

EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

According to the 1973 Colorado Revised Statutes 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 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 there from to be inimical to the welfare of other students.

~~According to 1973 C.R.S. 22-33-106 (3) (a-e), the following shall constitute additional grounds for denial of admission to a public school:~~

- ~~1. Graduation from the 12th grade of any school or receipt of any document evidencing completion of the equivalent of a secondary education;~~
- ~~2. Failure to meet age requirements;~~
- ~~3. Having been expelled during the same school year;~~
- ~~4. Not being a resident of the district unless otherwise entitled to attend under 1973 C.R.S. 22, Articles 23 or 32;~~
- ~~5. Failure to comply with the provisions of Part 9 Article 4, Title 25, 1973 C.R.S. (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.~~

Adopted: 6/17/80

According to C.R.S. [22-33-106](#) (3)(a-f), the following may constitute additional grounds for denial of admission to a public school:

- 1. Graduating from the 12th grade of any school or receipt of any document evidencing completion of the equivalent of a secondary education.*
- 2. Failure to meet age requirements.*
- 3. Having been expelled from any school district during the preceding 12 months.*
- 4. Not being a resident of the district unless otherwise entitled to attend under C.R.S. 22, Articles 23 (migrant children) or 32 (exclusion of non-residents) or 36 (schools of choice).*

5. *Failure to comply with the provisions of Part 9, Article 4, Title 25, C.R.S. (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.*

6. *Behavior in another school district during the preceding 12 months that is detrimental to the welfare or safety of other pupils or of school personnel.*

According to C.R.S. [22-23-106\(4\)\(a\)](#), an expelled student may 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 when:

- 1. the expelled student is convicted of a crime, 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*
- 2. there is an identifiable victim of the expelled student's offense*
- 3. the offense for which the student was expelled does not constitute a crime against property.*

If the district has no actual knowledge of the name of the victim, the expelled student shall be prohibited from enrolling or re-enrolling only upon request of the victim or a member of the victim's immediate family.

Students in out-of-home placements

State law limits the grounds for denial of enrollment regarding students in out-of-home placements, as defined by C.R.S. [22-32-138](#) (1) and provided in regulation JF-R, Admission and Denial of Admission (Procedures for Students in Out-of-home Placements).