

Student Suspension and Expulsion

Definitions

1. "Suspension" means the exclusion of a student from attending school and participating in school activities for a specified and limited period of time, as set forth under "Suspension Authority" below, unless student contact with the school district is otherwise authorized by the school or district administration.
2. "Expulsion" means the exclusion of a student from attending school and participating in school activities for a specified period of time beyond that provided for suspension but not to exceed one calendar year, unless student contact with the school district is otherwise authorized by the school or district administration. Expulsion of a student with disabilities does not include a cessation of all educational services.
3. "Classroom suspension" means the exclusion of a student from the classroom by a teacher for causing a material and substantial disruption in the classroom through behavior that is initiated, willful, and overt on the part of the student.
4. "In-school suspension" means a suspension in which the student is suspended from participation in regular school activities, but receives continuous educational instruction, supervision and discipline.
5. "Student with Disabilities" means a student for whom a determination of disability has been made by a duly convened staffing committee in accordance with state and federal laws governing the education of children with disabilities.
6. "Informal hearing" means an opportunity for a student to be informed of the evidence and to explain his or her position regarding the incident constituting grounds for discipline. An informal hearing does not include representation by counsel, the ability to confront and cross-examine witnesses, or to call witnesses to verify the student's version of the incident.

Grounds For Suspension or Expulsion

Subject to the district's responsibilities under the Exceptional Children's Educational Act and applicable federal law, suspension or expulsion may be ordered when the student has engaged in any of the following behaviors while in school buildings, on school grounds, in school vehicles, at a school-sponsored activity, or off school property when the behaviors have some connection with school or affect school operations:

1. Continued willful disobedience or open and persistent defiance of proper authority including, but not limited to, repeated violations of district policy and/or regulations, and repeated instances of misconduct, no single occurrence of which might otherwise constitute a ground for suspension or expulsion.

2. Repeated interference with a school's ability to provide educational opportunities to other students.
3. Repeated disruptive conduct resulting in the student being declared an habitually disruptive student, for which expulsion shall be mandatory.
 - a. "Habitually disruptive student" means a student who has been suspended pursuant to C.R.S. §§ 22-33-106(1)(a), (b), (c) or (d) three times during the course of the school year or calendar year for causing a material and substantial disruption in the classroom, on school grounds, on school vehicles or at school activities or events, because of behavior that was initiated, willful and overt on the part of the student.
 - i. The student and the student's parent, legal guardian or legal custodian must have been notified in writing of each suspension counted toward declaring the student as habitually disruptive, and must have been notified in writing and by telephone or other means of the definition of "habitually disruptive student" and the mandatory expulsion of such students.
 - ii. A remedial discipline plan may be developed for the student after the student's first or second suspension for causing a material and substantial disruption, as set forth above. Any such remedial discipline plan shall address the student's disruptive behavior, his or her educational needs, and the goal of keeping the student in school.
4. Willful destruction or defacing of school property.
5. Behavior on or off school property which is detrimental to the welfare or safety of other students or of school personnel, including behavior which creates a threat of physical harm to the student or to other students.
6. 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 school teacher or school employee, or instances of damage occurring on the premises to the personal property of a school teacher or school employee, for which a minimum of a three day suspension shall be mandatory.
7. Serious violations in a school building or in or on school property which behavior shall result in suspension or expulsion. Expulsion shall be mandatory for the following violations: the carrying, bringing, using or possessing of a dangerous weapon as defined in C.R.S. § 22-33-106(1)(d)(II) and Policy JICI, Weapons in School, without the authorization of the school or the district; the distribution, trade, exchange, or sale of a drug or controlled substance as defined in C.R.S. § 12-22-303; or the commission of an act which if committed by an adult would be robbery, pursuant to C.R.S. §§ 18-4-301 et seq., or first or second degree assault pursuant to C.R.S. §§ 18-3-201 et seq. A student may, but need not, be expelled for violating policy (JICI), Weapons in Schools, if, as

soon as possible upon discovering that he or she is in possession of the dangerous weapon, the student notifies and delivers the weapon to a teacher, administrator, or other authorized person.

8. Hazing, which shall be deemed to include any activity by which a person recklessly endangers the health or safety of, or causes a risk of bodily injury to, an individual for purposes of initiation or admission into, or affiliation with, any student organization.
9. Willful destruction or defacing of personal property belonging to students or staff members.
10. Stealing or attempting to steal school property or personal property belonging to students or staff.
11. Lying or giving false information, either orally or in writing, to a school official.
12. Scholastic dishonesty, including but not limited to cheating on a test, plagiarism, or unauthorized collaboration with another person in preparing written work.
13. Directing profanity, vulgar language or obscene gestures toward other students, school personnel or school visitors.
14. Harassment or discriminatory behavior directed toward any student or staff member based on race, color, religion, national origin, sex or disability.
15. Threats of serious bodily injury or death to one or more district employees or students; threats to damage or destroy district property or the property of one or more district employees or students; and/or threats to disrupt school or district operations.
16. Failure to comply with the immunization requirements of C.R.S. §§ 25-4-901 et seq., except that any suspension or expulsion for such failure to comply shall not be recorded as a disciplinary action, but rather, shall be recorded with the student's immunization records with an appropriate explanation.
17. Violation of any district policy or regulation, or any rule instituted at any school building, governing student conduct.

At-Risk Students

Each district school shall identify students who are at risk of suspension or expulsion. An at-risk student includes, but is not limited to, any student who is likely to be declared habitually truant or is likely to be declared habitually disruptive. The district shall work with the students' parents or guardians and appropriate local and state agencies, community-based organizations, and institutions of higher education to provide at-risk students with support services to help them avoid expulsion.

The district may enter into agreements with other entities for the provision of services to students

at risk of being suspended or expelled and those who have already been suspended or expelled. Such services may include, but are not limited to:

1. tutoring services;
2. counseling services;
3. drug or alcohol addiction treatment programs;
4. family preservation services;
5. alternative education programs;
6. vocational education programs.

At minimum, each agreement shall specify the services to be provided, the entity that will coordinate and oversee provision of the services, and the responsibilities of each entity entering into the agreement. Each agreement shall require each participating entity to contribute funds for the specified services. The agreement shall specify the amount and source of funds and the mechanism for providing funds.

The district shall use a portion of its per pupil operating fund to provide services to at-risk students. The District may also use federal and state money and money received from public or private grants.

The failure of the district to identify a student for participation in an expulsion prevention program or the failure of such program to remediate a student's behavior shall not be grounds to prevent school personnel from proceeding with appropriate disciplinary measures or used in any way as a defense in a suspension or expulsion proceeding.

Suspension Authority and Procedures

1. Any student who is suspended for ten days or less is entitled to hear the charges and to be given an opportunity to present his or her position at an informal hearing in accordance with the procedures set forth in District Regulation JKD/JKE-R. The hearing should occur prior to removal from the school, unless the student's presence constitutes a continuing danger to that student, other persons or property, or a continuing threat of disrupting the academic process. In the latter case, a hearing should be held as soon as practicable after the student's removal from school.
2. If a student is suspended for more than ten days, he or she shall be given the opportunity to request a review of the suspension before the superintendent or designee. The decision of the superintendent or designee upon such review shall be final.
3. Any student may be suspended from school by a principal or assistant principal for a period of up to five school days; however, the principal or assistant principal may suspend a student for a period of up to ten school days if the conduct giving rise to

disciplinary action involves a serious violation, as set forth above in paragraph 7 of the Grounds for Suspension or Expulsion. As provided therein, expulsion proceedings also shall be initiated for certain, enumerated violations.

4. The superintendent may extend a suspension for up to ten additional school days, and another ten days if necessary in order to present the issue of expulsion to the next meeting of the Board. In no event shall the suspension exceed a total of 25 continuous school days.
5. All suspensions are to be in accordance with the procedures set forth in Regulation JKD/JKE-R.
6. As an alternative to suspension, the suspending authority may, acting in his or her discretion, allow the student to remain in school if the student's parent, guardian or legal custodian, with the consent of the student's teacher(s), attends school with the student for a specified period of time. If a parent, guardian or legal custodian does not agree, or fails to attend school with the student, the suspending authority shall suspend the student in accordance with this policy. This alternative shall not be considered if expulsion proceedings are to be initiated or if the conduct giving rise to disciplinary action involved a threat to the welfare or safety of other students or school personnel.
7. A suspending authority may also order in-school suspension, as defined under the definitions section of this policy.
8. Students with disabilities are subject to suspension on the same grounds as students without disabilities. However, students with disabilities may not be suspended or removed to another setting in excess of ten consecutive school days, or subjected to a series of suspensions or removals during the school year (or during a single placement within the school year) that constitute a change of placement, unless a determination has been made by a duly convened IEP or § 504 team that the misconduct constituting grounds for suspension or removal longer than these specified periods was not a manifestation of the student's disability (this provision does not apply to placement in an appropriate interim alternative educational setting). If the IEP or § 504 team determines that the student's conduct was a manifestation of the student's disability, the suspension or removal may not exceed the periods specified in the second sentence of this paragraph and the appropriateness of the student's IEP or § 504 Plan shall be reviewed and necessary revisions shall be made, in accordance with governing law. If the IEP or § 504 team determines that the student's conduct was not a manifestation of the student's disability, the student may be suspended or removed for longer than the periods specified in the second sentence of this paragraph. Special education students with an IEP, but not § 504 students, must continue to receive educational services as determined by the IEP team. Also, within ten days of a suspension or removal in excess of the periods specified in the second sentence of this paragraph, the IEP team shall either develop a functional behavioral assessment of the special education student, develop a behavioral intervention plan for the special education student, or review and modify the special education student's existing behavioral intervention plan, as appropriate.

In accordance with governing law, the IEP or § 504 team may change a disabled student's placement to an appropriate interim alternative educational setting for not more than 45 days if the student has carried a weapon to school or to a school function; if the student knowingly possessed, used, sold or solicited the sale of a controlled substance while at school or at a school function; or if a hearing officer so orders. Such placement in an interim alternative educational setting is permissible even if the disabled student's behavior was a manifestation of his or her disability.

Expulsion Authority and Procedures

1. The power to expel students has been delegated to the superintendent.
2. Expulsion can occur only after the accused student and his or her parents have been given the opportunity for a hearing in accordance with the procedures set forth in Regulation JKD/JKE-R.
3. The decision of the superintendent may, in accordance with the procedures set forth in Regulation JKD/JKE-R, be appealed to the Board.
4. Any expelled student receiving services shall be included in the district's pupil enrollment.
5. Students with disabilities are subject to expulsion on the same grounds as students without disabilities. However, prior to expulsion of a student with a disability, a determination must be made by a duly convened IEP or § 504 team that the misconduct constituting grounds for expulsion was not a manifestation of the student's disability. If the IEP or § 504 team determines that the student's conduct was a manifestation of the student's disability, the expulsion proceedings shall be discontinued and the appropriateness of the student's placement specified in his or her IEP or § 504 Plan shall be reviewed and necessary revisions shall be made, in accordance with governing law. If the IEP or § 504 team determines that the student's conduct was not a manifestation of the student's disability, the student may be expelled. Special education students with an IEP, but not § 504 students, must continue to receive educational services as determined by the IEP team.
6. In accordance with state law, any student expelled for reasons covered by the Grounds for Suspension or Expulsion in paragraphs 5 (behavior which is detrimental) or 7 (serious violations) set forth above, and who is convicted, adjudicated a juvenile delinquent, receives a deferred judgment or is placed in a diversion program as a result of committing the offense for which the student was expelled (except with respect to crimes against property), shall not be enrolled or reenrolled in the same school in which the victim of the offense or member of the victim's immediate family is enrolled or employed. If there is only one school within the district in which the expelled student can enroll, the district may design a schedule for the expelled student that, to the extent possible, avoids contact between the expelled student and the victim or member of the victim's immediate family. If the district has no actual knowledge of the name of the victim of the offense for which a student was expelled, the student shall be prohibited from enrollment or reenrollment

under this policy only upon request of the victim or a member of the victim's immediate family at a school where the student seeks to enroll or reenroll.

Crimes of Violence and Unlawful Sexual Behavior

Whenever the district is notified that a student at least 12 years of age but under 18 years of age has been charged in juvenile court with an offense that would constitute a crime of violence or unlawful sexual behavior if committed by an adult or has been charged in district court with a crime of violence or unlawful sexual behavior, the Board of Education or its designee shall determine whether the student has exhibited behavior that is detrimental to the safety, welfare and morals of the other students or personnel at school, and whether educating the student at school may disrupt the learning environment, provide a negative example for other students, or create a dangerous and unsafe environment for students, teachers and other school personnel.

If it is determined that the student should not be educated at school, the district may institute procedures to suspend or expel the student. Alternatively, the district may delay consideration of the student's suspension or expulsion pending the outcome of the juvenile court or district court proceedings, during which time the district shall provide the student with an appropriate alternate education program. The time that a student spends in an alternate education program shall not be considered a period of suspension or expulsion.

As used in this policy, a "crime of violence" means any of the following crimes as defined by law committed, conspired to be committed or attempted to be committed by a student in connection with which the student used or possessed and threatened the use of a deadly weapon, or caused serious bodily injury or death to any other person except another participant: (1) any crime against an at-risk adult or at-risk juvenile; (2) murder; (3) first or second degree assault; (4) kidnapping; (5) sexual assault; (6) aggravated robbery; (7) first degree arson; (8) first degree burglary; (9) escape; or (10) criminal extortion. "Crime of violence" also means any felony unlawful sexual offense in which the student caused bodily injury to the victim or in which the student used threats, intimidation or force against the victim.

As used in this policy, "unlawful sexual behavior" means any of the following offenses, as defined by law, or criminal attempt, conspiracy, or solicitation to commit any of the following offenses: (1) first, second, or third degree sexual assault; (2) sexual assault on a child; (3) sexual assault on a child by one in a position of trust; (4) enticement of a child; (5) incest or aggravated incest; (6) trafficking in children; (7) sexual exploitation of children; (8) procurement of a child for sexual exploitation; (9) indecent exposure; (10) soliciting for child prostitution; (11) pandering of a child; (12) procurement of a child; (13) keeping a place of child prostitution; (14) pimping of a child; (15) inducement of child prostitution; or (16) patronizing a prostituted child.

Reporting Requirements

The superintendent shall report each case acted upon at the next meeting of the Board, briefly describing the circumstances and the reasons for the action taken by the superintendent.

Principals shall communicate discipline information concerning any student expelled in their school to each teacher and counselor who has direct contact with the student. Those persons

receiving information shall maintain the confidentiality of the information and shall not communicate the information to any other person.

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 Code of Conduct and Discipline 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) information regarding the school's development and implementation of any bullying prevention program.

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

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LEGAL REFS.: 20 U.S.C. §§ 1400 et seq
29 U.S.C. § 794
C.R.S. § 19-1-119(5)
C.R.S. §§ 22-20-101 et seq
C.R.S. § 22-32-109.1
C.R.S. §§ 22-33-101 et seq
C.R.S. §§ 22-37-101 et seq
C.R.S. § 16-11-309

Adams County School District #1/Denver, Colorado

STUDENT SUSPENSION AND EXPULSION

Procedure for Suspension

The following procedures shall be followed in any suspension.

1. Notice. The principal, the principal's designee, or the superintendent shall give the student notice whenever a suspension is contemplated. Notice may be oral or in writing.
2. Contents of Notice. The notice shall contain the following:
 - a. A statement of the policy or regulation which the student is alleged to have violated.
 - b. A statement of the factual basis for the allegation.
 - c. The time and place set for hearing the matter (which, for suspensions of ten days or less, may be at the time and place notice is given).
3. Informal Hearing. Any student suspended for ten days or less shall be given an opportunity to explain his or her position regarding a disruption in the classroom or an incident constituting grounds for discipline. An informal hearing, however, does not generally include representation by counsel, the ability to confront and cross-examine witnesses or to call witnesses to verify the student's version of the incident. However, the administrator conducting the informal hearing may, acting within his or her discretion, allow the student to present witnesses and may call persons who witnessed the alleged improper conduct to present evidence in the presence of the student. As a minimum, the student must be given an explanation of the evidence against him or her.
4. Review. Any student suspended for more than ten days shall be given the opportunity to request a review of the suspension before the superintendent or designee. The decision of the superintendent or designee shall be final.
5. Timing. Notice and an informal hearing should precede removal of the student from school unless immediate removal is necessary as provided in paragraph 6 below. There need be no delay between the time notice is given and the time of the hearing. Once a determination has been made to suspend a student, the student shall be required to leave the school building and the school grounds immediately upon arrangements being made for a transfer of custody in accordance with paragraph 7 below.

6. If the Student's Presence in School Presents a Danger. Notice and an informal hearing need not be given prior to removal from school where a student's presence constitutes a continuing danger to the student himself or herself, other persons or property, or a continuing threat of disrupting the academic process. In such cases, notice to the student of the alleged misconduct and an informal hearing shall follow as soon as practicable after the student's removal from school. Any student who poses a threat of physical harm to himself or herself or other persons shall be removed from school immediately upon arrangements being made for a transfer of custody in accordance with paragraph 7 below.

The principal or designee shall immediately remove a student with a disability from a situation in which he or she poses a threat of physical harm to himself or herself or to other persons. The student shall be suspended or placed in an appropriate alternative setting, subject to the limitations imposed on the discipline of students with disabilities by federal law, as set forth in District Policy JKD/JKE and this regulation.

In accordance with governing law, the IEP or § 504 team may change a disabled student's placement to an appropriate interim alternative educational setting for not more than 45 days if the student has carried a weapon to school or to a school function; if the student knowingly possessed, used, sold or solicited the sale of a controlled substance while at school or at a school function; or if a hearing officer so orders. Such placement in an interim alternative educational setting is permissible even if the disabled student's behavior was a manifestation of his or her disability.

7. Transfer of Custody. No student of minor age shall be released from the custody of school personnel, except in the case of a transfer to law enforcement authorities, until arrangements have been made for a transfer of custody with a parent, guardian, legal custodian, or parent's designee. In accordance with state law, law enforcement authorities may be involved in the removal of students from school where there are reasonable grounds to believe that the student has committed an act which would be a felony, misdemeanor or municipal ordinance violation if committed by an adult. If transfer is made to law enforcement authorities, the student's parents, guardian, or legal custodian shall be notified as soon as practicable.
8. Letter to Parents, Guardian or Legal Custodian. Following a suspension, the principal or his/her designee shall immediately attempt to notify the student's parents, guardian, or legal custodian of the action by telephone. In addition, a letter stating the length of suspension, reasons for the action, and time and place for the parents, guardian, or legal custodian to meet to review the suspension, shall be mailed or delivered to the student's parents, guardian, or legal custodian within three school days following a suspension or as soon thereafter as practicable.
9. Readmittance. No student shall be readmitted to school until a meeting has taken place between the principal or designee and the student's parents, guardian or legal

custodian to review the suspension, or until, in the discretion of the principal or designee, a parent, guardian, or legal custodian of the suspended student has substantially agreed to review the suspension with the principal or designee. If the principal or designee cannot contact the parent, guardian or legal custodian of such student or if a parent, guardian or legal custodian repeatedly fails to appear for scheduled meetings, the suspending authority may readmit such student. The purpose of the readmittance conference shall be to address whether there is a need to develop a remedial discipline plan for the pupil in an effort to prevent further disciplinary action.

10. **Students with Disabilities.** If suspension is recommended for a student with disabilities in excess of ten consecutive school days, or the student is subjected to a series of suspensions during the school year (or during a single placement within the school year) that constitute a change of placement, the IEP or § 504 team shall meet to determine whether the student's alleged conduct is a manifestation of his or her disability (this provision does not apply to placement in an appropriate interim alternative educational setting). The student and his or her parents, guardian or legal custodian shall be given notice of the meeting as required by law. If the IEP or § 504 team determines that the student's alleged conduct was not a manifestation of his or her disability, the suspension procedures may continue, unless a parent, guardian or legal custodian has requested an impartial due process hearing pursuant to governing law.

Procedure for Expulsion

In the event that the superintendent contemplates action expelling any student, the following procedures shall be followed:

1. **Notice.** Not less than ten days prior to the date of a contemplated expulsion, the superintendent shall cause written notice of such proposed action to be delivered to the student and his or her parents, guardian or legal custodian. Such delivery may be by United States mail or by personal delivery. If mailed, delivery shall be deemed to be completed at such time as the notice is deposited in the United States mail addressed to the last known address of the student or his or her parents, guardian or legal custodian.
2. **Emergency Notice.** In the event the Board determines that an emergency exists necessitating a shorter period of notice, the period of notice may be shortened to the extent the Board may direct, provided that the student or his or her parents, guardian, or legal custodian have actual notice of the hearing prior to the time it is held.
3. **Contents of Notice.** The notice shall contain the following:
 - a. A statement of the rule or regulation which the student is alleged to have violated.

- b. A statement that a hearing on the question of expulsion will be held within the period of suspension applicable to the student if requested by the student or his or her parents, guardian or legal custodian.
 - c. A statement of the date, time, and place of the hearing in the event one is requested.
 - d. A statement that the student may be present at the hearing and hear all information against him or her; that the student will have an opportunity to present such information as is relevant; and that the student may be accompanied and represented by his or her parents, guardian or legal custodian and an attorney.
 - e. A statement that failure to request a hearing within five school days or failure to participate in such a hearing constitutes a waiver of further rights in the matter.
 - f. A statement of the effective date and duration of the contemplated expulsion.
4. Hearing. The hearing shall be conducted by the superintendent or his or her designee. If requested by the student; his or her parents, guardian or legal custodian; or attorney; such individuals in the employ of the district who have pertinent information shall be requested to attend the hearing to the extent necessary to provide such information. Testimony and information shall be presented under oath. However, technical rules of evidence shall not be applicable and the hearing officer may consider and give appropriate weight to such information or evidence he or she deems appropriate. The student or his or her representative may cross-examine witnesses against him or her. A sufficient record of the proceedings shall be kept so as to enable a transcript to be prepared in the event of an appeal.
5. Superintendent's Decision. The superintendent shall render a written decision, giving the specific factual findings in support of the decision, within five school days following the hearing. The superintendent shall report each case acted upon at the next meeting of the Board, briefly describing the circumstances and the reasons for his or her action.
6. Appeal to the Board. Within five school days after the decision of the superintendent, the student may appeal an expulsion of ten days or more to the Board. The Board shall review the decision on the record. No additional testimony or evidence shall be presented unless it was not reasonably discoverable at the time of the hearing; however, the Board may permit oral argument. The Board may retire to executive session to review and discuss the evidence, but the final decision shall be made in public session.

7. **Students with Disabilities.** If the student recommended for expulsion is a student with a disability, prior to commencing expulsion proceedings the IEP or § 504 team shall meet to determine whether the student's alleged conduct is a manifestation of his or her disability. The student and his or her parents, guardian or legal custodian shall be given notice of the meeting as required by law. If the IEP or § 504 team determines that the student's alleged conduct was not a manifestation of his or her disability, the expulsion procedures may commence, unless a parent, guardian or legal custodian has requested an impartial due process hearing pursuant to governing law. If a special education student with an IEP is expelled, the IEP team shall determine the nature and extent of educational services to be provided to the student during the expulsion period and develop a new Individualized Educational Program for implementation during that time (this requirement does not apply with respect to § 504 students).
8. **Parental Responsibility for School Attendance.** If a student between the ages of seven and 16 is expelled for the remainder of a school year, the parents, guardian or legal custodian of the student are responsible under state law for ensuring compliance with Colorado's compulsory attendance laws during the period of expulsion.
9. **Readmittance.** A readmittance conference of the type described in paragraph 9 of the procedures for suspension section of this regulation shall be held prior to an expelled student being readmitted to school.

Procedure for Classroom Suspension

The following procedures shall be followed in any classroom suspension.

1. A teacher may remove a student from the teacher's classroom for one day for causing a material and substantial disruption in the classroom through behavior that is initiated, willful and overt on the part of the student. Prior to any such removal, the teacher shall provide the student with the same level of due process to which the student would be entitled for suspensions from school of ten days or less, as set forth above and in Policy JKD/JKE.
2. The teacher initiating a one-day classroom suspension shall provide the principal or designee with assignments and other coursework to be completed by the student during the period of suspension, and shall contact the parent or legal guardian of the student as soon as possible after removal to request his or her attendance at a conference regarding the classroom suspension.
3. The teacher may develop a behavior plan approved by the principal after a student's first one-day classroom suspension during any grading term (quarter, trimester or semester) and shall develop a behavior plan approved by the principal after a student's second one-day classroom suspension during any grading term. The behavior plan shall indicate that the third incident during a grading period of material and substantial

disruption in the classroom through behavior that is initiated, willful and overt on the part of the student after classroom suspensions for the first two incidents will result in the student's removal from the classroom for the remainder of the grading term. The teacher shall provide a copy of the behavior plan, as well as a copy of each revision thereto, to the student and the parent or legal guardian of the student.

4. For any student removed from the classroom for the remainder of a grading term as provided in paragraph 3 above, the teacher responsible for the removal shall provide the principal or designee with a lesson plan, assignments, other coursework, quizzes and exams for the remainder of the grading term so as to allow the student to complete and receive credit for the course.
5. Classroom suspensions shall not count as suspensions for purposes of declaring a student as "habitually disruptive."
6. A teacher's ability to impose classroom suspensions shall be subject to governing law and the District's policies and regulations concerning suspension/expulsion of students with disabilities.

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29 U.S.C. § 794

C.R.S. §§ 22-20-101 *et seq*

C.R.S. § 22-32-109.1

C.R.S. § 22-33-102(4.7)

C.R.S. § 22-33-105

Detention of Students

Teachers are responsible for a well-planned classroom program, including classroom regulations that are clearly understood by the students. Teachers shall attend to discipline problems in the classroom and the school and shall cooperate with the district administration and parents in encouraging high standards of conduct among all students.

Teachers may keep students during lunch or after school to make up work, for disciplinary reasons and for meeting other school obligations. Teachers shall provide for the proper supervision of students so detained. A student shall not be deprived of eating lunch if he or she is detained during the lunch period.

When detaining students after school for longer than ten (10) minutes, teachers shall contact parents to let them know the student will be late in arriving home. If the parents cannot be contacted, if the student has a prior commitment or if the student rides the bus home, a reasonable amount of time will be allowed to arrange for the detention period on a future date.

No bus student is to be detained after school for a length of time that will cause the student to miss the bus provided to take the student home, unless prior notification of the parent(s) or guardian has been made. After notification, transportation of the student to his or her home must be according to one of the following methods to be arranged by the teacher and parent:

1. Parent or representative of the parent will provide transportation.
2. Teacher or administrator, only after parental permission, will provide transportation.
3. Parent gives approval for student to walk home.

The building administrator must be notified of all detention as soon as proper arrangements have been completed for such detention.

If for some reason an elementary bus student does miss the school bus home, the following procedure must be followed by the teacher or other person responsible for the child missing the bus:

1. The student is to be brought to the office and the principal must be notified immediately.
2. The student, under supervision of the teacher or other person responsible for the child missing the bus must be allowed to notify his parent(s) or guardian by school phone. One or the other of the parents must be notified, even if means calling them at work.

3. The teacher or other person responsible for the child missing the bus will ask the parent if he or she would like to come to school to pick the child up. If transportation by parent is not possible, the school will make alternate arrangements (with parental permission) for the child to get home.
4. If the parent is unable to pick the child up and if the parent refuses to give permission for alternate arrangements for the child to get home, the situation is to be turned over to the principal for further action.
5. The principal will use his or her professional judgment to carry out whatever action is in keeping with the best interests of the student, the school and the district.

Approved: January 6, 1986

Revised: May 2000

September 2002