

March 7, 2018

Financial Services
Mr. Ron Y. Steiger, Chief Financial Officer

**SUBJECT: INITIAL READING: PROPOSED AMENDMENT TO POLICY 5112,
ENTRANCE REQUIREMENTS**

COMMITTEE: FISCAL ACCOUNTABILITY & GOVERNMENT RELATIONS

**LINK TO
STRATEGIC
BLUEPRINT: EFFECTIVE AND SUSTAINABLE BUSINESS PRACTICES**

Under Section 1001.41(1) and 1001.43(10), F.S., the School Board is responsible for adopting and revising policies necessary for the efficient operation and general improvement of the school system, including ensuring that its policies are correct, comply with statutory requirements, and conform to current practices.

The proposed changes are intended to reflect changes that will allow parents to be legally bound by his/her signature on registration documents. Parents may execute documents and acknowledge receipt by electronic signature. The transaction shall be conducted through the parent's District account that can attribute the acknowledgement to that student through the security and password established by Information Technology Services. Parents must complete the "Parent Portal Identification" form (FM-7052) which is filed in the student's cumulative folder.

Attached are the Notice of Intended Action and the Policy amendments. Changes 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 direct the Superintendent to initiate rulemaking proceedings for Initial reading in accordance with the Administrative Procedures Act to amend School Board Policy 5112, *Entrance Requirements*.

E-51

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on March 21, 2018 its intention to amend Board Policy 5112, *Entrance Requirements*, at its regular meeting on April 25, 2018.

PURPOSE AND EFFECT: Amendments are proposed to Policy 5112, *Entrance Requirements*, to allow the acceptance of electronic records and electronic signatures from parents in compliance with the guidelines and security preferences established by Information Technology Services.

SUMMARY: Policy 5112, *Entrance Requirements*, is proposed to be amended to authorize the Superintendent to create, generate, communicate, store, process, use and rely upon electronic records and electronic signatures from parents.

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

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: Section 668.50, F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING of, April 25, 2018, 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 16, 2018 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, F.S.

A COPY OF THE PROPOSED AMENDED POLICY is available at cost to the public for inspection and copying in the Citizen Information Center, Room 102, 1450 Northeast Second Avenue, Miami, Florida 33132.

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ENTRANCE REQUIREMENTS

All children who have attained the age of six (6) years or who will have attained the age of six (6) years by February 1st of any school year or who are older than six (6) years of age but have not attained the age of sixteen (16) years, except as otherwise provided in Florida law, are required to attend school regularly during the entire school term. All children enrolling in a District school shall meet the immunization requirements in F.S. 1003.22 and provide evidence of a physical exam. The person enrolling the student shall report in person to the school to enroll their school age child.

A child who attains the age of sixteen (16) during the school year is not subject to compulsory school attendance beyond the date upon which s/he attains that age if the child files a formal declaration of intent to terminate school enrollment with the School Board. The declaration must acknowledge that terminating school enrollment is likely to reduce the student's earning potential and must be signed by the child. The District must notify the parent of the child's declaration of intent to terminate school enrollment.

Kindergarten

Any child who will have attained the age of five (5) years on or before September 1st of the school year shall be eligible to enroll in kindergarten at any time during the year.

A transferring kindergarten student is eligible to be enrolled in the District if the entrance age requirements have been met outside Florida and the child had been regularly enrolled there.

Children entering kindergarten in the District for the first time must comply with F.S. 1003.21 regarding entry age. A child must be five (5) years old on or before September 1st, in order to meet the Florida age requirement for kindergarten. A child under age six (6) who is enrolled in kindergarten will be considered of compulsory school age.

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1 **First Grade**

2 Any child who has attained the age of six (6) years on or before September 1st of the
3 school year and satisfactorily completed the requirements for kindergarten in a
4 public school according to the District's Student Progression Plan (Policy 5410) or in
5 a nonpublic school from with the Board accepts transfer of academic credit, or who
6 otherwise meets the criteria for admission or transfer in a manner similar to that
7 applicable to other grades shall be admitted or promoted to the first grade at any
8 time during the school year.

9 A transferring first grade student is eligible to be enrolled in the District if the
10 entrance-age requirements have been met outside Florida and the child had been
11 regularly enrolled there.

12 Children entering first grade in the District for the first time must comply with
13 F.S. 1003.21. Any child who has attained the age of six (6) years on or before
14 September 1st of the school year and who has been enrolled in a public school or
15 who has attained the age of six (6) years on or before September 1st and has
16 satisfactorily completed the requirements for kindergarten in a non-public school, or
17 who otherwise meets the criteria for admission or transfer in a manner similar to
18 that applicable to other grades, shall progress according to the District's Student
19 Progression Plan (Policy 5410).

20 **Initial Entry**

21 Every child initially entering a District school must prove age by an authentic
22 document issued by a governmental agency. The school should attempt to verify age
23 at the time of spring registration. State law (F.S. 1003.21) specifies the evidence
24 which may be used for this purpose and also indicates that if the first prescribed
25 evidence is not available, the next evidence obtainable in the order below shall be
26 accepted:

27 A. a duly attested transcript of the child's birth record filed according
28 to law with a public officer charged with the duty of recording births;

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- 1 B. a duly attested transcript of a certificate of baptism showing the
2 date of birth and place of baptism of the child, accompanied by an
3 affidavit sworn to by the parent;
- 4 C. an insurance policy on the child's life which has been in force for at
5 least two (2) years;
- 6 D. a bona fide contemporary Bible record of the child's birth
7 accompanied by an affidavit sworn to by the parent;
- 8 E. a passport or certificate of arrival in the United States showing the
9 age of the child;
- 10 F. a transcript of record of age shown in the child's school record of at
11 least four (4) years prior to application, stating date of birth; or
- 12 G. if none of this evidence can be produced, an affidavit of age sworn to
13 by the parent, accompanied by a certificate of age signed by a public
14 health officer or by a public school physician, or, if neither of these
15 is available in the county, by a licensed practicing physician
16 designated by the Board, which certificate shall state that the health
17 officer or physician has examined the child and believes that the age
18 as stated in the affidavit is substantially correct.
- 19 H. Children entering the District for the first time must comply with
20 F.S. 1003.21 and with the District's Student Progression Plan
21 (Policy 5410). Students must have an immunization record on file
22 at the school. Any student who does not have the proper
23 immunization shall be temporarily excluded from attendance until
24 compliance has been documented.

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I. Upon a child's initial entry to a District school, the principal shall require evidence of a physical examination performed within one (1) year prior to the date of entry. An appointment for a physical examination by a county health officer, licensed physician, or chiropractor may be accepted provided the principal is given evidence of the physical examination within one (1) week of such examination. Students transferring into the District from a school within the State of Florida who have completed physical examination form as part of their school record need not be re-examined. Examinations taken out-of-state may be accepted if performed within one (1) year of entry and include documentation and reported on the official forms of the physician.

J. A child may be exempt from the required physical examination and/or immunization upon written request of the parent or guardian of such child stating objection to examination and/or immunization on religious grounds or for medical reasons certified by a competent medical authority.

Proof of Age

If acceptable proof of age is not presented when the child first seeks admission, the principal should enroll the student temporarily and give the parent thirty (30) calendar days to secure proper proof.

Birth Certificate

The Division of Attendance Services will supply appropriate forms for making application for a birth certificate. Some parents may need help from school personnel in completing these applications. Providing such assistance will enable the school to be sure that the proper procedure has been followed. Original copies of birth certificates usually have an embossed seal imprinted on them. All photostatic copies not bearing this seal should be carefully evaluated to determine authenticity.

If questions arise which the school cannot answer regarding birth certificates, the principal should call the appropriate region director.

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1 **Student Disclosures**

2 Each student at the time of initial registration for school shall note previous school
3 expulsions, arrests resulting in a charge, and juvenile justice actions the student
4 has had.

5 **Verification of Residence**

6 Verification of a parent's residence via a Statement of Bonafide Residence - FM-7444
7 shall be required at the time the child registers in a District school. Verification of
8 residence may also be required at any other time at the discretion of the
9 Superintendent. The student shall reside with the parent placing the student in the
10 attendance area of the school.

11 In addition, submission of two (2) of the following items are required:

- 12 A. broker's or attorney's statement of parents' purchase of residence, or
13 properly executed lease agreement;
- 14 B. current Homestead Exemption card;
- 15 C. electric deposit payment receipt or electric bill, bottom portion,
16 showing name and service address.

17 If verification is not provided or acceptable, the Superintendent may verify the
18 student's residence.

19 If an electric deposit payment receipt is used as verification, the electric bill, bottom
20 portion, must also be submitted to the school within forty (40) calendar days after
21 registration. If the parent is unable to furnish the school with the requested electric
22 deposit payment receipt, the student will be allowed to enroll in the new school, but
23 must submit the electric bill, bottom portion, to the school within forty (40) calendar
24 days.

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When a change of family residence occurs after ninety (90) school days in which a student is enrolled in a school which would place the student in a different attendance area, the student, upon the request of the parent, may complete the year in the present school. No transportation will be provided.

When a change of family residence occurs after ninety (90) days in which a student is enrolled in grades 11 through 12, or is enrolled in the last grade offered at a school, which would place the student in a different attendance area, the student, upon the request of the parent, may remain in the present school through graduation (for grades 11 through 12), or the last grade offered at the school. No transportation will be provided.

The School Board authorizes the Superintendent to create, generate, communicate, store, process, use, and rely upon electronic signatures from a parent. District staff and parents shall comply with all the provisions of F.S. 668.50 regarding electronic records and electronic signatures.

Anyone who knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his/her official duty is guilty of a second-degree misdemeanor of the second degree under F.S. 837.06. In addition, anyone who knowingly makes a false verified declaration is guilty of perjury, a third-degree felony under F.S. 95.525.

F.S. 92.525, 837.06, 1003.01, 1003.21, 1003.22
F.A.C. 6A-1.098, 6A-1.0985

Revised 4/15/15
Revised 3/9/16

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