

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

The District 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 shall be allowed to attend any school or participate in any program of their choice on a space available, first-come, first-served basis. Those students exercising choice under the federal No Child Left Behind Act (NCLB) have priority over other students in the exercise of open enrollment under this policy.

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 within designated attendance areas shall have priority in registering in that school. This shall also apply to home-schooled students desiring to take classes on a part-time basis. Students may apply for open enrollment in a school outside their attendance area and such applications shall be approved if there is space available in the requested school and the Open Enrollment/Transfer application has been submitted on or before March 1 in accordance with the regulations accompanying this policy.

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

Open enrollment/transfer students attending a school outside their attendance area shall be granted admission throughout the grades served by the school. In the event the population of the attendance area increases to fill the building with attendance area residents or students from outside the attendance area who have a right to attend the school under the NCLB choice option, transfer students may be asked to enroll in another school.

Students granted permission to attend a school other than the school in their assigned attendance area shall have the same curricular and extracurricular status as all other students attending the school, limited only by rules of the Colorado High School Activities Association.

Any student enrolled pursuant to this policy shall be allowed to remain enrolled in the school or program unless overcrowding or other undesirable conditions develop, as described in the accompanying regulation. In addition, students from outside the attendance area who enrolled under the NCLB choice option may remain in the school until they complete the highest grade available in the school subject to capacity constraints related to health and safety issues

**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 and disabled students shall be transported, as necessary, in accordance with state and federal law. See policy JFABD, Admission of Homeless Students. Students attending under the NCLB choice option shall be provided transportation at district expense to the extent required by law.

**Nondiscrimination**

The Board, the superintendent, other administrators and teachers shall not make any distinction on account of race, sex, ethnic group, religion or disability of any student who may be in attendance or who seeks admission to any school maintained by the district in the determination or recommendation of action under this policy.

However, the Board reserves the right to restrict open enrollment/transfer requests if such requests begin to significantly affect the ethnic balance of a school.

**Special education students**

Requests from the parents of special education students for open enrollment/transfer to another school or program shall be considered in accordance with applicable state and federal laws. The student's current Individual Education Plan (IEP) shall be used to determine if the requested school or program can meet the student's needs. All rules and regulations from this policy also apply to special education students.

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. 22-36-101 *et seq.* (*open enrollment*)  
20 U.S.C. 1116 (*choice options contained in the No Child Left Behind Act of 2001*)

CROSS REFS.: EEA, Student Transportation  
IHBG, Home Schooling  
JC, School Attendance Areas  
JFABD, Admission of Homeless Students  
JFBB, Inter-District Choice/Open Enrollment

*NOTE: School districts are encouraged by C.R.S. 22-36-101(2)(a) to give enrollment priority to students who scored in the unsatisfactory category on one or more CSAP tests or who attend an unsatisfactory school.*