

CHAPTER 5.00 – STUDENTS

STUDENT OUT OF ZONE TRANSFERS/CHOICE

5.031*+

- I. The School Board strives to accommodate family choice to the maximum extent possible. Students may attend a school other than their zoned school if they have been granted a choice assignment in accordance with this policy. Disciplinary and/or attendance issues may result in a return to the home zoned school the following school year and/or may result in immediate return to the home zoned school. School choice may be available for the following:
 - A. Magnet Programs
 - B. Controlled Open Enrollment
 - C. Charter Schools
 - D. McKay, [Family Empowerment, or Opportunity](#) Scholarships
 - E. Home School
 - F. Virtual School
 - G. Dual Enrollment
- II. The following provisions apply to all choice assignments:
 - A. The student must remain in the zoned school until a choice assignment is granted.
 - B. Applications for certain choice assignments must be submitted within the designated time frame. Time frames are published on the Board website for applications for the following school year.
 - C. With the exception of children of full-time Board employees who are non-residents of the District, students whose primary legal residence is in the District shall be given preference over non-resident students with respect to the granting of choice assignment.
 - D. The Board does not provide transportation to students with choice assignments except as otherwise provided for in this policy or by law.

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III. Magnet Programs

- A. Magnet programs for elementary, middle, and high school students have pre-established criteria for admission which vary by school/program. These admission criteria and application procedures will be made available to interested persons through the school where the program is located.
- B. Application to magnet programs will begin in January for entry into the program at the beginning of the following school year. The Superintendent will annually establish caps for each magnet program and a deadline for applications.
- C. For any school year, parents may apply for admission of the student to magnet programs and, must signify their choice by registering the student by the date established by the Superintendent.
- D. A student who is accepted to a magnet program who ceases to participate in the program will be returned to his/her zoned school. Participation is defined as being registered in and maintaining the expected levels of success as defined by the magnet program. A minimum, grade point average may also be required.
- E. Transportation may be provided for students enrolled in magnet programs at the discretion of the Superintendent or as may be required by applicable law.

IV. Controlled Open Enrollment

- A. Students may be granted choice assignments to schools that are not crowded and would not become crowded as a result of such assignments.
- B. ~~Each year, the~~ Board will establish a ninety percent (90%) capacity determination for each school, by grade level, in the District. The capacity determination will be identified on the school district's website and must be updated every 12 weeks. Schools having a projected enrollment of less than ninety percent (90%) of capacity for the following school year will be available for controlled open enrollment. Projected enrollment will be calculated by taking the number of students zoned to the school, subtracting those students granted acceptance to magnet programs at other schools, adding students granted acceptance to magnet programs at the school, and adding students with continuing zoning exceptions.
- C. Schools having a projected enrollment equal to or greater than ninety percent (90%) capacity for each school, by grade level, will not be available for controlled open enrollment, any applications submitted will be

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placed on a waiting list. [Students denied access due to capacity will be notified when space becomes available.](#) Eligible schools will be posted on the Board's website.

- D. Applications for controlled open enrollment will be submitted to the School on the Controlled Open Enrollment Form. The Superintendent will annually establish an application period for controlled open enrollment.
- E. The Accountability and Special Programs Office will compile applications into lists by school of application.
 - 1. If the school's ninety percent (90%) capacity would not be exceeded by the number of choice applications when added to the projected school population, choice applicants for that school will be approved as in alignment with the Controlled Open Enrollment.
 - 2. If the school's ninety percent (90%) capacity would be exceeded by the number of choice applications when added to the projected student population, admission will be granted first to students who have siblings in the chosen school, and all other available positions will be filled through a stratified lottery will be utilized to maintain socioeconomic and demographic balance as defined in statute.
 - 3. Other priorities, once verified, applications for students meeting one or more of the priority criteria as described in this paragraph shall be granted priority to attend their first choice school if a seat is available. Applications with one or more of the priorities provided in this paragraph shall be separated from each group and placed in random order. Students who are eligible for priority preference include:
 - 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;
 - c. Children who have moved due to a court-ordered change in custody due to separation or divorce;
 - d. Children who have moved due to the serious illness or death of a custodial parent.
 - e. Students at multiple session schools; and
 - f. Students residing in the District.

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- F. Parents will be notified of the approval or denial of their student's application.
 - G. A student who is granted a choice assignment under Controlled Open Enrollment must register at the new school within ten (10) days of being notified or the choice assignment will be rescinded.
 - H. Students who are not selected to attend the school(s) to which they applied will be notified that the District will be unable to place them at a requested school and they must register at their zoned school. The student will be placed on a waiting list ~~in case a position opens within the first ten (10) days of the school year.~~ The school capacity determination for each grade level must be updated every 12 weeks. If capacity becomes available at a grade level within a school, parent(s) of students placed on the waiting list will be notified of the opening and permitted to enroll throughout the school year.
 - I. Positions at a school that were assigned to a student under Controlled Open Enrollment will be monitored at the beginning of the school year. Students who have accepted assignments but who are not in attendance by the tenth (10th) day of school will have their assignments revoked. A revoked choice assignment may then be assigned to the next student on the waiting list.
- V. Charter Schools

In addition to choice within schools operated by the Board, parents may elect for students to attend charter schools that have been approved by the Board. (See Policy [3.16](#) - Charter Schools). Each charter school is operated and governed by its own independent board. Parents who elect this option need to communicate directly with the charter school to resolve questions and concerns.

- VI. McKay, [Opportunity, and Empowerment](#) Scholarships

Students with disabilities may be granted choice assignments to schools other than the school to which they are zoned under the provisions of the McKay Scholarship Program (F.S. 1002.39).

Students assigned to attend a school that has earned a grade of "F" or three consecutive grades of "D" may request and receive an Opportunity Scholarship for the student to enroll in and attend a public school that has been designated by the state as a school performing higher than that in which the student is currently enrolled. (F.S. 1002.38).

Students of families that have limited financial resources may request and receive a

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[Family Empowerment Scholarship to attend a school different from the school to which the student was assigned. \(F.S. 1002.394\).](#)

VII. Home School

Parents may elect to home school students in accordance with State law. See Policy [4.21](#) - Home Education Programs.

VIII. Virtual School

Parents may elect to register their students in a virtual education program. See Policy [4.221](#) - Virtual Instruction.

IX. Dual Enrollment

See Policy [4.025 – Academic and Career Planning](#)

X. Revocation of Choice Assignment

If a student is granted a choice assignment and displays issues with attendance, grades, or disciplinary actions the principal may make the decision to have the student returned to their zoned school. Prior to revoking a school choice variance the school will document a minimum of three (3) good faith efforts to provide interventions and enlist parental/guardian support for the identified areas of concern. If a student is being returned to their zoned school due to a revocation, communication should occur between the schools to establish supports for the student. Revocation of a choice assignment within ten (10) school days of the end of a nine (9) weeks or semester grading period 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.

XI. Zoning Exceptions

Students may attend a school other than their zoned school if they have been granted a zoning exception in accordance with this policy. Zoning exceptions are not to be used as a substitute for school choice. Zoning exceptions may be granted for the following reasons:

- A. Parents employed by the Board: Students are allowed to attend the school of parent's choice if the parent is a full time employee with Baker County Schools who resides in Baker County. A choice form must be completed and approved prior to the transfer. Students may ride the bus from the nearest existing stop servicing the requested school.
- B. Exceptional Student Education (ESE) Transfers: Students who transfer into

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the District from another school district must have an IEP meeting to review their current IEP after obtaining approval or upon verification as a new resident. Some ESE programs do not allow for choice because they serve the specific needs of a student with a disability at a cluster site. Siblings of ESE students being served in a cluster site program may attend school with the ESE siblings. Parents must complete the request form prior to sibling transfer. Transportation may not be provided for the non-ESE siblings. Time Frame: ESE service requirements.

- C. Hardship Placement:
 - 1. medical/psychological need
 - 2. police/DCF request
 - 3. victim of a violent crime
- D. Transfers are allowed for a student whose parents have begun actual construction on a home in the receiving school zone, if the student shall permanently move into the home by the end of the semester in which the transfer is to take place. Time Frame: One Semester.
- E. Students who move to another school zone within Baker County before the end of the first semester of the school year are to enroll in their zoned school or may request choice. Students who move following the end of the first semester are permitted to complete the academic year at the school in which the students were legally enrolled prior to the change of address.
- F. Out of district transfers, including students of Baker County School employees will be approved on a case-by-case basis if space is available. An application must be submitted to both the home school district and to Baker County Schools. The parent must show verification of release from the home school district if out of state prior to being approved and enrolling in Baker County Schools.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**1000.21, 1001.41, 1001.42, 1001.43, 1001.51,
1002.20, 1002.31, 1002.38, 1002.39, 1002.394, 1011.68, 1013.35, F.S.**

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HISTORY:

**ADOPTED:
REVISION DATE(S): 12/02/19**

FORMERLY: NEW