

Open Enrollment

The Board recognizes that students may benefit from having a choice of schools to attend within the public school system that is not limited by school district boundaries or individual school attendance area boundaries. Therefore, students shall be allowed to attend any school or participate in any education program of their choice on a space available, first-come, first-served basis provided they meet the approved guidelines, are eligible for enrollment, and follow the approval process established by the Board of Education.

Nondiscrimination

The District shall not discriminate against any student making an open enrollment application and all decisions relative to the application shall be made solely on the merits of the application as pertaining to the process described herein.

Open Enrollment for District Residents

Students may apply for open enrollment in a school outside their attendance area and such applications may be approved if the application has been submitted in accordance with the regulations accompanying this policy.

Nonresident Enrollment

Enrollment of nonresident students may be approved if the application has been submitted in accordance with the regulations accompanying this policy.

Any nonresident student requesting admission to a particular school or program must submit their application, be approved and be in attendance prior to October 1 of the requested year of attendance. No new nonresident students will be approved for admission after October 1.

Special Education/Bilingual Programs

Requests from the parent/guardian of special education and bilingual education students for enrollment in another school or education program will be considered in accordance with this policy provided that the school requested offers appropriate programs and is structured or equipped with the necessary facilities to meet the special needs of the student. The District reserves the right to place students in a special education or bilingual program in a school outside their attendance area notwithstanding this policy.

Rescission of Open Enrollment Status

Approved open enrollments 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, the District reserves the right to rescind any or all open enrollment

admissions at the end of each school year if overcrowding of facilities occurs in accordance with the regulations accompanying this policy.

Closed Schools

A school may be closed to open enrollment and nonresident admission on an annual basis due to lack of space if enrollment is at or exceeds 95% of its capacity or it is projected to reach 95% capacity within the following three years or if there is a lack of teaching staff within a particular program.

The Planning Office will identify schools that meet the closed school requirement as stated above. The Planning Director will recommend to the Superintendent that the school be closed to open enrollment and nonresident admissions. The Superintendent will report to the Board of Education normally by April 15 of each year those schools that will be closed to open enrollment and nonresident admissions.

Adopted February 8, 1984
Revised June 25, 1986
Revised April 27, 1988
Revised November 14, 1990
Revised to conform with practice June 8, 1994
Revised October 12, 1994
Revised April 9, 1997
Revised February 24, 1999
Revised February 27, 2002
Revised November 5, 2003
Revised August 10, 2005

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. 9532 (*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. 15-14-104 (delegation of custodial power)
C.R.S. 22-1-102 (Residence of child)
C.R.S. 22-1-102.5 (Definition of homeless child)
C.R.S. 22-20-109 (Tuition)
C.R.S. 22-32-113(1)(c) (Transportation of pupils)
C.R.S. 22-32-115 (Tuition for resident school-age children)
C.R.S. 22-32-116 (Exclusion of nonresidents – exception)
C.R.S. 22-33-103 (Free education – Tuition may be charges)
C.R.S. 22-33-103.5 (Attendance of homeless children)
C.R.S. 22-33-106 (3)(c),(f) (Grounds for suspension, expulsion, and denial of admission)
C.R.S. 22-32-110 (1)(m) (Board of education – specific powers)
C.R.S. 22-36-101 *et seq.* (Choice of programs and schools within school districts)
C.R.S. 22-54-103 (10) (Pupil enrollment, October 1)
1 CCR 301-1, Rule 2202-R-3.10 (2)

CROSS REF.: IIB, Class Size
JC, School Attendance Areas
JFABB, Admission of Exchange and Foreign Students
JFABD, Enrollment of Homeless Students
JCAA, School Districting/Redistricting

St. Vrain Valley School District RE-1J, Longmont, Colorado