD OF EDUCATION POLICY
STUDENTS

INTER-DISTRICT OPEN ENROLLMENT

The Board of Education, in conjunction and cooperation with the Boards of Education which are constituent to the Traverse Bay Area ISD and which have adopted an identical and reciprocal policy, shall permit the enrollment of students from any participating District in accordance with this policy and the Administrative Guidelines established to implement this policy.

1. DEFINITIONS:

- A. Non-Resident Student - is a pupil who is not a legal resident or otherwise legally entitled to attend school in this District, who is also a resident of a Traverse Bay Area ISD constituent district which has adopted an identical and reciprocal policy to this Policy, and who seeks admission to this District through his/her parents (if unemancipated) or by himself/herself (if emancipated), under the terms of this Policy.
- B. Participating District - are any and all of the sixteen constituent districts of the Traverse Bay Area ISD that have adopted a policy which is identical and reciprocal to this policy.
- C. Program Size - means enrollment or size restrictions in a specific program, course, class or building. The District reserves the exclusive right and discretion to establish program size and to limit enrollment based upon its determinations regarding the proper allocation of financial and human resources, creation and maintenance of a proper learning environment and in order to effectuate compliance with contracts, grants and other applicable sources of legal and regulatory authority. The District shall annually determine program size in order to identify how many (if any) non-resident students shall be considered for enrollment under the terms of this Policy.
- D. Resident School District - means this District, provided that a student has established and maintains legal residence here or is otherwise entitled to enroll in this District on a non-tuition basis.
- E. Resident Student - is a pupil who is a legal resident of this District and is consequently entitled to attend school in this District, on a non-tuition basis, pursuant to Section 1147, 1148, 1148a of the Revised School Code or other legal authority.

2. ENROLLMENT OF NON-RESIDENT STUDENTS

- A. Subject to the provisions of this policy, this District will permit enrollment of non-resident students from participating districts to the extent determined annually by this District and based upon considerations of program size.
- B. If a participating district chooses to limit enrollment, non-resident pupils shall be selected for admission using a random process. Provided, that enrollment priority shall be given to

who reside in the same household as a currently enrolled non-resident pupil. A waiting list will be considered which is based upon the order in which the non-resident applicants were drawn under the random process. If further enrollment opportunities arise, those must be filled in the order mandated by the waiting list.

- C. The Superintendent shall be responsible for the formulation, dissemination and implementation of Administrative Guidelines in furtherance of this Policy. Those Administrative Guidelines shall incorporate at least the following standards:
1. Communication with parents/guardians of non-resident students seeking admission (or the student, if legally emancipated) concerning this Policy and the timelines and other requirements for application. The Superintendent shall have discretion to waive established timelines in the event of demonstrated, extenuating circumstances occurring after the beginning of a school year.
 2. Establishing that this District complies with and will enforce pertinent Regulations of the Michigan High School Athletic Association and any relevant league standards regarding eligibility of transfer students for participation in interscholastic athletics.
 3. Establishing that applications from non-resident students for admission to this District must be initiated by the parent/legal guardian of that pupil, unaccompanied minor (or non-resident student, if legally emancipated) and that such person making application bears contractual and other legal responsibility for the payment of tuition if the non-resident student is accepted for enrollment in this District, to the extent if applicable that tuition may be charged under Section 1401 of the Revised School Code, or its successor statutory provision.
 4. Establishing that non-resident pupils who are admitted to attend school in this District shall not be entitled to transportation services except as provided under McKinney Vento from this District for the purposes of arriving at and departing from regularly scheduled classes. The Superintendent may approve that an admitted non-resident pupil be permitted transportation within this District so long as this occurs along previously established bus routes and bus stops. Resident pupils of the District who apply for and are accepted by a non-resident district under the terms of this Policy are not entitled to transportation to the non-resident district at the expense of the resident District.
 5. Non-resident students who seek admission to or who are accepted for enrollment in this District are subject to the determinations of this District as respects the awarding of transfer academic credit, grade and course placement and assignment, and placement based upon successful completion of courses or grades in school districts or schools where the non-resident student has previously been enrolled.
 6. Non-resident students accepted for enrollment in this District are subject to facility, grade and course assignments within this District according to the same policies and procedures applied to intra-district enrollment of resident students.

7. That parents/guardians (or the applicant/non-resident student, if emancipated) are required immediately upon notification of acceptance for enrollment in this District to furnish a written statement to this District authorizing release of all records of the pupil from the non-resident participating district where the pupil is currently enrolled, unless that district has provided in its annual notification under the Family and Educational Rights and Privacy Act that it has a policy of forwarding education records to other agencies or education institutions that have requested those records and in which the student seeks or intends to enroll.
- D. Applicants for admission as non-resident students and their parents/guardians are hereby notified that the District does not discriminate on the basis of race, color, national origin, sex, height, weight, marital status, religion, disability or athletic ability in admission or access to programs, activities or policies. Any person having inquiries concerning the District's compliance with the regulations implementing Title VI, Title IX, Section 504 of the Rehabilitation Act is directed to contact _____ (insert name and address of monitor _____) who has been designated by the District to coordinate the District's efforts to comply with the regulations implementing the above statutes. Non-resident students applying for admission to this District are also notified that the District does not grant or refuse enrollment based on age, except that the District may refuse to admit a non-resident applicant student applying for a grade, class or program that is not appropriate for the age of the applicant.
- E. This District will not be required to accept for enrollment, under the terms of this Policy, any non-resident student who has been suspended within the last two (2) years, expelled, convicted of a felony, or otherwise released or excluded from his/her resident school district due to disciplinary reasons. Students expelled from another Michigan public school under Section 1311(2) of the Revised School Code will be excluded from enrollment, except as provided by law. Those students expelled from another Michigan school district under Section 1311 or 1311a of the Revised School Code may only apply for admission to this district under the conditions set forth in those enactments.
- F. A District that enrolls a non-resident pupil who is eligible for special education programs and services or who is a child with disabilities as defined under the Individuals with Disabilities Education Act, shall be considered the resident district of that pupil for the purpose of providing the pupil with a free appropriate public education. The enrolling district will also be responsible for developing and implementing an individualized education plan for the non-resident pupil.

3. RELEASE OF RESIDENT STUDENTS

- A. In order to implement and effectuate the terms of this policy, the Board of this District consents to release resident students to non-resident participating districts, in conformance with the requirements for release set forth in Section 6 (6) of the State School Aid Act.
- B. Any resident student released, pursuant to this policy, for attendance in a participating district shall not be required to be readmitted to this District until the beginning of the next academic semester or trimester following the year of his/her admission and attendance at the non-

4. EFFECTIVENESS AND SCOPE OF POLICY

- A. This policy shall become effective upon the enactment and effectiveness of a reciprocal and identical policy by one or more of the other participating districts within the Traverse Bay Area ISD. Non-resident students may only be accepted for enrollment in this District from another participating district meeting the foregoing requirement. Resident students of this District will not be released, for state school aid purposes, pursuant to this policy, to any District which is not a participating District having a reciprocal and identical policy to this policy, except as may otherwise be required by law.
- B. This policy shall be reviewed annually on or before July 1 by the Board of each participating district to determine if it is to be continued or to rescind Inter-District Open Enrollment. No further resolution is necessary.
- C. This policy is intended only to address the enrollment of non-resident pupils in this District at the request of the student (if emancipated) or the parents/guardians of the non-resident pupil. It shall not have application to any circumstance where this District has made arrangements with any participating or other district to send or receive students, on a tuition basis, or to any cooperative educational programming arrangements with any participating or other school district.

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