

The School Board of Broward County, Florida is committed to providing quality educational opportunities for all students regardless of background characteristics by providing each student an educational environment that enhances the individual's educational success. The School Board of Broward County, Florida 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 of Broward County, Florida 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 accordance with School Board Policy 4001.1, this policy supports an environment free of discrimination and harassment based upon age, race, color, disability, gender identity, gender expression, marital status, national origin, sex or sexual orientation. Throughout this policy, wherever the word "parent(s)" appears, it shall also refer to "guardian(s)."

To achieve these goals, The School Board of Broward County, Florida supports educational choice as per section 1002.31 F.S. using a controlled open enrollment plan for the following choices: Innovative Programs, Magnet Schools, NOVA, Opportunity Scholarship Program, reassignments, College Academy at Broward College, Broward Virtual Schools, and the McKay Scholarship. First, The School Board of Broward County, Florida believes that School Choice should provide educational programs that promote educational excellence for all students. School Choice will offer students with different interests, talents and aptitudes, distinct choices that may enhance their educational success. Second, The School Board of Broward County, Florida believes that School Choice should be used to develop innovative instructional practices and promote systemic reform. Third, School Choice 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, School Choice supports the District's goal to stabilize enrollment at selected schools. School Choice is developed, established and maintained, dependent on the needs of the District as a whole, in meeting identified school district enrollment and diversity goals.

I. DEFINITIONS

Active Duty Military Personnel: Full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Chapters 1209 and 1211. Official active duty orders must be provided at the time of choice application to ensure priority placement.

Applicant: The parent(s)/legal guardian of a biological, 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.

Assignment Priority: Specified condition that shall give precedence to an applicant over other applicants when determining placement in a school choice program. Assignment priorities do not guarantee placement in a program, except where otherwise noted throughout this policy.

Boundaried School: The school to which a student is assigned based on the address of the parent and the geographical school boundary for that address. 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.

Broward County Student: A student whose primary residence is within Broward County limits.

Broward Virtual School (BVS): BVS serves as a virtual instruction program for K-12 students. BVS is a school of choice that provides parents an educational option that uses an interactive learning environment accessible through technology and the Internet in which students are separated from their teachers by time and/or space. Pursuant to Section ~~1102.45~~1002.45, F.S., BVS shall contract with state approved providers for content and for related services.

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~~Children of Military Families: A school aged child(ren), enrolled in kindergarten through twelfth (12th) grade in the household of an active duty military member who is the parent/ guardian.~~

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Children of Custodial Displacement: A school-aged child(ren), enrolled in kindergarten through twelfth (12th) grade who moved due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent.

College Academy at Broward College (CA@BC): College Academy @ Broward College (CA@BC) is a joint venture between The School Board of Broward County, Florida and Broward College (BC). Students attending CA@BC are degree seeking, full time dual enrollment students. Students attending CA@BC complete their last two years of high school and have the opportunity to simultaneously earn a high school diploma, an Associate of Arts degree and post-secondary industry certification from Broward College. CA@BC is located at Broward College.

Computerized Random Selection Process: A computerized student selection process through which qualified students are placed into the qualified applicant pool from which students for each school are randomly selected and assigned based on identified seats available. This "lottery process" provides all students in an applicant pool an equal chance of being selected subsequent to the honoring of all assignment priorities as outlined in this policy.

Curricular Program for Reassignment Request: A student may apply for a reassignment to a curricular or Innovative Program school that offers a unique thematic program. There must be seats available at the school to be awarded a reassignment. An awarded reassignment does not guarantee placement into the curricular or Innovative program. Admission into a particular curricular or Innovative program is processed at each individual school.

Employee: A confirmed active School Board of Broward County, Florida employee, assigned a full-time or part-time work schedule, who has a school-age child, or step-child, including those of which they have guardianship. To be considered for employee school choice assignment priorities specified in this policy, employment status must be active during the year of the school choice placement.

English Language Learner (ELL) Student: Defined by Florida Statute (section 1003.56(2)) as a student not born in the United States and whose native language is a language other than English; or who comes from home environments where a language other than English is spoken; or who is an American Indian or Alaskan native, who comes from an environment where a language other

than English has had a significant impact on his or her level of English language proficiency; and has sufficient difficulty speaking, reading, writing, or listening to the English language.

Exceptional Student/504 Plan: A student whose extraordinary and/or special needs require the development of an Individualized Educational Plan (IEP), 504 Plan or an Educational Plan (EP), as determined by the District ESE Department.

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Feeder Patterns: A feeder pattern is the progression and school assignment of a group of students from one level of school to another (elementary to middle, middle to high). A clean feeder pattern is when all the students in one elementary school are assigned to matriculate to the same middle school and/or all students in one middle school are assigned to matriculate to the same high school. A clean feeder pattern is not guaranteed and is dependent on the space available at the next level school when planning for boundary assignments.

Foster Student: A student who has been relocated due to a foster care placement into a different boundaried school zone.

Gross FISH Capacity: The Department of Education's measure of occupancy for permanent buildings and relocatables. FISH is an acronym for Florida Inventory of School Houses.

Homeless Student: Individuals who lack a fixed, regular, and adequate nighttime residence, including, but not limited to, children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (McKinney-Vento Act; F.S. 1003.01[12]). See School Board Policies 5.1 and 5.1A

Innovative Programs: Schools that provide unique or thematic instruction. 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 District application process for students to apply for an Innovative Program. 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. There must be seats available at the school to be awarded a reassignment. An awarded reassignment does not guarantee placement into the curricular or Innovative program. Admission into a particular curricular or Innovative program is processed at each individual school.

Innovation Zone (IZone): An Innovation Zone (IZone) consists of a cluster of schools that includes a high school, middle school(s), elementary schools and centers. IZones divide the District into 28 representative, responsive and manageable geographic areas while maintaining the importance and influence that a big district demands. For the purposes of this policy, IZones shall also include administrative sites located within the geographic school boundary of an associated high school.

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 for applicable program and apply within a designated time frame to be considered for placement. Magnet programs are offered at a school based upon a whole school model or a program within a school model. The whole school model provides opportunity for all students to have exposure to the Magnet theme. All elementary Magnet schools are offered as a whole school model and do not have academic criteria. Students residing outside the school boundary of a whole school Magnet program must submit an application for the Magnet program to be considered based upon seats available. The program within a school model is available for students who meet the identified criteria to participate in the program. Students must submit an application to be considered for a program within a school model.

Nova Schools: The Nova Schools were founded upon the principle of providing an innovative and high quality instruction to a diverse population of students. The Nova Schools are the District’s only Kindergarten through 12th grade school choice option that provides students with a seamless educational experience on the same contiguous campus. Student learning at the four schools is supported through personalized learning communities that include teaming and looping, as students receive high-quality instruction from highly qualified teachers. As students matriculate through the schools, their rigorous continuum of student learning includes nationally recognized curricular innovation through the use of technology in the elementary grades; multiple high school credit courses offered at the middle school level; and numerous honors and advanced placement courses as well as technical education certification programs at the high school. With no entrance criteria, the Nova Schools focus on preparing students for both college and the careers of the 21st century. Students must apply within a designated time frame to be considered for placement.

Opportunity Scholarship Program (OSP): Per Florida law, the Legislature shall make available opportunity scholarships in order to give parents the opportunity for their children to attend a public school that is performing satisfactorily (s. 1002.38 F.S.).

Parent(s)/Guardian: Refers to either or both parents, any guardian of a student, any person in a parental relationship to a student, or any person exercising supervisory authority over a student in place of a parent (s. 1000.21(5), F.S.). See School Board Policy 5.1.

Permanent FISH Capacity: The Department of Education’s measure of occupancy for permanent buildings (does not include relocatables). FISH is an acronym for Florida Inventory of School Houses.

Reassignments: A student may apply to attend a school other than his/her boundaried school through the appropriate application process.

School Boundary: The geographic area that identifies public school assignments as annually approved by the School Board of Broward County, Florida.

Sibling: A biological, adopted, or foster brother or 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.

Special Program (i.e. Cluster): A placement determined for the exceptional student during the process of the Individual Education Plan (IEP). Placement in this type of classroom is determined necessary by the IEP team in order to meet the individual needs of the student.

Timeline Waiver for Charter School Closure: In the event that a charter school closes after the first day of school, the reassignment/school choice timeline as described in this policy will be waived for not more than 90 days, after the actual charter school closure, for the students displaced by the untimely closure of a charter school. Students attending the charter school at the time of the actual closure will have an opportunity to apply for a reassignment or magnet school based on seats available at the time of closure and as per any assignment priority/criteria stated in this policy.

Transportation Zone: A specific geographic area designated for a magnet school that determines eligibility for bus transportation for students residing greater than two miles from the school.

II. EXCEPTIONAL STUDENT EDUCATION/504 Plan

The School Board of Broward County, Florida is committed to a definition of diversity that includes students with special needs through the Exceptional Student Education (ESE) Department. These students shall be given equal opportunity to attend programs in light of each student’s need for special services. In the case of a student whose special needs are addressed through an Individual Educational Plan (IEP)/504 Plan, attendance at a program must be consistent with the IEP/504 Plan.

The following eligibility criteria and procedures will be used for acceptance of Exceptional Education Students (ESE other than Gifted) or students on a 504 Plan:

- A. ~~The student’s IEP/504 Plan will be reviewed to verify that if the student’s placement is not in a special program placement or a general education setting.~~

~~The student’s IEP/504 Plan will be reviewed to make sure that there are not any extenuating special considerations that would keep the student from participating in the general education setting.~~

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- B. The Student’s IEP/504 Plan will be reviewed to make sure that the services will not be ending before the beginning of the next school year thus making the student no longer an ESE student or a student on a 504 Plan.
- C. Students that apply to a Magnet middle or high school (secondary) must meet eligibility criteria at the time of application. At the secondary level, the only eligibility criteria shall be as outlined in Section IV.2.A of this policy. Students who do not meet eligibility criteria may be considered eligible based on special circumstances and will have the opportunity to submit the information listed below to the Magnet school for review by a Magnet Review Panel Team. This Review Panel will be comprised of Magnet coordinators and other appropriate personnel. The application review process may take into consideration:

1. written recommendations of teachers and/or administrators,
2. 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,
3. an interview with the student, where appropriate, and/or
4. 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.

Should it be determined that a requested school is not able to provide the services identified on the student's IEP/504 Plan, the applicant shall be advised of such and may pursue school choice through the McKay Scholarship Program as outlined in section IV.8 of this policy.

If a student's IEP/504 Plan needs cannot be met while attending a choice school/program at any time during the school year, the student will be removed from the choice school and assigned to the appropriate school that is able to provide the identified service(s) in alignment with the student's IEP/504 Plan.

III. EXTRACURRICULAR ACTIVITIES

- A. Eligibility** - Reassignment approval does not guarantee participation into an Athletic Program/~~Extracurricular~~ Extracurricular Activity. Eligibility requirements for all students participating in high school athletic competition must allow a student to be immediately eligible in the school in which he or she first enrolls each school year, the school in which the student makes himself or herself a candidate for an athletic team by engaging in practice before enrolling, or the school to which the student has transferred in accordance with s.1006.20(2)(a).
- B. District Application Process** - Parent(s)/guardian may apply to have their child attend a school through the defined reassignment process as outlined in section IV .5 of this policy.
- C. Appeals** - Appeals regarding athletic eligibility shall be facilitated through the FHSAA’s appeal process. There are no appeals to the other extracurricular activities.

IV. PROGRAMS

1. INNOVATIVE PROGRAMS

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

the case of a student whose special needs require the development of an Individualized Educational Plan (IEP)/504 Plan, eligibility criteria will be in accordance with section II of this policy. Reassignment approval does not guarantee placement into an Innovative Program.

- B. District Application Process** - If the District determines that there are seats available for students from beyond the designated boundary of an Innovative Program school, the parent(s)/guardian may apply to attend the school through the defined reassignment process as outlined in section IV.5 of this policy.
- C. Assignment Priority** - Students residing within the school's boundary will have priority for an available Innovative Program seat prior to incoming students reassigned from outside the school's boundary. If the Innovative Program meets the definition of "special academic programs" in section 1003.05(3), Florida Statute, as amended, children of military families shall have first preference.
- D. Transportation** – Students attending their home boundared school will be provided transportation in accordance with School Board Policy 5300. Students from beyond the designated boundary of an Innovative Program school will be provided transportation in accordance with section IV.5.D of this policy.
- E. Appeals/Hardships** - Not applicable.
- F. Withdrawals** - Withdrawals for students attending their home boundared school will be granted in accordance with School Board Policy 5.1. Withdrawals for students from beyond the designated boundary of an Innovative Program school will be granted in accordance with section IV.5.F of this policy.
- G. Monitoring and Reporting** - After the benchmark day enrollment count each school year, the first Monday after Labor Day, the Demographics & Student Assignment Department will report student enrollment.

2. MAGNET SCHOOLS/PROGRAMS

A. Eligibility - **The parent(s)/guardian must secure a student identification number for their child(ren) from any Broward County Public School if not currently registered with Broward County Public Schools to be considered for a Magnet school/program.** Applications will be accepted for requests in kindergarten through twelfth grade for students who meet the entrance requirements of the requested application grade. There are no eligibility criteria at the elementary level or at the "Growing STEM" middle school Magnet programs. Students that apply to a Magnet middle or high school (secondary) must meet eligibility criteria at the time of application. At the secondary level, the only eligibility criteria shall be as follows:

1. For the *International Baccalaureate Diploma Program*, students must have a demonstrated record of academic achievement on the prior year's Florida Standards Assessment Exam (FSA) English language arts and mathematics (or Algebra I, Algebra II

or Geometry End-of-Course exam). Students must meet or exceed 4.0 on the FSA. In addition, students must have a minimum 3.0 unweighted GPA or better in Language Arts, Science, Social Studies, and Mathematics. Students who do not have FSA scores must have a nationally recognized norm-referenced standardized examination with scores of 90th percentile or above in total reading and total mathematics and have a minimum 3.0 unweighted GPA or better in Language Arts, Science, Social Studies and Mathematics.

2. - For the *Science/Pre-Engineering Program* and *The Latin School*, students must have a demonstrated record of academic achievement on the prior year's Florida Standards Assessment Exam (FSA) English language arts and mathematics (or Algebra I, Algebra II or Geometry End-of-Course exam). Students must meet or exceed a 3.0 achievement level on the FSA. In addition, students must have a minimum 3.0 unweighted GPA or better in Language Arts, Science, Social Studies, and Mathematics. Students who do not have FSA scores must have a nationally recognized standardized norm-referenced examination with scores of 75th percentile or above in total reading and total mathematics and have a minimum 3.0 unweighted GPA or better in Language Arts, Science, Social Studies and Mathematics.

3. For *identified secondary Magnet programs*, students must have a demonstrated record of academic achievement on the prior year's Florida Standards Assessment Test (FSA) English language arts and mathematics (or Algebra I, Algebra II or Geometry End-of-Course exam). Students must meet or exceed a 3.0 achievement level on the FSA. In addition, students must have a minimum 2.5 unweighted GPA or better in Language Arts, Science, Social Studies, and Mathematics. Students who do not have FSA scores must have a nationally recognized norm-referenced standardized examination with scores at the 50th percentile or above in total reading and total mathematics and have a minimum 2.5 unweighted GPA or better in Language Arts, Science, Social Studies, and Mathematics. Additionally, for identified secondary schools/programs, auditions, student interviews and/or portfolios may be required. Auditions shall be judged by a qualified, diverse panel of professionals selected by the school's administration.

4. For the *secondary schools' Performing & Visual Arts schools/programs* at the middle school level, all students will be awarded based on an audition or interview. Students at the high school level who meet academic criteria must have an audition, student interview and/or portfolio. All middle and high auditions shall be judged by a qualified, diverse panel of professionals selected by the school's administration. Should any high school student not meet the following minimum academic requirements for the Performing & Visual Arts schools/programs, they will be afforded the opportunity to meet with a Magnet review panel. High school level students must have a demonstrated record of academic achievement on the prior year's FSA in English language arts and mathematics (or Algebra I, Algebra II or Geometry End-of-Course exam). High school students must meet or exceed 3.0 achievement level of the FSA. In addition, all high school students must have a minimum 2.0 unweighted GPA or better in Language Arts, Science, Social Studies, and Mathematics. High school students who do not have FSA scores, must have a nationally recognized norm-referenced standardized examination with scores at the 50th percentile or above in total reading and total mathematics and have a minimum 2.0 unweighted GPA or better in Language Arts, Science, Social Studies, and Mathematics.

The School Board of Broward County, Florida is committed to a definition of diversity that includes creating learning opportunities for students with diverse needs to participate in quality education environments and become active global citizens. Students with special needs, Exceptional Student Education (ESE) or student on a 504 Plan, 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)/504 Plan, eligibility criteria will be in accordance with Section II of this policy.

Students that are English Language Learners (ELL) who are actively enrolled in TERMS and classified as LY will be given an opportunity to participate in a Magnet program, even if they may not meet the identified eligibility criteria based upon the following:

- a. Secondary school ELL students must have a demonstrated record of academic achievement on the prior year’s FSA in English language arts and mathematics (or End-of-Course exam). Students must meet or exceed 3.0 achievement level of the FSA. The ELL student must have met the criteria in either English language arts or math. In addition, students must have a minimum 2.5 unweighted GPA or better in Language Arts, Science, Social Studies, and Mathematics.
- b. For secondary school ELL students for whom FSA 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. Students must have an unweighted GPA at or above the required unweighted 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.

Names of ELL students who meet the above eligibility criteria through the alternative process will be placed into the qualified applicant pool.

B. Application Process - ~~The Superintendent or his/her designee shall make Magnet applications available at all schools and at the School District’s administrative offices via the Broward County Public School website. Magnet brochures program descriptions and applications will be available to the parent(s)/guardian of all K, 1st, 2nd and identified 5th and 8th grade students currently attending a Broward County Public School online at browardschools.com. Schools and families will be notified prior to the opening of the application window(s) through a variety of digital, printed, and social media.~~ The first opportunity for all applicants interested in a Magnet school/program for the following school year will be between the first school day of December and the designated February deadline date identified by the Demographics & Student Assignments Department. Written or online applications must be submitted to the Demographics & Student Assignments Department by the designated application deadline to be considered as an on-time application. Applications received after the designated application deadline will be considered during the next opportunity or until the tenth day of school. When applying to a Magnet

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school/program that is available in multiple locations, the parent(s)/guardian must apply to the school closest to the home address which aligns with the transportation zone to receive transportation. 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 computerized random selection process. Students who have applied and been awarded a seat in a District Magnet program within a combination school will continue in the program to the highest grade.

At the beginning of January each year, the District will evaluate the extent to which the annual applicant pool for 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 Magnet applicants from the under-represented groups before the computerized random selection process is implemented.

After the computerized random selection process, a student wait pool will be created for each of the oversubscribed Magnet schools/programs. A student will be placed in only one student wait pool at a time. Once a student is registered at any choice program/school, the student will be automatically removed from all other choice program/school wait pools within that application window. The Magnet program student wait pool will be maintained until the 10-day enrollment count, 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 within the designated timeframe or the seat will be forfeited and awarded to another student in the wait pool.**

In April, following the registration deadline for all school choice options, another computerized random selection process will be conducted for Magnet program seats that become available due to parents not registering their student at an awarded school. Only applicants who applied before the designated application deadline in February who were not awarded a Magnet program seat will be included in the random selection process.

Another opportunity to submit magnet applications will be accepted by the Demographics & Student Assignments Department beginning in May through the tenth day of school. A computerized random selection process facilitated by the Demographics & Student Assignments Department will award seats to students as seats become available.

C. Assignment Priority - The following selections shall be honored in the order listed, prior to the computerized random selection process, for students meeting eligibility criteria:

1. ~~Children of military families who have a parent/legal guardian with active duty military status-~~ have a parent/legal guardian who has been severely injured and medically discharged or retired for a period of one (1) year after medical discharge or retirement, or had a parent/legal guardian who died on active duty or as a result of injuries sustained on active duty for a period of one (1) year after death (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, even if the program is being

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offered through a public school other than the boundary school to which the student would generally be assigned (as outlined in F.S. 1003.05(3)). There must be planned space available at the school to award a seat.

2. A confirmed, permanent School Board of Broward County, Florida employee who is the parent/legal guardian of the student, assigned a full-time work schedule at the requested school, may request through the application process that his/her child be placed in the Magnet school on a space-available basis if the employee has met the application deadline.

3. A confirmed, permanent School Board of Broward County, Florida employee who is the parent/legal guardian of the student, assigned a part-time work schedule at the requested school, may request through the application process that his/her child be placed in the Magnet school on a space-available basis if the employee has met the application deadline.

The following selections shall be honored in the order listed, prior to the computerized random selection process, for students residing in Broward County meeting eligibility criteria:

4. Students who have been relocated due to a foster care placement into a different boundaried school zone.

5. Students 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.

6. Students applying for a Magnet program and residing in the program’s School Board adopted Boundary Choice Area.

7. Students presently in a Magnet school/program and wishing to continue in the same theme at the next level (middle and high) who meet the **eligibility requirements and** application deadline will be given priority on ~~aa~~ space-available ~~basis.~~~~basis.~~ The basis for a school to offer continuing in theme includes: identified theme courses/curriculum, the percentage of time and number of opportunities for students to participate in themed activities, competitions, and events. Magnet continuing in theme priority is determined based upon the program alignment for each grade level band. Students at the elementary level transitioning to middle school must have participated in theme related courses and activities. Students in middle school transitioning to high school must have participated in courses and activities related to the theme. The criteria to be considered for continuing in theme at each level includesmay include: identified theme courses/curriculum, the percentage of time and number of opportunities for students to participate in themed activities, competitions, and events. Information on Magnet school/program theme location and transition can be found on the School Choice website at browardschools.com.

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8. Broward County students who have a sibling who will continue at the same Magnet school/program and who meet the application deadline, will be given priority on a space-

available basis. (Siblings that apply at the same time and do not have a sibling currently attending the Magnet school/program will be given priority if the other sibling is selected through the computerized random selection process when a seat becomes available at the specific grade level.)

~~8.9.~~ Broward County students that are assigned to a boundary school whose enrollment exceeds 110% of the Permanent FISH Capacity of the school, will be granted a priority at schools with available seats. Twenty-five percent (25%) of available seats remaining after previous priorities have been honored may be awarded to students who are assigned to schools over 110% Permanent FISH Capacity.

10. Students residing in Broward County.

There is no automatic approval for a student to matriculate to the next school through the magnet program process, including a prior placement in a Pre-K program at a requested school. In addition, sibling(s) of a Pre-K student are not guaranteed a magnet seat at the same school.

D. Transportation - The School Board of Broward County, Florida shall provide transportation to all Broward County 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 Broward County elementary students residing within two miles who face hazardous walking conditions. The parent(s)/guardian understands that the child is subject to the Student Code of Conduct while on the bus. Where economically feasible, The School Board of Broward County, Florida shall also provide activity buses to and from Magnet secondary schools/programs to enable Broward County students to participate in extracurricular activities offered at the Magnet school/program, which they attend.

E. Appeals/Hardships - Students who do not meet eligibility criteria may be considered eligible based on special circumstances and will have the opportunity to submit the information listed below to the Magnet school for review by a Magnet Review Panel Team. This Review Panel will be comprised of Magnet coordinators and other appropriate personnel. The application review process may take into consideration:

1. a written recommendation of teachers and/or administrators,
2. 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,
3. an interview with the student, where appropriate, and/or

4. 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.

F. Withdrawals

1. Magnet school/program placement is in effect through the remainder of the grades in the receiving school unless rescinded by the Office of Service Quality or by the School Board of Broward County, Florida. Magnet school/program placement may be rescinded at any time after documented interventions have been attempted during the school year by the Office of Service Quality 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 a Broward County Magnet 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 a Broward County Magnet student moves out of the boundary of the Magnet school/program but still resides within the Magnet transportation zone, the student may remain enrolled at the Magnet school/program utilizing existing transportation.
4. If a Broward County 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 the student has not been withdrawn to attend another school, public or private, and the student maintains a 2.5 unweighted GPA. Students in the Performing & Visual Arts program, will be required to maintain a 2.0 unweighted GPA.

With the exception of a secondary Magnet student attending a Performing & Visual Arts program, a magnet program without magnet academic eligibility criteria, any other secondary Magnet student who is experiencing difficulty maintaining a 2.5 unweighted GPA shall have documented opportunity to receive appropriate counseling and assistance at his/her Magnet school/program. A Performing & Visual Arts student who is experiencing difficulty maintaining a 2.0 unweighted 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 unweighted GPA (or 2.0 weighted GPA for Performing & Visual Arts) 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.

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.

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

7. Any request for temporary leave from a Magnet school/program must be approved by the principal of the school and the Director of Demographics & Student Assignments 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 due to being a patient in a hospital for an extended period of time or being enrolled in the Hospital Homebound Program.

a-b. A student already attending may be granted a leave of absence from the Magnet school/program for the period of time necessary to complete a maximum of one (1) year 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 School 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-c. If a family or student moves due to a court-ordered change in custody due to separation or divorce, or has a serious illness or death of a custodial parent, a leave of absence may be granted to a student already attending for a maximum of one (1) year.

Commented [JW9]: Added to clarify who can apply for a leave of absence

G. Monitoring and Reporting - After the benchmark day enrollment count each school year, the first Monday after Labor Day, the Demographics & Student Assignments Department, in conjunction with the Innovative Programs Design/Support Department, will report the impact of the student enrollment. This report shall include:

1. the number and characteristics of students who submitted a completed application, registered and attends the school;
2. data reflecting the reasons for which applications were granted or denied District-wide;
3. 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;

- 4. the Magnet continuous improvement action plan submitted by Magnet schools;
- 5. 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
- 6. any recommendations regarding modifications to this Policy or its rules.

3. NOVA SCHOOLS

A. Eligibility - The parent(s)/guardian must secure a student identification number for their child(ren) from any Broward County Public School if not currently registered with Broward County Public Schools to be considered for a Nova school. Applications will be accepted for requests in kindergarten through twelfth grade for students who meet the entrance requirements of the requested application grade. There are no academic eligibility criteria. In the case of a student whose special needs require the development of an Individualized Educational Plan (IEP)/504 Plan, eligibility criteria will be in accordance with Section II of this policy. The parent(s)/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.

B. Application Process — Applications will be available online at browardschools.com. Schools and families will be notified prior to the opening of the application window(s) through a variety of digital, printed, and social media. The first opportunity for all applicants interested in a Nova school for the following school year will be between the first school day of December and the designated February deadline date identified by the Demographics & Student Assignments Department. Written or online applications must be submitted to the Demographics & Student Assignments Department by the designated application deadline to be considered as an on-time application. 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 computerized random selection process.

After the computerized random selection process, an applicant wait pool will be created for each of the oversubscribed Nova schools. Once a student is registered at any choice program/school, the student will be automatically removed from all other choice program/school wait pools within that application window. The Nova School student wait pool will be maintained until the 10-day enrollment count, and student seat vacancies will be filled until that time. **Students in the applicant wait pool who are offered an assignment to a Nova school must accept the assignment within the designated timeframe or the seat will be forfeited and awarded to another applicant in the wait pool.**

Once an applicant has claimed the awarded Nova school seat, the applicant will be automatically removed from all other school choice wait pools for the following school year.

Commented [JW10]: Added for consistency with other school choice options

Commented [PJS11]: Clarify the updates to the application and notification process for families.

In April, following the registration deadline for all school choice options, a computerized random selection process will be conducted for Nova school seats that become available due to parents not registering their student at an awarded school. Only applicants who applied before the designated application deadline in February who were not awarded a Nova school seat will be included in the random selection process.

Students admitted to the Nova schools may remain in the Nova school as long as the student has not been withdrawn to attend another school, public or private, or rescinded by the Office of School Performance and Accountability due to violations per the Code of Student Conduct.

At the beginning of January each year, the District will evaluate the extent to which the annual applicant pool for Nova 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 applicants from the under-represented groups before the computerized random selection process is implemented.

C. Assignment Priority - The following selections shall be honored in the order listed, prior to the computerized random selection process for students who meet the eligibility criteria:

1. Children ~~of military families who have a parent/legal guardian with active duty military status~~, have a parent/legal guardian who has been severely injured and medically discharged or retired for a period of one (1) year after medical discharge or retirement, or had a parent/legal guardian who died on active duty or as a result of injuries sustained on active duty for a period of one (1) year after death shall be given first preference for admission to such programs when an application is submitted, even if the program is being offered through a public school other than the boundary school to which the student would generally be assigned (as outlined in F.S. 1003.05(3)). There must be planned space available at the school to award a seat.
2. A confirmed, permanent School Board of Broward County, Florida employee who is the parent/legal guardian of the student, assigned a full-time work schedule at a Nova school, may request through the application process that his/her child be placed in a Nova school on a space-available basis if the employee has met the application deadline.
3. A confirmed, permanent School Board of Broward County, Florida employee who is the parent/legal guardian of the student, assigned a part-time work schedule at a Nova school, may request through the application process that his/her child be placed in a Nova school on a space-available basis if the employee has met the application deadline.

Commented [JW12]: Clarifies military priority eligibility

The following selections shall be honored in the order listed, prior to the computerized random selection process, for students residing in Broward County meeting eligibility criteria:

4. Students who have been relocated due to a foster care placement into a different boundaried school zone.

5. Students 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.
6. Broward County students, who have a sibling currently attending a K-12 level Nova school, who will continue to attend a Nova school the following year; (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 computerized random selection process when a seat becomes available at the specific grade level.)
7. Broward County students that are assigned to a boundary school whose enrollment exceeds 110% (of the Permanent FISH Capacity of the school, will be granted a priority at schools with available seats. Twenty-five percent (25%) of available seats remaining after previous priorities have been honored may be awarded to students who are assigned to schools over 110% Permanent FISH Capacity.
8. Students residing in Broward County

Students selected to attend a Nova school will be given an opportunity to attend and remain in Nova, Kindergarten through twelfth grade, provided they remain in full compliance with all School Board of Broward County, Florida policies.

D. Transportation - The School Board of Broward County, Florida shall provide transportation to all Broward County Nova students that reside more than two miles from the assigned Nova school and for Broward County elementary students residing within two miles who face hazardous walking conditions. The parent(s)/guardian understands that the child is subject to the Student Code of Conduct while on the bus.

E. Appeals/Hardships - There are no appeals or hardships to the application process for the Nova schools.

Commented [JW13]: Corrected scrivener's error

F. Withdrawals

1. Nova school placement may be rescinded at any time by the affected Office of Service Quality 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. 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 Demographics & Student Assignments 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 due to being a patient in a hospital for an extended period of time or being enrolled in the Hospital Homebound Program.~~

~~a.b.~~ A student already attending may be granted a leave of absence from the Nova schools for ~~the period of time necessary to complete a maximum of one (1) year 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 School 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.c.~~ If a family or student moves due to a court-ordered change in custody due to separation or divorce, or has a serious illness or death of a custodial parent, a leave of absence may be granted to a student already attending 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.

G. Monitoring and Reporting - After the benchmark day enrollment count each school year, the first Monday after Labor Day, the Demographics & Student Assignments Department will report the impact of the student enrollment. This report shall include:

1. the number and characteristics of students who submitted a completed application, registered and attends the school;
2. data reflecting the reasons for which applications were granted or denied District-wide;
3. 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;
4. 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
5. any recommendations regarding modifications to this Policy or its rules.

Commented [JW14]: Added to clarify who can apply for a leave of absence

4. Opportunity Scholarship Program (OSP)

A. Eligibility – The parent(s)/guardian must secure a student identification number for their child(ren) from any Broward County Public School if not currently registered with Broward County Public Schools to be considered for OSP. Applications will be accepted for requests in kindergarten through twelfth grade for students who meet the entrance requirements of the requested application grade. There are no academic eligibility criteria. In accordance with the provisions of section 1002.38 Florida Statutes a public school student’s parent may request and receive an opportunity scholarship for the student to enroll in and attend an identified higher performing public school if:

1. By assigned school attendance area or by special assignment, the student has spent the prior school year in attendance at a public school that has been identified as an OSP eligible school pursuant to s. 1008.34 and the student’s attendance occurred during a school year in which such designation was in effect; or
2. The student has been in attendance elsewhere in the public school system and has been assigned to such school for the next school year; or
3. The student has been notified that he or she has been assigned to such school for the next school year.

B. Application Process - The application window for OSP begins after the reporting of school grades. Parent(s)/guardian with a child at or assigned to attend an identified OSP school, will be notified of their eligibility during the summer. Students will have a list of schools to choose from and rank by preference. Students who move into the boundary of an identified OSP school after the application window will be provided OSP information and an application at the time of registration.

C. Assignment Priority - Every effort will be made to place students in their first choice school, but it is not guaranteed.

D. Transportation - Transportation is provided for all Broward County students opting to participate in OSP within Broward County who live more than two miles away from the awarded school. The parent(s)/guardian understands that the child is subject to the Student Code of Conduct while on the bus.

E. Appeals/Hardships - The parent(s)/guardian of a student who is eligible at an OSP school designated by the State, may request an appeal to the decision of the OSP process by calling the Demographics & Student Assignments 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 and appointed by the Chief Portfolio Services Officer to review all documents on a weekly basis and provide notification of decision on the parent(s)/guardian's appeal within 48 hours of the Documented Challenges Committee

meeting. Hardships do not apply to OSP. A parent/guardian may request an appeal for the following circumstances:

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

F. Withdrawals - Withdrawals for the purpose of the relocation of the student’s parent(s)/guardian outside of the state or to allow a student to enter a private school, shall be granted at any time. Withdrawals for the purpose of a student to attend their home boundaried public school, shall be granted at any time.

G. Monitoring and Reporting - After the benchmark day enrollment count each school year, the first Monday after Labor Day, the Demographics & Student Assignments Department will report the impact of the student enrollment.

5. REASSIGNMENTS

A. Eligibility - **The parent(s)/guardian must secure a student identification number for their child(ren) from any Broward County Public School if not currently registered with Broward County Public Schools to be considered for a reassignment.** Applications will be accepted for requests in kindergarten through twelfth grade for students who meet the entrance requirements of the requested application grade. There are no academic eligibility criteria for reassignments. Reassignments seats will be allocated at schools that have an enrollment below 102% of their Permanent FISH Capacity, or have an enrollment below 110% of their Permanent FISH Capacity if the school has available relocatable capacity equivalent to or greater than 10% of the school’s Permanent FISH Capacity and are projected to remain under such capacity.

Once a reassignment is granted, the student may remain at the reassigned school until he/she completes the highest grade, unless otherwise specified by Board Policies, or Code of Student Conduct.

Any student at a school having an enrollment below 102% of its Permanent FISH Capacity, or at a school with enrollment below 110% of its Permanent FISH Capacity where the school has available relocatable capacity equivalent to or greater than 10% of the school’s Permanent FISH Capacity, that moves out of the boundaried school zone after the start of the school year will be allowed to remain at their current school through the highest grade level offered at the school upon completion of a reassignment application received by the Demographics & Student Assignments department during that school year. Any student at a school which exceeds these limits that moves out of the boundaried school zone after the start of the school year, and notifies the school, will be allowed to remain at their current school through the end of the semester upon completion of a

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reassignment application received by the Demographics & Student Assignments department during that school year. After the end of the semester, the student will be withdrawn.

Any student at a school having an enrollment exceeding the aforementioned school capacity limits found not to be in compliance with the submission of registration documentation in accordance with School Board policy 5.1, will ~~not be granted a reassignment to remain at the current school for any grade level.~~ be permitted to request a reassignment to remain at his/her school only to complete his/her last year.

Commented [PJS15]: Added per School Board Workshop discussion, September 11, 2018.

If a student is requesting a reassignment to remain at his/her school for the highest grade level offered at that school, the student will be able to remain at the school to complete his/her last year.

For schools which The School Board of Broward County, Florida has approved a boundary change, and for the first year of the implementation of the boundary change, fifth, eighth, twelfth, and students attending a combination school meeting the highest-grade criteria will receive an automatic approval to remain at the current school. Transportation availability will be determined through the annual school boundary process. Transportation is not guaranteed.

B. Application Process - ~~The Superintendent or his/her designee shall make reassignment applications available at all schools, at the Demographics & Student Assignments Department, and via the Broward County Public Schools website. Applications will be available at browardschools.com. Schools and families will be notified prior to the opening of the application window(s) through a variety of digital, printed, and social media.~~ Schools and families will be notified prior to the opening of the application window(s) through a variety of digital, printed, and social media. The first opportunity for all applicants interested in a reassignment for the following school year will be between the first school day of December and the designated February deadline date identified by the Demographics & Student Assignments Department. Written or online applications must be submitted to the Demographics & Student Assignments Department by the designated application deadline to be considered as an on-time application. Applications received after the designated application deadline will be considered during the next opportunity or until the tenth day of school. A reassignment may be granted when it has been determined that the school has capacity based on historical enrollment trends and when a reassignment would not increase the school’s enrollment beyond 102% Permanent FISH Capacity or beyond 110% Permanent FISH Capacity if the school has available relocatable capacity equivalent to or greater than 10% of the school’s Permanent FISH Capacity.

Commented [LCT16]: Paper applications have decreased

Commented [PJS17]: Clarify the updates to the application and notification process for families.

When there are more eligible applicants than available seats at a reassignment school, the District shall select students through a computerized random selection process. After the computerized random selection process, a reassignment student wait pool will be created for each of the oversubscribed reassignment schools. A student will be placed in only one applicant wait pool at a time. Once a student is registered at any choice program/school, the student will be automatically removed from all other choice program/school wait pools within that application window. The applicant wait pool will be maintained until the 10-day enrollment count, and student vacancies will be filled until that time. **Students in the wait pool who are offered a seat at a reassignment school must accept the reassignment within the designated timeframe or the seat will be forfeited and awarded to another applicant in the wait pool.**

In April, following the registration deadline for all school choice options, a computerized random selection process will be conducted for reassignment seats that become available due to parents not registering their student at an awarded school. Only applicants who applied before the designated application deadline in February who were not awarded a reassignment seat will be included in the random selection process. All other reassignment applications will be considered late.

Another opportunity to submit reassignment applications will be accepted by the Demographics & Student Assignments Department beginning in May through the tenth day of school. A computerized random selection process facilitated by the Demographics & Student Assignments Department will award seats to students as seats become available.

The Office of Service Quality Directors shall review the circumstances of any reassignment application past the tenth day of school based upon the provisions of this Policy and render a decision.

C. Assignment Priority - The following priorities shall be honored, in the order listed, prior to the computerized random selection process for students who meet the eligibility criteria:

1. Children already attending a school on a one year reassignment where seats have become available

~~1-2.~~ Children of military families who have a parent/legal guardian with active duty military status, have a parent/legal guardian who has been severely injured and medically discharged or retired for a period of one (1) year after medical discharge or retirement, or had a parent/legal guardian who died on active duty or as a result of injuries sustained on active duty for a period of one (1) year after death. There must be planned space available at the school to award a seat.

~~2-3.~~ A confirmed, permanent School Board of Broward County, Florida employee who is the parent/legal guardian of the student, assigned a full-time work schedule at the requested school.

~~3-4.~~ A confirmed, permanent School Board of Broward County, Florida employee who is the parent/legal guardian of the student, assigned a full-time work schedule at a worksite within the same Innovation Zone as the requested school.

~~4-5.~~ A confirmed, permanent School Board of Broward County, Florida employee who is the parent/legal guardian of the student, assigned a part-time work schedule at the requested school on a space available basis.

The following selections shall be honored in the order listed, prior to the computerized random selection process, for students residing in Broward County meeting eligibility criteria:

Commented [PJS18]: This is for last year's change to policy where schools that were over 102% and had 10% of their capacity in available gross capacity were given reassignment seats. Students that were granted a one year reassignment at these schools previously were not permitted to remain. This, in conjunction with E. 2. C in this section will reduce the number of one year reassignments to only students already attending a school over 102% permanent capacity with no gross capacity who have a sibling attending the highest grade.

Commented [JW19]: Clarifies military priority eligibility

~~5-6.~~ Students who have been relocated due to a foster care placement into a different boundaried school zone.

~~6-7.~~ Students 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.

~~7-8.~~ Broward County students, who have a sibling currently attending the requested school, who will continue to attend the following year; (Siblings that apply at the same time and do not have a sibling currently attending the requested school will be given a priority if the other sibling is selected through the computerized random selection process when a seat becomes available at the specific grade level.)

~~8-9.~~ Broward County students that are assigned to a boundary school whose enrollment exceeds 110% of the Permanent FISH Capacity of the school, will be granted a priority at schools with available seats. Twenty-five percent (25%) of available seats remaining after previous priorities have been honored may be awarded to applicants who are assigned to schools over 110% Permanent FISH Capacity.

~~9-10.~~ Broward County students requesting placement in a curricular program not offered at their boundaried school or at a Magnet school. Reassignment approval does not guarantee placement into a curricular program or Innovative Program.

~~11.~~ Twenty-five percent (25%) of available seats remaining after previous priorities have been honored may be awarded to Broward County students presently on an approved reassignment wishing to continue in the same the Feeder Pattern or Innovative Program at the middle school and high school level.

~~10-12.~~ Students residing in Broward County.

Commented [PJS20]: Added per School Board discussion at September 11, 2018 workshop

Commented [JW21]: Increases support of students who decide to continue in the school's feeder pattern

There is no automatic approval for a student to matriculate to the next school through the reassignment process, including a prior placement in a Pre-K program at a requested school. In addition, sibling(s) of a Pre-K student are not guaranteed a reassignment seat at the same school. 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) unless reassignment seats are available.

D. Transportation - The District is not obligated to provide transportation for reassigned students. It is the parent(s)/guardian's responsibility to provide transportation to the reassigned school. For all reassignment approvals, the parent(s)/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. A parent/guardian of a Broward County student can request, via their awarded reassignment school, a seat on the school bus through School Board policy 5300; however, a seat is not guaranteed.

E. Appeals/Hardships

1. If a parent/guardian believes that any of the reassignment procedures listed in this Policy have been violated or has a documented hardship, he/she may appeal in writing to the Superintendent's Hardship Committee. An appeal to the Superintendent's Hardship Committee must be submitted to the Demographics & Student Assignments Department no later than fifteen (15) calendar days from the receipt of a reassignment denial letter, and a completed reassignment application must be on file as received in the Demographics & Student Assignments Department during an application window. The hardship appeal letter must describe the hardship in detail and provide all available documentation. The decision from the Superintendent's Hardship Committee constitutes the final administrative decision at all levels.
2. Hardship circumstances will be taken into consideration, dependent upon the capacity of the requested school. Hardship allocations will not increase enrollment above 102% of the identified Permanent FISH Capacity or above 110% Permanent FISH Capacity where the school has relocatable capacity equivalent to or greater than 10% of the school's permanent capacity at that site. Should a school have, or be projected to have, enrollment at or above these limits, the only hardship approvals will be for students who:
 - a. are currently attending the school and have a custodial need (death of a parent)
 - b. have a sibling who has been assigned by the ESE Department to an ESE special program
 - c. have an older sibling who is in 5th, 8th, or 12th grade; the younger sibling may be given a one-year reassignment only if already attending the same school as the elder sibling.

Parents will be notified if a school is beyond the aforementioned limits and that their request must meet criteria. If the hardship criteria defined above is met, parents will be afforded the opportunity to have their hardship appeal reviewed by the Superintendent's Hardship Committee.

3. A hardship appeal will not be heard or approved should the approval create State sanctions against the District due to failure to meet class size reduction or school concurrency the year of the requested hardship/reassignment.
4. Hardship appeals for schools under the aforementioned limits may be based on:
 - a. unique circumstances that prevent the student(s) from attending the boundaried school; and/or
 - b. documented ongoing medical, psychological, or safety concerns confirmed by the appropriate District staff or medical professional; and/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.

5. The Superintendent’s Hardship Committee will begin meeting in May of each year. The Superintendent’s Hardship Committee shall review the appeal and notify the parent(s)/guardian of the outcome in a timely manner. The parent/guardian must agree in writing that the committee’s decision constitutes the final administrative decision at all levels prior to meeting with the Superintendent’s Hardship Committee.

F. Withdrawals

1. Withdrawals for the purpose of the relocation of the student’s parent(s)/guardian outside of the state 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 Office of Service Quality 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 Office of Service Quality. 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 Demographics & Student Assignments 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 Magnet-reassigned school/program for the period of time necessary due to being a patient in a hospital for an extended period of time or being enrolled in the Hospital Homebound Program.~~

~~a.b. A student already attending may be granted a leave of absence from the reassigned school for the period of time necessary a maximum of one (1) year 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 School 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.c. If a family or student moves due to a court-ordered change in custody due to separation or divorce, or has a serious illness or death of a custodial parent, a leave of absence may be granted to a student already attending for a maximum of one (1) year.

Commented [JW22]: Added to clarify who can apply for a leave of absence.

- 5. A student who withdraws from the reassignment school must reapply for admission according to the provisions of this Policy, with no preferential treatment given for re-admission.

G. Monitoring and Reporting - After the benchmark day enrollment count each school year, the first Monday after Labor Day, the Demographics & Student Assignments Department will report the impact of the student enrollment. This report shall include:

- 1. the number and characteristics of students who submitted a completed application, registered and attends the school;
- 2. data reflecting the reasons for which applications were granted or denied District-wide;
- 3. 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;
- 4. 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
- 5. any recommendations regarding modifications to this Policy or its rules.

6. COLLEGIATE ACADEMIES

COLLEGE ACADEMY @ BROWARD COLLEGE

A. Eligibility –Applications will be accepted for requests in the 10th grade year for students. The College Academy program is a two year program which students attend during their 11th and 12th grade years of high school in order to complete high school graduation requirements and the Associate of Arts degree requirements. Eligibility requirements for College Academy @ Broward College (CA@BC) include course requirements, a minimum 3.25 unweighted cumulative GPA, and appropriate SAT/ACT/PERT scores. Specific admission guidelines will be published annually on the CA@BC website.

Commented [JW23]: Added for clarity

In the case of a student whose special needs require the development of an Individualized Educational Plan (IEP)/504 Plan, eligibility criteria will be in accordance with Section II of this policy.

The ESE Specialist will assist eligible students in contacting the College’s Office of Disabilities to discuss accommodations and services available in the college setting.

English Language Learners (ELL) who meet eligibility criteria will be admitted into the qualified applicant pool.

B. Application Process – All students interested in applying to CA@BC for the following school year, must submit a completed application to CA@BC and a dual enrollment application to Broward College during the application window. The application window opens each year in January and closes on a designated date in mid-February. Students meeting initial application requirements, will be scheduled to take the PERT. Students that currently have passing ACT/SAT/PERT scores do not need to retest. Students with passing test scores will be a part of the qualified applicant pool.

1. When the number of eligible applicants exceeds the number of seats available, a computerized random selection process will be utilized to admit eligible students.
2. The qualified students selected through this process will be offered admission. The remaining qualified students will be placed on a waitlist in the order assigned by the computerized random selection process. The wait list will be offered admissions in order as seats become available. Failure to respond to the offer of admissions within the designated timeframe will be conferred as a rejection of the admissions offer and the available seat will be awarded to the next student on the waitlist. The waitlist is dismissed on the first day of Broward College fall term classes.

C. Assignment Priority – The following priorities shall be honored, in the order listed, prior to the computerized random selection process:

1. Children ~~of military families who have a parent/legal guardian with active duty military status~~, have a parent/legal guardian who has been severely injured and medically discharged or retired for a period of one (1) year after medical discharge or retirement, or had a parent/legal guardian who died on active duty or as a result of injuries sustained on active duty for a period of one (1) year after death shall be given first preference for admission to such programs when an application is submitted, eligibility requirements and admissions deadlines are met, 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). There must be space available at the school to award a seat.
2. Students, who have a sibling currently attending CA@BC, who will continue to attend the following year, and who meet the application deadline and admission criteria, will be placed at CA@BC on a space-available basis prior to the computerized random selection process. Siblings that apply at the same time and do not have a sibling currently attending CA@BC will be given a priority if the other sibling is selected through the computerized random selection process when a seat becomes available at the specific grade level.
3. A confirmed, permanent School Board of Broward County, Florida employee and/or Broward College employee who is the parent/-legal /guardian of the student, assigned a full-time work schedule at CA@BC, may request through the application

Commented [JW24]: Clarifies military priority eligibility

Commented [JW25]: Corrected scrivener's error

process that his/her child be placed at CA@BC on a space-available basis prior to the computerized random selection process if the employee has met the application deadline.

4. A confirmed, permanent School Board of Broward County, Florida employee and/or Broward College employee who is the parent/legal guardian of the student, assigned a part-time work schedule at CA@BC, may request through the application process that his/her child be placed at CA@BC on a space available basis prior to the computerized random selection process if the employee has met the application deadline.

D. Transportation – The School Board of Broward County, Florida shall provide transportation to all CA@BC Broward County students who reside more than two miles from the assigned college campus.

E. Appeals/Hardships – There are no appeals or hardships for CA@BC. All students meeting criteria have an equal opportunity for selection via the computerized random selection process that selects students from the qualified student pool for the available seats and assigns an ordered list of students placed on the wait list. As seats become available, students are offered admission in the order of the wait list.

F. Withdrawals:

1. Students must maintain a 2.5 unweighted college GPA to remain in the school.
2. Withdrawals for the purpose of attending the affected student’s regularly assigned public school, based on approved school boundaries, shall be granted at any time.

MILLENNIUM 6-12 COLLEGIATE ACADEMY

A. Eligibility –Applications will be accepted for 9th -12th grade requests in the 8th grade year or higher for students. Any student enrolling in the Millennium 6-12 Collegiate Academy needs to meet the requirements set in the dual enrollment articulation agreement with the School Board of Broward County and Broward College. Students must have earned a 3.0 cumulative unweighted GPA in all high school courses taken and have the minimum standardized college placement scores for all college level courses in all three placement subject areas (reading, math, and English) may participate in dual enrollment. (hb 7031 amended section 1007.271(2), Florida Statutes.) Preference will be for students who have attended Millennium 6-12 Collegiate Academy for 8th grade. Remaining available seats will be filled by reassignment applicants through the District's School Choice process.

In the case of a student whose special needs require the development of an Individualized Educational Plan (IEP)/504 Plan, eligibility criteria will be in accordance with Section II of this policy.

The ESE Specialist will assist eligible students in contacting Broward College’s Office of Disabilities to discuss accommodations and services available in the college setting.

English Language Learners (ELL) who meet eligibility criteria will be admitted into the qualified applicant pool.

B. Application Process – ~~In order to attend 9th - 12th grade at Millennium 6-12 Collegiate Academy, all students interested in applying to Millennium 6-12 Collegiate Academy for the following school year,~~ must submit a completed application to Millennium 6-12 Collegiate Academy and a dual enrollment application to Broward College during the application window. The application window opens each year in December and closes on a designated date in mid-February. Students meeting initial application requirements, will be scheduled to take the PERT. Students that currently have passing ACT/SAT/PERT scores do not need to retest. Students with passing test scores will be a part of the qualified applicant pool.

1. When the number of eligible applicants exceeds the number of seats available, a computerized random selection process will be utilized to admit eligible students.
2. The qualified students selected through this process will be offered admission. The remaining qualified students will be placed in a wait pool. Students will be selected from the wait pool via a computerized random selection process as seats become available. Failure to respond to the offer of admissions within the designated timeframe will be conferred as a rejection of the admissions offer and the available seat will be awarded to another student in the wait pool. The wait pool is dismissed on the first day of Broward College fall term classes.

C. Assignment Priority – The following priorities shall be honored, in the order listed, prior to the computerized random selection process:

1. ~~Children of military families who have a parent/legal guardian with active duty military status, have a parent/legal guardian who has been severely injured and medically discharged or retired for a period of one (1) year after medical discharge or retirement, or had a parent/legal guardian who died on active duty or as a result of injuries sustained on active duty for a period of one (1) year after death,~~ shall be given first preference for admission to such programs when an application is submitted, eligibility requirements and admissions deadlines are met, 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). There must be space available at the school to award a seat.
2. Students, who have a sibling currently attending Millennium 6-12 Collegiate Academy, who will continue to attend the following year, and who meet the application deadline and admission criteria, will be placed at Millennium 6-12 Collegiate Academy on a space-available basis prior to the computerized random selection process. Siblings that apply at the same time and do not have a sibling currently attending Millennium 6-12 Collegiate Academy will be given a priority if the other sibling is selected through the computerized random selection process when a seat becomes available at the specific grade level.
3. A confirmed, permanent School Board of Broward County, Florida employee who is the parent legal/guardian of the student, assigned a full-time work schedule at

Commented [JW26]: Clarifies military priority eligibility

Millennium 6-12 Collegiate Academy, may request through the application process that his/her child be placed at Millennium 6-12 Collegiate Academy on a space-available basis prior to the computerized random selection process if the employee has met the application deadline.

4. A confirmed, permanent School Board of Broward County, Florida employee who is the parent/legal guardian of the student, assigned a part-time work schedule at Millennium 6-12 Collegiate Academy, may request through the application process that his/her child be placed at Millennium 6-12 Collegiate Academy on a space available basis prior to the computerized random selection process if the employee has met the application deadline.

5. Students who have attended Millennium 6-12 Collegiate Academy for 8th grade.

D. Transportation – The School Board of Broward County, Florida shall provide transportation to Millennium 6-12 Collegiate Academy for students who reside more than two miles from the school and live within the Millennium 6-12 Collegiate Academy attendance zone.

E. Appeals/Hardships – There are no appeals or hardships for Millennium 6-12 Collegiate Academy. All students meeting criteria have an equal opportunity for selection via the computerized random selection process that selects students from the qualified student wait pool.

F. Withdrawals:

3. Students must maintain a 2.5 unweighted college GPA to remain in the school.

Withdrawals for the purpose of attending the affected student’s regularly assigned public school, based on approved school boundaries, shall be granted at any time.

7. BROWARD VIRTUAL SCHOOLS

A. Eligibility - Student eligibility for participation in the District’s Florida Virtual School franchise program (grades 6-12) is governed by Section 1002.37, Florida Statutes. Student eligibility in the District’s virtual instruction program (grades K-8) is governed by Section 1002.45, Florida Statutes. Student eligibility for the District’s virtual instruction program is only available to students residing in Broward County who meet at least one of the following conditions as specified by Section 1002.455, Florida Statutes:

1. The student is eligible to enter kindergarten or first grade Section 1002.455 (2)(e), Florida Statutes.
2. Students eligible to enter grades 2 through 5 do not need to have previously enrolled in a Florida public school to enroll full-time in a school district virtual instruction program, virtual charter school, or the Florida Virtual School Section 1002.455 (2)(f), Florida Statutes.
3. Students entering grades 6 through 12 are eligible to enroll under Section 1002.37, Florida Statutes and/or Section 1002.455, Florida Statutes depending on the virtual

instruction program choice. Students must also meet academic criteria to enroll full-time. Parents interested in choosing Broward Virtual School for their student must apply online during the open enrollment periods described in the Enrollment Periods section of this manual.

B. Application Process - Parents interested in choosing Broward Virtual School for their student must apply online during the open enrollment periods described below:

1. Students may apply to Broward Virtual School’s franchise program (grades 6-12) from May 1 through an identified date in September.
2. Students may apply to Broward Virtual School’s K12 program (grades K-5) from an identified date in April to an identified date in July.

Enrollment in the K12 program must conclude 30 days prior to the first day of school per Section 1002.455, Florida Statutes. In April, letters are distributed to students outlining virtual options. Parents interested in choosing this educational option for their student can apply during the enrollment windows. Enrollment periods for the three other virtual instruction programs are governed by the individual programs.

C. Assignment Priority – There is no assignment priority for Broward Virtual.

D. Transportation – Not Applicable

E. Appeals/Hardship - Not Applicable

F. Withdrawals - School Enrollment Continuation Standards – An evaluation of each student will be conducted at the end of each semester to determine their continued enrollment eligibility. To maintain continuous enrollment at Broward Virtual School, a student must:

1. Earn grades of C or higher in each course
2. Maintain consistent weekly pacing in every class to meet all deadlines and attendance expectations
3. Communicate consistently and successfully with teachers
4. Participate in all standardized testing
5. Earn sufficient credits to be promoted to the next grade level and graduate in 4 years or less
6. Maintain sufficient reading skills at or above grade level
7. Honor all rules, policies, and procedures established by Broward Virtual School and Broward County Public Schools for student conduct, academic integrity, and netiquette.

Those students who fail to meet the minimum continuation standards will be withdrawn and given a list of alternatives to meet their educational goals.

G. Monitoring and Reporting - Broward Virtual School is under the supervision of the Chief Officer of the School Performance and Accountability Department.

8. MCKAY SCHOLARSHIP

A. Eligibility - A Florida student is eligible to participate in the McKay Scholarship Program if he/she:

1. meets the entrance requirements of the requested application grade and will be in grades K-12 while receiving the scholarship, and
2. Has an active IEP or Permanent 504 Accommodation Plan from the public school (Hospital or homebound cannot be the only exceptionality), and
3. Demonstrates prior year in attendance by meeting one of the following requirements:
 - a. Has been reported for funding in a public school during the October and February FEFP surveys; or
 - b. Has been reported for funding during the preceding October and February student membership surveys by the Florida School for the Deaf and the Blind; or
 - c. Has been reported for funding during the preceding October and February student membership surveys when the student is four (4) years old and eligible for district services, and will be in grades K-12 while receiving the scholarship.

4. Children of military families who have a parent/legal guardian with active duty status, have a parent/legal guardian who has been severely injured and medically discharged or retired for a period of one (1) year after medical discharge or retirement, or had a parent/legal guardian who died on active duty or as a result of injuries sustained on active duty for a period of one (i) year after death do not need to meet the Florida public school attendance requirement by being reported for funding. Dependents of members of the Armed Forces who have transferred to Florida from another state or country due to permanent change of station orders may also be eligible for the McKay Scholarship Program if he/she has an IEP/504 Plan from his/her previous school and will be in grades K-12 while receiving the scholarship. Applicants must apply within the current school year of initial enrollment to utilize the Military Waiver.

5. The School Board of Broward County, Florida is committed to a definition of diversity that includes students with special needs through the Exceptional Student Education (ESE) Department. These students shall be given equal opportunity to attend programs for School Choice in light of each student's need for special services. In the case of a student whose special needs are addressed through the Individual Educational Plan (IEP)/504 Plan, attendance at a program approval to a choice location must be consistent with the IEP/504 Plan.

Commented [JW27]: Clarifies military priority

The following eligibility criteria and procedures will be used for acceptance of Exceptional Education Students (ESE other than Gifted).

- a. The student's IEP/504 Plan will be ~~looked at~~ reviewed to verify ~~that~~ the student's placement.
- b. The student's IEP/504 Plan will be ~~checked to make sure that there are not any reviewed for~~ extenuating special considerations ~~that would keep the student from participating~~.
- c. The Student's IEP/504 Plan will be ~~checked-~~ reviewed to make sure that the services will not be ending before the beginning of the next school year thus making the student no longer an ESE student.

Commented [JW28]: Revised for clarification

B. Application Process

1. ~~The District will publish a list of schools available for choice on the first business day in May.~~ Applications will be accepted ~~May 1~~ beginning in May for the upcoming school year and will close April 30 of that school year. Applications may be accessed online at www.browardschools.com via the ~~Exceptional Student Education & Support Services~~ Exceptional Student Learning Support webpage or by contacting the District McKay Scholarship Department.

Commented [LCT29]: Added to align the McKay application window with the School Choice application window.

Commented [JW30]: Changed department name

2. ~~Only those schools and specialized programs (i.e. clusters) identified by the District as having space will be considered for McKay approval. Identification of space does not guarantee approval. Schools that are projected to be at 95% Permanent FISH capacity or higher will not be available for choice.~~ McKay does not apply to Nova schools, charter schools, or magnet programs. The seats available at each location are limited and will be awarded based on class size regulations and the ability of the school to provide the services identified on the student's Individual Education Plan (IEP)/504 Plan.

Commented [JW31]: Removed to allow for more school options

3. Current Florida public school students that meet the criteria to participate as a McKay student as per F.S. 1002.39 may submit one application for McKay public school choice per school year. Students currently receiving a McKay Scholarship to attend a participating private school may exercise their public school choice option 30 days prior to withdrawal from a participating private school.

4. The address provided on the application must match what is currently on file with Broward County Public Schools. Applications showing different residential addresses will not be processed.

5. Applications will be submitted to and reviewed by the District McKay Scholarship Department. Responses will be provided within 30 business days of the District's receipt of the McKay application and will be posted to the One Choice Database and sent via ~~U.S. Mail email~~.

Commented [JW32]: No longer sending notifications through the U.S. Mail

C. Assignment Priority - Available seats will be awarded on a first come/ first serve basis. Approval will only be granted if there is space in the student's grade placement and the school has the ability to provide the services identified on the student's Individual Education Plan (IEP)/504 Plan.

D. Transportation

1. Transportation is not guaranteed and is awarded based on route availability to and from the student’s permanent Broward County residential address to the awarded school location as per the Transportation Department.
2. Only Broward County students awarded a McKay scholarship to a public school will be considered for transportation through McKay.
3. McKay choice ~~is not~~ requests are not approved or denied based on transportation availability from new residential addresses.
4. If a public school choice is granted with transportation and the student moves, the prior transportation approval is void. The student may continue attending the approved school, however a new application must be submitted to verify transportation availability.
5. If a McKay public school choice was approved with transportation and the student is dismissed from ESE, the student may continue attending the school, however, ~~is will~~ no longer eligible for transportation services.

Commented [JW33]: Clarifies transportation as related to approvals

E. Appeals/ Hardships - The McKay Scholarship is a Florida Department of Education program. There are no appeals or hardships to the application process for McKay Scholarship.

F. Withdrawals - A public McKay Scholarship approval may become void only when

1. A student withdrawals from the approved public school.
2. A student’s placement has changed and the approved school can no longer accommodate his/her Individual Education Plan (IEP)/504 Plan.
3. A student is enrolled in a DJJ Center for a period of more than 22 days.
4. A student completes the highest grade level offered at the approved school.
5. A student graduates or turns the age of 22 years old.

Commented [JW34]: Clarifies applicable grade level

G. Monitoring/ Reporting - The District McKay Office shall maintain a report identifying

1. the number of applicants,
2. students approved with or without transportation, and
3. schools receiving McKay Students.

THE RULES LISTED BELOW SHALL GOVERN MAGNET SCHOOLS, NOVA SCHOOLS, REASSIGNMENTS, AND OSP.

AUTHORITY: s. 1001.41(1), F.S. (2); s. 1003.05(3), F.S.

LAWS IMPLEMENTED: STUDENT AND PARENTAL RIGHTS AND EDUCATIONAL CHOICES, s. 1002.31, F.S.; s. 1002.38, F.S.; s. 1008.34, F.S.

History:

5004.1

SCHOOL CHOICE

5004.1

Policy Adopted: 12/15/09; Policy Amended: 12/07/10, 5/15/12, 1/22/2014, 9/16/2015, 10/18/2016, 11/07/2017

Formerly Policy 5001 - AUTHORITY: s. 1001.41, F.S.; Policy Adopted: 11/13/69; Policy Readopted: 9/5/74; Policy Amended: 6/19/80, 1/20/83, 3/3/83, 9/3/96, 4/8/97, 9/2/97, 6/20/00, 1/21/03, 11/09/04, Emergency Rule #E482-15, 6/6/83, 6/16/83, 5/17/84, 7/18/95, 3/19/96. Repealed 12/15/09.

Formerly Policy 5003 - AUTHORITY: s. 1001.41, F.S.; Policy Adopted: 1/25/68; Amended Policy Approved: 10/18/73, 9/3/91, 4/20/93, 3/19/96, 8/20/96; Amended Policy Approved: 1/21/97, 6/15/04. Repealed 12/15/09.

Formerly Policy 5004 - AUTHORITY: s. 1001.41(1), F.S., (2); s. 1002.20(6a), F.S.; s. 1003.05(3), F.S. ; Policy Adopted: 6/2/88, 10/17/89, 5/1/90, 5/2/95, 9/3/96; Amended Policy Adopted: 4/8/97, 5/15/01, 4/23/02, 10/1/02, 6/17/03, 4/20/04, 9/9/08. Repealed 12/15/09.