



## **POLICY 5.01**

**5-H** I recommend that the Board approve development of the proposed revised Policy 5.01, entitled "Student Assignment."

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

### **Development**

### **CONSENT ITEM**

- 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

#### 1. General Criteria

- a. All students in Palm Beach County schools shall be assigned annually to the school which they are to attend under the authority of the Board and by direction of the Superintendent.
- b. Students shall be assigned to schools based on residence of the student/parent/guardian as stated below, within the attendance boundaries which have been established by the Board in a manner which maintains a unitary school system consistent with Policy 1.04.
  - i. The residence of a minor student shall be the domicile of his/her parent, as defined in Fla. Stat. § 1000.21(5) (which includes a legal guardian), and which may involve, if a dispute exists, the primary residential custody shown by an applicable court decision or order. The residence of a student who is married or above the age of majority shall be his/her domicile.
  - ii. The Superintendent/Designee may, in unique and hardship cases, determine residence based upon approval of the use of a notarized statement executed by the parent or legal guardian granting a general power of attorney and general custody of a student to a resident of Palm Beach County consistent with Policy 5.011.
- c. When attendance boundaries are changed, elementary and secondary students with one (1) year remaining in their present school will have the option of remaining at that school, but this shall not automatically entitle the student to District transportation. When considering attendance boundary adjustments, the Board, by its own discretion, may extend this option to other students with more than one (1) year remaining, so long as the extension is in conformance with the attendance zone criteria in section (2) below. Boundary changes that affect limited grade levels of specified SAC zones over a multi year period may require a transportation cost analysis by the District Transportation Department to determine the feasibility of transportation routes and cost implications. Grade levels of students may be assigned annually, with or without transportation, to the school which they are to attend under the authority of the Board and by direction of the Superintendent.
- d. Alternative methods of student assignment, such as choice enrollment, 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 3. **Attendance Boundary Time Line.**-- It is intended that all attendance boundary  
90 changes be adopted by the Board no later than January of each calendar year for  
91 the following school year, although it is recognized that this preferred deadline may  
92 not be met for reasons such as the number of boundary changes and any  
93 controversy surrounding proposed changes.
- 94 4. **Boundary Development or Amendment Process**
- 95 a. District staff reviews scheduled opening dates of new schools, implementation  
96 of magnet/choice schools or programs, and the enrollment, capacity, and  
97 feeder patterns of each school.
- 98 b. Staff targets schools impacted by the opening of new schools, implementation  
99 of magnet/choice schools or programs, or construction of new residential  
100 developments, and schools with conditions such as over- or under-enrollment  
101 that may be eased through boundary changes.
- 102 c. Staff drafts initial boundary proposals and identifies schools impacted by  
103 possible boundary changes. The District's Advisory Boundary Committee  
104 ("ABC") reviews and discusses these proposals at open public meetings and  
105 may suggest modifications or request alternative proposals. In their review of  
106 and recommendations on District school attendance boundaries, ABC  
107 members shall consider and follow the attendance zone criteria within  
108 Sections (1) and (3) above, and any other applicable Board Policies and  
109 requirements of law.

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

- 148           the letters.
- 149           i.   Staff prepares a summary of community informational meetings, with any  
150           requested boundary revisions, within five (5) business days after the meeting.
- 151           j.   ABC presents its recommendations to the Superintendent. Dissenting  
152           viewpoints may also be presented to the Superintendent. The ABC's minutes  
153           will reflect the vote and a brief explanation of dissenting views.
- 154           k.   The Superintendent makes a final recommendation to the Board, generally  
155           within two (2) weeks of the ABC presentation, and this recommendation may  
156           differ from the ABC's recommendation.
- 157           l.   The Board holds a workshop with ABC and District staff on proposed  
158           boundary changes.
- 159           m.   Staff prepares and has published a 14-days' rule-development notice.  
160           Afterwards, the Board holds a public rule-development workshop/hearing  
161           ("development reading") in which citizens may appear before the Board to  
162           discuss attendance boundary recommendations for the coming school year.
- 163           n.   Staff prepares and has published a 28-days' rule-adoption notice. Afterwards,  
164           the Board holds a hearing ("second reading") on the attendance boundaries  
165           proposed for adoption. Attendance boundary decisions made at this meeting  
166           are final unless substantive changes are made, and then a final adoption vote  
167           is scheduled in the future (to occur after another 28-days' rulemaking notice).
- 168   5.   **Choice Options and Controlled Open Enrollment.**-- The Board recognizes that,  
169       within the parameters of applicable choice programs or controlled open enrollment  
170       plan, parents may choose to have the student attend a school other than the  
171       school that the student would attend under the regular attendance zone  
172       assignment.
- 173           a.   Choice Programs.-- Various choice-based programs are available in this  
174           District, such as magnet schools, career academies, alternative schools,  
175           special programs, advanced placement, dual enrollment, and public charter  
176           schools, as stated in Fla. Stat. § 1002.31(2), (8).
- 177           b.   Controlled Open Enrollment.-- "Controlled open enrollment" means "a public  
178           education delivery system that allows school districts to make student school  
179           assignments using parents' indicated preferential school choice as a  
180           significant factor." Fla. Stat. § 1002.31(1). Such system may be offered in this  
181           District, as allowed by Fla. Stat. § 1002.31(2).
- 182           i.   Pursuant to Fla. Stat. § 1002.31(2), controlled open enrollment shall be *in*  
183           *addition to* the existing choice programs that are listed in subsection

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

199   STATUTORY AUTHORITY: Fla. Stat. §§ 1001.41(2); 1001.42(22)  
200   LAWS IMPLEMENTED: Fla. Stat. §§ 163.3180(13); 1001.41(6); 1001.42(4)(a); 1002.31  
201   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.

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Attorney

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Date