

## Open Enrollment

### Definition of an Open Enrolled Student

An “open enrolled” student is one who is a resident or nonresident of the St. Vrain Valley School District desiring to attend a District school other than the school within his/her attendance area or school district of residence. Open enrollment is not intended for students placed in special District programs within District schools.

The District will consider requests from parents or guardians of students who do or do not reside within District boundaries but who wish to attend a particular school or education program within the District in accordance with the following regulations. However, out-of-district students will only be considered after all in-district requests have been granted.

When a school has been identified as "open", students may apply for open enrollment in a school outside their attendance area or school district of residence, and such applications may be approved if the application has been submitted in accordance with these regulations.

When a school has been identified as “closed”, no new open enrollment applications will be approved except in accordance with the appeal process.

### Application Process

#### Timeline:

1. Applications will be accepted at all schools beginning December 1.
2. Deadline for applications will be January 15.
3. The Planning Office will determine and notify schools of open or closed status by January 15.
4. Principals will notify the Planning Office regarding how many applications have been received and discuss space availability by January 22.
5. All applicants will be notified in writing, from the school for which they have applied, of their application status by February 7.
6. Applicants must go to the school for which they have been accepted by March 1 to confirm their acceptance.
7. Applications may continue to be received after the January 15 deadline (applicants will be placed on a waiting list), however, they may not be approved due to staffing being established using the combination of approved open enrollments and projections.

8. At the secondary level, schools remaining “open” during the school year will only be allowed to accept new students at a semester break for high schools, and at a quarter/semester break for middle schools (three days prior and three days after the official quarter break). In addition, students wishing to return to their home schools will do so at the designated grading periods. Changes in schools at the elementary level will be made through approval of the building principals involved. The goal, regarding this policy, is to reduce the number of school changes within an academic year.

**Procedures:**

1. Application forms will be available in each school and at the Educational Service Center in the Planning Office.
2. The receiving principal and/or District staff are responsible for explaining the application process and regulations to interested parents/guardians.
3. Students/parents/guardians may apply for open enrollment in a school outside of their attendance area by submitting a completed application form to the school of choice.
4. Open enrollment applications may be approved if there is space and staff available in the requested school or program and if the application has been submitted in accordance with the policy and these regulations.
5. The receiving school principal will make the decision as to whether an application is approved based upon the criteria in this regulation, Board policy and state law.
6. The receiving school principal is responsible for notifying the parents/guardians of the approval or denial of an admission request.
7. The receiving school principal will notify the principal of the school in the student's attendance area and the Planning Office of the disposition of the request.
8. After leaving the elementary or middle school level, a student must reapply for open enrollment at the next level. Approval/denial of that request will be made in accordance with this regulation.

In addition, for nonresident admission applications, the following also applies:

1. Nonresident students requesting admission to a school or program must submit their application, be approved and be in attendance prior to October 1 of the requested school year.

**Grounds for Denial of Open Enrollment Application**

Open enrollment applications may be denied by the receiving principal for any of the following reasons:

1. The school has been identified as a closed school due to lack of space or teaching staff within the school.
2. There is a lack of space or teaching staff within a particular program or grade level of the school requested.
3. The school requested does not offer appropriate programs or is not structured or equipped with the necessary facilities to meet special needs of the student or does not offer a particular program requested.
4. The student does not meet the established eligibility criteria for participation in a particular program including age requirements, course prerequisites or required levels of performance.
5. For nonresident applications, the student was not included in the most recent October student count.
6. The student is not eligible for enrollment in the District pursuant to Colorado Revised Statutes Section 22-33-106(3)(a), (b), (c), (e), or (f),.

### **Cancellation of an Approved Open Enrollment**

The principal may cancel an open enrolled student from his/her school if the student has been expelled or is in the process of being expelled for being habitually disruptive or for serious violations as defined by state law.

Open enrollments approved through the appeal process by the Planning Director, Assistant Superintendent of Learning Services, Superintendent or Board of Education, may also be rescinded in the event that the student does not comply with predetermined conditions set for the original approval.

### **Rescission of Open Enrollment Status**

Approved open enrollment students are considered approved for one school year only. However, if the status of the school facility remains open from one year to the next, those approved students shall be allowed to continue into the next school year in their open enrolled school without reapplication.

When a District school has been determined closed for open enrollment due to overcrowding or elimination of a program, the District Planning Director shall determine the impact of currently approved open enrollments in the school in consultation with the principal. If it is determined by the Planning Director that open enrollment should be cancelled and those students could also be accommodated back in their home schools, students will be notified of the rescission of open enrollment by the principal no later than April 30th. Students shall have their open enrollment status cancelled in reverse order of acceptance. If it is determined that cancellation of open enrollment is only needed in specific grades or programs, then the cancellation shall be limited to that

grade or program and cancellation shall be done in reverse order of acceptance. If the open enrollment status is not rescinded for students at closed schools, they shall be allowed to continue into the next school year in their open enrolled school without reapplication.

If necessary, the following order for rescission shall take place until the level of school enrollment determined adequate, is reached.

1. Nonresident students shall be the first to have their open enrollment status evaluated and cancelled.
2. Resident students shall be next to have their open enrollment status evaluated and cancelled.

### **Change in Residence**

1. Elementary and secondary students whose place of residence changes during the school year may remain at the school they currently are attending until the end of the academic year.
2. Open enrollment forms must be completed for record-keeping purposes for students in this situation.
3. Students will be required to attend the school in their new attendance area the following year unless their application for continued open enrollment is approved.

### **Appeal Process**

Principals of closed schools or grade levels will approve applications which meet the following criteria:

1. If a student completes two years at a particular secondary school and their circumstances change (e.g.: address; program involvement; etc.), the student shall be approved by the principal for open enrollment to complete his/her years at that same school.
2. If the parents/guardians are building a home in another attendance area but the home will not be finished before school starts, or if they have a contract on a house that will not be closed on before school starts, the student shall be approved by the principal for open enrollment in the school in the new attendance area.
3. Siblings of students who have been granted open enrollment status shall be approved by the principal for open enrollment, as long as the sibling will have concurrent enrollment in at least the first year as the originally approved student.
4. Students living outside the attendance area of the school they are currently attending, but enrolled as a result of a District oversight or mistake, shall be

approved by the principal for open enrollment. This does not apply to students who falsify the enrollment application to gain access into a closed school.

5. Children of District employees may attend the same school at which their parent(s) or legal guardians work.
6. Divorce situations where custody, as determined by the court, will establish residency.

When a parent/guardian of a student has applied for open enrollment at a school and that application has been denied by the principal, the parent/guardian will be advised by the principal that they may appeal to the Planning Office. Parents/guardians of students who wish to have their appeal considered must submit an appeal form to the Planning Office. The Planning Director will review the appeal based on the following criteria, except for #3.

1. Special Education considerations, as determined by Special Education and High Intensity Language Training (HILT).
2. Documented medical, health and safety situations, conditions, and/or circumstances.
3. Unique circumstances or hardship as determined through appeal to the Assistant Superintendent of Learning Services.

### **Procedures for # 3**

When necessary and upon written request, the Assistant Superintendent of Learning Services will review the decision of the Planning Director where the Assistant Superintendent of Learning Services may use discretionary authority to review and approve applications due to unique circumstances/hardship.

When necessary and upon written request, an appeal can be made to the Superintendent who will review the decision of the Assistant Superintendent of Learning Services.

Upon written request to the Board of Education a hearing will be granted as a final review.

### **Exceptions for Attendance Area Boundary Changes**

The Board of Education has adopted exceptions to this regulation for students affected by attendance area boundary changes.

These exceptions supersede the other sections of this regulation:

1. Elementary Schools - Current 4<sup>th</sup> graders who would be moved into a new attendance area by a boundary change would be able to open enroll back to their

current school for their final year whether the school was open or closed.

2. Middle Schools - Current 7<sup>th</sup> graders who would be moved into a new middle school attendance area by a boundary change would be able to open enroll back to their current school for their final year whether the school was open or closed.
3. High Schools - Current 10<sup>th</sup> and 11<sup>th</sup> graders who would be moved into a new attendance area by a boundary change would be able to open enroll back to their current school for their final one or two years whether the school was open or closed.
4. Middle/Seniors - Current 7<sup>th</sup> and 10<sup>th</sup> and 11<sup>th</sup> graders who would be moved into a new attendance area by a boundary change would be able to open enroll back to their current school for their final one or two years whether the school was open or closed.

In all four situations the sibling rule, as stated above, does not apply unless approved by the Assistant Superintendent of Learning Services through the appeal process. In cases where a school affected by boundary changes is designated as open, the applicable open enrollment procedures would be followed with the exception that students previously enrolled at the school would have priority over new students. After completion of the first year at new elementary and middle schools and the completion of the second year at new middle/senior and high schools, the new schools would revert to the standard open enrollment procedures.

### **Athletics and Extracurricular Activities - Eligibility**

Eligibility for students granted permission to attend a school other than the school in their assigned attendance area shall be determined in accordance with the rules of the Colorado High School Activities Association.

### **Transportation**

Transportation for students granted permission to enroll pursuant to this policy and regulation shall be the responsibility of the student/parent/guardian. If the District places a student in a special education or bilingual program in a school outside his/her attendance area, the District shall provide transportation, if necessary.

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