



JFBA - CHOICE / OPEN ENROLLMENT

Poudre School District is committed to assuming a leadership role in supporting a culture of choice/open enrollment District-wide. The District's commitment to choice/open enrollment is grounded in the belief that parents know the learning style of their children and should have options from which to choose to meet their children's needs.

This policy applies only to District choice/open enrollment in kindergarten through 12th grade. Students residing within the District will be assigned to attend their neighborhood school in grades K-12 unless an application for choice/open enrollment is granted, a transfer is allowed or required, or as otherwise provided in this Policy and District Policy GE - Choice Enrollment of Children of District Employees. Students residing within and outside of the District who apply for choice/open enrollment in grades K-12 will be allowed to attend any District school or participate in any District program of their choice on a space-available basis, subject to the provisions of this policy, Policy GE, and governing law.

Definitions

As used in this policy, these terms have the following meanings:

“Choice/open enrollment” means parent/guardian-initiated enrollment of a student in a K-12 District school or program other than the school or program in which the student is currently enrolled or to which the student is currently assigned (“choice school or program”).

“Option school or program” means a K-12 District choice school or program that does not have a neighborhood attendance area.

“Program” means a District International Baccalaureate (IB) Program, Core Knowledge Program, Expeditionary Learning Program or Bilingual Program.

GENERAL RULES

All principals must maintain records of choice/open enrollments and transfers at their school, as well as documentation supporting all grants and denials of choice/open enrollment applications. Principals are responsible for checking student enrollment records at their school to establish that every student is a resident of the school's neighborhood attendance area or has an approved authorization for choice/open enrollment or transfer.

Except as otherwise provided under this policy, students who reside within the District and who enroll through choice/open enrollment in any District school or program must be granted admission for all grades served by the school or program. Except as otherwise provided under this policy, students who reside outside of the District and who enroll through choice/open enrollment in any District school or program must be granted admission for each grade served by the school or program in which space is available, as determined each school year by the student's order of priority under the Determining Availability of Space section below.

In the event of overcrowding of facilities at a choice school or program, students who reside outside of the District will be selected for reassignment at each grade level in reverse chronological order of their admission. If the facilities remain overcrowded after all students who reside outside of the District have been reassigned, students who reside within the District will be selected for reassignment at each grade level in reverse chronological order of their admission. A student may only be reassigned as provided in this paragraph if the student's parent/guardian is notified in writing of the reassignment prior to the deadline for the first round of School Choice Applications applicable to the following school year when the reassignment takes effect. Under no circumstances will students be reassigned as provided in this paragraph if they reside within the attendance area of the neighborhood school where they are enrolled.

Students must plan on remaining in a school for the remainder of the current school year upon enrollment at a choice school or program, or upon enrollment through a transfer. Students who wish to return to their neighborhood school or attend a different school during the current school year may be permitted to return or enroll if space is available. Students who withdraw from a choice school or program must submit a new School Choice Application for the student to be considered to return to such choice school or program for the following school year.

In implementing its choice/open enrollment policy and applying it in particular circumstances, 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 currently offered in the school.
3. Alter or waive any established eligibility criteria for participation in a particular program, including age requirements, course prerequisites, and/or required levels of performance.
4. Create additional space in the requested school or program by changing resources or staffing allocations.

5. Enroll any nonresident student in any school or program after the pupil enrollment count day of the then-current school year.

An application for choice/open enrollment may be denied based on the following criteria:

1. There is a lack of space or teaching staff within a particular program or school requested. Space availability will be contingent upon District class size guidelines, subject availability, and enrollment projections. The District may reserve a reasonable number of spaces for students who move into a school's neighborhood attendance area during the school year or for students of District employees.
2. The requested school does not offer appropriate programs or does not offer a particular program requested.
3. 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.
4. The student has been expelled from any school district during the preceding 12 months or has engaged in behavior in another school district during the preceding 12 months that was detrimental to the welfare or safety of other students or of school personnel.
5. The student has graduated from the 12th grade of any school or has received a document evidencing completion of the equivalent of a secondary curriculum.
6. Enrollment/population projections at a particular school or schools show a substantial growth in the attendance area such that overcrowding is considered likely.

Approval of a choice/open enrollment application will be subject to the following requirements:

1. The student must commit and plan to remain in the school or program of choice for at least the remainder of the school year for which the student was admitted.
2. A student who wishes to enroll in a different choice school or program or has moved out of a school's neighborhood attendance area and wishes to continue at the same school for the following school year must submit a School Choice Application in accordance with this policy.

3. Approval of choice/open enrollment in a particular school or program for one child in a family does not guarantee that choice/open enrollment will be approved for any other children in the family to attend that same school or program of choice, except with respect to multiple birth siblings as otherwise provided under this policy.
4. Determinations regarding availability of space, eligibility and acceptance into a choice school or program will be based on each student's residence as of the first day of school in the school year in which the student wishes to begin attending the requested choice school or program.

CHOICE/OPEN ENROLLMENT PROCESS APPLICATIONS

School Choice Applications must be submitted online through the District's website, which may be accessed from computers available at each of the District's schools or from any off-site location.

School Choice Applications are accepted annually in accordance with this policy. The first round for School Choice Applications begins on or around the first school day in November of the school year prior to the school year in which a student wishes to begin attending a particular District choice school or program. The first round closes on or around the last school day in December. The second round for School Choice Applications begins on or about two weeks after the first round lottery occurs. The second round for School Choice Applications closes on or around the day prior to the first day of school in August of the school year of requested enrollment. Exact dates will be posted on the District's website annually.

Except as otherwise provided in this paragraph, a parent/guardian must complete and submit a separate School Choice Application for each school each child in the family who is applying for choice/open enrollment. A parent/guardian of multiple birth siblings (i.e., twins, triplets, etc.) must complete and submit a School Choice Application for each sibling applying for choice/open enrollment. Multiple birth siblings will be considered together when determining availability of space and eligibility, will only be admitted together and only if space is available for all of them and each is eligible, and will be placed on the waiting list together if space is not available for all of them.

A School Choice Application confirmation notice will be sent to the parent/guardian with the time and date on which the application was submitted. The parent/guardian is strongly encouraged to print and retain this confirmation information as proof that a School Choice Application was submitted in a timely manner.

Kindergarten students must register in the school serving their neighborhood attendance area even if an application is pending for their choice/open

enrollment or transfer to another school or program to provide notice allowing the neighborhood school to provide for adequate staffing and other resources to serve those students whose applications are denied.

Determining Availability of Space

As soon as possible after the first round closes, a determination is made as to the number of spaces available for the following school year at each grade level served by the school or program. This determination is based on the projected enrollment of neighborhood students (if applicable) and the availability of programs, space and teaching staff.

Unless otherwise provided under this policy, the following new and currently enrolled students do not need to submit a School of Choice Application:

1. Students who reside within the attendance area of a neighborhood school and wish to attend that neighborhood school (this provision does not apply to option schools and programs, as defined in this policy).
2. Students who wish to enroll or return to their neighborhood school for the following school year.
3. Children of District employees (whether they live within or outside of the District) (this provision does not apply to option schools and programs). This process is further described in District Policy GE - Choice Enrollment of Children of District Employees.
4. Children of an inbound active-duty military member, as further described in this policy.

New and currently enrolled students who wish to enroll in a different choice school or program, or currently enrolled students who have moved out of a school's neighborhood attendance area and wish to continue at the same school for the following school year, must submit a School Choice Application in accordance with this policy. For each grade level where the number of choice/open enrollment applicants exceeds the number of spaces available, the determination of space availability for each applicant will be made based on the following order of priority:

1. Students who reside within the District and wish to continue attending a choice school in which they are currently enrolled, and students who reside within the District and wish to continue attending a District choice program in which they are currently enrolled that spans different grade levels and schools.
2. New student applicants who reside within the District who are siblings of a student that is currently enrolled or has been accepted for the following year in the school and will be attending at the same time as the applicant, and who live at the same residence as the currently enrolled student.

3. Students whose parent/guardian is employed at the District (regardless of whether the student resides within or outside of the District), if the student wishes to attend a choice school or program.
4. New student applicants who reside within the District and do not meet the criteria for number 1, 2 or 3.
5. Students who reside outside of the District and wish to continue attending a choice school in which they are currently enrolled, students who reside outside of the District and wish to continue attending a District choice program in which they are currently enrolled that spans different grade levels and schools.
6. New student applicants who reside outside of the District who are siblings of a student that is currently enrolled or has been accepted for the following year in the school and will be attending at the same time as the applicant, and who live at the same residence as the currently enrolled student.
7. New student applicants who reside outside of the District and do not meet the criteria for numbers 5 or 6.

If the number of choice/open enrollment applicants exceeds the number of spaces available within any of the foregoing priority levels at any grade level, the order of priority within that level will be determined by lot.

Determining Eligibility

With respect to each choice/open enrollment applicant for whom space is available, eligibility will be determined based on the considerations specified within the General Rules set forth above.

The enrollment of every student with disabilities who resides outside the District is contingent upon the student's school district of residence entering into a written contract with the District for the payment of tuition to cover excess costs incurred in educating the student, as permitted by law. The tuition charge will be determined pursuant to guidelines developed by the Colorado Department of Education in accordance with applicable provisions of the Exceptional Children's Educational Act.

Whenever a choice/open enrollment applicant is determined not to be eligible to fill an available space, the next applicant in order of priority will be evaluated for eligibility.

Acceptance

As soon as possible after eligibility determinations have been made regarding the

applicants for whom space is available in their school or program of choice, the applicants and their parents/guardians must be notified in writing of the grant or denial of their applications for choice/open enrollment. Applicants who are notified of their acceptance must accept or reject the offered choice school or program within the time specified on the District website. For each accepted applicant who chooses not to enroll, the next eligible applicant in order of priority will be notified of his or her acceptance.

The District reserves the right to rescind and/or amend any or all choice/open enrollments, including the reassignment of choice/open-enrolled students to their neighborhood schools or to other choice schools or programs with available space, if it determines that: (1) the choice/open enrollment was obtained through misrepresentation or nondisclosure of a material fact, or a representation in the application process that is determined to be inaccurate; (2) there is overcrowding of facilities in the choice school or program; (3) the choice school discontinues a particular program; (4) the choice school or program cannot meet the special needs of the student as determined by the individualized education program (IEP) team; (5) the student no longer satisfies the eligibility criteria or level of performance required by the choice school or program; or (6) for other reasons authorized by law and considered by the District to be in the best interest of the student and/or the school or program.

Waiting List

Choice/open enrollment applicants who have submitted applications before the first round deadline and who are notified that space is not available in the grade level of the choice school or program to which they have applied will be placed on an in-District waiting list or out-of-District waiting list, depending on the location of their residence, in accordance with their previously determined order of priority under the Determining Availability of Space section above.

Choice/open enrollment applicants who have submitted applications after the first round deadline and who are notified that space is not available in the grade level of the choice school or program to which they have applied will be placed on the in-District waiting list or out-of-District waiting list, depending on the location of their residence, in accordance with their order of priority under the Determining Availability of Space section above.

In-District and out-of-District waiting lists will be continually adjusted to ensure that the students are in the order of priority specified under the Determining Availability of Space section above. When making such adjustments, the order of students within each priority level will be determined by their length of time on the waiting list.

Whenever space becomes available in a choice school or program that has a waiting list, applicants will be considered for acceptance at that time in order of their placement on the waiting list based on the considerations specified within the

Determining Eligibility and Acceptance sections above, with students on the out-of-District waiting list considered only if there are no students on the in-District waiting list for the same grade level. Waiting lists will be purged annually on the date stated on the District's website.

Children of an Inbound Active-Duty Military Member

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.

TRANSFERS

Students may be allowed or required to transfer in or out of their neighborhood school or the choice school or program in which they are currently enrolled depending on availability of space. The transfer process may not, however, be used to accomplish choice/open enrollment when a School Choice Application was not submitted in a timely manner, when choice/open enrollment procedures were otherwise not properly followed, or when a School Choice Application was denied.

The District may initiate student transfers authorized under this policy. Also under this policy, parents/guardians may submit applications for transfer to the principal of the school they would like the student to attend, with a copy to the assistant superintendent of elementary schools or the assistant superintendent of secondary schools, as appropriate. Such transfers will be evaluated on a case-by-case basis and must be approved by an assistant superintendent. Circumstances under which a transfer may be allowed or required include, but are not limited to, the following:

1. Special circumstances or other good cause affecting the education and/or welfare of the transferring student or other students or staff members that make it necessary or advisable to allow or require the transfer. Such special circumstances should be rare but may include occurrences like a student's loss of transportation, student safety, or a family emergency.

2. When a parent or guardian has a home under construction or is in the process of purchasing a home, the student may be allowed to transfer to the school serving the neighborhood in which the new home is located.
3. When school attendance boundaries are changed, special provisions may be made by the District that will take precedence over all other provisions of this policy.

TRANSPORTATION

Students will be required to furnish their own transportation to the choice school or program in which they are enrolled unless otherwise notified or unless it is determined that transportation is necessary for the District to comply with the requirements of state and federal law, including state and federal laws concerning students experiencing homelessness and students with disabilities.

ATHLETICS

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

NONDISCRIMINATION

In implementing this policy, the District and its employees must not discriminate on the basis of race, color, creed, religion, national origin, ancestry, sex, sexual orientation, gender identity, gender expression, marital status, veteran status, age or disability.

SPECIAL EDUCATION STUDENTS

The District shall not inquire about an applicant's IEP or disability status until after the applicant has been admitted. If the student is admitted the IEP team may convene a meeting to determine if the IEP can be appropriately implemented at the choice/open enrollment school or program. The District shall consider the request for open enrollment or transfer to another school or program in accordance with applicable state and federal laws.

APPEALS

Appeals regarding the application of this policy with respect to any student must be made to the superintendent, and the superintendent's decision and order (if any) is final.

Adopted by Board: April 1972
Revised by Board: July 1974
Revised by Board: August 1979

Revised by Board: September 1980
Revised by Board: April 1982
Revised by Board: April 1988
Revised by Board: August 1990
Revised by Board to conform with practice: May 22,1995
Revised by Board: April 28,1997
Revised by Board: November 25, 2002
Revised by Board: October 11, 2004
Revised by Board: September 26, 2005
Revised by Superintendent: April 23, 2007, effective July 1, 2007
Revised by Superintendent: April 7, 2008, effective July 1, 2008
Revised by Superintendent: May 4, 2009, effective July 1, 2009
Revised by Superintendent: November 14, 2011, effective July 1, 2012
Revised by Superintendent: January 19, 2015, effective July 1, 2015
Revised by Superintendent: June 6, 2016, effective July 1, 2016
Revised by Superintendent: May 22, 2017, effective July 1, 2017
Revised by Superintendent: June 14, 2018, effective July 1, 2018
Revised by Superintendent: April 29, 2019, effective July 1, 2019
Revised by Superintendent: September 9, 2021
Revised by Superintendent: May 26, 2022, effective July 1, 2022
Revised by Superintendent: December 8, 2022
Revised by Superintendent: October 31, 2023

LEGAL REFERENCES:

C.R.S. 22-1-102
C.R.S. 22-32-110(1)(m)
C.R.S. 22-32-116
C.R.S. 22-33-106
C.R.S. 22-36-101, et seq.
1 CCR 301-8, Rules 4.03 and 8.07

CROSS REFERENCES:

IHBG, Home-Based Education
JC, School Attendance Areas
JFABD, Homeless Students
JGA, Assignment of New Students to Classes and Grade Levels
JKC, Discipline of Habitually Disruptive Students
JKDA/JKEA, Grounds for Suspension/Expulsion of Students