

1. Grounds for Suspension or Expulsion

The following conduct, occurring at school or on school grounds, at school-sanctioned activities or events, while being transported by school-approved vehicles, or occurring off school property when the conduct has the required connection to school in accordance with governing law, will subject the student to disciplinary measures, including suspension and/or expulsion:

- a. Continued willful disobedience or open and persistent defiance of proper authority, including, but not limited to, a deliberate refusal to obey District staff, repeated violations of District policy, and repeated instances of misconduct.
- b. Causing or attempting to cause willful destruction, defacing, or stealing of school or private property.
- c. Behavior on or off school property which is detrimental to the welfare or safety of other pupils or of school personnel including, without limitation, behavior which creates a threat of physical harm to the child, other children, or school personnel.
- d. Repeated interference with a school's ability to provide educational opportunities to other students.
- e. Incidents of assault upon, disorderly conduct toward, harassment of, the making of a knowingly false allegation of child abuse against, or any criminal act directed toward a teacher or District employee, or instances of damage occurring on District premises to the personal property of a teacher or District employee.
- f. Failure to comply with state law concerning 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.
- g. Violation of the District's policy on sexual harassment.
- h. Directing profanity, vulgar language or obscene gestures toward other students, school personnel or visitors to the school.
- i. Engaging in verbal abuse, i.e., name calling, ethnic or racial slurs, or derogatory statements addressed publicly to others that precipitate disruption of the school program or incite violence.
- j. Committing extortion, coercion, or blackmail, including, without limitation, obtaining money or other objects of value from an unwilling person or forcing an individual to act through the use of force or threat of force. (bullying)
- k. Lying or giving false information, either verbally or in writing to a school employee.
- l. Performing scholastic dishonesty which includes but is not limited to cheating on a test, plagiarism, or unauthorized collaboration with another person in preparing written work.
- m. Violation of the District's weapon policy. (See 6c(1) and Policy JICI)
- n. Violation of the District's drug and alcohol policy. (See Policy JICH)
- o. Violation of the District's hazing policy. (See Policy JICFA)

- p. All School District buildings are declared "tobacco free" facilities and the use of tobacco will not be permitted by anyone on District property or at any student activity sponsored by the District.
  - q. Violation of the District's or school's student dress code policy. (See Policy JICA)
  - r. Violation of District policy or regulations or violation of criminal law which has an effect on the school or on the general safety or welfare of students and/or staff.
2. Mandatory Expulsion (CRS 22-33-106 (1) (d))  
Suspension followed by expulsion is mandatory for the following offenses when the behavior occurs in a school building, in or on school property, in school vehicles, or at District sponsored activities or events regardless of location:
- a. Declaration as a habitually disruptive student. A student will be declared "habitually disruptive" if suspended three times during the course of the school year for causing a material and substantial disruption in the classroom, on school grounds or at school activities or events because of student behavior that was initiated, willful and overt.
    - 1. The principal will inform the Superintendent if a student is suspended for a second time for causing a material and substantial disruption.
    - 2. No child shall be declared to be a habitually disruptive student prior to the development of a remedial discipline plan for the child that shall address the child's disruptive behavior, his or her educational needs, and the goal of keeping the child in school. The remedial discipline plan shall be developed after the second suspension for a material and substantial disruption. The District shall encourage and solicit the full participation of the child's parent, guardian, or legal custodian in the development of the remedial discipline plan.
    - 3. The student and the parent/guardian or legal custodian will be notified in writing of each suspension which counts toward declaring the student habitually disruptive. The student and parent/guardian or legal custodian will also be notified in writing and by telephone or other oral communication of the definition of "habitually disruptive student" and the mandatory expulsion of such students.
    - 4. District procedures for expulsion will be initiated when the student is suspended for the third time. The period of suspension will be extended, if necessary, to conduct an expulsion proceeding in accordance with state law.
  - b. Infractions of the law
    - 1. Violation of the District's weapons policy. (See Policy JICI)  
Carrying, bringing, using, or possessing any dangerous weapon in any school building, on school grounds, in any school vehicle, or at any school-sponsored activity without the authorization of the school or the school district is subject to mandatory expulsion unless the student has delivered the weapon to a teacher, administrator or other authorized person in the District as soon as possible upon discovering it. If a student discovers that he or she has carried, brought or is in possession of a dangerous weapon and the student notifies a teacher, administrator or other authorized person in the school district, and as soon as possible delivers the dangerous weapon to that person, expulsion shall not be mandatory and such action shall be considered when determining appropriate disciplinary action, if any. Such dangerous weapons include but are not limited to a firearm, whether loaded or unloaded, or a firearm facsimile that could

reasonably be mistaken for an actual firearm; a firearm, whether any pellet or bb gun or other device, whether operational or not, designed to propel projectiles by spring action of compressed air; slingshot; bludgeon; brass knuckles or artificial knuckles of any kind; fixed blade knife with a blade that measures longer than three inches, any knife the blade of which can be opened by a flick of a button or pressure on the handle, a pocket knife with a blade longer than 3-1/2 inches, or any pocket knife where the blade is carried in a partially-opened position; and any object, device, instrument, material, or substance, whether animate or inanimate, used or intended to be used to inflict death or serious bodily injury. Violation of this policy shall require that proceedings for the expulsion of the student involved shall be initiated immediately by the principal. In accordance with federal law, expulsion shall be for no less than one full calendar year for a student who is determined to have brought a firearm to school. The superintendent may modify the length of this federal requirement for expulsion on a case-by-case basis. An exception to this policy may be made for students participating in an authorized extracurricular activity or team involving the use of firearms.

*[18 USC. 921 (a)(3)], [20 USC 7151] [CRS 22-33-106 (1)(d)].*

A person commits a class 2 misdemeanor if he/she knowingly or unlawfully:

2. Sale of a drug or controlled substance as defined in state law. (See also Policy JICH)
  3. Commission of an act which if committed by an adult would be robbery as defined in state law.
  4. Commission of an act which if committed by an adult would be first or second degree assault, including sexual assault, as defined in state law.
3. Crimes of Violence [CRS 22-33-105 (5) (a)]  
Whenever the District is notified that a student at least 12 years of age but under 18 is alleged to have committed an offense that would constitute a crime of violence or unlawful sexual behavior if committed by an adult, the superintendent may initiate expulsion proceedings in accordance with state law.

Alternatively, the superintendent may determine to wait until the conclusion of court proceedings to consider expulsion, in which case it shall be the responsibility of the District to provide an alternative educational program for the student as specified in state law.

ADOPTED: April 1, 2008

LEGAL REFS: C.R.S. 16-22-102(9) (unlawful sexual behavior)  
C.R.S. 18-1.3-406 (crime of violence)  
C.R.S. 22-32-109.1 (2)(a) (adoption and enforcement of discipline code)  
C.R.S. 22-32-109.1 (2)(a)(V) (policy required as part of safe schools plan)  
C.R.S. 22-32-109.1 (3) (agreements with state agencies)  
C.R.S. 22-33-105 (suspension, expulsion and denial of admission)  
C.R.S. 22-33-106 (grounds for suspension, expulsion and denial of admission)  
C.R.S. 22-33-106.3 (use of student's written statements in expulsion hearings)  
C.R.S. 22-33-106.5 (information concerning offenses committed by students)  
C.R.S. 22-33-107 (compulsory attendance law)  
C.R.S. 22-33-107.5 (notice of failure to attend)  
C.R.S. 22-33-108 (juvenile judicial proceedings)

**STUDENTS**  
**Suspension/Expulsion of Students**

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File: JKD/JKE

C.R.S. 25-4-903 (1) (immunization)

CROSS REFS: GBGB, Staff Personal Security and Safety  
JA, Compulsory Attendance Ages  
JF, Admission and Denial of Admission  
JICA, Student Dress Code  
JICFA, Hazing  
JICH, Drug and Alcohol Use by Students  
JICI, Weapons in School  
JK-2, Discipline of Students with Disabilities  
JKF, Educational Alternatives for Expelled Students