



Policy and Procedures

File: JFBB

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Inter-District Choice/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.

Nonresident students from other school districts within the state who are accepted pursuant to this policy and its accompanying regulations approved by the Board may enroll in particular programs or schools within this district on a space available basis without payment of tuition, except as otherwise provided by law.

Definitions

Admission: Occurs upon completion of the open enrollment application process. Applicants are admitted based on the number of grade-level seats the district deems to be available at the school site at the time of application. Admitted students may be denied enrollment based on considerations set forth in state and federal law.

Conditional enrollment: Following admission, the district will obtain and review the student's educational records including grades, attendance, safety, and discipline, and, as applicable, plans related to the student's disability-based needs. After the appropriate records have been reviewed, and any required meetings for IDEA-eligible students concluded, the district will confirm or revoke the student's enrollment. Following confirmation of enrollment, the student may register at the receiving school.

Overview

In providing for ~~admission~~ the open enrollment of non-resident students, the ~~school~~ district shall not:

1. Make alterations in the structure of the requested school or to the arrangement or function of rooms within a requested school to accommodate the enrollment request.
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.

The district is not required to eEnroll any nonresident student in any program or school after the pupil enrollment count day.

Before considering requests for ~~admission~~ open enrollment from nonresidents, priority shall be given to resident students who apply under the district's ~~open enrollment/transfer plan~~ Intra-District Choice/Open Enrollment policy (JFBA).

Students granted permission to attend a school pursuant to this policy shall have the same curricular and extracurricular status 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 student enrolled pursuant to this policy shall be allowed to remain enrolled in the school or program through the ~~end of the school year~~ highest grade offered at the school or program unless overcrowding or other undesirable conditions develop, as described in the accompanying regulation.

Transportation

Transportation for nonresident students ~~who granted permission to~~ enroll in the district pursuant to this policy shall be furnished by their parents/guardians ~~unless it is determined that transportation is necessary for the district to comply with state and federal law requirements for homeless and disabled students.~~

~~Students experiencing homelessness and students in foster care, and students with disabilities will be transported, as necessary, in accordance with state and federal law. Transportation will not be provided to students with disabilities who otherwise qualify for transportation as identified by their individualized education program (IEP) or Section 504 plan when students attend school outside their attendance area pursuant to this policy. -~~

~~Homeless and disabled students shall be transported, as necessary, in accordance with state and federal law. Buses from this district may enter the student's district of residence to pick up or deliver the student only with specific permission of the Board of Education of the district of residence.~~

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 open 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 open enrollment.

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

Nondiscrimination

Pueblo School District No. 60 does not discriminate on the basis of race, creed, color, sex, sexual orientation, gender identity/expression, ~~marital status~~ family composition, national origin, religion, ancestry, age, disability, need for special education services, genetic information, pregnancy or childbirth status, or other status protected by law in admission, access to, treatment or employment in its educational programs or activities. Additionally, a lack of English language skills is not a barrier to admission or participation in activities.

The following individual has been designated to handle inquiries regarding the non-discrimination policies: Executive Director of Student Support Services, Andrew Burns, andrew.burns@pueblod60.org, Title IX Coordinator/Compliance Officer for complaints. This individual can be located at 315 West 11th Street, Pueblo, Colorado 81003, (719) 549-7100. Inquiries about Title IX can be directed to Pueblo School District No. 60's Title IX Coordinator/Compliance Officer named herein; the Assistant Secretary for Civil Rights of the Department of Education at (800) 421-3481, OCR@ed.gov; or both. Complaint procedures have been established for students, parents, employees, and members of the public. (Policy AC, AC-R-1, AC-R-2, AC-E-1, AC-E-2, AC-E-3). Si tiene alguna pregunta sobre esta información, por favor llame a la escuela de su niño

Special education

Requests from the parents/guardians of special education students for admission shall be considered in accordance with applicable state and federal laws. The student's current Individual Education Plan (IEP) shall be used to determine if the requested school or program can meet the student's needs. Once the student is admitted, the district shall conduct a staffing to update the IEP. Following admission and during the period of conditional enrollment, the district's review of the student's education records may reveal that the student's transfer to the receiving school would constitute a significant change of placement. In such cases, the district will consider whether a reevaluation is warranted and shall convene an IEP team after, as applicable, completing any warranted evaluation, to ensure the receiving school or program is an appropriate educational placement for the student in accordance with applicable state and federal laws. If the receiving school or program is not an appropriate educational placement, the district shall revoke the student's conditional enrollment and provide the student's parents/guardians with a specific, written explanation of its determination. For students presently attending a district school, such notice shall be provided in the student's IEP. For students not presently attending a district school, such notice shall be provided in a separate prior written notice compliant with state and federal law.

Waiver requests

~~The superintendent shall present to the Board for its consideration any request from parents/guardians alleging violation of a Board policy.~~

Adopted: July 12, 1994
Revised: July 16, 1996
Revised: March 14, 2006
Revised: June 25, 2013
Revised: January 18, 2024
Revised: [Date], 2024

LEGAL REFS.: C.R.S. 15-14--105 (*delegation of custodial power*)
C.R.S. 19-1-115.5 (*child in foster care placement is considered resident of school district in which foster home is located*)
C.R.S. 22-1-102 (2) (*definition of resident of district*)
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) (*Board duty to adopt policies requiring enrollment decisions to be made in a nondiscriminatory manner*)
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 not to exceed 120% of per pupil general fund cost*)
C.R.S. 22-32-115 (2) (b) (*subject to 22-36-101 district must permit any student whose parents are residents of Colorado to attend w/o payment of tuition*)
C.R.S. 22-32-115 (4) (a) (*district is not liable for tuition except pursuant to written agreement*)
C.R.S. 22-32-116 (*if become non-resident may finish semester, if in 12th grade may finish year, special rules for elementary students*)
C.R.S. 22-33-103 (*any resident may attend district school w/o payment of tuition, tuition can be paid by district of residence pursuant to written agreement, parents may pay tuition if non-Colorado resident*)
C.R.S. 22-33-106 (3) (*grounds to deny admission*)
C.R.S. 22-36-101 *et seq.* (*open enrollment policy must have time-line and reasons to deny enrollment*)
C.R.S. 22-36-107 (*inbound active duty military families open enrollment and registration*)
C.R.S. 22-54-103 (10.5) (*definition of pupil enrollment count day*)
1 CCR 301-8, Rules 4.03 and 8.07 (*prohibiting administrative units from inquiring about a transferring child's IEP or disability status until after the child has been admitted*)

CROSS REFS.: JF-R, Admission and Denial of Admission (Procedures for Students in Out-of-Home Placements)
JFAB, Continuing Enrollment of Students Who Become Nonresidents
JFABA, Nonresident Tuition Charges
JFABD, Homeless Students
JFBA, Intra-District Choice/Open Enrollment

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Pueblo School District No. 60, Pueblo, Colorado

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