

Attendance

STUDENT TRANSFERS: LEGISLATED SCHOOL CHOICE PROGRAMS

I. OPPORTUNITY SCHOLARSHIP PROGRAM

A. ELIGIBILITY

1. A public school student's parent or guardian may request and receive an Opportunity Scholarship Program transfer in accordance with Section 1002.38, Florida Statutes, if:
 - a. 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 designated as performance grade category "F," and that has had two years in a four-year period of such low performance, and the student's attendance occurred during a school year in which such designation was in effect; or
 - b. the student has been in attendance elsewhere in the public school system and has been assigned for the next school year, to a school designated as performance grade category "F" for two school years in a four-year period.
 - c. The student is entering kindergarten or first grade and has been assigned to such school for the next school year.

B. DISTRICT OBLIGATIONS

1. For each student enrolled in or assigned to a school that has been designated as performance grade category "F" for two school years in a four-year period, the school district shall:
 - a. notify in a timely manner, the parent or guardian of the students of such designation of all options available under the statute;
 - b. offer the parent or guardian an opportunity to enroll the student in a school located within the geographic transportation service zone designated to serve the student's residence school. The

designated school must have a performance grade of "C" or better;

- c. provide transportation to each student who is eligible for an Opportunity Scholarship transfer to a school within the geographic transportation service zone that serves the eligible residence school if the student resides more than two miles from the selected public school; and
 - d. provide each eligible student with an opportunity to continue attending this higher performing school until the student reaches the highest grade serviced by the school.
2. Designate an eligible school or schools based on the Florida Inventory of School Houses (FISH) capacity below 105 percent in the 2007-2008 school year; below 100 percent in the 2008-2009 school year, and below 100 percent thereafter, to accommodate the transfer requests. If no higher performing schools in the geographic transportation service zone are available, the Associate Superintendent, School Operations, will identify school(s) that are eligible to receive students.

C. APPLICATION PROCESS

1. A parent or guardian of an eligible student will receive an Opportunity Scholarship transfer application form and instructions.
2. The parent or guardian will submit a completed application form to his/her residence school within the designated time frame.
3. The parent or guardian will select from a district approved list of eligible schools.
4. District staff will verify student eligibility for the transfer.
5. District staff will advise the parent or guardian of the status of the transfer request.

D. APPEAL PROCESS

1. The parent or guardian who does not accept the alternate school offered by school staff may appeal as follows:
 - a. Appeal Level I to the Administrative Director of Attendance Services;
 - b. Appeal Level II to the Associate Superintendent, School Operations, or designee, who acts as the Superintendent of Schools' designee. The decision rendered at this level will be final and no further appeals will be permitted.

II. NO CHILD LEFT BEHIND

A. ELIGIBILITY

1. A public school student's parent or guardian may request and receive a No Child Left Behind Act transfer in accordance with 20 U.S.C. § 6316, if the student is enrolled in a public school that has been designated as failing to make adequate yearly progress, and that has had two or more consecutive years of such low performance.

B. DISTRICT OBLIGATIONS

1. For each student enrolled in or assigned to a school that has been designated as failing to make adequate yearly progress, and that has had two or more consecutive years of such low performance the school district shall:
 - a. notify before the first day of the school year following such identification, the parent or guardian of the student of such designation and provide an explanation of:
 - 1) what the designation means;
 - 2) the reasons for the designation;
 - 3) what the school and school district are doing to address those conditions;
 - 4) how parents may become involved; and
 - 5) all options available to the parent or guardian;

- b. offer parent or guardian an opportunity to enroll the student in a school that has not been identified for school improvement;
 - c. provide transportation to each student who is eligible for a No Child Left Behind Act transfer to a school within the geographic transportation service zone that serves the student's residence school if the student resides more than two miles from the selected public school; and
 - d. provide each eligible student with an opportunity to continue attending this higher performing school until the student reaches the highest grade serviced by the school.
- 2. Give priority to the lowest achieving children from low income families.
 - 3. Designate an eligible school or schools based on the Florida Inventory of School Houses (FISH) capacity below 105 percent in the 2007-2008 school year; below 100 percent in the 2008-2009 school year, and below 100 percent thereafter, to accommodate the transfer requests. If no higher performing schools in the geographic transportation service zone are available, the Associate Superintendent, School Operations, will identify school(s) that are eligible to receive students.

C. APPLICATION PROCESS

- 1. A parent or guardian of an eligible student will receive a No Child Left Behind transfer application form and instructions.
- 2. The parent or guardian will submit a completed application form to his/her residence school or mail it in to the district office within the designated time frame.
- 3. The parent or guardian will select from a district approved list of eligible schools.
- 4. District staff will verify student eligibility for the transfer.

5. District staff will advise the parent or guardian that the transfer request has been approved.

D. APPEAL PROCESS

1. The parent or guardian who does not accept the alternate school offered by school staff may appeal as follows:
 - a. Appeal Level I to the Administrative Director of Attendance Services;
 - b. Appeal Level II to the Associate Superintendent, School Operations, or designee, who acts as the Superintendent of Schools' designee. The decision rendered at this level will be final and no further appeals will be permitted.

III. MCKAY SCHOLARSHIP PROGRAM

A. ELIGIBILITY

1. A public school student's parent or guardian may request and receive a John M. McKay Scholarships for Students with Disabilities Program transfer in accordance with Section 1002.39, Florida Statutes, if:
 - a. the student has been reported the preceding October and February FEFP surveys in a Florida public school and will be in grades K-12; and
 - b. the student is a student with a disability for whom an individual educational plan (IEP) has been written.

B. DISTRICT OBLIGATIONS

1. For each student who meets the eligibility requirements of the John M. McKay Scholarships for Students with Disabilities Program, the school district shall:
 - a. notify the parent or guardian of all options available by April 1 of each year and within (10) days of the child's IEP meeting.
 - b. offer the student's parent or guardian an opportunity to enroll the student in another public

school that can appropriately provide the services written on the IEP with the Florida Inventory of School Houses (FISH) capacity below 105 percent in 2007-2008 school year; below 100 percent in the 2008-2009 school year, and below 100 percent thereafter, to accommodate the transfer requests. If schools cannot be identified based on these aforementioned guidelines, the Associate Superintendent, School Operations, will identify schools that are eligible to receive students.

- c. provide transportation to a public school selected by the parent or guardian within the scholarship transfer zone if the student resides more than two miles from the selected public school .
- d. provide each eligible student with an opportunity to continue attending a public school chosen by the parent or guardian until the student graduates from high school.

C. APPLICATION PROCESS

1. The parent or guardian of an eligible student shall file intent to participate on www.floridaschoolchoice.org.
2. The parent or guardian shall complete the appropriate public school choice form at the Regional Center that serves the child's home school.
3. Regional Center staff will verify student eligibility and will approve the transfer to a designated eligible school to accommodate the transfer request if the Special Education (SPED) Program at the requested school is not over capacity, as determined by the district SPED Assistant Superintendent.
4. Regional Center staff will advise the parent or guardian that the transfer has been approved or denied.
5. If the requested school has been denied, Regional Center staff will then offer alternate schools that have the appropriate SPED program.

D. APPEAL PROCESS

1. The parent or guardian who does not accept the alternate school(s) offered may appeal as follows:
 - a. Appeal Level I to the Regional Center SPED Instructional Supervisor;
 - b. Appeal Level II to the Regional Superintendent, or designated regional director;
 - c. Appeal Level III to the Associate Superintendent, School Operations, or designee, who acts as the Superintendent of Schools' designee. The decision rendered at this level will be final and no further appeals will be permitted.

Specific Authority: 1001.41(1)(2); 1001.42 (23); 1001.43 (10), F.S.
Law Implemented, Interpreted, or Made Specific: 1002.38; 1002.39; Art. IX, § 1(a), Fla. Const.; 20 U.S.C. § 6316, et. seq. (The No Child Left Behind Act of 2002)

History: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA
New: 7-11-07