

Office of Superintendent of Schools
Board Meeting of March 13, 2013

February 25, 2013

Valtena G. Brown, Chief Operating Officer
School Operations

**SUBJECT: PROPOSED AMENDMENT OF BOARD POLICY: INITIAL
READING 5120, ASSIGNMENT WITHIN DISTRICT**

COMMITTEE: SCHOOL SUPPORT ACCOUNTABILITY

**LINK TO STRATEGIC
FRAMEWORK: STUDENT, PARENT, AND COMMUNITY ENGAGEMENT**

In order to initiate rulemaking procedures in accordance with the Administrative Procedure Act, attendance zone recommendations must be submitted to the School Board. Accordingly, copies of the documents, *Attendance Zone Recommendations and Related Administrative Actions 2013-2014*, and *Attendance Zones Previously Approved by the Board 2012-2013*, will be forwarded to the School Board members under separate cover and will be on file in the Office of Board Recording Secretary, Room 924, and the Citizen Information Center, Room 158, at the School Board Administration Building, 1450 Northeast Second Avenue, Miami, Florida. Additionally, these documents are available at:

http://pdfs.dadeschools.net/schoolboard/031313/Attendance_Zone_Recommendations_and_Related_Administrative_Actions_2013-2014.pdf

http://pdfs.dadeschools.net/schoolboard/031313/Attendance_Areas_Previously_Approved_2012-2013_Manual.pdf

In developing these recommendations, consideration was given to those factors affecting attendance zone changes: compliance with Class Size Reduction Mandate, 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.

Attached are the Notice of Intended Action and the policy proposed for amendment. Changes from the current policy are indicated by underscoring words to be added and ~~striking through~~ words to be deleted.

Authorization of the Board is requested for the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act to amend Board Policy 5120, Assignment Within District.

D-45

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act to amend Board Policy 5120, Assignment Within District.

VGB:al

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on March 13, 2013, its intention to amend Board Policy 5120, Assignment Within District, at its meeting of April 17, 2013.

PURPOSE AND EFFECT: To establish attendance zones for elementary and secondary schools for the 2013-2014 school year, which, in effect, better utilizes existing student stations.

SUMMARY: Board approval of this policy would support previously approved attendance zones and subsequently establishes all Board-approved attendance zones as a Board policy.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 1001.41(1) (2); 1001.42(25); 1001.43(10) F.S.

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 1000.05; 1001.41; 1002.20; 1002.31; 1003.06, F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING of April 17, 2013, which begins at 1:00 p.m., in the School Board Administration Building, 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 April 8, 2013, 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 POLICY is available at cost to the public for inspection and copying in the Citizen Information Center, Room 158, 1450 Northeast Second Avenue, Miami, Florida 33132.

Originator: Dr. Marcos M. Moran
Supervisor: Mrs. Valtena G. Brown
Date: February 25, 2013

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

3 A. Attendance Zones Previously approved by the Board - ~~2011-2012~~
4 2012-2013;

5 B. Attendance Zone Recommendations and Related Administrative
6 Actions - ~~2012-2013~~ 2013-2014.

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

10 No assignment to schools or attendance schedules shall discriminate against
11 students on the basis of gender, race, religion, disability, or national origin.

12 The parent of siblings who are assigned to the same grade level and school may
13 request that the school place the siblings in the same classroom or in separate
14 classrooms. This request must be made no later than five (5) days before the first
15 day of school each school year or five (5) days after the first day of attendance of the
16 students if the students are enrolled in school after the school year commences.
17 The school is not required to meet the request if there is factual evidence indicating
18 a specific placement is better for the student than that requested by the parent.

19 The Superintendent may assign a student to a school other than that designated by
20 the attendance area when such exception is justified by circumstances and is in the
21 best interest of the student.

22 Every effort shall be made to continue a student in the elementary school to which
23 s/he is initially assigned.

24 Wherever possible and advisable in the interests of the students, siblings shall be
25 assigned to the same building.

26 The Superintendent shall assign incoming transfer students to such schools, grades,
27 and classes as may afford each student the greatest likelihood of realizing fullest
28 educational potential.

29 The principal shall assign students in his/her school to appropriate grades, classes,
30 or groups. This action shall be based on consideration of the needs of the student
31 as well as the administration of the school.

1 **Request For Out-Of-Area Assignment**

2 A student may be permitted to attend a school other than the school serving the
3 parents' residential area as stipulated in Policy 5131.

4 **Nonresident Students**

5 Students who are not residents of Miami-Dade County may attend the District as
6 stipulated in Policy 5131.

7 F.S. 1000.05, 1001.41, 1002.20, 1002.31, 1003.06

8 Revised 3/15/13