

## CHOICE OF SCHOOLS AND SCHOOL TRANSFERS

- 1.0 **General.** The District is committed to allowing choice for students in the selection of a school of attendance. However, the District recognizes the need to consider the District-wide impact of limited space availability in certain schools/programs and the efficient and effective management of the choice and transfer processes. This policy shall set the standards for a) student school choice in schools/programs without specialized admission criteria, b) student school choice for students enrolled in persistently dangerous schools and schools on improvement plans pursuant to the No Child Left Behind act, c) student school choice in schools and programs with specialized admissions criteria, and d) student transfers between schools outside the choice of schools application process.
- 1.1 **Enrollment in Charter Schools.** Application to and enrollment in District charter schools are governed by the terms of the schools' charter contracts with the District and by application and enrollment policies adopted by the schools. The deadlines and procedures for enrollment in the charter schools differ from those in this policy. Parents/students interested in such schools should contact the charter school directly for application/enrollment information.
- 1.2 **Enrollment in All-Day Tuition-Based Kindergarten Programs.** Admission to all-day, tuition-based kindergarten programs is not subject to the Choice process described in this policy and shall be administered instead by each individual school.
- 1.2.1 A student enrolled in an all-day, tuition-based kindergarten program outside of his/her Boundary School shall return to his/her Boundary School for first grade and thereafter unless the parent/guardian submits a choice application for first grade or subsequent grade levels to a school that is open to Choice and the application is approved.
- 2.0 **Definitions.**
- 2.1 "Assigned School" is defined as the school a student is assigned to attend based on his or her place of residence or the school a student is assigned to attend via the choice or transfer processes described in this policy.
- 2.2 "Boundary School" (i.e. "Home School") is the school designated for a student who resides within specified in-district boundaries as provided in District Policy 5260.
- 2.3 "Administrator-Initiated Transfers"
- 2.3.1 "District administrative transfer" is defined as a transfer of a student to another school/program initiated by a district-level administrator.
- 2.3.2 "Building principal initiated transfer" is defined as a transfer of a student to another school/program to serve the best interests of the student or the school.
- 2.4 "Family-initiated Transfer" (i.e. "discretionary transfer") is defined as a transfer request initiated by families and approved by the building principal. Principal approved requests for these transfers must be submitted to the superintendent's designee for final approval.
- 2.5 "Choice of Schools" is defined as a request from families to attend a school outside of their attendance area using the process in sections 3.0-6.0 of this policy.
- 2.6 "In-District" or "Resident" is defined as a family who resides within the Adams 12 Five Star Schools boundaries.
- 2.7 "Out-of-District" or "Non-Resident" is defined as a family who resides outside of the Adams 12 Five Star Schools boundaries.

**Choice of Schools Without Specialized Admission Criteria**

- 3.0 **Timelines.** A student and/or parent may submit an application for the student to attend a school other than the Boundary School by following these procedures which apply to schools and programs **without** specialized admission criteria:
- 3.1 The District shall publicize the names of schools that are open for choice students for the subsequent school year no later than December 10 of each year. Choice applications shall be available at each school, on the District's web site, and at the District's Educational Support Center. This list will include both traditional boundary schools and magnet schools/programs that do not have specialized admissions criteria.
- 3.2 **Round 1.** An application for choice form must be completed and filed with the Superintendent's designee between December 1 and the last business day on or before January 31. Parents/guardians will be notified by the third week of February of each year whether their choice application has been approved or denied for the following school year.
- 3.3 **Round 2.** Applications for choice submitted after January 31 and prior to the last business day on or before March 31 of each school year may be considered if space remains available in schools open for choice following completion of the initial choice process (Round 1). Parents/guardians whose applications have been held until March 31 will be notified of the District's decision to accept or deny their application no later than the third week of April.
- 3.4 No choice applications will be accepted between April 1 and the first Monday in August.
- 3.5 **Round 3.** At the discretion of the Superintendent's designee some schools may be opened for a third choice round in August and September. The District will publicize the names of schools that are open for walk-up choice students no later than the first Monday in August. An application for choice must be completed and filed with the requested choice school during the third choice window. These applications will be processed on a first-come, first-served basis. Parents/guardians will be notified by the choice school after the Superintendent's designee's decision.
- 4.0 **Approval/Denial Criteria.**
- 4.1 When possible, first priority will be given to students with a sibling currently enrolled at the desired school where approval for choice will result in concurrent enrollment. Second priority will be given to students with a sibling currently enrolled at the desired school but will not result in concurrent enrollment because of the continuation or graduation of the sibling. There are no guarantees that siblings of existing students will be granted choice.
- 4.2 An applicant may be deemed unqualified for choice at any time if:
- 4.2.1 The student has been expelled by the District or another school district during the preceding twelve months; or
- 4.2.2 The student has engaged in behavior during the preceding twelve months while enrolled in another school that is detrimental to the welfare or safety of other pupils or of school personnel including but not limited to behavior that has resulted in an out-of-school suspension; or

- 4.2.3 The student's choice application includes material misrepresentations, including but not limited to misrepresentations concerning the student's residence, discipline history, or educational programming needs; or
  - 4.2.4 There is inadequate space or teaching staff in the requested school, in which case students who reside within the boundaries of the boundary school shall have priority; or
  - 4.2.5 The requested school does not offer appropriate programs for the student or does not offer a requested program; or
  - 4.2.6 The requested school is not structured or equipped with the necessary facilities to meet the special needs of the student; or
  - 4.2.7 Grounds identified in state law for denial of choice enrollment are present.
- 4.3 If the number of qualified in-District students who have applied for choice enrollment during Round 1 or Round 2 exceeds available space in the school requested, all such students shall be automatically entered into a lottery. The Superintendent's designee shall review the applications of those students not selected through the lottery to determine if a second, third or fourth choice school has been indicated. If so, such applications shall be considered.
- 4.4 Out-of-District applications shall be considered only after the choice requests of all District choice applicants have been considered. If the number of qualified out-of-District students exceeds the spaces available after the requests of in-District students have been met, a lottery shall be held to determine which out-of-District students will be granted enrollment.
- 5.0 **Post Acceptance.** Upon acceptance of a choice application and enrollment in the school of choice, including enrollment by a student in a charter school, the choice school becomes the student's Assigned School for all grade levels served by the Assigned School except as provided in sections 5.3, 5.4, 5.5, 5.6 and 5.7 of this policy. The student may apply to return to the Boundary School only by submitting a school choice application for the Boundary School or by submitting a family-initiated transfer request (see Section 7.0) during the regular application time frame for the next school year.
- 5.1 The Superintendent's designee shall notify or cause notification to be made to all students who submitted choice applications who have been accepted for enrollment and to the principal of the choice school. In the case of students normally expected to change schools for the following year (typically fifth or eighth graders), the Superintendent's designee should also notify the student's current Assigned School of the accepted choice application so that records can be transferred appropriately.
  - 5.2 A student who wishes to attend a school outside his/her Boundary School after completing elementary or middle school must reapply for choice when transitioning from the elementary to the middle level and from the middle to the high school level.
  - 5.3 Permission to attend a choice school may be rescinded at the end of the school year if the school's growth in enrollment due to an increase of students living within the school's boundary results in inadequate space or resources for enrolled students. In such cases, the enrollment of choice students from outside the District will be rescinded first, followed by those students who reside within the District but outside the attendance boundaries of the school.

- 5.4 The District may rescind approval of a student's choice application at any time, including school years subsequent to the initial application, if it determines that the application included material misstatements or omissions.
  - 5.5 If a student moves to a different school attendance area boundary within the District he/she can either choose to keep his/her existing Choice status or enroll in his/her new boundary school. If the student wishes to maintain their existing Choice status the parent/guardian shall submit a Change of Household Form at his/her existing school and inform the school they wish to remain there. If the student wishes to enroll in his/her new boundary school, the parent/guardian shall submit a Change of Household Form at the new boundary school and inform them they wish to have their previous Choice status rescinded.
  - 5.6 Any student may be denied reenrollment for the next school year if due to a change in circumstance 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.
  - 5.7 A student's choice status is only valid as long as continuous enrollment occurs.
  - 5.8 The District does not provide transportation for students granted choice.
  - 5.9 Choice students will be expected to follow school policy regarding prompt arrival and departure to and from school.
- 6.0 **Post-Expulsion Placement.** Students attending choice schools or programs may be expelled as provided by District policy and by law. Upon completion of an expulsion, a choice student shall return to his/her Boundary School after the period of expulsion unless a) a hearing officer in the expulsion proceedings recommends a different placement be considered upon completion of the expulsion, or b) the student is not eligible to return to the Boundary School pursuant to state law or District policies.

### **School Transfer Requests**

- 7.0 **Transfer Requests.** (These provisions do not apply to the process of placing a student with disabilities in an appropriate program. Transfers of all types are meant for in-District students only. Out-of-District students must follow the choice process to gain admission into Adams 12 schools.)
- 7.1 **Criteria for Approval of Family-Initiated Transfer Requests.** Transfer requests initiated by families and approved by the building principals must be submitted to the Superintendent's designee for final approval. Transfer requests may be approved in the following circumstances:
    - 7.1.1 For good and just cause based on the unique educational needs of the student.
    - 7.1.2 To meet the unique educational program or course needs of the student. Transfers shall not be approved to meet the co-curricular requests of the student.
    - 7.1.3 When the student has been a victim of a crime of violence, as defined by state law. These crimes may include, but are not limited to, crimes specified by state law which have been perpetrated upon students with disabilities, as well as the crimes of murder, first or second degree assault, kidnapping, sexual assault, aggravated robbery, first degree arson, first degree burglary, and criminal extortion. The District shall retain discretion to determine the new school of enrollment to the extent permitted by law.

- 7.1.4 Students whose transfer requests are approved will generally be admitted to the new school only at the quarter, trimester or semester at the discretion of the receiving school principal.
- 7.1.5 A student's transfer status is only valid as long as continuous enrollment occurs.
- 7.2 **Processing of Family-Initiated Transfer Requests.** Family-initiated, i.e. discretionary, requests for transfer must be submitted in writing to the principal of the school in the attendance area where the pupil resides (boundary school). Such requests must include both a transfer of school application and a letter explaining how the application meets the criteria for transfer specified in these procedures. Transfer request forms can be obtained at each school site.
  - 7.2.1 The boundary school principal shall consider each request in a timely manner, in consultation with counselors and other appropriate staff members to determine whether the request meets criteria for transfer.
  - 7.2.2 The boundary school principal shall confer with the principal of the requested school, who shall make an independent determination based upon criteria for transfer. If either the boundary school principal or the requested school denies the request, the transfer will be denied.
  - 7.2.3 After approval of a family-initiated transfer request either the boundary school or the requested school principal shall submit the transfer application along with the family's letter to the superintendent's designee for final approval. If the superintendent's designee denies the request, the transfer will be denied and the school with which the family initiated the transfer shall inform them of the denial. If the request is approved by the superintendent's designee the requested school shall inform the family of the approval.
  - 7.2.4 Availability of space in the program or school requested shall be a factor in the principal's determination.
- 7.3 **Administrator-Initiated Transfers.**
  - 7.3.1 Building principals or District-level administrators may initiate a transfer of a student to another school/program to serve the best interests of the student or the school, including transfers to reduce crowding in the school/program. The student's Assigned School administrator need not complete the transfer application described in Section 7.0, but shall describe in written communication to the parent any terms and conditions which will apply to the transfer.
  - 7.3.2 If an administrator transfers a student, the administrator shall inform the superintendent's designee to ensure that the student is assigned to the correct school in the student information system.
  - 7.3.3 If an administrator desires to transfer a student for disciplinary reasons, the principal shall consult with the Director of Student Engagement Initiatives who will determine the appropriateness of the transfer and any conditions which apply.

### **CHOICE OF SCHOOLS AND SCHOOL TRANSFERS, cont.**

#### **7.4 Continuation, Renewal, Termination and Rescission of Transfer.**

- 7.4.1 Except as otherwise provided by law or the terms of a transfer request approved by the Superintendent's designee, transfers approved pursuant to this policy shall apply only for the duration of the current school year or, if approved before the commencement of the academic year, through the conclusion of that academic year.
- 7.4.2 A transfer placement may be terminated prior to the termination date in Section 7.4.1 if the building administrator determines that the placement has not been successful. Prior to considering termination of a transfer for discipline or conduct reasons the building administrator should consult with and seek approval from the Director of Student Engagement Initiatives. If the transfer is terminated based on the student's attendance or academic performance or if the student's grade level becomes overcrowded the building administrator shall consult with and seek approval from the Chief Academic Officer or designee. If the transfer placement is terminated the Superintendent's designee shall be notified and the student shall be enrolled in his/her boundary school.

7.5 Students granted a transfer shall provide their own transportation.

7.6 **District Charter School Transfers.** Students who have been enrolled in a District charter school may apply for a transfer to a traditional District boundary school following the requirements for family-initiated transfers in this policy. Because the curricular programs of charter schools are, by design, substantively different than those of other District schools, students whose transfer requests are approved will generally be admitted to the new school only at the quarter, trimester or semester, at the discretion of the receiving school principal. Admission at these times will assure placement in more appropriate classes and permit a smooth transition.

#### **School Choice As Provided By No Child Left Behind Act**

8.0 A student may be permitted to attend a school other than the student's boundary school when:

- 8.1 The student attends a school identified as "persistently dangerous" under standards adopted by the Colorado Department of Education.
- 8.2 The student attends a school which has been placed on "school improvement," "corrective action," or "restructuring" for failure to achieve adequate yearly progress in meeting standards established under the No Child Left Behind Act.
- 8.3 Parents of students who may be eligible for school choice under 8.1 and 8.2 will be contacted directly no later than 14 days prior to the first day of school. The invitation to participate will include conditions of acceptance, school options, and other details of participation. If the number of choice applications submitted under this section 8.0 exceeds the resources provided to accommodate these school transfers, the applications of low income and low performing students will receive priority as provided by law.

#### **9.0 Choice of Schools/Programs with Specialized Admissions and Continuation Criteria**

9.1 **Elementary Schools, Middle Schools, and K-8 Schools/Programs with Specialized Admissions and Continuation Criteria.** Admission to the following types of schools/programs in the District is subject to the choice process described in sections 3.0 through 6.0 of this policy.

After applying to attend the school through the Admissions Office the schools will contact families to complete body of evidence review. Families will then be notified by the Admissions Office as to their status in the program. Students accepted into these types of programs through the choice process are subject to the enrollment/continuation standards contained in sections 10.0 through 10.3 of this policy.

9.1.1 Elementary and middle school programs that are school-wide like Century MYP.

9.1.2 Elementary, middle and K-8 schools/programs serving gifted and talented students.

**9.2 High Schools/Programs with Specialized Admissions and Continuation Criteria.**

Admission to the following types of schools/programs in the District is not subject to the choice process described earlier in this policy and shall be governed instead by section 10.0 of this policy.

9.2.1 Magnet schools or programs designed to address the unique educational needs of a student, including but not limited to the Legacy 2000 Program (L2K), International Baccalaureate Diploma Program (IB), Global Studies/High School of Business program at Mountain Range High School, Vantage Point, Vista View, Pathways and SOAR at Horizon High School.

**10.0 Enrollment/Continuation Standards.**

10.1 The administrators responsible for these schools/programs shall identify nondiscriminatory admission criteria including specific levels of ability or performance, prerequisite courses, entrance exams, performances, or other criteria for admission and shall include such criteria with the application for the school/program. The District will determine if application programs are open to out-of-District students, and, if they are open, the extent and the method through which they will accept applications from out-of-District students.

10.2 The administrators responsible for these schools/programs shall identify nondiscriminatory admission criteria including specific levels of academic achievement, performance, and/or skills achievement and other criteria necessary for students to continue their enrollment in good standing in such school or program. These criteria shall be distributed to students and parents/legal guardians upon commencement of the student's enrollment in the school/program and promptly following any revisions to these criteria.

10.2.1 In the event a student fails to meet such criteria during a grading period or periods, the school/program shall provide written notice to the student and parent/legal guardian and shall offer them an opportunity to meet with appropriate staff from the school/program to review possible explanations for the student's failure to meet one or more of the continuation criteria to develop strategies for the student to meet said criteria. The student shall be allowed at least one trimester or semester (as the grading period utilized by the school/program) to meet the criteria.

- 10.2.2 In the event the student's performance does not meet the specified criteria during this grading period, the school/program may withdraw the student after providing the student and parent/legal guardian with written notice describing the deficiency and providing them a reasonable opportunity to meet with appropriate school staff. When a student is withdrawn from the school/program, the student will be assigned to the Boundary School dictated by the student's residence unless it is determined by the Chief Academic Officer or designee, in consultation with the building principal, that another school of attendance is required to meet the educational needs of the student.
- 10.2.3 This policy shall not be construed to limit the ability of a school/program to withdraw a student in the event a student or parent/legal guardian contends that staff failed to provide adequate support for the student or to develop appropriate strategies to help the student meet the criteria. This policy shall not preclude a school/program from permitting students a time period in excess of a trimester or semester to meet the criteria.
- 10.3 Upon acceptance into a school/program with specialized admissions and continuation criteria the school/program becomes the student's Assigned School for all grade levels served by the Assigned School. The student may return to the Boundary School only by submitting a school choice application for the Boundary School during the regular choice application time frame for the next school year or by following the requirement for a family-initiated transfer in Sections 7.1 of this policy.
- 11.0 Permission to attend a magnet school/program with or without specialized admissions criteria like Hulstrom, Legacy 2000 (L2K), SOAR, Global Studies at Mountain Range, IB Programs that are not school-wide, IB Programs that are school-wide, STEM Schools and The Studio School may be rescinded at the end of the school year if a family moves out-of-district. Families with students attending such schools that move out-of-district but wish for their student to remain at the school shall write a letter to the Superintendent's designee requesting to remain at the school. The size of the wait list and the school's ability to replace students who have dis-enrolled shall be used as a factor in the District's determination. If a student that moves out-of-district is approved to remain at the magnet school/program, that approval will be valid for all grades served by the school.

LEGAL REFERENCES:  
C.R.S. 22-36-101

CROSS REFERENCES:  
Policy 5230  
Policy 5240