



POLICY 5.01

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

[Contact: Kristin Garrison, PX 48935; Judith Brennan, PX 48019]

Adoption

CONSENT ITEM

- This proposed minor revision would clarify standards for the staff, the ABC, and the Board to consider, as well as providing greater detail regarding the boundary development process.
- This revision is consistent with the development of a proposed new Policy 5.012, “Advisory Boundary Committee.”
- This revision would allow consideration of the socio-economic status of students as one factor in attendance zone criteria. (Lines 74-85.)
- Although an amendment to lines 62-63 had been recommended at the first reading on February 22, 2006, the Board requested maintaining those lines as in the current Policy.

1 POLICY 5.01
2

3 STUDENT ASSIGNMENT

4 1. General Criteria

- 5 a. All students in Palm Beach County schools shall be assigned annually to the
6 school which they are to attend under the authority of the Board and by
7 direction of the Superintendent.
- 8 b. Students shall be assigned to schools based on residence of the
9 student/parent/guardian as stated below, within the attendance boundaries
10 which have been established by the Board in a manner which maintains a
11 unitary school system consistent with Policy 1.04.
- 12 i. The residence of a minor student shall be the domicile of his/her
13 parent, as defined in Fla. Stat. § 1000.21(5) (which includes a legal
14 guardian), and which may involve, if a dispute exists, the primary
15 residential custody shown by an applicable court decision or order.
16 The residence of a student who is married or above the age of
17 majority shall be his/her domicile.
- 18 ii. The Superintendent/Designee may, in unique and hardship cases,
19 determine residence based upon approval of the use of a notarized
20 statement executed by the parent or legal guardian granting a
21 general power of attorney and general custody of a student to a
22 resident of Palm Beach County.
- 23 c. When attendance boundaries are changed, elementary and secondary
24 students with one (1) year remaining in their present school will have the
25 option of remaining at that school, but ~~and~~ this shall not automatically entitle
26 the student to District transportation. When considering attendance boundary
27 adjustments, the Board, by its own discretion, may extend this option to other
28 students with more than one (1) year remaining, so long as the extension is
29 in conformance with the attendance zone criteria in section (2) below.
- 30 d. Alternative methods of student assignment, such as choice enrollment,
31 administrative reassignments as set forth in Policy 5.015, and/or program
32 decisions (magnet, gifted, ESE), will supersede provisions for student
33 assignment in this policy to the extent they are inconsistent with the
34 attendance zone criteria.

35 **2. Attendance Zone Criteria**

- 36 a. When drawing attendance boundaries, the School Board, Superintendent,
37 District staff and the Advisory Boundary Committee must review the student
38 capacity of each facility for reasonable efforts to achieve optimal utilization.
39 Boundary decisions must consider the District's concurrency policy and the
40 applicable portion of the executed *Interlocal Agreement for Public School*
41 *Concurrency* recorded on January 25, 2001, ORB 12272, PG 973 for Palm
42 Beach County, as amended from time to time, that pertains to assignment of
43 students. A copy of this agreement is available at the Board Minutes Office.
- 44 b. All boundary recommendations and decisions shall also consider the
45 following criteria:
- 46 i. ~~The creation or modification of B~~boundaries should shall not
47 knowingly promote inequitable student assignment as related to
48 transportation time and distance for all racial and ethnic groups of
49 students, as it relates to loading of school centers. ~~The assignment~~
50 ~~should allow for proper loading of schools.~~
- 51 ii. Zone boundaries should be as compact as possible to minimize bus
52 travel time and facilitate student participation in extra-curricular
53 activities. The district will adhere to applicable state and federal laws,
54 including ~~Title 20 United States Code § 1714 and Florida~~
55 ~~Administrative Code Chapter 6-A~~, when creating attendance zones.
- 56 iii. The student capacity of each facility should be considered and initial
57 enrollments set to ensure optimal utilization, while allowing for growth
58 wherever needed.
- 59 iv. The movement of students from current school attendance zone
60 configurations should be minimized to the greatest extent possible, if
61 not in conflict with other parameters.
- 62 v. The creation of "islands" or "fingers" that isolate distinctly identifiable
63 ethnic/racial groups shall be avoided.
- 64 vi. To the maximum extent possible, a feeder system in which two (2) to
65 (three) (3) middle schools "feed" a high school; and two (2) to four (4)
66 elementary schools "feed" a middle school should be created. (The
67 majority of each school's students should come from a minimum
68 number of feeder schools). Feeder systems should be developed on

69 projected growth patterns, the projected locations of new schools,
70 and the possible abandonment of existing facilities.

71 vii. The integrity of subdivisions should be maintained. (NOTE:
72 developments such as planned unit developments (PUDs) may
73 consist of multiple distinct subdivisions.)

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

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

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

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

91 4. Boundary Development or Amendment Process

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

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

99 c. Staff drafts initial boundary proposals and identifies schools impacted by
100 possible boundary changes. The District's Advisory Boundary Committee
101 ("ABC") reviews and discusses these proposals at open public meetings and
102 may suggest modifications or request alternative proposals. In their review of
103 and recommendations on District school attendance boundaries, ABC

104 members shall consider and follow the attendance zone criteria within
105 Sections (1) and (3) above, and any other applicable Board Policies and
106 requirements of law.

107 d. Upon that identification, District staff shall provide notice through multiple
108 information outlets, so that parents and members of communities that staff
109 believes in good faith may potentially sustain an impact due to a possible
110 boundary change will have an opportunity to be aware of regular ABC
111 meetings, community input meetings, and public Board workshops and
112 hearings related to boundary adjustments. Written notification shall include
113 the proposals related to the possible boundary adjustment and should be sent
114 at least one (1) week prior to the meeting, or immediately upon scheduling of
115 such meeting if less than one (1) week. Notification types shall include but are
116 not limited to:

117 i. Written notification to the principal and school advisory council ("SAC")
118 chair of schools potentially impacted by boundary change;

119 ii. Written notification to municipal managers and chairs of municipal
120 education boards of municipalities potentially impacted by boundary
121 change;

122 iii. Providing regular ABC meeting dates to local media outlets; and

123 iv. Posting of regular ABC meeting, community input meeting, and public
124 Board workshop and hearing dates, times and locations on the School
125 District's website.

126 e. Representatives from appropriate District departments and offices (e.g. ESE,
127 transportation, choice, multicultural, and pre-K) will be available to assist the
128 ABC in the development of its recommendations.

129 f. Members of the public will be given an opportunity to address the ABC
130 regarding any agenda item at the public meetings, consistent with Policy
131 5.012(7)(j)(ii), after the presentation by staff but before deliberations by the
132 ABC. Speakers may be limited to a maximum of three (3) minutes each.

133 g. Members of the public who purport to represent or speak on behalf of others,
134 such as homeowners associations or municipal education boards, should
135 provide evidence of such representation or group opinion such as by citing a
136 recent and relevant survey, petition, or resolution when contacting or
137 appearing before ABC or staff. This information shall also be cited on their
138 ABC speaker card.

- 139 h. Community informational meetings are conducted by the ABC. Notification
140 letters shall also be sent to parents of children who are listed within the
141 District's current database and may be affected by a proposed change within
142 one (1) year of the proposed effective date of the change. For example, if a
143 middle school boundary change is recommended, parents of fourth, fifth, sixth
144 and seventh graders who reside in the potentially affected areas will be sent
145 the letters.
- 146 i. Staff prepares a summary of community informational meetings, with any
147 requested boundary revisions, within five (5) business days after the meeting.
- 148 j. ABC presents its recommendations to the Superintendent. Dissenting
149 viewpoints may also be presented to the Superintendent. The ABC's minutes
150 will reflect the vote and a brief explanation of dissenting views.
- 151 k. The Superintendent makes a final recommendation to the Board, generally
152 within two (2) weeks of the ABC presentation, and this recommendation may
153 differ from the ABC's recommendation.
- 154 l. The Board holds a workshop with ABC and District staff on proposed
155 boundary changes.
- 156 m. Staff prepares and has published a 14-days' rule-development notice.
157 Afterwards, the Board holds a public rule-development workshop/hearing
158 ("development reading") in which citizens may appear before the Board to
159 discuss attendance boundary recommendations for the coming school year.
- 160 n. Staff prepares and has published a 28-days' rule-adoption notice. Afterwards,
161 the Board holds a hearing ("second reading") on the attendance boundaries
162 proposed for adoption. Attendance boundary decisions made at this meeting
163 are final unless substantive changes are made, and then a final adoption vote
164 is scheduled in the future (to occur after another 28-days' rulemaking notice).
- 165 5. **Choice Options and Controlled Open Enrollment.**-- The Board recognizes that,
166 within the parameters of applicable choice programs or controlled open enrollment
167 plan, parents may choose to have the student attend a school other than the
168 school that the student would attend under the regular attendance zone
169 assignment.
- 170 a. Choice Programs.-- Various choice-based programs are available in this
171 District, such as magnet schools, career academies, alternative schools,
172 special programs, advanced placement, dual enrollment, and public charter
173 schools, as stated in Fla. Stat. § 1002.31(2), (8).

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

179 i. Pursuant to Fla. Stat. § 1002.31(2), controlled open enrollment shall
180 be *in addition to* the existing choice programs that are listed in
181 subsection (3)(a).

182 ii. Any controlled open enrollment plan offered by the District shall have
183 prior approval of the School Board and shall include the elements
184 required by law, such as: consideration of an application process; a
185 parental-preference declaration process; encouragement of placing
186 siblings in the same school; a lottery-based assignment procedure;
187 an appeals procedure for hardship cases; procedures to maintain
188 socioeconomic, demographic, and racial balance; availability of
189 transportation; parental involvement; and a clearinghouse of
190 information designed to assist parents in making informed choices,
191 pursuant to Fla. Stat. § 1002.31(5).

192 iii. If a significant percentage of students assigned to a given school
193 choose to leave that site in favor of another school, the District will
194 seek to determine whether a problem is perceived with the assigned
195 school, and take steps to ameliorate such problems.

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

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

198 HISTORY: 2/18/72; 4/06/83; 07/09/2001; 10/13/03; / /2006

199

200

200

Legal Signoff:

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

Attorney

Date