

DISTRICT COURT, BOULDER COUNTY, COLORADO

20th Judicial District

1777 Sixth Street, Boulder, CO 80302

In re the Marriage of:

Petitioner: RICHARD JOHN DORSEY

and

Respondent: LAUREN ALICIA DORSEY

Case Number: 2025DR704

Division: 14

Courtroom: I

**PETITIONER'S RESPONSE TO RESPONDENT'S MOTION REGARDING
SCHOOL PLACEMENT FOR RAE DORSEY**

Filed by Richard John Dorsey, Petitioner, pro se

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Petitioner Richard John Dorsey respectfully opposes Respondent's Motion Regarding School Placement for Rae Dorsey and requests that the Court deny the motion and permit Rae to remain enrolled at the Nederland Elementary preschool program for the 2026-2027 school year, where Petitioner has completed enrollment and the Boulder Valley School District has confirmed Rae's placement.

I. INTRODUCTION

Petitioner has completed enrollment for his four-year-old daughter, Rae, at the Nederland Elementary preschool program for the 2026-2027 school year. Rae's older sister, Lucia, will attend Nederland Elementary for first grade that same year. A special-education evaluation for Rae is recommended but has not yet occurred or concluded. The question before the Court is not which program holds the higher credential, but which placement serves Rae's best interests under C.R.S. § 14-10-124. The lodestar of that statute is the child — what serves Rae herself — not a parent's preference for a particular program and not either parent's convenience. Petitioner candidly acknowledges that Mapleton Early Childhood Center carries a higher Colorado Shines rating than the Nederland program; that single fact, however, is not controlling and does not outweigh the continuity, sibling relationship, and stability that Nederland uniquely provides for this particular child in her first year of school. For the reasons below, the Court should deny the motion and confirm Rae's enrollment at Nederland.

II. THE GOVERNING STANDARD: BEST INTERESTS UNDER C.R.S. § 14-10-124

School-placement disputes between parents who share decision-making are resolved under the best-interests standard of C.R.S. § 14-10-124. The statute directs the Court to consider, among other factors relevant here:

- the child's adjustment to her home, school, and community (C.R.S. § 14-10-124(1.5)(a)(III));
- the interaction and interrelationship of the child with her parents, her siblings, and any other person who may significantly affect her best interests (C.R.S. § 14-10-124(1.5)(a)(II)); and
- the ability of each party to provide the child with stability and continuity, and to encourage the child's relationships within her home, school, and community.

These are the factors that govern. Colorado law contains no rule that a child must be placed in the highest-rated available school. A higher quality rating is a relevant data point, but it is not a substitute for the individualized, child-specific best-interests analysis the statute requires. The Court's task is to determine what serves Rae, not to rank programs in the abstract.

III. CONTINUITY AND THE SIBLING RELATIONSHIP FAVOR NEDERLAND

The strongest best-interests factors in this case favor Nederland, and they favor it decisively.

Rae's sister, Lucia, will attend Nederland Elementary for first grade during the 2026-2027 school year. Placing Rae at the Nederland preschool program allows both sisters to share a single school and a single community, to arrive and depart together, and to experience their school years as part of the same daily life. The interrelationship between siblings is an express best-interests factor under C.R.S. § 14-10-124(1.5)(a)(II), and the child's adjustment to her home, school, and community is an express factor under § 14-10-124(1.5)(a)(III). Both point to Nederland. The value of keeping the sisters together belongs to Rae — it is her relationship with Lucia and her sense of a shared daily world that are at stake — and not to the scheduling preferences of either adult.

This is particularly significant because Rae has no prior attachment to either program. She has not attended Mapleton, and she has not attended the Nederland program. Where a young child has no established attachment to either school, the only available form of continuity is the continuity of her family and community. That continuity exists only at Nederland, where her sister will be, and where Rae's home community is rooted. Choosing Nederland is the choice that gives this four-year-old the most stable, connected, and familiar start to her first school year.

Keeping the sisters at one school also serves Rae's interest in a consistent, settled daily school routine. If Rae attends Mapleton while Lucia attends Nederland, the two sisters would begin each school day at separate schools rather than arriving and departing together as part of a single shared routine. For a four-year-old in her first year of school, a single shared school gives Rae the steadiest possible daily rhythm and keeps her morning and afternoon anchored to her sister and her community. This is not a criticism of either parent's home or circumstances; it simply reflects that one shared school is the arrangement most likely to give this particular child a stable, predictable, and connected first school year.

IV. RAE'S PLACEMENT AT NEDERLAND IS COMPLETE, AND UNDOING IT REQUIRES A CHILD-SPECIFIC SHOWING RESPONDENT HAS NOT MADE

Rae's enrollment at Nederland is not pending or speculative; it is settled. On May 21, 2026, BVSD accepted Rae's Universal Preschool match at the Nederland Elementary program, and Petitioner accepted that match the same day. Respondent filed the present motion eight days later, on May 29, 2026, seeking to undo a placement that was already complete.

A parent who asks the Court to unwind a settled school placement bears the burden of showing that the proposed change affirmatively serves the child. That showing must be specific to Rae — to her needs, her relationships, and her circumstances. A general preference for a program with a higher quality rating does not meet that burden. Respondent's motion identifies what she regards as a better program in the abstract; it does not demonstrate that moving Rae away from her sister, away from her community, and away from a completed enrollment would serve this child. Absent that child-specific showing, the settled placement at Nederland should stand.

V. THE COLORADO SHINES RATING: CONCEDED, CONTEXTUALIZED, AND NOT CONTROLLING

Petitioner does not dispute, and concedes here, that Mapleton Early Childhood Center holds a higher Colorado Shines rating than the Nederland Elementary preschool program. That concession does not change the analysis.

Colorado Shines is the State of Colorado's quality-rating and improvement framework for licensed early-childhood programs. It measures program-level features and inputs — such as staff credentials, curriculum structure, and program administration. The Nederland Elementary preschool is a fully licensed BVSD program that meets the State's licensing standards. The difference between the programs is a difference in a state quality credential, not a difference between a qualifying program and a non-qualifying one.

A preference for the program with the higher rating is, in the end, a preference about program quality in the abstract. It does not, by itself, establish what serves this child. The Colorado Shines rating, by design, measures program inputs. It does not measure the child-specific best-interests factors that C.R.S. § 14-10-124 makes controlling — a child's adjustment to her home, school, and community, and her relationship with her sibling. For a preschooler entering her very first year of school, with no prior attachment to either program, the continuity and sibling factors are weighty and concrete, while the difference in quality credential is marginal in its practical effect on this child. The best-interests factors reasonably outweigh the difference in rating here.

For the narrow and limited purpose of the special-education question only, Petitioner notes that Child Find and special-education services are delivered through BVSD at either program, because both Nederland and Mapleton are BVSD preschools. Petitioner does not offer this point as a claim that the two programs are of equal quality; he offers it only to confirm that whatever supports Rae may ultimately be found to need would be available to her through BVSD at Nederland.

VI. A SPECIAL-EDUCATION EVALUATION IS PENDING, WHICH COUNSELS STABILITY RATHER THAN A MID-PROCESS SCHOOL CHANGE

On June 4, 2026, Rae participated in a screening with BVSD. Following that screening, BVSD (through Megan Pielke, Speech-Language Pathologist) recommended to both parents that Rae undergo a full evaluation "in the next few months." That full evaluation has not been scheduled and is not expected to be completed before the 2026-2027 school year begins. No Individualized Education Program (IEP) exists, and Petitioner does not contend that any IEP, or any district mandate, requires either placement.

The pendency of that recommended evaluation is itself a reason for stability. Rae is at the beginning of a multi-month evaluation process. Introducing a second program, a second location, and a second set of staff and providers in the middle of that process would add disruption at precisely the time when consistency would best serve Rae. Keeping Rae in the Nederland program — where her enrollment is complete and her sister attends — allows the evaluation to proceed against a stable backdrop rather than a moving one.

VII. TRANSPORTATION IS EACH PARENT'S RESPONSIBILITY ON HIS OR HER OWN PARENTING DAYS

Both parents can reach Nederland. From Petitioner's home in Ward, the drive to Nederland is approximately 24 minutes. From Respondent's home in north Boulder, the drive is approximately 30 to 40 minutes via Boulder Canyon. Under the parties' shared 2-2-3 schedule, each parent is responsible for transporting the children to and from school on that parent's own parenting days. Petitioner asks only that the Court confirm this allocation, so that each parent manages suitable transportation on his or her own days. Petitioner raises no criticism of Respondent's vehicle or choices. Transportation is, at bottom, a question of parental logistics and convenience — and parental convenience is not a basis to override the continuity and sibling relationship that the statute makes central to Rae's interests. Transportation, fairly allocated to each parent, is not a reason to move Rae away from her sister and her community.

VIII. UPK 30-HOUR ELIGIBILITY IS INCOME-BASED, NOT SCHOOL-BASED

Respondent's motion requests enrollment at the 30-hour Universal Preschool rate "if she qualifies," in a way that implies that rate is tied to Mapleton. It is not. Eligibility for the 30-hour UPK rate is determined by household income and qualifying factors under state UPK guidelines; it is not attached to any particular school. If Rae qualifies for 30 hours, that funding follows her and is available at the Nederland program equally. The UPK funding question therefore provides no reason to prefer Mapleton over Nederland.

IX. REQUEST FOR RELIEF

Petitioner respectfully requests that the Court:

1. Deny Respondent's motion;
2. Confirm Rae Dorsey's enrollment at the Nederland Elementary preschool program for the 2026-2027 school year, as established through the completed Universal Preschool and BVSD

enrollment process;

3. Order that each party is responsible for providing suitable transportation to and from school on his or her respective parenting days; and

4. Order any further relief the Court deems appropriate.

Respectfully submitted,

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Date: June 21, 2026

CERTIFICATE OF SERVICE

I certify that on June 21, 2026, a copy of this document was served on Respondent Lauren Alicia Dorsey via Colorado Courts E-Filing.

Richard John Dorsey
Date: June 21, 2026