



Policy: 2.04

SUBJECT: SCHOOL DISTRICT LEGAL STATUS

Supersedes: Policy 2.01 (2001)
Effective: September 8, 2008
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Approved by: Detroit Board of Education

1.0 Policy

1.1 GENERAL INFORMATION

The Constitution of the State of Michigan directs the legislature to maintain a system of free public elementary and secondary schools. In carrying out this mandate, the legislature has established different types of school districts and has delegated responsibility for their governance to local boards of education.

The Detroit public school system is organized as a school district of the first class. Its official name is the “School District of the City of Detroit.” The boundaries of the District are the same as those of the City of Detroit, but the district and city governments are separate and distinct. Any action taken with respect to the district shall be done in the name of the School District of the City of Detroit and shall comply with all applicable federal, state, and local laws as well as the policies contained in this manual.

1.2 APPLICABLE LAWS

The Michigan Revised School Code, Part 6, as amended by 1999 Public Act 10, applies specifically to the Detroit Public Schools as a school district of the first class. Additional education and other laws may also apply to the District, so long as they are not inconsistent with Michigan Revised School Code.

1.3 STRUCTURE OF GOVERNANCE

1.3.1 State Board of Education

The Michigan Constitution of 1963 calls for an elected State Board of Education and a Superintendent of Public Instruction appointed by the State Board. The State Board’s function, transferred by the

Governor to the State Department of Education, is to oversee the academic curricula of all school systems in the state. Policies of the State Board and directives of the State Superintendent are administered through the State Department of Education as well.

Attachments to Policy 2.04: None

Legal References: Michigan Constitution 1963, Article 8
MCLA § 380.401, *et seq.*[380.404a was repealed]
MCLA § 380.1131

Labor Contract References: None