

2021-2022 Controlled Open Enrollment Plan

The Liberty County School District Controlled Open Enrollment Plan is designed to give all parents the opportunity to choose the school they want their child to attend. The plan provides an opportunity for students to attend public school outside the student's established residential attendance zone, as well as public schools in neighboring counties, as long as the requested school has not reached capacity subject to the maximum class size. A student who is subject to a current expulsion or suspension from any public or private school is ineligible to apply for a choice assignment. **Parents will be responsible for transporting their children to the school of choice if regular transportation is not available.**

Attendance within Established Residential Attendance Zone

Unless otherwise provided in Policy 5120, attendance at each school shall be limited to those students whose parents/guardians reside within the geographical boundaries of the school board adopted attendance area. While students have a right to an education under the laws, no right exists to attend a particular school, a decision to deny a request to attend another school or to reassign the student under the terms of school board policy does not affect the substantial interest of the child.

Students requiring exceptional student education services will be staffed into the appropriate school in accordance with exceptional student educational procedures, and are not subject to the requirements of this policy, unless applying for a choice assignment. Students assigned to a school for pre-K services are not provided preferential treatment for purposes of this policy for kindergarten school assignment.

Proof of residence shall be required for initial enrollment or transfer of a student from one attendance area to another in the district, including a change of a student's residential address. The parent/guardian enrolling the student shall furnish the street address of the student's residence that is subject to verification by the school board. A minimum of two forms of proper documentation shall be required to establish proof of residency. Proper documentation of residence shall constitute:

- The parent/guardian's valid Florida identification card or driver's license;
- A copy of a current utility bill in the parent/guardian's name;
- A copy of a current motor vehicle registration in the parent/guardian's name;
- A valid lease agreement with rent receipt or property deed with tax receipt showing homestead exemption; or
- Other valid documentation deemed acceptable under procedure established by the Superintendent/designee, such as procedures being designed to allow for unique conditions that may arise.

Controlled Open Enrollment Process

A. Eligibility and Conditions for Choice Assignment

1. Controlled open enrollment shall be available to all K-12 students residing with their parent/guardian in the State of Florida. Information on the application process shall be posted on the District website.
2. Each District school is hereby deemed a school of choice.
3. A student who is subject to a current expulsion or suspension from any public or private school is ineligible to apply for a choice assignment.
4. Any student granted a choice assignment may continue to the highest-grade level of the approved school until:

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- a. The student is expelled or suspended;
 - b. The student is withdrawn from enrollment at the school by the parent/guardian;
 - c. The parent/guardian of the student requests a change in school assignment;
 - d. It is determined by the District that the application for controlled open enrollment was based on inaccurate, false, or misleading information; or
 - e. The choice assignment is revoked by the school principal, upon concurrence of the superintendent or designee, based on unsatisfactory academic performance, behavior or attendance.
5. Upon completion of the highest-grade level of the approved school, the student shall return to his or her zoned school. Students must reapply for an additional choice assignment.
 6. Revocation of choice assignment may render the student ineligible to apply for subsequent years.
 7. No choice assignment shall be granted on behalf of a student which conflicts with the student's Individual Education Plan (IEP) or Section 504 Plan. Prior to approval of a choice application, the IEP team may convene to ensure the requested assignment can be implemented.
 8. Parents will be responsible for transporting their children to the school of choice if regular transportation is not available.
 9. A student may receive only one choice assignment per school year.
 10. A parent/guardian may discontinue a choice assignment within the school year at any time.
 11. If a student moves out of district during the school year, the parent or legal guardian must notify the district within 5 days. The parent must submit a choice application. The district reassignment committee will make the determination if the student may continue attendance in the district.
 12. There may be exigent circumstances where it is impossible for the district to accept a student.

B. Application Period

Applications for school choice assignment for the upcoming school year shall be submitted during the enrollment period, April 1 – May 3, 2021. Applications filed after this deadline may be denied on that basis alone unless the application is based on:

1. An alternate school placement necessary to comply with an order of a court of competent jurisdiction;
2. The relocation of a parent/guardian or
3. The transfer of a school-based employee.

C. Application

1. The application for Open Enrollment will be sent via backpack, and will be available via the District website, at schools and at the district office. The Reassignment Contract, included with the application includes information on rights and responsibilities of choice, such as good attendance, grades, and behavior. Applying does not guarantee that the student will be approved to transfer to the requested school. The application is completed and signed

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- by the parent/guardian and submitted to the school, or the Superintendent's office by U.S. Mail, fax, email or hand delivered to the student's current school. Applications delivered to the school will be date and time stamped.
2. A principal may revoke a choice assignment for violations of the code of student conduct, absenteeism, or unsatisfactory academic performance, as outlined in the Student Reassignment Contract. The principal must establish the standards for revocation in writing to the parent/guardian. Revocation of choice assignment shall render the student ineligible to attend a Liberty County School for the remainder of the school year. The only exception to this rule will be if the student is dismissed during the second semester. In this case the student will be ineligible for the remainder of the school year, plus the first semester of the following school year. This decision is final. Parents may file a formal appeal to allow the student to return to the designated school. The appeal process is set forth in **Section E, Appeals Process for Students in Violation of the Student Reassignment Contract** of this document.
 3. The District may request additional documentation from the applicant as part of the evaluation process. If that documentation is not provided within (15) calendar days of the request the application may be denied without further action.
 4. Applications are required when:
 - a. The request is for initial entry of a student in a school of choice
 - b. There is a change of home address, which places the student in a different school, and the parents/guardians want their child to remain at the school for the remainder of the current school year. In these cases, approval is limited to the remainder of the current school year.
 - c. A parent/guardian living in another district is requesting attendance at a Liberty County school.
 5. Student assignments are awarded after the anticipated enrollments, school capacities, and class sizes are calculated. Students residing in the Liberty County School District may not be displaced by students from other districts seeking enrollment.

D. Evaluation of Applications

1. The District Reassignment Review Committee will review all choice assignment requests. The committee members will include, two district administrators and at least one school principal.
2. No student residing within the District shall be displaced by a student residing in another district for purposes of Policy 5120.
3. After all students residing in the District have been assigned to a school, applicants meeting any of the following mitigating factors shall be provided preferential treatment:
 - a. Dependent children of active duty military personnel whose move resulted from military orders;
 - b. Homeless students;
 - c. Children who have been relocated due to foster care placement in a different school attendance zone within the District;
 - d. Children who move due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent. Nothing herein shall be

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interpreted to grant a court jurisdiction to order a school assignment absent these circumstances;

- e. Students residing within the District;
- f. Child of school-based employee assigned at the requested school;
- g. Siblings of a student attending the requested school; and
- h. Student with a current John McKay Scholarship or Opportunity Scholarship.

E. Notification of Outcome

1. The District will notify the parent/guardian of its decision on the Open Enrollment Application by U.S. Mail by June 1, 2021.
2. A parent/guardian granted a choice assignment shall register the student at the choice school providing records and documents required for registration in accordance with District policy and procedures. If the student fails to begin attending classes at the choice school by the **third (3rd) day** of the new school year, the choice assignment shall be deemed forfeited and reassigned to their residential attendance zone, unless there are extenuating circumstances.

Process for Declaring School Preference

The school choice applications are accepted for all district schools open to Choice available during the enrollment period, April 1 – May 3, 2021. To be open to choice a school must be below 90% capacity. Parents/guardians will be responsible for transporting their children to the school of choice if regular transportation is not available.

The school choice application can be submitted by U.S. Mail, hand delivered, or printed from the Liberty County School District website and includes information on rights and responsibilities of choice, such as good attendance, grades, and behavior. The completed application must be signed by the parent/guardian and submitted to the school or Superintendent's office by U. S. Mail, fax or email.

Information about the enrollment process are sent home with students. Notification is also advertised through the local newspaper, district call-out system, and school and district websites.

Sibling Placement

Priority is given to any incoming sibling of a student already enrolled in a choice school. Siblings are usually not denied unless there is a capacity/class-size issue.

Lottery Procedure to Determine Student Assignment

A random lottery will be utilized when pending applications exceed available capacity at a Limited Capacity School.

Appeals Process for Hardship Cases

Parents of students who applied during controlled open enrollment and were not approved for placement in a school of choice may request an appeal review based on a documented hardship situation within 3 days of receiving notice of denial. A written appeal describing the hardship and documentation must be submitted via facsimile, email or hand-delivered to the Superintendent's office.

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The appeal committee serves as the contact for appeal requests and coordinates the review of all hardship requests. The results of this appeal are considered final.

Parents/guardians with legitimate, documented hardships will be given priority if space is available. Hardship provisions may include documented medical, emotional, psychological, or legal reasons.

- If a hardship appeal is submitted for medical reasons, parent/guardian must submit a Release of Records form and a physician's statement describing the medical condition of the student and specific medical reasons justifying the request.
- If a hardship appeal is submitted for legal reasons, parent/guardian must submit an attorney's statement describing the legal hardship.

Interscholastic and Intra-Scholastic Extracurricular Activities

Interscholastic and intra-scholastic extracurricular activities eligibility will not be unreasonably delayed or denied if a choice assignment is granted under this policy.

A student granted a choice assignment may not participate in a sport if the student participated in that same sport at another school during that school year unless the student meets one of the following criteria:

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

Procedure to Maintain Socioeconomic Demographic, and Racial Balance

All students are eligible to attend the school of their choice regardless of race and ethnicity. School choice data are collected and the Superintendent's staff is apprised of emerging patterns that may potentially impact the socioeconomic, demographic, and racial balance of the district. If necessary, further analysis and possible revision to the district school choice open enrollment plan may be recommended.

Availability of Transportation

Transportation will be the responsibility of the parent or the student if he/she attends a school outside their attendance area. Liberty County School District will continue to design bus routes that may accommodate controlled open school enrollment within the confines of safety and economic feasibility.

Annual Report and Other Compliance Requirements

The District shall annually report the number of student exercising public school choice pursuant to this policy and as otherwise determined by law. As required by state law, all District schools shall calculate compliance with maximum class size as the average number of student at the school level.

Misleading or False Evidence

In addition to the criminal penalty associated with the making of a false or misleading statement, if it is discovered that misleading or false evidence was presented in support of an application for choice assignment, the student shall be reassigned immediately to the school within the appropriate geographic attendance area. Failure to report a change in address shall be deemed evidence of intent to

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circumvent this policy and shall result in the application or choice assignment being denied or revocation of the choice assignment.

Appeals Process for Students in Violation of the Student Reassignment Contract

In the event a student is in violation of the **Student Reassignment Contract** they may be dismissed from the Liberty County School District. Parents may appeal for the student to return to the previous school of choice. Reinstatement will only occur after approval of the appeal by the District Reassignment Review Committee, appointed by the Superintendent, consisting of two district administrators and the principal of the designated school.

Parents must request **Form A, Student Appeal for Reassignment** from the designated school principal. Appeals for the beginning of the school year must be submitted during the Open Enrollment period beginning annually **April 1st and extending through May 3rd 2021**. An Appeal for return during the second semester must be received **no later than three weeks prior to the end of the first semester ending in December**. The Appeal must be submitted to the designated school principal. Upon receipt of the Appeal and **all** requested documentation the Principal will notify the Superintendent of Schools who will appoint the District Reassignment Review Committee to review and hear the case.

Appeal Timeline

Appeals for mid-year will be heard no later than one week prior to the end of the semester, while Appeals to return at the beginning of the year will be held during the month of May, annually. For an Appeal to be considered at least one parent and the student must attend the scheduled hearing. The District Reassignment Review Committee will hear the case and a final decision will be rendered within 5 business days. Parents will be notified by US Mail; all decisions are final and not subject to further Appeal.