

## **Intra-District Choice/Open Enrollment/Transfer**

### **1. Attendance areas**

Students will attend the district school determined by their residence unless a request to attend another school or program is approved. No student will be enrolled in a school or program outside the attendance area without prior approval in accordance with these regulations.

The principal of each school will be responsible for checking student enrollment records to determine that each student is a legal residence of that school's attendance area or has an approved authorization for open enrollment/transfer.

Students must register in the school serving their attendance area unless a request for open enrollment/transfer is granted. Registration in the requested school will not be permitted until the student has received written approval for open enrollment/transfer.

### **2. Open enrollment/Transfer**

Requests for open enrollment/transfer must be initiated by the parents/guardians by filing the approved form with the principal of the school which the student wishes to attend (receiving school). The receiving school principal will notify the principal of the school in the student's attendance area of the disposition of the request. The Superintendent shall also receive copies of related paperwork.

Forms will be available in every school building and in the District office. The principal will explain to the parents/guardians the procedures used to process open enrollment requests.

The receiving school principal will make the decision as to whether an open enrollment/transfer application is accepted or rejected based on criteria established in state law and Administrative policy. When a parent seeks to exercise the No Child Left Behind Act (NCLB) choice option, this decision shall be made in consultation with the Directors of Elementary or Secondary Education. The receiving school principal will be responsible for notifying the parents/guardians and students of approval or disapproval of an open enrollment/transfer request no later than May 1.

Reasons used by the principal to accept or reject open enrollment/transfer requests shall be limited to any of the following:

- a. There is a lack of space or teaching staff within a particular program or school requested.
- b. The school requested does not offer appropriate programs or is not structured or equipped with the necessary facilities to meet special needs of the student or does not offer a particular program requested.

- c. The student does not meet the established eligibility criteria for participation in a particular program including age requirements, course prerequisites and required levels of performance.
- d. A desegregation plan is in effect for the school district, and such denial is necessary in order to enable compliance with the desegregation plan.

Upon enrollment at a school outside the attendance area, the student should plan to remain in that school. Once a student is accepted under the open enrollment/transfer plan, every effort will be made to permit the student to complete the highest grade in that building subject to the right of residents of the attendance area and students exercising the NCLB choice option.

Students who wish to return to their home school or to open enroll/transfer in a different school must submit an open enrollment/transfer request in accordance with these regulations.

Each principal will maintain a file of all open enrollment/transfer requests to that building. A copy will be forwarded to the central office for district-wide data collection purposes.

Those students who apply for open enrollment/transfer and cannot be accepted at the time of application will be placed on a waiting list in the order in which the applications are received and will be considered for approval at a later date if space becomes available. The waiting list will be maintained until October 1 of each year, after which a new waiting list will be developed for the next 12 months.

### **3. Variances**

The variance process is available to allow flexibility in choice of school when the open enrollment/transfer deadline has passed and/or circumstances necessitate a change in school just prior to or during a school year. All requests for attendance at a school outside a student's attendance area will be processed as variances once the open enrollment/transfer deadline has passed.

Requests for variance must be initiated by the parents/guardians by filing the approved form with the principal of the school which the student wishes to attend (receiving school). The receiving school principal will notify the principal of the school in the student's attendance area of the disposition of the request.

Forms will be available in every school building and in the central administrative office. The principal will explain to the parent/guardian the procedures used to process variance requests.

The receiving school principal will make the decision as to whether a variance application is accepted or rejected based on the same criteria established in state law and Board policy as used to consider open enrollment/transfer requests. It may be appropriate under some circumstances to conditionally approve a transfer request. The receiving school principal

will be responsible for notifying the parents and students of approval or disapproval of a variance request as soon as possible.

Permission, when granted, will be for one academic year or the remainder of the year if the variance occurs after the beginning of any school year. Renewal of variances is not automatic.

Students who wish to return to their home school may do so but need to reenroll in that school. Students who wish to remain at their new school must apply for the open enrollment/transfer in accordance with these regulations.

Each principal will maintain a file of all variance requests to or from his building. A copy will be forwarded to the central office for district-wide data collection purposes.

**4. Criteria to determine availability of space or teaching staff**

Open enrollment/transfers and variances within the district will be approved subject to space availability in the school requested contingent upon district class size guidelines and subject availability as determined by the receiving principal taking enrollment projections into consideration. Students whose open enrollment/transfer or variance requests have been approved will be assigned to classrooms on the basis of available staff and support services as well as the best use of classroom space. Mobile units will not be taken into consideration when determining availability of classroom space.

Requests for enrollment in particular programs will take into consideration the applicant's qualifications for the program.

An open enrollment/transfer or variance granted to one child in a family will not necessarily support the open enrollment/transfer or variance of another child in the family.

**5. Continuing enrollment criteria**

Any student enrolled pursuant to this policy shall be allowed to remain enrolled in the school or program through the end of the school year unless:

- a. the student is expelled from the school or program
- b. the student's continued participation in the school or program requires the district to make alterations in the structure of the school or to the arrangement or function of rooms
- c. there is a lack of space or teaching staff
- d. the school does not offer appropriate programs or is not equipped to meet the special needs of the student
- e. the school does not offer a program requested by the student

- f. the student does not meet established eligibility criteria
- g. a desegregation plan is in effect and denial of continued enrollment is necessary to comply with the plan

Students whose place of residence changes within the school district during the school year must complete variance forms for record-keeping purposes. Students will be required to attend the school of their new attendance area the following year unless application is made for open enrollment/transfer.

**6. Athletics**

Eligibility for participation in interscholastic athletics will be determined in accordance with the rules of the Colorado High School Activities Association.

Any student who enrolls in a school outside of the attendance area by falsifying the address forfeits eligibility to participate in athletic activities.

**7. Appeal procedure**

Should a request for open enrollment/transfer or variance be denied, the parent/guardian will be advised by the principal that they may appeal the denial by contacting the Director of Elementary or Secondary Education.

The principal shall immediately submit the reason for denial of the request, and the parent/guardian's request, to the administrator considering the appeal. The administrator will review the parent/guardian request and the principal's decision and then make a determination of a school assignment.

Upon request of either the principal or the parent/guardian, the superintendent will review the decision of the administrator. Upon request, the Board of Education will review the decision of the superintendent.