



## JFBA - CHOICE/OPEN ENROLLMENT

Poudre School District affirms its commitment to assume 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 shall apply only to District choice/open enrollment in kindergarten through 12th grade. Students residing within the District shall be assigned to attend their neighborhood school in grades K-12 unless an application for choice/open enrollment is granted, or unless a transfer is allowed or required. Students residing within and outside of the District who apply for choice/open enrollment in grades K-12 shall 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 and governing law. As used in this policy, the term "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 (hereinafter referred to as a "choice school or program"). As used in this policy, the term "option school or program" means a K-12 choice school or program that does not have a neighborhood attendance area. As used in this policy, the term "program" means only an International Baccalaureate (IB) Program, Core Knowledge Program or Bilingual Program.

## GENERAL RULES

All principals shall 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. Each principal is responsible for checking student enrollment records at his or her 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 enroll in neighborhood schools or programs through choice/open enrollment but who do not reside within the neighborhood attendance area shall be granted admission for all grades served by the school or program. Except as otherwise provided under this policy, students who enroll through choice/open enrollment in option schools or programs shall be granted admission for all grades served by the school or program. In the event of overcrowding of facilities at a choice school or program, students shall be selected for reassignment at each grade level in reverse chronological order of their admission. Under no circumstances, however, shall students be reassigned under this provision if they reside within the attendance area of the neighborhood school where they are enrolled.

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 October 1 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 shall 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.
2. The requested school does not offer appropriate programs, or does not have the necessary resources or facilities to meet the student's special needs, 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 been expelled at any time or is in the process of being expelled as a habitually disruptive student or for a serious violation in a school building or in or on school property, as provided under state law.
6. 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.

7. Enrollment/population projections at a particular school or schools show a substantial growth in the attendance area such that potential overcrowding is a concern.

Approval of a choice/open enrollment application shall 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 academic year for which the student was admitted.
2. A student who wishes to return to his or her neighborhood school, or who wishes to enroll in a different choice school or program, 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.

## CHOICE/OPEN ENROLLMENT PROCESS

### APPLICATIONS

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

School Choice Applications may not be submitted before the first day of class at the beginning 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 deadline for first consideration of School Choice Applications for the following school year is the second Friday in February for elementary schools and the last Friday in January for secondary schools. School Choice Applications may be submitted after the first consideration deadline until the first day of class at the beginning of the school year of requested enrollment.

Except as otherwise provided in this paragraph, a parent/guardian shall complete and submit one School Choice Application for each child in the family who is applying for choice/open enrollment. A parent/guardian of multiple birth siblings (i.e., twins, triplets, etc.) may, but is not required to, complete and submit one School Choice Application covering all such siblings. In those cases where a parent/guardian elects to complete and submit one School Choice Application covering all multiple birth siblings, those siblings shall be considered together when determining availability of space and eligibility, shall only be admitted together and only if space is available for all of them

and each is eligible, and shall be placed on the waiting list together if space is not available for all of them.

As part of the online application process, the date and time of the application will be displayed along with a School Choice Application confirmation number. The parent/guardian is strongly encouraged to print and retain this confirmation information because if an application is misplaced or processed incorrectly, the parent's/guardian's confirmation printout may be considered 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, in order 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 consideration deadline, a determination shall be 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 shall be 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, new and currently enrolled students who reside within the attendance area of a neighborhood school shall be entitled to attend that neighborhood school (this provision will obviously not apply to option schools and programs.)

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 shall be made based on the following order of priority:

1. Students who reside within the attendance area of the neighborhood school they wish to attend.
2. Students currently enrolled in the school and students who wish to continue attending a program that spans different grade levels and schools.
3. New student applicants who reside within the District who are siblings of a student that is currently enrolled 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.
4. New student applicants who reside within the District and whose parent/guardian is employed at the school.

5. New student applicants who reside within the District and are not siblings of a currently enrolled student living at the same residence or the child of a school employee.
6. New student applicants who reside outside of the District who are siblings of a student that is currently enrolled 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 whose parent/guardian is employed at the school.
8. New student applicants who reside outside of the District and are not siblings of a currently enrolled student living at the same residence or the child of a school employee.

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 shall be determined by lot.

#### DETERMINING ELIGIBILITY

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

Eligibility determinations under the GENERAL RULES regarding students with disabilities shall be considered, when space is available, in accordance with applicable state and federal laws. The student's current IEP or Section 504 Plan shall be used to determine if the requested school or program will appropriately meet the student's needs with or without legally required accommodations. If the student is admitted, the District may require a staffing to update the student's IEP or Section 504 Plan. The enrollment of every student with disabilities who resides outside of Poudre School District is also contingent upon the student's school district of residence entering into a written contract with Poudre School District for the payment of tuition to cover excess costs incurred in educating the student, as authorized by law. The tuition charge shall 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 shall 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 shall be notified in writing of the grant or denial of their applications for choice/open enrollment. Applicants who are notified of their acceptance may choose not to enroll in the choice school or program at that time, in which case they shall be placed on the appropriate waiting list if they so request. For each accepted applicant who chooses not to enroll, the next eligible applicant in order of priority shall 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, (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 continue to meet the special needs of the student, (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 consideration 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 shall 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 consideration 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 shall 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 shall be continually adjusted to ensure that the students thereon 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 shall be determined by their length of time on the waiting list.

Whenever space becomes available in the grade level of an elementary choice school or program that has a waiting list, applicants shall 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. Whenever space becomes available in the grade level of a secondary choice school or program that has a waiting list, applicants shall be considered for acceptance at the beginning of the next semester 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. In lieu of consideration for acceptance when space becomes available, applicants may choose to remain on the waiting list. For each such applicant who chooses to remain on the waiting list, the next applicant on the waiting list shall be considered for acceptance.

Until they are considered for acceptance, students shall remain on their respective waiting lists for each year they are eligible to attend the choice school or program to which they have applied, but only if they provide written notice on or before the first consideration deadline each year that they wish to remain on the waiting list to be considered for admission the following school year.

## TRANSFERS

Students may be allowed or required to transfer out of their neighborhood school or the choice school or program in which they are currently enrolled. 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 make it necessary or advisable to allow or require the transfer.
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 shall take precedence over all other provisions of this policy.

## TRANSPORTATION

Students may be required to furnish their own transportation to the choice school or program in which they are enrolled, 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 homeless students 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 shall not discriminate on the basis of race, color, religion, national origin, ancestry, sex, sexual orientation or disability.

## APPEALS

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

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:

IIB, Class Size

JC, School Attendance Areas

JFABD, Homeless Students

IHBG, Home Schooling