

Revisions to Board File: JCA/JFB

Assignment of Students to Schools,
School Choice and Open Enrollment

Legal Basis to Revise JCA/JFB

- Colorado's State Board of Education adopted changes to the Rules governing Colorado's Exceptional Children's Educational Act.
- The Rules prohibit the District from inquiring about a transferring student's IEP or disability status until after the student has been admitted.
- The Rules acknowledge that the District continues to be responsible for ensuring that all children eligible for special education services receive FAPE.
- CDE Guidance suggests a two-step approach when implementing school choice applications for special education students:
 - Admissions decision is made without regard or knowledge of a student's disability status
 - Enrollment decision is made based on consideration of disability and whether the requested school of choice can provide the student with FAPE.

Proposed Revision to Board File: JCA/JFB

- Two-Step Process for Consideration of School of Choice for Special Education Students
 - Step One – Admissions Phase: No inquiry into disability status of student.
 - Step Two – Enrollment Phase: Inquiry into disability status occurs and determination of whether the student's IEP can be implemented at school of choice.

Proposed Revision to JCA/JFB

- If there is a determination that a student's IEP cannot be implemented at the requested school of choice, student enrollment may be denied, and the student may be enrolled at another school or program where the student's IEP can be implemented.
- Any decision to assign a student to a school other than the requested school shall be made considering the impact on the child's total education program and must include parent participation.
- Board expressly delegates to Superintendent the authority to amend JCA/JFB-R.

Questions?