

Book  
Policy Manual

Section  
5000 Students

Title  
ATTENDANCE ZONES

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po5120

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#### 5120 - ATTENDANCE ZONES

All students residing within a particular attendance zone shall attend the assigned school for zone of residence. No student may enroll in a school outside of the regular attendance boundary in anticipation of receiving an approved transfer.

- A. A student's residence shall be the residence of the parent(s). Parent is defined in F.S. 1000.21(5), which includes the legal guardian.
- B. If the courts have awarded the custody of the student to an adult other than the parent; the legal residence of the student is with the person who is assigned legal guardianship.
- C. If the student is or has been married, the student's residence is the legal residence.
- D. If the student is eighteen (18) years of age or older; the student's residence, if emancipated, is the student's legal residence.
- E. Out-of-county and out-of-state transfer students who are living with someone other than his/her parent(s) shall attend school in the zone in which the legal guardian with court awarded legal custody of the student resides.
- F. Students who attempt to enroll in an out of zone school or who are residents of another county and do not have proper authorization shall not be allowed to register. If the Superintendent or his/her designee learns that any student is improperly enrolled in a District school, s/he shall immediately notify that student's parents that the student will be withdrawn. Failure or refusal to withdraw the student will result in a public hearing before the School Board to expel the student.

The School Board requires all District schools to enroll students residing in Martin County according to this policy. There is no intention to create barriers for in county students who register at the school within their attendance zone. Requirements

within the policy are targeted at those attending schools outside of their attendance zones without approval and/or non-district residents.

### **PROOF OF RESIDENCY FOR INITIAL AND CONTINUING ENROLLMENT**

The Superintendent or his/her designee shall require proof of residency at the time of registration, and may require proof of residency at any other time. Two (2) proofs of residency indicating the address at which the student resides with his/her parent(s) or legal guardian are required to register a student. Examples of acceptable documents are as follows, and all sources of evidence must coincide:

- A. current utility bill with service address indicated;
- B. current year property tax bill;
- C. deed of home;
- D. lease agreement with name of tenant, landlord, and contact information for all parties;

Agreement must contain expiration date. A renewed lease must be provided to the School Registrar.

- E. mortgage;
- F. automobile insurance policy;
- G. home purchase contract including closing date and a copy of property deed to be provided in thirty (30) days;
- H. Declaration of Domicile from the County Records Department;
- I. State of Florida driver's license;
- J. State of Florida identification card.

A school may deem the documents provided are not sufficient for enrollment or verification if the Principal/designee has reasonable suspicion of inaccurate document presentation as to the residence of a student or legal guardian or other relevant factors.

Any time a student's address changes, the parent is responsible to notify the School District in writing.

In circumstances where the student's parents reside in different school zones, the student will be assigned to the school in the zone of where the student resides the most. If time is shared equally among both parents, a court order shall indicate the primary residence to determine school zone. In the absence of a court order, the Superintendent/designee will define residence for school zone purposes. The decision will be made in the best interest of the student and according to School Board policy.

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

The parent of siblings who are assigned to the same grade level and school may request that the school place the siblings in the same classroom or in separate classrooms. This request must be made no later than five (5) days before the first day of school each school year or upon enrollment. The school is not required to meet the request if there is factual evidence indicating a specific placement is better for the student than that requested by the parent or prohibited by class size legislation.

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

### **ADDITIONAL PROOF OF RESIDENCY**

In the event a Principal/designee has reasonable suspicion that a student's enrollment information is not accurate, the following verification procedures will be implemented:

- A. The Homestead Exemption address of the parent/legal guardian will be verified and used to assist in determining the student's zone school.
- B. Contact will be made with parent/legal guardian requesting enrollment information to be updated.
- C. An Affidavit of Residence may be required, as well as, other proof of residency documentation. The affidavit shall be verified under penalties of perjury pursuant to F.S. 92.525.

The parent/legal guardian/emancipated student shall have ten (10) calendar days to provide sufficient documentation to validate their primary residence as outlined in this policy when additional proof of residency is requested.

### **SUBMISSION OF FALSE INFORMATION**

F.S. 837.06 explains that whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his/her official duty shall be guilty of a misdemeanor of the second degree. In addition, F.S. 92.525 states a person who knowingly makes a false declaration under penalties of perjury is guilty of a felony of the third degree.

### **ENROLLMENT OF STUDENTS EXPERIENCING HOMELESSNESS**

The McKinney-Vento Act defines homeless children as children who lack a fixed, regular, and adequate nighttime residence.

A new registration form should be completed by the homeless child's parent/legal guardian. Each school will work with the assistant superintendent/designee to obtain necessary enrollment information and documents.

### **PERSONS ACTING AS PARENT**

When a student lives with an adult other than the natural or adoptive parent or legal guardian because of severe family hardship, supporting evidence of this arrangement shall be submitted to the Principal.

A parent is not permitted to allow his/her student to live with someone other than the parent (i.e. grandparent, sister, aunt, friend) residing in a different school zone in an attempt to attend the school in that zone. The student must be enrolled in the school based on the residence of the parent unless other valid, legitimate documentation of proof can be provided.

Students found not to be residing with the parent as their primary residence in Martin County shall be withdrawn from the enrolled school and enrolled in the school in the zone in which they reside.

### **DISCRETION TO CONSIDER REQUESTS**

The School Board has delegated to the Superintendent/designee the authority to consider and approve, when appropriate, individual reassignment requests for students who desire to attend a school other than the one to which the student is assigned.

### **CONDITIONS OF REQUESTS**

Attendance and discipline records will be considered when granting, denying or revoking a reassignment. The student must currently reside in Martin County, except as specified below.

### **BASIS OF REQUESTS**

- A. To request reassignment, the parent/student must use the applicable District form which is incorporated herein by reference and may be found on the District's website. No reassignment request will be granted for the purpose of recruiting students for athletic purposes as prohibited by the FHSAA bylaws. Parents may request reassignments for the following reasons only:
  1. Moving into the Zone: When a student will be moving into a new attendance zone within ninety (90) calendar days (as documented with valid proof, such as a deed for the new home, approved building permit, or notarized lease/rental agreement), the student may request to be reassigned to the school for the new residence.
  2. Completing the School Year: A student may request to finish the school year at the school where the student currently attends, in spite of moving to another attendance area after the first grading period. Proof of time of move must be submitted with this reassignment request.
  3. High-School Senior's Privilege/Last Grade: Seniors who attended their assigned schools as juniors may be allowed to remain in that same school as a senior, if they have at least seventeen (17) credits with a cumulative grade point average of 2.0 at the beginning of the school year, in spite of moving out of the attendance zone. Students entering the highest grade in their school may also be allowed to remain in the same school as they did for the previous year in spite of moving out of the attendance zone if they have no attendance or discipline issues.
  4. Extenuating Health Circumstances of Student: Any extenuating student health circumstances asserted as a basis for reassignment must be documented by a physician. This form must be completed by a physician who must specify the health-related reasons why reassignment of schools is necessary. Reasons based on mental health must be stated by a board-certified psychiatrist who is not related to the

student. All stated health reasons will be subject to medical review and must be documented to the satisfaction of the Superintendent/designee.

5. District Employee: As a retention incentive, employees may request reassignments for their K-12 children under the following circumstances:
    - a. If an employee works at a school other than the one (1) assigned by residence area, the employee may request reassignment for their children, of the appropriate grade level to that school. The request may involve students not residing within Martin County. If so, a request for transfer form for out-of-district enrollment from the sending county's school board must be submitted and approved by the superintendent/designee of the sending district.
    - b. District employees may make hardship reassignment requests to schools other than where they live if space is available in the school. This request may involve students not residing within Martin County. If so, a request for transfer form for out-of-district enrollment must be submitted from the sending county's school board and approved by the superintendent/designee of the sending district.
  6. Other Good Cause Shown: A reassignment may be approved, on a case-by-case basis, if other good and sufficient cause is demonstrated.
- B. An application for transfer form must be completed by the parent or legal guardian of the student and forwarded to the District office designated on the application form. Application forms will be available in each public school in Martin County and at the District office, as well as on the District's website.
  - C. Absent special circumstances, all transfer requests will be processed in the order they are received.
  - D. Transportation will not be provided to those exercising their right to transfer.

#### **PROCESS FOR REQUESTING REASSIGNMENT**

The specific reason(s) for a reassignment request must be explained on the appropriate District Form #407 and may be found on the District's website.

- A. Absent special circumstances for hardship cases or when the reason for reassignment arises for the first time after the prescribed date, the application for student reassignment must be submitted by the parent, legal guardian, or person acting as a parent between April 1st and June 1st for first semester placement; and requests for second semester placement must be submitted between October 1st and October 31st. Application processing can take up to six (6) weeks.
- B. The application must be submitted to the assistant superintendent.
- C. A reassignment shall remain in effect until the end of the school year only. Continuation beyond that period will be based on school capacity and continuing need.

#### **EFFECT ON EXTRA-CURRICULAR ACTIVITIES**

Reassignment does not guarantee eligibility for athletic teams or other extra-curricular activities, except as otherwise allowed by law.

#### **TRANSPORTATION**

Reassigned students shall be required to provide their own transportation.

#### **VOLUNTARY RETURN TO ASSIGNED SCHOOL**

Upon request, a student shall be permitted to return to the assigned school serving his/her attendance zone; however, such revocation of reassignment shall be made at the end of a semester unless there are extenuating circumstances.

#### **REQUIRED RETURN TO ASSIGNED SCHOOL**

School reassignment is subject to change by the receiving school's principal for good cause. The student may be required to return to the school in his/her assigned attendance zone if:

- A. the student becomes a discipline problem at the receiving school;
- B. the student demonstrates a substantial attendance problem at the receiving school by accumulating four (4) unexcused absences (or absences for which the reasons are unknown) within a calendar month, or eight (8) unexcused absences (or absences for which the reasons are unknown) within a ninety (90) calendar day period;

- C. the student demonstrates a substantial tardy problem at the receiving school by accumulating four (4) unexcused tardies (or tardies for which the reasons are unknown) within a semester (eighteen (18) week grading period);

No more than three (3) tardies will be excused in a semester (eighteen (18) week grading period). An excused tardy must be a physician note, court subpoena, or a signed parent note.

- D. the student's parent/guardian is unable or unwilling to work cooperatively within the policies and procedures of the assigned school;
- E. the reason(s) for the reassignment are no longer valid;
- F. it comes to the attention of the school that the reassignment or registration request was fraudulent (e.g., was intended to circumvent athletics eligibility rules or was supported by false documentation) in which case any further reassignments will be precluded for the remainder of the year;
- G. the student fails to enroll in the reassigned school with ten (10) school days or withdraws from the reassigned school;
- H. the school is unable to meet Class Size Reduction requirements.

#### **CHOICE OPTIONS**

The School Board recognizes that, within the parameters of applicable choice programs or controlled open enrollment plan, parents may choose to have the student attend a school other than the school that the student would attend under the regular attendance zone assignment.

Various choice-based programs are available in the School District, such as virtual programs, career academies, alternative schools, special programs, advanced placement, dual enrollment, and public charter schools.

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