

## **SUMTER'S CONTROLLED OPEN ENROLLMENT PLAN (COE)**

Florida Parents/Guardians have many options regarding their child's school and program placement. Controlled Open Enrollment (COE) provides parents/guardians with the opportunity to apply to a school other than the one to which their child is assigned based on their residential address (also called zoned school). For Sumter County Schools, COE (Controlled Open Enrollment) is governed by School Board Policies 5120 & 5121.

### **Eligibility Requirements**

Starting with the 2017-18 school year, COE is available to all students who reside with their parent/guardian in Florida. A student's residence is the residence/domicile of his/her parent(s), legal guardian, or other such person as defined by any order issued by a court of competent jurisdiction. The residence is defined as the place in which a student physically lives, sleeps and functions full-time during the school year. If divorced parents have joint custody of a child, they must use one address as the legal residence for enrollment purposes. A student who has been expelled or suspended from public school is not eligible to participate in COE. Because pre-kindergarten (Pre-K) is not a mandatory program, COE options are not available to Pre-K students.

**All students granted an assignment under the Sumter County Schools COE Plan may continue to the highest grade level offered in their assigned Choice school until:**

- a) The student is enrolled in a program which requires a change of schools;
- b) The parent or guardian requests a change of assignment;
- c) The student is expelled or suspended;
- d) The student has attendance issues with excessive unexcused absences/tardies or with early checkout;
- e) The student leaves that public school to attend a private school, charter school, or home education program;
- f) The student moves out of the state of Florida; or
- g) It is determined that inaccurate, false, or misleading information resulted in an improper assignment or reassignment.

Pursuant to Federal and State statute, Choice assignments for student students with disabilities (Exceptional Student Education [ESE] and Section 504 students) are contingent upon the school of choice having the program and services specified on the student's Individual Education Plan (IEP) and Section 504 Accommodation Plan. If a student with an IEP or Section 504 Accommodation Plan is assigned to a school through COE, school administration may convene a team to ensure the IEP or 504 Accommodation Plan can be implemented. Class size is also a determining factor in accepting any student on a COE.

### **Application Process**

The district will work diligently to inform all parents/guardians about the annual Sumter COE application acceptance window. The district may announce a COE application period using newsletters, media announcements, district and school websites, etc. Parents interested in COE in other Florida districts are responsible for directly contacting those school districts to learn more about their policies, timelines and application procedures.

The following guidelines are used to conduct Sumter's Controlled Open Enrollment:

- a) The Superintendent may establish one or more COE application periods. Additional application windows may be established if needed.
- b) The specified COE application period and timeline will be announced each school year. The application period will open for a minimum of 30 days for in-county applicants and 15 days for out of county applicants. Choice assignments are awarded after the close of each application period and shall take effect for the next academic year.

- c) Schools with available space will be identified and included in the COE process, with a list of schools posted to the district website. The number of available seats may vary by individual school and grade level. Schools will be noted as having available capacity if the facility has not reached permanent program capacity. The district will incorporate specifications, plans, elements and commitments contained in the School District educational facilities plan and the long-term work programs required under F.S. 1013.35, as well as other planning considerations such as anticipated enrollment growth and pending boundary changes, into their capacity determinations.
- d) Parents/Guardians will be able to obtain a COE application at any district school or at the district office or by downloading it from the district website.
- e) The form must be completed in its entirety and submitted to the district office by the specified due date. Incomplete applications shall not be processed.
- f) To ensure equitable access for all parents living in Florida, an application shall not receive any advantage based on the date of its filing within the application window.
- g) Applications will be accepted for COE after the specified deadline, but will be placed on a wait list. In zone students will be placed prior to students on the wait list. The wait list will be cleared by the end of the 1<sup>st</sup> nine weeks, or parents/guardians who miss the application deadline may reapply for a school assignment through COE during the next COE application cycle.

### **COE Preferences (Preferential Treatment)**

F.S. 1002.31 requires districts to provide preferential treatment in their controlled open enrollment process for students meeting the following criteria. Documentation listed below must be submitted upon acceptance of a COE placement:

- a) Dependent children of active duty U.S. military personnel whose move resulted from military orders; the required documentation shall include official current orders and proof of dependency, such as a student's Military ID card.
- b) Children who have been relocated due to a foster care placement in a different school zone; the required documentation shall include a Court Order or other legal evidence of the placement.
- c) Children who move due to a court-ordered change in custody resulting from separation or divorce, or the serious illness or death of a custodial parent; the required documentation shall include a Court Order or other evidence of the serious illness or death of a custodial parent.
- d) Students residing in Sumter County will receive preference for the following reasons:
  - 1. Siblings of students already attending and who will continue to attend the requested school the following year, or
  - 2. Siblings applying together (co-applicants) to attend the same school.

Students residing in Sumter County School district shall not be displaced by a student from another district seeking enrollment under COE. Once all Sumter County residents are assigned seats, the above preference order will be applied to students who live outside Sumter County.

### **Random Lottery**

A random lottery will be used in situations where there are more requests than available seats. All completed Choice applications submitted by the specified deadline shall be processed and eligible for the random lottery and school assignment. COE assignments will be awarded based upon seat availability in each school and grade level and providing preferences as noted above.

- a) Seats that are available for COE at a particular school are first awarded in random order by lottery to applications from Sumter County residents with a verified preference in the following order, followed by those from outside of Sumter County.
  - 1. Dependent children of active duty U.S. military personnel whose move resulted from military orders;
  - 2. Children who have been relocated due to a foster care placement in a different school zone;
  - 3. Children who move due to a court-ordered change in custody resulting from separation or

- divorce, or the serious illness or death of a custodial parent;
4. Siblings of students already attending and who will continue to attend the requested school the following year;
  5. Siblings applying together (co-applicants) to attend the same school;
    - i. For COE purposes, siblings are defined as a brother, sister, half-brother, half-sister, step brother, or step sister. Sibling preference will be given to children whose sibling is already assigned to the school and who will be attending during the year for which the application is made. Siblings must reside at the same address in order to qualify for this sibling preference. Siblings who receive preference in the random lottery are not guaranteed a Choice placement at a school determined to be over-capacity.
  - b) Choice assignments shall be made in random order by lottery until all students are assigned or until no seats remain at the school and available grade levels.
  - c) If a student cannot be accommodated at the Choice school, the student shall be assigned to his/her zoned school and will automatically will be placed into an eligibility pool (waiting list) for possible transfer to the Choice school at a later date.
  - d) Waiting lists shall be maintained in order and kept active through the end of the first (1st) nine weeks of a school year.
  - e) Parents/guardians shall be responsible for providing their students with transportation to and from the Choice school. Transportation will not be provided by the school district.

#### **Parent Notification and Acceptance of COE Assignment**

- a) Parents/Guardians and students will be notified by mail through the U.S. Postal Service of the action on the application. If a Choice assignment is awarded, parents will be given sufficient time to accept their assignment in accordance with this process.
- b) Parents/Guardians must acknowledge their acceptance of the COE assignment no later than the date specified in the Choice Acceptance Letter. The student must begin attending classes at the assigned school by no later than the third day of school.
- c) If the student fails to begin attending classes at the assigned school by the third day of the new school year, he or she will forfeit the Choice assignment and the student will remain at his/her zoned school. All forfeited Choice seats will be filled by the next student on the waiting list.
- d) At the beginning of the school year, schools will remove from their rosters any students assigned to their school through COE who have not registered or attended class. These vacancies will be filled by students on the waiting list in accordance with factors described in this document. Students on the waiting list who decline an available seat shall be removed from the waiting list and the seat shall be offered to the next student on the waiting list. This process will continue until all students are assigned or until no seats remain. All waiting lists shall be cleared by the last school day of the first (1<sup>st</sup>) nine weeks.
- e) Each student may receive only one Choice assignment for a particular school year during the specified COE application period. Students may change schools based on a change of residence or participation in an alternative/special program requiring a change. A student seeking to return to his/her districted school from a Choice school may do so at a logical point in the school year such as at the end of a grading period or semester in order to minimize a negative impact on academic achievement and provide a smooth transition.
- f) Upon request, parents shall be required to submit documentation demonstrating eligibility for one of the COE preferences.

## Student Enrollment

- a) After receiving notification of a Choice assignment through COE, parents/guardians must register the student at the school and provide records and documents required for registration.
- b) Sumter County residents may be required to provide evidence of residency by mailing or hand-delivering one or more of the following pieces of documentation upon request:
  - 1. An electric or water bill in the name of the parent/guardian and showing the service address as the residence where student is living;
  - 2. Current lease agreement with parent/guardian name; or
  - 3. Official letter from a company providing housing to a parent/guardian.
- c) Students on a Choice assignment who complete the highest grade level at that Choice school must apply through COE in order to enroll in the next school level (i.e., elementary to middle or middle to high). Student continuation through the Choice school's feeder pattern is not guaranteed through the initial school placement.
- d) The district shall not discriminate against any student requesting a Choice school assignment through COE, pursuant to Board Policy 2260 & 2260.01 – Policy Against Discrimination – Students.
- e) Schools that enroll students through COE will comply with maximum class size pursuant to F.S. 1003.03.
- f) Students who receive a school assignment through the district's COE process shall be reported for funding pursuant to the Florida Education Finance Program (FEFP).
- g) The COE Plan is not intended to assign students to Educational Choice Options such as charter schools, virtual instruction programs (VIP), home school or statutory transfer programs for students with a disability such as the John McKay Scholarship, Opportunity Scholarship or the Gardiner Scholarship. Students who desire to access one of these Choice options must meet specific eligibility criteria. To determine a student's eligibility, parents/guardians seeking to have their students enroll in a charter school should directly contact the school. Parents/guardians interested in home school may contact the Office of Student Services at (352) 793-2315, ext. 20211. Parents/guardians interested in a virtual program may call Ellen Coomer at (352)793-2315 ext 50312. Parents/guardians who desire to learn more about the transfer scholarship programs and determine their student's eligibility should visit the Florida Department of Education website at <http://www.fldoe.org/schools/school-choice> or call 1-800-447-1636.

## Transportation

- a) Transportation **will not** be provided to students receiving school assignments through COE. Parents who accept COE placement will be responsible for transporting their child to and from the Choice school.
- b) Transportation will continue to be provided to students assigned by the district to special programs and others in accordance with transportation service standards, Florida Statutes, and district policies set by the School Board.

## **Appeals Process**

Those not granted a school assignment under COE have the right to an appeal. Grounds for an appeal include:

a) COE Process Appeal:

A parent/guardian who feels they were denied a COE placement because the COE process was unfairly implemented may appeal the result by following these procedures:

1. A written request for an appeal must be submitted to the District Office within five (5) business days from receipt of the denial notification.
2. The written request must specify the reasons and include details on the contested component of the COE process.
3. District staff will conduct a comprehensive review of the contested portion of the COE process noted in the letter and respond to the parent/guardian in a timely manner. Depending on the nature of the appeal, the district may need additional time to respond, but will make every effort to respond within thirty (30) days of receipt of the letter.

b) Hardship Appeal:

The hardship appeal process is available to students with special circumstances warranting attendance at a non-zoned school. The parent must submit a written explanation of the hardship along with a completed Student Reassignment Application form no later than June 1<sup>st</sup>. Requests are granted/not granted by a committee which may consist of the Director of Student Services, Senior Director of Curriculum and content/program area administrators. The Superintendent and individual School Board members shall not be involved in student assignment decisions. Until the process is complete, the district staff may discuss the likelihood of a hardship assignment with parents or students.

## **Falsification of Information**

Fair and equitable implementation of student assignments through COE depends on complete and honest compliance with process guidelines. Providing false or misleading information on COE applications and/or required supporting documentation with the intent to circumvent established procedures or to unfairly gain advantage over other applicants is considered a serious offense. F.S. states that whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his/her official duty shall be guilty of a misdemeanor of the second degree, punishable as provided by state statute.

If false or misleading information has resulted in an improper COE assignment, the student may be withdrawn from the assigned COE school and transferred (without regard to parental preference) to their zoned school. Such involuntary transfer shall not preclude any other remedy provided by law and School Board policy. Refusal to attend the assigned school shall constitute violation of the compulsory school attendance law.

The parent or legal guardian of the student, or the student if of legal age, shall be responsible for any consequences affecting the eligibility of the student for participation in extracurricular activities pursuant to rules of the Florida High School Athletics Association (FHSAA). The rules of the FHSAA shall prevail in any event.

## **Athletic Eligibility**

Eligible students who receive a school assignment under COE may participate in the school's athletics and extracurricular activities. The school district will not delay eligibility or otherwise prevent a student participating in COE or any other Choice program such as attending a charter school, virtual school or home school from being immediately eligible to participate in inters/intra scholastic extracurricular activities. Students who participate in athletics shall meet eligibility requirements established by Florida High School Athletic Association, Inc. (FHSAA) and School Board Policy 5610.05 & 2431.

A student assigned to a school under COE shall 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:

- a) Dependent children of active duty military personnel whose move resulted from military orders;
- b) Children who have been relocated due to a foster care placement in a different school zone;
- c) 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; or
- d) Authorized for good cause in district School Board policy and FHSAA guidelines and procedures.

Any student-athlete enrolling in a Sumter District school during an ongoing athletic season, may be deemed eligible for participation in the same sport if the reason for transfer is deemed to qualify as good cause. The parent/guardian of the student in question will be required to provide rationale for the timing of the transfer that is approved as "good cause" by the school principal and district administrator. Good cause rationale should clearly indicate that immediate transfer is in the student's academic best interest. A student may submit an appeal in accordance with District policy, Florida law and the FHSAA's bylaws.

Student-athletes are immediately eligible (as long as they meet all other eligibility standards – including, but not limited to age, limit of eligibility, pre-participation physical exam, GPA, and consent and liability release) at the school in which he or she first attends each school year; the school in which the student makes himself or herself a candidate for an athletic team by engaging in practice or tryouts before enrolling; or the school to which the student has transferred in accordance with s. 1006.20 (2) (a).

If the transfer occurs during the school year, the student may seek to immediately join an existing team if:

A roster spot is available

- The student has the requisite skill and ability to participate in the sport according to the coach of the team
- The student has not participated in the same sport at another school during the same school year – unless the student meets one of the following exceptions:
  - Dependent child of active duty military personnel whose move resulted from military orders
  - Relocation due to a foster care placement in a different school zone
  - Move due to court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent
  - Authorized for good cause in the district or charter school policy

### **Charter Schools**

A charter school is responsible for the development, implementation and annual publishing of a Controlled Open Enrollment Plan. Charter schools' Controlled Open Enrollment Plan shall be consistent with the enrollment preferences permitted under charter school statute F.S. 1002.33(10) & (15), and consistent with the charter contract between the School Board of Sumter County and a charter school's governing board. A parent/guardian interested in enrolling their student in a particular charter school should contact that school directly.