



POLICY 5.01

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

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Development

CONSENT ITEM

- At the December 5, 2012 School Board meeting, the Board requested a number of changes to this policy.
- At a subsequent Boundary hearing on February 6, 2013, the Board engaged in additional discussion regarding this policy.
- The intent of the changes are to proactively inform parents about potential impending boundary changes and to provide additional opportunities to engage stakeholders in the process.
- The revised policy requires that before a boundary change is initiated, the District must first implement a process to confirm that the current students reside within the attendance boundaries at that time or have received assignment or reassignment to the school.
- The revised policy includes new language relating to siblings.
- The revised policy modifies the ABC process.
- Staff advises the changes are expected to result in the need for additional staff to assist with the address verification investigation efforts. Fiscal impact to be determined based on number of boundary changes to be processed.

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(s)/legal guardian as stated below, within the attendance
9 boundaries which have been established by the Board in a manner which
10 maintains a unitary school system consistent with [Policy 1.04](#).
- 11 i. The residence of a minor student shall be the primary residence of his/her
12 parent. Parent is defined in Flat Stat. § 1000.21(5) (which includes a
13 legal guardian). The residence of a student, who is emancipated, as set
14 forth in School Board [Policy 5.072](#), shall be the primary residence of the
15 student. If an issue arises as to any student's primary residence, the
16 issue shall be decided by the processes stated within School Board
17 [Policy 5.011](#).
- 18 ii. As set forth in Policy 5.011, the Superintendent/Designee may determine
19 residence based upon review and approval of supporting documentation,
20 and if applicable, a legitimate Affidavit of Person Acting as Parent form
21 ([PBSD 1543](#)) and/or Affidavit of Residence form ([PBSD 1866](#)), as
22 incorporated therein.
- 23 iii. Exceptions to this residency requirement are stated within School Board
24 Policy 5.011(1) (a), (4), and (5).

25 c. **Phase-In Provisions.**

26 The School Board values and appreciates the role of stability in the success of
27 our students and supports "phase-in" provisions to the extent allowed by
28 available capacity and the criteria set forth below.

29 i. Final Year - When attendance boundaries are changed, elementary and
30 secondary students with one (1) year remaining in their present school
31 will have the option of remaining at that school, but this shall not
32 automatically entitle the student to District transportation.

33 ii. Siblings - ~~Younger siblings of the student(s) with (1) year remaining will~~
34 ~~not be included within this provision. Families that wish for their siblings~~
35 ~~to remain together must enroll the student(s) in the new attendance~~
36 ~~boundary for the primary residence of the student/parent(s)/legal~~
37 ~~guardian or seek an alternative method of student assignment as stated~~
38 ~~within sub-paragraph 1(d) below. Whenever possible, younger siblings~~
39 ~~of the student(s) with one (1) year remaining who are incoming (e.g.,~~

40 Kindergarteners, 6th graders, or 9th graders) or who are currently
41 enrolled at the sending school may be included within this provision, if
42 approved by the Board after consideration of the following:

- 43 A. the number of younger siblings enrolled at the school and current
44 enrollment projections;
45 B. attendance zone criteria in section (2) below; and
46 C. the District's ability to meet Class Size Reduction and School
47 Concurrency Level-Of-Service without added capital expense.

48 Siblings approved pursuant to this section, will be processed by the Choice
49 and Career Options Department through Reassignments.

50 iii. Other Students in the Change Area - When considering attendance
51 boundary adjustments, the Board, exercising its own discretion, may
52 extend this option to stay at the sending school, as an "opt-in" process. to
53 other students with more than one (1) year remaining, so long as the
54 extension is in conformance with the applicable criteria in Section 1.c.ii,
55 above, and the attendance zone criteria in section (2) below.

56 d. Transportation.

57 Boundary changes that affect limited grade levels of specified SAC zones over
58 a multi-year period may require a transportation cost analysis by the District
59 Transportation Services Department to determine the feasibility of
60 transportation routes and cost implications. Grade levels of students may be
61 assigned annually, with or without transportation, to the school which they are
62 to attend under the authority of the Board and by direction of the
63 Superintendent.

64 e.d. Alternative methods of student assignment, such as choice enrollment,
65 administrative reassignments as set forth in Policy 5.015, and/or program
66 decisions (magnet, gifted, ESE), will supersede provisions for student
67 assignment in this policy to the extent they are inconsistent with the
68 attendance zone criteria. Admissions of siblings who are not in the alternative
69 method of assignment are governed by reassignment Policy [5.015](#). Per School
70 Board Policy 5.011 Section (1) (a), absent an approved alternative method of
71 assignment or reassignment, students must attend the school in the school
72 attendance boundary where the student/parent(s)/legal guardian resides as
73 set forth herein.

74 f.e. Nothing herein shall prevent the Superintendent or designee, in or through the
75 area office, from making individual student moves that are implemented for the
76 purposes of preserving the health, safety, or welfare of a student and/or
77 school.

78 i. This provision applies to individual, as opposed to group, student
79 assignments and does not constitute a boundary change.

80 ii. Compliance is still required with other School Board policies, such as
81 School Concurrency and unitary status.

82 iii. The selection of the school will be based on, but not limited to, such
83 factors as complying with other district policies, the appropriate program,
84 distance from the student's home, and transportation.

85 g.f. Notwithstanding the foregoing, the Superintendent may bring to the School
86 Board for approval a plan for meeting Class Size Reduction (CSR)
87 requirements that involves non-boundary change solutions such as school
88 enrollment caps, partnership agreements between adjacent schools of the
89 same type, and other alternative strategies identified in CSR plans.

91 2. **Attendance Zone Criteria.**

92 a. When drawing attendance boundaries, the School Board, Superintendent,
93 District staff, and the Advisory Boundary Committee must review the student
94 capacity of each facility for reasonable efforts to achieve optimal utilization.
95 Boundary decisions must consider the District's concurrency policy and the
96 applicable portion of the executed *Interlocal Agreement for Public School*
97 *Concurrency* recorded on January 25, 2001, ORB 12272, PG 973 for Palm
98 Beach County, as amended from time-to-time, which pertains to assignment of
99 students. A copy of this agreement is available at the Board Office.

100 b. All boundary recommendations and decisions shall also consider the following
101 criteria:

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

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

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

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

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

- 119 vi. To the maximum extent possible, a feeder system in which two (2) to
120 three (3) middle schools "feed" a high school; and two (2) to four (4)
121 elementary schools "feed" a middle school should be created. The
122 majority of each school's students should come from a minimum number
123 of feeder schools. Feeder systems should be developed on projected
124 growth patterns, the projected locations of new schools, and the possible
125 abandonment of existing facilities.
- 126 vii. ~~The integrity~~ Dividing of subdivisions should be ~~maintained~~ avoided, if
127 feasible. (NOTE: Developments such as planned unit developments
128 [PUDs] may consist of multiple distinct subdivisions.)
- 129 viii. Based on the School Board's finding that promoting socioeconomic
130 diversity of the student population within schools has an educational basis
131 supported by research, data concerning the socioeconomic status of
132 students (based on free and reduced-price lunch data) may be
133 considered in determining student attendance boundaries, provided that:
- 134 A. the data is just one of many factors considered and does not receive
135 disproportionate weight, and generally should not result in
136 substantially greater transportation times; and
- 137 B. use of such data is for race-neutral educational reasons not
138 motivated by racial/ethnic considerations and is not a proxy for
139 consideration of race/ethnicity.
- 140 ix. The health, safety, and welfare of the students in the learning
141 environment, as determined by the Superintendent, may also be
142 considered.
- 143 x. The District's ability to meet Class Size Reduction and School
144 Concurrency Level-Of-Service without added capital expense.

145 3. **Attendance Boundary Time Line.**

- 146 a. It is intended that all attendance boundary be adopted by the Board no later
147 than January of each calendar year for the following school year, although it is
148 recognized that this preferred deadline may not be met for reasons such as
149 the number of boundary changes and any controversy surrounding proposed
150 changes.
- 151 b. To ensure maximum opportunities for communication with parents, the District
152 staff will provide annual information regarding schools that are projected to
153 reach their design capacity within the next five (5) years. This shall be done
154 as part of the annual Capital Planning process as outlined below.

- 155 4. **Boundary Development or Amendment Process.**
- 156 a. Each year, as part of the Capital Planning process, Planning and Real Estate
157 Services staff will use the annual enrollment projections to evaluate the current
158 utilization of each district-owned school. Schools anticipated to be nearing
159 capacity will be identified in a “Capacity Watch List” report as follows:
- 160 i. Schools projected to be at or exceed 100 percent of capacity within the
161 next five (5) years will be highlighted in red.
- 162 ii. Schools projected to be 95 percent, but below 100 percent of capacity will
163 be highlighted in yellow.
- 164 b. As soon as the Capacity Watch List report is completed, usually by March of
165 each year, it will be distributed to affected school Principals. Principals of
166 schools in the red category will post a message on their Edline page and in
167 parent newsletters alerting parents to the projected utilization of the school.
168 The Principal should also have a copy of the report available at the school for
169 viewing by parents and use other means to communicate the information,
170 such as distribution at a SAC meeting.
- 171 c. When a school reaches the “red zone” as provided in section 4.a.i. above and
172 before a boundary change is initiated, the District shall first initiate a process to
173 confirm that the current students reside within the attendance boundaries at
174 that time or have received assignment or reassignment to the school pursuant
175 to School Board policy, IEP process, or the law. This may include the required
176 re-registration of all students at the school prior to the next school year and
177 would include the required completion of the annual New and Returning
178 Student Registration Form and may include proof-of-address, unless exempt,
179 pursuant to the terms of School Board Policy 5.011.
- 180 d.a. District staff reviews scheduled opening dates of new schools, implementation
181 of magnet/choice schools or programs, and the enrollment, capacity, and
182 feeder patterns of each school.
- 183 e.b. Staff targets schools impacted by the opening of new schools, implementation
184 of magnet/choice schools or programs, or construction of new residential
185 developments, and schools with conditions such as over- or under-enrollment
186 that may be eased where capacity can be optimized through boundary
187 changes.
- 188 f. At the beginning of the boundary process, District staff will present a list of
189 proposed boundary changes to the District Diversity and Equity Committee for
190 its information and input.
- 191 g.e. Staff drafts initial boundary proposals and identifies schools impacted by
192 possible boundary changes.

- 193 i. Prior to any public meeting, District staff will review proposed boundary
194 changes, enrollment and capacity information, and related data with
195 Principals of impacted school, Area Superintendent(s), and other
196 appropriate District staff in order to gain input.
- 197 ii. The District's Advisory Boundary Committee (ABC) reviews and
198 discusses these proposals at open public meetings and may suggest
199 modifications or request alternative proposals. In their review of and
200 recommendations on District school attendance boundaries, ABC
201 members shall consider and follow the attendance zone criteria within
202 Sections (1) and (2) above, and any other applicable Board Policies and
203 requirements of law.
- 204 h. Ad-Hoc Advisors to ABC.
205 The School Advisory Council (SAC), Parent Teacher Association (PTA), and
206 /or Parent Teacher Organization (PTO) chairpersons of schools affected by
207 proposed boundary changes will be invited to serve as non-voting "Ad-Hoc"
208 advisors to the ABC during the applicable boundary change meetings. Upon
209 identification of initial boundary change proposals, staff will meet with
210 chairpersons of SAC, PTA, and PTO for schools that are part of the boundary
211 change proposal(s). Staff will review studies, maps, related information, ABC
212 meeting dates, and boundary timeline milestones with the chairpersons.
213 Chairpersons may provide written or verbal comments at ABC meetings.
- 214 i.e. Upon that identification, District staff shall provide notice through multiple
215 information outlets, so that parents and members of communities that staff
216 believes in good faith may potentially sustain an impact due to a possible
217 boundary change will have an opportunity to be aware of regular ABC
218 meetings, community input meetings, and public Board workshops and
219 hearings related to boundary adjustments. Written notification shall include the
220 proposals related to the possible boundary adjustment and should be sent at
221 least one (1) week prior to the meeting or immediately upon scheduling of
222 such meeting if less than one (1) week. Notification types shall include, but are
223 not limited to:
- 224 i. written notification to the principal and school advisory council (SAC)
225 chair of schools potentially impacted by boundary change;
- 226 ii. written notification to municipal managers and chairs of municipal
227 education boards of municipalities potentially impacted by boundary
228 change;
- 229 iii. written notification providing regular ABC meeting dates to local media
230 outlets; and

- 231 iv. posting of regular ABC meeting, community input meeting, and public
232 Board workshop, and hearing dates, times, and locations on the School
233 District's web site.
- 234 v. A courtesy notice will be sent to owners of any known planned residential
235 developments within the area affected by a proposed boundary change.
- 236 l.e. Members of the public will be given an opportunity to address the ABC
237 regarding any agenda item at the public meetings, consistent with [Policy](#)
238 [5.012\(7\)](#) (j) (ii), after the presentation by staff, but before deliberations by the
239 ABC. Speakers may be limited to a maximum of three (3) minutes each.
- 240 k. Members of the public may present boundary change ideas or scenarios at
241 ABC meetings for consideration by the ABC. These submittals must include
242 reference to and consideration of the Attendance Zone Criteria in section 2
243 above.
- 244 l.f. Members of the public who purport to represent or speak on behalf of others,
245 such as homeowners associations or municipal education boards, should
246 provide evidence of such representation or group opinion such as by citing a
247 recent and relevant survey, petition, or resolution when contacting or
248 appearing before ABC or staff. This information shall also be cited on their
249 ABC speaker card.
- 250 m.g. Community informational meetings are conducted by the ABC. Notification
251 letters or other more economical methods of notification (such as ParentLink)
252 shall be made to all parents of children within the SAC and other areas for the
253 school.
- 254 n.h. Staff prepares a summary of community informational meetings, with any
255 requested boundary revisions, within five (5) business days after the meeting.
- 256 o. After boundary recommendations are finalized by the ABC, District staff will
257 share them with the District Diversity and Equity Committee. The Committee's
258 comments, if any, will be included in the recommendation to the
259 Superintendent.
- 260 p.i. ABC presents its recommendations to the Superintendent. Dissenting
261 viewpoints may also be presented to the Superintendent. The ABC's minutes
262 will reflect the vote and a brief explanation of dissenting views.
- 263 q.j. The Superintendent makes a final recommendation to the Board, generally
264 within two (2) weeks of the ABC presentation, and this recommendation may
265 differ from the ABC's recommendation.
- 266 r.k. The Board holds a workshop with ABC and District staff on proposed
267 boundary changes.

268 s.l. Staff prepares and has published a 14-days' rule-development notice.
269 Afterwards, the Board holds a public rule-development workshop/meeting
270 ("development reading") in which citizens may appear before the Board to
271 discuss attendance boundary recommendations for the coming school year.

272 t.m. Staff prepares and has published a 28-days' rule-adoption notice. Afterwards,
273 the Board holds a meeting ("second reading") on the attendance boundaries
274 proposed for adoption. Attendance boundary decisions made at this meeting
275 are final unless substantive changes are made, and then a final adoption vote
276 is scheduled in the future (to occur after another 28-days' rulemaking notice).

277 **5. Stable Attendance Areas.**

278 a. In areas of the District that experience high mobility between proximate
279 elementary schools due to frequent household moves, the following provisions
280 may apply:

281 i. Students moving between schools that each have greater than a 5%
282 mobility ratio will be eligible for reassignment to stay at a school, provided
283 that the other provisions of Policy 5.015 Student Reassignment are met.

284 ii. At the end of each school year, a Mobility Ratio report will be published
285 from the Educational Data Warehouse for use in determining eligible
286 sending and receiving schools.

287 **6.5. Choice Options and Controlled Open Enrollment.** The Board recognizes
288 that, within the parameters of applicable choice programs or controlled open
289 enrollment plan, parents may choose to have the student attend a school other
290 than the school that the student would attend under the regular attendance zone
291 assignment.

292 a. Choice Programs. Various choice-based programs are available in this
293 District, such as virtual instructional programs, magnet schools, career
294 academies, alternative schools, special programs, advanced placement, dual
295 enrollment, and public charter schools, as stated in Fla. Stat. § 1002.31(2), (8).

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

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

304 ii. Any controlled open enrollment plan offered by the District shall have
305 prior approval of the School Board and shall include the elements
306 required by law, such as: consideration of an application process; a
307 parental-preference declaration process; encouragement of placing
308 siblings in the same school; a lottery-based assignment procedure; an
309 appeals procedure for hardship cases; procedures to maintain
310 socioeconomic, demographic, and racial balance; availability of
311 transportation; parental involvement; and a clearinghouse of information
312 designed to assist parents in making informed choices, pursuant to Fla.
313 Stat. § 1002.31(5).

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

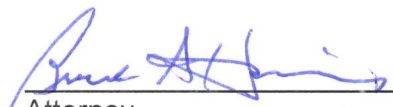
318
319 STATUTORY AUTHORITY: Fla. Stat. §§ [1001.41\(2\)](#); [1001.42\(26\)](#)
320

321 LAWS IMPLEMENTED: Fla. Stat. §§ [1001.32\(2\)](#); [163.3180\(13\)](#); [1001.41\(6\)](#);
322 [1001.42\(4\)\(a\)](#); [1002.31](#)
323

324 HISTORY: 2/18/72; 4/06/83; 07/09/01; 10/13/03; 4/5/2006; 12/10/2008; 7/27/2011;
325 ___/___/13
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Legal Signoff:

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



Attorney

3/18/13

Date