

## **SCHOOL OF CHOICE/OPEN ENROLLMENT**

Students will attend the district school determined by their residence unless an application for school of choice/open enrollment to attend another school or program is approved. No student will be enrolled in a school outside their attendance area without prior approval in accordance with this regulation. In accordance with policy AC, Thompson School District does not discriminate on the basis of race, color, sex (which includes marital status), sexual orientation, national origin, religion, ancestry, ethnicity, disability and/or any other status protected by law.

The principal or designee of each school will be responsible for checking student enrollment records to determine that each student is a legal resident of that school's attendance area or has an approved application for open enrollment or transfer.

An "open enrolled" student is one who is a resident or nonresident of the Thompson School District attending a district school other than the school within his/her attendance area or school district of residence.

When a school and/or grade level within a school has been identified as "open", the district will consider school of choice/open enrollment applications from the parent/guardian 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 this regulation. However, nonresident requests will only be considered after all resident applications have been approved. Any questions regarding a student's residence must be resolved prior to application for school of choice/open enrollment.

When a school and/or grade level within a school has been identified as "closed," no new school of choice/open enrollment applications will be accepted.

Upon open enrollment at a school outside the attendance area, the student should plan to remain at the choice school for all remaining grade levels served by that school, subject to the terms of policy JFBA/JFBB and this regulation.

Students who wish to transfer to a different school must reapply under school of choice/open enrollment in accordance with this regulation. Students who wish to reenroll in their neighborhood school may do so.

In the event that any information is falsified or withheld from the district in connection with the school of choice/open enrollment process, any approval for admission and continued enrollment may be immediately withdrawn. If an applicant is not approved for a given school year, the student must reapply under the school of choice/open enrollment process if admission is desired for the following year.

In general transportation will not be provided. However, transportation requests may be reviewed on a case-by-case basis to ensure equitable access to focus programs.

### **APPLICATION PROCESS**

There are two application scenarios: Immediate Transfer and Following Year.

#### **Application Process – Immediate Transfer**

Applications for school of choice/open enrollment are available at all schools and on the district website. Completed applications will be submitted directly to the school of choice. The application will be reviewed in accordance with the process for following year applicants, considering the

FTE allocation available to the school site for that year. The principal of that school, or the principal's designee, will communicate acceptance or denial of the application.

## **Application Process – Following Year**

### **Step 1: Application Process**

- a. The annual application window for school of choice/open enrollment is the first school day following Thanksgiving break to the first Friday following winter break.
- b. Applications for school of choice/open enrollment are available at all schools and on the district website. Applicants may apply for enrollment in any school(s) with appropriate grade levels and programs and must submit their application(s) on-line, during the window for open enrollment that will be advertised on the district's website.

### **Step 2: Determining Space and Program Availability**

- a. The planning office will determine and notify schools of open or closed status by the first day of the waiver window.
- b. A school will be closed to school of choice/open enrollment and nonresident admission on an annual basis if enrollment is at or exceeds 95% of its capacity or is projected to reach 95% capacity within the following three years. Modular buildings will not be taken into consideration when determining availability of classroom space.
- c. A grade level within a school may be closed to school of choice/open enrollment and nonresident admission on an annual basis if enrollment at that grade level is projected to exceed 95% of its capacity.

### **Step 3: Determining Student Eligibility**

The receiving school shall determine each applicant's eligibility for attendance including:

- a. The student meets established eligibility criteria for enrollment in the school and/or participation in a particular program that has been requested, including but not limited to age requirements, course prerequisites, safe schools check, and required levels of performance.
- b. The school and/or particular program are able to meet the applicant's special needs.
- c. The student has not been expelled or is not in the process of being expelled as a habitually disruptive student or for a serious violation in a school building or in or on school property.
- d. There are no other grounds that may exist for denial of admission under policy JFBA/JFBB, this regulation, or governing law.
- e. Building Principals will review open enrollment applications in consideration of projected FTE allocations for the following year.
- f. Applications shall be considered in numerical order as determined by lottery or by order of receipt. The review of each application for an available grade level/program shall be completed and the determination as to acceptance/denial shall be made before initiating the review of the next application for the same grade level/program.

### **Step 4: Accepting Applicants**

- a. The district shall send all applicants written notice of acceptance or denial the Friday prior to Spring Break through the Friday of Spring Break.
- b. Eligible applicants at each grade level shall be placed where space is available.
- c. If applicants are not accepted, they will be placed on a wait list at each school site, which will remain in effect for the duration of the school year. Applicants may reapply under the school of choice/open enrollment for the following year. The choice/open enrollment process for the following year shall be conducted without considering the existing waitlist for the current year.

### **Step 5: Confirmation**

- a. Applicants must confirm in writing their intent to enroll in the requested school/program no later than the first school day in April identified by the district calendar.
  1. If no response is received from the applicant they will be deemed to have declined the acceptance, and the space may be offered to the next applicant on the wait list.
- b. A student whose school of choice/open enrollment application for the upcoming school year has been accepted and confirmed in accordance with policy JFBA/JFBB and this regulation will begin attending the school of choice in August of the new school year.
- c. A student admitted through school of choice/open enrollment shall be allowed to stay at the choice school for all remaining grade levels served by that school, subject to the terms of policy JFBA/JFBB and this regulation. After leaving the elementary or middle school level, a student must reapply for school of choice/open enrollment at the next level. Approval or denial of that request will be made in accordance with this regulation.

**Step 6: Appeal**

- a. If the application for school of choice/open enrollment is denied, the principal of the requested school shall notify the parent/guardian at the time of the denial that a written appeal may be filed with the appropriate level executive director for elementary/secondary education within ten (10) business days of the denial. Appeals will not be accepted or considered for schools identified as “closed” by the district.
- b. The appropriate level director for elementary/secondary education will review the decision of the principal and may request additional information from and/or a meeting with the parent/guardian, student, and/or affected principal(s). The appropriate level director for elementary/secondary education will use discretionary authority to review and approve applications due to unique circumstances/hardship. The decision of the appropriate level director for elementary/secondary education will be communicated to the parent or legal guardian within ten (10) business days after receipt of the appeal and will be final and not subject to further appeal.

**Siblings**

Applications for all siblings should be submitted at the same time if it is desired that they attend the same school of choice. Siblings will be enrolled in the school if space is available at each grade level and eligibility requirements set forth in policy JFBA/JFBB, this regulation, and governing laws are met.

**GROUND FOR DENIAL OF SCHOOL OF CHOICE/OPEN ENROLLMENT APPLICATION**

Grounds for denial of admission to an applicant who otherwise complies with the district’s policies and procedures are limited to the following:

1. There is a lack of space or teaching staff within a particular program or school requested.
2. The school requested does not offer appropriate programs or is not structured or equipped with the necessary facilities to meet special needs of the pupil or does not offer a particular program requested.
3. The pupil does not meet the established eligibility criteria for participation in a particular program, including age requirements, course prerequisites, and required levels of performance.
4. The student has been expelled, or is in the process of being expelled, for the reasons specified in section 22-33-106(1)(c.5) (declaration of a habitually disruptive student) or (1)(d) (commission of certain offenses on school grounds, in a school vehicle, or at a school activity or sanctioned event) or the student may be denied permission to enroll pursuant to section 22-33-106(3)(a)(graduation or documented completion of secondary curriculum), (3)(b)(failure to meet age requirements), (3)(c)(expelled from any school

district during the preceding twelve months), (3)(e) (failure to comply with the provisions of part 9 of article 4 of title 25 regarding immunizations), or (3)(f) (behavior in another school district during the preceding twelve months that is detrimental to the welfare or safety of other pupils or of school personnel).

5. There are other grounds that exist for denial of admission under policy JFBA/JFBB, this regulation, or governing law.

### **PRIORITIZING SCHOOL OF CHOICE/OPEN ENROLLMENT REQUESTS**

Students who reside within a school's designated attendance boundary have the highest priority in registering at that school. When a receiving school cannot accommodate all of its school of choice/open enrollment applications, the school will utilize a wait list determined either by lottery or by order of application. Such wait lists may be reordered only to grant priority to certain applicants based on the following criteria:

1. Sibling(s) are already attending the receiving school.
2. Plans by a student's family to build or lease a residence in the receiving school attendance area when documented by evidence of construction authorization, legal purchase or a rental/lease agreement with occupancy to be actualized within a reasonable amount of time.
3. Criteria established by a receiving charter school's admissions policy, so long as within any priority applicant pool, applications are reviewed in a manner that comports with the District's nondiscrimination policies and this regulation.

### **CONTINUING ENROLLMENT CRITERIA**

Any student enrolled pursuant to this policy shall be allowed to remain enrolled in the school or program through the level unless:

1. The student is expelled from the school or program.
2. The student is no longer participating in the program which caused the application for school of choice/open enrollment.
3. The student's continued participation in the school or program requires the district to make alterations in the structure of the school or to the arrangement or function of rooms.
4. There is a lack of space or teaching staff.
5. The school does not offer a program requested by the student.
6. The student does not meet established eligibility criteria.
7. The school does not offer appropriate programs or is not equipped to meet the special needs of the student.

Case by case exceptions to the actions described above may be made and based on a discussion between the school principals at both the sending and receiving schools and the appropriate level executive director for elementary/secondary education or director of special education, particularly when such exceptions are in the best interest of all parties involved. Continuation of school of choice/open enrollment will be contingent upon the continued appropriateness of the school or program for a student.

### **ACTIVITIES**

Eligibility for participation in extracurricular and interscholastic activities will be determined in accordance with applicable law, the bylaws of the Colorado High School Activities Association and the district's eligibility requirements.

Any student who enrolls in a school outside of his/her attendance area by falsifying the address forfeits eligibility to participate in athletic activities.

### **ADMINISTRATIVE PLACEMENTS**

Administrative placement is a tool for meeting the needs and best interests of individual students. Administrative placements are initiated at the district level, and may be used in cases

involving special programs, truancy, behavior events, safety, and instances not otherwise specifically covered in this regulation.

The final determination of an administrative placement and the notification to the parent/guardian of such placement is made by the appropriate level executive director for elementary/secondary education. Any party aggrieved by an action or decision regarding the administrative placement process may appeal the action or decision to the superintendent whose decision will be final and not subject to further appeal.

### **EXCEPTIONS FOR BOUNDARY CHANGES**

These exceptions supersede other sections of this regulation.

Elementary Schools – current 4<sup>th</sup> grade students 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.

Middle Schools – current 7<sup>th</sup> grade students who would be moved to 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.

High Schools – No high school student will be moved out of their attending school due to a boundary change.

In cases where a school affected by boundary changes is designated as open, the applicable school of choice/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 second year of operation of a new middle or high school, the new school would revert to standard school of choice/open enrollment procedures.

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