

Admission and Denial of Admission

Admission

All persons age six and under 21 who have not graduated from high school or received any document evidencing completion of the equivalent of a secondary curriculum, and reside within the boundaries of this school district may be permitted to attend public schools without payment of tuition.

A birth certificate or other proof of legal age, as well as proof of residence, will be required by the school administration.

Students new to the district will be enrolled conditionally until records, including discipline records, from the schools previously attended by the student are received by the district. Notice of the conditional enrollment status of new students will be clearly indicated on all new student enrollment forms. In the event the student's records indicate a reason to deny admission, the student's conditional enrollment status will be revoked. The student's parent/guardian will be provided with written notice of the denial of admission. The notice will inform the parent/guardian of the right to request a hearing.

Denial of admission

The Board of Education or the superintendent may deny admission to the schools of the district in accordance with applicable law.

The Board will provide due process of law to students and parents/guardians through written procedures consistent with law for denial of admission to a student.

The policy and procedures for denial of admission will be the same as those for student suspension and expulsion inasmuch as the same section of the law governs these areas.

Nondiscrimination

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

Adopted: October 23, 2013

Revised: September 28, 2016

Revised and recoded by the Board: July 17, 2019

Revised: August 12, 2020, November 10, 2021

LEGAL REFS.: C.R.S. 22-1-102 (*defines "resident"*)
C.R.S. 22-1-102.5 (*defines "homeless child"*)

C.R.S. 22-1-115 (school age is any age over five and under twenty-one years)
C.R.S. 22-2-409 (notification of risk)
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. 22-32-115 (tuition to another school district)
C.R.S. 22-32-116 (non-resident students)
C.R.S. 22-32-138 (enrollment of students in out-of-home placements)
C.R.S. 22-33-103 through 22-33-110 (school attendance law)
C.R.S. 22-33-105 (2)(c) (requiring hearing to be convened if requested within 10 days after denial of admission or expulsion)

CROSS REFS.:

Board policies:

EL-4, Communication and Counsel to the Board
EL-9, Treatment of Students, Parents and Community
EL-10, Student Conduct, Discipline and Attendance

Administrative policies:

JEB, Entrance Age Requirements
JKD/JKE, Suspension/Expulsion of Students (and Other Disciplinary Interventions)
JLCB, Immunization of Students

NOTE: For purposes of this policy, these terms have the following meanings:

- “Race” includes hair texture, hair type, or a protective hairstyle that is commonly or historically associated with race. C.R.S. 22-32-110 (1)(k).
- “Protective Hairstyle” includes such hairstyles as braids, locs, twists, tight coils or curls, cornrows, bantu knots, afros, and head wraps. *Id.*
- “Sexual Orientation” means an individual’s identity, or another individual’s perception thereof, in relation to the gender or genders to which the individual is sexually or emotionally attracted and the behavior or social affiliation that may result from the attraction. C.R.S. 2-4-401 (13.5) and C.R.S. 24-34-301 (7).
- “Gender Expression” means an individual’s way of reflecting and expressing the individual’s gender to the outside world, typically demonstrated through appearance, dress, and behavior. C.R.S. 2-4-401 (3.4) and C.R.S. 24-34-301 (3.3).
- “Gender Identity” means an individual’s innate sense of the individual’s own gender, which may or may not correspond with the individual’s sex assigned at birth. C.R.S. 2-4-401 (3.5) and C.R.S. 24-34-301 (3.5).

Weld County School District Re-3J, Hudson, Colorado

Admission and Denial of Admission

According to the Colorado Revised Statutes 22-33-106 (2), subject to the district's responsibilities under the Exceptional Children's Educational Act (see policy JK*-2, Discipline of Students with Disabilities) and other laws pertaining to the education of students with disabilities, the following may be grounds for denial of admission to a public school or diversion to an appropriate alternate program:

1. Physical or mental disability such that the child cannot reasonably benefit from the programs available.
2. Physical or mental disability or disease causing the attendance of the child suffering therefrom to be inimical to the welfare of other students.

According to C.R.S. 22-33-106 (3)(a-f), the following may constitute additional grounds for denial of admission to a public school:

1. Graduating from the 12th grade of any school or receipt of any document evidencing completion of the equivalent of a secondary education.
2. Failure to meet age requirements.
3. Having been expelled from any school district during the preceding 12 months.
4. Not being a resident of the district unless otherwise entitled to attend under C.R.S. 22, Articles 23 (migrant children), 32 (exclusion of non-residents) or 36 (schools of choice).
5. Failure to comply with the provisions of Part 9, Article 4, Title 25, C.R.S. (immunization requirements). Any denial of admission for such failure to comply shall not be recorded as a disciplinary action but may be recorded with the student's immunization record with an appropriate explanation.
6. Behavior in another school district during the preceding 12 months that is detrimental to the welfare or safety of other pupils or of school personnel.

According to C.R.S. 22-33-106 (4)(a), a student who has been expelled shall be prohibited from enrolling or re-enrolling in the same school in which the victim of the offense or member of the victim's immediate family is enrolled or employed when:

1. the expelled student was convicted of a crime, adjudicated a juvenile delinquent, received a deferred judgment or was placed in a diversion program as a result of committing the offense for which the student was expelled;
2. there is an identifiable victim of the expelled student's offense; and
3. the offense for which the student was expelled does not constitute a crime against property.

If the district has no actual knowledge of the name of the victim, the expelled student shall be prohibited from enrolling or re-enrolling only upon request of the victim or a member of the victim's immediate family.

Students in out-of-home placements

State law limits the grounds for denial of enrollment regarding students in out-of-home placements, as defined by C.R.S. 22-32-138 (1)(h).

Students who are non-Colorado residents

In addition to the reasons set forth in this exhibit for the denial of admission of non-resident Colorado students, non-resident students who are not residents of the State of Colorado may be denied admission for the following reasons:

1. A poor attendance record at schools previously attended;
2. A poor disciplinary record at schools previously attended;
3. A poor academic record at schools previously attended;
4. A poor attitude toward school; and/or
5. Any other reason or factor which in the judgment of the district may affect the student's attendance or performance as a student in the district and/or the educational environment in the district.

Issued: October 23, 2013

Revised and recoded by the superintendent: July 17, 2019

Delegation of Custodial Power by Parent or Guardian

The undersigned, being the parent or guardian of _____, a minor child residing within the boundaries of Weld County School District Re-3J, pursuant to Colorado Revised Statutes, Section 15-14-105, does hereby designate and appoint _____, whose address is _____, as his true and lawful attorney-in-fact for a period not exceeding 12 months from the date hereof, and conferring upon said attorney-in-fact powers limited to the following:

Any and all power the undersigned may have regarding the care, custody or property of said minor child or ward, except the undersigned's power to consent to marriage or adoption of said minor child or ward, specifically including but not by way of limitation of this power the authority to make all decisions, consents, approvals and authorizations as may be required, appropriate or convenient in connection with said minor child's education in the public schools operated by Weld County School District Re-3J.

Dated this _____ day of _____, 20 ____.

Parent or guardian

SUBSCRIBED AND SWORN to before me this _____ day of _____, 20____, by _____.

Witness my hand and official seal.

My commission expires: _____

Notary public

Issued: July 17, 2019