

CHOICE ENROLLMENT

The Board of Education is committed to providing a variety of learning opportunities to meet the diverse needs of students. The Board endorses the neighborhood school concept and makes many decisions based on student population within the attendance areas of residence. The Board recognizes, however, that students may benefit from having a choice of schools to attend within the public school system that is not limited by district boundaries or individual school attendance area boundaries. Therefore, resident and non-resident students will be allowed to attend any school or participate in any program of their choice based on the prioritization considerations in the accompanying regulation JFBA/JFBB-R.

As used in this policy, the term “choice enrollment” means that a parent/guardian/legally allowed student-initiated may apply for enrollment of a student in a 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.

In implementing its choice enrollment process 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 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. Create additional space in the school or program by changing resources or staffing allocations.
5. Enroll any non-resident student in any school or program after the pupil enrollment count day for the then-current school year.

Notwithstanding the provisions of this policy, a student may be assigned outside the boundary area by the Superintendent or Designee in the special interest of the student and/or school. The Executive Director of Student Support Services shall have final decision-making authority regarding the location in which a student’s Individualized Education Program (IEP) will be implemented.

Choice Enrollment for District Students

Resident students’ parents/guardians will be notified on an annual basis of the options available through choice enrollment in sufficient time to apply.

Students, including home-schooled students desiring to take classes on a part-time basis, within their designated boundary area will have priority in registering in that school. Students may apply for choice enrollment in a school outside their boundary area (including from another district school or charter school), and such applications will become part of a lottery. Applications submitted within the round one choice enrollment window will be included in the lottery draw, and those not offered seats will be placed on a waiting list and considered when space is available in accordance with the regulations accompanying this policy. Choice enrollment applications received during round two of the choice enrollment window, will be added to the end of the applicable waitlist.

Students who desire a change of school after the current school year has begun may complete a round two choice enrollment application. This request will be reviewed and acted upon in accordance with the regulations accompanying this policy.

Students offered a seat at a school other than their boundary school through choice enrollment will have the same curricular and extracurricular opportunities 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.

Subject to the provisions of this policy and the accompanying regulation, students offered a seat via choice enrollment will be allowed to remain enrolled at their school of choice through the end of the highest grade level provided at the school, unless it is determined that there is overcrowding or other conditions develop, as described in the accompanying regulation.

The district reserves the right to rescind and/or amend any or all choice enrollments, including reassigning students to their boundary schools, if it determines that there is overcrowding of facilities, the choice school discontinues a particular program or cannot continue to meet the special needs of a student, the student no longer participates in the program that caused the choice enrollment to be made in the first place, or for other reasons authorized by law and considered by the district to be in the best interest of the student and/or the school.

Choice Enrollment for Non-Resident Students

Non-resident students from other school districts within the state who apply in accordance with this policy and the accompanying regulation may enroll in particular schools or programs in the district on a space available basis without the payment of tuition, except as otherwise provided by law.

Any non-resident student offered a seat via choice enrollment pursuant to this policy will have the same curricular and extracurricular opportunities 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.

Any non-resident student offered a seat via choice enrollment will be allowed to remain enrolled at their school of choice through the end of the highest grade level provided at the school, unless it is determined that there is overcrowding or other conditions develop, as described in the accompanying regulation.

Choice enrollment of any non-residential student in any program or school after the pupil enrollment count day may be considered on a case-by-case basis.

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 choice 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 choice enrollment.

The district school or program in which the child of an inbound active-duty member is choice 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 choice enrolled for purposes of enrolling in subsequent school years.

Change in Residence

Students whose place of residence changes during the school year or between school years may remain at the school they are currently attending for the duration of the grades served by that school. Students whose place of residence changes between school years (e.g. during the summer break) of transitional grades (5th to 6th, 8th to 9th) may attend and remain at the receiving feeder school for the duration of the grades served by that school. Upon notification of change in residence, school personnel will ensure the student's information is updated accordingly.

Transportation will not be provided.

Administrative Placements

Notwithstanding the provisions of this policy, a student may be assigned to a school outside their boundary area by the Superintendent or Designee. The administrative placement option is only available for the purpose of moving a student from one school to another where circumstances indicate that moving schools is in the best interest of the student and the school. These circumstances include, but are not limited to, disciplinary placement, a placement to finish the school year, or placement in a special program.

Transportation

Transportation for resident students offered a seat via choice enrollment will not be furnished by the district. Students experiencing homelessness, students in foster care, and students with disabilities will be transported to the extent required by state and federal law. If space is available on district general routes and a resident student desires to utilize existing school bus routes/stops without modifications, students may request transportation from the transportation department. By mutual agreement, the transportation department designee and school administration may grant temporary permission for choice enrolled students to ride a bus.

Transportation for non-resident students who enroll in the district will not be furnished by the district unless it is determined that transportation is necessary for the district to comply with the requirements of state or federal law concerning homeless students, students in foster care, and students with disabilities.

Students with Disabilities

Students with disabilities may apply for choice enrollment in a school outside their boundary area (including from another district school or charter school) as set forth above and in the regulation accompanying this policy. Such applications shall be reviewed along with the student's then-current Individualized Education Plan (IEP) or Section 504 Plan and determined in accordance with this policy, its accompanying regulation, and applicable state and federal law. To promote timely application

determination, further review by the student's IEP team shall be conducted only to the extent required by law.

Nondiscrimination

In implementing this policy and the accompanying regulation, the district will not discriminate on the basis of a person's actual or perceived characteristics such as, but are not limited to, race, color, sex, sexual orientation, gender, gender identity, gender expression, religion, creed, national origin, ancestry, immigration/citizenship status, age, marital status, conditions related to pregnancy or childbirth, genetic information, mental or physical disability, need for special education services, or any other protected class in conformance with federal, state, and local law in admission or access to, or treatment and employment in, its programs and activities. A lack of English skills will not be a barrier to admission or participation.

The following person/people has/have been designated to handle inquiries regarding the nondiscrimination policies:

Title IX/Employee ADA/Section 504/EEO Compliance Officer
Director of Human Resources
800 South Taft Avenue
Loveland, Colorado 80537
(970) 613-5009
nondiscrimination@tsd.org

Student ADA/Section 504 Compliance Officer
Executive Director of Student Support Services
800 South Taft Avenue
Loveland, Colorado 80537
(970) 613-5092
nondiscrimination@tsd.org

Adopted prior to 1985
Revised: June 5, 1991
Revised: October 5, 1994
Revised: November 3, 1999
Revised: June 5, 2002
Revised: October 17, 2007 (CASB-July 07)
Revised: May 5, 2010
Revised: June 19, 2013
Revised: October 16, 2013
Revised: October 20, 2021
Revised: August 17, 2022
Revised: September 20, 2023
Revised: January 21, 2024

Legal refs.:
20 U.S.C. 7912 (safe schools under NCLB Act of 2001)

C.R.S. 15-14-105 (delegation of custodial power)
C.R.S. 19-1-115.5 (child in foster care placement in considered resident of school district in which foster home is located).R.S. 22-1-102 (definition of a resident student)
C.R.S. 22-1-102.5 (definition of homeless child)
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)(II) (enrollment decisions nondiscriminatory)
C.R.S. 22-32-110(1)(k) (definition of racial or ethnic background includes hair texture, definition of protective hairstyle)
C.R.S. 22-32-110(1)(m) (power to fix boundaries)
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)
C.R.S. 22-32-115(4)(a) (tuition liability pursuant to written agreement)
C.R.S. 22-32-116 (if a student becomes non-resident)
C.R.S. 22-33-103 (payment of tuition options, resident and non-resident)
C.R.S. 22-33-106 (3) (grounds to deny admission)
C.R.S. 22-36-101 et seq. (open enrollment)
C.R.S. 22-54-103 (10.5) (definition of pupil enrollment count day)
C.C.R 301.1 Rule 3.02 (1)(j) (opportunities and options for choice)

Cross refs.:

IHB, Special Instructional Programs
IIB, Class Size
JC, School Attendance Areas
JFABD, Homeless Students
JFABE, Students In Foster Care
JHD, Exclusion and Exemptions from School Attendance
JJJ, Extracurricular Activity Eligibility
LBD, Charter Schools