



Book	Board Policies
Section	J. Students
Title	Grounds for Suspension, Expulsion, or Denial of Admission
Code	JKD-1-E
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According to Colorado Revised Statutes §§ 22-33-106 (1) (a-g) and 3(c, e, and f) and 22-12-105(3), the following may be grounds for suspension, expulsion or denial of admission from a public school:

1. Continued willful disobedience or open and persistent defiance of proper authority.
2. Willful destruction or defacing of school property.
3. Behavior on or off school property which is detrimental to the welfare or safety of other pupils or of school personnel including behavior which creates a threat of physical harm to the child or to other children.
4. Repeated interference with a school's ability to provide educational opportunities to other students.
5. Making a false accusation of criminal activity against a District employee to law enforcement or to the District.
6. Having been expelled from any school district during the preceding twelve (12) months.
7. Behavior in another school district during the preceding twelve (12) months that is detrimental to the welfare or safety of other pupils or of school personnel.
8. The use, possession or sale of a drug or controlled substance as defined by state or federal law.
9. The commission of an act which if committed by an adult would be robbery pursuant C.R.S. § 18-4-301 et seq. or assault pursuant to C.R.S. § 18-3-202 et seq. other than the commission of an act that would be third degree assault under C.R.S. § 18-3-204 if committed by an adult
10. The carrying, bringing, using or possessing a dangerous or deadly weapon without the authorization of the District. NOTE: In accordance with federal law, expulsion shall be mandatory and for no less than one full calendar year for a student who is determined to have brought to or possessed a firearm at school. The Superintendent may modify the length of this federal requirement for expulsion on a case-by-case basis. Such modification shall be in writing.

For purposes of this paragraph, "DANGEROUS or DEADLY WEAPON" means:

- a. A firearm, whether loaded or unloaded.
- b. Any pellet gun, BB gun, or other device, whether operational or not, designed to propel projectiles by spring action or compressed air;
- c. A fixed blade knife with a blade that measures longer than three (3) inches in length or a spring loaded knife or a pocket knife with a blade longer than three and one-half (3 ½) inches. Knife blades are to be measured from the point where the metal touches the handle.

d. Any object, device, instrument, material, or substance, whether animate or inanimate, used or intended to be used to inflict death or serious bodily injury.

11. Carrying, using, actively displaying, or threatening with the use of a firearm facsimile that could reasonably be mistaken for an actual firearm in a school building or in or on District property.

12. Failure to comply with the provisions of C.R.S. § 25-4-901 et seq. (immunization requirements). Any suspension, expulsion or 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.

13. Declaration as a habitually disruptive student.

a. For purposes of this paragraph, "habitually disruptive student" means a child who has caused a material and substantial disruption three (3) times during the course of the school year, on school grounds, in school vehicles or at school activities or events. Any student who is enrolled in a public school may be subject to being declared a habitually disruptive student.

b. The student and the parent, legal guardian, or other legal custodian shall have been notified in writing of each disruption counted toward declaring the student as habitually disruptive and the student and parent, legal guardian, or legal custodian shall have been notified in writing and by telephone or other means at the home or the place of employment of the parent or legal guardian of the definition of "habitually disruptive student."

According to C.R.S. § 22-33-106 (2), subject to the District's responsibilities under Article 20 of that title (Exceptional Children's Education Act), and applicable federal law (see policy JKD-2, Discipline of Students with Disabilities), the following shall be grounds for expulsion from or 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.

Approved by Superintendent Mary F. Chesley, November 9, 2009.

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Current Revision February 8, 2016

Legal

[C.R.S. § 18-1-901\(3\)\(e\)](#)

[C.R.S. § 18-3-202 et seq.](#)

[C.R.S. § 18-4-301 et seq.](#)

[C.R.S. § 22-12-105\(3\)](#)

[C.R.S. § 22-33-106\(1\)\(a - g\)](#)

[C.R.S. § 22-33-106\(2\)](#)

[C.R.S. § 22-33-106\(3\)\(c, e, and f\)](#)

[C.R.S. § 25-4-901](#)