

NOTE: Colorado school boards are required by law to adopt a regulation on this subject and the law contains some specific direction as to the content or language. This sample contains the content/language that CASB believes best meets the intent of the law. However, the board should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Inter-District Choice/Open Enrollment

The district will consider admission requests from Colorado students who do not reside within the boundaries of the school district but who wish to attend a particular school or program within the district in accordance with the following regulations:

1. Determination of residency

Any questions about a student's residency status must be resolved prior to application for admission. These regulations apply to all Colorado students who do not reside within the boundaries of the school district.

2. Requests for admission

Requests for admission as a nonresident student must be initiated by the parent/guardian by filing the approved form with the principal of the school which the student wishes to attend.

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 admission requests.

Students must submit an admission request in accordance with these regulations for each school or program requested within the district. Each principal will maintain a file of all enrollment requests received from nonresidents. A copy will be forwarded to the central office for district-wide data collection purposes.

The receiving school principal will make the decision as to whether an application is accepted or rejected based on criteria established in state law and Board policy and regulations. The receiving school principal will be responsible for notifying the parent/guardian and student of approval or disapproval of an admission request no later than 10 days after receipt of the request.

Approval of a request to enroll in the district will be conditioned on compliance with each of the following:

- a. Actual enrollment and attendance prior to **the pupil enrollment count day** of the following academic year.
- b. Receipt of all applicable records.
- c. Satisfaction of all district requirements for admission.

In the event any information is falsified or withheld from the district during the admission process, approval for admission will be withdrawn immediately.

An approved application will be valid for attendance at that school throughout the grades served by the school. After leaving the elementary or middle school level, a student must reapply for admission at the next level.

Those students who apply for admission who are not 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 May 1 of each year, after which a new listing will be developed for the next 12 months.

3. **Grounds for denial of admission**

Grounds for denial of admission to a nonresident student who otherwise complies with the district's policies and procedures are limited to the following:

- a. There is a lack of space or teaching staff in a particular program or school requested, in which case priority will be given to resident students applying for admission to the program or school.
- 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 the particular program requested.
- c. The student does not meet the established eligibility criteria for participating 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 denial is necessary in order to enable compliance with the desegregation plan.
- e. The student has been expelled from any school district in the preceding 12 months or is in the process of being expelled because of habitually disruptive behavior (as defined in law) or for committing a serious offense.
- f. The student has demonstrated behavior in another school district during the preceding 12 months that is detrimental to the welfare or safety of other students or of school personnel.
- g. The student has graduated from the 12th grade of any school or is in receipt of a document evidencing completion of the equivalent of a secondary curriculum.

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

Enrollment requests are 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 enrollment 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.

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

Admission granted to one child in a family will not necessarily support enrollment of another child in the family.

5. **Eligibility for activities**

Eligibility for participation in **extracurricular and interscholastic activities** will be determined in accordance with **applicable law, bylaws of the Colorado High School Activities Association and the district's eligibility requirements.**

6. **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

7. **Appeal procedure**

Should a request for **open enrollment** be denied, **the parent/guardian will be advised by the principal that they may appeal the denial by contacting the superintendent.**

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

Approved: 07/19/94

Revised: 09/13/12, 08/08/13