



POLICY 5.011

4-A I recommend that the Board adopt the proposed new Policy 5.011, to be entitled "Student Residence Enrollment Requirements."

[Contact: Kris Garrison, PX 48935.]

Adoption

CONSENT ITEM

- The Board approved this Policy for development on May 30, 2007.
- This proposed Policy was developed by the Address Verification Committee, chaired by the Planning Director, that has been meeting weekly for the past several months. This multi-departmental committee was charged with developing uniform procedures to ensure valid student address information and reduce false enrollment.
- Some Board members suggested some amendments at the Policy meeting on May 30, and staff and Legal also suggested some additional changes, mainly technical. The changes are incorporated in this version for adoption and are shown in blue font.

POLICY 5.011

STUDENT RESIDENCE ENROLLMENT REQUIREMENTS

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3 1. Proof of Domicile Requirements for Initial and Continuing Enrollment

4 a. Absent an approved alternative method of assignment or reassignment,
5 students must attend the school in the attendance zone where the
6 student/parent(s)/legal guardian lives as set forth in School Board Policy 5.01.

7 b. Upon initial enrollment in the School District, proof of domicile is necessary in
8 order to ensure that a student is enrolled in the boundaried or assigned
9 school. Two proofs of domicile reflecting correct address are required to
10 register a student. Examples of acceptable proof may include:

11 i. current telephone or electric bill;

12 ii. rent receipt with the name of tenant and landlord and contact information;

13 iii. lease agreement with name of tenant and landlord and contact
14 information;

15 iv. mortgage commitment;

16 v. automobile insurance;

17 vi. current Florida Driver's License/Florida Identification Card;

18 vii. cellular telephone bill;

19 viii. credit card statement;

20 ix. United States Postal Service confirmation of address change request or
21 evidence of correspondence;

22 x. Declaration of Domicile form from the County Records Department.

23 c. Parents on behalf of all new and returning students also shall annually
24 complete a "New and Returning Student Registration Form" (PBSD 0636),
25 which is incorporated herein by reference. The form shall be verified under
26 penalties of perjury pursuant to Fla. Stat. § 92.525. A PDF version of the form
27 is available on the District's website at [www.palmbeach.k12.fl.us/](http://www.palmbeach.k12.fl.us/Records/PDF/0636.pdf)
28 Records/PDF/0636.pdf.

- 29 d. At any time that a student's address changes, it is the parent's responsibility to
30 immediately notify in writing the School District.
- 31 e. Parents are expected to obtain all of the required documentation before
32 enrolling a child in school. In cases of homeless or foster care status,
33 however, please refer to Section 4 below.

34 2. **Additional Proof May be Required**

- 35 a. For good cause, such as but not limited to cases where the principal/designee
36 believes that a student's enrollment information is inaccurate due to returned
37 mail or reasonable suspicion that the student is not residing at the claimed
38 address, the following procedures may be implemented at the discretion of the
39 Superintendent/Principal/designee (based on sufficient resources):
- 40 i. The Property Appraiser's website (PAPA) will be examined to determine
41 the parent's homestead (primary residence) location. The homestead
42 address of the parent or guardian will be used as a factor to determine
43 the student's assigned school. A conflicting address indicates that further
44 investigation is required.
- 45 ii. A call may be made or a letter may be sent to parent(s)/guardian(s) who
46 have conflicting address information, requesting that parent update
47 enrollment information.
- 48 iii. The Superintendent/Principal/designee may also require submission of an
49 "Affidavit of Residence" accompanied by the "Proof of Residence
50 Requirements", outlined below. The Affidavit of Residence form (PBSD
51 1866) is incorporated herein by reference, and is available on the
52 District's web site at www.palmbeach.k12.fl.us/Records/FormSearch.asp,
53 and shall be verified under penalties of perjury pursuant to Fla. Stat. §
54 92.525.
- 55 iv. The above activities will be conducted by the school center to the extent
56 allowed by existing resources. In cases of limited resources, the Principal
57 may request assistance from the central office by contacting the
58 Superintendent.
- 59 b. Additional Proof-of-Residence Requirements.-- When required (and in addition
60 to the two proofs of domicile reflecting correct residential address under
61 Section (1)(b) above), the parent or legal guardian must present a signed
62 Affidavit of Residence (PBSD 1866) as well as one current document from

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each of the three columns in the table below (ORIGINAL documentation is required and copies are not accepted; District staff will make copies of all originals) to satisfy the proof-of-residence requirements:

<u>Additional Proof-of-Residence Requirements</u> (when required, a document from <i>each column</i> must be presented along with a signed Affidavit of Residence, PBSB 1866)		
<p>i. <u>ONE of the following ORIGINAL DOCUMENTS with Parent/Guardian's Picture ID from the following list (used for parental identification only):</u></p> <p>A. <u>current Florida State Driver's License; or</u></p> <p>B. <u>current Florida State ID Card; or</u></p> <p>C. <u>valid Passport (passport will not be copied) or consulate-issued photo ID; or</u></p> <p>D. <u>valid employee photo ID.</u></p>	<p>ii. <u>ONE of the following ORIGINAL DOCUMENTS with the parent/guardian's name and address:</u></p> <p>A. <u>current, valid vehicle registration; or</u></p> <p>B. <u>current credit card statement (may block out account number); or</u></p> <p>C. <u>current bank statement (may block out account number) issued within 35 days before the date of registration; or</u></p> <p>D. <u>current Florida voter registration card;</u></p> <p>E. <u>current utility bill: FPL, water, etc.;</u></p> <p>F. <u>current non-cellular telephone bills</u></p>	<p>iii. <u>ONE of the following ORIGINAL DOCUMENTS with the parent/guardian's name and address):</u></p> <p>A. <u>current Palm Beach County property tax bill of primary residence with parent/guardian's name and property address, indicating homestead exemption; or</u></p> <p>B. <u>current residential rental or lease agreement with parent/guardian's name and address, as well as manager or owner's name and phone number, and record of last 2 payments (cancelled checks); or</u></p> <p>C. <u>current homeowners/renters insurance policy; or</u></p> <p>D. <u>Declaration of Domicile (notarized and recorded)</u></p>

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c. Other documents or information may be accepted as "proof of residency" only under extenuating or hardship circumstances.

- 69 d. A Post Office box, private mail box (PMB)/mail drop address, or commercial
70 establishment address does not meet residency requirements. Only residential
71 street addresses are accepted. All proofs submitted must show the residential
72 Palm Beach County address. The residential address of a relative of the
73 student does not meet student residency requirements unless the student
74 actually lives with the relative as the student's primary residence.
- 75 e. The name and address from all three sources must match. A P.O box or PMB
76 address is not a valid proof of residence or domicile. A hotel address is a
77 temporary mode of residency and it should be treated as such.
- 78 f. If the parent/guardian resides with someone else temporarily who resides in
79 the school's boundary area, the parent must submit an "Affidavit of
80 Residence," signed by the parent/guardian and the owner or lessee with whom
81 the parent is residing under penalties of perjury.

82 3. **Submission of False Information; Enforcement**

- 83 a. Florida Statutes § 837.06 provides that whoever knowingly makes a false
84 statement in writing with the intent to mislead a public servant in the
85 performance of his or her official duty shall be guilty of a misdemeanor of the
86 second degree. Additionally, a person who knowingly makes a false
87 declaration under penalties of perjury is guilty of the crime of perjury by false
88 written declaration, a felony of the third degree under Fla. Stat. § 92.525.
- 89 b. Families reported to be in violation of the residency requirements through the
90 "Anonymous Residency Tip Line" (561-434-TIPS) may also be investigated, as
91 outlined above.
- 92 c. Students whose parents/guardians are found, after appropriate investigation,
93 to have submitted false information in an effort to enroll a student in a school
94 to which the student shall not have been assigned, shall be withdrawn at the
95 end of the current nine-weeks' marking period and referred for enrollment in
96 the appropriate boundaried school.
- 97 d. Internal or external review personnel, including (but not limited to) an
98 investigator, may be utilized to conduct random checks by reasonable means,
99 and verify information provided and may utilize public records and databases.
100 To the extent permissible under Florida and federal law, the District may
101 pursue prosecution for any false information knowingly submitted.

102 4. **Enrollment of Students Who are Homeless**

- 103 a. Homeless students are defined in Fla. Stat. § 1003.01(12) and include
104 students who are without a fixed, regular and adequate residence. According
105 to the McKinney-Vento Act (Section 725), 42 U.S.C. § 11432(g)(3)(A)-(C),
106 homeless students are to be enrolled in the school immediately that meets the
107 “best interest” of the student. Homeless children must be admitted to the
108 school where they or their families live. [Florida Statute 1003.21 (1)(f)].
109 Arrangements are to be made for immunizations, transportation and all other
110 school services. Appropriate student school and grade level placement as well
111 as completion of required immunizations and physical examination shall occur
112 within 30 days of enrollment.
- 113 b. A School District of Palm Beach County New and Returning Student
114 Registration form (PBSD 0636) should be completed by the student’s
115 parent(s)/guardian(s), signed, and returned to the school. School personnel
116 are strictly prohibited from requesting or requiring documentation of the
117 immigration status of students and families.
- 118 c. School centers should work with the Director of Student Intervention Services
119 and the homeless shelter to obtain the necessary enrollment documents.
- 120 d. Under no circumstances will students who are homeless be withdrawn due to
121 lack of appropriate enrollment documentation.

122 5. **Enrollment of Students Who are in Foster Care**

- 123 a. The registration process for foster care students shall be conducted in private
124 in order to protect the student’s confidentiality. No student in shelter or foster
125 care should be denied entrance to school due to a missing form. For issues
126 concerning foster care, contact the Student Intervention Services Department.
- 127 b. If the student lives in a residence licensed by the Department of Children and
128 Families, the student may be enrolled in the school that serves that licensed
129 residence.

130 6. **Persons Acting as Parent**

- 131 a. For purposes of establishing student residency, a “parent” is defined as either
132 or both natural or adoptive parent(s) of the student, the student’s legal
133 guardian, a person in a parental relationship to the student, or a person
134 exercising supervisory authority over the student in place of the parent.

135 pursuant to Fla. Stat. § 1000.21(5).

136 b. The student must actually reside with the parent or Person Acting as Parent as
137 the student's primary residence. For purposes of this section, "primary
138 residence" means the residence in which the child spends most of his or her
139 time.

140 c. A Person Acting as Parent must complete form PBSB 1543, which is
141 incorporated herein by reference and is available on the District's web site at
142 www.palmbeach.k12.fl.us/Records/FormSearch.asp.

143 7. **Assignment to Correct School**

144 a. If the Principal/designee determines that an enrolling student resides in a SAC
145 which is outside the school boundary (except for a student with an approved
146 alternative method of assignment or reassignment), the Principal/designee will
147 assist the parents or guardians in enrolling the student in the correct school.

148 b. When the student is already enrolled in the school and it is determined that
149 there is a discrepancy in address documentation on file (via returned mail,
150 random checks, investigation, or discrepancies in public records such as the
151 Property Appraiser's Records and/or Voter Registration records), the
152 parent/guardian shall have 10 days to provide sufficient documentation to the
153 Principal/designee to validate primary residence, as outlined herein.

154 i. If, after the parent's/guardian's 10-day opportunity to provide further
155 information, the school Principal/designee determines that insufficient
156 documentation exists to prove that the student resides within the school
157 enrollment boundary, the student will be reassigned to the appropriate
158 school at the end of the nine-weeks' marking period.

159 ii. However, during the appeal process set forth below, the student will
160 remain in his or her current school.

161 8. **Appeal**

162 a. If the parent/guardian believes that the determination has been made in error,
163 the parent/guardian shall have 10 calendar days to file an appeal with the
164 school Principal/designee, who shall promptly forward the appeal to the
165 Superintendent's designee responsible for address verification.

166 b. In considering an appeal, the appealing party may appear before the
167 Superintendent's designee, who shall consider the documentation and

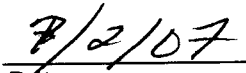
- 168 information available, as well as the following:
- 169 i. unique and temporary circumstances such as temporary housing
170 arrangements;
- 171 ii. fire or other severe damage to a primary residence; or
- 172 iii. other unique hardship circumstances which are not self-imposed.
- 173 c. The designee shall inform the appealing party of the decision.
- 174 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.41(1), (2), & (6); 1001.42(23);
175 1001.43(1)
- 176 LAWS IMPLEMENTED: Fla. Stat. §§ 1001.41(6); 1001.42(4)(a), (6); 1002.31
177 HISTORY: / 2007

Legal Signoff:

The Legal Department has reviewed proposed Policy 5.011 and finds it legally sufficient for adoption by the Board.



Attorney



Date



THE SCHOOL DISTRICT OF PALM BEACH COUNTY
DEPARTMENT OF LEGAL SERVICES

Affidavit of Residence

The purpose of this form is to verify that the child(ren) listed below reside(s) within the boundaries for the school in which he/she is attending, absent an approved alternative method of assignment or reassignment. Complete and date this form, sign under oath before a notary, and return to the front office of your child(ren)'s school.

Absent an approved alternative method of assignment or reassignment, all students in The School District of Palm Beach County shall be assigned annually to the school which they are to attend under the authority of the Board and by direction of the Superintendent, pursuant to School Board Policy 5.01. Students shall be assigned to schools based on residence of the student/parent/guardian within the attendance boundaries which have been established by the School Board.

I, (name of parent/guardian/person acting as parent): _____
am the parent/guardian of the following named child(ren) (print name of child(ren)):

I (parent/guardian) am currently residing with the above-named child(ren) at the residential address below in Palm Beach County, and this is the child(ren)'s primary residence. The primary residence is defined as the home in which the child(ren) spends most of his/her (their) time. Exceptions may include court-approved custody agreement granting primary or dual custody. (street /city/zip code):

Name and contact information of Owner/Lessor: _____

My contact phone number(s): _____

This verification is necessary in order for the child(ren) named above to attend (school name):

I understand that falsification of this information may result in the withdrawal of my child(ren) from this school and that falsifying my residence when enrolling my child(ren), may be referred to law enforcement for prosecution.

Florida Statutes §837.06 provides that whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree. Additionally a person who knowingly makes a false declaration under penalties of perjury is guilty of the crime of perjury by false written declaration, a felony of the third degree.

I agree to immediately notify in writing the School District of any future changes in address or living arrangement of this (these) child(ren). Under penalties of perjury, I hereby declare that I have read this document and the above facts are true and correct:



Signature of Parent/Guardian

Date

STATE OF FLORIDA, COUNTY OF PALM BEACH

Sworn to (or affirmed) and subscribed before me this ____ day of _____, _____ (year), by _____

Who is personally known to me or who produced as identification _____

Signature of Notary Public – State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public, Commission Number and Expiration Date



THE SCHOOL DISTRICT OF PALM BEACH COUNTY
DEPARTMENT OF LEGAL SERVICES

Affidavit of Person Acting as Parent

The purpose of this form is to verify the status of a person acting as parent. Complete this affidavit and submit to the student's school. Only notarized forms will be accepted. This form does not apply to homeless students as defined by Florida Statute 1003.01 (12).

I, *(name of guardian/person acting as parent)* _____
am acting as parent for the following named child or children *(print name of child or children)*:

I *(person acting as parent/guardian)* am currently residing with the above-named child(ren) at the residential address below in Palm Beach County, and this is the child(ren)'s primary residence. The primary residence is defined as the home in which the child(ren) spends most of his/her (their) time. Exceptions may include court-approved custody agreement granting primary or dual custody. *(street /city/zip code)*:

This verification is necessary in order for the child or children named above to attend *(school name)*:

Pursuant to Florida Statutes §1000.21, I qualify as a person acting as "Parent" under the following circumstance (check one only)

- Guardian of a student (legal guardianship papers are required)
- Person in a parental relationship (Proof Required - written notarized statement from the natural parent or guardian explaining why they are unable to perform in a parental role is required. Provide address and telephone number of natural parent below.)
- Person exercising supervisory authority over a student in place of a parent (Proof Required - written notarized statement from the natural parent or guardian explaining why they are unable to perform in a parental role is required. Provide address and telephone number of natural parent below.)

Address of natural parent: _____

Natural parent telephone number(s): _____

I understand that falsification of this information may result in the withdrawal of my child(ren) from this school and that falsifying my residence when enrolling my child(ren), may be referred to law enforcement for prosecution.

Florida Statutes §837.06 provides that whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree. Additionally a person who knowingly makes a false declaration under penalties of perjury is guilty of the crime of perjury by false written declaration, a felony of the third degree.

I agree to immediately notify in writing the School District of any future changes in address or living arrangement of this (these) child(dren). Under penalties of perjury, I hereby declare that I have read this document and the above facts are true and correct.



Signature of Person Acting as Parent/Guardian

Date

STATE OF FLORIDA, COUNTY OF PALM BEACH

Sworn to (or affirmed) and subscribed before me this ____ day of _____, _____ (year), by _____

Who is personally known to me or who produced as identification _____

Signature of Notary Public – State of Florida

Print, Type, or Stamp Commissioned Name of
Notary Public, Commission Number and Expiration Date