

**Suspension and Expulsion**

**I. PROCEDURES GOVERNING SUSPENSION**

**A. Informal Hearing:** Unless an emergency situation requiring the pupil's immediate removal exists, no student shall be suspended prior to having an informal hearing before the administrator at which the student is informed as to 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.

**B. Parent Notification:** The administrator shall make every attempt to notify the parent or guardian of the student about the suspension and state the cause(s) leading to the suspension and offer to discuss the suspension. The administrator shall make every attempt to make this initial notification by telephone.

Whether or not telephone contact is made with the parent or guardian, the administrator shall forward a letter to such parent or guardian to the last address reported on school records (or to a newer address if known) within one school day of the suspension action and offer the parent or guardian an opportunity for a conference to discuss same.

**C. Notification to Superintendent:** Notice of the original suspension shall be transmitted by the administrator to the superintendent of schools not later than twenty-four hours after the commencement of the suspension.

**D. Notification to Students 18 Years Old or Older:** If a student is eighteen years of age or older, any notice required by this policy shall be given to the student.

**E. Completion of Missed School Work:** Textbooks and homework are to be provided each pupil for the duration of the suspension period and the student shall be allowed to complete any class work, including examinations, without penalty, which he/she missed while under suspension.

**F. Limitation of Suspension:** In cases where the student has already been, or such suspension will result in the student's being suspended more than ten times or fifty days in a school year, or in circumstances under which the student will be prevented from completing a normal course of study as a result of the suspension, the student shall, prior to suspension, be granted a formal hearing before the Board of Education as provided in the "Procedures Governing Expulsion" which follow.

Suspension and Expulsion

II. PROCEDURES GOVERNING EXPULSION

A. Request for Expulsion

1. A principal may request expulsion of a student in a case where the principal has cause to believe the student's conduct merits expulsion under this policy.
2. Requests for expulsion are to be directed to the Board of Education through the Superintendent of Schools.

**B. Superintendent's Inquiry:** Upon receipt of an expulsion request, the superintendent shall commence an inquiry as soon as possible. If, after the inquiry, the superintendent or his/her designee determines that a student ought to be expelled, he/she shall forward such request to the Board of Education promptly upon completion of the inquiry.

**C. Board of Education Hearing:** Except in an emergency situation requiring the student's immediate removal, the Board of Education shall, prior to expelling the student, conduct a hearing to be governed by the following procedures:

1. The student and his/her parent(s) or guardian(s) must be given reasonable notice prior to the date of the hearing.
2. The notice shall contain:
  - a. The date, time, and place of the scheduled hearing.
  - b. A short and plain statement of the basis for the recommendation that they student be expelled.
  - c. A copy of the Board of Education's policies and regulations applicable to the issues in the hearing.
  - d. A statement that the Board is not required to offer an alternative educational opportunity to any student between 16 and 18 years of age who has been expelled previously or who is expelled for conduct endangering persons which involved (a) carrying on or introducing on to school property, on school transportation, or at a school-sponsored activity, a firearm, deadly weapon, a martial arts weapon, or a dangerous instrument or (b) offering for sale or distribution on school property or at a school-sponsored activity a controlled substance, as defined in the Connecticut General Statutes.

**Suspension and Expulsion**

**II. PROCEDURES GOVERNING EXPULSION**

**C. Board of Education Hearing: (continued)**

2. The notice shall contain (continued):
  - e. Information concerning legal services provided free of charge or at a reduced rate that are available locally and how to access such services.
3. At the hearing, the student shall have the right to testify and produce witnesses and other evidence in his/her defense. The student shall have the right to demand that any witnesses against him/her appear in person to answer his/her questions. In exceptional circumstances, the Board may refuse to allow a witness against the suspended student to appear when the Board believes that fear on the part of the witness would prevent the giving of accurate testimony. In such cases, a verbatim statement of the witness's testimony must be given to the student. A witness's unsubstantiated desire to remain anonymous is not such an exceptional circumstance as to justify dispensing with confrontation and questioning by the student.
4. A student may be represented by any third party of his/her choice, including an attorney.
5. A student is entitled to the services of a translator, to be provided by the Board of Education, whenever the student or his/her parent(s) or guardian(s) do(es) not speak the English language.
6. The Board shall keep a verbatim record of the hearing, and the student or such student's parent or guardian shall be entitled to a copy of that record at his/her own expense.
7. The Board shall, within a reasonable amount of time, report its final decision in writing to the student, stating the reasons on which the decision is based, and the penalty to be imposed. Said decision shall be based solely on evidence derived at the hearing.
8. Except under unusual circumstances, within twenty-four hours after its decision, the Board shall notify the parent(s) or guardian(s) of any minor pupil of such action.
9. The Board of Education shall mail a copy of its decision to the State Board of Education within five (5) days of the effective date of such action and submit such other information on expulsion decisions as required by law.
10. Whenever an emergency exists, the hearing provided for above shall be held as soon as possible after the expulsion.

**STUDENTS**

**JGD-R**

**Suspension and Expulsion**

**II. PROCEDURES GOVERNING EXPULSION**

**C. Board of Education Hearing (continued):**

11. A student expelled for possession of a firearm or deadly weapon shall have the violation reported to the Wallingford Police Department.

**D. Rehabilitation Program:** If the Board expels a student for the sale or distribution of a controlled substance, the Board shall refer the student to an appropriate state or local agency for rehabilitation, intervention, or job training, or any combination thereof, and shall inform the agency of its action. The Board shall give the name of the student and a summary of the Board's action in referring a student to the Commissioner of Education within thirty days after the student is expelled.

**Legal References:** Connecticut General Statutes  
10-233a through 10-233f. Removal, suspension, and expulsion of students  
4-176e through 4-180. Contested cases.  
21a-240. Definitions.  
53a-217b. Possession of firearms and deadly weapons on school grounds.  
53-206. Carrying and sale of dangerous weapons.  
53a-3. Definitions.

**Regulation Approved: 04/08/85**

**Regulation Revised: 11/21/94, 07/21/08**