

Education
Joseph H. Mathos, Deputy Superintendent

**SUBJECT: PROPOSED AMENDMENT OF BOARD RULE: FINAL READING 6Gx13-
6A-1.46, MAGNET PROGRAMS/SCHOOLS**

The School Board of Miami-Dade County, Florida announced its intention to amend School Board Rule 6Gx13- 6A-1.46, Magnet Programs/Schools, at the meeting of December 12, 2001.

The proposed amendment aims to meet specifications set forth on June 21, 2001, by Judge William P. Dimitrouleas, United States District Court for the Southern District of Florida, granting unitary status to Miami-Dade County Public Schools, effective June 30, 2002, particularly with regard to the revision of race-based magnet admission procedures. To achieve the aim of diverse student enrollments, the amended Board Rule broadens the definition of diversity and establishes magnet admission procedures inclusive of a mechanism to ensure that students from diverse backgrounds have the opportunity to attend specialized schools and programs in the district through the use of race-neutral admission measures.

The Notice of Intended Action was published in the *Miami Daily Business Review* on, December 17, 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 Board Rule 6Gx13- 6A-1.46, Magnet Programs/Schools, and authorize the Superintendent to file the rule with The School Board of Miami-Dade County, Florida, to be effective January 16, 2002.

MT:mlv

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on December 12, 2001 its intention to amend Board Rule 6Gx13- 6A-1.46, Magnet Programs/Schools, at its meeting January 16, 2002.

PURPOSE AND EFFECT: The purpose of the amendment is to establish magnet admission procedures inclusive of a mechanism to ensure that students from diverse backgrounds have the opportunity to attend specialized schools and programs in the district through the use of race-neutral admission measures.

SUMMARY: As a result of the amendment, magnet admission procedures will make use of race-neutral measures to achieve diverse student enrollments within specialized schools and programs. The amended Board Rule aims to establish magnet administrative procedures that meet unitary status guidelines set forth by Judge William P. Dimitrouleas, United States District Court for the Southern District of Florida. To achieve the aim of diverse student enrollments, the amended Board Rule broadens the definition of diversity to include factors such as, unique language needs or abilities, socio-economic circumstances, race and ethnicity, gender, and exceptional student education needs. Other changes deemed necessary for the purpose of providing clarity to the Board Rule are also included.

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

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 230.23005(3)(b)

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF January 16, 2002, which begins promptly 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 January 7, 2002, 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: Ms. Magaly Abrahante
Supervisor: Mr. Joseph H. Mathos
Date: December 10, 2001

Instruction-Elementary and Secondary**MAGNET PROGRAMS/SCHOOLS**

Miami-Dade County Public Schools has developed the magnet program/magnet school concept into an effective tool to broaden public school choice for balancing racial ratios, stemming declining enrollment, and improving the quality of education, and promote diverse student enrollments. Magnet programs/schools are unique educational programs operating within the district, for which transportation and other resources may be provided in order to make such educational experiences available to students beyond a single attendance boundary area. Except as otherwise noted in this rule, transportation is limited to students residing in designated transportation zones for each magnet program/school.

Magnet programs/schools provide opportunities that encourage academic excellence in basic areas of study as well as intensive educational experiences in areas in which students demonstrate unusual talent and/or interest. Additionally, magnet programs/schools offer students a chance to acquire or develop the skills, knowledge, and understanding necessary to pursue post-secondary aspirations in highly specialized areas of interest. ~~The recommendation of proposals to establish magnet programs/schools is a major administrative procedure which is to be used to further the district's desegregation goals.~~ Another goal of magnet programs/schools is to recruit students whose unique language needs or abilities, socio-economic circumstances, race, ethnicity, gender, and exceptional education needs are underrepresented in the magnet programs/schools.

Magnet Program

~~A magnet program may serve a specified number of students from more than one attendance area in a school which also provides a regular program to students in a specific attendance boundary area.~~

Magnet School

~~A magnet school is a school which may serve more than one attendance boundary area with the total school population participating in the identified magnet program. Magnet schools offer unique instructional programs related to the magnet theme to all students attending the school.~~

I. Types of Magnet Programs/Schools

Magnet programs/schools shall be keyed to the need for educational

experiences for students with similar interests and diverse ethnic and language backgrounds. Course offerings have special subject area or training focus not available in regular schools, and, in most instances, require special equipment and material, unique teaching techniques, strategies, and approaches. Such programs may include science/mathematics/technology, humanities/writing, international studies, intensive foreign language study, the arts or other similar programs not generally concentrated in a regular school. Types of magnet programs/schools include:

- A. **Magnet Program (School-within-a-School):** A magnet program serves a specified number of students from more than one attendance area in a school which also provides a regular program to students from a specific attendance boundary area. Students from the magnet and regular program are provided opportunities to interact with each other to the extent possible.

- B. **Magnet School (Schoolwide):** Magnet schools offer unique instructional programs related to the magnet theme to all students attending the school.
 - 1. **Magnet School with an Attendance Boundary:** A magnet school with an attendance boundary is a school which serves all students from its designated attendance boundary area as well as a specified number of students from schools throughout the district.

 - 2. **Magnet School without an Attendance Boundary:** A magnet school without an attendance boundary is a school which serves eligible students throughout the district, and has no designated attendance boundary of its own.

 - 3. **Districtwide Magnet School:** A districtwide magnet school is a school which serves eligible students throughout the district, and has no designated attendance boundary of its own. All eligible students admitted to district-wide magnets and who live in excess of two miles from the school, will be provided transportation in accordance with Florida Statutes.

II. Guidelines and Procedures

The Superintendent of Schools shall establish administrative procedures and guidelines to address the following issues which are related to the planning,

implementation, and evaluation of magnet programs/schools.

A. Planning

1. To determine the need for a magnet program/school, special consideration shall be given to the improvement of the school's racial balance as well as the enhancement of the school's curriculum through unique educational programs public interest in particular magnet themes, the need to stem declining enrollment, the need to improve the quality of education, and the need to promote diverse student enrollments.
2. To determine the focus or theme of a magnet program/school, it is recommended that external surveys of the target relevant populations and community representatives be conducted. Recommendations of the school's administrative and instructional staff, and region and district staff should play a major role in the selection of the program theme/focus as well.
3. To determine the location of a magnet program/school, primary consideration must be given to the need to improve racial balance ensure that students from diverse backgrounds have the opportunity to attend specialized programs/schools. Other factors which merit consideration are the development of a continuous curriculum sequence (K-12), the impact of the magnet on the feeder pattern or sending schools, renovation requirements, student transportation costs, and travel time.
4. To determine the enrollment level needed to offer a viable program, staff, including representatives from the school, region, and district will establish both a minimum number and a maximum number of students to be served by each magnet program/school.
5. ~~To further the district's efforts to balance student racial ratios, consideration should be given to establishing a system of mirror magnets. Mirror magnets are two schools of the same grade levels with the opposite racial composition which would offer the same magnet theme.~~

B. Implementation

1. ~~Each magnet program/school will recruit students with the goal of achieving a Black/Non-Black broadly diverse student population proportionate reflective to of the Black/Non-Black diversity in the student population districtwide, as set forth in this rule. Students may be rejected for admission to a magnet program/school if their admission would not further this goal. Exceptions may be granted to further the desegregation of the receiving school's total population. However, no magnet program/school shall enroll more than 80 percent of any race.~~

2. ~~Specific target schools for recruitment of students of the race which is underrepresented at the recruiting school will be established f[or each magnet program/school, but not other than magnet schools without an attendance boundary and districtwide magnet schools, a transportation zone will be designated by Education in conjunction with School Operations. Each magnet program's/school's transportation zone will include a representative number of elementary schools from each group, as identified in paragraph 10. All students admitted to a magnet program/school, residing in the designated transportation zone for the magnet program/school, and in excess of two miles from the magnet program/school site, will be eligible to receive transportation in accordance with Florida Statutes. A school will ordinarily be designated as a target school for recruiting Black students if the school's Black student population exceeds the districtwide racial ratio of Black students. A school will ordinarily be designated as a target school for recruitment of Non-Black students if the school's Non-Black student population exceeds the districtwide racial ratio of Non-Black students. Recruitment should not result in a change in the sending school's population which will render that school's racial ratio at a negative variance with the districtwide racial ratios.~~

3. Each year, prior to the beginning of the recruitment period on October 1, each magnet program/school principal will identify and report the number of magnet program/school seats available at the magnet program/school by grade level. The principal shall also report the overall diversity of the school and the magnet

program and be responsible for attempting to promote diversity, to the extent practicable, within the magnet program/school.

- ~~34.~~ Recruitment for magnet programs/schools shall begin on or about the first day of October and conclude on or about the 15th day of January. A series of promotional/informational events and materials will be planned and disseminated districtwide to coincide with this timeframe. ~~Special attention will be given to recruiting students whose ethnicity or sex is underrepresented in the magnet program/school recruiting.~~
5. One of the goals of magnet programs/schools is to recruit students whose unique language needs or abilities, socio-economic circumstances, race, ethnicity, gender, and exceptional education needs are underrepresented in the magnet program/school. To carry out this goal, each magnet program/school shall annually assess the diversity of the school according to these criteria, develop appropriate recruitment goals and strategies, and be responsible for recruiting a diverse applicant pool for its program/school.
- ~~4.~~ ~~Magnet schools will recruit countywide and be subject to the 3 percent rule in Section B. 10. b. (2) below.~~
- ~~56.~~ Applications for admission to magnet programs/schools must be received by January 31 of the school year preceding the year for which admission to the program/school is sought. Application forms for magnet programs/schools shall be freely available at all ~~appropriate~~ Miami-Dade County Public Schools ~~at least two weeks~~ prior to the commencement of the application period and shall be submitted to the magnet program/school to which admission is sought.
- ~~67.~~ Magnet programs/schools will advise applicants who have met the application deadline of the application outcome on or before March 15. For applicants receiving an offer of acceptance, parents/guardians must accept or decline the admission offer into the applied for magnet program(s)/school(s) on or before March 31. Failure to respond by March 31 will render the outcome as a parental/guardian decline.

- 7 8. Miami-Dade County students who are, or will be, enrolled in a grade level served by a magnet program/school may apply for admission. Various admission criteria have been established for entrance into each magnet program/school based on the specific theme or focus. Eligibility may be determined by such factors as skill, talent, academic performance, conduct, written essay, and interest. Eligibility criteria must be related to the educational needs of the magnet program/school and must not create unnecessary barriers to equitable access. Education in conjunction with School Operations will review eligibility criteria annually.
- 8 9. Enhancement opportunities will be provided to prepare students, including at-risk, handicapped, and limited English proficient students for magnet program/school entry. These opportunities may include outreach, summer enrichment, and mentoring programs.
- 9 ~~Students submitting an application for a talent magnet program/school will be evaluated on the specific criteria related to each art form during the required audition. Students will be ranked by their audition scores and placed on the basis of the program's/school's racial ratio goal.~~
10. For the purpose of promoting equitable access to and diverse enrollments in magnet programs/schools, the Office of Evaluation and Research shall divide all elementary school attendance boundary areas in the district into one of four designated groups based on indicators of school performance and socio-economic circumstances.
- ~~10-11. Qualified Eligible~~ students will be admitted to non-talent magnet programs/schools on a random selection basis in according to the following order of priority process:
- a: ~~Non-Recruited Race~~
- (1) ~~Home school students of the majority race of the magnet program/school, up to the number of seats available for their race.~~
- (2) ~~Feeder pattern students of the majority~~

~~race of the magnet school, up to the number of seats available for their race. These students may be required to provide their own transportation.~~

- ~~(3) Students from outside the feeder pattern. These students will provide their own transportation.~~

b. Recruited Race

- ~~(1) Students who attend the target schools who are of the minority race of the school housing the magnet, up to the number of seats available for their race.~~

- ~~(2) If active recruitment in the target schools fails to achieve the appropriate number of Black or Non-Black students depending on the need, eligible students of the recruited race will be admitted from schools other than target schools, provided that no more than 3 percent of the minority race at a non-target school may be admitted to all magnet programs/schools combined. These students will be taken from schools outside the feeder pattern, the feeder pattern schools, or home school, in that order. Students from outside the feeder pattern may be required to provide their own transportation.~~

- ~~(3) If the racial ratio goals are still not met, students of the non-recruited race will be admitted in the following order:~~

- ~~(a) home school students;~~
- ~~(b) feeder pattern students;~~
- ~~(c) students from outside the feeder pattern. These students will provide their own transportation.~~

a. Magnet Program (School-within-a-School):

1. Twenty percent of available seats shall

be filled with by students randomly selected from eligible applicants residing in the school's attendance boundary area, with priority given to eligible applicants with siblings already attending the magnet program;] Revised Subsequent to Initial Reading on 12/12/01

2. Twenty percent of available seats shall be filled by students randomly selected from eligible applicants residing in attendance boundary areas of elementary schools in the first group, as identified in paragraph 10, with priority given to eligible applicants with siblings already attending the magnet program;

3. Twenty percent of available seats shall be filled by students randomly selected from eligible applicants residing in attendance boundary areas of elementary schools in the second group as identified in paragraph 10, with priority given to eligible applicants with siblings already attending the magnet program;

4. Twenty percent of the available seats shall be filled by students randomly selected from eligible applicants residing in attendance boundary areas of elementary schools in the third group, as identified in paragraph 10, with priority given to eligible applicants with siblings already attending the magnet program; and

5. Twenty percent of the available seats shall be filled with by students randomly selected from eligible applicants residing in attendance boundary areas of elementary schools in the fourth group, as identified in paragraph 10, with priority given to eligible applicants with siblings already attending the magnet program.] Revised Subsequent to Initial Reading on 12/12/01

b. Magnet School with an Attendance Boundary (Schoolwide):

1. All students residing in the attendance

boundary area of the magnet school;

2. Twenty-five percent of the remaining available seats shall be filled by students randomly selected from eligible applicants residing in attendance boundary areas of elementary schools in the first group, as identified in paragraph 10, with priority given to eligible applicants with siblings already attending the magnet school;
3. Twenty-five percent of the remaining available seats shall be filled by students randomly selected from eligible applicants residing in attendance boundary areas of elementary schools in the second group as identified in paragraph 10, with priority given to eligible applicants with siblings already attending the magnet school;
4. Twenty-five percent of the remaining available seats shall be filled by students randomly selected from eligible applicants residing in attendance boundary areas of elementary schools in the third group, as identified in paragraph 10, with priority given to eligible applicants with siblings already attending the magnet school; and
5. Twenty-five percent of the remaining available seats shall be filled with by students randomly selected from eligible applicants residing in attendance boundary areas of elementary schools in the fourth group, as identified in paragraph 10, with priority given to eligible applicants with siblings already attending the magnet school.

] Revised
Subsequent
to Initial
Reading on
12/12/01

- c. **Magnet School without an Attendance Boundary (Schoolwide):** Each magnet school without an attendance boundary shall have a magnet priority service zone. Education in conjunction with School Operations will establish a priority service zone for each magnet school without an attendance boundary. A magnet priority service zone weight will be designated by Education in conjunction with School Operations.

Eligible applicants seeking admission to a magnet school without an attendance boundary and who reside within that magnet's priority service zone will receive a priority service zone weight. Students residing within the magnet priority service zone in excess of two miles from the magnet school will receive transportation in accordance with Florida Statutes.

1. Twenty-five percent of available seats shall be filled by students randomly selected from eligible applicants residing in attendance boundary areas of elementary schools in the first group, as identified in paragraph 10, with priority given to eligible applicants with siblings already attending the magnet school and to eligible applicants residing within the designated magnet priority service zone;
2. Twenty-five percent of available seats shall be filled by students randomly selected from eligible applicants residing in attendance boundary areas of elementary schools in the second group, as identified in paragraph 10, with priority given to eligible applicants with siblings already attending the magnet school and to eligible applicants residing within the designated magnet priority service zone;] Added Subsequent to Initial Reading on 12/12/01
3. Twenty-five percent of the available seats shall be filled by students randomly selected from eligible applicants residing in attendance boundary areas of elementary schools in the third group, as identified in paragraph 10, with priority given to eligible applicants with siblings already attending the magnet school and to eligible applicants residing within the designated magnet priority service zone; and] Added Subsequent to Initial Reading on 12/12/01
4. Twenty-five percent of the available seats shall be filled by students randomly selected from eligible applicants residing in attendance boundary areas of elementary schools in the fourth group, as

identified in paragraph 10, with priority given to eligible applicants with siblings already attending the magnet school and to eligible applicants residing within the designated magnet priority service zone.

d. Districtwide Magnets:

1. Twenty-five percent of available seats shall be filled by students randomly selected from eligible applicants residing in attendance boundary areas of elementary schools in the first group, as identified in paragraph 10, with priority given to eligible applicants with siblings already attending the magnet school;] Added Subsequent to Initial Reading on 12/12/01
2. Twenty-five percent of available seats shall be filled by students randomly selected from eligible applicants residing in attendance boundary areas of elementary schools in the second group, as identified in paragraph 10, with priority given to eligible applicants with siblings already attending the magnet school;] Added Subsequent to Initial Reading on 12/12/01
3. Twenty-five percent of the available seats shall be filled by students randomly selected from eligible applicants residing in attendance boundary areas of elementary schools in the third group, as identified in paragraph 10, with priority given to eligible applicants with siblings already attending the magnet school; and
4. Twenty-five percent of the available seats shall be filled with by students randomly selected from eligible applicants residing in attendance boundary areas of elementary schools in the fourth group, as identified in paragraph 10, with priority given to eligible applicants with siblings already attending the magnet school.] Revised Subsequent to Initial Reading on 12/12/01

~~11. The name of only one multiple-birth sibling in each set of eligible applicants may be submitted for consideration in the random selection process. If that student is selected, his/her multiple-birth sibling(s) will~~

~~also be permitted to attend the school. The process for admitting multiple birth siblings will be conducted to ensure that single birth students are not impacted negatively.~~

12. Student recruiting efforts shall continue in all magnet programs/schools until all available seats, within each individual group, are filled.
- ~~12.~~ ~~Exceptions to Section B. 4., 9. and 10. may be considered on an annual basis by the Superintendent or designee to meet the individual needs of students.~~
13. Students submitting an application for a talent magnet program/school will be evaluated on the specific criteria related to each art form during the required audition and will be ranked and placed on the basis of their audition scores. Magnet program/school principals shall be responsible for selecting a diverse panel of adjudicators.
- ~~13.~~ ~~Except as otherwise provided in this rule, transportation will be provided to students attending magnet programs/schools for those students living over two miles from the school in accordance with Florida Statutes.~~
14. Student enrollment will be reviewed annually by Education in conjunction with School Operations. If the recruitment strategies and the assignment methods described above fail to achieve diverse student enrollments at magnet programs/schools for two or more years, additional school or student characteristics may be weighted in the random selection process for that program/school. Race, ethnicity, and gender will not be used as factors.

C. Evaluation

1. Each year the Schools of Choice Advisory Committee will review magnet enrollment reports application and enrollment data for the purpose of assessing the degree to which recruitment goals have been met. If deemed necessary, the eCommittee will recommend appropriate strategies.

2. Each year the Superintendent or his/her designee will review magnet application and enrollment data. The degree to which recruitment goals are met shall be a component of each magnet principal's yearly job targets.
- ~~2.~~ 3. An annual administrative review of existing magnet programs/schools shall be conducted by Education in conjunction with School Operations to determine the impact of magnet programs/schools on ~~racial balance~~ the diversity of student enrollment, academic achievement, and student attendance, ~~and parent satisfaction.~~
- ~~3.~~ 4. Formal evaluations of magnet programs/schools may be authorized as resources permit and/or circumstances warrant such action.
- ~~4.~~ In order to limit the overall effect of student loss, magnet programs should be considered for schools which have lost 10 percent or more of their students to magnet programs/schools.

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

Law Implemented, Interpreted, or Made Specific: 230.23005(3)(b), F.S.

History

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

New: 7-22-87

Amended: 5-25-88; 3-10-93; 7-9-97; 8-22-01