

SCHOOL CHOICE - OPEN ENROLLMENT AND TRANSFERS

The Board recognizes that students may benefit from having a choice of schools to attend within the public school system that is not limited by school District boundaries. Students within a designated attendance area (see Policy JC) shall have priority in registering in their attendance area school. Students may apply for open enrollment in a school outside their attendance area and such applications shall be approved, if there is space available and none of the reasons for denying admission apply.

Students from other school districts within the state who are accepted pursuant to this policy as approved by the Board may enroll in programs or schools within this District on a space available basis without payment of tuition, except as otherwise provided by law.

Transportation for students granted permission to attend a school outside their designated attendance area (see Policy JC) will not be furnished by the District; unless it is determined that transportation is necessary for the District to comply with state and federal law.

District students and their parents/guardians shall be notified on an annual basis of the timelines and options available through the open enrollment choice application process not later than 30 days before the start of the open enrollment window.

Students may apply to attend a school outside their designated attendance area to be effective during the following school year. Such application shall be approved if the application has been properly submitted during the open enrollment window and/or post-window period (see Regulation JFBA/JFBB-R) and there is no other reason listed in this policy or the accompanying regulation to deny the open enrollment choice application. For purposes of this policy, the student population will not exceed the student capacity of the school as defined by the District's building capacity model (see Policy JC) unless otherwise approved by the Superintendent or his/her designee.

Approved applications for choice/open enrollment will be valid up to the duration of the academic level (elementary, middle, high). Students must re-apply for choice/open enrollment to attend a school other than their designated attendance area school at the next academic level. The Board authorizes the Superintendent to rescind and/or amend any choice/open enrollments, or transfers in accordance with this policy and accompanying regulation and the open enrollment choice application priorities and conditions designated below if overcrowding of facilities or other limiting conditions develop.

Definitions

Open Enrollment: - The process for in-District and out-of-District parents/guardians to apply for enrollment of their students in a school that is outside their designated attendance area for the next school year. (C.R.S. 22-36-101)

Transfer - The process for parents/guardians to request a change of schools during the current school year because of special or unusual circumstances. The transfer will apply for the remainder of the current school year only.

Open Enrollment Choice Applications

Open enrollment choice applications cannot be denied based on a student's academic performance, disciplinary history (excluding expulsion as indicated below) or attendance history.

In implementing the open enrollment program, the District is not required to **(C.R.S.22-36-101(2)(b))**:

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

Open Enrollment/Choice applications may be denied only if (C.R.S. 22-36-101(3)):

- ✓ There is a lack of space or teaching staff within a particular program or school requested, in which case, priority shall be given to resident students applying for admission to such program or school.
- ✓ The school requested does not offer appropriate programs or is not structured or equipped with the necessary facilities to meet special needs of the pupil or does not offer a particular program requested.
- ✓ The pupil does not meet the established eligibility criteria for participation in a particular program, including age requirements, course prerequisites, and required levels of performance.
- ✓ The student is currently expelled or has been expelled in the preceding 12 months prior to the start of the school year for which the open enrollment applies.
- ✓ The student has been expelled, or is in the process of being expelled, as a habitually disruptive student pursuant to C.R.S. 22-33-106(1)(c.5) or for a serious violation in a school building or on school property that is grounds for expulsion pursuant to C.R.S. 22-33-106 (1)(d).

Priority for Granting or Rescinding Open Enrollment Choice Applications

Priority 1. All residents of the school's designated attendance area, and overflow students placed in the school in accordance with Policy JC, School Attendance Areas, <http://d11.org/BOE/Policies/SectionJ/JC.pdf>, shall be able to register in that school prior to enrolling open enrollment students.

A student grandfathered as a result of Board of Education action shall be treated as an “attendance area student”. The student must register at the desired school during the open enrollment choice application window.

Students who have continuously attended a school but have relocated out of the school’s attendance area, shall have the option to continue enrollment through the school’s education level, but the student must apply through the choice enrollment process to attend the school for subsequent years.

Priority 2. For one year immediately following the closure of their school, in-District students assigned to a new attendance area as a result of the closure of their school who submit a choice application to a District 11 school other than their newly assigned attendance area school.

Priority 3. For one year immediately following the closure of their school, out-of-District students assigned to a new attendance area as a result of the closure of their school who submit a choice application to a District 11 school other than their newly assigned attendance area school.

Priority 4. The students of District employees.

Priority 5. Siblings of students already attending under an approved open enrollment choice application.

Priority 6. Other new in-District open enrollment choice application requests.

Priority 7. Other new out-of-District open enrollment choice application requests.

Within the same category and subject to the priority rules identified in this section, priority will be established on a first come, first serve basis.

Once accepted into an elective special program (IB, SAIL and others as identified by administration), out-of-designated-attendance-area students will automatically be granted an approved open enrollment choice application for the period of time the student is participating in the program. If the student exits the program, the student may remain at the school for the remainder of the current school year. The student must apply, through the choice enrollment process to attend the school for subsequent years.

The District will adopt reasonable procedures for handling of students in special District programs (e.g. centralized special education, Federal No Child Left Behind (NCLB) Choice Program for Students In Title 1 Schools On "Improvement" Status), including treating such students as a special priority category, treating such students as attendance area students, or reducing enrollment caps to take into account such students.

Unless otherwise mandated by statute, transportation for approved open enrollment application students to attend school outside their designated attendance area must be furnished by their parent/guardian.

Employee Choice/Open Enrollment

If a student's parent or legal guardian is an employee of the District, the student may attend a District school regardless of his or her legal address with the completion of the choice open enrollment process in accordance with this policy.

Transfers

Students, who wish to change schools because of special or unusual circumstances, may apply for a transfer. When a parent or guardian feels that a transfer to another school is in the best interest of the student, he or she must submit a written request, stating the reasons to the principal of the school in which the student is currently enrolled, and the principal of the requested school. The approval of a transfer does not guarantee enrollment for the following school year.

- ✓ Transfer requests may be approved for the remainder of the school year only.
- ✓ The parent/guardian may apply for open enrollment for the following year by completing the open enrollment process.
- ✓ Parent/Guardian may not request more than one transfer in a school year for the same student.

Special Education Students and Students with a 504 Plan

Requests for open enrollment or transfer to another school or program from the parent/guardian of special education students and students with a 504 plan shall be considered in accordance with applicable state and federal laws. A student's current Individual Education Plan (IEP) or 504 plan shall be used to determine if the requested school or program has the resources to meet the student's needs. Transportation will not be provided as a related service when attending a school of choice.

Athletics

Athletic/activities eligibility of students who are granted open enrollment or transfers at the high school level will be determined in accordance with the rules and regulations of the District, Colorado High School Activities Association, and state law.

Administrative Placement

Notwithstanding the provisions of this policy, a student may be assigned outside his/her attendance area by mutual agreement of the principals or by an administrative placement by the Special Education Department, Attendance and Discipline Office, or Superintendent (or his/her designee) in consultation with principals in the special interest of the student and/or school. These incidents include, but are not limited to, disciplinary or administrative placement, a placement to finish the school year, or placement in a special program.

Appeals

Should a request for open enrollment or a transfer be denied, the parent/guardian will be notified that they may appeal the denial by contacting the Superintendent or his/her designee.

Accountability

The Superintendent will ensure development of regulations for efficient, effective administrative execution of this policy. The Superintendent or designee shall monitor the implementation of this policy and regulations and take corrective action if needed.

- Adopted: November 30, 1994
- Revised: October 1996
- Revised: September 2003
- Revised: February 10, 2010
- Revised: February 13, 2013

LEGAL REFS.: C.R.S. 22-1-102 (*definition of District resident*)
 C.R.S. 22-32-110 (1)(m) (*power to fix boundaries*)
 C.R.S. 22-32-116 (*if student becomes non-resident*)
 C.R.S. 22-36-101 *et seq.* (*open enrollment*)

CROSS REFS.: IIB, Class Size
 JC, School Attendance Areas
 JFBA/JFBB-R, School Choice-Open Enrollment and Transfers Regulation
 JJIB, Interscholastic Sports
 CHSAA By-laws and Handbook