

SCHOOL ELIGIBILITY AND ADMISSIONS

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

- A. The District will educate, tuition-free, students who are legal residents of the District. Proof of residency will be required for registration in the District. 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.

B. Admission of Resident Students to Other Districts

Transfer of resident students to other public school districts, if not under Schools of Choice or other nonapproval sections of the State School Aid Act, must be approved by the Superintendent or his/her designee if the student is to count in membership. Transfer of resident students to a school district where a parent/guardian works will not be approved, except as allowed by MCL 388.1606, for children of public school employees.

C. Non-Resident Students

A non-resident student is any student who does not meet the requirements to be a resident student of the District. The enrollment of a non-resident student is a privilege granted by the District and is not a legal right provided to the non-resident student and/or the student's parent/guardian. A non-resident student shall not be granted or refused enrollment based upon disability, religion, race, color, national origin, sex, sexual orientation, height, weight, or generally in violation of any State or Federal law prohibiting discrimination.

Enrollment requests from a non-resident student will be subject to space availability as determined by the Superintendent or his/her designee considering resident student enrollment projections.

Upon receiving a Foundation Grant release from the student's school district of residence or upon payment of tuition unless exempt from either by State law, a non-resident student may be accepted on an annual basis under one (1) of the following conditions:

- A. In accordance with Section 105 - ISD Schools of Choice, provided the District is participating during that particular school year.
- B. In accordance with Section 105C - Contiguous ISD Schools of Choice, provided the District is participating during that particular school year.
- C. If the student's parent/guardian has purchased a residence in the District, or are building but have not moved into the District before the opening of school, the student may enroll as a "tuition release" student; i.e. released from the current district of residence and is counted on count day as a South Lyon student.
- D. A student enrolled in the South Lyon Community Schools and whose parent/guardian moves from the District during the school year will be permitted to finish that school year.
- E. A student enrolled at a South Lyon High School and whose parent/guardian moves from the District after the end of the student's junior year and who does not meet the requirements of Section 105 or 105C, provided the District is participating during that particular school year, may complete the senior year at a South Lyon High School on a tuition basis or as a "tuition release" student. (See definition of tuition release student as noted in C. above.)
- F. 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.
- G. A student admitted at the request of the court or other State agency.
- H. As permitted by the law, a non-resident student who wishes to attend South Lyon Community Schools may do so with the permission of the Superintendent or his/her designee.
- I. In accordance with MCL 388.1606 (6)(l) non-resident K-12 children of a District employee may enroll in the South Lyon Community Schools. For purposes of this provision, employee status applies to a person who is recognized by the District as a permanent employee

and who is employed on fall membership count day. Substitutes and contractors are not eligible. This practice is not an employee benefit, and the Board reserves its right to alter or rescind this provision. If an employee leaves after the count date but prior to the end of fiscal year, the child would not need a release from the resident district to complete the current school year. However, to continue into another year would require release forms from the resident district.

A permanent employee's K-12 child, who resides in or out of district, may attend any school in the district. An enrollment request for an employee's child(ren) is subject to space availability as determined by the Superintendent or his/her designee considering resident student enrollment projections. An enrollment request for employee child(ren) will follow timelines, guidelines and procedures as established for Schools of Choice. Provided that the employee meets the guidelines and timelines, employee's child(ren) shall be placed prior to other school of choice applicants. Transportation is responsibility of the parents.

If the employee's child has been suspended from school within the last two (2) years, if the student has ever been expelled from school at any time, and/or criminally prosecuted, or has been convicted of a felony, the Superintendent or his/her designee shall make the final decision regarding student enrollment under this section.

For an employee's child(ren) in 10th, 11th, or 12th grade, enrollment will only be allowed with the principal's endorsement after meeting with and considering the child and parent and after reviewing all coursework, current grade point average, discipline file, etc...

Any type of grandfathering of current school of choice students applies to a school district employee's child as well. Therefore, if a school or grade level becomes closed to school of choice, an employee's child would not be able to attend.

Requests for admission from the parent/guardian of a special education student shall be considered in accordance with applicable State and Federal laws. The student's current Individual Education Plan (IEP) shall be used to determine if the requested school or program can meet the student's needs. When necessary, a written cooperative agreement with the student's resident district shall cover, but not be limited to, an arrangement on the responsibility for the payment of the added costs of special education programs and

services, including transportation, for the education of the nonresident student while enrolled in South Lyon Community Schools.

J. 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.

K. Foreign students, ages sixteen (16) or older, participating in a bona fide, foreign-exchange program, living with a resident host family, and receiving approval from the building principal will be admitted tuition-free.

L. **Tuition Fee for K-12 Students**

The administration shall annually set the tuition fee for non-resident students attending K-12 classes within the range established by State law. The tuition rate shall be the same for all non-resident students. The daily tuition fee is determined each year by dividing the then current foundation grant by the number of student days.

M. **Student Record Requests for Transfer Students and Students Who Transfer to Another District**

Within fourteen (14) days of enrolling a transfer student, a District school shall request in writing a copy of the student's school record from his/her previous school. Conversely, any District school that receives a request to forward a copy of a transferring student's record to a new school shall comply within thirty (30) days after receipt of the request unless the record has been tagged pursuant to School Code Section 1134, i.e. missing students. The "School Record" includes a student's disciplinary record, including any suspension or expulsion action against the student. A student's parent/guardian will be notified that school admission is conditional pending receipt of the school records from the previous school.

N. **Grade Placement for Transfer Students**

Grade placement shall be the responsibility of the Superintendent or his/her designee and shall be based on general achievement, with consideration being given to mental, physical, emotional and social maturity. High School transfer credit and placement shall be

awarded in accordance with Board Policy 5460 - Graduation Requirements.

O. **Students Suspended, Expelled and/or Criminally Prosecuted or Convicted of a Felony from Other Districts**

1. **Schools of Choice:** Consistent with the State School Aid Act, the District may refuse to enroll a nonresident student who applies for enrollment under either the Intermediate District Schools of Choice (Section 105) or the Contiguous ISD Schools of Choice (Section 105C) program, if the student has been suspended from school within the last two (2) years, if the student has ever been expelled from school at any time, and/or criminally prosecuted, or convicted of a felony. The Superintendent or his/her designee shall make the final decision regarding student enrollment under this section.
2. **Resident Students:** The Board shall conduct a pre-enrollment due process hearing as to whether or not a resident student who has been suspended due to a serious offense, expelled from another school and/or criminally prosecuted, or convicted of a felony, may enroll in South Lyon Community Schools. The student will have the right to have his/her parent/guardian and advisor, who may or may not be an attorney, present at the hearing. The student has the right to an open or closed hearing. The Board may establish conditions for enrollment. The Board shall conduct a pre-enrollment due process hearing and make its decision within two (2) weeks of the student's request to enroll in South Lyon Community Schools as an expelled student, or within two (2) weeks of receipt of any records from the previous school indicating that the student was criminally prosecuted and/or suspended due to a serious offense or expelled from that school. The Board shall consider the following criteria in making its decision:
 - a. Is the student eligible or has the student ever received services under IDEIA or Section 504?
 - b. Would the student have been expelled from South Lyon Community Schools for the same or similar conduct?

- c. Would the student's enrollment in South Lyon Community Schools be a detriment to the health, safety and welfare of others?
- d. Would the student's enrollment create a risk to the District or individual liability for the Board or District personnel?
- e. Has the student ever been criminally prosecuted and/or convicted of a felony?

After the pre-enrollment due process hearing, the Board shall make a decision by vote in open session. The decision of the Board is final. If the Board does not permit the enrollment of a resident student, the student may re-apply for enrollment after fulfilling all conditions which may have been established by the Board.

M.C.L.A. 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
PA 203 of 1994, Sec. 163a (1) & (2)

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