

## **5.11 SCHOOL ATTENDANCE ZONES/AREAS/CHOICE**

(1) It is the policy of the Board to make the most economical and practical use of its physical resources in the implementation of its educational programs consistent with the best interests of students. Toward this end, each fall, the Superintendent shall review school enrollments and recommend to the Board such changes in attendance zones for the following school year as may be justified after consideration of the following factors in the following order of priority:

- (a) School capacity.
- (b) Convenience of access to schools.
- (c) Safe and efficient student transportation and travel.
- (d) Effective and appropriate instructional programs.
- (e) Socioeconomic diversity in school enrollments.
- (f) Financial and administrative efficiency.

School capacity shall mean the student capacity in permanent space listed in the most current Florida Inventory of School Houses issued by the Florida Department of Education, as may be modified by 1) Article IX, Section 1, of the Florida Constitution (the Class Size Amendment) and implementing legislation; 2) the number of students intended to be served by educational programs offered at the school; and 3) the core facility design. The Board will publish annually the projected school capacity for each school in the District. A school whose projected student population exceeds 100% of the projected school capacity shall be considered crowded. The Superintendent shall recommend to the Board the adoption of enrollment caps for all schools in the District, with priority given to schools determined to be crowded.

This policy may be accomplished by means that include, but are not necessarily limited to, school choice options and establishment and location of magnet programs. Where necessary and appropriate, consideration shall be given to subdivision of schools into schools-within-a-school. A school-within-a-school shall operate within existing resources, and shall be implemented through use of flexible scheduling, team planning, and curricular and instructional innovation to organize groups of students with groups of teachers as smaller units, so as to functionally operate as a smaller school.

The establishment of attendance zones and the granting of school choice assignments and zoning exceptions shall be accomplished in accordance with the requirements and limitations imposed by Article IX, Section 1, of the Florida Constitution (The Class Size Amendment), and implementing law and regulation.

(2) School Assignment Rules.

- (a) Students are assigned to attend school on the basis of the primary legal residence of the parent, legal guardian, other person with legal custody, or the adult student, and the attendance zone of the school as provided by the Board. A student who is homeless, or who has been adjudicated to be dependent or delinquent pursuant to Chapter 39, F.S., shall be assigned by the Superintendent to that school best meeting the special needs of the student.

- (b) A principal or other person so designated by the principal or Superintendent shall require reasonable proof of primary legal residency. Reasonable proof of primary legal residence shall include at least two of the following documents: homestead exemption, mortgage deed, lease or rental agreement, electric utility bill, property tax record, or other form of documentary proof. When the parent, legal guardian, other person with primary legal custody, or an adult student, lives in a residence belonging to someone else, reasonable proof shall consist of the documentation listed above together with a sworn statement by him/her and the property owner stating the relationship and anticipated length of stay. The sworn statement shall be in a form prepared by the Superintendent or designee. In all cases the Superintendent shall have the right to make an independent investigation and to make the final determination as to the primary legal residence of the student.
- (c) It is the responsibility of the parent, legal guardian, other person with legal custody, or adult student to promptly notify the currently-assigned school of any change in the primary residential address and provide appropriate documentation.
- (d) Any student found to be attending a school to which he/she is not or should not be assigned shall be transferred to his/her assigned school. If the situation resulted from school system error, the transfer shall be affected at the beginning of the next school year. If the situation was not the result of school system error, the transfer will take effect immediately.
- (e) Students may attend a school other than their attendance-zone school if they have been granted a zoning exception, a choice assignment, or have been admitted into a magnet program. Students who are granted a zoning exception must register at the new school within one week of receiving notice of the exception or it will be rescinded. Students who are granted a choice assignment or admission to a magnet program must register at the new school by the date established by the Superintendent or designee or it will be rescinded.
- (f) The Board may assign or reassign students to alternative schools or programs located in or out of their assigned zone, for the health, safety, or welfare of the students, other students or staff; to relieve crowded schools or avoid school crowding.

### (3) School Choice and Zoning Exceptions.

- (a) Choice Assignment Rules. The following provisions apply to all choice assignments.
  1. Students may be granted choice assignments to schools that are not crowded and would not become crowded as a result of such assignments. Students with disabilities may be granted choice assignments to schools under the provisions of the McKay Scholarship Program.
  2. Applications for choice assignments must be submitted within the designated time frame.
  3. If the school's projected capacity would be exceeded by the number of choice applications when added to the projected student population, admission will be granted by lottery. The Superintendent or designee shall establish a weighting system for lottery selection which will give higher probabilities for selection of students whose socioeconomic characteristics would add diversity to the school's population,

students with siblings in the chosen school, and students who have previously attended the chosen school.

4. Subject to subparagraph 5 below, choice assignments are in effect until the student completes the final grade offered at the chosen school, unless the student is reassigned during an earlier year to another school zone due to overcrowding at the

school of choice, in which case the student may apply for a zoning exception to stay at the school of choice should grounds exist pursuant to subparagraph (d) below.

5. A student's choice assignment may be revoked by the principal when the student accrues one (1) or more Level III or IV discipline referrals within the school year; or when the student accrues three (3) or more lesser offenses. The choice assignment may also be revoked by the principal when the student accrues six (6) or more unexcused absences within a school year, or ten (10) or more tardies within a school year.
6. The School Board of Alachua County is not responsible for providing transportation to students with choice assignments except as may be required by applicable law.

(b) Magnet school/program. The district operates a number of magnet programs for elementary, middle and high school students. Magnet programs may have pre-established criteria for admission which may vary by school/program. These admission criteria and application procedures will be made available to interested persons through the school where the program is located.

1. For any school year, parents, legal guardians, other persons with legal custody, or adult students may apply for admission of the student to a maximum of two (2) magnet programs and if admitted to both must signify their choice by registering the student by the date established by the Superintendent or designee.
2. Transportation may be provided for magnet enrollees in the discretion of the Superintendent or as may be required by applicable law.

(c) In addition to choice within schools operated by the School Board, parents may elect for students to attend charter schools approved by the district or to home school students in accordance with Florida law.

(d) Zoning Exceptions. Whenever possible, zoning exceptions shall be requested by June 30 prior to the start of the academic year. Parents may request individual assignment exceptions for the following reasons:

1. Medical or Psychological Need. A request may be made if the student has a medical or psychological condition that requires attendance at a different school from the one assigned. A written order from a licensed physician or licensed mental health professional is required for a transfer based on medical or psychological need. The order must include:
  - a. A description of the student's condition;
  - b. The reason this condition requires the removal of the student from his/her zoned school;
  - c. The reason this condition requires the enrollment of the student in the requested school;

- d. The duration of time for which the zoning exception is needed.
  - e. Requests made for psychological reasons must include the diagnostic category from the latest edition of the American Psychiatric Association's *Diagnostic and Statistical Manual*.
2. Parents Employed by School Board. Children of full-time Board employees may be transferred to the school site at which their parents are employed, or in the case of elementary school children, to the school "paired" with the work-site. These transfers are granted with the understanding that the arrangement will not interfere with the work hours or the responsibilities of the employee and that he/she must arrange before and/or after-school care for the child.
  3. Under Enrolled Schools. The student's parent, legal guardian, other person with primary legal custody, or an adult student, may request attendance at a school that has a projected enrollment below projected capacity. A transfer may be granted if the requested school has sufficient capacity.
  4. Change of Residence. If the primary legal residence of the parent, legal guardian, other person with primary legal custody, or the adult student, will change within three months of the beginning of the school year, a zoning exception may be granted based upon written evidence of the pending move. The evidence may consist of a legally binding purchase and sale agreement or lease. If such person changes his or her primary legal residence during the school year, request may be made for an exception allowing the student to complete the school year in the school the student is presently attending.
  5. Students Entering Senior Year. If a change in primary legal residence occurs after the beginning of a student's junior year, application may be made for a zoning exception to permit the student who completes the junior year at a particular school to complete the senior year at that school.
  6. Certain Students Affected by Attendance Zone Changes. Students entering the final grade who are reassigned to another school zone pursuant to zone line amendment may apply for an exception allowing them to complete the final grade at the current school. In connection with the adoption of attendance zone changes, the Board may provide for additional exceptions on such terms and conditions as the Board may determine to be appropriate under the circumstances.
  7. Students Commuting Daily From Another County. If a parent, legal guardian, other person with primary legal custody, or an adult student has his or her primary legal residence in a county other than Alachua, he or she may apply for an exception.
    - a. If approved for school attendance in Alachua County, the student normally will be assigned to the school closest to the student's residence, provided the school is not crowded and would not become crowded as a result of such assignment.
    - b. A student on suspension or who has been expelled cannot be approved for transfer to Alachua County schools. To receive final approval, an out-of-county student may be required to provide a written release from the home county's School Board.
  8. Temporary Supervision Within the County. A student who lives within Alachua County but whose parent, legal guardian, or other person with primary legal custody, lives outside the county may be enrolled if, in accordance with applicable law, a

relative or other responsible adult accepts in writing the temporary supervision of the student from the parent and will become the guardian of the student within 120 days.

9. Hardship. The student's attendance in the assigned school creates substantial and undue hardship for the family. The hardship must be based upon unusual facts and circumstances applicable to the individual parent, legal guardian, other legal custodian, or adult student in question. Hardship exceptions shall be granted based upon a case-by-case analysis of such facts and circumstances.

(e) Zoning Exception Rules. The following provisions apply to all zoning exceptions:

1. The student must remain in the assigned school until a zoning exception is granted.
2. The student's behavior and school attendance may be considered when reviewing requests for assignment exceptions.
3. A student's zoning exception may be revoked by the principal when the student accrues one (1) or more Level III or IV discipline referrals within the school year; or when the student accrues three (3) or more lesser offenses. The zoning exception may also be revoked by the principal when the student accrues six (6) or more unexcused absences within a school year, or ten (10) or more tardies within a school year.
4. The School Board of Alachua County is not responsible for providing transportation to students with zoning exceptions.
5. A person who is denied a zoning exception may appeal to a zoning exception review committee designated by the Superintendent. The decision of the review committee shall be final.
6. In reviewing requests for hardship zoning exceptions, consideration shall be given to whether the requested school is crowded or is projected to be crowded.
7. With the exception of children of full-time Board employees who are non-residents of Alachua County, students whose primary legal residence is in Alachua County shall be given preference over non-resident students with respect to the granting of zoning exceptions, admission to magnet programs, and school choice.

(4) The portion of this policy labeled "Choice Assignment Rules," Section (3)(a) above, shall take effect for the 2004-2005 school year and thereafter.

**STATUTORY AUTHORITY:** 1001.41(2), F.S.

**LAWS IMPLEMENTED:** 1001.42(4); 751.01-.05, F.S.

**HISTORY:** Adopted: 6/1/99

Formerly: JC

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