



POLICY 5.01

4-D I recommend that the Board adopt the proposed revised Policy 5.01, entitled “Student Assignment.”

[Contact: Jerri-Lyn Burns, PX 48019.]

Adoption

CONSENT ITEM

- The Board approved development of this revised Policy at the development reading on October 1, 2008.
- A reference to new Policy 5.011 has been added.
- In recent boundary cycles, the School Board has phased-in boundary changes by grade level without specifically addressing transportation arrangements and affiliated costs. This change allows for a transportation cost analysis.

POLICY 5.01

STUDENT ASSIGNMENT

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3 **1. General Criteria**

- 4 a. All students in Palm Beach County schools shall be assigned annually to the
5 school which they are to attend under the authority of the Board and by
6 direction of the Superintendent.
- 7 b. Students shall be assigned to schools based on residence of the
8 student/parent/guardian as stated below, within the attendance boundaries
9 which have been established by the Board in a manner which maintains a
10 unitary school system consistent with Policy 1.04.
- 11 i. The residence of a minor student shall be the domicile of his/her parent,
12 as defined in Fla. Stat. § 1000.21(5) (which includes a legal guardian),
13 and which may involve, if a dispute exists, the primary residential custody
14 shown by an applicable court decision or order. The residence of a
15 student who is married or above the age of majority shall be his/her
16 domicile.
- 17 ii. The Superintendent/Designee may, in unique and hardship cases,
18 determine residence based upon approval of the use of a notarized
19 statement executed by the parent or legal guardian granting a general
20 power of attorney and general custody of a student to a resident of Palm
21 Beach County consistent with Policy 5.011.
- 22 c. When attendance boundaries are changed, elementary and secondary
23 students with one (1) year remaining in their present school will have the
24 option of remaining at that school, but this shall not automatically entitle the
25 student to District transportation. When considering attendance boundary
26 adjustments, the Board, by its own discretion, may extend this option to other
27 students with more than one (1) year remaining, so long as the extension is in
28 conformance with the attendance zone criteria in section (2) below. Boundary
29 changes that affect limited grade levels of specified SAC zones over a multi
30 year period may require a transportation cost analysis by the District
31 Transportation Department to determine the feasibility of transportation routes
32 and cost implications. Grade levels of students may be assigned annually, with
33 or without transportation, to the school which they are to attend under the
34 authority of the Board and by direction of the Superintendent.
- 35 d. Alternative methods of student assignment, such as choice enrollment,
36 administrative reassignments as set forth in Policy 5.015, and/or program
37 decisions (magnet, gifted, ESE), will supersede provisions for student

38 assignment in this policy to the extent they are inconsistent with the
39 attendance zone criteria.

40 **2. Attendance Zone Criteria**

41 a. When drawing attendance boundaries, the School Board, Superintendent,
42 District staff and the Advisory Boundary Committee must review the student
43 capacity of each facility for reasonable efforts to achieve optimal utilization.
44 Boundary decisions must consider the District's concurrency policy and the
45 applicable portion of the executed *Interlocal Agreement for Public School*
46 *Concurrency* recorded on January 25, 2001, ORB 12272, PG 973 for Palm
47 Beach County, as amended from time to time, that pertains to assignment of
48 students. A copy of this agreement is available at the Board Office.

49 b. All boundary recommendations and decisions shall also consider the following
50 criteria:

51 i. The creation or modification of boundaries shall not knowingly promote
52 inequitable student assignment as related to transportation time and
53 distance for all racial and ethnic groups of students, as it relates to
54 loading of school centers.

55 ii. Zone boundaries should be as compact as possible to minimize bus
56 travel time and facilitate student participation in extra-curricular activities.
57 The district will adhere to applicable state and federal laws, including
58 Florida Administrative Code Chapter 6-A, when creating attendance
59 zones.

60 iii. The student capacity of each facility should be considered and initial
61 enrollments set to ensure optimal utilization, while allowing for growth
62 wherever needed.

63 iv. The movement of students from current school attendance zone
64 configurations should be minimized to the greatest extent possible, if not
65 in conflict with other parameters.

66 v. The creation of "islands" or "fingers" that isolate distinctly identifiable
67 ethnic/racial groups shall be avoided.

68 vi. To the maximum extent possible, a feeder system in which two (2) to
69 (three) (3) middle schools "feed" a high school; and two (2) to four (4)
70 elementary schools "feed" a middle school should be created. (The
71 majority of each school's students should come from a minimum number
72 of feeder schools). Feeder systems should be developed on projected
73 growth patterns, the projected locations of new schools, and the possible
74 abandonment of existing facilities.

75 vii. The integrity of subdivisions should be maintained. (NOTE: developments
76 such as planned unit developments (PUDs) may consist of multiple
77 distinct subdivisions.)

78 viii. Based on the School Board's finding that promoting socioeconomic
79 diversity of the student population within schools has an educational basis
80 supported by research, data concerning the socioeconomic status of
81 students (based on free and reduced-price lunch data) may be
82 considered in determining student attendance boundaries, provided that:

83 A. the data is just one of many factors considered and does not receive
84 disproportionate weight, and generally should not result in
85 substantially greater transportation times; and

86 B. use of such data is for race-neutral educational reasons not
87 motivated by racial/ethnic considerations and is not a proxy for
88 consideration of race/ethnicity.

89 ix. The health, safety, and welfare of the students in the learning
90 environment, as determined by the Superintendent, may also be
91 considered.

92 3. **Attendance Boundary Time Line.**-- It is intended that all attendance boundary
93 changes be adopted by the Board no later than January of each calendar year for
94 the following school year, although it is recognized that this preferred deadline may
95 not be met for reasons such as the number of boundary changes and any
96 controversy surrounding proposed changes.

97 4. **Boundary Development or Amendment Process**

98 a. District staff reviews scheduled opening dates of new schools, implementation
99 of magnet/choice schools or programs, and the enrollment, capacity, and
100 feeder patterns of each school.

101 b. Staff targets schools impacted by the opening of new schools, implementation
102 of magnet/choice schools or programs, or construction of new residential
103 developments, and schools with conditions such as over- or under-enrollment
104 that may be eased through boundary changes.

105 c. Staff drafts initial boundary proposals and identifies schools impacted by
106 possible boundary changes. The District's Advisory Boundary Committee
107 ("ABC") reviews and discusses these proposals at open public meetings and
108 may suggest modifications or request alternative proposals. In their review of
109 and recommendations on District school attendance boundaries, ABC
110 members shall consider and follow the attendance zone criteria within
111 Sections (1) and (3) above, and any other applicable Board Policies and

- 112 requirements of law.
- 113 d. Upon that identification, District staff shall provide notice through multiple
114 information outlets, so that parents and members of communities that staff
115 believes in good faith may potentially sustain an impact due to a possible
116 boundary change will have an opportunity to be aware of regular ABC
117 meetings, community input meetings, and public Board workshops and
118 hearings related to boundary adjustments. Written notification shall include the
119 proposals related to the possible boundary adjustment and should be sent at
120 least one (1) week prior to the meeting, or immediately upon scheduling of
121 such meeting if less than one (1) week. Notification types shall include but are
122 not limited to:
- 123 i. Written notification to the principal and school advisory council ("SAC")
124 chair of schools potentially impacted by boundary change;
- 125 ii. Written notification to municipal managers and chairs of municipal
126 education boards of municipalities potentially impacted by boundary
127 change;
- 128 iii. Providing regular ABC meeting dates to local media outlets; and
- 129 iv. Posting of regular ABC meeting, community input meeting, and public
130 Board workshop and hearing dates, times and locations on the School
131 District's web site.
- 132 e. Posting of regular ABC meeting, community input meeting, and public Board
133 workshop and hearing dates, times and locations on the School District's web
134 site.
- 135 f. Members of the public will be given an opportunity to address the ABC
136 regarding any agenda item at the public meetings, consistent with Policy
137 5.012(7)(j)(ii), after the presentation by staff but before deliberations by the
138 ABC. Speakers may be limited to a maximum of three (3) minutes each.
- 139 g. Members of the public who purport to represent or speak on behalf of others,
140 such as homeowners associations or municipal education boards, should
141 provide evidence of such representation or group opinion such as by citing a
142 recent and relevant survey, petition, or resolution when contacting or
143 appearing before ABC or staff. This information shall also be cited on their
144 ABC speaker card.
- 145 h. Community informational meetings are conducted by the ABC. Notification
146 letters shall also be sent to parents of children who are listed within the
147 District's current database and may be affected by a proposed change within
148 one (1) year of the proposed effective date of the change. For example, if a

149 middle school boundary change is recommended, parents of fourth, fifth, sixth
150 and seventh graders who reside in the potentially affected areas will be sent
151 the letters.

152 i. Staff prepares a summary of community informational meetings, with any
153 requested boundary revisions, within five (5) business days after the meeting.

154 j. ABC presents its recommendations to the Superintendent. Dissenting
155 viewpoints may also be presented to the Superintendent. The ABC's minutes
156 will reflect the vote and a brief explanation of dissenting views.

157 k. The Superintendent makes a final recommendation to the Board, generally
158 within two (2) weeks of the ABC presentation, and this recommendation may
159 differ from the ABC's recommendation.

160 l. The Board holds a workshop with ABC and District staff on proposed
161 boundary changes.

162 m. Staff prepares and has published a 14-days' rule-development notice.
163 Afterwards, the Board holds a public rule-development workshop/hearing
164 ("development reading") in which citizens may appear before the Board to
165 discuss attendance boundary recommendations for the coming school year.

166 n. Staff prepares and has published a 28-days' rule-adoption notice. Afterwards,
167 the Board holds a hearing ("second reading") on the attendance boundaries
168 proposed for adoption. Attendance boundary decisions made at this meeting
169 are final unless substantive changes are made, and then a final adoption vote
170 is scheduled in the future (to occur after another 28-days' rulemaking notice).

171 5. **Choice Options and Controlled Open Enrollment.**-- The Board recognizes that,
172 within the parameters of applicable choice programs or controlled open enrollment
173 plan, parents may choose to have the student attend a school other than the
174 school that the student would attend under the regular attendance zone
175 assignment.

176 a. **Choice Programs.**-- Various choice-based programs are available in this
177 District, such as magnet schools, career academies, alternative schools,
178 special programs, advanced placement, dual enrollment, and public charter
179 schools, as stated in Fla. Stat. § 1002.31(2), (8).

180 b. **Controlled Open Enrollment.**-- "Controlled open enrollment" means "a public
181 education delivery system that allows school districts to make student school
182 assignments using parents' indicated preferential school choice as a
183 significant factor." Fla. Stat. § 1002.31(1). Such system may be offered in this
184 District, as allowed by Fla. Stat. § 1002.31(2).

- 185 i. Pursuant to Fla. Stat. § 1002.31(2), controlled open enrollment shall be *in*
186 *addition to* the existing choice programs that are listed in subsection
187 (3)(a).
- 188 ii. Any controlled open enrollment plan offered by the District shall have
189 prior approval of the School Board and shall include the elements
190 required by law, such as: consideration of an application process; a
191 parental-preference declaration process; encouragement of placing
192 siblings in the same school; a lottery-based assignment procedure; an
193 appeals procedure for hardship cases; procedures to maintain
194 socioeconomic, demographic, and racial balance; availability of
195 transportation; parental involvement; and a clearinghouse of information
196 designed to assist parents in making informed choices, pursuant to Fla.
197 Stat. § 1002.31(5).
- 198 iii. If a significant percentage of students assigned to a given school choose
199 to leave that site in favor of another school, the District will seek to
200 determine whether a problem is perceived with the assigned school, and
201 take steps to ameliorate such problems.

202 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.41(2); 1001.42(22)

203 LAWS IMPLEMENTED: Fla. Stat. §§ 163.3180(13); 1001.41(6); 1001.42(4)(a); 1002.31

204 HISTORY: 2/18/72; 4/06/83; 07/09/01; 10/13/03; 4/5/2006; __/ __2008

Legal Signoff:

The Legal Department has reviewed proposed Policy 5.01 and finds it legally sufficient for development by the Board.

Attorney

Date