

Students

Discipline

I. Policy Statement

The CREC Council believes that good student behavior in a school is extremely important in creating the kind of educational environment in which students will be able to realize their greatest opportunities for growth. Good discipline habits assume consideration for the rights and privileges of others, cooperation with all personnel in the school community, basic self-respect as well as respect for real and personal property, pride in one's work and achievement within one's ability.

The development of good discipline practices is an on-going interactive process that begins early in a child's life and continues throughout his/her life. The school/program becomes a critical part of this process because it has the responsibility to teach and guide students to achieve good self-discipline. Each school/program will develop expectations that affirm positive behavioral outcomes for students and align practices around these expectations. Each school/program will engage the parents/guardians and community members in the development of these practices. School and home must work together in an effort to help and guide children toward achieving good self-discipline.

Students will be taught behavioral expectations as part of the school curriculum in all grades and all CREC schools and programs will have a scientifically research-based model of positive behavioral supports.

The purpose of this Discipline Policy is to encourage accountability for students' behavior and to assist them to recognize and learn proper decisions so they can become independent and productive members of our democratic society.

In applying reasonable disciplinary measures, administrators and staff are encouraged to use their expertise and knowledge of individual students in light of the facts and circumstances accompanying acts or incidents in question. Such measures may involve, but are not limited to, removal, suspension, or recommendation for expulsion. Whatever measure is employed, the discipline must always be fair and dignified.

II. Scope of this Policy

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 and/or violates a publicized CREC policy.

Conduct off School Grounds

Students may be disciplined for conduct off school grounds if such conduct is seriously disruptive of the educational process and violative of a publicized CREC policy. In making a determination as to whether such conduct is seriously disruptive of the educational process, the Administration and the Council 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 Council may also consider whether such off-campus conduct involved the illegal use of drugs.

III. Expulsion

Expulsion - means an exclusion from school privileges 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 such exclusion shall not extend beyond a period of one (1) calendar year. All expulsions will be referred to the home school district.

A. The CREC Superintendent of Schools or designee shall recommend expulsion proceedings to sending districts in all cases involving any of the following students:

1) a preschool student who was in possession of a firearm, as defined in 18 USC 921, on or off school grounds or at a preschool program-sponsored event; or

2) a student in grades Kindergarten to twelve on school grounds or at a school-sponsored activity who, (a) was in possession of a firearm, as defined in 18 USC 921, or deadly weapon, dangerous instrument or martial arts weapon, as defined in C.G.S 53a-3; or (b) off school grounds, possessed a firearm or possessed and used such a firearm, instrument or weapon in the commission of a crime; or (c) on or off school grounds, offered for sale or distribution a controlled substance, as defined in 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. 21a-277 and 21a-278.

B. The CREC Superintendent of Schools or designee may recommend expulsion proceedings to sending districts in all cases involving any of the following students:

1) a student in grades three to twelve, on school grounds or at a school-sponsored activity whose conduct is violative of a publicized school policy and either endangers persons or property; or is seriously disruptive of the educational process; or off school grounds has engaged in conduct that is seriously disruptive of the educational process and is violative of a publicized school policy

The CREC Superintendent of Schools shall forward the recommendation to the sending LEA, if determined to be necessary and appropriate.

If the sending LEA declines to conduct an expulsion hearing per the CREC Superintendent of Schools recommendation, CREC shall do so, in accordance with C.G.S. 10-233d.

CREC's Executive Director or designee shall create administrative regulations regarding student discipline in accordance with this policy.

Legal Reference: Connecticut General Statutes

4-177-4-180. Contested cases. Notice. Record.

10-233a-10-233e. Suspension and expulsion of students.

10-233f. In-School suspension of pupils.

10-221o Lunch periods. Recess

10-221u. Boards to adopt policies addressing the use of physical activity as discipline

Honig v. Doe. 484 U.S. 305 (1988)

P.A. 22-47, An Act Concerning Children's Mental Health

P.A. 24-45, An Act Concerning Education Mandate Relief, School Discipline, and Disconnected Youth

P.A. 24-93, An Act Concerning Various and Assorted Revisions to the Education Statutes

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CAPITOL REGION EDUCATION COUNCIL
 Hartford, Connecticut

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All disciplinary incidents, including removal from the classroom for over 90 minutes, are to be properly entered into the State-approved reporting system.

Article I - Disciplinary Procedures - Overview

All students have the right to learn in safe and orderly environments in which teaching and learning can take place within a climate of mutual respect, without disruptive behavior by any student infringing upon the rights of others.

Student discipline includes a continuum of incremental interventions, supports, and consequences that are clear and developmentally appropriate; and include learning opportunities for students to reinforce positive behaviors and help them make good choices. Such continuum may include restorative practices, including but not limited to:

- Discussion with a teacher, member of the support staff, or school administration
- Parental contact and involvement in applying an appropriate remedy
- Reflection sheet
- Peer mediation
- Conflict resolution
- Individual or group counseling
- Referral to community-based organizations
- Mentoring
- Restitution for damaged or stolen property
- Community service
- Loss of privilege to participate in specified school activities
- Detention
- Attendance/performance/behavior contracts

When inappropriate behavior occurs, disciplinary measures should be applied within a framework that shifts the focus from one that is solely punitive to one that is both corrective and supportive, but at the same time recognizes that there are circumstances under which suspension or expulsion may be the required response.

Unless an emergency situation requiring immediate exclusion exists, no student shall be excluded or restricted from participating in the entire time devoted to physical exercise in the regular school day as a form of discipline or punishment, except:

- 1) when the student poses a danger to the health or safety of other students or staff; or

- 2) during the shortest period devoted to physical exercise if there are two or more such periods in the school day and the student is still able to participate in at least twenty minutes of physical exercise during the regular school day, and only once during the school week.

Such discipline or punishment may be imposed before and/or during the period of physical exercise, and appropriate interventions to redirect the student's behavior shall be used during the time of exclusion or restriction.

No student shall be excluded or restricted from participating in the entire time devoted to physical exercise in the regular school day as a form of discipline or punishment for not completing work on time or for academic performance.

No student shall be required to engage in physical activity as a form of discipline or punishment.

A school principal/program director or designee shall notify the parent or guardian of a student whose behavior has caused a serious disruption to the instruction of other students, caused self-harm or caused physical harm to a teacher, another student or other school employee not later than twenty-four hours after such behavior occurs. Such notice shall include, but not be limited to, informing such parent or guardian that the teacher of record in the classroom in which such behavior occurred may request a behavior intervention meeting with the crisis intervention team of the school/program.

A classroom teacher may request a behavior intervention meeting with the crisis intervention team of the school/program for any student whose behavior has caused a serious disruption to the instruction of other students; or caused self-harm or physical harm to the teacher or another student or staff member in the classroom. Upon the teacher's request, and upon notifying the student's parent or guardian, the crisis intervention team shall convene a behavior intervention meeting for the student and shall identify resources and supports to address the student's social, emotional, and instructional needs. The crisis intervention team shall solicit the classroom teacher's input and shall keep the teacher informed of the results of such meeting and/or the resources and supports identified. Not later than seven days after the behavior intervention meeting, the crisis intervention team shall submit to the parent or guardian of such student, in the dominant language of such parent or guardian, a written summary of such meeting, including, but not limited to, the resources and supports identified.

Article II - Removal

Removal - means an exclusion from a classroom for all or part of a single class period, provided such exclusion does not extend beyond ninety minutes.

- 2.1 The Council authorizes teachers, with the approval of the school principal or designee, to remove a student from class when such student deliberately causes a serious disruption of the educational process within the classroom.

- 2.2 Whenever any teacher removes a student from the classroom, the teacher shall send the student to an area designated by the school principal or designee. The teacher should also advise the school principal or designee of the name of the student against whom such disciplinary action was taken and the reason therefor.
- 2.3 Each school or program shall maintain an individual student log of disciplinary action. If removal from a classroom does not result in the disposition of the disciplinary case within ninety minutes, the school principal/ program director or designee must consider the case an in-school suspension or out-of-school suspension and follow the procedures set forth in Articles III or IV, whichever is applicable.
- 2.4 Any student who is removed from class shall be given an opportunity to complete any class work including, but not limited to, examinations, that such student missed during the period of the removal. In addition, a processing procedure with the student will occur, in order to identify the harm done to the victim(s) and/or community and to establish a method of restitution.

Article III - In-School Suspension

In-School Suspension - means an exclusion from regular classroom activities for no more than five (5) consecutive school days. In-school suspension does not involve exclusion from school. An in-school suspension shall not extend beyond the end of the school year in which the in-school suspension was imposed.

Except as provided in Article IV, below, all suspensions of students shall be in-school suspensions.

3.1 During an In-School Suspension:

- a. The student must report on time to the in-school suspension room. Students who do not complete their assignments during their in-school suspension will be given additional time of in-school suspension up to an aggregate of five (5) consecutive school days.
- b. Special assignments must be completed by the student and returned to the assistant principal's office, or the school principal's designee.
- c. Except for lunch, no student is allowed to leave the in-school suspension room unless either an emergency exists or the student is granted permission by the teacher in charge of in-school suspension.
- d. Uncooperative students are to be reported to the office immediately.
- e. Additional classroom work may be assigned by the teacher in charge of in-school suspension when appropriate.

- 3.2 Students not complying with the in-school suspension rules may be suspended out-of-school after an informal hearing with the school principal or designee, as set forth in Article V.

Article IV – Out-of-School Suspension

Out-of-School Suspension - means exclusion from school privileges or from transportation services only, provided such exclusion shall not extend beyond the end of the school year in which the suspension was imposed. For purposes of reporting, partial day removals are to be included when determining the number of days a student has been suspended.

- 4.1 A student in grades preschool to two may be given an out-of-school suspension if, during the hearing held pursuant to Article V, below, the administration: (a) determines that such suspension is appropriate based on evidence that the student's conduct on school grounds is behavior that causes physical harm; (b) requires that such student receives services that are trauma-informed and developmentally appropriate, and align with any behavioral intervention plan, individualized education program or Section 504 plan, for such student upon such student's return to school immediately following the out-of-school suspension; and (c) considers whether to convene a planning and placement team meeting for the purposes of conducting an evaluation to determine whether such student may require special education or related services. Such out-of-school suspension shall not exceed five (5) school days.

A student in grades three to twelve may be given an out-of-school suspension if, during the hearing held pursuant to Article V, below, it is determined that a) the student poses such a danger to persons or property or such a disruption of the educational process that (s)he shall 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) previous disciplinary problems that have led to suspension or expulsion, and (ii) efforts to address such disciplinary problems through means other than out-of-school suspension or expulsion, including positive behavioral support strategies. Such out-of-school suspension shall not exceed ten (10) school days.

- 4.2 Unless an emergency situation requiring the student's immediate exclusion exists, the school principal or designee shall observe the procedures set forth in Articles V and VI in all actions which may lead to out-of-school suspension. In the event of an emergency, the procedures must be initiated as soon after the cessation of the emergency as possible, but no later than seventy-two (72) hours after the exclusion.

Article V - Informal Hearing Process

The following procedures shall be followed in the event that the school determines an out-of-school suspension may be warranted:

- 5.1 Prior to an out-of-school suspension, the student shall be informed of the charges which have been posed.
- 5.2 The student shall meet with the school principal or designee to review the incident.
- 5.3 The student shall be granted an opportunity to refute the charges against him/her.
- 5.4 Based on the information provided, the school principal or designee shall make a decision. The school principal or designee, if he/she deems it necessary, shall investigate the matter further, and, upon completion of the investigation, shall make a decision.
- 5.5 The school principal or designee shall inform the student and his/her parent or guardian of the disciplinary action imposed within a reasonable period of time.

Article VI - General Procedure Governing In-School Suspensions and Out-of-School Suspensions

After an in-school suspension or out-of-school suspension, the following procedure shall be followed:

- 6.1 The school principal or designee shall make every effort to immediately notify the parents and/or guardians at the last phone number(s) provided by them to the school about the student's action and state the cause(s) leading to the school action.
- 6.2 Whether or not telephone contact is made with the parents or guardians, the school principal or designee shall notify the parents or guardians in writing at the most recent address reported on school records within one school day of the action and shall offer them an opportunity for a conference to discuss the matter.
- 6.3 If a student is eighteen years of age or older, any notice required by this regulation shall also be given to the student.
- 6.4 Any student who is given an in-school suspension or an out-of-school suspension shall be given an opportunity to complete any class work, including, but not limited to, examinations, which such student missed during the period of suspension.

Article VII - Expulsion

Expulsion - means an exclusion from school privileges 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 the student was assigned at the time the disciplinary action was taken, provided such exclusion shall not extend beyond a period of one (1) calendar year. All expulsions are handled by the home school district.

7.1 The CREC Superintendent of Schools or designee shall recommend expulsion proceedings to sending districts in all cases involving any of the following students:

- 1) a preschool student was in possession of a firearm, as defined in 18 USC 921, on or off school grounds or at a preschool program-sponsored event; or
- 2) a student in grades Kindergarten to twelve on school grounds or at a school-sponsored activity, (a) was in possession of a firearm, as defined in 18 USC 921, or deadly weapon, dangerous instrument or martial arts weapon, as defined in C.G.S 53a-3; or (b) off school grounds, possessed a firearm or possessed and used such a firearm, instrument or weapon in the commission of a crime; or (c) on or off school grounds, offered for sale or distribution a controlled substance, as defined in 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. 21a-277 and 21a-278.

The CREC Superintendent of Schools or designee may recommend expulsion proceedings to sending districts in all cases involving any of the following students:

- 1) a student in grades three to twelve, on school grounds or at a school-sponsored activity whose conduct is violative of a publicized school policy and either endangers persons or property; or is seriously disruptive of the educational process; or off school grounds has engaged in conduct that is seriously disruptive of the educational process and is violative of a publicized school policy.

7.2 If, after completing investigation, a school principal or designee determines that grounds for expulsion exist, he/she shall forward a recommendation for expulsion to the Superintendent of CREC Schools.

7.3 The CREC Superintendent of Schools shall forward the recommendation to the sending LEA, if determined to be necessary and appropriate.

7.4 If the sending LEA declines to conduct an expulsion hearing per the CREC Superintendent of Schools recommendation, CREC shall do so, in accordance with C.G.S. 10-233d and any procedures adopted pursuant thereto.

Article VIII - Actions Leading to Suspension or Recommendation for Expulsion

- 8.1 Any student whose conduct on school grounds, school transportation, or at a school-sponsored activity is violative of a publicized school policy and either endangers persons or property, or is seriously disruptive of the educational process; or whose conduct off school grounds is violative of a publicized school policy and is seriously disruptive of the educational process shall be subject to discipline up to and including recommendation for expulsion.

The following acts may be grounds for disciplinary action, up to and including, recommendation for expulsion:

- a. Striking or assaulting a student or any member of the school staff.
 - b. Theft or knowingly possessing stolen goods.
 - c. Using obscene gestures, discriminatory or abusive language directed at a member of the school staff or other students.
 - d. Attempts at extortion or intimidating school staff or other students.
 - e. Unauthorized possession, sale or consumption of illegal drugs, narcotics or alcoholic beverages.
 - f. Possession of drug paraphernalia.
 - g. Use of cigarettes and/or other types of tobacco or tobacco products, including electronic nicotine delivery systems (e-cigarettes) or vapor products.
 - h. Destruction of school property or personal property.
 - i. Misbehavior on a school bus.
 - j. Class truancy.
 - k. Unauthorized use or misuse of computers or other technological equipment.
 - l. Sexual harassment, bullying, harassment and/or hazing.
 - m. Leaving school without permission.
 - n. Misconduct of a nature that threatens the safety of school property or the welfare of the persons who work or study therein.
 - o. Gambling.
 - p. Accumulation of minor offenses.
- 8.2 The above noted list is not exhaustive and students may be disciplined, up to and including being recommended for expulsion, for other forms of conduct, on school grounds, school transportation, or at a school-sponsored activity, that endangers person or property, is seriously disruptive of the educational process and/or or violates a publicized school policy; or conduct, off school grounds, that violates a publicized school policy and is seriously disruptive of the educational process.
- 8.3 The CREC Council considers conduct which is “seriously disruptive of the educational process” to mean conduct that “markedly interrupts or severely impedes the day-to-day operations of a school”, in addition to being violative of publicized school policy. Such

conduct includes, but is not limited to, phoning in a bomb threat, or making a threat, off school grounds, to kill or harm a teacher or student.

- 8.4 In determining whether off-school grounds conduct is “seriously disruptive of the educational process,” the administration 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; (4) whether the conduct involved the use of alcohol; and (5) whether inappropriate use of social media was involved.
- 8.5 Discipline may result when: 1) the incident was initiated in the school or on school grounds, or 2) the incident occurred or was initiated off-school grounds and non-school time; if after the occurrence there was a reasonable likelihood that return of the student would have a disruptive effect on the school’s educational process by threatening:
1. The school's orderly operations;
 2. The safety of the school property;
 3. The welfare of the persons who work or study there.

Off-school grounds misconduct that may result in discipline includes, but is not limited to:

1. Use, possession, sale, or distribution of dangerous weapons; (as defined C.G.S. 53a-3, 53-206, and 29-35)
2. Use, possession, sale, or distribution of illegal drugs
3. Violent conduct
4. Making of a bomb threat
5. Threatening to harm or kill another student or member of the staff.
6. Engaging in activity that has the reasonable likelihood of threatening the health, safety or welfare of individuals at the school, endangering school property, and/or disrupting the educational process.

For example, if it is determined that a student's use or possession of drugs in the community has a strong likelihood of endangering the safety of students or employees because of the possibility of such sales in the school; or if violent conduct in the community presents a reasonable likelihood of repeating itself in the school environment; or if any similar type of misconduct in the community has a reasonable likelihood of being continued or repeated in school or of bringing retaliation or revenge into the school, discipline up to and including suspension and/or recommendation for expulsion may be imposed. The standard to be applied in considering disciplinary action is whether the off-school grounds conduct will markedly interrupt or severely impede the day-to-day operation of a school.

Article IX - Special Education/Section 504 Students

- 9.1 Students requiring special education and related services may be disciplined in accordance with applicable federal and state law.
- 9.2 If removals from school are to be utilized with special education or Section 504 students as part of a comprehensive behavior management system, they must be reflected in a Behavior Intervention Plan and discussed at a PPT or Section 504 meeting.
- 9.3 Prior to recommending expulsion for a student requiring special education and related services or with a Section 504 Plan, a PPT or Section 504 team shall convene to determine whether the misconduct was a manifestation of the student's disability. A student may be suspended for up to 10 days pending the PPT or Section 504 team determination.
- 9.4 If, in the case of a student requiring special education and related services or having a Section 504 Plan, it is determined that the misconduct was a manifestation of the student's disability, the student shall not be recommended for expulsion. Rather, the PPT or Section 504 Team shall consider the student's misconduct and modify the student's individualized education program (IEP) or 504 Plan to address the misconduct and to prevent a recurrence of such conduct and to ensure the safety of other students and staff in the school.
- 9.5 If it is determined that the misconduct was not caused by the student's disability, the student may be recommended for expulsion in accordance with the provisions set forth in Article VII.
- 9.6 Whenever a student requiring special education and related services is expelled, an alternative educational opportunity, consistent with the student's educational needs, as determined by the PPT chaired by the LEA in light of such expulsion and the student's IEP, will be provided by the sending LEA during the period of expulsion. The services must continue to the extent determined necessary to enable the disabled student to appropriately advance in the general curriculum and to advance toward achieving the goals of his/her IEP.
- 9.7 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 under C.G.S. 10-76h to contest a recommendation for expulsion under 9.5 above, or a proposed change in placement under Section 9.4, above, unless the parents (or student if eighteen years of age or older) and the district otherwise agree, the student shall stay in his/her then current placement pending decision in said due process hearing and any subsequent judicial review proceedings. This "stay put" requirement shall not apply when modified by a court order or by the decision of a hearing officer.

Article X - Cumulative Records

10.1 Whenever 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 which is the responsibility of the sending LEA. The notice, except in the case of an expulsion based on possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record if a student graduates from high school.

Article XI - Withdrawal From School

11.1 Whenever a student against whom an expulsion hearing is pending withdraws from school after notification of such hearing but before the hearing is completed and a decision is rendered:

- a. Notice of the pending expulsion hearing shall be included on the student's cumulative educational record; and
- b. The sending LEA shall complete the expulsion hearing and render a decision.

Article XII – Notification

12.1 The CREC Council shall, at the beginning of each school year, notify the parent or guardian of minor students registered in the district of district rules pertaining to student discipline.

12.2 The Principal of each school/program shall take steps to ensure that all rules pertaining to the discipline of students are communicated to students at the beginning of each school year, and to newly-enrolled students at the time of their enrollment in the school/program.

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