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Education	

A BILL FOR AN ACT

101   CONCERNING IMPROVING SCHOOL CHOICE IN TRADITIONAL SCHOOLS
102   OF A SCHOOL DISTRICT.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at http://leg.colorado.gov.)

Under current law, a school district (district) can only transport students from an adjacent district to its schools or reimburse a parent for transporting such students to its schools if the adjacent district consents to the transportation. The bill allows a school district to transport a student to its district even if the student does not reside in an adjacent district and without seeking the consent of the student's resident district.

Under current law, a district shall adopt policies and procedures to implement school of choice enrollment for students that allow a student to attend a school within the student's resident district other than his or her assigned school or to attend school in another school district. The bill requires that the school of choice enrollment application policies and procedures include:

! An enrollment application period of at least 4 weeks;
! An enrollment application period that does not close before February 15 of each year;
! The ability to apply to at least 5 schools within the district using a standardized application for each school; and
! In-person or online submission of the applications.

The bill requires the district to notify students each year of the school of choice enrollment policies and procedures, including the relevant deadlines, and to post the policies and procedures on the district's website. In addition, the department of education shall include on its website an outline of the laws relating to school of choice enrollment and a link to each district's school of choice website provisions.

For a student attending school in a district other than the student's resident district, the bill allows the student to remain in the nonresident district school through the highest grade level served in the school.

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1   *Be it enacted by the General Assembly of the State of Colorado:*

2   **SECTION 1. Legislative declaration.** (1) The general assembly

3   hereby finds and declares that:

4   (a) Colorado has a long, proud history of giving parents the power

5   to choose the right school for their child;

6   (b) Hundreds of thousands of public school students in Colorado

7   are in a school of their choice, whether through open enrollment in a

8   traditional district school, attendance at a public charter school, choosing

9   a district-run magnet school, or enrolling in a virtual school;

10   (c) Colorado has many different school models and curricula and

11   parents are in the best position to determine which school models and

12   curricula are the best fit for their child's academic needs;

13   (d) Open enrollment in traditional district schools is the most

1 common form of school choice in Colorado. Parents are using open

2 enrollment all across the state in urban, suburban, and rural settings.

3   (e) The state should make school choice via open enrollment as

4 easy to access as possible so all families, regardless of circumstance, can

5 choose a school where their child will thrive.

6   (2) Therefore, the general assembly declares that Colorado's open

7 enrollment laws should be free of provisions that create barriers to school

8 districts serving more students in their school of choice through open

9 enrollment.

10   **SECTION 2.** In Colorado Revised Statutes, 22-32-113, **amend**

11 (1)(c) and (4) as follows:

12   **22-32-113. Transportation of pupils - when.** (1) The board of

13 education of a school district may furnish transportation:

14   (c) To and from public schools for any reasonable classification

15 of pupils enrolled in the schools of the district who are ~~resident~~

16 RESIDENTS of any other school district; ~~if the district of residence is~~

17 ~~adjacent to the district of attendance, and if the board or other governing~~

18 ~~body of the district of residence shall consent to such transportation;~~

19   (4) A board may reimburse a parent or guardian for the expenses

20 incurred by such parent or guardian in furnishing transportation to and

21 from a public school or designated school vehicle stop for his or her child

22 or children and for other pupils enrolled in the schools of the district. ~~but~~

23 ~~the board may not reimburse any person for transportation furnished to a~~

24 ~~pupil resident in another school district without the consent of the board~~

25 ~~or other governing body of the district of residence.~~ The amount and

26 payment of ~~such~~ TRANSPORTATION expenses ~~shall be as~~ ARE determined

27 by the board paying ~~such~~ THE expenses.

1   **SECTION 3.** In Colorado Revised Statutes, 22-36-101, **amend**

2   (2)(a) and (5)(a) as follows:

3   **22-36-101. Choice of school district programs and schools.**

4   (2) (a) (I) Every school district shall adopt such policies and procedures

5   as are reasonable and necessary to implement the provisions of subsection

6   (1) of this section, including, but not limited to, timelines for application

7   to and acceptance in any program or school which may provide for

8   enrollment of the student on or before the pupil enrollment count day,

9   and, while adopting policies and procedures, the school district shall

10   consider adopting a policy establishing that an applicant with a

11   proficiency rating of unsatisfactory in one or more academic areas who

12   attends a public school that is required to implement a turnaround plan

13   pursuant to section 22-11-406 OR A PRIORITY IMPROVEMENT PLAN

14   PURSUANT TO SECTION 22-11-405 or that is subject to restructuring

15   pursuant to section 22-11-210 ~~shall have~~ HAS priority over any other

16   applicant for enrollment purposes.

17   (II) BEGINNING WITH THE ENROLLMENT APPLICATION PERIOD FOR

18   THE 2019-20 SCHOOL YEAR, THE SCHOOL DISTRICT POLICIES AND

19   PROCEDURES ADOPTED PURSUANT TO SUBSECTION (2)(a)(I) OF THIS

20   SECTION MUST:

21   (A) ESTABLISH AN ENROLLMENT APPLICATION PERIOD OF AT LEAST

22   FOUR WEEKS, WHICH APPLICATION PERIOD DOES NOT CLOSE BEFORE

23   FEBRUARY 15 OF EACH YEAR FOR ATTENDANCE THE FOLLOWING SCHOOL

24   YEAR;

25   (B) PERMIT A PUPIL TO APPLY TO AT LEAST FIVE SCHOOLS WITHIN

26   THE SCHOOL DISTRICT, WHICH APPLICATIONS MAY INCLUDE RANK

27   ORDERING;

1   (C) PROVIDE A STANDARDIZED APPLICATION FORMAT THAT IS
2   CONSISTENT AMONG THE SCHOOLS OF THE SCHOOL DISTRICT, BUT THAT
3   MAY DIFFER BY GRADE LEVEL OR REQUIRE ADDITIONAL INFORMATION FOR
4   SPECIALIZED PROGRAMS OR SCHOOLS;

5   (D) ALLOW A PUPIL TO SUBMIT THE APPLICATION IN PERSON OR
6   ONLINE; AND

7   (E) REQUIRE NOTIFICATION OF PUPILS OF ACCEPTANCE OR DENIAL
8   NO LATER THAN JUNE 15 OF EACH YEAR WITH THE ABILITY TO ACCEPT THE
9   ENROLLMENT UNTIL JULY 15 OF EACH YEAR.

10   (III) EACH SCHOOL DISTRICT SHALL ANNUALLY NOTIFY PUPILS
11   ENROLLED IN THE SCHOOL DISTRICT, IN ADVANCE OF THE BEGINNING OF
12   THE ENROLLMENT APPLICATION PERIOD, OF THE SCHOOL DISTRICT'S
13   POLICIES AND PROCEDURES ADOPTED PURSUANT TO SUBSECTION (2)(a)(I)
14   OF THIS SECTION AND SHALL POST THE POLICIES AND PROCEDURES ON THE
15   SCHOOL DISTRICT'S WEBSITE, INCLUDING A LIST OF SPECIALIZED PROGRAMS
16   OR SCHOOLS WITHIN THE SCHOOL DISTRICT AND ANY ADDITIONAL
17   APPLICATION REQUIREMENTS OR PROCEDURES FOR THOSE SPECIALIZED
18   PROGRAMS OR SCHOOLS. EACH SCHOOL DISTRICT'S ANNUAL NOTIFICATION
19   SHALL INCLUDE A LINK TO THE WEBSITE POSTING OR THE WEBSITE
20   ADDRESS.

21   (IV) TO THE EXTENT PRACTICABLE, A SCHOOL DISTRICT SHALL
22   ALIGN ITS POLICIES AND PROCEDURES FOR INTRADISTRICT AND
23   INTERDISTRICT OPEN ENROLLMENT.

24   (5) (a) Except as otherwise provided in ~~paragraph (b) of this~~
25   ~~subsection (5)~~ SUBSECTION (5)(b) OF THIS SECTION, any pupil who enrolls
26   in a school district other than the pupil's school district of residence
27   pursuant to this ~~article~~ ARTICLE 36 may remain enrolled in that school

1   district's school or program through the end of the school year AND

2   THROUGH THE HIGHEST GRADE LEVEL SERVED IN THE SCHOOL OR

3   PROGRAM.

4   **SECTION 4.** In Colorado Revised Statutes, 22-36-106, **amend**

5   (1); and **add** (3) as follows:

6   **22-36-106. Department - distribution of information.** (1) The

7   department shall make information available to the public about the

8   enrollment options ~~which~~ THAT are available throughout the public school

9   system in Colorado.

10   (3) THE DEPARTMENT SHALL POST ON ITS WEBSITE INFORMATION

11   CONCERNING PUBLIC SCHOOLS OF CHOICE AS PROVIDED IN THIS ARTICLE

12   36, INCLUDING AN OUTLINE THAT IS EASILY UNDERSTOOD BY A PARENT OF

13   A STUDENT'S RIGHTS RELATING TO ENROLLING IN A SCHOOL OF CHOICE

14   WITHIN THE STUDENT'S SCHOOL DISTRICT OR IN ANOTHER SCHOOL

15   DISTRICT AND THE PROVISIONS THAT MUST BE INCLUDED IN EACH SCHOOL

16   DISTRICT'S POLICIES AN PROCEDURES ADOPTED PURSUANT TO SECTION

17   22-36-101. THE DEPARTMENT SHALL INCLUDE LINKS ON ITS WEBSITE TO

18   THE SCHOOL OF CHOICE ENROLLMENT PROVISIONS ON EACH SCHOOL

19   DISTRICT'S WEBSITE.

20   **SECTION 5. Act subject to petition - effective date.** This act

21   takes effect at 12:01 a.m. on the day following the expiration of the

22   ninety-day period after final adjournment of the general assembly (August

23   8, 2018, if adjournment sine die is on May 9, 2018); except that, if a

24   referendum petition is filed pursuant to section 1 (3) of article V of the

25   state constitution against this act or an item, section, or part of this act

26   within such period, then the act, item, section, or part will not take effect

27   unless approved by the people at the general election to be held in

1   November 2018 and, in such case, will take effect on the date of the

2   official declaration of the vote thereon by the governor.