



## **POLICY 5.015**

**5-A** I recommend that the Board approve development of the proposed revised Policy 5.015, entitled "Student Reassignment."

[Contact: Mary Vreeland, PX 47371 and James Woolridge, PX 48823.]

### **Development**

### **CONSENT ITEM**

- This revision would incorporate by reference and require the use of the reassignment form (PBSD 0249), reassignment health confirmation form (PBSD 1893), and reassignment supervision hardship form (PBSD 0879).
- Subsection (5)(h), concerning legitimately residing with a "Person Acting as a Parent" would be deleted, as that topic is already covered in Policy 5.011(6).
- The revision would add a new provision as a retention incentive whereby employees may request reassignments for their children due to hardship (with the approval of the receiving principal, and if space is available in that grade), which may include situations where the student resides outside the District.

## POLICY 5.015

### STUDENT REASSIGNMENT

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3 1. **Attendance Where Assigned.**-- Except as otherwise allowed below and approved by the appropriate  
4 processes (or except as allowed by assignment to an alternative school or admission to a choice program such  
5 as a magnet program, career academy, or charter school), all students residing within a particular attendance  
6 zone shall attend the assigned school for the zone of residence. No student may enroll in a school outside the  
7 regular attendance boundary in anticipation of receiving an approved transfer.
- 8 2. **Limited Scope.**-- This Policy is not intended to govern assignments under Policy 5.01(1)(c), transfers or  
9 reassignments under applicable collective bargaining agreements or under special statutory transfer programs  
10 such as the No Child Left Behind Act, the charter schools statute, the Opportunity Scholarships Program, or  
11 McKay Scholarships for Students with Disabilities Program. Transfers under those agreements or programs  
12 shall be governed by the applicable contract terms or statutes. Because pre-kindergarten is not a mandatory  
13 program, no reassignment options are available for pre-K students.
- 14 3. **Discretion to Consider Requests.**-- The School Board has delegated to the Superintendent and/or  
15 Department of Choice Programs and School Choice the authority to consider and approve, when appropriate,  
16 individual reassignment requests for students who desire to attend a school other than the one to which the  
17 student was assigned by virtue of Policy 5.01, as the address of the parent or adult student.
- 18 4. **Conditions Precedent to Requests.**-- Attendance and discipline records influence reassignment requests.  
19 Both of the following subsections (a) and (b) are conditions precedent to allowing a request for reassignment:
  - 20 a. except under subsections (5)(a) or (h) below, the Department of Choice Programs and School Choice  
21 must verify that the proposed receiving school has not reached 100% of capacity under the Florida  
22 Inventory of School Houses (except that no reassignment will be allowed, regardless of the level of  
23 service, when:
    - 24 i. the school is a new facility in its first school year;
    - 25 ii. construction-related issues exist, leading to crowding on the campus; or
    - 26 iii. special programs at the school lead to lack of available classrooms); and
  - 27 b. the requesting student must currently reside in Palm Beach County Florida, except under subsection  
28 (5)(c) below.
- 29 5. **Bases for Requests.**-- To request reassignment, the parent/student must use the  
30 applicable District form (PBSD 0249), which is incorporated herein by reference  
31 and may be found on the District's Web site at:  
32 [www.palmbeach.k12.fl.us/Records/FormSearch.asp](http://www.palmbeach.k12.fl.us/Records/FormSearch.asp), which must indicate that the  
33 parent/student has read and understood and had an opportunity to ask questions  
34 about the form and agrees to its provisions, including that the student may be  
35 required to return to the school in his/her assigned attendance area for the reasons  
36 stated in section (12) below. The allowable bases for reassignment are:
  - 37 a. **Moving into the Zone.**-- When a student will be moving into a new attendance zone within 90 calendar  
38 days (as documented with valid proof, such as a deed for the new home, approved building permit, or

- 39 notarized lease or rental agreement), the student may request to be currently reassigned to the school  
40 for the new residence.
- 41 b. **Completing the School Year.**-- A student may request to finish the school year at the school where the  
42 student currently attends, in spite of moving to another attendance area after the first grading period.
- 43 c. **High-School Senior's Privilege.**-- Seniors who attended their assigned schools as juniors may be to be  
44 allowed to remain in that same school as a senior, if they have at least seventeen (17) credits with a  
45 cumulative grade point average of 2.0 at the beginning of the school year, in spite of moving out of the  
46 attendance zone.
- 47 d. **Extenuating Health Circumstances.**-- Any extenuating health circumstances  
48 asserted as a basis for reassignment must be documented by a student  
49 reassignment health confirmation form (PBSD 1893), which is incorporated  
50 herein by reference and may be found on the District's Web site at:  
51 [www.palmbeach.k12.fl.us/Records/FormSearch.asp](http://www.palmbeach.k12.fl.us/Records/FormSearch.asp). This form must be  
52 completed by a physician (who must specify the health-related reasons why  
53 reassignment is necessary or desirable). Reasons based on mental health  
54 must be stated by a Board-certified psychiatrist who is not related to the  
55 student. All stated health reasons will be subject to medical review and must  
56 be documented to the satisfaction of the Superintendent/designee.
- 57 e. **Supervision Hardship.**-- When pre- and/or post-school-day supervision is  
58 determined to be necessary, but is not available at or near the student's  
59 assigned school, a supervision-hardship reassignment may be approved only  
60 for students in grades K-5. The hardship must be documented with a parent  
61 employment verification and a reassignment supervision hardship form (PBSD  
62 0879), which is incorporated herein by reference and may be found on the  
63 District's Web site at: [www.palmbeach.k12.fl.us/Records/FormSearch.asp](http://www.palmbeach.k12.fl.us/Records/FormSearch.asp).
- 64 f. **Into-County High School Schedule or Curriculum Compatibility.**-- A student transferring into Palm  
65 Beach County during the school year may request reassignment to a school where compatible  
66 scheduling or curriculum is possible. The reassignment will be for the current school year only.
- 67 g. **Majority-to-Minority.**-- Students attending their regularly assigned school and who are of the majority  
68 race/ethnicity/socioeconomic status (classified by whether or not the student is eligible for free/reduced-  
69 price lunch) at that school have first priority for a transfer assignment to a school in which their  
70 race/ethnicity/socioeconomic status is in the minority.
- 71 i. An application for transfer form must be completed by the parent or legal guardian of the student  
72 and forwarded to the District office designated on the application form. Application forms will be  
73 available in each public school in Palm Beach County and at the District office, as well as on the  
74 District's Web site.
- 75 ii. Absent special circumstances, all transfer requests will be processed in the order they are  
76 received.
- 77 iii. Transportation will be provided to those exercising their right to transfer under this rule if there is  
78 an existing bus route and space on that bus; thus, parents requesting such majority to minority  
79 transfers for their children should select a school reasonably close to their home, such that the

80 distance traveled or time required for travel is not substantially increased. Should such transfer  
81 substantially increase the distance traveled, the Superintendent may deny the transfer.

82 iv. Custodial parents/guardians will be notified in writing of approval or disapproval of the request.

83 v. The Superintendent shall inform all parents about the provisions of the majority to minority transfer  
84 rule by placing the information about the rule in the student/parent handbook and by providing  
85 each student a copy of the handbook.

86 h. ~~Legitimately Residing with a "Person Acting as a Parent."~~ A student may  
87 request to attend the school assigned to the zone where he/she actually  
88 resides, although living in an attendance area other than the one in which  
89 biological or adoptive parent lives or resided, if the student legitimately resides  
90 with a person acting as a parent under the definition in Fla. Stat. § 1000.21(5)  
91 ("a "guardian of a student," a "person in a parental relationship to a student" or  
92 "person exercising supervisory authority over a student," in place of the  
93 parent). The parent or legal guardian must sign the reassignment form if the  
94 parent or legal guardian is available; otherwise, the "person acting as a  
95 parent" must sign the form. For this purpose, a biological or adoptive parent is  
96 presumed to be "available" unless he/she is deceased, in a coma or otherwise  
97 mentally incapacitated, incarcerated, living in another state or country, or in an  
98 unknown location. District Employees.-- As a retention incentive, employees  
99 may request reassignments for their children under the following  
100 circumstances:

101 i. ~~Employee Working at the School.~~ If an employee works at a school  
102 other than the one assigned by residence area, the employee may  
103 request reassignment for their children, of the appropriate grade level, to  
104 that school.

105 ii. District employees may make hardship reassignment requests to schools  
106 other than where they live with the approval of the receiving principal and  
107 if space is available in that grade. This request may involve students not  
108 residing within Palm Beach County.

109 i. ~~j.~~ **Other Good Cause Shown.**-- A reassignment may be approved, on a case-  
110 by-case basis, if other good and sufficient cause is demonstrated.

111 6. **Process for Requesting Reassignment.**-- The specific reason(s) for a  
112 reassignment request must be explained on the appropriate District form (PBSD  
113 Q249), which is incorporated herein by reference and may be found on the District's  
114 Web site at: [www.palmbeach.k12.fl.us/Records/FormSearch.asp](http://www.palmbeach.k12.fl.us/Records/FormSearch.asp).

115 a. Absent special circumstances for hardship cases or when the reason for reassignment arises for the first  
116 time after the prescribed date, the application for student reassignment must be submitted by the parent,  
117 legal guardian, or person acting as a parent between April 1 and June 1 for first semester placement;  
118 and requests for second semester placement must be submitted between October 1 and October 31.  
119 Application processing can take up to six (6) weeks.

- 120 b. The application must be submitted to the Department of Choice Programs and School Choice. The  
121 specific school requested in a different attendance zone is subject to change during review by the  
122 department.
- 123 c. A reassignment shall remain in effect until the end of the school year. Continuation beyond that period  
124 will be based on school capacity and continuing need, as reviewed by the receiving school's principal.
- 125 7. **Appeals Process.**-- In cases in which a reassignment request that has met the conditions precedent (under  
126 section (4) above) is not approved, the student or his/her parent shall have the right of appeal to the  
127 Superintendent's Transfer Review Committee.
- 128 8. **Effect on Extracurriculars.**-- Reassignment does not guarantee eligibility for athletic teams or other  
129 extracurricular activities, except as otherwise allowed by law.
- 130 9. **Transportation.**-- Reassigned students shall be required to provide their own transportation, unless the  
131 reassignment was based on the reasons stated above in subsections (5)(g) or (h).
- 132 10. **Failure to Meet Conditions Precedent, as Basis for Denial.**-- Reassignment requests which do not meet the  
133 conditions precedent as stated within section (4) above will not be approved.
- 134 11. **Voluntary Return to Assigned School.**-- Upon request, a student shall be permitted to return to the assigned  
135 school serving his/her attendance zone; however, such revocation of reassignment shall be made at the end of  
136 a semester unless there are extenuating circumstances.
- 137 12. **Required Return to Assigned School.**-- School reassignment is subject to change by the Department of  
138 Choice Programs and School Choice and the receiving school's principal for good cause upon review. In cases  
139 where a reassignment was for the purpose of allowing a student to attend a school in an area outside of his/her  
140 assigned area, the student may be required to return (after three calendar days) to the school in his/her  
141 assigned attendance area if:
- 142 a. the student becomes a discipline problem at the receiving school by committing a Level 3 or Level 4  
143 infraction as categorized in Policy 5.1811 and Policy 5.1812 (for elementary students) or 5.1813 (for  
144 secondary students) (with the return being subject to the provisions of IDEA or section 504 of the  
145 Rehabilitation Act as reflected in the provisions of the student's IEP or 504 plan, if any);
- 146 b. the student demonstrates a substantial attendance problem at the receiving school by accumulating four  
147 (4) unexcused absences (or absences for which the reasons are unknown) within a calendar month, or  
148 eight (8) unexcused absences (or absences for which the reasons are unknown) within a 90-calendar-  
149 day period (with the return being subject to the provisions of IDEA or section 504 of the Rehabilitation  
150 Act as reflected in the provisions of the student's IEP or 504 plan, if any);
- 151 c. the student's parent/guardian is unable or unwilling to work cooperatively within the policies and  
152 procedures of the reassigned school and that lack of cooperation appears to affect the student's  
153 cooperation or conduct;
- 154 d. the reasons for the reassignment are no longer valid (e.g., the parent no  
155 longer has a supervision hardship within the scope of form PBSD 0879, which  
156 is incorporated herein by reference and may be found on the District's Web  
157 site at: [www.palmbeach.k12.fl.us/Records/FormSearch.asp](http://www.palmbeach.k12.fl.us/Records/FormSearch.asp));
- 158 e. it comes to the attention of the school that the reassignment or registration request was fraudulent (e.g.  
159 was intended to circumvent athletics-eligibility rules or was supported by false documentation, in which  
160 case any further reassignments will be precluded for the remainder of the year);

161 f. the student fails to enroll in the reassigned school in a timely manner or withdraws from the reassigned  
162 school; or

163 g. the school's utilization has increased to exceed 100% of capacity under the Florida Inventory of School  
164 Houses.

165 STATUTORY AUTHORITY: Fla. Stat. § 1001.41(2), (3)

166 LAWS IMPLEMENTED: Fla. Stat. §§ 1001.32(2); 1001.41(3), (6)

167 HISTORY: ~~New~~: 5/31/2006; \_\_\_/\_\_\_2008

Legal Signoff:

The Legal Department has reviewed proposed Policy 5.015 and finds it legally sufficient for development by the Board.

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Attorney

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Date