

Intra-District Choice/Open Enrollment

The Board of Education endorses the neighborhood school concept and makes many decisions based on student population within the attendance areas of residence. The Board recognizes, however, that resident students may wish to attend a school or participate in a program located in an area other than that of their assigned school. Therefore, students will be allowed to attend any school or participate in any program of their choice on a space available, first-come, first-served basis.

In implementing the open enrollment program, the district is not required to:

1. Make alterations in the structure of a requested school or make alterations to the arrangement or function of rooms within a requested school.
2. Establish and offer any particular program in a school if such program is not offered currently in such school.
3. Alter or waive any established eligibility criteria for participation in a particular program including age requirements, course prerequisites and required levels of performance.

Notwithstanding the provisions of this policy, a student may be assigned outside the attendance area by mutual agreement of the principals in the special interest of the student and/or school.

Open enrollment and transfers

Resident students and their parents/guardians shall be notified on an annual basis of the options available through open enrollment in sufficient time to apply.

Students, including home-schooled students desiring to take classes on a part-time basis, within designated attendance areas will have priority in registering in that school. Students may apply for open enrollment in a school outside their attendance area and will be admitted if there is space available in the requested school and the application has been submitted on or before August 1 in accordance with the regulations accompanying this policy.

Parents and/or students who desire a change of school after October 1 must submit a letter together with the required form requesting a transfer. The request will be reviewed and acted upon in accordance with the regulations accompanying this policy.

Open enrollment and transfer students attending a school outside their attendance area will be granted enrollment on a year-to-year basis.

Students granted permission to enroll in a school other than the school in their assigned attendance area will have the same curricular and extracurricular status

as all other students attending the school, as determined by applicable law, bylaws of the Colorado High School Activities Association, and the district's eligibility requirements.

Any student enrolled pursuant to this policy will be allowed to remain enrolled in the school or program through the end of the school year unless overcrowding or other undesirable conditions develop, as described in the accompanying regulation.

Transportation

Transportation for students granted permission to attend school outside their attendance area must be furnished by their parents unless space is available in district buses without disruption of regular routes and loading areas. Homeless students, students in foster care, and students with disabilities will be transported, as necessary, in accordance with state and federal law.

Military children

The district will allow an inbound active duty military member to use the school liaison office address for the military installation to which the inbound active duty military member is or will be assigned in order to apply for open enrollment in a district school or program. No additional documentation of an inbound active duty military member's child's state address will be required to apply for open enrollment.

The district school or program in which the child of an inbound active duty military member is open enrolled with grant guaranteed automatic matriculation while the child remains in the district, including guaranteed automatic matriculation to the next grade, even if the next grade is in a different school level or building, in the same manner guaranteed automatic matriculation is proved to resident students. The district will also grant priority preference for the younger siblings of the child of an inbound active duty military member who is open enrolled for put poses of enrolling in subsequent school years.

Nondiscrimination

The Board, the superintendent, other administrators and district employees will not unlawfully discriminate based on student's disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, ancestry, or need for special education services in the determination or recommendation of action under this policy.

Special education students

The district shall not inquire about an applicant's IEP or disability status until after the applicant has been admitted. Thereafter, the district shall consider the request for open

enrollment or transfer to another school or program in accordance with applicable state and federal laws.

Adopted 2008

Revised: August 2020

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LEGAL REFS.: C.R.S. 22-1-102 (*definition of district resident*)
 C.R.S. 22-32-109 (1)(II) (*Board duty to adopt policies requiring enrollment decisions to be made in a nondiscriminatory manner*)
 C.R.S. 22-32-110 (1)(m) (*power to fix boundaries*)
 C.R.S. 22-36-101 *et seq.* (*open enrollment*)
 C.R.S. 22-36-107 (*inbound active duty military families open enrollment and registration*)
 1 CCR 301-8, Rules 4.03 and 8.07 (*prohibiting administrative units from inquiring about a transferring child's IEP or disability status until after the child has been admitted*)

CROSS REFS.: EEA, Student Transportation
 IHBG, Home Schooling
 JC, School Attendance Areas
 JFABD, Homeless Students
 JFABE*, Students in Foster Care
 JFBB, Inter-District Choice/Open Enrollment

NOTE 1: School districts are encouraged to give enrollment priority to students with a proficiency rating of unsatisfactory in one or more academic areas who attend a school required to implement a turnaround plan pursuant to C.R.S. 22-11-406 or that is subject to restructuring pursuant to C.R.S. 22-11-210. See 22-36-101 (2)(a).

NOTE 2: When a child applies for admission or a transfer through public school choice options, the AU may no longer inquire about the transferring child's IEP or disability status until after the child has been admitted, unless the transfer is part of a centralized districtwide admissions process. If the transfer is part of a centralized districtwide admission process, the AU must ensure that it does not use the information collected until after admission has been completed. An AU that uses such a process must also inform the public that a child's IEP or disability status will not be used as part of the admission process to the school of choice.

The AU continues to be responsible for ensuring that all children within their jurisdiction who are eligible for special education and related services receive a free and appropriate public education (FAPE). If a child's enrollment in their school of choice would constitute a significant change of placement, then the receiving school must, upon consideration of a reevaluation, convene an IEP team to determine whether the receiving school or program is an appropriate educational placement for the student. If the IEP team determines that the child's IEP cannot be appropriately implemented at the school of choice, the AU may assign the child to another campus or building where the child's IEP can be implemented as developed by the IEP team. If the AU assigns the child to another building, it must provide parents with meaningful participation in such decision and consider the impact of the location on the child's total educational program.

If the IEP team determines that the parents' school of choice is not an appropriate educational placement, it must include a specific explanation of its determination in either the IEP or a separate prior written notice that meets the requirements of 34 C.F.R. § 300.503. See CDE's ECEA Rule Changes Fact Sheet & FAQ.