

# Policy Service

## The Connecticut Reference Manual of School Board Policies, Regulations, and Bylaws

6161.1

### Instruction

#### Evaluation of Instructional Materials

##### General

Instructional materials shall be evaluated consistently and systematically to insure high instructional standards to ensure compliance with Connecticut General Statutes, regulations of the State Board of Education, Board of Education policy and regulations.

These guidelines are not intended to supplant the professional judgment of staff who evaluate instructional materials — both student materials and teacher materials. Instead, they establish minimum standards for acceptability and provide criteria on which to judge instructional quality.

To accurately portray diversity in the United States, instructional materials should encourage students to understand the historical roles and contributions of members of all genders, races, and cultures, and the forces which shaped those roles and contributions.

##### Limitations

It may be inappropriate to require a pictorial or textual item to conform to these guidelines, for example in reprinting a story by a well known author or in a painting by an artist which makes an important contribution to a particular instructional material. In such situations, discussion material should have been included which explains why a particular attitude was prevalent during a certain period in history, and how and why that attitude has changed.

When examining instructional material for adverse reflection on race, creed, sex, etc., the evaluator should make a qualitative judgment with respect to stories or articles having historical perspective. Any description, depiction, inference, label, or retort found to be, by itself, an adverse reflection should not be judged out of context. Rather, the story or article should be examined for appropriate explanations, discussions, or other comments included or immediately attached which may overcome the impact of such offending words or pictures. The instructional material should be rejected only if, on a total basis, the story or article would, in the mind of an average student for whom the material is intended, reflect adversely upon a person because of his or her race, color, creed, national origin, ancestry, sex, or occupation.

Legal Reference: Connecticut General Statutes

10-18a Contents of textbooks and other general instructional materials

Policy adopted:

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## The Connecticut Reference Manual of School Board Policies, Regulations, and Bylaws

6161.1(a)

### Instruction

#### Evaluation of Instructional Materials

##### Materials in a Series

When evaluating instructional materials designed as a graded, non-graded, or multi-graded series, each component shall be judged individually for compliance without regard to the contents of other components. However, a group or sequence of materials for use exclusively within a particular single grade shall be judged on a total basis for adverse reflections on race, creed, sex, etc. For example, if a package of three different books is designed to be used as fourth grade readers, and a student is expected to complete all books in that school year, any portrayal deficiencies found in one book may be balanced against any exemplary portrayal in another book. However, each of the three books must be judged separately as well.

##### Specific Criteria for Evaluation of Instructional Materials:

###### 1. Male and Female Roles

To encourage the individual development and self-esteem of each child, regardless of gender, instructional materials shall portray women and men, girls and boys, in a wide variety of occupational, emotional, and behavioral situations, presenting both sexes in the full range of their human potential. The criteria are:

- A. An absence of descriptions, depictions, inferences, labels or retorts which demean, stereotype, or patronize one gender.
- B. Instructional materials should accurately reflect contemporary American society, and, regardless of the subject area, contain appropriate references to, or illustrations of, males and females.
- C. Mentally and physically active, creative, problem solving roles, and success and failure in those roles, should be **approximately equal** between male and female characters.
- D. Emotions of fear, anger, aggression, excitement or tenderness should occur among characters regardless of gender.
- E. Traditional activities by one sex should be balanced by nontraditional activities for that sex.
- F. If professional or executive roles, or vocations, trades or other gainful occupations are portrayed, men and women should be represented approximately equally.
- G. **Where life-style choices are discussed, all genders should be offered an equally wide range of such aspirations and choices.**
- H. In history or current events and on achievements in art, science, or any other field, historically accurate contributions of **both men and women** should be included and discussed.
- I. Imbalance or inequality, when presented for historical accuracy, should, in the student edition of instructional material, be interpreted in light of contemporary standards and circumstances.
- J. Sexually neutral language, for example, "people", "persons", "men and women", "pioneers", "they", should predominate.

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6161.1(b)

### Instruction

#### Evaluation of Instructional Materials (continued)

#### Specific Criteria for Evaluation of Instructional Materials

#### 2. Ethnic and Cultural Groups

To project the cultural diversity of our society, instill in each child a sense of pride in his or her heritage, eradicate the seeds of prejudice, and encourage individual development, instructional materials, when portraying people (or animals having identifiable human attributes), shall include a fair representation of all ethnic and cultural majority and minority groups characters in a wide variety of occupational and behavioral roles and present the contributions of same. ethnic and cultural groups. The criteria are:

- A. An absence of descriptions, depictions, inferences, or labels which demean, stereotype, or patronize ethnic and cultural minority groups must not appear.
- B. Portrayals of diverse ethnic or cultural groups shall should not depict differences in customs or lifestyle as undesirable and must should avoid adverse value judgments of such differences.
- C. Instructional materials that reflect contemporary American society should contain references to or illustrations of diverse ethnic groups.
- D. Mentally active, creative, and problem-solving roles, and characters' successes and failures should be divided between the various ethnic and cultural groups.
- E. ~~Portrayal of minority characters in traditionally restricted roles should be balanced by presentation of nontraditional activities for those characters.~~
- F. ~~Minority persons~~ Members of all ethnic and cultural groups should be depicted in the same range of socioeconomic settings as persons of the majority group.
- G. ~~Depiction of~~ Diverse ethnic and cultural groups should not be depicted limited to the within their original culture but expanded to include such groups as well as within the mainstream of American life.
- H. If professional or executive roles, vocations, trades, or other gainful occupations are portrayed, ~~majority and minority~~ all ethnic and cultural groups should be presented therein in fair proportions.
- I. In history or current events, achievements in art, science, or any other field are presented, the contributions of all ethnic and cultural groups, and particularly prominent ~~minority persons~~ members of said groups, should be included and discussed.
- J. Imbalance or inequality of any kind presented for historical accuracy should in the student edition of the instructional materials, be interpreted in light of contemporary standards and circumstances.

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6161.1(c)

### Instruction

#### Evaluation of Instructional Materials (continued)

#### Specific Criteria for Evaluation of Instructional Materials

##### 3. Owners and Labor

- A. References or labels which demean, stereotype, or patronize an occupation, vocation, or livelihood ~~should~~ **shall** not appear.
- B. Where appropriate, accurate acknowledgments should be made to the roles and contributions of entrepreneurs in the history of Connecticut and the United States.
- C. Accurate references should be made to roles and contributions of labor in the history of Connecticut and the United States.

##### 4. Ecology and Environment

- A. Human responsibilities for creating and maintaining a clean and healthy environment are appropriately portrayed.
- B. Wise use of resources, both human and physical, is encouraged.
- C. Interdependence of people and their environment are made clear.
- D. Effects of environmental problems are identified as are the effects of solving them.
- E. Appropriate means of protecting the environment are suggested.

##### 5. Dangerous Substances

- A. Hazards of using tobacco, alcohol, narcotics, and restricted dangerous drugs are depicted in illustrations or discussions when references to these substances are included in instructional materials.
- B. The use of tobacco, alcohol, narcotics, or restricted dangerous drugs is not glamorized or encouraged by illustrations or discussion references.

##### 6. Religion

- A. No religious belief or practice shall be held up to ridicule nor any religious group portrayed as inferior or superior.
- B. Portrayals of contemporary American society should, where religion is discussed or depicted, reflect its religious diversity. Except where material deals with a particular historical era, materials in art

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and music must, where religious aspects thereof are depicted, reflect the religious diversity of contemporary American society.

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### Instruction

#### Evaluation of Instructional Materials (continued)

#### Specific Criteria for Evaluation of Instructional Materials

C. Any explanation or description of religious beliefs or practices shall be presented neutrally and shall not indoctrinate students in any particular religious belief nor instruct students in religious principles.

#### 7. Brand Names

Instructional materials shall not contain illustrations of identifiable commercial brand names, representations, or corporate logos unless such illustrations are necessary to the educational purpose of the instructional material and that purpose cannot be achieved without using such illustrations — unless such illustrations are incidental to a scene of a general nature. If, under these exceptions, a brand name, representation or corporate logo is illustrated, prominence shall not be given to any one brand or corporation unless, in turn, such illustration is necessary to the educational purpose of the instructional material and that purpose cannot be achieved without using such illustration.

#### 8. Food

When instructional materials contain illustrations of foods, there shall be an emphasis on foods of high nutritional value.

Legal Reference: Connecticut General Statutes

1018a Contents of textbooks and other general instructional materials.

Regulation approved:

## Instruction

### Statewide Proficiency/Mastery Examinations

~~Each student enrolled in the fourth, sixth, eighth and tenth grades shall take a statewide mastery examination (measuring whether or not a student has mastered essential grade level skills in reading, language arts and mathematics). The mastery examination shall be provided by and administered under the supervision of the State Board of Education.~~

~~Students who meet or exceed the state-wide mastery goal on each component of the state-wide tenth grade mastery examination, shall have a certification of such mastery made on the permanent record and transcript. A student who has not met the mastery goal level on each component of the mastery examination may annually take or retake each such component at its regular administration until the student scores at or above each goal level or until the student graduates or turns twenty one (21).~~

~~The school district may not require achievement of a satisfactory score on the statewide proficiency examination or statewide mastery examination, or any subsequent retest on a component of such examinations as the sole criterion of promotion or graduation.~~

~~Special education students shall participate in mastery testing except when their planning and placement team determines that participation would be inappropriate.~~

~~The provisions on mastery testing shall not apply to any student enrolled for three (3) years or less in a bilingual program, or English as a Second Language program.~~

~~(cf. 5121 Examination/Grading/Rating) (cf. 6146 Graduation Requirements)~~

## Instruction

### **Statewide Proficiency/Mastery Examinations (continued)**

Legal Reference: — Connecticut General Statutes

~~10-14m Development and submission of educational evaluation and remedial assistance plan.~~

~~10-14n Statewide mastery examination. Conditions for reexamination. Limitation on use of test results.~~

~~10-140 Compensatory education grant Financial statement  
of expenditures.~~

~~10-14p Reports by local and regional boards re instructional  
improvement and student progress.~~

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P6146.2(a)

### Instruction

#### Statewide Proficiency/Mastery Examinations (Statewide Summative Assessments)

Annually, each student enrolled in grades three through eight inclusive shall take a mastery examination or examinations that measures essential and grade appropriate skills in reading, writing or mathematics during the time period specified by the State Department of Education. Students enrolled in grade eleven shall annually take a nationally recognized college readiness assessment approved by the State Board of Education that measures essential and grade appropriate skills in reading, writing and mathematics. (Connecticut SAT School Day in English language arts and math examination) Each student enrolled in grade five, eight, and eleven shall, annually, during the time period specified by the State Department of Education, take a state-wide mastery examination that measures essential and grade appropriate skills in science. (Next Generation Science Standards) The State Board of Education shall approve the provision and administration of all mastery examinations. All examinations shall take place during the regular school day.

***Note:** Students in Connecticut participate in the Smarter Balanced Assessments in English, language arts, literacy and mathematics in grades three through eight inclusive. In science, students participate in Next Generation Science Standards (NGSS) assessment.*

~~Student scores on each component of the statewide eleventh grade state assessment may/shall be included on the permanent record and transcripts for eleventh grade students. For each eleventh grade student who meets or exceeds the statewide mastery goal level on any component of the mastery examination, shall have a certification of such mastery made on the permanent record and transcript and be provided a certificate of mastery for each such component.~~

The school District (excludes endowed or incorporated high schools) may not require achievement of a satisfactory score on a mastery examination or any subsequent retest on a component of such examinations as the sole criterion of promotion or graduation.

Special education students shall participate in mastery testing except in the rare case when their Planning and Placement Team determines that participation would be inappropriate and recommends the use of an alternative assessment as specified by the State Board of Education.

All **Multilingual learners (MLs)** including recently arrived, defined as those students whose initial entry date in a U.S. school is less than two years (24 months) prior to test administration are required to participate in all content areas of the state summative assessment.

~~All students identified as Multilingual Learners (MLs) who are identified as in need of services~~ shall take the LAS Links Assessment. Scores on each component of the mastery examination for English learners who have been enrolled in school in this state or another state for fewer than twenty (20) school months shall not be used for the purposes of calculating the school accountability index as defined in C.G.S. 10-223e.

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P6146.2(b)

### Instruction

#### Statewide Proficiency/Mastery Examinations (Statewide Summative Assessments) (continued)

All Multilingual Learners (ML), including all recently arrived ELs, must participate in all assessments and will be included in participation rate calculations for all subjects. This includes mathematics, ELA and science as well as the English language proficiency assessment. Scores earned by recently arrived MLs are not included in Achievement Status (indicator 1) calculations under Accountability Reporting - Achievement Status. Recently arrived MLs who have participated in two Smarter Balanced administrations are included in growth calculations (indicator 2) under Accountability Reporting - Achievement Growth. Scores from year 1 is are ready to serve as a baseline for academic growth in Year 2. In year 3, the scores of recently arrived MLs will be included toward academic achievement and academic growth indicators in Connecticut's accountability system.

Any alternate assessment, including the Connecticut Alternate Assessment, of students enrolled in special education, shall be available only to those students with significant cognitive disabilities. Students with significant cognitive disabilities in grades three through eight and eleven shall be assessed with the Connecticut Alternative Assessment in English/language arts and mathematics. In science, eligible students with significant cognitive disabilities shall be assessed with the Connecticut Alternate Science Assessment in Grades five, eight and eleven.

In compliance with federal law, out-of-level testing is not an option for students enrolled in special education.

The Board of Education recognizes that federal law requires full participation of all students on the state summative assessments, with a minimum standard for the participation rate of at least 95 percent of all students and all student groups for each subject. Further, the Board realizes there are consequences for districts and schools not meeting this participation role threshold on these state summative assessments.

(cf. 5121 - Examination/Grading/Rating)  
(cf. 5125 - Student Records; Confidentiality)  
(cf. 6146 - Graduation Requirements)  
(cf. 6162.31 - Test Exclusion)

Legal Reference: Connecticut General Statutes  
10-14n Statewide mastery examination. Conditions for reexamination. Limitation on use of test results. (as amended by PA 03-174, PA 03-168, and PA 13-207, Section 115 of PA 14-217, PA 15-238 and PA 17-14 )  
10-14o Compensatory education grant. Financial statement of expenditures.  
1014p Reports by local and regional boards re instructional improvement and student progress.  
10-14q Exceptions (as amended by PA 01-205)  
10-223e Statewide education accountability plan.  
PA 15-238 An Act Concerning Students Assessments  
PL 107-110 – Title I, 34 CFR Part 200

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34 CFR, Part 200 Regulations appearing in Federal Register, 9/13/06.

Policy adopted:

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## The Connecticut Reference Manual of School Board Policies, Regulations, and Bylaws

P5114(a)

### Students

#### Suspension and Expulsion/Due Process

It is the goal of the Board of Education to ensure the safety and welfare of all students in attendance, and to maintain an atmosphere conducive to learning. In keeping with this goal, students are expected to comply with school rules and regulations, as well as Board policies. Students may be disciplined for conduct on school grounds or at any school-sponsored activity that endangers persons or property, is seriously disruptive of the educational process, or that violates a publicized policy of the Board. Students may be disciplined for conduct off school grounds if such conduct is seriously disruptive of the educational process and violates a publicized policy of the Board.

In working with students, emphasis shall be placed upon developing effective self-discipline as the most effective disciplinary approach.

#### A. Definitions

1. **“Exclusion”** shall be defined as any denial of public school privileges to a student for disciplinary purposes.
2. **“Removal”** shall be defined as an exclusion from a classroom for all or a part of single class period, provided such exclusion shall not extend beyond ninety (90) minutes.
3. **“In-School Suspension”** shall be defined as an exclusion from regular classroom activity for no more than ten consecutive school days, but not exclusion from school, provided such exclusion shall not extend beyond the end of the school year in which such in-school suspension was imposed. Such suspensions shall be served in the school attended by the student. (or: Such suspensions may be served in any school building under the jurisdiction of the Board of Education. The Board has determined that in-school suspensions shall be served in the following District schools:  
\_\_\_\_\_.)
4. **“Suspension”** shall be defined as an exclusion from school privileges or from transportation services for no more than ten (10) consecutive school days, provided such exclusion shall not extend beyond the end of the school year in which such suspension was imposed. All suspensions shall be in-school suspensions unless the administration determines for any student in grades three through twelve, inclusive, that (1) the student being suspended poses such a danger to persons or property or such a disruption of the educational process that the student (grades three to twelve, inclusive) shall be excluded from school during the period of suspension, or (2) that an out-of-school suspension is appropriate based on evidence of previous disciplinary problems that have led to suspensions or expulsion of the student and efforts by the administration to address such disciplinary problems through means other than out-of-school suspension or expulsion, including positive support strategies.

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## The Connecticut Reference Manual of School Board Policies, Regulations, and Bylaws

P5114(b)

### Students

#### Suspension and Expulsion/Due Process

**A. Definitions** (continued)

A student in grades preschool to two, inclusive, may be given an out-of-school suspension if it is determined by the administration that such suspension is appropriate based on evidence that the student's conduct on school grounds is of a violent or sexual nature that endangers persons. In addition, a person's duty as a mandated reporter to report suspected child abuse or neglect is not limited by this provision.

5. **"Expulsion"** shall be defined as an exclusion from school privileges for any student in grades three to twelve, inclusive, for more than ten (10) consecutive school days and shall be deemed to include but not be limited to, exclusion from the school to which such student was assigned at the time such disciplinary action was taken, provided that assignment to a regular classroom program in a different school in the district shall not constitute a suspension or an expulsion. Such period of exclusion may extend to the school year following the school year in which the exclusion was imposed, up to one calendar year. To be expelled, the student's conduct must be found to be both violative of a Board policy and either seriously disruptive of the educational process or endangering persons or property.

6. **"Emergency"** shall be defined as a situation under which the continued presence of the student in the school imposes such a danger to persons or property or such a disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such student as possible.

7. **"Days"** is defined as days when school is in session.

8. **"School-sponsored activity"** is defined as any activity sponsored, recognized or authorized by the Board of Education and includes activities conducted on or off school property.

9. **"Possess"** means to have physical possession or otherwise to exercise dominion or control over tangible property.

10. **"Deadly weapon"** means any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon, or metal knuckles. A weapon such as a pellet gun and/or airsoft pistol may constitute a deadly weapon if such weapon is designed for violence and is capable of inflicting death or serious bodily harm.

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P5114(c)

### Students

#### Suspension and Expulsion/Due Process

##### A. Definitions (continued)

11. **“Firearm”** as defined in 18 U.S.C. §921, means 1) any weapon (including a starter gun) which will or is designed to or readily be converted to expel a projectile by the action of an explosive; 2) the frame or receiver of any such weapon; 3) any firearm muffler or firearm silencer; or 4) any destructive device. Firearm does not include any antique firearm. For purposes of this definition “destructive device” means any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than 4 ounces, missile having an explosive or incendiary charge of more than ¼ ounce, mine, or device similar to any of the weapons described herein. A “destructive device” does not include an antique firearm; a rifle intended to be used by the owner solely for sporting, recreational, or cultural purposes; or any device which is neither designed nor redesigned for use as a weapon.

12. **“Vehicle”** means a **“motor vehicle”** as defined in Section 14-1 of the Connecticut General Statutes, snow mobile, any aircraft, or any vessel equipped for propulsion by mechanical means or sail.

13. **“Martial arts weapon”** means a nunchakum kama, kasari-fundo, octagon sai, tonfa or chinese star.

14. **“Dangerous Drugs and Narcotics”** is defined as any controlled drug in accordance with Connecticut General Statutes §219-240.

15. **“Alternate education”** means a school or program maintained and operated by the Board of Education that is offered to students in a nontraditional setting and addresses their social, emotional, behavioral and academic needs. Such program must conform to SBE guidelines and conform to C.G.S. 10-15 and 16 (180 days/900 hours).

16. **“Dangerous Instrument”** means any instrument, article, or substance which, under the circumstances in which it is used or attempted or threatened to be used, is capable of causing death or serious physical injury, and includes a “vehicle” or a dog that has been commanded to attack.

17. **“Seriously disruptive of the educational process”** means, as applied to off-campus conduct, any conduct that markedly interrupts or severely impedes the day-to-day operation of a school.

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P5114(d)

### Students

#### Suspension and Expulsion/Due Process (continued)

##### **B. Removal from Class**

1. All teachers are hereby authorized to remove a student from class when such student causes a serious disruption of the educational process within the classroom.
2. Such teacher shall send the student to a designated area and shall immediately inform the building Principal or his/her designee as to the name of the student and the reason for removal.
3. No student shall be removed from class more than six (6) times in any year nor more than twice in one week, unless such student is referred to the Building Principal or his/her designee and granted an informal hearing in accordance with the provisions of this policy, as stated in G(3).

##### **C. Exclusion from Co-Curricular and Extra-Curricular Activities**

Participation in co-curricular and extra-curricular activities is a privilege and not an entitlement. Students involved in such programs are expected to follow all school rules and demonstrate good citizenship. Failure to do so may result in partial or complete exclusion from said activities and programs. Activities include, but are not limited to, athletic programs, musical or drama productions, clubs, field trips, and school trips out-of-state and abroad.

##### **D. Suspension and Expulsion (Actions Leading to Disciplinary Action)**

1. A student may be removed from class, suspended (in-school) or suspended (out-of-school) or expelled (grade three to twelve, inclusive) for conduct on school property or at a school-sponsored activity that endangers persons or property, is violative of a publicized policy of the Board, or is seriously disruptive of the educational process, including but not limited to one or more of the following reasons:

(**Note:** In order for a student to be expelled, the student's conduct must be found to be both (1) violative of a Board policy and (2) either seriously disruptive of the educational process or endangering persons or property.)

- a. Conduct causing danger to the physical well-being of himself/herself or other people that is not reasonably necessary for self-defense;
- b. Intentionally causing or attempting to cause physical injury to another person that is not reasonably necessary for self-defense;
- c. Intentionally causing or attempting to cause damage to school property or material belonging to staff (private property);
- d. Stealing or attempting to steal private or school property or taking or attempting to take personal property or money from any other person;

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### Students

#### Suspension and Expulsion/Due Process

##### D. Suspension and Expulsion (Actions Leading to Disciplinary Action) (continued)

e. The use of obscene or profane language or gestures, the possession and/or display of obscenity or pornographic images or the unauthorized or inappropriate possession and/or display of images, pictures, or photographs depicting nudity on school property or at a school-sponsored activity;

f. Deliberate refusal to obey the directions or orders of a member of the school staff, law enforcement authorities, or school volunteers or disruptive classroom behavior;

g. Harassment and/or hazing/bullying on the basis of that person's race, religion, color, disability, national origin, ancestry, ethnic background, gender, sexual orientation, or gender identity or expression;

h. Open defiance of the authority of any teacher or person having authority over the student, including verbal abuse;

i. Threatening in any manner, including orally, in writing, or via electronic communication, a member of the school including any teacher, a member of the school administration or any other employee, or a fellow student;

j. Blackmailing a member of the school community, including any teacher, member of the school administration or any other employee or fellow student or making an untrue statement of fact about a staff member with malice or reckless disregard for the truths;

k. Possession of a firearm, deadly weapon, dangerous instrument, or martial arts weapon, as defined in Section 53a-3, such as a pistol, knife, blackjack, etc.;

l. Possession of any weapon or weapon facsimile, including but not limited to a knife, pistol, pellet guns and/or airsoft pistols.

m. Possession, transmission, distribution, selling, use or consumption of alcoholic beverages, dangerous drugs or narcotics or intoxicant of any kind or any facsimile of a dangerous drug, narcotic or intoxicant of any kind;

n. Knowingly being in the presence of those who are in possession of using, transmitting, or being under the influence of any dangerous drug, narcotic, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind;

Commented [1]: needs further review

Commented [2]: needs further review

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P5114(f)

### Students

#### Suspension and Expulsion/Due Process

##### D. Suspension and Expulsion (continued)

- o. Participation in any unauthorized occupancy by any group of students or others of any part of any school, school premises or other building owned by any school district after having been ordered to leave said school premises or other facility by the Principal or other person then in charge of said school building or facility;
- p. Participation in any walkout from a classroom or school building by any group of students and refusing to immediately return to said classroom or school building after having been directed to do so by the Principal or other person then in charge of said classroom or school building;
- q. Intentional incitement which results in an unauthorized occupation of, or walkout from, any school building, school premises, facility or classroom by any group of students or other persons;  
ddddddddddddd. Repeated unauthorized absence from or tardiness to school;  
eeeeeeeeeeeee. Intentional and successful incitement of truancy by other students;  
fffffffffffff. The use or copying of the academic work of another and the presenting of it as one's own without proper attribution;
- u. Violation of school rules and practices or Board policy, regulation or agreement, including that dealing with conduct on school buses and the use of school district equipment;
- v. Violation of any federal or state law which would indicate that the violator presents a danger to any person in the school community or to school property;
- w. Lying, misleading or being deceitful to a school employee or person having authority over the student;
- x. Unauthorized leaving of school or school-sponsored activities;
- y. Unlawful possession, sale, distribution, use, consumption of tobacco, electronic nicotine delivery systems and vapor products;
- z. Use of a privately owned electronic or technological device in violation of school rules, including without limitation, the unauthorized photogenic, audio, and/or video recording of another individual without permission of the individual or a staff member;
- aa. Engaging in teen dating violence, defined as any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, that occurs between two students who are currently in or who have been in a dating relationship;

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P5114(g)

### Students

#### Suspension and Expulsion/Due Process

##### D. Suspension and Expulsion (continued)

bb. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social media, or other forms of electronic communications, to engage in any conduct prohibited by this policy;

cc. Engaging in a plan to stage or create a violent situation for the purposes of recording it by photographing, audio, or video; or recording by photographic audio, or video acts of violence for purposes of later publication;

dd. Engaging in a plan to stage sexual activity for the purposes of recording it by photographing, audio, or video; or recording by photographing, audio, or video sexual acts for purposes of later publication;

ee. Striking or assaulting a student, members of the school staff or other persons;

ff. Inappropriate displays of public affection of a sexual nature and/or sexual activity on school grounds or at a school-sponsored activity;

gg. Possession and/or use of a cellular telephone, radio, portable audio player, CD player, blackberry, personal data assistant, walkie-talkie, Smartphone, mobile or hand-held devices, or similar electronic devices on school grounds or at a school-sponsored activity in violation of Board policy and/or administrative regulations pertaining to the use of such devices.

hh. Unauthorized use of or tampering with any school computer, computer system, computer software, Internet connection or similar school property or system, or the use of such property or system for inappropriate purposes;

ii. Violation of the District's "Acceptable Use Agreement/Internet Use" for the applicable grade level.

##### E. Suspension for Conduct Off School Grounds

1. Students are subject to suspension for conduct off school property and outside of school-sponsored activities in accordance with law, for conduct that violates a publicized policy of the Board and is seriously disruptive of the educational process, including but not limited to the following:

a. Conduct leading to a violation of any federal or state law if that conduct is determined to pose a danger to the student himself/herself, other students, school employees or school property.

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P5114(h)

### Students

#### Suspension and Expulsion/Due Process

##### E. Suspension for Conduct Off School Grounds (continued)

b. Adjudication as a delinquent or a youthful offender as the result of a felony if the conduct leading to the adjudication is determined to pose a danger to the student himself/herself, other students, school employees or school property.

2. In making a determination as to whether conduct is “seriously disruptive of the educational process,” the administration, Board of Education or impartial hearing board may consider, but such consideration shall not be limited to; (1) whether the incident occurred within close proximity of a school; (2) whether other students from the school were involved or whether there was any gang involvement; (3) whether the conduct involved violence, threats of violence or the unlawful use of a weapon as defined in Section 29-38 and whether any injuries occurred, and (4) whether the conduct involved the use of alcohol, narcotic drug, hallucinogenic drug, amphetamine, barbiturate or marijuana.

##### F. Mandatory Expulsion

It shall be the policy of the Board to expel a student, grades preschool, and kindergarten to twelve, inclusive, for one full calendar year if:

1. The student, on grounds or at a school-sponsored activity, was in possession of a firearm, as defined in 18 U.S.C. 921\*, as amended from time to time, or deadly weapon, dangerous instrument or martial arts weapon, as defined in C.G.S. 53A-3; or the student, off school grounds, did possess such firearm in violation of C.G.S. 29-35 or did possess and use such a firearm, instrument or weapon in the commission of a crime; or the student, on or off school grounds offered for sale or distribution a controlled substance, as defined in subdivision (9) of C.G.S. 21a-240, whose manufacture, distribution, sale, prescription, dispensing, transporting or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under C.G.S. 21-277 and 21a-278.

2. Such a student shall be expelled for one calendar year if the Board of Education or impartial hearing board finds that the student did so possess or so possess and use, as appropriate, such a weapon or firearm, instrument or weapon or did so offer for sale or distribution such a controlled substance.

3. The Board may modify the period of a mandatory expulsion on a case-by-case basis.

\*A firearm; currently defined by 18 U.S.C. 921, is any weapon that can expel a projectile by an explosive action and includes explosive devices, incendiaries, poison gases, and firearm frames, receivers, mufflers or silencers.

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### Students

#### Suspension and Expulsion/Due Process

##### F. Mandatory Expulsion (continued)

4. A firearm, as defined by C.G.S. 53a-3 includes any sawed-off shotgun, machine gun, rifle, shotgun, pistol, revolver, or other weapon, whether loaded or unloaded from which a shot may be discharged, or a switchblade knife, a gravity knife, billy, black jack, bludgeon or metal knuckles.

5. A student enrolled in a preschool program provided by the Board of Education, state or local charter school or interdistrict magnet school shall not be expelled from such school except that a student shall be expelled for one calendar year from such preschool program pursuant to the mandatory expulsion requirement in compliance with the Gun-Free School Act, as described in this section.

##### G. Suspension Procedure

1. The administration of each school shall have the authority to invoke suspension for a period of up to ten days or to invoke in-school suspension for a period of up to ten school days of any student for one or more of the reasons stated in paragraph D, above, in accordance with the procedure outlined in this paragraph. Suspensions shall be in-school suspensions unless the administration determines that the student being suspended poses such a danger to persons or property or such a disruption of the educational process that the student shall be excluded from school during the period of suspension. The administration may also consider a student's previous disciplinary problems when deciding whether an out-of-school suspension is warranted, as long as the school previously attempted to address the problems by means other than an out-of-school suspension or an expulsion.

The administration is expected to use the guidelines developed and promulgated by the Commissioner of Education to help determine whether a student should receive an in-school or out-of-school suspension.

The administration shall also have the authority to suspend a student from transportation services whose conduct while awaiting or receiving transportation violates the standards set forth in paragraph D, above. The administration shall have the authority to immediately suspend from school any student when an emergency exists as that term is defined in paragraph A, above.

If an emergency situation exists, the hearing outlined in paragraph G (3) shall be held as soon as possible after the exclusion of the student.

# Policy Service

## The Connecticut Reference Manual of School Board Policies, Regulations, and Bylaws

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### Students

#### Suspension and Expulsion/Due Process

##### G. Suspension Procedure (continued)

2. In the case of suspension, the administration shall notify the student's parents and the Superintendent of Schools not later than twenty-four (24) hours of the suspension as to the name of the student who has been suspended and the reason therefore. Any student who is suspended shall be given an opportunity to complete any class work including, but not limited to, examinations which such student missed during the period of his/her suspension.

3. Except in the case of an emergency, as defined in paragraph A, above, a student shall be afforded the opportunity to meet with the administration and to respond to the stated charges prior to the effectuation of any period of suspension or in-school suspension. If, at such a meeting the student denies the stated charges, he/she may at that time present his/her version of the incident(s) upon which the proposed suspension is based. The administration shall then determine whether or not suspension or in-school suspension is warranted. In determining the length of a suspension period, the administration may receive and consider evidence of past disciplinary problems which have led to removal from a classroom, in-school suspension, or expulsion.

4. For any student who is suspended for the first time and who has never been expelled, the school administration may shorten the length of or waive the suspension period if the student successfully completes an administration-specified program and meets any other administration-required conditions. Such program shall be at no expense to the student or his/her parents/guardians.

5. No student shall be suspended more than ten times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless a hearing as provided in paragraph H(5) is first granted.

6. No student shall be placed on in-school suspension more than fifteen times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless a hearing as provided in paragraph H(5) is first granted.

##### H. Expulsion Procedures

1. The Board of Education may, upon recommendation of the Superintendent of Schools, expel any student for one or more of the reasons stated in this policy if in the judgment of the Board of Education, such disciplinary action is in the best interest of the school system.

# Policy Service

## The Connecticut Reference Manual of School Board Policies, Regulations, and Bylaws

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### Students

#### Suspension and Expulsion/Due Process

##### H. Expulsion Procedures (continued)

2. Upon receipt of a recommendation for expulsion from the Superintendent of Schools the Board shall, after giving written notice, at least five (5) business days before such hearing, to the student and his parents or guardian, if said student is less than 18 years of age, conduct a hearing prior to taking any action on the expulsion of said student, provided however, that in the event of an emergency as defined in this policy, the student may be expelled prior to the hearing but in such case even a hearing shall be held as soon after the expulsion as possible. The notice shall include information concerning the student's and his/her parent's/guardian's legal rights and concerning legal services that are provided free of charge or at a reduced rate that are available locally (CT Legal Service a source of such services) and how to access such services. An attorney or other advocate may represent any student subject to expulsion proceedings. The parent/guardian of the student has the right to have the expulsion hearing postponed for up to one week to allow time to obtain representation, except that if an emergency exists, such hearing shall be held as soon after the expulsion as possible.
3. Three members of the Board of Education shall constitute a quorum for an expulsion hearing. A student may be expelled if a majority of the Board members sitting in the expulsion hearing vote to expel and provided at least three affirmative votes for expulsion are cast.
4. A special education student's handicapping conditions shall be considered before making a decision to expel. A Planning and Placement Team (PPT) meeting must be held to determine whether the behavior or student actions violative of Board of Education standards set forth in policy governing suspension and expulsion are the result of the student's handicapping condition.
5. The procedure for any hearing conducted under this paragraph shall at least include the right to:
  - a. Notice prior to the date of the proposed hearing which shall include a statement of the time, place and nature of the hearing and a statement of the legal jurisdiction under which the hearing is to be held and a statement that students under sixteen years old who are expelled and students between sixteen and eighteen who have been expelled for the first time and who comply with conditions set by the Board of Education, must be offered an alternative educational opportunity;

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### Students

#### Suspension and Expulsion/Due Process

##### H. Expulsion Procedures (continued)

- b. A short and plain statement of the matters asserted, if such matters have not already been provided in a statement of reasons requested by the student;
  - c. The opportunity to be heard in the student's own defense;
  - d. The opportunity to present witnesses and evidence in the student's defense;
  - e. The opportunity to cross-examine adverse witnesses;
  - f. The opportunity to be represented by counsel at the parents'/student's own expense; and
  - g. Information concerning legal services provided free of charge or at a reduced rate that are available locally and how to access such services;
  - h. The opportunity to have the services of a translator, to be provided by the Board of Education whenever the student or his/her parent or legal guardian do not speak the English language;
  - i. The prompt notification of the decision of the Board of Education, which decision shall be in writing if adverse to the student concerned.
6. The record of the hearing held in any expulsion case shall include the following:
    - a. All evidence received and considered by the Board of Education;
    - b. Questions and offers of proof, objections and ruling on such objections;
    - c. The decision of the Board of Education rendered after such hearing; and
    - d. A copy of the initial letter of notice of proposed expulsion, a copy of any statement of reasons provided upon request, a statement of the notice of hearing and the official transcript, if any or if not transcribed, any recording or stenographic record of the hearing.
  7. Rules of evidence at expulsion hearings shall assure fairness, but shall not be controlled by the formal rules of evidence, and shall include the following:
    - a. Any oral or documentary evidence may be received by the Board of Education but, as a matter of policy, irrelevant, immaterial or unduly repetitious evidence may be excluded. In addition, other evidence of past disciplinary problems which have led to removal from a classroom, in-school suspension, suspension, or expulsion may be received for considering the length of an expulsion and the nature of the alternative educational opportunity, if any, to be offered;

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P5114(m)

### Students

#### Suspension and Expulsion/Due Process

##### H. Expulsion Procedures (continued)

- b. The Board of Education shall give effect to the rules of privilege by law;
- c. In order to expedite a hearing, evidence may be received in written form, provided the interest of any party is not substantially prejudiced thereby;
- d. Documentary evidence may be received in the form of copies or excerpts;
- e. A party to an expulsion hearing may conduct cross-examination of witnesses where examination is required for a full and accurate disclosure of the facts;
- f. The Board of Education may take notice of judicially cognizable facts in addition to facts within the Board's specialized knowledge provided, however, the parties shall be notified either before or during the hearing of the material noticed, including any staff memoranda or data, and an opportunity shall be afforded to any party to contest the material so noticed;
- g. A stenographic record or tape-recording of any oral proceedings before the Board of Education at an expulsion hearing shall be made provided, however, that a transcript of such proceedings shall be furnished upon request of a party with the cost of such transcript to be paid by the requesting party. Findings of fact made by the Board after an expulsion hearing shall be based exclusively upon the evidence adduced at the hearing.
- h. Decisions shall be in writing if adverse to the student, and shall include findings of fact and conclusions necessary for the decision. Findings of fact made by the Board after an expulsion hearing shall be based exclusively upon the evidence adduced at the hearing.
8. For any student expelled for the first time and who has never been suspended, except for a student who has been expelled based on possession of a firearm or deadly weapon, the Board of Education may shorten the length of or waive the expulsion period if the student successfully completes a Board specified program and meets any other conditions required by the Board. Such a Board specified program shall not require the student or the parent/guardian of such student to pay for participation in the program.

##### I. Notification

1. All students and parents within the jurisdiction of the Board of Education shall be informed, annually, of Board Policy governing student conduct by the delivery to each said student of a written copy of said Board Policy.

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### Students

#### Suspension and Expulsion/Due Process

##### I. Notification (continued)

2. The parents or guardian of any minor student either expelled or suspended shall be given notice of such disciplinary action no later than 24 hours of the time of the institution of the period of expulsion or suspension.

3. The notice of an expulsion hearing shall be given at least five (5) business days before such hearing to the student and his/her parents or guardians, if said student is less than 18 years of age shall include information concerning the parent's/guardian's and the student's legal rights and concerning legal services that are provided free of charge or at a reduced rate that are available and how to access such services. The notification shall include a statement that an attorney or other advocate may represent any student subject to expulsion proceedings. The parent/guardian of the student shall be notified of the right to have the expulsion hearing postponed for up to one week to allow time to obtain representation, except that if an emergency exists, such hearing shall be held as soon after the expulsion as possible.

##### J. Students with Disabilities

A special education student's IEP and/or 504 disability shall be considered before making a decision to suspend. A student with disabilities may be suspended for up to ten school days in a school year without the need for the district to provide any educational services. A disabled student may be additionally removed (suspended) for up to ten school days at a time for separate acts of misconduct as long as the removals do not constitute a pattern. During any subsequent suspension of ten days or less of a student with disabilities, the district shall provide services to the disabled student to the extent determined necessary to enable the student to appropriately advance in the general education curriculum and toward achieving his/her IEP goals. In cases involving removals for ten days or less, school personnel (school administration) in consultation with the child's special education teacher, shall make the service determination.

If the disabled student's suspensions beyond ten school days in a school year constitute a pattern because of factors such as the length of each removal, the total amount of time the child is removed and the proximity of the removals to one another, the IEP team (PPT) shall conduct a manifestation determination. Meetings of a student's IEP team (PPT) are required to develop a behavioral assessment plan or to review and modify as necessary one previously developed when the disabled student has been removed (suspended) from his/her current placement for more than ten school days in a school year and when commencing a removal (suspension) that constitutes a change in placement.

Whenever a student is suspended, notice of the suspension and the conduct for which the student was suspended shall be included on the student's cumulative educational record. Such notice shall be expunged from the record by the Board if the student graduates from high school.

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### Students

#### Suspension and Expulsion/Due Process

##### J. Students with Disabilities (continued)

Notwithstanding the foregoing, the following procedures shall apply to students who have been identified as having one or more disabilities under the IDEA and/or Section 504 of the Rehabilitation Act (a “student with disabilities”):

1. If a student with disabilities engages in conduct that would lead to a recommendation for expulsion, the district shall promptly convene an IEP team (PPT) meeting to determine whether the misconduct was caused by or had a direct and substantial relationship to the student’s disability or if the conduct in question was the direct result of the District’s failure to implement the IEP. A student may be suspended for up to ten days pending the IEP team (PPT) determination.
2. If the District, parent and relevant members of the IEP team (PPT) determine that the misconduct was not caused by the disability, the Superintendent may proceed with a recommendation for expulsion. During any period of expulsion, a student with disabilities under the IDEA shall receive an alternative educational plan consistent with the student’s educational needs as determined by the IEP team (PPT) in light of such expulsion and the student’s IEP. The services must continue to the extent determined necessary to enable the disabled student to appropriately advance in the general education curriculum and to advance toward achieving the goals of his/her IEP, and be provided a free appropriate public education.
3. If the District, parent and relevant members of the IEP team (PPT) determine that the misconduct was caused by or had a direct and substantial relationship to the disability, or the conduct in question was the direct result of the District’s failure to implement the student’s IEP, the Superintendent shall not proceed with the recommendation for expulsion. The IEP team (PPT) shall consider the student’s misconduct and revise the IEP to prevent a recurrence of such misconduct and to provide for the safety of the other students and staff. A functional behavioral assessment shall be conducted, if not previously done, and a behavioral intervention plan implemented or revised, if in existence. The student shall be returned to the placement from which he/she was removed unless agreed otherwise by the District and parent.]
4. Should a parent of a student with disabilities who is eligible for services under the IDEA (or the student himself/herself if eighteen years of age or older) file a request for a due process hearing to contest an expulsion under subparagraph (2) above or a proposed change in placement under subparagraph (3), unless the parents (or student if eighteen years of age or older) and the Board otherwise agree, the child shall stay in the interim alternate educational setting, if so placed by student authorities, pending decision in said due process hearing and any subsequent judicial review proceedings.

# Policy Service

## The Connecticut Reference Manual of School Board Policies, Regulations, and Bylaws

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### Students

#### Suspension and Expulsion/Due Process

##### J. Students with Disabilities (continued)

5. Notwithstanding the provisions of the preceding subparagraph (4), a student with disabilities may be assigned to an interim alternative educational setting for not more than forty-five (45) school days if the student brings a weapon to school or to a school function or knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function, or has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function. For purposes of this paragraph, “weapon” means a device instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, but excludes a pocket knife with a blade of less than 2 ½ inches in length. “Serious bodily injury” is defined as bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty. The interim alternative placement shall be determined by the IEP team (PPT). If a due process hearing is requested, the student shall remain in said interim alternative placement pending a decision in the due process hearing, unless the Board and the parents otherwise agree, or the Board obtains a court order.

6. In order for the district to unilaterally obtain a 45 day change in placement from a federal judge of Connecticut hearing officer, it must prove by substantial evidence that maintaining the current placement of the student is substantially likely to result in injury to the child or others. The school must also prove that it has made reasonable efforts to minimize the risk of harm the student presents in the current placement.

##### K. Alternative Educational Opportunity

The Board of Education recognizes its obligation to offer any student under the age of sixteen (16) who is expelled an alternative educational opportunity which shall be equivalent to alternative education, as defined, by C.G.S. 10-74j with an individualized learning plan, (1) if the Board provides such alternative education, or (2) in accordance with the standards adopted by the State Board of Education (by 8/15/17), which includes the kind of instruction to be provided and the number of hours to be provided, during the period of expulsion. Any parent or guardian of such student who does not choose to have his or her child enrolled in an alternative educational opportunity shall not be subject to the provision of Section 10-184 of the Connecticut General Statutes. Any expelled student who is between the ages of sixteen (16) and eighteen (18) not previously expelled and who wishes to continue his or her education shall be offered such an alternative educational opportunity if he or she complies with conditions established by the Board of Education. Such alternative educational opportunity may include, but shall not be limited to, the assignment of a student (who is seventeen (17) years of age or older) to any such adult education program or placement of such student in a regular classroom program of a school other than the one from which the student has been excluded.

# Policy Service

## The Connecticut Reference Manual of School Board Policies, Regulations, and Bylaws

P5114(q)

### Students

#### Suspension and Expulsion/Due Process

##### **K. Alternative Educational Opportunity** (continued)

Any student participating in an adult education program during a period of expulsion shall not be required to withdraw from school under C.G.S. 10-184. In determining the nature of the alternative education opportunity to be offered under this Section, the Board of Education may receive and consider evidence of past disciplinary problems which have led to removal from a classroom, suspension, or expulsion.

The Board of Education is not obligated to provide such alternative educational opportunity to any student eighteen years of age or older. The Board of Education is also required to offer such alternative educational opportunity, as defined, to any student between the ages of sixteen and eighteen who is expelled because of conduct which endangers persons, and involved the following, on school grounds or at a school-sponsored event:

1. Possession of a firearm, deadly weapon, dangerous instrument or martial arts weapon, or
2. Offering an illegal drug for sale or distribution.

If the Board expels a student for the sale or distribution of a controlled substance, the Board shall refer the student to an appropriate state or local agency for rehabilitation, intervention or job training, or any combination thereof, and inform the agency of its action. If a student is expelled for possession of a firearm, deadly weapon, dangerous instruments (those that can be used to cause death or serious injury) or martial arts weapons the Board shall report the violation to the local police department.

This provision shall not apply to students requiring special education who are described in subdivision (1) of sub-section (e) of C.G.S. 10-76a. The alternative educational opportunity for any such student shall be established by the IEP team (PPT) in accordance with the procedures described above.

##### **L. Other Considerations**

1. If a student is expelled, notice of the expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice, except for the notice of an expulsion of a student in grades nine through twelve, inclusive, based on possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record by the Board if the Board determines that the student's conduct and behavior in the years following such expulsion warrants an expungement or if the student graduates from high school.

2. If a student's expulsion is shortened or the expulsion period waived based upon the fact that the student was expelled for the first time, had never been suspended, and successfully completed a Board specified program and/or met other conditions required by the Board, the notice of expulsion shall be expunged from the cumulative educational record if the student graduates from high school or, if the Board so chooses, at the time the student completes the Board specified program and meets any other conditions required by the Board.

# Policy Service

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### Students

#### Suspension and Expulsion/Due Process

##### L. Other Considerations (continued)

3. If a student in grades kindergarten to eight, is expelled based on possession of a firearm or deadly weapon, the Board may expunge from the students' cumulative education record the notice of the expulsion and the conduct for which the student was expelled if the Board determines that the conduct and behavior of the student in the years following such expulsion warrants an expungement.

4. The Board may adopt the decision of a student expulsion hearing conducted by another school district provided such Board of Education held a hearing pursuant to C.G.S.10-233d(a). Adoption of such a decision shall be limited to a determination of whether the conduct which was the basis for the expulsion would also warrant expulsion under the policies of this Board. The student shall be excluded from school pending such hearing. The excluded student shall be offered an alternative education opportunity in accordance with item K above.

5. Whenever a student against whom an expulsion hearing is pending withdraws from school and after notification of such hearing but before the hearing is completed and a decision rendered, (1) notice of the pending expulsion hearing shall be included on the student's cumulative educational record and (2) the Board shall complete the expulsion hearing and render a decision.

6. A student expelled for possession of a firearm, deadly weapon, dangerous instrument or martial arts weapon shall have the violation reported to the local police department.

7. The period of expulsion shall not extend beyond a period of one calendar year. A period of exclusion may extend into the next school year.

8. An expelled student may apply for early readmission to school. Such readmission shall be at the discretion of the Board of Education/Superintendent of Schools (choose which). Readmission decisions shall not be subject to appeal to Superior Court. The Board or Superintendent, as appropriate, may condition such readmission on specified criteria.

9. Any student who commits an expellable offense and is subsequently committed to a juvenile detention center, The Connecticut Juvenile Training School or any other residential placement for such offense may be expelled by the local Board of Education. The period of expulsion shall run concurrently with the period of commitment to a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement.

#### Readmission of Student from a Residential Placement

A District student who has committed an expellable offense who seeks to return to a District school, after participating in a diversionary program or having been detained in a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement, for one year or more, in lieu of expulsion from the District, shall be permitted to return to the appropriate school setting within the District. Further, the District shall not expel the student for any additional time for the offense(s).

Students and parents shall be notified of this policy annually.

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### Students

#### Suspension and Expulsion/Due Process (continued)

Legal Reference: Connecticut General Statutes

4-176e through 4-180a. Contested Cases. Notice. Record, as amended

10-74j Alternative education (PA 15-133)

10-222d Safe school climate plans. Definitions. Safe school climate assessments.

10-233a through 10-233f Suspension, removal and expulsion of students, as amended by PA 95-304, PA 96-244, PA 98-139, PA 07-66, PA 07-122, PA 08-160, PA 09-82, PA 09-6 (September Special Session), PA 10-111, PA 11-126, PA 14-229, PA 15-96, PA 16-147, PA 17-220 and PA 19-91.

10-233i Expulsion and suspension of children in preschool programs

19a-342a Use of electronic nicotine delivery system or vapor product prohibited.

29-38 Weapons in vehicles

53a-3 Definitions.

53a-217b Possession of Firearms and Deadly Weapons on School Grounds.

53-344b Sale and delivery of electronic nicotine delivery system or vapor products to minors.

53-206 Carrying of dangerous weapons prohibited.

PA 15-96 An Act Prohibiting Out-of-School Suspensions and Expulsions for Students in Preschool and Grades Kindergarten to Two.

GOALS 2000: Educate America Act, Pub. L. 103-227.

Title III - Amendments to the Individuals with Disabilities Education Act. Sec. 314 (Local Control Over Violence)

Elementary and Secondary Act of 1965 as amended by the Gun Free Schools Act of 1994

P.L. 105-17 The Individuals with Disabilities Act, Amendments of 1997.

*Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education.*

P.L. 108-446 The Individuals with Disabilities Education Improvement Act of 2004, 20 U.S.C. 1400 et seq.

18 U.S.C. §921 – Definitions of “firearms”

18 U.S.C. §930(g)(2) – Definition of “dangerous weapon”

18 U.S.C. §1365(h)(3) – Identifying “serious bodily injury”

21 U.S.C. §812(c) – Identifying “controlled substances”

Policy adopted: