

Intra-District Choice/Open Enrollment

The Board of Education endorses the neighborhood school concept and makes many decisions based on student population within the attendance areas of residence. The Board recognizes, however, that resident students may wish to attend a school or participate in a program located in an area other than that of their assigned school. Therefore, 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 the attendance area by mutual agreement of the principals in the special interest of the student and/or school.

Open enrollment and transfers

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

Students, including home-schooled students desiring to take classes on a part-time basis, within 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 May 1 in accordance with the regulations accompanying this policy.

Parents and/or students who desire a change of school after August 15th must submit a letter together with the required form requesting a transfer. The request

shall be reviewed and acted upon in accordance with the regulations accompanying this policy.

Open enrollment and transfer students attending a school outside their attendance area shall be granted admission on a year-to-year basis.

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

Any student enrolled pursuant to this policy shall 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.

Transportation

Transportation for students granted permission to attend school outside their attendance area must be furnished by their parents unless space is available in district buses without disruption of regular routes and loading areas. Homeless students, students in foster care and students with disabilities shall be transported, as necessary, in accordance with state and federal law.

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 shall not unlawfully discriminate based on a student's race, color, national origin, ancestry, creed sex, sexual orientation, gender identity, gender expression, which includes transgender, religion, marital status, disability or need of special education services in the determination or recommendation of action under this policy.

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 Program (IEP) shall be used to determine if the requested school or program can meet the student's needs.

School districts are encouraged to give enrollment priority to students with a proficiency rating of unsatisfactory in one or more academic areas who attend a school required to implement a turnaround plan pursuant to C.R.S. 22-11-406 or that is subject to restructuring pursuant to C.R.S. 22-11-210. See, C.R.S. 22-36-101 (2)(a).

For purposes of this policy, these terms have the following meanings:

- "Race" includes hair texture, hair type, or a protective hairstyle that is commonly or historically associated with race. C.R.S. 22-32-110 (1)(k).
- "Protective Hairstyle" includes such hairstyles as braids, locs, twists, tight coils or curls, cornrows, bantu knots, afros, and head wraps. Id.
- "Sexual Orientation" means an individual's identity, or another individual's perception thereof, in relation to the gender or genders to which the individual is sexually or emotionally attracted and the behavior or social affiliation that may result from the attraction. C.R.S. 2-4-401 (13.5).
- "Gender Expression" means an individual's way of reflecting and expressing the individual's gender to the outside world, typically demonstrated through appearance, dress, and behavior. C.R.S. 2-4-401 (3.4).

"Gender Identity" means an individual's innate sense of the individual's own gender, which may or may not correspond with the individual's sex assigned at birth. C.R.S. 2-4-401 (3.5)

Revised: September 12, 1989
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Revised: November 10, 2021

LEGAL REFS.: C.R.S. 22-1-102 (*definition of district resident*)
C.R.S. 22-32-110 (1)(m) (*power to fix boundaries*)
C.R.S. 22-36-101 *et seq.* (*open enrollment*)
C.R.S. 22-36-107 (*inbound active duty military families open enrollment and registration*)

CROSS REFS.: EEA, Student Transportation
IHBG, Home Schooling
JC, School Attendance Areas
JFABD, Homeless Students
JFABE*, Students in Foster Care
JFBB, Inter-District Choice/Open Enrollment
JJJ, Extracurricular Activity Eligibility

Garfield School District No. Re-2, Rifle, Colorado