

RESOLUTION NO. ²⁰¹⁰⁻1978

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, REQUESTING THAT MIAMI-DADE COUNTY PUBLIC SCHOOLS (MDCPS) ENFORCE THE RESIDENCY REQUIREMENTS FOR STUDENTS ENROLLED AT THE RUTH K. BROAD BAY HARBOR K-8 CENTER AND OFFERING TOWN ASSISTANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, unless a student meets the general regulations pertaining to all transfers pursuant to School Board Rule 5A-1.08 and 5A-1.082 (Student Transfers) of the Miami-Dade County Public Schools (hereinafter "MDCPS"), all public school students are assigned to and required to attend the appropriate school situated in and serving the area where the student resides; and

WHEREAS, it is generally known but not verified that numerous out of area students are assuming the limited capacity of (and may be overextending the maximum class size in violation of Section 1003.03, Florida Statutes) at the Ruth K. Broad K-8 Center where all public school students residing in the Town of Surfside attend; and

WHEREAS, pursuant to Section 1008.32, Florida Statutes (State Board of Education oversight enforcement authority) and accompanying MDCPS Rules effectuating, among other things, the requirements of State law, District Boards are required to ensure compliance with the attendance rules and request and receive information verifying that each student meets the required residency requirements prior to enrollment in each academic year; and

WHEREAS, the Town of Surfside recognizes with budget cuts and reduced staffing, MDCPS may be unable to verify and otherwise ensure that residency

requirements are being met and wishes to offer MDCPS assistance in this regard and recommend a process of verification along with a volunteer effort to assist in this process.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. That each of the above stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Request to MDCPS and Suggestion of Process for Residency Verification. The Surfside Town Commission approves this resolution requesting the MDCPS enforce residency requirements of both the MDCPS Rules and the Florida Statutes at the Ruth K. Broad Bay Harbor K-8 Center (sometimes referred to as the "School") and recommends the following cost-effective process be undertaken:

- a. MDCPS should mail a letter specifying the residency requirements to all prospective Ruth K. Broad Bay Harbor K-8 Center students prior to enrolling each academic year with a return address of the School so that the student alleging residing at the address associated with undeliverable mail can be further investigated.
- b. The School, in addition to requiring two proofs of current address, should also impose a requirement of an affidavit executed by the student's parent(s) affirming that the student lives at the listed address within the school's attendance boundaries.

- c. The Town will identify volunteers or other resources to assist in this mailing and any other aspect of the process the identifies as requiring volunteer assistance.

Section 3. Expression of Concern and Authorization. The Town Commission hereby expresses its concern regarding the numerous out of area students who may be overextending the maximum class size in violation of Section 1003.03, Florida Statutes at the Ruth K. Broad K-8 Center where all public school students residing in the Town of Surfside attend, and per this Resolution requests the MDCPS enforce residency requirements to ensure compliance with MDCPS attendance rules for the Ruth K. Broad K-8 Center. The Town Manager is hereby authorized and directed to communicate this Commission's request to MDCPS.

Section 4. Direction to the Town Clerk. The Town Clerk is hereby directed to send a certified copy of this resolution to the MDCPS, the municipal clerks of the surrounding communities of Bay Harbor Islands, Bal Harbour, Miami Beach, North Bay Village, Aventura, Miami, North Miami Beach and North Miami and the Principal of Ruth K Broad K-8 Center.

Section 5. Effective Date. This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 9th day of November, 2010.

Motion by Commissioner Heupart, second by Commissioner Olehyk.

FINAL VOTE ON ADOPTION


Commissioner Michael Karukin
Commissioner Edward Kopelman
Commissioner Marta Olchyk
Vice Mayor Joseph Graubart
Mayor Daniel Dietch

Yes
Absent
Yes
Yes
Yes



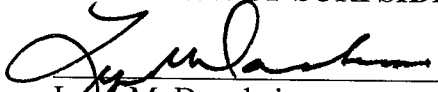
Daniel Dietch, Mayor

ATTEST:



Debra E. Eastman, MMC
Town Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR
THE TOWN OF SURFSIDE ONLY:**



Lynn M. Dannheisser
Town Attorney