



## **JKD/JKE - SUSPENSION/EXPULSION OF STUDENTS**

In matters involving student behavior that may or will result in the suspension or expulsion of a student, a parent, guardian or legal custodian shall be notified and involved to the greatest practicable extent in the disciplinary procedures. In all cases of suspension and expulsion, students shall be afforded due process of law.

For a student in preschool, kindergarten, first grade, or second grade: The Board and/or its designee(s) shall determine whether failure to remove the student from the school building through suspension and/or expulsion would create a safety threat that otherwise cannot be addressed. The Board and/or its designee(s) shall also determine on a case-by-case basis each of the factors set forth in C.R.S. § 22-33-106(1.2) and shall document any alternative behavioral and disciplinary interventions that it employs before suspending or expelling the student.

### **ALTERNATIVES TO SUSPENSION**

In lieu of suspension, the principal or designee may, at his or her discretion, permit the student to remain in school on the condition that the student's parent, guardian or legal custodian attend class with the student for a period of time established by the principal or designee. This alternative is not automatic. The principal or designee shall consult with the student's teachers and obtain their consent before implementing this alternative. This alternative to suspension shall not be used if expulsion proceedings have been or are to be initiated, or if the principal or designee determines that the student's presence in school, even if accompanied by a parent, guardian or legal custodian, would be disruptive to the operations of the school or be detrimental to the learning environment of other students. In the event that this alternative becomes disruptive if it is used, then the school shall immediately terminate this option and suspend the student in accordance with District policy. If the student's parent, guardian or legal custodian does not agree or fails to attend class with the student, the principal or designee shall suspend the student in accordance with District policy.

### **SUSPENSION AUTHORITY**

1. Students in third grade and higher grade levels: A school principal, or designee by written authority of the principal, may suspend a student in third grade and higher grade levels in that school for not more than five school days on the grounds stated in C.R.S. §§ 22-33-106(1)(a), (1)(b), (1)(c), (1)(e) or (1)(f), or not more than 10 school days on the grounds stated in C.R.S. §§ 22-33-106(1)(d), unless expulsion is mandatory under law (see JKDA/JKEA).

Students in preschool through second grade: A school principal, or designee by written authority of the principal, may suspend a student in preschool, kindergarten, first grade, or second grade in that school for not more than three school days on the grounds stated in C.R.S. 22-33-106.1(2), unless the principal or designee determines that a longer period of suspension is necessary to resolve the safety threat or expulsion is mandatory under law.

2. The Board of Education delegates to the Superintendent the authority to suspend a student, in accordance with C.R.S. §§ 22-33-105 and 22-33-106.1(3), for an additional 10 school days, plus up to and including an additional 10 school days as necessary in order to present the matter to the Board of Education, but not to exceed 25 school days of suspension.

#### EXPULSION AUTHORITY

1. The Board of Education may conduct a hearing at which the question of expulsion is determined.
2. Unless the Board of Education elects to proceed otherwise in a particular case, the Board delegates its power to expel students to the Superintendent and/or to a designee who shall serve as a hearing officer, and delegates to the Superintendent or designee its authority to conduct the expulsion hearing as required by law.
3. The decision of the Superintendent may, upon the written request of the student or the student's parent, guardian or legal custodian, be appealed to the Board of Education.

#### REPORTING DISCIPLINE ACTIONS

The Superintendent shall report each case acted upon to the Board of Education through a confidential memo, briefly describing the circumstances and the reasons for the action taken by the Superintendent.

The principals of each school in the District shall submit annual written reports to the Board of Education concerning the learning environment in their schools each school year, as required by law. Each principal's report shall include: (1) the total enrollment for the school; (2) the average daily attendance rate at the school; (3) dropout rates for grades seven through twelve, if such grades are taught at the school; (4) the number of violations of the conduct code broken down as to type of violation and type of discipline, as required by law, and noting which violations and discipline involved students with disabilities; and (5) the school's policy concerning bullying prevention and education.

The Board of Education shall annually compile the principals' reports from each school in the District and submit its compiled report to CDE, as required by law. The

Board's compiled report shall also include the average size of each school in the District, calculated as the total number of students enrolled in the school divided by the number of full time teachers in the school. The Board's compiled report shall also be made available to the general public, but not in such a way as to disclose confidential personally identifiable student information in violation of state or federal law.

## INFORMATION TO PARENTS

Within five days of expelling a student, the District shall notify the student and his or her parent, guardian or legal custodian of the student's opportunity to receive educational services for expelled students.

Upon request of a student or the student's parent, guardian or legal custodian, the District shall provide any educational services that are deemed appropriate by the District for any student who is expelled from the District. The services provided shall be designed to provide a second chance for the student to succeed in achieving an education. The District shall determine the amount of credit the student shall receive toward graduation for the educational services provided.

The District is not required to provide additional educational services to any student who is suspended or expelled while receiving educational services during a period of expulsion. The District may provide services for a student who is expelled through agreements with local governmental agencies and managing state agencies, community-based nonprofit organizations, with the Department of Military Affairs, and public or private institutions of higher learning to provide appropriate services such as tutoring, counseling, drug treatment, family preservation, alternative education, or vocational education programs. If a student is expelled for the remainder of the school year and the student is not receiving educational services, the District will contact the student's parent, guardian or legal custodian at least once every 60 days until the beginning of the next school year to determine whether the student is receiving educational services. The District need not contact the student's parent, guardian or legal custodian after the student is enrolled in another school district or in an independent or nonpublic school, or if the student is committed to the Department of Human Services or is sentenced pursuant to the Children's Code.

## STUDENT'S RETURN TO SCHOOL FOLLOWING AN EXPULSION

In accordance with state law, a student who has been expelled on grounds stated in C.R.S. §§ 22-33-106 (1) (c) or (1) (d) and has been convicted or adjudicated as a juvenile delinquent, received a deferred judgment, or placed in a diversion program for such conduct 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. If the student cannot be placed in another school, the school may provide the expelled student with a schedule that avoids contact with the victim or the victim's immediate family members.

Adopted by Board: April 1972  
Revised by Board: February  
1974 Revised by Board: June  
1982 Revised by Board: August  
1982 Revised by Board: June  
1988 Revised by Board:  
November 1992 Revised by  
Board: December 1993  
Revised by Board to conform with practice: May 22,  
1995 Revised by Board: August 14, 1995  
Revised by Board: August 12, 1996  
Revised by Board: June 22, 1998  
Revised by Board: August 14, 2000  
Revised by Board: October 11, 2004  
Revised by Board: April 23, 2007, effective July 1, 2007  
Revised by Board: May 26, 2009, effective July 1, 2009  
Revised by Board: June 9, 2020, effective July 1, 2020

LEGAL REFS:

C.R.S. 22-32-109.1(2)  
C.R.S. 22-33-105  
C.R.S. 22-33-106  
C.R.S. 22-33  
106.5  
C.R.S. 22-33-  
106.1

CROSS REFS:

JIC, Student Conduct, and subcodes  
JKF, Educational Alternatives for Expelled Students