

November 28, 2001

Merrett R. Stierheim, Superintendent of Schools

**SUBJECT: PROPOSED AMENDMENT OF SCHOOL BOARD RULE: FINAL READING
6Gx13- 5A-1.10, ATTENDANCE AREAS 2001-2002**

The School Board of Miami-Dade County, Florida, announced on October 24, 2001 its intention to amend School Board Rule 6Gx13- 5A-1.10, Attendance Areas 2001-2002, at the meeting of December 12, 2001. By order of June 21, 2001, as modified on August 16, 2001, United States District Judge William P. Dimitrouleas declared this school system unitary and relinquished supervision over the District, effective June 30, 2002. Accordingly, the revision to the rule is made to reflect the law applicable to unitary school systems and will describe the method for development of attendance areas.

The Notice of Intended Action was published in the *Miami Daily Business Review* on October 30, 2001, posted in various places for public information and mailed to various organizations representing persons affected by the amended rule and to individuals requesting notification.

The time to request a hearing or protest the adoption of this rule has elapsed.

In accordance with the provisions of the Administrative Procedure Act, this amended rule is presented to The School Board of Miami-Dade County, Florida, for adoption and authorization to file the rule in the official records of The School Board of Miami-Dade County, Florida.

Attached are the Notice of Intended Action and the amended rule. Changes from the current rule are indicated by underscoring words to be added and ~~striking through~~ words to be deleted.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, adopt amended School Board Rule 6Gx13- 5A-1.10, Attendance Areas 2001-2002, and authorize the Superintendent to file the rule with The School Board of Miami-Dade County, Florida, to be effective December 12, 2001.

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on October 24, 2001, its intention to amend Board Rule 6Gx13- 5A-1.10, Attendance Areas 2001-2002, at its meeting of December 12, 2001.

PURPOSE AND EFFECT: The revision to the Board Rule is made to reflect the law applicable to unitary school systems.

SUMMARY: The rule as amended will describe the method for development of attendance areas and to publish the current attendance areas.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 230.22(2); 230.23(22) F.S.

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 230.23(4)(a); 230.33(8) F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF December 12, 2001, which begins at 1:00 p.m., in the School Board Auditorium, 1450 N.E. Second Avenue, Miami, Florida 33132. Persons requesting such a hearing or who wish to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), F.S., must do so in writing by November 19, 2001, to the Superintendent of Schools, Room 912, at the same address.

ANY PERSON WHO DECIDES TO APPEAL THE DECISION made by The School Board of Miami-Dade County, Florida, with respect to this action will need to ensure the preparation of a verbatim record of the proceedings, including the testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statutes)

A COPY OF THE PROPOSED AMENDED RULE is available for inspection and copying at cost by the public in the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132.

Originator: Mr. Merrett R. Stierheim
Date: November 28, 2001

Revised
Subsequent to
Initial Reading
on 10/24/01

Attendance**ATTENDANCE AREAS 2001-2002**

Region Superintendents are responsible for proposing attendance areas for the schools in their respective regions. The Region Superintendents will be assisted in this task by School Operations, and the Attendance Boundary Committee.

The Attendance Boundary Committee will take the following factors into consideration when making decisions regarding school boundaries: ~~maintenance of a unitary school system, impact on student racial ratios, impact on exceptional student education programs, use of available student stations within contiguous areas, degree and extent of transportation, programmatic impact due to lack of student housing, reduction of the number of schools students must attend, integrity of feeder systems, assignment of students from new residential developments to specific schools prior to completion of developments, construction of new schools, promotion and maintenance of diverse school enrollments, and prevention, reduction or elimination of racial isolation to the extent practicable ~~and elimination of double sessions.~~~~

Also, School Operations, the Office of Educational Evaluation, the Division of Equal Educational Opportunity and Employment, the Division of Site Planning and Government Liaison, and Federal Programs and Grants Administration will make student population studies and will assist the Superintendent of Schools in analyzing proposed attendance areas submitted by region offices and in preparing recommendations for submission to the Board.

The Board-approved school attendance zones for the current school year are contained in the following documents:

- 1. Attendance Zones Previously Approved by the Board - 2000-2001**
- 2. Attendance Zone Recommendations and Related Administrative Actions - 2001-2002**

Copies of these documents are incorporated by reference in this rule and made a part hereof. They are on file in the Office of the Board Recording Secretary ~~to the School Board~~ and in the Citizen Information Center.

Specific Authority: 230.22(2); 230.23(22) F.S.

Law Implemented, Interpreted, or Made Specific: 230.23(4)(a); 230.33(6)(a)(8) F.S.

History

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

Repromulgated: 12-11-74

Amended: 3-21-79; 7-1-80; 3-25-81; 1-6-82; 3-14-82; effective 7-1-82; 4-20-83; 8-24-83; 4-25-84; effective 7-1-85; effective 7-1-86; effective 7-1-87; 12-9-87; effective 7-1-88; effective 7-1-89; effective 7-1-90; effective 7-1-91; effective 7-1-92; effective 7-1-93; effective 7-1-94; effective 7-1-95; effective 7-1-96; effective 7-1-97; effective 7-1-98; effective 7-1-99; effective 7-1-00; effective 7-1-01