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Revised

Inter-District Choice/Open Enrollment

The Board recognizes that students may benefit from having a choice of schools to attend within the public school system that is not limited by school district boundaries.

Nonresident students from other school districts within the state who are accepted pursuant to the regulations approved by the Board may enroll in particular programs or schools within this district on a space available basis without payment of tuition, except as otherwise provided by law.

In providing for the open enrollment of nonresident students, the school district will not:

1. Make alterations in the structure of the requested school or to the arrangement or function of rooms within a requested school to accommodate the enrollment request.

2. Establish and offer any particular program in a school if such program is not currently offered 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.

4. Enroll any nonresident student in any program or school after the pupil enrollment count day.

Before considering requests for admission from nonresidents, priority will be given to resident students who apply under the district's open enrollment/transfer plan.

Any student enrolled pursuant to this policy will be allowed to remain enrolled in the school or program through the end of the school year unless overcrowding or other undesirable conditions develop, as described in the accompanying regulation.

Students granted permission to enroll in ~~attend~~ a school pursuant to this policy will have the same curricular and extracurricular status as all other students attending the school,

as determined by applicable law, bylaws of the Colorado High School Activities Association, and the district's eligibility requirements.

Transportation

Transportation for students who ~~granted permission~~ to enroll pursuant to this policy will be furnished by their parents/guardians to a designated vehicle stop within the district if arrangements can be made to have the student ride on a district bus without disruption of regular routes and loading areas (not including special education buses and routes).

Homeless students, students in foster care, and students with disabilities will be transported, as necessary, in accordance with state and federal law. Buses from this district may enter the student's district of residence to pick up or deliver the student only with specific permission of the Board of Education of the district of residence.

Military children

The district will allow an inbound active duty military member to use the school liaison office address for the military installation to which the inbound active duty military member is or will be assigned in order to apply for open enrollment in a district school or program. No additional documentation of an inbound active duty military member's child's state address will be required to apply for open enrollment.

The district school or program in which the child of an inbound active duty military member is open enrolled will grant guaranteed automatic matriculation while the child remains in the district, including guaranteed automatic matriculation to the next grade, even if the next grade is in a different school level or building, in the same manner guaranteed automatic matriculation is provided to resident students. The district will also grant priority preference for the younger siblings of the child of an inbound active duty military member who is open enrolled for purposes of enrolling in subsequent school years.

Nondiscrimination

The Board, the superintendent, other administrators, and district employees will not unlawfully discriminate based on a student's disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, cor need for special education services in the determination or recommendation of action under this policy.

Special Education

~~Requests from the parents/guardians of special education students for open enrollment will be considered~~ The district shall not inquire about an applicant's IEP or disability status until after the applicant has been admitted. Thereafter, the district shall consider the request for open enrollment in accordance with applicable state and federal laws. ~~The student's current Individualized Education Program (IEP) will be used to determine if the requested school or program can meet the student's needs. Once the student is enrolled, the district will conduct a staffing review to update the IEP.~~

LEGAL REFS.: C.R.S. 15-14-105 (delegation of custodial power)
C.R.S. 19-1-115.5 (child in foster care placement is considered resident of school district in which foster home is located)
C.R.S. 22-1-102 (2) (definition of resident of district)
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 for special education services)
C.R.S. 22-32-109 (1)(ll) (Board duty to adopt policies requiring enrollment decisions to be made in a nondiscriminatory manner)
C.R.S. 22-32-110 (1)(k) (definition of racial or ethnic background includes hair texture, definition of protective hairstyle)
C.R.S. 22-32-113 (1)(c) (transportation of students residing in another district)
C.R.S. 22-32-115 (district may pay tuition for student to attend in another district not to exceed 120% of per pupil general fund cost)
C.R.S. 22-32-115 (2)(b) (subject to 22-36-101 district must permit any student whose parents are residents of Colorado to attend w/o payment of tuition)
C.R.S. 22-32-115 (4)(a) (district is not liable for tuition except pursuant to written agreement)
C.R.S. 22-32-116 (if become non-resident may finish semester, if in 12th grade may finish year, special rules for elementary students)
C.R.S. 22-33-103 (any resident may attend district school w/o payment of tuition, tuition can be paid by district of residence pursuant to written agreement, parents may pay tuition if non-Colorado resident)
C.R.S. 22-33-106 (3) (grounds to deny admission)
C.R.S. 22-36-101 et seq. (open enrollment policy must have timeline and reasons to deny enrollment)

C.R.S. 22-36-107 (inbound active duty military families open enrollment and registration)
C.R.S. 22-54-103 (10.5) (definition of pupil enrollment count day)
1 CCR 301-8, Rules 4.03 and 8.07 (prohibiting administrative units from inquiring about a transferring child's IEP or disability status until after the child has been admitted)

CROSS REFS.: JFAB, Continuing Enrollment of Students Who Become Nonresidents
JFABA, Nonresident Tuition Charges
JFABD, Homeless Students
JFABE*, Students in Foster Care
JFBA, Intra-District Choice/Open Enrollment
JJJ, Extracurricular Activity Eligibility