

## **INNOVATIVE PROGRAMS/PARENT OPTIONS**

**5004.1**

The School Board of Broward County Public Schools is committed to providing quality educational opportunities for all students regardless of background characteristics by providing each student an educational environment that enhances that individual's educational success. The School Board is also committed to encouraging all parents to play an active role in their children's education and to increasing the educational options available to parents and students in the public schools. Finally, the School Board is committed to providing settings for education that promote understanding of diversity, tolerance and fair play, so that the positive tenets of a democratic society are reinforced by what students experience in schools. In Broward County Public Schools, diversity is a broad concept that includes gender, race, ethnicity, socioeconomic background, linguistic differences, exceptional abilities, variations of talents and abilities, and special needs. Throughout this Policy, wherever the word "parent(s)" appears, it shall also refer to "guardian(s)."

The School Board supports Innovative Programs/Parent Options as one tool for achieving these goals. First, the School Board believes that Innovative Programs/Parent Options should provide educational programs that promote educational excellence for all students. The Innovative Programs/Parent Options will offer students with different interests, talents and aptitudes, distinct choices that may enhance their educational success. Second, the School Board believes that Innovative Programs/Parent Options should be used to develop innovative instructional practices and promote systemic reform. Third, Innovative Programs/Parent Options is one tool for the promotion of diversity within schools, including, but not limited to, the prevention, reduction, or elimination of minority group isolation. In addition, Innovative Programs/Parent Options supports the District's goal to stabilize enrollment at selected schools. Innovative Programs/Parent Options are developed, established and maintained, dependent on the needs of the District as a whole, in meeting identified school district enrollment and diversity goals.

THE RULES LISTED BELOW SHALL GOVERN MAGNET SCHOOLS, NOVA SCHOOLS, REASSIGNMENTS, AND NCLB CHOICE. Policy Adopted: 12/15/09; Policy Amended: 12/07/10

AUTHORITY: 1001.41(1), (2); 1003.05(3)

LAWS IMPLEMENTED: STUDENT AND PARENTAL RIGHTS AND EDUCATIONAL CHOICES, F.S. 1002.31

History:

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## I. DEFINITIONS

**Active Military Duty Personnel:** Currently serving in any branch of the U.S. Armed Forces (Army, Navy, Marine Corps, Air Force, Coast Guard).

**Applicant:** The parent(s)/legal guardian of a natural, adopted, or foster, son, daughter, stepson, or stepdaughter living in the same household, who is currently applying to a requested school/program for the next school year.

**Boundaried School:** Except as otherwise allowed and approved by the appropriate process provided for in this Policy, all students residing within a particular attendance zone shall attend the assigned school for the zone of residence.

**Curricular Program for Reassignment Request:** A curricular program priority will include curriculum that is not offered at the boundary school or at a Magnet school. The curriculum must not be offered in part or whole at the student's home boundary school. A student may apply for a reassignment to an Innovative Program school that offers a unique thematic program.

**Feeder Patterns:** Feeder patterns are designed to enable students attending an identified elementary school to matriculate to a designated middle school and/or when students attending one elementary school are assigned to matriculate to middle school and/or students are assigned to one middle school matriculate to a selected/designated high school.

**FISH:** FISH is an acronym for Florida Inventory of School Houses. FISH capacity represents the Department of Education's measure of occupancy for permanent and relocatable buildings, hence gross FISH capacity.

**Full-Time Employee:** Full-time, permanent employees of the School Board of Broward County, who have school-age children, including those of which they have legal guardianship, shall be eligible to attend the same school at the employee's work location. If applying for a reassignment the employee may request another school within a five-mile radius of the work location as provided in the Broward Teacher's Union Contract, Article 15. In a specialized program such as Magnet, the student must meet the academic criteria at the secondary level.

**Innovative Programs:** Schools that provide unique or thematic instruction to attract and maintain home boundary student enrollment. Marketing will target students living within the home school boundary. Stabilization of enrollment will be from existing boundaries. Innovative Programs support unique or thematic instruction within matriculating feeder patterns. There is no application process for Innovative Programs. Magnet schools/programs that no longer meet the policy criteria to stabilize enrollment will transition to an Innovative Program, while continuing the implementation of thematic instruction for in-boundary students.

**Magnet Schools/Programs:** Magnet schools/programs provide an opportunity for under-enrolled schools to stabilize/increase student enrollment. Magnet schools/programs offer specialized curriculums with an emphasis on instruction that includes a

rigorously-defined sequential course of study. Magnet schools/programs provide transportation within transportation zones for those students living more than two miles from the Magnet school. Magnet schools/programs can be total-school or program-within-a-school. Students must meet criteria and apply within a designated time frame to be considered for placement.

**No Child Left Behind (NCLB Choice) Choice:** Students who currently attend a Title I school that has not made Adequate Yearly Progress (AYP) for three or more years, in accordance with federal and state guidelines, will be provided an opportunity to transfer to another school. Any student attending such a school must be offered the option of transferring to another public school in the District with a grade C or higher or a Title I school not identified for school improvement. The District (subject to a spending cap in the legislation) must provide transportation to students who decide to change schools under this provision for those students living more than two miles from the receiving school. Students must apply within a designated time frame to be considered for placement.

**Nova Schools:** An active learning community of all stakeholders established, in which kindergarten through twelfth grade students receive a personalized, quality education. The Nova schools are charged with researching, identifying, and implementing best practices in teaching literacy that promotes maximum student achievement. The Nova schools will provide pre-service and in-service opportunities to teachers and prospective teachers in collaboration with the Education Consortium. Students must apply within a designated time frame to be considered for placement.

**Parent(s)/Legal Guardian:** Refers to either or both parents, any legal guardian of a student, any person in a legal parental relationship to a student, or any person exercising legal supervisory authority over a student in place of a parent (F.S. 1000.21(5)).

**Permanent FISH Capacity:** The Department of Education's measure of occupancy for permanent buildings (does not include relocatables).

**Random Selection Process:** A computerized student selection process through which student applications that meet the deadline are placed in a random pool of names from which applicants for each school are selected and assigned based on identified seats available. The following selection priorities will be considered prior to the random selection process for all timely applications: 1) Magnet students who will be continuing in theme, 25% of all available seats will be given to students who are currently attending schools over 110% of the school's Permanent FISH Capacity; 2) students who have a parent/legal guardian on active military duty; 3) Magnet and Nova students who have a sibling currently attending and will continue to attend the requested school in the next school year; 4) full-time school board employees who are employed at the requested school; and 5) Reassignment applicants who request a school for a curricular program not offered at the boundary school (25% of reassigned seats will be set aside for curricula program requests).

**Reassignments:** A student may apply for placement to attend a different school other than the boundaried school, based on Permanent FISH Capacity at the requested school or a compelling documented hardship. Students must apply within a designated time

frame to be considered for placement and identify the reason for requesting a reassignment. There is no guarantee that an application request will be granted. Reassignment priorities will include curricular program requests (based upon definition outlined in this policy below) and supervision for students age 12 years or younger per state law. In addition, there is no automatic approval for a student to matriculate to the next school through the reassignment process.

**School Boundaries:** The geographic area that identifies public school assignments as annually approved by the School Board.

**Sibling:** A natural, adopted, or foster brother, sister, half-brother, half-sister, stepbrother, or stepsister living in the same household as a student who is currently attending a requested school and will continue to attend the requested school during the next school year.

**Socioeconomic Status:** May be determined by indicators including, but not limited to, participation in free/reduced lunch program.

**Statement of Bona Fide Residence Form:** Broward County Public Schools required form on which a parent/legal guardian must document primary place of residence to allow for immediate, temporary enrollment and provide the parent(s)/legal guardian up to 30 calendar days to produce the official required documentation.

## II. RULES

### 1. Eligibility

**A. Magnet Schools** - The parent(s)/legal guardian must secure a student identification number for their child(ren) from the boundary school if not currently registered with Broward County Public Schools to be considered for a Magnet school/program. There is no eligibility criteria at the elementary level. Students that apply to a Magnet middle or high school (secondary) must meet eligibility criteria. At the secondary level, the only eligibility criteria shall be as follows:

1. For the *International Baccalaureate Program*, applicants must have Florida Comprehensive Achievement Test Sunshine State Standard (FCAT SSS) scores for reading and mathematics at or above level 4 and have a minimum 3.0 GPA or better in Language Arts, Science, Social Studies, and Mathematics. Students who do not have FCAT SSS scores, applicants must have a nationally recognized norm-referenced standardized examination with scores of 90<sup>th</sup> percentile or above in reading and mathematics and have a minimum 3.0 GPA or better in Language Arts, Science, Social Studies and Mathematics.

2. For the *Science/Pre-Engineering Program* and *The Latin School*, applicants must have FCAT SSS scores for reading and mathematics at or above level 3 and have a minimum 3.0 GPA or better in Language Arts, Science, Social Studies, and Mathematics. Students who do not have FCAT SSS scores, applicants must have a nationally recognized standardized norm-referenced examination with scores of 75<sup>th</sup> percentile or above in reading and mathematics

and have a minimum 3.0 GPA or better in Language Arts, Science, Social Studies and Mathematics.

3. For *identified secondary Magnet programs*, applicants must have FCAT SSS scores for reading and mathematics at or above level 3 and have a minimum 2.0 GPA or better in Language Arts, Science, Social Studies, and Mathematics. Students who do not have FCAT SSS scores, applicants must have a nationally recognized norm-referenced standardized examination with scores at the 50<sup>th</sup> percentile or above in reading and mathematics and have a minimum 2.0 GPA or better in Language Arts, Science, Social Studies, and Mathematics.

4. For the secondary school Performing Arts Programs, auditions shall also be required (in addition to the criteria in Rule 1.A.3. above). Auditions shall be judged by a qualified, diverse panel of professionals selected by the school's administration.

5. The School Board is committed to a definition of diversity that includes students with special needs, Exceptional Student Education (ESE), and students who are English Language Learners (ELL). These students shall be given equal opportunity to attend Magnet schools/programs in light of each student's need for special services. In the case of a student whose special needs require the development of an Individualized Educational Plan (IEP) or a Gifted Education Plan (EP), attendance at a Magnet school/program must be consistent with the official IEP or EP.

6. The following eligibility criteria and procedures will be used for acceptance of English Language Learner (ELL) students and Exceptional Education Students (ESE other than Gifted) or other students who may not meet the established eligibility criteria:

a. Secondary school ELL applicants must have FCAT SSS scores for reading or mathematics at or above the levels(s) required for the specific Magnet program as specified for program criteria. The applicants must have a GPA at or above the required GPA in Language Arts, Science, Social Studies and Mathematics for the specific program to which they are applying.

b. For secondary school applicants for whom FCAT SSS and/or norm-referenced standardized examination scores are unavailable, a student's portfolio demonstrating proficiency in reading or mathematics in English or the student's native language (for ELL student) and teacher recommendations may be utilized in place of examination scores and applicants must have a GPA at or above the required GPA in Language Arts, Science, Social Studies and Mathematics for specific Magnet programs. For ELL students who have recently arrived in the United States, grades earned in the home country while still in residence there can be used.

7. Applicants who do not meet these eligibility criteria shall be apprised of the opportunity to be considered eligible based on special circumstances and to submit the information listed below to the Magnet school for review by the Magnet Review Panel, which will be comprised of Magnet coordinators and other appropriate personnel, established and chaired by the Superintendent or his/her impartial designee. The application review process may take into consideration:

- a. a written recommendation of teachers and/or administrators,
- b. a written explanation of special circumstances indicating the student's ability to succeed in a Magnet school/program compiled by both the sending school and the receiving Magnet school,
- c. an interview with the student, where appropriate, and
- d. a student's portfolio demonstrating proficiency at the assigned grade level in reading and/or mathematics in English and/or the student's native language.

Names of ELL and/or ESE applicants who meet the above eligibility criteria through the alternative process will be placed into the qualified applicant pool. In the case of a student whose extraordinary and/or special needs require the development of an Individualized Educational Plan (IEP) or an Educational Plan (EP), attendance at a Magnet school/program must be consistent with his/her IEP/EP.

**B. Innovative Programs** - All students attending a school where a School Board-approved Innovative Program has been established, may have the opportunity to participate in the program.

**C. Nova Schools** - The parent(s)/legal guardian and student applying to the Nova schools must be a resident of Broward County. There are no academic eligibility criteria. In the case of a student whose special needs require the development of an Individualized Educational Plan (IEP), attendance at the Nova school must be consistent with the official IEP. The parent(s)/legal guardian must secure a student identification number for child(ren) from the boundary school, if not currently registered with Broward County Public Schools to be considered for a Nova school placement.

**D. Reassignments** - Any student residing in Broward County is eligible to request a reassignment to attend a school other than the boundaried school. The parent(s)/legal guardian must secure a student identification number for child(ren) from the boundary school, if not currently registered with Broward County Public Schools to be considered for reassignment placement. Once a reassignment is granted, the student may remain at the reassigned school until he/she completes its highest grade, unless otherwise specified by Board Policies, or Code of Student Conduct. There are no academic eligibility criteria. Reassignment requests for curricular programs, not offered at other schools will be considered.

1. Commencing with the first day of the second semester, any student who moves out of the attendance boundary area for his/her school shall be allowed, upon completion of the reassignment request form by parent(s)/legal guardian, to complete the second semester in the school that the student has been attending. If the student wishes to continue at the same school the following year, however, the student must obtain a reassignment pursuant to this Policy.

2. For schools which the School Board has approved a boundary change, and for the first year of the implementation of the boundary change, high school students meeting the highest-grade criteria and entering grade 12 will receive an automatic approval to remain at the current school with transportation. Students entering grade five and grade eight will go through the reassignment process for approval as space permits, but no transportation services will be provided.

a. **Athletic Eligibility** - In order to represent a school in any athletic sport, a student must be a bona fide student of that school. For purposes of this Policy, bona fide means, one is regularly enrolled and in regular attendance. In order to practice with a school in any athletic sports, a player must be a bona fide student of that school. A student shall be eligible in the school in which he/she first enrolls each school year, and makes himself/herself a candidate for an athletic team by engaging in an athletic practice prior to enrolling in any Florida Athletic Association school. The student shall be eligible in that school so long as he/she remains enrolled in that school and meets all other eligibility requirements (e.g. academic standing/GPA requirements/residency). A student who transfers attendance from one public school to another public school following his/her initial enrollment, or engagement in athletic practice, shall be ineligible to represent the new school he/she is attending for the duration of that school year. This rule shall not apply if the change of attendance from one school to another is accompanied by a corresponding change in residence on the part of the student's parent(s)/legal guardian or other individual with whom the student has lived continuously for a full calendar year, which makes it necessary for him/her to attend a different school. A student may file a waiver or hardship appeal with the Florida Activities Association regarding their athletic ineligibility.

**E. NCLB Choice** - Students who currently attend a Title I school that has not made AYP for three or more years, in accordance with federal and state guidelines, will be provided an opportunity to transfer to another school. The parent(s)/legal guardian must secure a student identification number for their child(ren) from the boundary school if not currently registered with Broward County Public Schools to be considered for an NCLB/ Choice school. There are no academic eligibility criteria.

## 2. **Application Process**

**A. Magnet Schools** - The Superintendent or his/her designee shall make Magnet applications available at all schools and at the school district's administrative offices. Magnet brochures and applications will be available through U.S. Mail and through the school district's website to the parent(s)/legal

guardian of all K, 1<sup>st</sup>, 2<sup>nd</sup> and identified 5<sup>th</sup> and 8<sup>th</sup> grade students currently attending a Broward County Public School. All parent(s)/legal guardian of students interested in applying for a Magnet school/program for the following school year, must complete a written or online application and submit it between the first school day of December and the designated February deadline date identified to the Innovative Programs office. When applying to a Magnet school/program that is available in multiple locations, the parent(s)/legal guardian must apply to the school closest to the home address which aligns with the transportation zone. When there are more eligible students than available seats in a given grade level at a Magnet school/program, the District shall select students for the grade level at the Magnet school/program by a random selection process as defined in the assignment priority in DEFINITIONS section of this Policy.

After the random selection process, a wait applicant pool will be created for each of the oversubscribed Magnet schools/programs. A student will be placed in only one wait applicant pool at a time. The wait applicant pool will be maintained until the beginning of the second semester, and student vacancies will be filled until that time. Students in the wait pool who are offered assignments to a Magnet school/program must accept the assignment at the time offered. Failure to do so will require a new application.

**B. Innovative Programs** - Seats available at an Innovative Program school will be determined based on projected enrollment, as compared with Permanent FISH Capacity at each school on an annual basis. If the District determines that there are seats available at an Innovative Program school, the parent(s)/legal guardian may apply through the defined reassignment process.

**C. Nova Schools** - Applications for the following school year will be accepted from all students registered with the Broward County school system on an annual basis by the Innovative Programs Department. Applications will be accepted beginning in December through a designated date in February. Where there are more applicants than available seats in a given grade level at a Nova school, the District shall select students for each grade level by a random selection process as defined in the DEFINITIONS section of this Policy.

The wait applicant pool will be maintained until the beginning of the second semester, and student seat vacancies will be filled until that time. Students in the wait applicant pool who are offered an assignment to a Nova school must accept the assignment at the time offered. Failure to do so will require a new application. Students admitted to the Nova schools may remain in the Nova school as long as their parent(s)/legal guardian are residents of Broward County and the student has not been withdrawn to attend another school, public or private, or rescinded by the Area Office due to violations per the Code of Student Conduct.

**D. Reassignments** - The Superintendent or his/her designee shall make reassignment applications available at all schools, at the Innovative Programs Department, and via the [browardschools.com](http://browardschools.com) website. Parent(s)/legal guardian shall submit completed forms for a reassignment for the following school year to



the Innovative Programs Department, between May 1 and June 15. No reassignment applications will be accepted after June 15. A reassignment may be granted when it has been determined that the school has Permanent FISH Capacity based on historical enrollment trends and when a reassignment would not increase the school's enrollment beyond Permanent FISH Capacity.

Reassignments that are not submitted to the Innovative Programs Department, or via the [browardschools.com](http://browardschools.com) website by the above deadline, shall be considered only in cases of special needs related to court orders, adoption, and military orders.

The Area Office Assistant Directors shall review the circumstances of the application based upon the provisions of this Policy and render a decision.

**E. NCLB Choice** - The application window for NCLB Choice occurs from the end of March, after the conclusion of FCAT, through the end of April. The District will notify eligible parent(s)/legal guardian at identified Title I schools in the spring of each year about the requirements under NCLB Choice for Title I schools that do not make AYP. NCLB Choice notification letters will be sent home with every child at the identified schools. NCLB Choice letters for incoming new grade levels to the schools (grade kindergarten for elementary schools and grade six for middle schools) are mailed directly to the homes. The NCLB Choice letters will provide general background information on AYP and NCLB Choice as well as Supplemental Educational Services (SES) options for students at identified schools that qualify for free or reduced lunch.

A post-AYP notification process will occur in the summer after the AYP results have been released by the state for any school that was not identified before the new AYP scores were released by the state. The District will notify the parent(s)/legal guardian in the summer of each year about the requirements under NCLB Choice for Title I schools that do not make AYP for the third year after the new scores have been released. Summer NCLB Choice letters are mailed to all eligible students. These letters will also provide general background information on AYP, NCLB Choice, and SES options.

### **3. Assignment Priority**

By January 15 of each year, the District will evaluate the extent to which the annual applicant pool for Nova and Magnet schools reflects the geographic, gender, racial/ethnic, socioeconomic, linguistic, and special needs diversity of the District as a whole. If any identifiable group of students in the annual applicant pool according to these criteria is under-represented, the District shall recruit additional Nova and Magnet applicants from the under-represented groups before the random selection process is implemented. Applicants that are assigned to a boundary school whose enrollment exceeds 110% of the Permanent FISH Capacity of the school, will be granted a priority for available seats. Twenty-five percent (25%) of available seats will be awarded to students who are assigned to schools over 110% Permanent FISH Capacity.

**A. Magnet and Nova Schools** - The following students have priority in the selection process prior to the random selection process:

1. Dependent children of active-duty military personnel (who otherwise meet the eligibility criteria for special academic programs such as advanced placement, dual enrollment and International Baccalaureate for Magnet programs) shall be given first preference for admission to such programs when an application is submitted by the published deadline, even if the program is being offered through a public school other than the boundary school to which the student would generally be assigned. F.S. 1003.05(3).
2. Elementary school applicants, who have a sibling currently attending a K-5 level Magnet school/program, who will continue to attend the following year, and who meet the application deadline, will be placed in the same Magnet elementary school/program on a space-available basis prior to the random selection process. Siblings that apply at the same time and do not have a sibling currently attending the Magnet school/program will be given a priority if the other sibling is selected through the random selection process when a seat becomes available at the specific grade level.
3. Secondary school applicants who have a sibling who will continue at the same Magnet school/program (sibling must meet the eligibility criteria) and who meet the application deadline, will be placed in that school/program on a space-available basis prior to the random selection process. Siblings that apply at the same time and do not have a sibling currently attending the Magnet school/program, will be given a priority if the other sibling is selected through the random selection process when a seat becomes available at the specific grade level, provided the sibling meets the program criteria.
4. Students presently in a Magnet school/program and wishing to continue in the same theme at the next level (e.g., middle, high), must apply between the first day of the application window in December and the deadline designated on the application form. If the student meets the entrance criteria, he/she will be placed in the Magnet school/program on a space-available basis prior to the random selection process.
5. A confirmed, permanent School Board employee, assigned a full-time work schedule at the requested school, may request through the application process that his/her child be placed in the Nova or Magnet school (secondary Magnet school applicants must meet criteria) on a space-available basis prior to the random selection process if the employee has met the application deadline.
6. Students selected to attend a Nova program will be given an opportunity to attend and remain in Nova, K through grade 12, provided they remain in full compliance with all Board policies.
7. Students who apply and meet the application deadline date for a Nova program, who have a documented sibling attending a Nova school and the sibling will continue to attend the following year, will be placed at a Nova school prior to the random selection process provided seats are available at the requested grade level. Siblings that apply at the same time and do not have a sibling currently

attending a Nova school, will be given a priority if the other sibling is selected through the random selection process when a seat becomes available at the specific grade level.

**B. Reassignments** - In the case of a sibling applicant, a younger sibling will not be automatically approved to attend the same reassigned school of the older sibling(s). Hardship circumstances will be taken into consideration, dependent upon the Permanent FISH Capacity of the requested school. Hardship allocations will not increase enrollment above 2% of the identified Permanent FISH Capacity at that site. Should a school be at or above the Permanent FISH Capacity, the only hardship approvals will be for students who are currently attending the school and have a request such as the death of a parent or a custodial need. However, if the older sibling is in 5<sup>th</sup>, 8<sup>th</sup>, or 12<sup>th</sup> grade, the younger sibling may be given only a one-year reassignment.

**C. NCLB Choice** - NCLB Choice is given to all eligible students attending a Title I school not making AYP for three or more years that complete an NCLB Choice application and submit it by the designated deadline. If the demand for NCLB Choice exceeds available funds (as set annually by the State), priority will be given to the lowest achieving students that applied and met the deadline. Priority factor for identifying lowest achieving students include FCAT level 1 or 2. If prioritization is required, those students that meet the prioritization requirements will be provided transportation. All students who submit a timely NCLB Choice application will be given a placement/reassignment, however, transportation will be provided/offered to those meeting the priority factor of FCAT level 1 or 2 prior to other students eligible for NCLB Choice, provided funding is available.

#### 4. **Transportation**

**A. Magnet Schools** - The School Board shall provide transportation to all students in out-of-boundary Magnet schools/programs who reside more than two miles from the Magnet school/program as determined by the established Magnet transportation zone and for elementary students residing within two miles who face hazardous walking conditions. The parent(s)/legal guardian understands that the child is subject to the Student Code of Conduct while on the bus. Where economically feasible, the School Board shall also provide activity buses to and from Magnet secondary schools/programs to enable students to participate in extracurricular activities offered at the Magnet school/program which they attend.

**B. Innovative Programs** - Transportation is not provided for students that live outside the designated school boundary. (Refer to reassignment transportation 4.D. below in this Policy.)

**C. Nova Schools** - Transportation is provided for all Nova students that reside more than two miles from the assigned Nova school.

**D. Reassignments** - For all reassignment approvals, the parent(s)/legal guardian will be notified that they must assume responsibility for transportation, attendance, and behavior of the student, and that failure to do so will result in a

rescission of the reassignment. The District is not obligated to provide transportation for reassigned students. It is the parent(s)/legal guardian's responsibility to provide transportation to the reassigned school. A parent/legal guardian can request, via their requested school, a seat on the school bus through the "empty seat" policy. However, a seat is not guaranteed. A reassignment at one school level does not guarantee the approval of a reassignment at the next school level.

**E. NCLB Choice** - Transportation is provided for all students opting to participate in NCLB Choice. If the demand for NCLB Choice with transportation exceeds available funds, priority will be given to the lowest achieving students. The priority factor for identifying lowest achieving students is FCAT level 1 or 2. If prioritization is required, those students that meet the prioritization requirements will be provided a placement with transportation.

## **5. Appeals/Hardships**

### **A. Reassignments**

1. If a parent/legal guardian believes that any of the reassignment procedures listed in this Policy have been violated, he/she may appeal in writing to the Superintendent or his/her designee. An appeal to the Superintendent must be received in the Innovative Programs Department no later than fifteen (15) calendar days from the date of the alleged violation of the procedure. The Superintendent shall select a designee to hear the appeal.

2. A reassignment and/or hardship appeal will not be approved if the approval would create State sanctions against the District due to failure to meet class size reduction or school concurrency the year of the requested hardship/reassignment.

3. A parent/legal guardian may submit a letter to the Innovative Programs Department requesting a hardship appeal for denial of a reassignment under one of the circumstances listed below. Upon receipt of a reassignment denial letter, the parent(s)/legal guardian has 15 calendar days in which to submit a letter requesting to meet with the Superintendent's Hardship Committee to appeal the reassignment denial. The letter must describe the hardship in detail and provide all available documentation when necessary. The letter must be postmarked no later than 15 calendar days of receipt of denial letter for the family to be eligible for a scheduled hardship committee hearing. The Superintendent's Hardship Committee shall hear appeals for timely reassignment applications and will meet from May – July of each year. The Superintendent's Hardship Committee shall hear the appeal and notify the parent(s)/legal guardian of the outcome in a timely manner. This constitutes the final administrative decision.

Hardship appeals may be based on:

- a. unique circumstances that prevent the student(s) from attending the boundaried school; and/or
- b. documented ongoing medical or psychological reasons, confirmed by school staff and the school district's medical professional; or

c. students who have a specific custodial need such as the death of a parent and the student currently attends the school will be granted a Hardship.

**B. NCLB Choice** - A parent/legal guardian of an eligible NCLB Choice student may request an appeal to the decision of the NCLB Choice process by calling the Innovative Programs Department by no later than 10 calendar days from the date of notification of the decision or 10 days after the application deadline, whichever is later. A Documented Challenges Committee will be identified by the Executive Director of Educational Programs to review all documents on a weekly basis and provide notification of decision on the parent/legal guardian's appeal within 48 hours of the Documented Challenges Committee meeting. A parent/legal guardian may request an appeal for the following circumstances:

1. incorrect address in the student information system must be corrected by parent(s)/legal guardian at boundary Title I school and student information systems updated before parent is eligible for an appeal;
2. sibling (not guaranteed under NCLB Choice Act); or
3. documented ongoing medical or psychological reasons, confirmed by school staff and the school district's medical professional.

## **6. Withdrawals**

### **A. Magnet**

1. Elementary Magnet school/program placement is in effect through the remainder of the grades in the receiving school unless rescinded by the affected Area Superintendent or by the School Board. Elementary Magnet school/program placement may be rescinded at any time after documented interventions have been attempted during the school year by the affected Area Office for repeated violations of the Code of Student Conduct guidelines including poor attendance, excessive tardiness, or inappropriate behavior, and failure to follow school procedures. When students do not follow the rules and expectations outlined in the Code of Student Conduct, one or more of the actions listed in the Code of Student Conduct may be taken until the problem is resolved.
2. If an elementary student moves out of the Magnet "transportation zone," the student may remain in the Magnet school/program through the remainder of the grades if the parent provides transportation.
3. If an elementary student moves out of the boundary of the elementary Magnet school/program but still resides within the Magnet transportation zone, the student may remain enrolled at the Magnet elementary school/program utilizing existing transportation.
4. If a Magnet student moves out of a Magnet transportation zone into another Magnet transportation zone in which the SAME THEME Magnet program is available, the Magnet student will have priority for a seat at the

receiving Magnet school/program. This does not apply to students changing school level.

5. At the secondary level, students admitted to the Magnet schools/programs may remain in these schools/programs as long as their parent(s)/legal guardian are residents of Broward County, the student has not been withdrawn to attend another school, public or private, and the student maintains a 2.5 GPA.

a. Any secondary Magnet student who is experiencing difficulty maintaining a 2.5 GPA shall have documented opportunity to receive appropriate counseling and assistance at his/her Magnet school/program. However, if a student fails to maintain a 2.5 GPA for two consecutive semesters or one full school year (dependent upon the school's schedule), with documented interventions, he/she will be ineligible to continue in the Magnet school/program and will be assigned to his/her home school, based on approved school boundaries.

i. Whereas a secondary Magnet school/program is identified as under-enrolled, the administration at that secondary Magnet school/program may opt to extend the time frame of the documented interventions for a student in the event that removal of that student would increase a declining enrollment trend at the school.

ii. Secondary Magnet school/program placement may be rescinded at any time after documented interventions have been attempted during the school year by the affected Area Office for repeated violations of the Code of Student Conduct guidelines including poor attendance, excessive tardiness, or inappropriate behavior, and failure to follow school procedures. When students do not follow the rules and expectations outlined in the Code of Student Conduct, one or more of the actions listed in the Code of Student Conduct may be taken until the problem is resolved.

6. Requests for withdrawal must be filed with the principal of the school and the Director of Innovative Programs. Withdrawals for the purpose of the relocation of the student's parent(s)/legal guardian outside of Broward County or to allow a student to enter a private school shall be granted at any time. Withdrawals for the purpose of attending the affected student's regularly assigned public school, based on approved boundaries, shall be granted at any time.

7. A student who withdraws from a Magnet school/program must reapply for admission according to the provision of this Policy.

8. Any request for temporary leave from a Magnet school/program must be approved by the principal of the school and the Director of Innovative Programs before the student is withdrawn. A leave of absence from the Magnet school/program shall be considered in the following situations:

a. A student may be granted a leave of absence from the Magnet school/program for the period of time necessary to complete any of the following programs or hospital stays: being a patient in a hospital for an extended period of time; being enrolled in the Board's Hospital Homebound Program; acceptance into a Board approved Alternative Education Program or other exceptional education programs; enrollment in a licensed, full-time substance abuse treatment program; or participation as an exchange student.

b. If a family or student is moving out of Broward County temporarily, a leave of absence may be granted for a maximum of one (1) year.

**B. Innovative Programs** - Students attending an Innovative Program school with an approved reassignment will follow the reassignment rescission process as identified in 6.D. below.

**C. Nova Schools -**

1. Nova school placement may be rescinded at any time by the affected Area Office after documented interventions have been attempted during the school year for repeated violations of the Code of Student Conduct guidelines including poor attendance, excessive tardiness, or inappropriate behavior, and failure to follow school procedures. When students do not follow the rules and expectations outlined in the Code of Student Conduct, one or more of the actions under the procedures in the Code of Student Conduct may be taken until the problem is resolved.

2. Requests for withdrawal must be filed with the principal of the school and the Director of Innovative Programs. Withdrawals for the purpose of the relocation of the student's parent(s)/legal guardian outside of Broward County or to allow a student to enter a private school shall be granted at any time. Withdrawals for the purpose of attending the affected student's regularly assigned public school, based on approved boundaries, shall be granted at any time.

3. Any request for temporary leave from the Nova schools must be approved by the Principal and the Director of Innovative Programs before the student is withdrawn. A leave of absence from the Nova schools shall be considered in the following situations:

a. A student may be granted a leave of absence from the Nova schools for the period of time necessary to complete any of the following programs or hospital stays: being a patient in a hospital for an extended period of time; being enrolled in the Board's Hospital Homebound Program; acceptance into a Board-approved Alternative Education Program or other exceptional education programs; enrollment in a licensed, full-time substance abuse treatment program; or participation as an exchange student.

- b. If a family or student is moving out of Broward County temporarily, a leave of absence may be granted for a maximum of one (1) year.
4. A student who withdraws from the Nova schools must reapply for admission according to the provisions of this Policy, with no preferential treatment given for re-admission.

**D. Reassignments -**

1. Withdrawals for the purpose of the relocation of the student's parent(s)/legal guardian outside of Broward County or to allow a student to enter a private school shall be granted at any time. Withdrawals for the purpose of attending the affected student's regularly assigned public school, based on approved boundaries, shall be granted at any time.

2. Granted reassignments may be rescinded at any time during the school year by the affected Area Office for violations of the Code of Student Conduct Guidelines. Whenever possible, the student will be returned to the assigned boundaried school during a scheduled break in the school year, such as at the end of the quarter or semester. When students do not follow the rules and expectations outlined in the Code of Student Conduct, one or more of the actions under the procedures in the Code of Student Conduct may be taken until the problem is resolved.

3. Should a student's reassignment be rescinded, the student may only request a reassignment when transitioning to the next school level or if deemed a special circumstance through the Area Office.

- a. Subsequent requests will not be considered except for court orders, adoption, military orders, or other unique/special circumstances with appropriate documentation.

4. Any request for temporary leave from the reassigned school must be approved by the principal and the Director of Innovative Programs before the student is withdrawn. A leave of absence from the reassigned school shall be considered in the following situations:

- a. A student may be granted a leave of absence from the reassigned school for the period of time necessary to complete any of the following programs or hospital stays: being a patient in a hospital for an extended period of time; being enrolled in the Board's Hospital Homebound Program; acceptance into a Board-approved Alternative Education Program or other exceptional education programs; enrollment in a licensed, full-time substance abuse treatment program; or participation as an exchange student.

- b. If a family or student is moving out of Broward County temporarily, a leave of absence may be granted for a maximum of one (1) year.



5. A student who withdraws from the reassigned school must reapply for admission according to the provisions of this Policy, with no preferential treatment given for re-admission. If a student withdraws from a reassigned school, the reassignment becomes null and void, except for the provisions listed above in 4a. and 4b.

**E. NCLB Choice** - Withdrawals for the purpose of the relocation of the student's parent(s)/legal guardian outside of Broward County or to allow a student to enter a private school shall be granted at any time. Withdrawals for the purpose of attending the affected student's regularly assigned public school, based on approved boundaries, shall be granted at any time.

**7. Monitoring and Reporting**

After the 20<sup>th</sup> day enrollment count each school year, the School Boundary Department, in conjunction with the Innovative Programs Department, will report the impact of the student enrollment. This report shall include:

**A.** the number and characteristics of students who submitted a completed application, registered and attends the school;

**B.** data reflecting the reasons for which applications were granted or denied District-wide;

**C.** the impact of the number of enrolled students through the seat allocation/assignment processes that enrolled on the Permanent FISH Capacity and the diversity of each school;

**D.** planning tool;

**E.** in November of each year, seats available at any Broward County Public School will be annually reviewed for enrollment/program needs and included in the school boundary recommendation process; and

**F.** any recommendations regarding modifications to this Policy or its rules.