

Book	Policy Manual
Section	5000 Students
Title	ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS
Code	po5111
Status	Active
Adopted	February 1, 2004
Last Revised	October 8, 2018

#### 5111 - **ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS**

The Board of Education establishes the following policy for determining eligibility to attend the schools of this District.

A. The Board will educate, tuition-free, students who are legal residents of the District. Proof of residency will be required for registration in the District regardless of their citizenship or immigration status. The Board shall meaningfully communicate material information about enrollment requirements and procedures with parents, including parents who have limited proficiency in English. Access to information regarding enrollment requirements and procedures shall be available on the District's website. Legal residency means a student is residing with his/her parents, legal guardians, or a resident relative with power of attorney over the student. A student may attend school in this District tuition free if a parent or legal guardian is a legal resident of the District, regardless of whether the parent or legal guardian has actual custody of the student. Legal residency, when living with a relative, must be based on the need for a suitable home and not for educational purposes.

If the student temporarily resides in another school district but attends school in this District (where one (1) parent resides), it is the obligation of the parents to provide transportation for the student from the home of the nonresident, custodial parent.

- B. The District shall provide a free education to those students who are considered by Federal law to be illegal aliens or considered to be homeless by State established criteria.
- C. A student who is resident within the District by order of a juvenile or probate court or placed in the District as a ward of the State by an authorized agency shall be admitted tuition free.
- D. Any student who enrolls in the District under the District's schools of choice program should be admitted tuition free.
- E. Foreign students, participating in a bona fide, foreign-exchange program and living with a resident host family, will be admitted tuition-free.
- F. Students whose parents do not reside within the District but who present evidence that they will move into the District within a short period of time may enroll in the schools of this District as tuition students for the time not in residence.
- G. Twelfth grade students who have begun their work toward graduation from the District's high school and whose parents no longer reside within the District may be permitted to complete their high school education as tuition students.
- H. A resident student, otherwise eligible to attend school in the District, may be denied admission if s/he has a record of behavior that the Superintendent believes would constitute a threat to the safety and well-being of staff and other students.
- I. A nonresident student placed with the District for educational reasons by a juvenile or probate court order shall be admitted tuition free.
- J. Nonresident students may be accepted into the District's Summer School Program on a tuition basis. The District reserves the right to waive the tuition charges.
- K. A student who is the child of a person who is employed by the District, including an adopted child or legal ward.

Revised 3/05

Revised 10/8/18

Legal

M.C.L. 380.1148, 1401 et seq., 388.1606

Emancipation of Minors Act, Section 4, Subsection 6

Public Law 100-77, Section 721, 42 U.S.C. 11431

Stewart McKinney Homeless Assistance Amendment Act of 1990

P.A. 203 of 1994, Sec. 163a(1) & (2)

Last Modified by Tammy R Shroyer on October 31, 2018

Book	Administrative Guidelines
Section	5000 Students
Title	ADMISSION TO THE DISTRICT
Code	ag5111
Status	Active
Adopted	April 1, 2004
Last Revised	October 8, 2018

### 5111 - **ADMISSION TO THE DISTRICT**

Students who qualify for admission to District schools, in accordance with Board of Education Policy 5111, shall be accepted when the following documents have been submitted:

A. a birth certificate or other appropriate documentary evidence

Acceptable forms of documentation include: Foreign birth certificate; religious, hospital, or physician's certificate showing date of birth; entry in a family bible; baptismal record; adoption record; affidavit from a parent; previously verified school records; or other documents permitted by law.

B. court orders or placement papers, if applicable

C. proof of residency consisting of a deed, building permit, rental agreement, tax statement, voter registration card, or completion of Form 5111 F2b if requested

Acceptable forms of documentation include: Telephone bills, utility bills, mortgage or lease agreements, parent affidavits, rent payment receipts, a copy of a money order made for payment of rent, or letter from a parent's employer that is written on company letterhead to establish residency.

D. a minor student who is also a parent must provide evidence that s/he is living in a living environment supervised by a responsible adult

If a birth certificate is not available, the parent is to complete Form 5111 F1 and submit the documentary evidence called for therein. If custody has been established by the courts, a copy of the court order must be submitted. If such verification is not received within thirty (30) days or the document appears to be inaccurate or suspicious, the principal shall notify the local law enforcement agency.

Students without appropriate records will be admitted under temporary enrollment for a period of thirty (30) days, unless extended by the principal. Parents are to be so informed at the time of admission.

The sending school shall be contacted within twenty-four (24) hours of the student's entry into the school and requested to send all appropriate records.

If the school indicates no record of the student's attendance, or the records are not received within fourteen (14) days of the date of request, or if the student does not present a certification of birth or other documentary evidence, the principal shall immediately notify the law enforcement agency where the student resided and the local law enforcement agency that s/he may be a missing child.

Immunization requirements are to be in accordance with AG 5320. The staff member enrolling the student is to check the immunization record the parent submits against the requirements listed in AG 5320 to determine if there are any discrepancies or missing inoculations. If so, the parent is to be informed that the needed inoculations must be completed within the next two calendar weeks or as soon thereafter as the schedule for the missing inoculations permits. The principal is to be provided the names of all children who have not met the immunization requirements and the dates by which missing inoculations are to be completed.

A student shall be considered homeless under Federal law (42 U.S.C. 11431 et seq) if s/he is an individual who:

A. lacks a fixed, regular, and adequate nighttime residence;

B. has a primary nighttime residence that is:

1. a supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, or transitional housing for the mentally ill;
2. an institution that provides temporary residence for individuals intended to be institutionalized;
3. a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

Students transferring from another school district must submit an official transcript from the sending school in order for the student to receive credit for course work. Report cards will not be considered sufficient evidence for granting credit toward graduation.

Revised 10/8/18

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Last Modified by Tammy R Shroyer on October 31, 2018

Book	Policy Manual
Section	5000 Students
Title	SCHOOLS OF CHOICE PROGRAM(Inter-District)
Code	po5113
Status	Active
Adopted	February 1, 2004

#### 5113 - **SCHOOLS OF CHOICE PROGRAM(Inter-District)**

The Board of Education has determined that it will allow nonresident students, residing within the Charlevoix-Emmet ISD, but whose parent(s) does not reside in the District, and who qualify, to enroll in the District through a Schools of Choice program during the forthcoming school year.

The Board shall review this decision annually based on information provided by the Superintendent concerning the availability of space in each of the district's schools and programs. The board shall determine and publish whether or not it will accept applications for enrollment by new constituent district students, contiguous district students, or tuition students by the second Friday in August for the next school year. The Board may, at its option, choose to accept Schools of Choice students for any second semester openings. Openings for second semester must be published two (2) weeks prior to the end of the first semester.

Any constituent or contiguous district students who were enrolled during the previous school year or semester under a Schools of Choice program will be permitted to enroll for the next school year.

#### DEFINITIONS

The following definitions will apply to the District's Schools of Choice program.

A. Constituent District

A school district located within the Charlevoix-Emmet ISD.

B. Home District

A nonresident student's district of residence within the ISD.

C. Constituent-District Student

A student who is a legal resident or otherwise legally entitled to attend school in another school district within the ISD who does not have a parent residing in the District and who seeks admission to this District under Schools of Choice.

D. Program Size

The enrollment or size restrictions in a specific program, course, class or building. The District reserves the exclusive right to establish program size and to limit enrollment based upon the capability to properly allocate available resources, create and maintain a proper learning environment, and comply with contracts, grants and applicable laws and regulations.

E. Resident Student

A student who is a legal resident of this District and is consequently entitled to attend school in this District in accordance with Policy 5111 - Eligibility of Resident/Nonresident Students.

F. Tuition Student

A student who resides outside the Intermediate School District and has enrolled or seeks to enroll in this District upon payment of the established tuition fee.

#### ENROLLMENT OF NONRESIDENT STUDENTS

(Note: Sections below marked \* must be selected if the program is designed to count students without waiver from the resident district.)

Students who have been enrolled in the District through a Schools of Choice Program during the previous semester or school year may continue their enrollment through graduation provided they maintain continuous enrollment and are not expelled for disciplinary reasons.

- A. \* If the number of applications for admission from nonresident students exceeds the number of available enrollment opportunities, enrollment priority shall be given to a sibling of a nonresident student already admitted under this program.
- B. \* Nonresident students shall be selected for remaining vacancies using a random selection process.
- C. Tuition students shall be included in the determination of class and program size prior to accepting new constituent district students.

Enrollment may or may not be available to any nonresident student who has been suspended, expelled or otherwise released or excluded from his/her home district for disciplinary reasons. The Superintendent shall make the decision based on the circumstances involved, in accordance with statutory restrictions.

- A. \* The District's Policy 2260 - Equal Educational Opportunity shall apply to all applicants under this program. In addition, the District will not discriminate on the basis of an applicant's intellectual, academic, artistic, athletic, or other ability, talent, or accomplishment, or based on a mental or physical disability
- B. The Superintendent shall be responsible for developing and promulgating administrative guidelines to implement this policy. Such guidelines shall address at least the following matters:
  - 1. \* Communication with the parents of nonresident students seeking admission (or the student, if legally emancipated) concerning the timelines and other requirements for application as well as a statement of nondiscrimination (See Policy 2260 - Access to Equal Educational Opportunity).
  - 2. Participation in interscholastic athletics.
  - 3. District transportation services.
  - 4. Pre-requisites and other eligibility standards associated with courses of study.
  - 5. Transfer of academic credit.
  - 6. Assignment within the District.
  - 7. Admission of special-education students.
  - 8. Payment of fees and other charges.

#### RELEASE OF RESIDENT STUDENTS

- A. The Superintendent shall ensure that the records of a resident student who transfers to another district are sent promptly to the other district.
- B. \* The Superintendent shall inform the State Department of Education should the number of resident students transferring to constituent districts under a Schools of Choice program exceed ten percent (10%) of the District's resident student population.

Legal                      M.C.L.A. 388.1705  
                                  P.A. 300, 1996, as amended

Last Modified by Brenna Sparger on August 24, 2018

Book	Administrative Guidelines
Section	5000 Students
Title	INTER-DISTRICT OPEN ENROLLMENT
Code	ag5113
Status	Active
Adopted	April 1, 2004

### 5113 - **INTER-DISTRICT OPEN ENROLLMENT**

The Board of Education, in conjunction and cooperation with the Boards of Education which are constituent to the Charlevoix-Emmet Intermediate School District (CHAR-EM 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.

#### **DEFINITIONS**

- A. **Non-Resident Student** - is a student who is not a legal resident or otherwise legally entitled to attend school in this District and who seeks admission to this District as a student.
- B. **Participating District** - are any and all of the eleven (11) constituent districts within the Charlevoix-Emmet Intermediate School District that have adopted a policy which is identical and reciprocal to this policy.
- C. **Program Size** - means enrollment or size restrictions for a specific program, course, class or building. The District reserves the exclusive right 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, caseloads, class size, and other applicable sources of legal and regulatory authority
- D. **Resident School District** - means this District, provided that a student has established and maintains a legal residence here and is entitled to enroll in school on a non-tuition basis.
- E. **Non-Resident School District** - means a district other than this District, provided that district is a constituent District of the Charlevoix-Emmet Intermediate School District, and that a student has established residence in that District, and is entitled to enroll in school there on a non-tuition basis.
- F. **Resident Student** - is a student 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 the School Aid Act.
- G. **Non-Resident Student** - is a student who is a legal resident of a Non-Resident School District, provided that district is a constituent District of the Charlevoix-Emmet Intermediate School District, and the student is consequently entitled to attend school in that Non-Resident School District, on a non-tuition basis, pursuant to the School Aid Act.

#### **ENROLLMENT OF NON-RESIDENT STUDENTS DURING FIRST SEMESTER**

- A. Subject to the provisions of this policy, this District will permit full-time enrollment for educational purposes of non- resident students from participating Charlevoix-Emmet School constituent Districts. The number of students allowed to enroll will be established annually by the local Resident School District.
- B. The Superintendent shall annually determine the number of available enrollment opportunities (if any) for non-resident students under this Policy, and prior to June 15th shall convey that information to this Board, to the ISD Superintendent, and to the Superintendent of each participating district.
- C. The Superintendent shall provide the following information to the ISD to be published: the grades, schools, and special programs, if any, for which enrollment may be available to, and for which applications will be accepted from, non-resident applicants.

- D. If the district has a limited number of positions available for non-residents in a grade, school, or program, notice shall be provided to the general public that applications will be taken until July 1st from non-residents for enrollment in that grade, school, or program. The notice will identify the place and manner for submitting applications.
- E. Within five (5) days after the end of the application period non-resident applicants will be determined for enrollment in that grade, school, or program, using a random draw system as necessary. The parent of each non-resident applicant will be notified whether or not they may enroll in the district. The notification shall contain the date by which the applicant must enroll in the district and procedures for enrollment.
- F. Once the application period has ended, and not later than September 15th, if any positions become available due to accepted applicants failing to enroll or to more positions being added, the district may enroll non-resident applicants from the waiting list maintained subsequent to the random draw, offering enrollment in the order that applicants appear on the waiting list. If there are still positions available after enrolling all applicants from the waiting list the district may not fill those positions until the second semester enrollment period or until, the next school year.
- G. A similar process will be employed for second semester enrollment. the application period for second semester enrollment will extend until December 15th. Districts may enroll students until the first Wednesday in February.
- H. Enrollment priority shall be given to the sibling of a non-resident student from a participating district already admitted to attend school in this District and to students previously enrolled in this District.
- I. 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 parent/guardians of non-resident students seeking admission (or the student, if legally emancipated) concerning this Policy and the timelines and other requirements for application.
  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 must be initiated by the parent/legal guardian of that student (or non-resident student, if legally emancipated).
  4. Establishing that non-resident students who are admitted to attend school in this District shall not be entitled to transportation services from this District for the purposes of arriving at and departing from regularly scheduled classes. The Superintendent may approve that an admitted non-resident student be permitted transportation within this District so long as this occurs along previously established bus routes and bus stops.
  5. Non-resident students seeking admission are subject to the academic, class, caseload, and program size standards of this District in terms of grade and program size or course placement.
  6. Non-resident students accepted for enrollment in this District are subject to the determinations of this District as respects the awarding of transfer academic credit, academic assignment or placement based upon completion of courses or grades in districts or schools where the no-resident student has previously attended.
  7. Non-resident students accepted for enrollment in this are subject to facility, grade and course assignments within this District according to the same policies and procedures applied to enrollment of resident students.
  8. That parents/guardians (or the applicant/non-resident student, if legally 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 student from the non-resident participating district where s/he is currently enrolled.
- J. 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, religion or disability, 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 the Compliance Officer who has been designated by the District to coordinate the District's efforts to comply with the regulations implementing the above statutes.
- K. This District will not be required to accept for enrollment any non-resident student who has been suspended, expelled or otherwise released or excluded due to disciplinary reasons.

#### RELEASE OF RESIDENT STUDENTS



- A. In order to implement and effectuate the terms of this policy, the Board of this District consents that K-12 resident students shall be allowed to transfer to non-resident participating districts, in conformance with the requirements set forth in 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 academic year next following the year of his/her admission and attendance at the non-resident participating District.

#### EFFECTIVENESS OF POLICY

- A. This policy shall become effective upon the enactment and effectiveness of a reciprocal and identical policy by one (1) or more of the other participating districts within the Charlevoix-Emmet Intermediate School District. 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, pursuant to this policy, to any District which is not a participating District having a reciprocal and identical policy to this policy.
- B. This policy shall be reviewed annually on or before July 1st.

#### OPEN ENROLLMENT AT A GLANCE

- A. During the spring parents are notified that applications for Open Enrollment consideration will be accepted until July 1st.
- B. June 15th is the last date for local Superintendent to determine openings and notify locals and ISD.
- C. ISD publishes openings for all districts immediately after June 15th.
- D. Local schools will use the adopted common application form.
- E. Local schools accept applications for Open Enrollment Drawing until July 1st. Applications for the Random Draw close on July 1st.
- F. Local schools may accept applications for Open Enrollment after July 1st but these are to be placed on waiting list in order they are received. These late applications may be considered only after all applications received prior to July 1st are assigned.
- G. Prior to July 6th, each local school conducts a drawing with applications received for grades/programs with more applicants than openings. The draw is continued until all names are drawn with the excess applicants going on a waiting list in the order they are drawn.
- H. Immediately after the drawing, parents are notified by local school that they may enroll their student(s). Parents will not be allowed to enroll their students after September 15th.
- I. If parents fail to enroll or if openings occur subsequent to the draw, schools will go to the waiting list and notify parents in the order they appear on the list that they are eligible to enroll their student(s). The September 15th deadline will still apply for accepting enrollments.
- J. Students who are not enrolled by September 15th must wait until the second semester application/enrollment window. In special circumstances an enrolling district may receive a waiver of release from the resident district subsequent to the September 15th deadline.
- K. A similar application/enrollment process will be held during the second semester.
- L. Second semester enrollment applications will be accepted until December 15th.
- M. Local school may enroll students through the end of the first Wednesday in February.

Last Modified by Brenna Sparger on August 24, 2018