Chapter 5.00: Students

5.20

CONTROLLED OPEN ENROLLMENT

POLICY

The School Board shall permit a program of controlled open enrollment as set forth herein and in accordance with Florida law. "Controlled open enrollment" means a public education delivery system that allows school districts to make student school assignments using parents' indicated preferential educational school choice as a significant factor.

I. Components of the District's Controlled Open Enrollment Program

The District's controlled open enrollment program:

A. adheres to Federal desegregation requirements;
B. allows parents to declare school preferences, including placement of siblings within the same school;
C. provides a lottery procedure to determine student assignment and establishes an appeals process for hardship cases;
D. affords parents of students in multiple session schools preferred access to controlled open enrollment;
E. maintains socioeconomic, demographic, and racial balance;
F. addresses the availability of transportation;
G. maintains existing academic eligibility criteria for public school choice programs pursuant to Florida law;
H. identifies schools that have not reached capacity, as determined by the District; and
I. ensures that preferential treatment is provided to individuals as set forth in Florida law.

II. Eligibility for Participation in the Controlled Open Enrollment Program

In addition to the public school choice programs available under Florida law and provided in the District pursuant to the policies listed above, a parent of a student under the age of eighteen (18) or an eligible student who lives in the District or in any other school district in the State of Florida who is not subject to a current expulsion or suspension may seek to enroll in a public school in the District that has not reached capacity, subject to the

maximum class size pursuant to F.S. 1003.03 and Section 1, Art. IX of the Florida Constitution.

In determining the capacity of each District school, the Board shall incorporate the specifications, plans, elements, and commitments contained in the District's educational facilities plan and the long-term work programs required under Florida law.

Schools shall be at "capacity" once the school has reached **90%** capacity as set forth in the Florida Inventory of School Houses (FISH).

"Capacity" as defined herein is subject to program-specific enrollment limitations. Programs with enrollment limitations may include, but are not limited to, self-contained Exceptional Student Education (ESE) programs, career-tech programs, advanced placement courses, and other academic programs that require student-teacher ratios less than the FISH capacity for that space. An additional factor to be considered is availablility of instructional staff. At the time of approval of zone waivers for school choice, capacity at each grade level will be considered.

The capacity at each public school in the District shall be identified on the District's website at www.okee.k12.fl.us.

III. Application and Preferential Treatment

Applications to participate in the District's controlled open enrollment program shall be accepted beginning on May 1st and ending on May 20th. Applications are available at each school as well as the District Office and must be submitted no later than May 20th. Schools will number the zone waivers, for the purpose of the lottery, as the zone waivers are received at each school.

Applications received after the deadline will be processed in accordance with the late-filed applications procedures below.

An applicant's failure to disclose information (e.g., being subject to suspension or expulsion, having a current IEP, being assigned to a Department of Juvenile Justice program, et cetera) that would be relevant to the District's determination that the applicant could be served in a program at his/her preferred or alternate schools and therefore would be accepted shall constitute grounds for revocation of approval to enroll under this policy.

After the close of the application period and the determination of capacity at each school, the District shall conduct a lottery as described below and then process the applications according to the random numbers assigned.

IV. Priority of Approval

Zone waiver applications for Controlled Open Enrollment will be approved in the following order:

A. A dependent child of active military personnel whose move resulted from military orders.
B. A child relocated due to a foster care placement in a different school zone.

C. A child who moved due to court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.
D. A child who moved due to homelessness.
E. A child whose sibling is currently enrolled at the requested school.
F. A McKay or Opportunity Scholarship recipient.
G. A full-time employee of the Okeechobee County School Board.

V. Lottery Process

All of the remaining zone waiver applications that were not approved according to the priority list above will be entered into a lottery system.

Principals will first fill the available seats based on capacity of the school with the priority zone waivers. If capacity is reached before all priority zone waivers have been filled, then the priority zone waivers will placed on a waiting list.

Zone Waivers will be separated by grade level. The number on the zone waiver forms for in-county students will be placed on a slip of paper, or some other material, all numbers of unassigned Zone Waivers will be placed into a receptacle and a number will be pulled and assigned to an available space until all spaces are filled or all in-county zone waivers are assigned for each grade. This process will then be repeated for all out-of-county zone waivers. The process is repeated for each grade until all accepted zone waivers are assigned or all spaces are filled. Priority will be given to students residing in Okeechobee County over students residing in other districts. If there are Zone Waivers that were not assigned, those numbers will be pulled and the students will be placed on a waiting list in the order that their numbers were pulled. Any students on this waiting list will have priority over students who submit Zone Waivers for Open Enrollment in-county or Open Enrollment out-of-county through the first day of the school year.

Students that have requested a zone waiver, but were not selected based on capacity will be placed on a waiting list. The waiting list will be kept at the school and also at the office of the Director of Student Services.

VI. Review of Applications

Once the application period ends and the lottery has been conducted, the District will review all fully completed applications received by the application deadline. Consideration of applications will be based on the current capacity of each public school in the District. (See definition of "capacity" above). Only those schools identified in the application will be considered by the District.

VII. Appeals

Applicants who are not accepted for enrollment may appeal to the Superintendent within **10** calendar days of receipt of the District's notice advising them that their application was denied. If the last day for appeal falls on a day that the school office is not open for business, the deadline shall be extended to the next day that the school office is open for business.

The appeal must be submitted in writing, must be based on hardship, and must include as much detail as possible regarding the hardship. Appeals will be considered by the Superintendent or designee and the decision of the Superintendent is final.

Applicants will be notified in writing of the Superintendent's decision.

"Hardship" includes, but is not limited to, medical and/or psychological matters, law enforcement matters, employment needs, and any other circumstances demonstrating a hardship.

VIII. Late-Filed Applications

Applications received after the application deadline will be reviewed and considered after processing all applications, as well as the deadline for appeals. Late-filed applications will be approved only if a hardship exists and there is capacity in the school(s) that the student has listed as his/her preference(s) on the application.

IX. Students Residing in the District and Currently Enrolled Students

Students residing in the District (including charter school students) or students enrolled in the District during the 2016-2017 school-year will not be displaced by a student from another school district seeking enrollment under the District's controlled open enrollment program.

X. Completion of Highest Grade Level

A student who enrolls in the District through the District's controlled open enrollment program may remain enrolled in the District until the completion of the highest grade in that school.

After completing the highest grade at the school, a student who resides in another school district and wants to transition to the next level of the academic program in this District must reapply for enrollment through the controlled open enrollment program.

After completing the highest grade at the school, a student who resides in the District and wants to transition to the next level of the academic program at a school other than the one to which s/he is assigned must reapply for enrollment at his/her preferred school, as well as (an) alternate school(s), through the controlled open enrollment program.

XI. Maintaining Appropriate Socioeconomic, Demographic, and Racial Balance

Given our diverse society and the importance of preparing students for education, work, and citizenship, the Board is committed to providing students with equal educational opportunities, promoting educational diversity in the District, and providing students with the educational benefits of a diverse student body. To that end, should a concern arise regarding socioeconomic, demographic, or racial balance in one or more of the District's schools, the Superintendent shall consult with legal counsel to determine the appropriate steps that should be taken, including, but not limited to, any necessary policy revisions and

other actions necessary to comply with Florida and Federal law. The Superintendent shall then make the appropriate recommendations to the Board.

XII. Transportation

Transportation to and from school is the responsibility of the family.

XIII. Revocation of Choice Assignments

The principal of a school attended by a student who has been granted a choice assignment under this policy may request that the student's assignment be revoked. The request must be based on a review of the specific student circumstances, taking into account attendance patterns, late arrivals or early departures, and misbehavior. Requests based on behavior must also take into account the student's age, disability, and disciplinary history, as well as the seriousness of offenses.

An applicant's failure to disclose information (e.g., being subject to suspension or expulsion, having a current IEP, being assigned to a Department of Juvenile Justice program, et cetera) that would be relevant to the District's determination that the applicant could be served in a program at his/her preferred or alternate schools and therefore would be accepted shall constitute grounds for revocation of approval to enroll under this policy.

Requests for revocation submitted to the Director of Student Services within ten (10) school days of the end of a nine (9) weeks or semester grading period, if approved, will be effective the first day of the following grading period. No requests for revocation will be considered during the final twenty (20) days of the school year.

XIV. Interscholastic and Intrascholastic Extracurricular Activities

A student who enrolls in the District through the District's controlled open enrollment program is immediately eligible to participate in interscholastic and intrascholastic extra-curricular activities; however, a student may not participate in a sport if the student participated in that same sport at another school during that school year, unless the student meets one (1) of the following criteria:

A. Dependent children of active duty military personnel whose move resulted from military orders.
B. Children who have been relocated due to a foster care placement in a different school zone.
C. Children who move due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.
D. Authorized for good cause.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAWS IMPLEMENTED: 1000.21, 1001.41, 1001.43, 1001.51, 1002.31, 1002.38, F.S.

STATE BOARD OF EDUCATION RULES:

HISTORY:

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