

- A. The Board of Education will approve the attendance boundaries for each school in the District upon the recommendation of the Superintendent. The Superintendent will make every effort to develop such boundary recommendations consistent with the desires of the staff and the patrons to be served within each area.
  
- B. Open Enrollment -- Choice Within Public Schools
  - 1. Students may apply for open enrollment in a school or program outside their attendance area. Such applications may be denied only: *[C.R.S. 22-36-101. 3. 1.]*
    - a. If there is lack of space or teaching staff in the requested school or program.
    - b. If the student has been expelled, or is in the process of being expelled, for the reasons specified in *Sec. 22-33-106 (1) (c.5) or (1) (d)* or the student may be denied permission to enroll pursuant to *Sec. 22-33-106 (3) (a), (3) (b), (3) (c), (3) (e), or (3) (f)*.
  - 2. Students residing within a designated school attendance area shall have priority in registering in that school.
  - 3. Transportation for students granted permission to attend school outside their attendance area must be furnished by their parents. *[C.R.S. 22-32-115. 2. b.]*
  - 4. 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, limited only as permitted by law and in accordance with rules of the Colorado High School Activities Association.
  - 5. Transfer students attending a school outside their attendance area shall be granted admission on a year-to-year basis. In the event the population of the attendance area increases to fill the building with attendance area residents, transfer students may be asked to enroll in another school.
  - 6. Any pupil who is enrolled as a resident student shall be entitled to complete the semester or other term for credit if such pupil becomes a nonresident. If such pupil becomes a nonresident while enrolled in the twelfth grade, such pupil shall be entitled to finish that school year as a resident.
  - 7. The School district shall not be required to: *[C.R.S. 22-36-101. (2) (b) (1)]*
    - a. Establish and offer any particular program in a school if such program is not currently offered in such school.
    - b. Alter or waive any established eligibility criteria for participation in a particular program, including age requirements, course prerequisites, and required levels of performance.
    - c. Enroll any student pursuant to this section in any program or school after October 1.
  - 8. Tuition *[C.R.S. 22-32-115]*
    - a. The Board of Education shall permit any child who has attained the age of six years and is under the age of twenty-one years, the parents or guardian of whom are residents of the state but are not residents of the district, to attend school in the district without payment of tuition.

- b. Tuition may be charged to resident or nonresident adult pupils, as otherwise provided by law.
- c. The Board of Education may permit any child, the parents or guardian of whom are not residents of the state, to attend school in the school district and may require the parents or guardian of the child to pay tuition on behalf of the child.
- d. Written agreements between districts of residence and the district of attendance may be developed to provide for payment of tuition to the district of attendance by the district of residence. A copy of any such agreement shall be furnished to the parent or guardian of a child covered by the agreement. Such parent or guardian shall not be liable for any part of the tuition, if any, not paid to the district of attendance by the district of residence of such child; except that such parent or guardian may be liable for the payment of such part of the tuition if such parent or guardian is not a resident of the state.

**C. Non-Discrimination**

The Board, the Superintendent, other administrators, and teachers shall not make any distinction on account of race, color, ethnic group, or religion of any student who may be in attendance or who seeks admission to any school maintained by the district in the determination or recommendation of action under this policy.

However, the Board reserves the right to restrict open enrollment and transfer requests if such requests begin to significantly affect the ethnic balance of a school.

- D.** Students with disabilities will attend the school as provided for in their Individual Education Program (IEP). The district of residence is responsible for paying the district of attendance tuition for educating the child.

ADOPTED: November 28, 1977  
REVISED: October 16, 2007

LEGAL REFS. 20 U.S.C. 1116 (*choice options when school is on improvement status under the No Child Left Behind Act of 2001*)  
20 U.S.C. 7912 (*students who attend a school designated by state as persistently dangerous or who have been a victim of a violent crime at school have the option to transfer to a safe school within the district pursuant to the No Child Left Behind Act of 2001*)  
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. 22-32-115  
C.R.S. 22-33-106  
C.R.S. 22-36-101 *et seq.* (*open enrollment*)

CROSS REFS: IHBG, Home Schooling  
JFABD, Homeless Students  
JFBB, Inter-District Choice/Open Enrollment