Series 3000: Operations, Finance, and Property

3100 General Operations

3122 Transfer of Territory Requests

A. Initial Review

If the ISD receives a petition or resolution to transfer territory from one school district to another school district, the Superintendent or designee shall forward a copy of the petition or resolution to each affected school district. The Board shall initially determine whether the petitioner has satisfied the statutory criteria necessary to initiate such a petition. The petitioner's failure to satisfy the applicable statutory criteria will justify denial of the petition.

B. Notice of Consideration

For consideration of a transfer petition or resolution that satisfies the applicable statutory criteria, the Superintendent or designee shall give 10 days' notice of the date, time, and place of a Board meeting to occur within 60 days after receipt of the petition or resolution, at which the Board will consider the petition or resolution and the proposed alteration in school district boundaries. The notice shall be published in a newspaper of general circulation in the territory of each affected school district.

C. Consideration Procedures

At the designated Board meeting the following procedures will apply, in addition to any other procedures adopted by the Board in its discretion:

1. The petitioner(s) named in the petition may offer a presentation of not more than 3 minutes to support the petition, which time may be extended by the Board in its discretion.

2. A representative of each affected school district may offer a presentation of not more than 3 minutes each in response to a proposed transfer, which time may be extended by the Board in its discretion.

3. Owners of the affected property who did not sign a petition may offer a presentation of not more than 3 minutes in response to the proposed transfer, which time may be extended by the Board in its discretion.

A presenter may submit documents in support of the presenter's position, provided copies of such documents have been shared with the Board and the other relevant parties at least 15 days before the meeting.

The Board, in its sole discretion, may deliberate and render its determination on the proposed transfer at the designated Board meeting or at a later Board meeting to occur within 60 days after receipt of the petition or resolution. If a transfer is

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approved, the Board shall determine the effective date of the transfer, which shall be at least 10 days after the date of the Board's determination.

D. Proposed Transfer of Property Across Intermediate School District Boundaries

If a proposed transfer seeks to transfer property across the ISD's boundaries, the Board shall coordinate procedures with the other affected intermediate school board, including meeting jointly as a single board with the other affected intermediate school board to consider the proposed transfer.

E. Map Amendment and Payment for Loss

When a transfer is approved, the Board shall cause a map to be prepared to evidence the approved transfer and shall distribute copies of the map, as required by law. The Board shall determine whether an approved transfer involves either the transfer of any real or personal property of a school district and, if so, the Board shall also determine an equitable payment for the loss of that property. The Board may require an accounting from the affected school district(s) for such a determination.

F. Right of Appeal

A petitioner or an affected school district may appeal a decision of the Board concerning a property transfer petition or resolution to the State Board of Education, as provided by law.

Legal authority: MCL 380.951, et seq.

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