



## **POLICY 5.072**

**5-E** I recommend that the Board approve development of the proposed new Policy 5.072, entitled "Students of Legal Age."

[Contact: Gerald Williams, PX 48500.]

### **Development**

### **CONSENT ITEM**

- This proposed new Policy outlines the rights and responsibilities of students who are emancipated or legally independent.
- Emancipated student is defined in the policy to be a student:
  - Who has been declared emancipated by an appropriate judicial authority or similar out-of-state statute, and provides a certified copy of such order to the Principal
  - Who is at least eighteen (18) years of age and has established a domicile independent of his/her parents or guardians; or
  - Who is under eighteen (18) old and is married, as provided in Chapter 743, Florida Statutes.
- An emancipated student does not include an eighteen (18) year old student who lives with his/her parents.

POLICY 5.072

STUDENTS OF LEGAL AGE

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3 1. Purpose. Some students may reach the age of eighteen or may become  
4 emancipated prior to graduation from the School District. The School Board  
5 recognizes the need to balance the rights of these students with the Board's duty to  
6 provide an education to all students in a safe and orderly environment.
- 7 2. Definition. For the purposes of this policy, a student will be considered  
8 emancipated if:
  - 9 a. The student has been declared emancipated by an appropriate judicial  
10 authority pursuant to Chapter 743, Florida Statutes or similar out-of-state  
11 statute, and provides a certified copy of such order to the Principal.  
12 Emancipated minors are not required to live in a residence with an adult  
13 authority as a condition of admission to school.
  - 14 b. The student is at least eighteen (18) years of age and has established a  
15 domicile independent of his/her parents or guardians; or
  - 16 c. The student is under eighteen (18) old and is married, as provided in Chapter  
17 743, Florida Statutes.
- 18 An eighteen (18) year old student who lives with his/her parents is considered a  
19 legal dependent of his/her parents and is not considered emancipated for the  
20 purposes of this policy.
- 21 3. Policy. Emancipated students will have those responsibilities, opportunities,  
22 and rights granted to parents or guardians under Board policies for the purposes of  
23 consent, decision-making, access to records and domicile, unless otherwise  
24 indicated.
- 25 4. Compliance with Policies, etc. Emancipated students shall comply with the  
26 policies and rules established by the School Board, pursue a prescribed course of  
27 study, and submit to the authority of teachers and others in a supervisory role.
- 28 5. Attendance. Emancipated students must meet attendance requirements as  
29 provided in School Board Policy 5.0901 (Regular School Attendance).
- 30 6. Permission to Inspect Student Records. An eighteen-year old or emancipated  
31 student will be allowed access to his/her records in accordance with state and  
32 federal laws and School Board Policy 5.50(Records)
- 33 7. Financial Responsibility. An eighteen year old or emancipated student may be

34 held financially responsible for damage to school property.

35 8. Suspension/Expulsion.

36 a. Suspension or expulsion of eighteen year old students who are legal  
37 dependents shall be in accordance with board policies for suspension of other  
38 students. Parents or guardians of such students will be notified of  
39 suspensions or expulsions and requested to attend conferences or hearing.

40 b. Emancipated students will be suspended in accordance with board policies for  
41 suspensions or expulsions. However, such students will receive notifications  
42 and will be requested to attend conferences or hearings in lieu of a parent or  
43 guardian.

44 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.41; 1001.42; 1001.22, 743.01; 743.015;  
45 743.05, Fla. Stat.; The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C.  
46 §1232g

47 LAWS IMPLEMENTED: Fla. Stat. §§ 743.01; 743.015; 743.05

48 HISTORY: \_\_/\_\_\_2008

Legal Signoff:

The Legal Department has reviewed proposed Policy 5.072 and finds it legally sufficient for development by the Board.

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Attorney

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Date