

Students

Off School Grounds Misconduct

Students are subject to discipline, up to and including suspension and expulsion for misconduct, which is seriously disruptive of the educational process and is a violation of a publicized Board policy, even if such misconduct occurs off-school property and during non-school time.

In compliance with judicial decisions, the Board considers conduct which is “severely 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 such conduct also 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 hurt a teacher or student.

In addition, in making the determination as to whether conduct is “seriously disruptive of the educational process,” and therefore if student discipline may result, the administration may consider, but such consideration shall not be limited to:

- whether the incident occurred within close proximity of a school;
- whether other students from the school were involved or whether there was any gang involvement;
- whether the conduct involved use, possession, sale, or distribution of dangerous weapons; (as defined C.G.S. 53a-3, 53-206,29-35 and 29-38);
- whether the conduct involved the use, possession, sale, or distribution of illegal drugs;
- whether the conduct involved the use of alcohol;
- violent conduct;
- making of a bomb threat;
- whether the conduct involved threatening to harm or kill another student or member of the staff;
- whether the conduct involved sexual assault or rape.

Such discipline may result whether: the incident was initiated in the school or on school grounds, or was initiated off-school grounds and non-school time or if after the occurrence there was a reasonable likelihood that return of the student would contribute to a disruptive effect on the school education or its process, markedly interrupting or severely impeding the day-to-day operation of a school, 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.

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Off School Grounds Misconduct (continued)

For example, if it is determined that a student's use, possession, or sale 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 for such off-school misconduct, the Board may impose discipline up to and including suspension and/or expulsion. The rationale 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.

A student who possessed and used a firearm, deadly weapon, dangerous instrument or martial arts weapon in the commission of a crime off-campus shall be expelled for one calendar year unless said expulsion is modified on a case-by-case basis.

Legal Reference: Connecticut General Statutes
 4-176e through 4- 185 Uniform Administrative Procedure Act.
 10-233a through 10-233f re in-school suspension, suspension, expulsion.
 (as amended by PA 98-139)
 29-35 Carrying of pistol or revolver without permit prohibited.
 29-38 Weapons in vehicles.
 53a-3 Firearms and deadly weapons.
 53-206 Carrying and sale of dangerous weapons.
 53a-217b Possession of firearms and deadly weapons on school grounds.
 PA 94-221 An Act Concerning School Safety.
 18 U.S.C. 921 Definitions.
 PL 103-382 Elementary and Secondary Education Act. (Sec. 14601 - Gun
 Free Requirements: Gun Free School Act of 1994)
 PA 95-304 An Act Concerning School Safety.
 PA 96-244 An Act Concerning Revisions to the Education Statutes.
Kyle P. Packer PPA Jane Packer v. Thomaston Board of Education. (SC
 15862

Policy adopted: October 29, 2007

STAFFORD PUBLIC SCHOOLS
 Stafford Springs, Connecticut