
AURORA PUBLIC SCHOOLS**APS Code: JFBA****Adopted September 1994****Revised April 2005****Revised May 2007****Revised January 2010****Revised December 2015****Reviewed October 2017****Revised April 2018****Revised October 2021****Revised October 2022**

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The Board of Education recognizes that resident students may wish to attend a school or participate in a program located in an area other than that of their home school of residence. Therefore, students shall be allowed to attend any school or participate in any program of their choice on a space-available, staff available, grade level available basis with applications due no later than May 1.

Students who live within the designated boundaries of a school shall have priority for enrollment in that school. The Superintendent of Schools or designee shall establish procedures to enable students to make applications to open enroll in a school outside their home school residence boundaries.

Applications for choice/open enrollment will be considered in the following order of priority:

1. Resident or nonresident students who apply, meet specific eligibility requirements, and are accepted into a pilot/magnet school or focus educational program, shall have the first priority with resident students receiving higher preference.
2. Children of APS staff seeking new open enrollment placements within the district shall have the next priority.
3. Resident students who are entering the highest grade level at a school affected by boundary changes and wish to remain at that school shall have the next priority.
4. Students receiving daily childcare with a private sitter, or at a commercial center, within a school attendance area other than the one of residence have the next priority.
5. Student applicants who are residents of the district and are seeking new choice/open enrollment have the next priority.
6. Student applicants who are nonresidents of the district and are seeking new choice/open

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enrollment placements have the next priority through the District's Inter-District Choice/Open Enrollment Policy (JFBB).

In implementing the choice/open enrollment program, the District is not required to:

1. make alterations in the structure of a requested school or make alterations to the arrangement or function of rooms within a requested school;
2. establish and offer any particular program in a school if such program is not offered currently in such school; nor
3. alter or waive any established eligibility criteria for participation in a particular program including age requirements, course prerequisites and required levels of performance.

Notwithstanding the provisions of this policy, a student may be assigned outside their residential attendance area by mutual agreement of the principals or district administration, in the interests of the student and/or school.

Magnet Schools

Schools which have been designated as magnet schools may develop and implement an admission process that is aligned with the school program and design. This admissions process may include specialized criteria, procedures and/or preferences specific to the school program and design. All magnet school admission processes must be reviewed and approved by the Superintendent or their designee before the admissions process may be implemented. Admission processes for magnet schools shall be maintained on the magnet school's website. Any subsequent change to an approved admissions process must also be approved by the Superintendent or their designee.

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Transportation

School bus transportation is not available for students who voluntarily attend schools outside their residential attendance area. Students with disabilities shall be transported in accordance with applicable law.

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.

Students with Disabilities

The district shall not inquire about an applicant's IEP or disability status until after the applicant has been admitted. Thereafter, the district shall consider the request for open enrollment in another

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school or program in accordance with applicable state and federal laws. Unless circumstances indicate that a special education staffing should be held, the student's current individual educational plan (IEP) OR Section 504 plan shall be used to determine if the requested school or program provides an appropriate educational placement for the student if any necessary reasonable accommodations can be provided in the requested school or program.

The decision of whether the new school would be an appropriate placement for a disabled student shall be determined by the student's staffing team, with assistance from the Department of Exceptional Student Services.

Nondiscrimination

The Board, the Superintendent, other administrators and district employees shall not unlawfully discriminate based on a student's race, color, national origin, ancestry, creed, sex, sexual orientation, gender identity, gender expression, religion, marital status, disability or need for special education services in the determination or recommendation of action under this policy.

LEGAL REFS.: C.R.S. 22-1-102 (definition of district resident)
 C.R.S. 22-1-102.5
 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. 22-32-110(1)(k) (definition of racial or ethnic background includes
 hair texture, definition of protective hairstyle)
 C.R.S. 22-32-110 (1) (m) (power to fix boundaries)
 C.R.S. 22-32-116 (exclusion of nonresidents)
 C.R.S. 22-33-103.5(6) (transportation for homeless students)
 C.R.S. 22-36-101 *et seq.*(open enrollment)

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C.R.S. 22-36-107 (inbound active duty military families open enrollment and registration)

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)

42 U.S.C. 11431,11432(g)

CROSS REFS.: AC.1, Nondiscrimination/Equal Opportunity
JC, School Attendance Areas
JFBB, Inter-District Choice/Open Enrollment
EE, Transportation Services
EEAB, Special Education Student Transportation
JF, Admission of Students

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Determination of Residency

Any questions about a student's residency status shall be resolved prior to application for admission. Any parent/guardian or student who submits inaccurate information in order to seek choice/open enrollment may have their application removed from consideration or their approved choice/open enrollment rescinded. Steps may be taken to immediately withdraw the student from the approved open enrollment school with the possibility that academic credit may not be granted.

Attendance Areas

Students will attend their home school of residence unless a choice/open enrollment application to attend another school or program is approved. Students will not be enrolled in a school or program outside their home school of residence without prior approval in accordance with these regulations and applicable law.

Students must register in the school serving their attendance area even though a request is pending for open enrollment. Registration and/or enrollment in the requested school will not be permitted until the student has received written approval for open enrollment.

Choice/Open Enrollment

Requests for choice/open enrollment must be initiated with the student's parent/guardian submitting district form JFBA-E "Application for Intra-District Choice/Open Enrollment" to the school which the student wishes to attend (receiving school). Choice/open enrollment forms will be available in every school building, in centralized admissions offices, and on the district Web site at www.aps.k12.co.us. A parent/guardian who is an inbound active duty military member may access and submit forms electronically. The school or centralized admissions office staff will explain to the parent/guardian the procedures used to process choice/open enrollment applications.

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The initial period applications for intra-district open enrollment shall be submitted is from January 15 through May 1 of a given year for enrollment the following school year. If January 15 or May 1 falls on a weekend, it shall be the next school day. Applications received after May 1 shall be considered in accordance with these regulations and applicable law.

Incomplete applications will not be processed, but will be returned for completion; in such cases, the application will be deemed submitted on the date of refiling.

The receiving school principal shall make the decision as to whether a choice/open enrollment application is accepted or rejected based on criteria established in state law and board policy. **The receiving school principal shall be responsible for notifying the parent/guardian and student of approval, denial, or wait listing of a choice/open enrollment request no later than June 15 of a given year.** Applications received after May 1 will be considered in the order received after all applications submitted during the initial period have been approved or denied.

A student who is the child of an inbound active duty service member and who is accepted under the open enrollment plan is guaranteed automatic matriculation, including automatic matriculation to the next grade level, even if the next grade is in a different school level or building.

Students who wish to open enroll in a different school must submit an open enrollment request in accordance with these regulations. Applications for choice/open enrollment shall be valid for attendance at that school for the school year approved. Applications may be valid throughout the grades served by that school as long as the student continues to meet established criteria and the student has not moved outside of APS boundaries. Therefore, once a choice/open enrollment application has been approved, students need not reapply each year as long as they wish to remain in that building, continue to meet established criteria and have not moved outside of APS boundaries.

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After completing the elementary or middle school level, a student must reapply for choice/open enrollment at the next level if they wish to attend a school other than their home school of residence.

Each principal will maintain a file of all open enrollment applications to his/her building. If requested, a copy will be forwarded to the central administration offices for district-wide data collection purposes.

Reasons used by the principal to accept or deny open enrollment shall be limited to one or more of the following:

1. There is a lack of space or projected teaching staff within a particular program, or school requested;
2. The school requested 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 a particular program requested;
3. The student 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 from any school district during the preceding 12 months, or is in the process of being expelled, or the student may be or has been denied permission to enroll pursuant to C.R.S. 22-33-106(3)(A),(B),(C),(E), or (F).
5. The student has demonstrated behavior in another school 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.

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6. 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.
7. The student fails to meet age requirements to attend school.
8. Failure to meet statutory immunization requirements or obtain a proper exemption.

Criteria to Determine Availability of Space or Projected Teaching Staff

Prior to considering open enrollment requests, district staff and principals will determine space availability in the school, projected class size, projected staff availability, and enrollment projections. Students whose open 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.

Waiting List

Those students who apply for choice/open enrollment and cannot be accepted by June 15 for the upcoming school year may choose to be placed on a waiting list. Waiting lists are determined by the order in which the applications were received and will be considered for approval no earlier than 15 days after the first day of school.

Students on the waiting list for choice/open enrollment shall attend their home school of residence (or an approved open enrollment in another school) while awaiting a decision on the open enrollment application.

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Students whose applications are unable to be approved in a particular school year may complete a new application and submit it January 15 through May 1 for consideration of choice/open enrollment for the following school year. **If January 15 or May 1 falls on a weekend, it shall be the next school day.**

Granting Choice/Open Enrollment for Siblings

An approved choice/open enrollment for one child in a family shall not necessarily guarantee the choice/open enrollment of another child in the family, except that priority preference is granted for a younger sibling of a child of an inbound active duty service member.

Changing Residence

Students who move from one attendance area in the district to another during the school year must visit an Aurora Public Schools centralized admissions site to validate their new address.

A student whose parent/guardian is planning to move to another attendance area within the district during the school year may be admitted to the new school no more than 90 days prior to the move and upon submitting evidence of the anticipated move. Such evidence shall be a signed rental, lease or purchase contract.

Students who move out of the district during the school year may complete the current school year at the school the student is currently attending. Students will be required to attend their new home school/district thereafter, unless application is made for inter-district choice/open enrollment and approval is granted.

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Students who complete their junior year of attendance in a district high school of the district may continue for their senior year if they are on track to graduate that year. Transportation will not be provided, unless the district is required by law to transport the child.

Changes Affecting High School Students

High school students electing choice/open enrollment may be required to forfeit one year's varsity eligibility for participation in interscholastic activities and athletic contests, as determined by the rules and regulations of the Colorado High School Activities Association (CHSAA). Interscholastic eligibility may also be affected if a student changes schools after the school year begins or if the student has practiced with a school team before the start of the school year.

Any student who enrolls in a school outside their attendance area by providing an inaccurate address forfeits eligibility to participate in athletic activities and may be returned to their home school of residence immediately.

Continuing Enrollment Criteria

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 unless the student is expelled from the school or program or the district determines that the student's application contained material misstatements or omissions.

Permission for a 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 choice or transfer students will be rescinded for particular schools or programs.

Any choice or transfer 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

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alteration to facilities or equipment in order to serve the student or the student no longer meets the established eligibility criteria for the school.

Students whose place of residence changes within the school district during the school year must complete transfer forms for record-keeping purposes. Students will be required to attend the school of their new attendance area the following year unless application is made for open enrollment or transfer.

Open enrollment shall not be rescinded on the basis of behavior or academic performance.

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APPLICATION FOR INTRA-DISTRICT CHOICE/OPEN ENROLLMENT

(Initial application period January 15 to May 1. If January 15 or May 1 falls on a weekend, it shall be the next school day.)

Page 1 of 3**Student Information (PLEASE PRINT)** Application is for School Year ____ - ____ Grade Level ____

Last Name _____ First Name _____ Initial ____

Birth date: month ____ day ____ year ____

Current School of Attendance _____ Current Grade Level ____

Home School if Different than Current School _____

Parent Guardian Information (PLEASE PRINT)

Parent/Guardian _____

Address _____ City, Zip _____

Parent/Guardian Telephone: Work _____ Home _____

School Requested for Open Enrollment _____

Reasons: (check all that apply)

- | | |
|---|---|
| <input type="checkbox"/> special program, magnet/pilot school | <input type="checkbox"/> child of APS staff |
| <input type="checkbox"/> affected by boundary change | <input type="checkbox"/> daycare is in neighborhood |
| <input type="checkbox"/> seeking choice enrollment | <input type="checkbox"/> other: _____ |

Open Enrollment may be rescinded for the following reasons:

1. Expulsion
2. Growth in enrollment results in inadequate space and resources for enrolled students.

Open Enrollment for students may not be rescinded based on academics, behavior or attendance.

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Page 2 of 3**Sibling Information**

- YES___ NO___ Is there a sibling of the student listed above already attending the school you are requesting?
- YES___ NO___ Will that brother or sister still be attending the school you are requesting next school year?
- YES___ NO___ Are you submitting an application for open enrollment for a sibling(s) of the student listed above?
- YES___ NO___ Would you withdraw this request if a sibling(s) request was not honored?

Parent/Guardian Agreement

1. I will assume ALL responsibility for transportation to and from the new school, unless the district is otherwise required by law to transport my student.
2. According to Colorado High School Athletic Association policies, my student's eligibility for varsity level competition in sports may be affected at the high school level.
3. If approved, this request is for the above-named student ONLY and does not include approval for siblings.
4. Once a choice/open enrollment application has been approved, students need not reapply each year as long as they wish to remain in that building and continue to meet established criteria. After completing the elementary or middle school level, a student must reapply for choice/open enrollment at the next level if they wish to attend a school other than their home school of residence.
5. If the student withdraws from the school they are open enrolled they forfeit their right to return to that school.
6. The district reserves the right to place a cap on accepting choice/open enrollment applications and may rescind or amend any or all approved open enrollments at the end of any semester, if, in its opinion, there is overcrowding of facilities or programs for those residing in the school attendance area or other undesirable conditions develop.

My child may be denied admission to a district school or program and have to return to his/her school of residence in subsequent years as provided in board policy.

Date: _____

Signature of Parent/Guardian (False information will be grounds for denial of this application)

Waiting List

YES___ NO___ If my initial application is unable to be approved by June 15, I request that this application be placed on the waiting list for consideration.

Parent/Guardian Initials: _____

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For Office Use Only

Student Name: _____

Date Application Received: _____ Time Received: _____

Date Approved: _____ Date Placed on Waiting List: _____ Date Denied: _____

Principal Signature: _____ Date: _____