



# CODE *of* CONDUCT

ELEMENTARY, MIDDLE, AND HIGH SCHOOL

## TABLE OF CONTENTS

<b>Letter to Student .....</b>	<b>1</b>
<b>Introduction .....</b>	<b>2</b>
<b>Rights and Responsibilities of:</b>	
<b>Students.....</b>	<b>3-4</b>
<b>Parents .....</b>	<b>4-6</b>
<b>Teacher .....</b>	<b>6-7</b>
<b>Administrators .....</b>	<b>7-8</b>
<b>Non-Discrimination Policy .....</b>	<b>9</b>
<b>Attendance Policy – Policy 5115 .....</b>	<b>10-17</b>
<b>Dress Code Policy – Policy 5090 .....</b>	<b>18-20</b>
<b>Discipline Policy – Policy 5130 .....</b>	<b>21-48</b>

*Revised: July 2015*

## **A Letter to Meriden Students**

Hello Students,

Welcome to a new school year? We hope you are looking forward to the exciting learning opportunities that lie ahead.

This handbook is a guide to help you understand what is expected of you in school.

We are proud of the many accomplishments of our students and we are committed to providing a quality education for all. It is our goal for you to develop the skills and acquire the knowledge to succeed in school and life. Your success in school will be determined by many factors: attending school every day, challenging yourself with difficult coursework, paying attention and participating in class, doing your homework, and taking advantage of extracurricular activities and volunteer opportunities.

Make the most of your education and have a successful school year.

All the best,

Mark D. Benigni, Ed.D.  
Superintendent of Schools

## INTRODUCTION

It is the responsibility of the Meriden Public Schools to provide an environment which is safe, healthy, and conducive to learning. It is clear that in order to implement effectively the standards of the Code of Conduct contained in this handbook, cooperation and mutual support on matters of discipline and attendance are necessary between home and school.

Students, teachers, and administrators have the right to expect mutual courtesy and fair and equitable treatment and to be informed of their rights and responsibilities. Schools assist students in developing a sense of self-direction and self-discipline by providing opportunities for decision-making. Those students who infringe on the rights of others or who violate school policies and regulations will be subject to corrective action. In all cases, the rights of students will be preserved and protected.

This Code of Conduct contains important information for you. We are asking you to read all of this information and commit yourself to behavioral and academic success. Take this handbook home and share it with your parents.

## **RIGHTS AND REPONSIBILITIES**

There are certain rights that are shared by all who are involved with the Meriden Public Schools. Students, parents, staff members, teachers, and administrators have the right to be treated respectfully by one another. Additionally, all who are involved with the Meriden Public Schools have the right to a safe, orderly environment in which to work, learn, or entrust their children.

### **STUDENT RIGHTS**

As a student you have the right to participate in courses and the privilege to engage in extracurricular activities that promote the development of skills and talents that will enable you to become a responsible, valued member of your community.

### **STUDENT RESPONSIBILITIES**

As a student, you are expected to meet standards of behavior and academic effort that are common to every school in the Meriden Public School System. Specifically you are expected to:

#### **Attend School**

- Attend school every day unless you are ill or otherwise excused
- Attend all classes on time
- Make a commitment to complete your education

#### **Prepare for School**

- Complete assignments and turn them in on time including those assigned during periods of suspension
- Bring books, paper, and other supplies to class
- Establish a regular place and time to do your homework and other assignments

#### **Participate in Classes and Activities**

- Participate fully in class discussions and activities
- Ask for help from the teacher when you don't understand something

- Work cooperatively in a group and show mutual respect to ALL
- Participate in before and after school activities according to the guidelines and requirements of these activities

### **Prevent and Resolve Problems**

- Do your own work to the best of your ability
- Follow class and school rules
- Behave in a safe manner
- Ask a staff member for assistance if there is a problem
- Respect the rights of others
- Report situations that might result in a student being harmed

### **PARENT RIGHTS**

As a parent you have the right to be supported and assisted by teachers, staff, and administrators in your efforts to ensure that the learning environment meets your child's individual needs. You have the right to be informed of your child's academic progress and behavior and the right to make reasonable visits to your child's school upon request. You have the right to be consulted in decision making that affects your child's learning. You have the right to view documents that pertain to your child's academic and behavioral assessments, proposed interventions, and corrective actions taken. The school will make reasonable efforts to immediately inform you of serious disciplinary actions concerning your child.

### **PARENT REPOSIBILITIES**

As a parent, you are expected to meet standards of support for your child and the school he/she attends that are common to every school in the Meriden Public School system. We ask that you:

### **Set High Expectations for Your Child**

- Expect your child to achieve in school
- Set up home rules and expectations that support the school's efforts

- Send your child to school every day, on time, and properly prepared to learn
- Be sure your child is properly dressed for school
- Support, through discussion with your child, rules for classroom behavior

### **Communicate With Your Child and the School**

- Meet your child's teacher(s) and find out what is expected of your child
- Tell your child that you expect him/her to attend school every day, complete school work, cooperate with the school staff, and achieve in every class
- Attend meetings and conferences when the school staff requests them

### **Help Your Child Learn**

- Provide a regular place and time to do homework
- Assist your child with their homework
- Help your child learn how to organize school work and recreational time
- Expose your child to learning activities including libraries, museums, etc.
- Ask the school staff for assistance if help is needed
- Share reading experiences with your child every day

### **Encourage and Praise Your Child**

- Monitor your child's behavior. Tell your child what is wrong and right
- Praise or reward your child for his or her effort, improvement, and achievement
- Use positive reinforcement with your child
- Encourage your child to respect the rights of others

### **Monitor Your Child's Education**

- Visit the school frequently to talk with staff
- Review your child's school work

- Discuss with your child each day what happened at school and what was learned
- Make sure your child takes only appropriate materials to school each day
- Respond appropriately when your child is disciplined, suspended, expelled, or removed from school

### **TEACHER RIGHTS**

As a teacher, you have the right to be supported by administrators, staff, and parents in your efforts to establish and maintain orderly, productive classrooms where all may learn and achieve. You also have the right to consult parents as well as administrators and support staff to better meet the needs of individual students. Additionally you have the right to work with students who come to class prepared with necessary instructional materials and who cooperate with class activities every day.

### **TEACHER REPOSIBILITIES**

As a teacher, you are expected to meet standards of support for students and the school they attend that are common to every school in the Meriden Public School System. You have the responsibility to:

#### **Prepare**

- Prepare and deliver daily lessons that are consistent with the guidelines set by the district-wide curriculum frameworks
- Provide make-up assignments for students who are absent or suspended

#### **Create the Learning Environment**

- Establish and maintain an environment where all may learn
- Work with your students to set forth classroom behavioral rules
- Encourage students to discuss classroom rules with their parents
- Enforce classroom rules impartially and consistently
- Adhere to the system-wide Code of Conduct



**Evaluate**

- Recognize and work with the various learning styles of students
- Evaluate student performance often in a variety of formal and informal ways

**Communicate with Parents, Staff, and Administrators**

- Inform parents of academic and behavioral expectations
- Keep parents informed of the academic progress, behavior, and special achievement when appropriate
- Seek the assistance of support staff and administrators when necessary or desirable
- Call parents whenever there is a disciplinary problem with a student

**ADMINISTRATOR RIGHTS**

As an administrator, you have the right to be acknowledged as a school leader. You have the right to the support and participation of parents, students, teachers, staff, and community members as school decisions are made. You further enjoy the right to a well-trained, self-motivated, professional corps of teachers and staff. In addition, you have the right to an orderly learning environment.

**ADMINISTRATOR RESPONSIBILITIES**

As an administrator, you are expected to meet the standards of support for students that are common to every public school in Meriden. You have the responsibility to:

**Creating the Learning Environment**

- Ensure adherence to the system-wide Code of Conduct to maximize the safety and orderliness of the school
- Work in collaboration with faculty, parents, and other staff to reshape and improve the school
- Provide an opportunity for school-wide recognition of students

**Provide Instructional Leadership**

- Work with teachers and colleagues and recognize and encourage their instructional leadership roles
- Foster participatory decision-making via the SIC (School Improvement Committee)
- Inform parents of alternative learning situations in the community available to students

**Provide Supervision**

- Organize and supervise the work of teachers and staff in their various duties to ensure that appropriate, equitable student and teacher services are provided

## **NON-DISCRIMINATION- STUDENTS**

The Board of Education complies with all applicable federal, state and local laws prohibiting the exclusion of any person from any of its education programs or activities, or the denial to any person of the benefits of any of its educational programs or activities because of race, religion, color, national origin, sex, sexual orientation, marital status, age, disability, pregnancy, or gender identity or expression, subject to the conditions and limitations established by law.

It is the policy of the Board that any form of discrimination or harassment on the basis of race, religion, color, national origin, sex, sexual orientation, marital status, age, disability, pregnancy or gender identity or expression is prohibited, whether by students, Board employees or third parties subject to the control of the Board. The Board's prohibition of discrimination or harassment in its educational programs or activities expressly extends to academic, nonacademic and extracurricular activities, including athletics. It is also the policy of the Board to provide for the prompt and equitable resolution of complaints alleging any discrimination on the basis of protected characteristics such as race, color, religion, age, sex, sexual orientation, marital status, national origin, disability, pregnancy, gender identity or expression.

Referrals to the District's Compliance Officer(s) can be made by contacting the Superintendent of Schools at 203-630-4171. All complaints of discrimination or harassment shall be investigated promptly. Corrective action must be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the Board of Education's legal and investigative obligations. Neither reprisals nor retaliation shall occur as a result of good faith charges of discrimination or harassment.

Complaints involving alleged discrimination of students who are identified under Section 504 of the Rehabilitation Act of 1973 should contact the 504 Coordinator and Director of Pupil Personnel Programs at 203-630-4177.

Complaints involving alleged discrimination under Title IX should be promptly reported to the Director of Pupil Personnel at 203-630-4177 or the Assistant Superintendent for Personnel and Staff Development at 203-630-4209.

A complete procedure for filing complaints is available in school offices and at the district Central Office located at 22 Liberty Street, Meriden, CT 06450. Anyone wishing to file a formal complaint should send it to the U.S. Department of Education, Office of Civil Rights, 8<sup>th</sup> Floor, 5 Post Office Square, Boston, MA 02109, 617-289-0111.

## STUDENT ATTENDANCE AND TRUANCY – POLICY 5115

Regular and punctual student attendance in school is essential to the educational process. Connecticut state law places responsibility for assuring that students attend school with the parent or other person having control of the child. To assist parents and other persons in meeting this responsibility, the Board of Education, through its Superintendent, will adopt and maintain procedures to implement this policy.

### A. Definitions:

1. "Absence" - any day during which a student is not considered "in attendance" at his/her assigned school, or on a school sponsored activity (e.g. field trip), for at least one half of the school day.
2. "Educational evaluation" - for purposes of this policy, an educational evaluation is an assessment of a student's educational development, which, based upon the student's presenting characteristics, would assess (as appropriate) the following areas: health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities.
3. "Excused absence" - an absence from a regularly scheduled school day for at least one-half of the school day; for which absence, the school has received written documentation describing the reason for the absence within ten days of the student's return to school, or the child has been excluded from school in accordance with section 10-210 of the Connecticut General Statutes, and meets the following criteria:
  - A. Any absence before the student's tenth absence, is considered excused when the student's parent/guardian approves such absence and submits appropriate written documentation; and
  - B. For the student's tenth absence and all absences thereafter, a student's absences from school are considered excused only for the following reasons:
    - a. student illness (verified by an appropriately licensed medical professional);
    - b. religious holidays;
    - c. mandated court appearances (documentation required);

- d. funeral or death in the family, or other emergency beyond the control of the student's family;
  - e. extraordinary educational opportunities pre-approved by the district administrators and in accordance with Connecticut State Department of Education guidance;
  - f. lack of transportation that is normally provided by a district other than the one the student attends.
4. "In Attendance" - any day during which a student not considered to be absent from his/her assigned school, or from an activity sponsored by the school (e.g. field trip), for at least one half of the school day.
  5. "Student" - a student enrolled in the Meriden Public Schools
  6. "Truant" - any student five (5) to eighteen (18) years of age, inclusive, who has four (4) unexcused absences from school in any one month or ten (10) unexcused absences from school in any school year.
  7. "Unexcused absence" - any absence from a regularly scheduled school day for at least one half of the school day, which absence is not an excused absence as defined above.

Each incident of unexcused tardiness to school or unexcused early dismissal that results in missing 90 minutes or more of school, shall accrue the equivalent of one quarter (1/4) an unexcused absence.

8. "Written Documentation" - a signed note from the student's parent/guardian, a school official that spoke in person with the parent/guardian regarding the absence, or a note confirming the absence by the school nurse or by a licensed medical professional, as appropriate, that explains the nature of and the reason for the absence as well as the length of the absence.
9. "Perfect Attendance" – is defined as attending school every day. Parent excused tardies or early releases will not impact perfect attendance, providing the student is in attendance for at least one half of the school day.

B. Truancy Exceptions:

1. A student five (5) or six (6) years of age shall not be considered truant if the parent or person having control over such student has appeared personally at the school district office and exercised the option of not enrolling the child in school at five (5) or six (6) years of age.
2. A student seventeen (17) years of age\* shall not be considered truant if the parent or person having control over such student consents to such student's withdrawal from school. Such parent or person shall personally appear at the school district office and sign a withdrawal form indicating such consent. Such withdrawal form must include an attestation from a guidance counselor or school administrator from the school that the district provided the parent (or person having control of the child) with information on the educational options available in the school system and community.
3. If a parent or guardian of an expelled student chooses not to enroll the student in an alternative program, the student shall not be considered to be "truant."

C. Readmission to School Following Voluntary Withdrawal

1. If a student voluntarily withdraws from school (in accordance with Section B.2, above) and subsequently seeks readmission, the Board may deny school accommodations to the student for up to ninety (90) school days from the date of the student's withdrawal from school.
2. If a student who has voluntarily withdrawn from school (in accordance with Section B.2, above) seeks readmission within ten (10) school days of his/her withdrawal, the Board shall provide school accommodations to the student not later than three (3) school days after the student requests readmission.

D. Determinations of Whether a Student is "In Attendance":

1. A student serving an out of school suspension or expulsion shall be reported as absent unless he or she receives an alternative educational program for at least one half of the regular school day.
2. On early dismissal days and days shortened due to inclement weather, the regular school day for attendance purposes is considered to be the amount of instructional time offered to students on that day. For example, if school is open for four hours on a shortened day scheduled,

a student must be present for a minimum of two hours in order to be considered “in attendance.”

3. Students placed on homebound instruction due to illness or injury in accordance with applicable regulations and requirements are counted as being “in attendance” for every day that they receive instruction from an appropriately certified teacher for an amount of time deemed adequate by the administration so as to ensure that the student is able to successfully return to the regular classroom setting.
4. The determination of whether an absence is excused will be made by the building principal or his/her designee, who will use the definition of excused and unexcused absences as defined in this policy. Parents or other persons having control of the child may appeal that decision to the Superintendent or his/her designee, whose decision shall be final.

E. Procedures for students in grades K-8\*

1. Notification

- a. Annually at the beginning of the school year and upon the enrollment of any child during the school year, the administration shall notify the parent or other person having control of the student enrolled in grades K - 8 in writing of the obligations pursuant to Conn. Gen. Stat. §10-184 to assure that such a student attends school regularly or to show that the child is elsewhere receiving equivalent instruction in the studies taught in the Meriden Public Schools.
- b. Annually at the beginning of the school year and upon the enrollment of any child during the school year, the administration shall obtain from the parent or other person having control of the student in grades K-8 a telephone number or other means of contacting such parent or other person during the school day.

2. Monitoring

Each school shall implement a system of monitoring individual unexcused absences of students in grades K-8. Whenever such a student fails to report to school on a regularly scheduled school day, school personnel under the direction of the building principal [or his/her designee] shall make a reasonable effort to notify the parent or other person having control of such student by telephone and by mail of the student’s absence, unless school personnel have received

an indication that the parent or other person is aware of the student's absence. [Reasonable efforts shall include two (2) attempts to reach the parent or other person at the telephone number provided by the parent or other person. Such attempts shall be recorded on a form provided by the Superintendent.] Mailed notice of the student's absence shall include a warning that two unexcused absences from school in a month or five unexcused absences in a school year may result in a complaint filed with the Superior Court pursuant to section 46b-149 alleging the belief that the acts or omissions of the child are such that the child's family is a family with service needs. Any person who, in good faith, gives or fails to give such notice shall be immune from liability, civil or criminal, which might otherwise be incurred or imposed and shall have the same immunity with respect to any judicial proceeding which results from such notice or failure to give notice.

*[\*Note: State law mandates notification and monitoring only with regard to students in grades K-8. Boards of Education are free, however, to extend the application of monitoring and intervention procedures to students at all grade levels.]*

F. Procedures applicable to students ages five (5) to eighteen (18)

1. Intervention

- a. When a student is truant, the building principal or his/her designee shall schedule a meeting with the parent (or other person having control of such student) and appropriate school personnel to review and evaluate the reasons for the student's truancy. This meeting shall be held no later than ten (10) days after the student becomes truant. The district shall document the meeting, and if parent or other person having control of a student who is truant declines to attend the meeting, or is otherwise is nonresponsive, that fact shall also be documented and the meeting shall proceed with school personnel in attendance.
- b. When a student is truant, the Superintendent or his/her designee shall coordinate services with and referrals of students to community agencies providing child and family services, as appropriate. The district shall document efforts to contact and include families and to provide early intervention in truancy matters.



- c. If the parent or other person having control of a student who is truant fails to attend the meeting held pursuant to subsection a., above, or otherwise fails to cooperate with the school in attempting to solve the truancy problem, the Superintendent shall file, within fifteen calendar days of such failure to attend the meeting or other failure to cooperate with the school in attempting to solve the truancy problem, for such truant a written complaint with the Superior Court pursuant to Conn. Gen. Stat. § 46b - 149 alleging the belief that the acts or omissions of the truant are such that his/her family is a family with service needs.
- d. In addition to the procedures specified in subsections a through c above, a regular education student who is experiencing attendance problems should be referred to the building Child Study Team [or other appropriate school based team] to consider the need for additional interventions and/or assistance. The Team will also consider whether the student should be referred to a planning and placement team (“PPT”) meeting to review the student’s need and eligibility for special education. A special education student who is experiencing attendance problems should be referred to a PPT meeting for program review.
- e. If a FWSN petition is filed and the court orders an educational evaluation of the student, the district shall conduct an appropriate educational evaluation if no such evaluation has been performed within the preceding year.
  - i) For a regular education student, the educational evaluation will be conducted or arranged for by appropriate school personnel and coordinated through the Child Study Team [or other appropriate school based team]. Upon completion of the evaluation of a regular education student, the Child Study Team [or other appropriate school based team] shall review the evaluations and make appropriate recommendations for alternative procedures, programs or interventions. Such recommendations may include a referral of the student for further evaluation and/or consideration for special education eligibility.
  - ii) In the case of a student who requires or may require special education and related services, the district shall convene a PPT to determine what evaluations may be appropriate to assess any specific areas of concern. The PPT shall reconvene to review the evaluations and make appropriate recommendations

regarding the student's need for special education services and the need, if any, to write and/or revise the student's individualized education program ("IEP").

## 2. Notifications

- a. Parents or guardians of students will be notified of poor attendance in accordance with the following table:

<b>Elementary and Middle School Attendance</b>	
<b>Number of Unexcused Absences</b>	<b>Notification Required</b>
Any unexcused absence	• Notification to parents by telephone
3 Unexcused Absences	• Automated telephone call referencing 3 unexcused absences
5 Unexcused Absences	• Automated telephone call referencing 5 unexcused absences • Contact by FSL
7 Unexcused Absences	• Automated telephone call referencing 7 Unexcused Absences • Letter sent from school • Parent meeting with school
10 Unexcused Absences	• Automated telephone call referencing 10 unexcused absences • File FWSN Petition • DCF referral
15 Unexcused Absences	• Automated telephone call referencing 15 unexcused absences
Over 20	Decision of retention will be decided upon school administration. There will be a review of loss of learning academically, socially and emotionally and level of skill attainment.

## 3. High School Attendance - Effect of Unexcused Absences

- a. A high school student who is absent from a class unexcused for more than six (6) days in a semester course, and more than thirteen (13) days in a full year course will lose credit in the course, whether or not a passing grade is earned. The transcript will be marked accordingly.

b. Parents or guardians will be notified of the potential of failure due to poor attendance in accordance with following table:

<b>Number of Unexcused Absences</b>	<b>Notification Required for Semester Courses</b>	<b>Notification Required for Full Year Courses</b>
3	School Attendance notification letter sent to student's home and contact made by school personnel	
7	Letter sent to student's home indicating student has lost credit in the course(s) and contact made by school administration	School Attendance Notification letter sent to student's home and contact made by school personnel
14		Letter sent to student's home indicating that student has lost credit in the course(s) and contact made by school administration

G. Reports to the State Regarding Truancy Data:

Annually, each local and regional board of education shall include information regarding truancy in the strategic school profile report for each school under its jurisdiction and for the school district as a whole submitted to the Commissioner of Education. Measures of truancy include the type of data that is required to be collected by the Department of Education regarding attendance and unexcused absences in order for the department to comply with federal reporting requirements and the actions taken by the board of education to reduce truancy in the school district.

**Legal References:**

- Connecticut General Statutes §10-220
- Connecticut General Statutes §10-184
- Connecticut General Statutes §10-186
- Connecticut General Statutes §10-198a
- Public Act 11-136, An Act Concerning Minor Revisions to the Education Statutes
- Guidelines for Reporting Student Attendance in the Public School Information System (Connecticut State Department of Education, Jan 08)
- Connecticut State Department of Education Circular Letter C-2, Utilizing Local Support Resources Prior to Referral of Students for Family with Service Needs (August 4, 2009)
- Connecticut State Board of Education Memorandum, Definitions of Excused and Unexcused Absences (June 27, 2012)
- Approved 8/20/1991 Amended: May 2, 1995
- Amended: December 4, 2012

## **DRESS CODE – POLICY 5090**

The Meriden Board of Education takes pride in the appearance of our students. Students are expected to wear attire that is not disruptive to the education process and is not dangerous or unsafe. Students should always come to school neat and clean. The dress of a student reflects the level of respect for oneself, respect for one's peers and respect for one's school.

The Meriden Board of Education, school administrators, and teachers will enforce the following guidelines as the Student Dress Code in the Meriden Public School System:

- a. Headgear - All headgear, which includes, but is not limited to, hats, caps, hoods, bandanas, bandana headbands, wave caps, doo-rags, sweatbands, visors, kerchiefs, and headbands, are prohibited, must be kept out of sight in the building and must be placed in the student's locker or classroom closet immediately upon entering the school and should remain there for the entire school day. Head coverings shall not be worn, carried, hung on belts or around the neck or kept in the classroom during regular school hours. Approved coverings worn as part of a student's religious practice or belief shall not be prohibited under this policy.
- b. Blouses/Shirts - Blouses/shirts should be constructed so that the tops of the shoulders are covered (no halter tops, strapless tops, spaghetti straps or bare shoulders of any type will be allowed). Blouses/shirts that allow exposure of any portion of the waist, hips, midriff or inappropriate exposure of the chest and/or breasts are not allowed. Blouses/shirts should not be form fitting either by fabric, cut, and/or design. This will mean that undergarments and/or private body areas must not be evident or visible through clothing. Rips or holes that expose skin and see-through shirts are not acceptable. Undergarments may not be worn as outerwear.
- c. Skirts/Shorts/Dresses/Pants - Skirts, shorts and dresses should have hemlines that are not more than four (4) inches above the top of the knee cap. Pants should be of a length so as not to be a danger to yourself or others walking near you. Pants should be worn close to the waist and belted or should fit well enough to stay at the waist, preventing exposure of undergarments. Skirts/Shorts/Dresses/Pants should not be form fitting either by fabric, cut, and/or design. This will mean that undergarments and/or private body areas must not be evident or visible through clothing. Rips or holes that expose skin

and/or undergarments are not acceptable. Undergarments may not be worn as outerwear.

- d. Outdoor Garments - All outdoor garments, which include, but are not limited to, hats, coats, gloves and scarves, must be placed in the student's locker or classroom closet immediately upon entering the school and should remain there for the entire school day.
- e. Shoes - Footwear must be worn at all times. Footwear must be fastened to the foot over the top of the foot as well as the heel or around the ankle. Footwear with excessive heels is not allowed. Footwear, such as but not limited to, flip flops, clogs, and slip-on sport sandals will not be permitted. Footwear which mars floors or is a safety hazard will not be permitted. Exceptions to the shoe policy may be made according to Physical Education curriculum requirements as allowed by the administration.
- f. Lounging Attire - Pajamas, slippers and all other lounging attire is not allowed.
- g. Prints - No student clothing or accessories: shall display words or symbols that advocate or depict profanity, violence, drugs, alcohol, sex, hate groups, gang affiliation or illegal activity, expressed or implied; shall contain vulgarity or overly offensive or disruptive writing or pictures, which are likely to disrupt the educational environment; or that provokes others to act violently or causes others to be intimidated by fear of violence; or that contain "fighting words."
- h. Accessories - Students may not wear or possess articles of clothing or clothing accessories that could cause injury to others or are disruptive to the education process. This includes, but is not limited to, sunglasses, chains, cleats, spikes or studs.
- i. Students are not allowed to display clothing or symbols that have been identified by agencies, such as, but not limited to, the Meriden Police Department, as being commonly associated with gangs. Garments, jewelry, body art and tattoos that communicate gang allegiance or affiliation are not allowed to be worn or visible at school.

Exceptions to the above dress code will be considered for medical reasons, special events, and cultural beliefs or to promote school spirit as determined by the school principal or his/her designee. Students and/or sponsors wishing to request special exceptions must have permission from the school administration prior to the activity.

Students who fail to comply with Board policy and regulations concerning student dress will be subject to school discipline up to and including expulsion in accordance with the Board's policy on student discipline.

*Approved: April 28, 1981*

*Amended: December 14, 2004*

*Amended: September 6, 2005*

*Amended: April 3, 2012*

*Amended: August 19, 2014*

**STUDENT DISCIPLINE**

I. **Definitions**

- A. **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.
- B. **Deadly Weapon** means any weapon, whether loaded or unloaded, from which a shot may be discharged, including an antique firearm, or a switchblade knife, gravity knife, billy, blackjack, bludgeon or metal knuckles. A weapon such as a pellet gun and/or air soft pistol may constitute a deadly weapon if such weapon is designed for violence and is capable of inflicting death or serious bodily harm. In making such determination, the following factors should be considered: design of weapon; how weapon is typically used (e.g. hunting); type of projectile; force and velocity of discharge; method of discharge (i.e. spring v. CO2 cartridge) and potential for serious bodily harm or death.
- C. **Electronic Defense Weapon** means a weapon which by electronic impulse or current is capable of immobilizing a person temporarily, but is not capable of inflicting death or serious physical injury, including a stun gun or other conductive energy device.
- D. **Emergency** means a situation in which the continued presence of the student in school poses 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.
- E. **Exclusion** means any denial of public school privileges to a student for disciplinary purposes.
- F. **Expulsion** means the exclusion of a student from school privileges for more than ten (10) consecutive school days. The expulsion period may not extend beyond one (1) calendar year.

- G. **Firearm**, as defined in 18 U.S.C § 921, means (a) any weapon that will, is designed to, or may be readily converted to expel a projectile by the action of an explosive, (b) the frame or receiver of any such weapon, (c) a firearm muffler or silencer, or (d) any destructive device. The term firearm does not include an antique firearm. As used in this definition, a "destructive device" includes any explosive, incendiary, or poisonous gas device, including a bomb, a grenade, a rocket having a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, or any other similar device; or any weapon (other than a shotgun or shotgun shell particularly suited for sporting purposes) that will, or may be readily converted to, expel a projectile by explosive or other propellant, and which has a barrel with a bore of more than ½" in diameter. The term "destructive device" also includes any combination of parts either designed or intended for use in converting any device into any destructive device or any device from which a destructive device may be readily assembled. 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.
- H. **In-School Suspension** means an exclusion from regular classroom activity for no more than ten (10) 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. No student shall be placed on in-school suspension more than fifteen (15) times or a total of fifty (50) days in one (1) school year, whichever results in fewer days of exclusion.
- I. **Martial Arts Weapon** means a nunchaku, kama, kasari-fundo, octagon sai, tonfa or Chinese star.
- J. **Removal** is the exclusion of a student from a classroom for all or part of a single class period, provided such exclusion shall not extend beyond ninety (90) minutes.
- K. **School Days** shall mean days when school is in session for students.
- L. **School-Sponsored Activity** means any activity sponsored, recognized or authorized by the Board and includes activities conducted on or off school property.



- M. **Seriously Disruptive of the Educational Process**, as applied to off-campus conduct, means any conduct that markedly interrupts or severely impedes the day-to-day operation of a school.
- N. **Suspension** means the exclusion of a student from school and/or transportation services for not more than ten (10) consecutive school days, provided such suspension shall not extend beyond the end of the school year in which such suspension is imposed; and further provided no student shall be suspended more than ten (10) times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless such student is granted a formal hearing as provided below.
- O. **Weapon** means any BB gun, any blackjack, any metal or brass knuckles, any police baton or nightstick, any dirk knife or switch knife, any knife having an automatic spring release device by which a blade is released from the handle, having a blade of over one and one-half inches in length, any stiletto, any knife the edged portion of the blade of which is four inches and over in length, any martial arts weapon or electronic defense weapon, or any other dangerous or deadly weapon or instrument, unless permitted by law under section 29-38 of the Connecticut General Statutes.
- P. Notwithstanding the foregoing definitions, the reassignment of a student from one regular education classroom program in the district to another regular education classroom program in the district shall not constitute a suspension or expulsion.

II. Scope of the Student Discipline Policy

- A. *Conduct on School Grounds or at a School-Sponsored Activity:*

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.

B. *Conduct off School Grounds:*

1. Students may be suspended or expelled for conduct off school grounds if such conduct is seriously disruptive of the educational process and violative of a publicized policy of the Board. In making a determination as to whether such conduct is seriously disruptive of the educational process, the Administration and the Board of Education may consider, but such consideration shall not be limited to, the following factors: (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 Conn. Gen. Stat. § 29-38, and whether any injuries occurred; and (4) whether the conduct involved the use of alcohol.

In making a determination as to whether such conduct is seriously disruptive of the educational process, the Administration and/or the Board of Education may also consider whether such off-campus conduct involved the use of drugs.

III. Actions Leading to Disciplinary Action, including Removal from Class, Suspension and/or Expulsion

Conduct which may lead to disciplinary action (including, but not limited to, removal from class, suspension and/or expulsion) includes conduct on school grounds or at a school-sponsored activity (including on a school bus), and conduct off school grounds, as set forth above. Such conduct includes, but is not limited to, the following:

1. Striking or assaulting a student, members of the school staff or other persons.
2. Theft.
3. 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.

4. Violation of smoking, dress, transportation regulations, or other regulations and/or policies governing student conduct.
5. Refusal to obey a member of the school staff, law enforcement authorities, or school volunteers, or disruptive classroom behavior.
6. Any act of harassment based on an individual's sex, sexual orientation, race, color, religion, disability, national origin or ancestry.
7. Refusal by a student to identify himself/herself to a staff member when asked, misidentification of oneself to such person(s), lying to school officials or otherwise engaging in dishonest behavior.
8. Inappropriate displays of public affection of a sexual nature and/or sexual activity on school grounds or at a school-sponsored activity.
9. A walk-out from or sit-in within a classroom or school building or school grounds.
10. Blackmailing, threatening or intimidating school staff or students (or acting in a manner that could be construed to constitute blackmail, a threat, or intimidation, regardless of whether intended as a joke).
11. Possession of any weapon, weapon facsimile, deadly weapon, martial arts weapon, electronic defense weapon, pistol, knife, blackjack, bludgeon, box cutter, metal knuckles, pellet gun, air pistol, explosive device, firearm, whether loaded or unloaded, whether functional or not, or any other dangerous object or instrument. The possession and/or use of any object or device that has been converted or modified for use as a weapon.
12. Possession of any ammunition for any weapon described above in paragraph 11.

13. Unauthorized entrance into any school facility or portion of a school facility or aiding or abetting an unauthorized entrance.
14. Possession or ignition of any fireworks, combustible or other explosive materials, or ignition of any material causing a fire. Possession of any materials designed to be used in the ignition of combustible materials, including matches and lighters.
15. Unlawful possession, sale, distribution, use or consumption of tobacco, electronic nicotine delivery system (e.g. e-cigarettes), drugs, narcotics or alcoholic beverages (or any facsimile of tobacco, drugs, narcotics or alcoholic beverages, or any item represented to be tobacco, drugs or alcoholic beverages), including being under the influence of any such substances or aiding in the procurement of any substances. For the purposes of this Paragraph 15, the term "electronic nicotine delivery system" shall mean an electronic device that may be used to simulate smoking in the delivery of nicotine or other substance to a person inhaling from the device and includes, but is not limited to, and electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe or electronic hookah and any related device and any cartridge or other component of such device. For the purposes of this Paragraph 15, the term "drugs" shall include, but shall not be limited to, any medicinal preparation (prescription and non-prescription) and any controlled substance whose possession, sale, distribution, use or consumption is illegal under state and/or federal law.
16. Sale, distribution, or consumption of substances contained in household items; including, but not limited to glue, paint, accelerants/propellants for aerosol canisters, and/or items such as the aerators for whipped cream; if sold, distributed or consumed for the purpose of inducing a stimulant, depressant, hallucinogenic or mind-altering effect.
17. Unlawful possession of paraphernalia used or designed to be used in the consumption, sale or distribution of drugs, alcohol or tobacco, as described

in subparagraph (15) above. For purposes of this policy, drug paraphernalia includes any equipment, products and materials of any kind which are used, intended for use or designed for use in growing, harvesting, manufacturing, producing, preparing, packaging, storing, containing or concealing, or injecting, ingesting, inhaling or otherwise introducing controlled drugs or controlled substances into the human body, including but not limited to items such as "bongs," pipes, "roach clips," vials, tobacco rolling papers, and any object or container used, intended or designed for use in storing, concealing, possessing, distributing or selling controlled drugs or controlled substances.

18. The destruction of real, personal or school property, such as, cutting, defacing or otherwise damaging property in any way.
19. Accumulation of offenses such as school and class tardiness, class or study hall cutting, or failure to attend detention.
20. Trespassing on school grounds while on out-of-school suspension or expulsion.
21. Making false bomb threats or other threats to the safety of students, staff members, and/or other persons.
22. Defiance of school rules and the valid authority of teachers, supervisors, administrators, other staff members and/or law enforcement authorities.
23. Throwing snowballs, rocks, sticks and/or similar objects, except as specifically authorized by school staff.
24. Unauthorized and/or reckless and/or improper operation of a motor vehicle on school grounds or at any school-sponsored activity.
25. Leaving school grounds, school transportation or a school-sponsored activity without authorization.

26. Use of or copying of the academic work of another individual and presenting it as the student's own work, without proper attribution; or any other form of academic dishonesty, cheating or plagiarism.
27. Possession and/or use of a beeper or paging device on school grounds or at a school-sponsored activity without the written permission of the principal or his/her designee.
28. Unauthorized use of 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.
29. Possession and/or use of a laser pointer, unless the student possesses the laser pointer temporarily for an educational purpose while under the direct supervision of a responsible adult.
30. Hazing.
31. Bullying, defined as the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying, directed at another student attending school in the same district, or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district, which:
  - a) causes physical or emotional harm to such student or damage to such student's property;
  - b) places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;
  - c) creates a hostile environment at school for such student;
  - d) infringes on the rights of such student at school; or

- e) substantially disrupts the education process or the orderly operation of a school.

Bullying includes, but is not limited to, repeated written, oral or electronic communications or physical acts or gestures based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

- 32. Cyberbullying, defined as any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.
- 33. Acting in any manner that creates a health and/or safety hazard for staff members, students, or the public, regardless of whether the conduct is intended as a joke.
- 34. Engaging in a plan to stage or create a violent situation for the purposes of recording it by electronic means; or recording by electronic means acts of violence for purposes of later publication.
- 35. Engaging in a plan to stage sexual activity for the purposes of recording it by electronic means; or recording by electronic means sexual acts for purposes of later publication.
- 36. Using computer systems, including email, instant messaging, text messaging, blogging or the use of social networking websites, or other forms of electronic communications, to engage in any conduct prohibited by this policy.
- 37. Use of a privately owned electronic or technological device in violation of school rules, including the unauthorized recording (photographic or audio) of

another individual without permission of the individual or a school staff member.

38. 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 recently been in a dating relationship.
39. Any action prohibited by any Federal or State law.
40. Any other violation of school rules or regulations or a series of violations which makes the presence of the student in school seriously disruptive of the educational process and/or a danger to persons or property.

IV. Discretionary and Mandatory Expulsions

- A. A principal may consider recommendation of expulsion of a student in a case where he/she has reason to believe the student has engaged in conduct described at sections II.A. and II.B., above.
- B. A principal must recommend expulsion proceedings in all cases against any student whom the administration has reason to believe:
  1. was in possession on school grounds or at a school-sponsored activity of a deadly weapon, dangerous instrument, martial arts weapon, or firearm as defined in 18 U.S.C. § 921 as amended from time to time; or
  2. off school grounds, possessed a firearm as defined in 18 U.S.C. § 921, in violation of Conn. Gen. Stat. § 29-35, or possessed and used a firearm as defined in 18 U.S.C. § 921, a deadly weapon, a dangerous instrument or a martial arts weapon in the commission of a crime under chapter 952 of the Connecticut General Statutes; or
  3. was engaged on or off school grounds in offering for sale or distribution a controlled substance (as defined in Conn. Gen. Stat. § 21a-240(9)), whose manufacturing, distribution, sale, prescription, dispensing, transporting, or possessing with intent to



sell or dispense, offering or administering is subject to criminal penalties under Conn. Gen. Stat. §§21a-277 and 21a-278.

The terms “dangerous instrument,” “deadly weapon,” “electronic defense weapon,” “firearm,” and “martial arts weapon,” are defined above in Section I.

- C. Upon receipt of an expulsion recommendation, the Superintendent may conduct an inquiry concerning the expulsion recommendation.

If the Superintendent or his/her designee determines that a student should or must be expelled, he or she shall forward his/her recommendation to the Board of Education so that the Board can consider and act upon this recommendation.

- D. In keeping with Conn. Gen. Stat. § 10-233d and the Gun-Free Schools Act, it shall be the policy of the Board to expel a student for one (1) full calendar year for: the conduct described in Section IV(B)(1), (2) and (3) of this policy. For any mandatory expulsion offense, the Board may modify the term of expulsion on a case-by-case basis.

V. Procedures Governing Removal from Class

- A. A student may be removed from class by a teacher or administrator if he/she deliberately causes a serious disruption of the educational process. When a student is removed, the teacher must send him/her to a designated area and notify the principal or his/her designee at once.
- B. A student may not be removed from class more than six (6) times in one school year nor more than twice in one week unless the student is referred to the building principal or designee and granted an informal hearing at which the student should be informed of the reasons for the disciplinary action and given an opportunity to explain the situation.
- C. The parents or guardian of any minor student removed from class shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of such removal from class.

VI. Procedures Governing Suspension

- A. The principal of a school, or designee on the administrative staff of the school, shall have the right to suspend any student for breach of conduct as noted in Section II of this policy for not more than ten (10) consecutive school days. In cases where suspension is contemplated, the following procedures shall be followed.
1. Unless an emergency situation exists, no student shall be suspended prior to having an informal hearing before the principal or designee at which the student is informed of the charges and given an opportunity to respond. In the event of an emergency, the informal hearing shall be held as soon after the suspension as possible.
  2. If suspended, such suspension shall be an in-school suspension unless, during the informal hearing, the principal or designee determines that the student: (a) poses such a danger to persons or property or such a disruption of the educational process that he or she should be excluded from school during the period of suspension; or (b) the administration determines that an out-of-school suspension is appropriate based on evidence of (i) the student's previous disciplinary problems that have led to suspensions or expulsion of such student, and (ii) previous efforts by the administration to address the student's disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies.
  3. Evidence of past disciplinary problems that have led to removal from a classroom, suspension, or expulsion of a student who is the subject of an informal hearing may be received by the principal or designee, but only considered in the determination of the length of suspensions.
  4. By telephone, the principal or designee shall make reasonable attempts to immediately notify the parent or guardian of a minor student following the suspension and to state the cause(s) leading to the suspension.

5. Whether or not telephone contact is made with the parent or guardian of such minor student, the principal or designee shall forward a letter promptly to such parent or guardian to the last address reported on school records (or to a newer address if known by the principal or designee), offering the parent or guardian an opportunity for a conference to discuss same.
6. In all cases, the parent or guardian of any minor student who has been suspended shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the suspension.
7. Not later than twenty-four (24) hours after the commencement of the suspension, the principal or designee shall also notify the Superintendent or his/her designee of the name of the student being suspended and the reason for the suspension.
8. The student shall be allowed to complete any classwork, including examinations, without penalty, which he or she missed while under suspension.
9. The school administration may, in its discretion, shorten or waive the suspension period for a student who has not previously been suspended or expelled, if the student completes an administration-specified program and meets any other conditions required by the administration. Such administration-specified program shall not require the student and/or the student's parents to pay for participation in the program.
10. Notice of the suspension shall be recorded in the student's cumulative educational record. Such notice shall be expunged from the cumulative educational record if the student graduates from high school. In cases where the student's period of suspension is shortened or waived in accordance with Section VI.A(9), above, the administration may choose to expunge the suspension notice from the cumulative record at the time the student completes the administration-specified program and meets any other conditions required by the administration.

11. If the student has not previously been suspended or expelled, and the administration chooses to expunge the suspension notice from the student's cumulative record prior to graduation, the administration may refer to the existence of the expunged disciplinary notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent suspensions or expulsions by the student would constitute the student's first such offense.
  12. The decision of the principal or designee with regard to disciplinary actions up to and including suspensions shall be final.
  13. During any period of suspension served out of school, the student shall not be permitted to be on school property and shall not be permitted to attend or participate in any school-sponsored activities, unless the principal specifically authorizes the student to enter school property for a specified purpose or to participate in a particular school-sponsored activity.
- B. In cases where a student's suspension will result in the student being suspended more than ten (10) times or for a total of fifty (50) days in a school year, whichever results in fewer days of exclusion, the student shall, prior to the pending suspension, be granted a formal hearing before the Board of Education. The principal or designee shall report the student to the Superintendent or designee and request a formal Board hearing. If an emergency situation exists, such hearing shall be held as soon after the suspension as possible.

VII. Procedures Governing In-School Suspension

- A. The principal or designee may impose in-school suspension in cases where a student's conduct endangers persons or property, violates school policy, seriously disrupts the educational process or in other appropriate circumstances as determined by the principal or designee.
- B. In-school suspension may not be imposed on a student without an informal hearing by the building principal or designee.

- C. In-school suspension may be served in the school that the student regularly attends or in any other school building within the jurisdiction of the Board.
- D. No student shall be placed on in-school suspension more than fifteen (15) times or for a total of fifty (50) days in one school year, whichever results in fewer days of exclusion.
- E. The parents or guardian of any minor student placed on in-school suspension shall be given notice of such suspension within twenty-four (24) hours of the time of the institution of the period of the in-school suspension.

VIII. Procedures Governing Expulsion Hearing

A. Emergency Exception:

Except in an emergency situation, the Board of Education shall, prior to expelling any student, conduct a hearing to be governed by the procedures outlined herein and consistent with the requirements of Conn. Gen. Stat. § 10-233d and the applicable provisions of the Uniform Administrative Procedures Act, Conn. Gen. Stat. §§ 4-176e to 4-180a, and § 4-181a. Whenever an emergency exists, the hearing provided for herein shall be held as soon as possible after the expulsion.

B. Hearing Panel:

- 1. Expulsion hearings conducted by the Board will be heard by any three or more Board members. A decision to expel a student must be supported by a majority of the Board members present, provided that no less than three (3) affirmative votes to expel are cast.
- 2. Alternatively, the Board may appoint an impartial hearing board composed of one (1) or more persons to hear and decide the expulsion matter, provided that no member of the Board may serve on such panel.

C. Hearing Notice:

- 1. Written notice of the expulsion hearing must be given to the student, and, if the student is a minor, to his/her

parent(s) or guardian(s) within a reasonable time prior to the time of the hearing.

2. A copy of this Board policy on student discipline shall also be given to the student, and if the student is a minor, to his/her parent(s) or guardian(s), at the time the notice is sent that an expulsion hearing will be convened.
3. The written notice of the expulsion hearing shall inform the student of the following:
  - a. The date, time, place and nature of the hearing.
  - b. The legal authority and jurisdiction under which the hearing is to be held, including a reference to the particular sections of the legal statutes involved.
  - c. A short, plain description of the conduct alleged by the administration.
  - d. The student may present as evidence relevant testimony and documents concerning the conduct alleged and the appropriate length and conditions of expulsion; and that the expulsion hearing may be the student's sole opportunity to present such evidence.
  - e. The student may cross-examine witnesses called by the Administration.
  - f. The student may be represented by any third party of his/her choice, including an attorney, at his/her expense or at the expense of his/her parents.
  - g. A student is entitled to the services of a translator or interpreter, to be provided by the Board of Education, whenever the student or his/her parent(s) or guardian(s) requires the services of an interpreter

because he/she/they do(es) not speak the English language or is(are) disabled.

- h. The conditions under which the Board is not legally required to give the student an alternative educational opportunity (if applicable).
- i. Information about free or reduced-rate legal services and how to access such services.

D. Hearing Procedures:

1. The hearing will be conducted by the Presiding Officer, who will call the meeting to order, introduce the parties, Board members and counsel, briefly explain the hearing procedures, and swear in any witnesses called by the Administration or the student.
2. The hearing will be conducted in executive session. A verbatim record of the hearing will be made, either by tape recording or by a stenographer. A record of the hearing will be maintained, including the verbatim record, all written notices and documents relating to the case and all evidence received or considered at hearing.
3. Formal rules of evidence will not be followed. The Board has the right to accept hearsay and other evidence if it deems that evidence relevant or material to its determination. The Presiding Officer will rule on testimony or evidence as to it being immaterial or irrelevant.
4. The hearing will be conducted in two (2) parts. In the first part of the hearing, the Board will receive and consider evidence regarding the conduct alleged by the Administration.
5. In the first part of the hearing, the charges will be introduced into the record by the Superintendent or his/her designee.

6. Each witness for the Administration will be called and sworn. After a witness has finished testifying, he/she will be subject to cross-examination by the opposite party or his/her legal counsel, by the Presiding Officer and by Board members.
7. After the Administration has presented its case, the student will be asked if he/she has any witnesses or evidence to present concerning the charges. If so, the witnesses will be sworn, will testify, and will be subject to cross examination and to questioning by the Presiding Officer and/or by the Board. The student may also choose to make a statement at this time. If the student chooses to make a statement, he or she will be sworn and subject to cross examination and questioning by the Presiding Officer and/or by the Board. Concluding statements will be made by the Administration and then by the student and/or his or her representative.
8. In cases where the student has denied the allegation, the Board must determine whether the student committed the offense(s) as charged by the Superintendent.
9. If the Board determines that the student has committed the conduct as alleged, then the Board shall proceed with the second portion of the hearing, during which the Board will receive and consider relevant evidence regarding the length and conditions of expulsion.
10. When considering the length and conditions of expulsion, the Board may review the student's attendance, academic and past disciplinary records. The Board may not review notices of prior expulsions or suspensions which have been expunged from the student's cumulative record, except as so provided in Section VI.A (9), (10), (11), above, and Section X, below. The Board may ask the Superintendent for a recommendation as to the discipline to be imposed.
11. Evidence of past disciplinary problems which have led to removal from a classroom, suspension or expulsion of a student being considered for expulsion



may be considered only during the second portion of the hearing, during which the Board is considering length of expulsion and nature of alternative educational opportunity to be offered.

12. Where administrators presented the case in support of the charges against the student, such administrative staff shall not be present during the deliberations of the Board either on questions of evidence or on the final discipline to be imposed. The Superintendent may, after reviewing the incident with administrators, and reviewing the student's records, make a recommendation to the Board as to the appropriate discipline to be applied.
13. The Board shall make findings as to the truth of the charges, if the student has denied them; and, in all cases, the disciplinary action, if any, to be imposed. While the hearing itself is conducted in executive session, the vote regarding expulsion must be made in open session and in a manner that preserves the confidentiality of the student's name and other personally identifiable information.
14. Except for a student who has been expelled based on possession of a firearm or deadly weapon as described in subsection IV.B(1) and (2) above, the Board may, in its discretion, shorten or waive the expulsion period for a student who has not previously been suspended or expelled, if the student completes a Board-specified program and meets any other conditions required by the Board. The Board-specified program shall not require the student and/or the student's parents to pay for participation in the program.
15. The Board shall report its final decision in writing to the student, or if such student is a minor, also to the parent(s) or guardian(s), stating the reasons on which the decision is based, and the disciplinary action to be imposed. Said decision shall be based solely on evidence presented at the hearing. The parents or guardian or any minor student who has been expelled shall be given notice of such disciplinary action within twenty-four (24) hours of the time of the institution of the period of the expulsion.

E. Presence on School Grounds and Participation in School-Sponsored Activities during Expulsion:

During the period of expulsion, the student shall not be permitted to be on school property and shall not be permitted to attend or participate in any school-sponsored activities, except for the student's participation in any alternative educational program provided by the district in accordance with this policy, unless the Superintendent specifically authorizes the student to enter school property for a specified purpose or to participate in a particular school-sponsored activity.

F. Stipulated Agreements:

In lieu of the procedures used in this section, the Administration and the parents (or legal guardians) of a student facing expulsion may choose to enter into a Joint Stipulation of the Facts and a Joint Recommendation to the Board concerning the length and conditions of expulsion. Such Joint Stipulation and Recommendation shall include language indicating that the parents (or legal guardians) understand their right to have an expulsion hearing held pursuant to these procedures, and language indicating that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts and Recommendation. If the Board rejects either the Joint Stipulation of Facts or the Recommendation, an expulsion hearing shall be held pursuant to the procedures outlined herein. If the Student is eighteen years of age or older, the student shall have the authority to enter into a Joint Stipulation and Recommendation on his or her own behalf.

If the parties agree on the facts, but not on the disciplinary recommendation, the Administration and the parents (or legal guardians) of a student facing expulsion may also choose to enter into a Joint Stipulation of the Facts and submit only the Stipulation of the Facts to the Board in lieu of holding the first part of the hearing, as described above. Such Joint Stipulation shall include language indicating that the parents understand their right to have a hearing to determine whether the student engaged in the alleged misconduct and that the Board, in its discretion, has the right to accept or reject the Joint Stipulation of Facts. If the Board rejects the Joint Stipulation of Facts, a

full expulsion hearing shall be held pursuant to the procedures outlined herein.

IX. Alternative Educational Opportunities for Expelled Students

A. *Students under sixteen (16) years of age:*

Whenever the Board of Education expels a student under sixteen (16) years of age, it shall offer any such student an alternative educational opportunity.

B. *Students sixteen (16) to eighteen (18) years of age:*

1. The Board of Education shall provide an alternative educational opportunity to a sixteen (16) to eighteen (18) year old student expelled for the first time if he/she requests it and if he/she agrees to the conditions set by the Board of Education. Such alternative educational opportunity may include, but shall not be limited to, the placement of a pupil who is at least sixteen years of age in an adult education program. Any pupil participating in an adult education program during a period of expulsion shall not be required to withdraw from school as a condition to his/her participation in the adult education program.

2. The Board of Education is not required to offer an alternative educational opportunity to any student between the ages of sixteen (16) and eighteen (18) who is expelled for the second time, or if it is determined at the hearing that (1) the student possessed a dangerous instrument, deadly weapon, firearm or martial arts weapon on school property or at a school-sponsored activity, or (2) the student offered a controlled substance for sale or distribution on school property or at a school-sponsored activity.

3. The Board of Education shall count the expulsion of a pupil when he/she was under

sixteen years of age for purposes of determining whether an alternative educational opportunity is required for such pupil when he/she is between the ages of sixteen and eighteen.

C. *Students eighteen (18) years of age or older:*

The Board of Education is not required to offer an alternative educational opportunity to expelled students eighteen (18) years of age or older.

D. *Students identified as eligible for services under the Individuals with Disabilities Education Act ("IDEA"):*

Notwithstanding Sections IX.A. through C. above, if the Board of Education expels a student who has been identified as eligible for services under the Individuals with Disabilities Education Act ("IDEA"), it shall offer an alternative educational opportunity to such student in accordance with the requirements of IDEA, as it may be amended from time to time.

E. *Students for whom an alternative educational opportunity is not required:*

The Board of Education may offer an alternative educational opportunity to a pupil for whom such alternative educational opportunity is not required as described in this policy.

X. Notice of Student Expulsion on Cumulative Record

Notice of expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice, except for notice of an expulsion of a student in grades nine through twelve, inclusive, based upon possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record by the Board if the student graduates from high school.

In cases where the student's period of expulsion is shortened or waived in accordance with Section VIII.D(14), above, the Board may choose to expunge the expulsion notice from the cumulative record at the time the student completes the Board-specified program and meets any other conditions required by the Board.

If a student's period of expulsion was not shortened or waived, the Board may choose to expunge the expulsion notice from the student's cumulative record prior to graduation if such student has demonstrated to the Board that the student's conduct and behavior in the years following such expulsion warrants an expungement. In deciding whether to expunge the expulsion notice, the Board may receive and consider evidence of any subsequent disciplinary problems that have led to removal from a classroom, suspension or expulsion of the student.

If the student has not previously been suspended or expelled, and the administration chooses to expunge the expulsion notice from the student's cumulative record prior to graduation, the administration may refer to the existence of the expunged notice, notwithstanding the fact that such notice may have been expunged from the student's cumulative file, for the limited purpose of determining whether any subsequent suspension or expulsion by the student would constitute the student's first such offense.

XI. Change of Residence During Expulsion Proceedings

A. *Student moving into the school district:*

1. If a student enrolls in the district while an expulsion hearing is pending in another district, such student shall not be excluded from school pending completion of the expulsion hearing unless an emergency exists, as defined above. The Board shall retain the authority to suspend the student or to conduct its own expulsion hearing.
2. Where a student enrolls in the district during the period of expulsion from another public school district, the Board may adopt the decision of the student expulsion hearing conducted by such other school district. The student shall be excluded from school pending such hearing. The excluded student shall be offered an alternative educational opportunity in accordance with statutory requirements. The Board shall make its determination based upon a hearing held by the Board, which hearing shall be limited to a determination of whether the conduct which was the basis of the previous public school district's

expulsion would also warrant expulsion by the Board.

B. *Student moving out of the school district:*

Where a student withdraws from school after having been notified that an expulsion hearing is pending, but before a decision has been rendered by the Board, the notice of the pending expulsion hearing shall be included on the student's cumulative record and the Board shall complete the expulsion hearing and render a decision. If the Board subsequently renders a decision to expel the student, a notice of the expulsion shall be included on the student's cumulative record.

XII. Procedures Governing Suspension and Expulsion of Students Identified as Eligible for Services under the Individuals with Disabilities Education Act ("IDEA")

A. *Suspension of IDEA students:*

Notwithstanding the foregoing, if the Administration suspends a student identified as eligible for services under the IDEA (an "IDEA student") who has violated any rule or code of conduct of the school district that applies to all students, the following procedures shall apply:

1. The administration shall make reasonable attempts to immediately notify the parents of the student of the decision to suspend on the date on which the decision to suspend was made, and a copy of the special education procedural safeguards must either be hand-delivered or sent by mail to the parents on the date that the decision to suspend was made.
2. During the period of suspension, the school district is not required to provide any educational services to the IDEA student beyond that which is provided to all students suspended by the school district.

B. *Expulsion and Suspensions that Constitute Changes in Placement for IDEA students:*

Notwithstanding any provision to the contrary, if the administration recommends for expulsion an IDEA student who has violated any rule or code of conduct of the school district that applies to all students, the procedures described in

this section shall apply. The procedures described in this section shall also apply for students whom the administration has suspended in a manner that is considered under the IDEA, as it may be amended from time to time, to be a change in placement:

1. The parents of the student must be notified of the decision to recommend for expulsion (or to suspend if a change in placement) on the date on which the decision to suspend was made, and a copy of the special education procedural safeguards must either be hand-delivered or sent by mail to the parents on the date that the decision to recommend for expulsion (or to suspend if a change in placement) was made.
2. The school district shall immediately convene the student's planning and placement team ("PPT"), but in no case later than ten (10) school days after the recommendation for expulsion or the suspension that constitutes a change in placement was made. The student's PPT shall consider the relationship between the student's disability and the behavior that led to the recommendation for expulsion or the suspension which constitutes a change in placement, in order to determine whether the student's behavior was a manifestation of his/her disability.
3. If the student's PPT finds that the behavior was a manifestation of the student's disability, the Administration shall not proceed with the recommendation for expulsion or the suspension that constitutes a change in placement.
4. If the student's PPT finds that the behavior was not a manifestation of the student's disability, the Administration may proceed with the recommended expulsion or suspension that constitutes a change in placement.

- 5 During any period of expulsion, or suspension of greater than ten (10) days per school year, the Administration shall provide the student with an alternative education program in accordance with the provisions of the IDEA.
- 6 When determining whether to recommend an expulsion or a suspension that constitutes a change in placement, the building administrator (or his or her designee) should consider the nature of the misconduct and any relevant educational records of the student.

C. *Transfer of IDEA students for Certain Offenses:*

School personnel may transfer an IDEA student to an appropriate interim alternative educational setting for not more than forty-five (45) school days if the student:

1. Was in possession of a dangerous weapon, as defined in 18 U.S.C. 930(g)(2), as amended from time to time, on school grounds or at a school-sponsored activity, or
2. Knowingly possessed or used illegal drugs or sold or solicited the sale of a controlled substance while at school or at a school-sponsored activity; or
3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.

The following definitions shall be used for this subsection XII.C.:

1. **Dangerous weapon** means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2.5 inches in length.



2. **Controlled substance** means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act, 21 U.S.C. 812(c).
3. **Illegal drug** means a controlled substance but does not include a substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.
4. **Serious bodily injury** means a bodily injury which involves: (A) a substantial risk of death; (B) extreme physical pain; (C) protracted and obvious disfigurement; or (D) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

XIII. Procedures Governing Expulsions for Students Identified as Eligible under Section 504 of the Rehabilitation Act of 1973 (“Section 504”)

Notwithstanding any provision to the contrary, if the Administration recommends for expulsion a student identified as eligible for educational accommodations under Section 504 who has violated any rule or code of conduct of the school district that applies to all students, the following procedures shall apply:

1. The parents of the student must be notified of the decision to recommend the student for expulsion.
2. The district shall immediately convene the student’s Section 504 team (“504 team”) for the purpose of reviewing the relationship between the student’s disability and the behavior that led to the recommendation for expulsion. The 504 team will determine whether the student’s behavior was a manifestation of his/her disability.
3. If the 504 team finds that the behavior was a manifestation of the student’s disability, the Administration shall not proceed with the recommended expulsion.

4. If the 504 team finds that the behavior was not a manifestation of the student's disability, the Administration may proceed with the recommended expulsion.

XIV. Procedures Governing Expulsions for Students Committed to a Juvenile Detention Center

- A. 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 Board in accordance with the provisions of this section. 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.
- B. If a student who committed an expellable offense seeks to return to a school district after having been in a juvenile detention center, the Connecticut Juvenile Training School or any other residential placement and such student has not been expelled by the board of education for such offense under subdivision (A) of this subsection, the Board shall allow such student to return and may not expel the student for additional time for such offense.

XV. Early Readmission to School

An expelled student may apply for early readmission to school. The Board delegates the authority to make decisions on readmission requests to the Superintendent. Students desiring readmission to school shall direct such readmission requests to the Superintendent. The Superintendent has the discretion to approve or deny such readmission requests, and may condition readmission on specified criteria.

XVI. Dissemination of Policy

The Board of Education shall, at the beginning of each school year and at such other times as it may deem appropriate, provide for an effective means of informing all students, parent(s) and/or guardian(s) of this policy.

XVII. Compliance with Documentation and Reporting Requirements

- A. The Board of Education shall include on all disciplinary reports the individual student's state-assigned student identifier (SASID).

- B. The Board of Education shall report all suspensions and expulsions to the State Department of Education.
- C. If the Board of Education expels a student for sale or distribution of a controlled substance, the Board shall refer such student to an appropriate state or local agency for rehabilitation, intervention or job training and inform the agency of its action.
- D. If the Board of Education expels a student for possession of a deadly weapon or firearm, as defined in Conn. Gen. Stat. § 53a-3, the violation shall be reported to the local police.

Legal References:

Connecticut General Statutes:

§§ 4-176e	through 4-180a and § 4-181a Uniform Administrative Procedures Act)
§§ 10-233a	through 10-233e Suspension and expulsion of students.
§ 10-233f	In-school suspension of students.
§ 21a-408a	through 408p Palliative Use of Marijuana
§29-38	Weapons in vehicles
§ 53a-3	Definitions
§ 53a-206	(definition of “weapon”)

Public Act 14-76, "An Act Concerning the Governor's Recommendations Regarding Electronic Nicotine Delivery Systems and Youth Smoking Prevention"  
 Public Act 14-229, "An Act Concerning The Expungement of a Pupil's Cumulative Education Record for Certain Expulsions"  
 Public Act 14-234, "An Act Concerning Domestic Violence and Sexual Assault"

Packer v. Board of Educ. of the Town of Thomaston, 246 Conn. 89 (1998)  
State v. Hardy, 896 A.2d 755, 278 Conn. 113 (2006).  
State v. Guzman, 955 A.2d 72, 2008 Conn. App. LEXIS 445 (Sept. 16, 2008).

Federal law:

Honig v. Doe, 484 U.S. 305 (1988)  
 Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., as amended by the Individuals with Disabilities Education Improvement Act of 2004, Pub. L. 108-446.

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794(a).  
18 U.S.C. § 921 (definition of “firearm”)  
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”)  
34 C.F.R. § 300.530 (defining “illegal drugs”)  
Gun-Free Schools Act, Pub. L. 107-110, Sec. 401, 115 Stat. 1762 (codified at 20 U.S.C. § 7151)

Approved: December 6, 1994  
Amended: September 5, 1995  
Amended: February 24, 1997  
Amended: October 21, 1997  
Amended: January 5, 1998  
Amended: January 5, 1999  
Amended: June 6, 2000  
Amended: March 4, 2003  
Amended: February 17, 2004  
Amended: November 17, 2009  
Amended: April 28, 2015



**BOARD *of* EDUCATION ADMINISTRATIVE OFFICES**  
**22 Liberty Street**  
**Meriden, CT 06450**

[www.meridenk12.org](http://www.meridenk12.org)