

CHAPTER 5.00 – STUDENTS

Parental Enrollment and Educational Decision-Making

5.09

1. Introduction. Parents are encouraged to collaboratively make school enrollment and other educational decisions in the best interest of their child. However, disagreements between parents can occur as to matters such as what school the child should attend, who should be allowed to pick the child up from school, whether their child should be evaluated for special education services, whether the child should be placed in a special education class, and whether permission should be granted for the child to participate in extracurricular activities. This rule sets out the procedures and guidelines for schools to follow in case of parental disagreement unless there is a specific, valid court order addressing the issue.
2. Student Enrollment and Pick-Up. The following school enrollment and pick-up procedures will be followed in the absence of a valid, specific court order to the contrary:
 - a. The enrolling parent must reside in the attendance zone for the school in which the child is being enrolled or the child must be otherwise eligible to attend that school via open enrollment or other school choice program. By enrolling the child in school, the enrolling parent shall be deemed to certify that he or she has authority to enroll the child in that school, either with the consent of the other parent or under an applicable court order.
 - b. For safety reasons, bus transportation will only be to and from the residence address of the enrolling parent.
 - c. The emergency contact card and Alert Now information will be completed by the enrolling parent. The emergency contacts listed may pick up the student any day of the week.
 - d. Except as provided in subparagraph e. below, absent the enrolling parent's consent, changes in regard to enrollment, emergency contacts or persons authorized to pick up a student can only be made by or with the written consent of the enrolling parent.
 - e. For grades K-8, a student must not be allowed to leave school with anyone who is not listed on the emergency contact card unless the enrolling parent consents and makes arrangements with the school in advance. Such arrangements may be made by telephone or email. In an emergency, if the enrolling parent is not available to give instructions, then the non-enrolling parent may authorize someone who is not listed as an emergency contact to pick up the student on that occasion. In high school, if a student wishes to leave school at the end of the day with someone who is not listed on the emergency contact card, the school will not interfere with the student's choice.

CHAPTER 5.00 – STUDENTS

- f. If the non-enrolling parent disagrees with any of the foregoing terms and conditions of enrollment and student pick-up, he or she must furnish the principal with a valid, specific court order imposing different terms and conditions. The principal, in the exercise of his or her judgment and discretion, may deviate from these procedures and guidelines if he or she is satisfied that the order requires them.
3. Exceptions. The provisions of this policy as it relates to student pick-up do not apply to law enforcement officers, court officials, Children and Family Services or Emergency Medical Services personnel provided that the person's identity and authority are clearly established. Further, it shall not apply to school employees in the performance of their professional responsibilities provided a reasonable attempt is made to notify the parent or guardian beforehand.
4. General Decision-Making Authority. In the event the parents cannot agree on an educational decision or a matter such as course selection, special education services, or extracurricular activities, the school will defer to the enrolling parent, unless the principal is furnished with a valid, specific, court order to the contrary. The principal in the exercise of his or her judgment and discretion may take such action as may be required by the order. This includes educational decisions, including special education services, and extracurricular activities.
5. Records. The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. 1232g; 34 CFR Part 99) is a federal law that provides access to and protects the privacy of student education records. Florida's student privacy and parental and adult student rights statutes are at Florida Statutes 1002.22, 1002.221, and 1002.222. Under those statutes, parents are entitled to access to their child's student records unless a court order provides otherwise. If the person requesting records is not designated on the enrollment form, and is claiming to be the natural parent, the school will comply with the following procedures:
 - a. If the person is physically present, the school will request a photo identification, compare the name on the identification with the name on the birth certificate, if available, and confirm with the enrolling parent.
 - b. If the person is not physically present, the school will establish identity by requiring an affidavit with a photo identification and confirm with the enrolling parent.
 - c. No records will be released unless the principal or designee is satisfied the person is a parent. The school has a reasonable time of up to thirty (30) days to produce the records.
6. Delegation of Authority. The Superintendent is authorized to provide guidance as necessary to interpret and implement this rule.

CHAPTER 5.00 – STUDENTS

STATUTORY AUTHORITY:

1001.41; 1001.42, F.S.

LAWS IMPLEMENTED:

1001.43; 1006.07, F.S.

HISTORY:

**Adopted:
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