

## **Open Enrollment (Intra)**

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.

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 his or her attendance area by mutual agreement of the superintendent's administrative designee in the special interest of the student and/or school, as authorized by law.

### **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 his 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 resident of that school's attendance area or has an approved authorization for an open enrollment transfer.

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

### **2. Open Enrollment Transfer**

Resident students and their parents/guardian shall be notified on an annual basis of the options available through open enrollment in sufficient time to apply.

Students within a designated attendance areas shall have priority in registering in that 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 in the requested school and the application has been submitted on or before the start of school in accordance with the following:

Requests for open enrollment transfer must be initiated by the parents/guardian by filing the approved form for enrollment at the beginning of a new school year with the principal of the school which the student wishes to attend (receiving school) on or before April 30 of the preceding school year. The receiving school principal will notify the parents/guardian and principal of the school in the student's attendance area of the disposition of the request prior to the beginning of the new school year.

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

The receiving school principal will make the decision as to whether an open enrollment application is accepted or rejected based on criteria established in state law and Board policy. The receiving school principal will be responsible for notifying the parents and students of approval or disapproval of an open enrollment request.

Reasons used by the principal to accept or reject open enrollment 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.

Open enrollment transfer requests made by district residents shall be given preference over open enrollment requests made by non-district students.

Upon enrollment at a school outside his or her attendance area, the student should plan to remain in that school for a full academic year. Once a student is accepted under the open enrollment plan, every effort will be made to permit the student to complete the highest grade in that building.

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

Those students who apply for open enrollment 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 7 of each year, after which a new waiting list will be developed for the next 12 months.

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.

### **3. Criteria to Determine Capacity**

Open enrollment transfers will be approved subject to space and/or program availability in the school requested contingent upon district class size guidelines and subject availability as determined by the receiving principal and the superintendent's designee(s) taking enrollment projections into consideration. Students whose open enrollment transfer 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 granted to one child in a family will not ensure the open enrollment transfer of another child in the family.

**4. Changes in Residence**

Students whose place of residence changes within the school district during the school year may remain at the school they were attending before the change until the end of the academic year. Transfer forms must be completed 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 or transfer.

**5. Athletics**

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

**6. Transportation**

Transportation for students granted permission to attend school outside their attendance area must be furnished by their parents unless it is determined that transportation is necessary for the district to comply with state and federal law.

**7. Nondiscrimination**

The Board, the superintendent, other administrators and teachers shall not make any distinction on account of race, sex, color, religion, national origin, marital status 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

**8. Special Education Students**

Requests from the parents of special education students for open enrollment or 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 properly meet the student's needs.

**9. Appeal Procedure**

Should a request for an open enrollment transfer be denied, the principal will advise the parent/guardian that they may appeal the denial by contacting the superintendent. The appeal will be forwarded to the superintendent or

superintendent's designee immediately following a parent/guardian conference requesting the appeal.

The receiving principal will be asked to submit the reason for denial of the request. The superintendent or designee considering the appeal will review the parent/guardian request and the principal's decision and then make a determination of a school assignment.

If the superintendent's designee initially considers an appeal, the superintendent shall make the final decision. Upon request, the Board of Education will review the decision of the superintendent.

Adopted: September 1994

Revised: May 2000

LEGAL REFS: C.R.S. 22-1-102  
C.R.S. 22-32-110 (1)(m)  
C.R.S. 22-32-116  
C.R.S. 22-36-101 *et seq*

CROSS REFS.: JC, School Attendance Areas  
JF, School Admissions  
JCA/JFBA/JFBB, Open Enrollment