

File: JFBB-R - Inter-District Choice/Open Enrollment

The district will consider enrollment requests from Colorado students who do not reside within the boundaries of the school district but who wish to attend a particular school or program within the district in accordance with the following regulations:

1. Determination of residency

Any questions about a student's residency status must be resolved prior to application for open enrollment. These regulations apply to all Colorado students who do not reside within the boundaries of the school district.

2. Requests for open enrollment

Requests for open enrollment as a nonresident student must be initiated by the parent/guardian by filing the approved form with the superintendent of Miami Yoder prior to September 5 for enrollment in that academic year.

Forms will be available in Miami Yoder School Offices. The superintendent will explain to the parent/guardian the procedures used to process open enrollment requests. The school registrar/secretary will maintain a copy of all applications.

All applications will be presented to the Board for approval. Applications for nonresident students that are continuing their education in the district will be presented to the board during the April meeting for approval. New applications will be brought to the board for approval as they are received.

The approval of a request to enroll in the Miami-Yoder District will be conditioned on compliance with each of the following:

- a. Actual enrollment and attendance prior to the pupil enrollment count day of the following academic year, unless waived by the Board of Education.
- b. Receipt of all applicable records.
- c. Satisfaction of all district requirements for enrollment.
- d. A signed declaration by the parent/guardians that student(s) will participate in all district testing programs.

In the event any information is falsified or withheld from the district during the enrollment process, approval for open enrollment will be withdrawn immediately.

3. Grounds for denial of open enrollment

Grounds for denial of admission to a nonresident student who otherwise complies with the district's policies and procedures are limited to the following:

- a. There is a lack of space or teaching staff in a particular program or school requested, in which case priority will be given to resident students applying for enrollment in the program or school.
- b. Miami-Yoder does not offer appropriate programs for the student, is not structured or equipped with the necessary facilities to meet the student's special needs or does not offer the particular program requested.
- c. The student does not meet the established eligibility criteria for participating in a particular program including age requirements, course prerequisites and required levels of performance.
- d. A desegregation plan is in effect for the school district, and denial is necessary in order to enable compliance with the desegregation plan.
- e. The student has been expelled from any school district during the preceding 12 months.
- f. The student has demonstrated behavior in another school district during the preceding 12 months that is detrimental to the welfare or safety of other students or of school personnel including but not limited to behavior that has resulted in an out-of-school suspension.
- g. The student has graduated from the 12th grade of any school or is in receipt of a document evidencing completion of the equivalent of a secondary curriculum.

4. Criteria to determine availability of space or teaching staff

Enrollment requests are subject to space availability in the school requested contingent upon district class size guidelines and subject to availability as determined by the receiving principal and superintendent taking enrollment projections into consideration. Students whose enrollment requests have been approved will be assigned to classrooms on the basis of available staff and support services as well as the best use of classroom space.

Requests for enrollment in particular programs will take into consideration the applicant's qualifications for the program.

Admission granted to one child in a family will not necessarily support enrollment of another child from the same family.

5. Eligibility for activities

Nonresident students who enroll within the district in accordance with this policy will have the same curricular and extracurricular status as all other students attending the school, limited only by rules of the Colorado High School Activities Association (CHSAA).

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

6. Continuing enrollment criteria

Any student enrolled pursuant to these procedures and accompanying Board policy shall be allowed to remain enrolled in the school or program through the end of the school year unless:

- a. The student is expelled from the school or program.
- b. 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.
- c. There is a lack of space or teaching staff.
- d. The school does not offer appropriate programs or is not equipped to meet the special needs of the student.
- e. The school does not offer a program requested by the student.
- f. The student does not meet the established eligibility criteria.
*See 3. Grounds for denial of admission (e. and f. behaviors pertaining to this school year and district.
- g. A desegregation plan is in effect and denial of continued enrollment is necessary to comply with the plan.

Permission for a nonresident student to attend a district school may be rescinded at the end of the school year if the school's growth in enrollment due to an increase in students living in the school's boundary results in inadequate space or resources for enrolled students. In such cases, the enrollment of nonresident students will be rescinded.

Any nonresident student may be denied enrollment for the next school year if, due to a change in circumstances, the school would be required to add programs, space or teaching staff or make an alteration to facilities or equipment in order to serve the student or the student no longer meets the established eligibility criteria for the school.

Any nonresident student may be denied enrollment for the next school year if the student has demonstrated behavior during the school year that is detrimental to the welfare or safety of other students or of school personnel including, but not limited to behavior that has resulted in an out-of-school suspension or expulsion.

7. Procedures for resident elementary students who become nonresidents between school years

Students enrolled in elementary school who become nonresidents between school years may remain enrolled in or re-enrolled in the elementary school subject to the following requirements:

- a. The student was included in the district's most recent October 1 student enrollment count and has been enrolled continuously in elementary school since the count was taken.
- b. The parent/guardian has submitted a written request to the principal asking for the student to remain enrolled or to re-enroll in the school.

- c. The request has been approved by the superintendent after a determination that space exists in the school to accommodate the student.

Once the elementary student's request is approved, the student may enroll or re-enroll in Miami-Yoder Elementary School. The district of residence or the parent or guardian will not be required to pay tuition.

8. Appeal procedure

Should a request for open enrollment be denied, the superintendent shall provide written notice of the denial consistent with Section B (3) of JKD/JKE-R. The parent/guardian may appeal the denial of admission decision pursuant to the procedures set forth in Section B of JKD/JKE-R.

The parent/guardian will appear in person at the next Board meeting or submit an appeal in writing. The Board of Education will review the parent/guardian's request and a determination will be made within 5 business days. A written response will be mailed or emailed to the provided address on file. The Board's decision is final.

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