

## Open Enrollment

### Definition of an open enrolled student

An “open enrolled” student is one who is a resident or nonresident of the district desiring to attend a district school other than the school within his/her attendance area or school district of residence. Open enrollment is not intended for students placed in special district programs within district schools.

The district will consider requests from parents or guardians of students who do or do not reside within district boundaries but who wish to attend a particular school or education program within the district in accordance with the following regulation.

Out-of-district students will only be considered after in-district requests have been considered.

When a school has been identified as "open", students may apply for open enrollment in a school outside their attendance area or school district of residence, and such applications may be approved if the application has been submitted in accordance with this regulation.

When a school has been identified as “closed”, no new open enrollment applications will be approved except in accordance with the appeal process.

### Application process

#### Timeline:

1. Applications will be accepted at all schools beginning December 1.
2. Deadline for applications will be December 15.
3. The planning office will determine and notify schools of open or closed status by December 15.
4. Principals will notify the planning office regarding how many applications have been received and discuss space availability as soon as possible, or no later than January 8.
5. All applicants will be notified in writing, from the school for which they have applied, of their application status by January 8.
6. Applicants must notify the school to confirm acceptance by January 21.
7. Applications may continue to be received after the December 15 deadline (applicants may be placed on a waiting list if staffing levels have already been established and space availability could be exceeded).
8. At the secondary level, schools remaining “open” during the school year will only be allowed to accept new students at a semester break for high schools, and at a quarter/semester break for middle schools (three days prior and three days after the official quarter break). In addition, resident students wishing to return to their home schools will do so at the designated grading periods. Changes in schools at the elementary level will be made through approval of the building

principals involved. The goal is to reduce the number of school changes within an academic year.

9. If any of the above dates land on a weekend or a holiday, the planning office will identify the appropriate alternative dates.

**Procedures:**

1. Application forms will be available in each school, at the educational services center in the planning office, and on the district website. A parent/guardian who is an inbound active-duty military member may access and submit forms electronically.
2. The receiving principal and/or district staff are responsible for explaining the application process and regulations to interested parents/guardians.
3. Students/parents/guardians may apply for open enrollment in a school outside of their attendance area by submitting a completed application form to the school of choice.
4. The receiving school principal will make the decision as to whether an application is approved based upon the criteria in this regulation, Board policy and applicable law.
5. The receiving school principal is responsible for notifying the parents/guardians of the approval or denial of an admission request.
6. For resident students seeking enrollment in a district school outside of their attendance area, the receiving school principal will notify the principal of the school in the student's attendance area and the planning office of the disposition of the request.
7. After leaving the elementary or middle school level, a student must reapply for open enrollment at the next level. Approval/denial of that request will be made in accordance with this regulation.

In addition, for nonresident admission applications, the following also applies:

1. Nonresident students requesting admission to a school or program must submit their application, be approved and be in attendance prior to October 1 of the requested school year. For applications later than the October 1 date, principal discretion may be applied with assistant superintendent approval.

**Grounds for denial of open enrollment application**

Open enrollment applications may be denied by the receiving principal for any of the following reasons:

1. The school has been identified as a closed school due to lack of space or teaching staff within the school.
2. There is a lack of space or teaching staff within a particular program or grade level of the school requested.

3. 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.
4. The student does not meet the established eligibility criteria for participation in a particular program including age requirements, course prerequisites or required levels of performance.
5. The student is not eligible for enrollment because grounds for denial of admission exist under applicable state law.
6. The student's application includes material misrepresentations, including but not limited to misrepresentations concerning the student's residence, discipline history or educational programming needs.

### **Cancellation of an approved open enrollment**

The principal may cancel an open enrolled student from his/her school if the student has been expelled or is in the process of being expelled for being habitually disruptive or for serious violations as defined by state law.

Open enrollments approved through the appeal process by the planning director, area assistant superintendents, superintendent or Board of Education, may also be rescinded in the event that the student does not comply with predetermined conditions set for the original approval.

### **Rescission of open enrollment status**

Approved open enrollment students are considered approved for one school year only. However, if the status of the school facility remains open from one year to the next, those approved students shall be allowed to continue into the next school year in their open enrolled school without reapplication.

When a district school has been determined closed for open enrollment due to overcrowding or elimination of a program, the district planning director shall determine the impact of currently approved open enrollments in the school in consultation with the principal. If it is determined by the superintendent or designee that open enrollment should be cancelled and those students could also be accommodated back in their home schools, students will be notified of the rescission of open enrollment by the principal no later than April 30th. Students shall have their open enrollment status cancelled in reverse order of acceptance. If it is determined that cancellation of open enrollment is only needed in specific grades or programs, then the cancellation shall be limited to that grade or program and cancellation shall be done in reverse order of acceptance. If the open enrollment status is not rescinded for students at closed schools, they shall be allowed to continue into the next school year in their open enrolled school without reapplication.

If necessary, the following order for rescission shall take place until the level of school enrollment determined adequate, is reached.

1. Nonresident students shall be the first to have their open enrollment status evaluated and cancelled.

2. Resident students shall be next to have their open enrollment status evaluated and cancelled.

### **Change in residence**

1. Elementary and secondary students whose place of residence changes during the school year may remain at the school they currently are attending until the end of the academic year.
2. Open enrollment forms must be completed for record-keeping purposes for students in this situation.
3. Students will be required to attend the school in their new attendance area the following year unless their application for continued open enrollment is approved.

### **Additional considerations**

Principals of closed schools or grade levels will approve applications which meet the following criteria, provided the student meets all other criteria in this regulation:

1. If a student completes two years at a particular secondary school and their circumstances change (e.g., address, program involvement, etc.), the student shall be approved by the principal for open enrollment to complete his/her years at that same school.
2. If the parents/guardians are building a home in another attendance area but the home will not be finished before school starts, or if they have a contract on a house that will not be closed on before school starts, the student shall be approved by the principal for open enrollment in the school in the new attendance area.
3. Siblings of students who have been granted open enrollment status may be approved by the principal for open enrollment, as long as the sibling will have concurrent enrollment in at least the first year as the originally approved student. Priority preference is granted for a younger sibling of a child of an inbound active duty service member.
4. Students living outside the attendance area of the school they are currently attending, but enrolled as a result of a district oversight or mistake, shall be approved by the principal for open enrollment. This does not apply to students who falsify the enrollment application to gain access into a closed school.
5. Children of district employees may attend the same school at which their parent(s) or legal guardians work.
6. A student who is the child of an inbound active-duty service member and who is accepted under the open enrollment plan is guaranteed automatic matriculation, including automatic matriculation to the next grade level, even if the next grade is in a different school level or building.

### **Appeal of a denial**

When a parent/guardian of a student has applied for open enrollment at a school and that application has been denied by the principal, the parent/guardian will be advised by the principal that they may appeal to the superintendent or designee.

### **Exceptions for attendance area boundary changes**

The Board of Education has adopted exceptions to this regulation for students affected by attendance area boundary changes.

These exceptions supersede the other sections of this regulation:

1. Elementary Schools - Current 4<sup>th</sup> graders who would be moved into a new attendance area by a boundary change would be able to open enroll back to their current school for their final year whether the school was open or closed.
2. Middle Schools - Current 7<sup>th</sup> graders who would be moved into a new middle school attendance area by a boundary change would be able to open enroll back to their current school for their final year whether the school was open or closed.
3. High Schools - Current 10<sup>th</sup> and 11<sup>th</sup> graders who would be moved into a new attendance area by a boundary change would be able to open enroll back to their current school for their final one or two years whether the school was open or closed.
4. Middle/Seniors - Current 7<sup>th</sup> and 10<sup>th</sup> and 11<sup>th</sup> graders who would be moved into a new attendance area by a boundary change would be able to open enroll back to their current school for their final one or two years whether the school was open or closed.

In all four situations the sibling rule, as stated above, does not apply unless approved by the area assistant superintendent through the appeal process. In cases where a school affected by boundary changes is designated as open, the applicable open enrollment procedures would be followed with the exception that students previously enrolled at the school would have priority over new students. After completion of the first year at new elementary and middle schools and the completion of the second year at new middle/senior and high schools, the new schools would revert to the standard open enrollment procedures.

### **Athletics and extracurricular activities - eligibility**

Eligibility for students granted permission to attend a school other than the school in their assigned attendance area shall be determined in accordance with the rules of the Colorado High School Activities Association.

### **Transportation**

Transportation for students granted permission to enroll pursuant to this regulation and accompanying policy shall be the responsibility of the student/parent/guardian. If the district assigns a student in a special education or bilingual program in a school outside his/her attendance area, the district shall provide transportation, if necessary and in accordance with applicable law.

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