



MDDE Recommends

SCHOOL DISTRICT REORGANIZATION

The sections of the *Revised School Code* and *State School Aid Act* that address this issue are contained in the Michigan Compiled Laws under MCL 380.11a, 380.12, 380.701 – 380.703, 380.851 – 380.976 and 388.1620(10).

Michigan law includes several methods that school districts may use to reorganize the district which include intra-district reorganization, consolidation, annexation, annexation and transfer, property transfer, division of a district and dissolution. Some of the methods require the approval of the school voters. In addition, intermediate school districts (ISDs) may reorganize through consolidation, annexation or disorganization. For additional information on school district reorganization, please contact Carol Easlick, School Law Unit, at (517) 373-0764 or easlickc@michigan.gov.

Intra-District Reorganization

Section 380.11a of the *Revised School Code* empowers each school board with the authority to perform functions related to the operation of the school district. The local board of education deals with many issues, including decisions to close a school building or reorganize buildings and/or grades within the district. Reorganizing a school district is the responsibility of the local board of education. It is difficult and requires thoughtful analysis. Student growth, age of the building, the district's financial situation, and teacher assignments all contribute to making this important decision. Neither the Department of Education nor the State Board of Education may supersede a local board's autonomy.

Consolidation

School consolidation is a process used to merge two or more existing districts into a new district. This process can be initiated by the affected boards or the school electors in each district, and it must be approved by the school voters in the affected districts. New school board members would be elected to govern the new district. [MCL 380.851 to 380.871]

Two or more adjoining intermediate school districts can be consolidated to form a single intermediate school district. [MCL 380.701]

Annexation

Annexation is when one district attaches another district to itself. In this case, the district to be attached loses its legal entity and becomes a part of the annexing district. In order to initiate this process, the annexing district would have to adopt a resolution and the voters of the district to be annexed must approve. [MCL 380.901 to 380.922]

An intermediate school district may be annexed to another intermediate school district. The annexing intermediate school district would have to adopt a resolution and the question would be placed before the voters of the intermediate school district to be annexed. [MCL 380.702]

Annexation and Transfer

Annexation and transfer occur when a portion of a district is annexed to a district and the balance of the annexed district's territory is transferred to one or more districts. The board of the districts to be divided, the annexing school



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district, and the district to which property is to be transferred, must adopt a resolution, and the voters in the districts to be divided must approve. [MCL 380.941 to 380.949]

Property Transfer

A property transfer is the detachment of a portion of territory from one district and attaching it to another. This can be accomplished by an intermediate school board if requested by a resolution of the board of a school district whose boundaries would be changed by the action or by a petition filed by not less than two-thirds of persons owning and residing on the land to be transferred. If the assessed value of the land involved is more than 10% of the total value of the entire district, a vote of the electors of the district from which the land is to be detached is required. [MCL 380.951 to 380.976] For additional information, please contact the Office of Administrative Law and Federal Relations at (517) 373-8369.

Division of a District

A school district may divide if initiated by either a resolution filed by the board of the school district to be divided or by a petition filed by 5% of the registered school voters residing in the district. If approved by the voters, the district would be divided and attached to another operating district. This method can only be used if the district to be divided has no bonded indebtedness. [MCL 380.931 - 380.932]

Dissolution

Dissolution occurs when a school district loses its organizational identity and its territory is attached to other school districts. A district loses its organizational identity when there are not enough persons in the district qualified to hold district office or who will accept the district offices. [MCL 380.12]

An intermediate school district with less than five constituent school districts that has no bonded indebtedness may be disorganized and its constituent school districts attached to contiguous intermediate school districts. [MCL 380.703]