

NOTE: While Colorado school districts are not required by law to adopt a policy on this subject, some content in this sample reflects legal requirements school districts must follow. This sample contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Nonresident Tuition Charges

The parents/guardians of Colorado students who are not residents of this school district shall not be charged tuition. Enrollment of these students shall be decided in accordance with the policy on inter-district choice/open enrollment.

However, the district may enter into a written agreement with any student's district of residence under which the district of residence agrees to pay tuition to allow the student to attend school within the district as long as the student is not a continuing enrolled student.

When a nonresident student with a disability **applies to enroll in a school in this district**, the district shall provide notice to the student's district of residence **and, if applicable, the student's administrative unit of residence**. The student's district **and, if applicable, administrative unit** of residence shall be responsible for paying the tuition charge for educating the student in accordance with state laws and regulations. The amount of the tuition shall be determined pursuant to the rules developed by the Colorado Department of Education.

Out-of-state students who wish to attend school in this district shall be charged tuition in accordance with the rates adopted by the Board.

The superintendent shall present to the Board for its consideration any request from parents/guardians for exceptions to this policy. **The Board shall determine whether to consider the request and if it deems consideration appropriate, it shall make a determination on the merits of the request.**

Adopted: 09/27/90

Revised: 08/12/93, 06/09/94, 08/25/94, 02/13/97, 09/09/04, 07/19/12

LEGAL REFS.: C.R.S. 15-14-104 (*delegation of custodial power*)
C.R.S. 22-1-102 (2) (*defines "resident"*)
C.R.S. 22-20-106 (*designation of general and special education responsibilities for students with disabilities*)
C.R.S. 22-20-107.5 (*defining district of residence for students with disabilities*)
C.R.S. 22-20-109 (*tuition provisions for special education students*)
C.R.S. 22-23-105 (*residence of migrant children*)
C.R.S. 22-32-113 (1)(b),(c) (*transportation of students*)
C.R.S. 22-32-115 (*tuition to another district*)
C.R.S. 22-33-103 (*parent not required to pay tuition if resident of Colorado*)
C.R.S. 22-33-106 (3) (*grounds for denial of admission*)
1 CCR 301-8, Rules 2.02 and 3.01 (*obligating school districts to be of sufficient size and capacity to operate their own special education programs or to join an administrative unit that does so*)

CROSS REFS.: JFAB, Continuing Enrollment of Students Who Become Nonresidents
JFABD, Homeless Students
JFBB, Inter-District Choice/Open Enrollment

NOTE: Colorado Department of Education must negotiate reciprocal agreements with neighboring states to allow out-of-state students to attend without paying tuition when the geographic conditions or distances are such that it would be impractical for the child to attend the schools of his or her own state. See C.R.S. 22-2-128.