

Grounds for Suspension/ Dismissal

1. According to Colorado Revised Statutes 22-33-106 (1) (a-e) and 3 (e), the following shall be grounds for suspension or dismissal from a public school.
 - a. Continued willful disobedience or open and persistent defiance of proper authority.
 - b. Willful destruction or defacing of school property.
 - c. 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 other children except that if the child who creates such a threat is a disabled child pursuant to Section 22-20-103 (4). Such child may not be dismissed if the actions creating such threat are a manifestation of such child's disabling condition.
 - d. Declaration of a habitually disruptive student for which dismissal shall be mandatory. For purposes of this paragraph, "habitually disruptive student" means a child who caused a disruption in the classroom, on school grounds, in school vehicles or a school activities or events three (3) times during the school year because of behavior which was repetitious, willful or overt on the part of the child and required the attention of school personnel to deal with the disruption, except that no child shall be declared to be an "habitually disruptive student" prior to the development of a discipline plan for such child in accordance with the conduct and discipline code of the Twin Peaks Charter Academy. Nothing shall prohibit Twin Peaks Charter Academy from defining "habitually disruptive student" in its conduct and discipline code so long as the definition is no less stringent than the definition in this paragraph.
 - e. Serious violations in a school building or in or on school property for which suspension or dismissal shall be mandatory, except that dismissal shall be mandatory for the following violations: carrying, bringing, using or possessing a deadly weapon as defined in C.R.S. 18-1-901 (3)(e) without the authorization of Twin Peaks Charter Academy, the 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 Part 3 or Article 4, Title 18, C.R.S., or assault pursuant to Part 2, Article 3, Title 18, C.R.S.
 - f. Repeated interference with the school's ability to provide educational opportunities to other students.
 - g. Failure to comply with the provisions of Part 9, Article 4, Title 25, C.R.S. (immunization requirements). Any suspension, dismissal 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.

2. 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), the following shall be grounds for dismissal from or denial of admission to a public school or diversion to an appropriate alternate program.
 - a. Physical or mental disability such that that child cannot reasonably benefit from the programs available.
 - b. Physical or mental disability or disease causing the attendance of the child suffering therefrom to be detrimental to the welfare of other students.