

Students

Student Conduct

Woodstock Academy affirms its commitment to the rights of each child to obtain an education in an atmosphere conducive to learning. The maintenance of safe and orderly educational environment is essential to promote and maximize teaching and learning. Consistent with this right, there lies the responsibility on the part of each student to abide by Board policies and The Academy rules and regulations, which were established to ensure an orderly educational process. Students may be disciplined for conduct on The Academy grounds, on grounds operated by The Academy, or at any Academy-sponsored activity that endangers persons or property, is seriously disruptive of the educational process, or that violates a publicized policy of the Board. Students may be disciplined for conduct off The Academy grounds, such as on any transportation services to and from The Academy, if such conduct is seriously disruptive of the educational process and violates a publicized policy of the Board (Policy 5131.8 and/or Section E below).

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

The Woodstock Academy will publish and make available each year its discipline code in the form of a student handbook. It becomes the students' and parent/guardians' responsibility to familiarize themselves with these expectations.

A. Definitions

1. "Exclusion" shall be defined as any denial of The Academy privileges to a student for disciplinary purposes.
2. "Removal" shall be defined as an exclusion from a classroom for all or a part of single class period, provided such exclusion shall not extend beyond ninety-(90) minutes.
3. "In-School Suspension" shall be defined as an exclusion from regular classroom activity for no more than ten consecutive Academy days, but not exclusion from The Academy, provided such exclusion shall not extend beyond the end of The Academy year in which such suspension was imposed. Such suspensions shall be served at The Academy when possible.
4. "Suspension" shall be defined as an exclusion from The Academy privileges and/or from transportation services for no more than ten (10) consecutive Academy days, provided such exclusion shall not extend beyond the end of The Academy year in which such suspension was imposed. The exclusion from transportation services shall be coordinated with the entity providing the student with transportation services. Suspensions shall be in-school suspensions unless the administration determines that the student being suspended poses such danger to persons or property or such a disruption to the educational process that the student shall be excluded from The Academy during the period of suspension.
5. "Expulsion" shall be defined as an exclusion from The Academy privileges for any student for more than ten (10) consecutive school days. Such period of exclusion may extend to the school year following the school year in which the exclusion was imposed, up to one calendar year.
6. "Emergency" shall be defined as a situation under which the continued presence of the student at The Academy imposes such a danger to persons or property or such a disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such student as possible.
7. "Days" is defined as days when The Academy is in session.
8. "Academy-sponsored activity" is defined as any activity sponsored, recognized or authorized by the Board of Trustees and/or Head of School and includes activities conducted on or off Academy property.
9. "Possess" means to have physical possession or otherwise to exercise dominion or control over tangible property no matter the length of time or intended action.
10. "Deadly weapon" means any weapon, whether loaded or unloaded, from which a shot may be discharged, or any knife, billy, blackjack, bludgeon, or metal knuckles.
11. "Firearm" means:

- i. any weapon (including a starter gun) which will or is designed to or readily be converted to expel a projectile by the action of an explosive; and/or
- ii. the frame or receiver of any such weapon; and/or
- iii. any firearm muffler or firearm silencer; and/or
- iv. any destructive device.

For purposes of this definition "destructive device" means any explosive, incendiary, or poison gas, bomb, grenade, rocket, missile having an explosive or incendiary charge, mine, or device similar to any of the weapons described herein.

12. "Vehicle" means a "motor vehicle" as defined in Section 14-1 of the Connecticut General Statutes, snow mobile, any aircraft, drone, or any vessel equipped for propulsion by mechanical means or sail.
13. "Martial arts weapon" means a nunchakum kama, kasari-fundo, octagon sai, tonfa or Chinese star.
14. "Dangerous Drugs and Narcotics" is defined as any controlled drug in accordance with Connecticut General Statutes §219-240.

B. Removal from Class

The Board of Trustees authorizes teachers and staff to remove a student from class, in compliance with section 10233b of the Connecticut General Statutes, when such student deliberately causes a serious disruption of the educational process within the classroom provided:

1. Such teacher or staff member shall send the student to a designated area and shall immediately inform the appropriate administrator as to the name of the student and the reason for removal.
2. No student shall be removed from a class more than six (6) times in any semester nor more than twice (2) in one week, unless such student is referred to the Associate Head of School or his/her designee and granted an informal hearing in accordance with the provisions of this policy, as stated in G(3).

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

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

D. Suspension and Expulsion

A student may be suspended (in-school or out-of-school) or expelled for conduct on The Academy property, on grounds operated by The Academy or at an Academy-sponsored activity that endangers persons or property, is in violation of a publicized policy of the Board, or is seriously disruptive of the educational process. Students may be disciplined for conduct off Academy grounds if such conduct is seriously disruptive of the educational process and violates a publicized policy of the Board (Policy 5131.8). Those reasons include but are not limited to one or more of the following reasons:

1. Conduct causing danger to the physical well-being of himself/herself or other people that is not reasonably necessary for self-defense;
2. Intentionally causing or attempting to cause physical injury to another person that is not reasonably necessary for self-defense;
3. Intentionally causing or attempting to cause damage to The Academy property or material belonging to staff (private property);
4. Stealing or attempting to steal private or Academy property or taking or attempting to take personal property or money from any other person;
5. The use, either spoken or written on clothing, of obscene or profane language or gestures on Academy property or at an Academy-sponsored activity;
6. Deliberate refusal to obey the directions or orders of a member of The Academy staff;
7. Harassment and/or hazing/bullying on the basis of that person's race, religion, ethnic background, gender or sexual orientation;
8. Open defiance of the authority of any teacher or person having authority over the student, including verbal abuse;
9. Threatening in any manner, including orally, in writing, or via electronic communication, a member of The Academy community, including any employee and/or a fellow student;
10. Blackmailing a member of The Academy community, including any employee and/or a fellow student;
11. Possession of a firearm, deadly weapon, dangerous instrument, or martial arts weapon, as defined in Section 53a-3, such as a pistol, knife, blackjack, etc.;

12. Possession of any weapon or weapon facsimile, including but not limited to knife, pistol, pellet guns and/or air soft pistols.
13. Possession, transmission, distribution, selling, use or consumption of alcoholic beverages, dangerous drugs, tobacco (electronic or otherwise), narcotics, hallucinogenic drug, or intoxicant of any kind or any facsimile of a dangerous drug, narcotic or intoxicant of any kind;
14. Knowingly being in the presence of those who are in possession of using, transmitting, or being under the influence of any dangerous drug, narcotic, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind;
15. Participation in any unauthorized occupancy of any part of The Academy building and grounds, transportation vehicle, or other area owned and/or operated by The Academy after having been ordered to disperse by the Head of School and/or designee;
16. Participation in any walkout from a classroom or Academy building by any group of students and refusing to immediately return to said classroom or Academy building after having been directed to do so by the Head of School and/or designee;
17. Intentional incitement which results in an unauthorized occupation of, or walkout from, any Academy building or The Academy premises by any group of students or other persons;
18. Repeated unauthorized absence from or tardiness;
19. Intentional and successful incitement of truancy by other students;
20. The use or copying of the academic work and the presenting of it as one's own without proper attribution;
21. Violation of The Academy rules and practices or Board policy, regulation or agreement, including that dealing with conduct on Academy buses and the use of Academy district equipment;
22. Violation of any federal or state law which would indicate that the violator presents a danger to any person in The Academy community or to Academy property;
23. Lying, misleading or being deceitful to an Academy employee or person having authority over the student;
24. Unauthorized leaving of The Academy or Academy-sponsored activities;

E. Suspension or Expulsion for Conduct off Academy Grounds

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

1. Conduct leading to a violation of any federal or state law if that conduct is determined to pose a danger to the student himself/herself, other students, Academy employees or The Academy property.
2. Adjudication as a delinquent or a youthful offender as the result of a felony if the conduct leading to the adjudication is determined to pose a danger to the student himself/herself, other students, Academy employees or The Academy property.

In making a determination as to whether conduct is "seriously disruptive of the educational process," the administration and Board of Trustees may consider, but such consideration shall not be limited to;

1. Whether the incident occurred within close proximity of The Academy;
2. Whether other students from The Academy were involved or whether there was any gang involvement;
3. Whether the conduct involved violence, threats of violence or the unlawful use of a weapon as defined in Section 29-38 and whether any injuries occurred, and/or
4. Whether the conduct involved the use of alcohol, narcotic drug, hallucinogenic drug, amphetamine, barbiturate or marijuana.

F. Mandatory Expulsion

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

1. The student, on grounds or at an Academy-sponsored activity, was in possession of a firearm, as defined in 18 U.S.C. 921*, as amended from time to time, or deadly weapon, dangerous instrument or martial arts weapon, as defined in C.G.S. 53A-3; or the student, off Academy grounds, did possess such firearm in violation of C.G.S. 29-35 or did possess and use such a firearm, instrument or weapon in the commission of a crime;
2. The student, on or off The Academy grounds offered for sale or distribution a controlled substance, as defined in subdivision (9) of C.G.S. 21a-240, whose manufacture, distribution, sale, prescription,

dispensing, transporting or possessing with intent to sell or dispense, offering or administering is subject to criminal penalties under C.G.S. 21-277 and 21a-278.

The Board, subcommittee of the Board, or an impartial hearing officer has the discretion to modify the term of a mandatory one-year expulsion on a case-by-case basis.

G. Suspension Procedures

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

The Associate Head of School or his/her designee shall also have the authority to suspend a student from transportation services, as long as the suspension is coordinated with the entity providing the transportation, whose conduct while awaiting or receiving transportation violates the standards set forth in paragraph D, above. The Associate Head of School or his/her designee shall have the authority to immediately suspend from The Academy any student when an emergency exists as that term is defined in paragraph A, above.

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

1. In the case of suspension, the Associate Head of School or his/her designee shall notify the student's parents/guardians no later than twenty-four (24) hours of the suspension. A letter about the suspension shall be sent to the families and a copy will be sent to the sending town superintendent if applicable. Any student who is suspended shall be given an opportunity to complete any class work including, but not limited to, examinations that such student missed during the period of his/her suspension.
2. Except in the case of an emergency, as defined in paragraph A, above, a student shall be afforded the opportunity to meet with the Associate Head of School or his/her designee and to respond to the stated charges prior to the effectuation of any period of suspension. If, at such a meeting the student denies the stated charges, he/she may at that time present his/her version of the incident(s) upon which the proposed suspension is based. The Associate Head of School or his/her designee shall then determine whether or not suspension or in-school suspension is warranted. In determining the length of a suspension period, the Associate Head of School or his/her designee may receive and consider evidence of past disciplinary problems. This is in alignment with the progressive discipline model.
3. For any student who is suspended for the first time and who has never been expelled, The Academy Associate Head of School or his/her designee may shorten the length of or waive the suspension period if the student successfully completes an Academy specified program and meets any other required conditions. Such program shall be at no expense to the student or his/her parents/guardians.
4. No student shall be suspended more than ten times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless a hearing as provided in paragraph H is first granted.
5. No student shall be placed on in-school suspension more than fifteen times or a total of fifty (50) days in one school year, whichever results in fewer days of exclusion, unless a hearing as provided in paragraph H is first granted.

H. Expulsion Procedures

The Board of Trustees, designated committee or hearing officer may, upon recommendation of the Head of School, expel any student for one or more of the reasons stated in this policy if in the judgment of the Board of Trustees, designated committee or hearing officer, such disciplinary action is in the best interest of The Academy.

1. Upon receipt of a recommendation for expulsion from the Head of School, the Board, committee or hearing officer shall, after giving written notice to the student, the parents/guardian and the sending town superintendent, if said student is less than 18 years of age, conduct a hearing prior to taking any action on the expulsion of said student, provided however, that in the event of an emergency as

defined in this policy, the student may be expelled prior to the hearing but in such case even a hearing shall be held as soon after the expulsion as possible.

2. Three members of the Board shall constitute a quorum for an expulsion hearing. A student may be expelled if a majority of the Board members sitting in the expulsion hearing vote to expel. When possible, a sending town representative from the sending town will be invited to be a part of the committee.
3. If the student is a special education student, a Planning and Placement Team (PPT) meeting shall be held prior to the expulsion hearing. It must be held to determine whether the student actions are the result of the student's handicapping condition. The Board is notified that the Due Process of the student was followed but cannot play a role in the overall decision.
4. For any student expelled for the first time and who has never been suspended, the Board, committee or hearing officer may shorten the length of or waive the expulsion period if the student successfully completes a specified program and meets any other conditions. Such a program shall not require the student or the parent/guardian of such student to pay for participation in the program.

An expelled student, based upon the results of the expulsion hearing, may apply for early readmission from an expulsion. Such readmission shall be at the discretion of the relevant Board of Trustees. However, the Board of Trustees may delegate authority for readmission to the Head of School. Under such circumstances, readmission shall be at the discretion of the Head of School. The Board or the Head of School may condition readmission on specified criteria that will be determined on a case-by-case basis. The early readmission from expulsion shall be in alignment with all state and federal applicable laws/regulations.

I. Notification

All students and parents shall be informed, annually, of Board Policy governing student conduct. The parents or guardian of any student either expelled or suspended shall be given notice of such disciplinary action no later than 24 hours after the student is notified.

J. Students with Disabilities

A special education student and/or 504 disability shall be considered before making a decision to suspend. A student with disabilities may be suspended for up to ten (10) school days in a year without the need for the district to provide any educational services. A disabled student may be additionally removed (suspended) for up to ten (10) days at a time for separate acts of misconduct as long as the removals do not constitute a pattern. During any subsequent suspension of ten (10) days or less of a student with disabilities, the district shall provide services to the disabled student to the extent determined necessary to enable the student to appropriately advance in the general education curriculum and toward achieving his/her IEP goals. In cases involving removals for ten (10) days or less the Associate Headmaster or his/her designee in consultation with the child's case manager, shall make the service determination.

If the disabled student's suspensions beyond ten (10) days in a year constitute a pattern because of factors such as the length of each removal, the total amount of time the child is removed and the proximity of the removals to one another, the IEP team (PPT) shall conduct a manifestation determination. Meetings of a student's IEP team (PPT) are required to develop a behavioral assessment plan or to review and modify as necessary one previously developed when the disabled student has been suspended from his/her current placement for more than ten (10) days in a school year and when commencing a suspension that constitutes a change in placement.

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

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

1. If a student with disabilities engages in conduct that would lead to a recommendation for expulsion, The Academy shall promptly convene an IEP team (PPT) meeting to determine whether the misconduct was caused by or had a direct and substantial relationship to the student's disability or if the conduct in question was the direct result of the Academy's failure to implement the IEP. A student may be suspended for up to ten (10) days pending the IEP team (PPT) determination.

2. If The Academy, parent and relevant members of the IEP team (PPT) determine that the misconduct was not caused by the disability, the Head of School may proceed with a recommendation for expulsion. During any period of expulsion, a student with disabilities under the IDEA shall receive an alternative educational plan consistent with the student's educational needs as determined by the IEP team (PPT) in light of such expulsion and the student's IEP. The services must continue to the extent determined necessary to enable the disabled student to appropriately advance in the general education curriculum and to advance toward achieving the goals of his/her IEP, and be provided a free appropriate public education.
3. If the members of the IEP team (PPT) determine that the misconduct was caused by or had a direct and substantial relationship to the disability, or the conduct in question was the direct result of The Academy's failure to implement the student's IEP, the Head of School shall not proceed with the recommendation for expulsion. The IEP team (PPT) shall consider the student's misconduct and revise the IEP to prevent a recurrence of such misconduct and to provide for the safety of the other students and staff. A functional behavioral assessment shall be conducted, if not previously done, and a behavioral intervention plan implemented or revised, if in existence. The student shall be returned to the placement from which he/she was removed unless agreed otherwise by The Academy and parent.
4. Should a parent of a student with disabilities who is eligible for services under the IDEA (or the student himself/herself if eighteen years of age or older) file a request for a due process hearing to contest an expulsion under subparagraph (2) above or a proposed change in placement under subparagraph (3), unless the parents (or student if eighteen years of age or older) and the Board otherwise agree, the child shall stay in the interim alternate educational setting, if so placed by student authorities, pending decision in said due process hearing and any subsequent judicial review proceedings.
5. Notwithstanding the provisions of the preceding subparagraph (4), a student with disabilities may be assigned to an interim alternative educational setting for not more than forty-five (45) school days if the student brings a weapon to The Academy, on grounds controlled by The Academy or to an Academy function or knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at The Academy, on grounds controlled by The Academy, or an Academy function, or has inflicted serious bodily injury upon another person while at The Academy, on grounds controlled by The Academy, or at an Academy function.
 - i. For purposes of this paragraph, "weapon" means a device instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, but excludes a pocketknife with a blade of less than 2 ½ inches in length.
 - ii. "Serious bodily injury" is defined as bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

The interim alternative placement shall be determined by the IEP team (PPT). If a due process hearing is requested, the student shall remain in said interim alternative placement pending a decision in the due process hearing, unless the Board and the parents otherwise agree, or the Board obtains a court order.

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

K. Alternative Educational Opportunity

The Board of Trustees recognizes its legal obligation to offer any student under the age of sixteen (16) who is expelled an alternative educational opportunity during the period of expulsion. Any parent or guardian of such student who does not choose to have his or her child enrolled in an alternative educational program shall not be subject to the provision of Section 10-184 of the Connecticut General Statutes. Any expelled student who is between the ages of sixteen (16) and eighteen (18) not previously expelled and who wishes to continue his or her education shall be offered an alternative educational opportunity if he or she complies with conditions established by the Board of Trustees.

The Board of Trustees is not obligated to provide such alternative educational opportunity to any student eighteen years of age or older. The Board of Trustees is not required to offer such alternative educational opportunity to any student between the ages of sixteen and eighteen who is expelled because of conduct which endangers person, if it was determined at the expulsion hearing that the conduct for which the student was expelled involved (a) carrying on or introducing onto Academy property a firearm, deadly weapon or dangerous instrument as defined in C.G.S. 53a-3 or (b) offering for sale or distribution on Academy property or at an Academy sponsored activity a controlled substance, as defined in subdivision (8) of C.G.S. 21a-240, whose manufacture, distribution, sale, prescription, dispensing, transporting, or possessing with the intent to sell or dispense, offering, or administration is subject to criminal penalties under C.G.S. 21a-277 and 21a-278.

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

Whenever the Board notifies a student between the ages of sixteen and eighteen or the parents/guardians of such student, that an expulsion hearing will be held, the notification shall include a statement that the Board is not required to offer an alternative educational opportunity to any student who is found to have engaged in conduct including possession of a martial arts weapon, firearms, deadly weapons or dangerous instruments on Academy property or at an Academy function.

L. Other Considerations

If a student is expelled, notice of the expulsion and the conduct for which the student was expelled shall be included on the student's cumulative educational record. Such notice except for the notice of an expulsion for the possession of a firearm or deadly weapon, shall be expunged from the cumulative educational record if the student's conduct and behavior in the years following such expulsion warrants an expungement or if the student graduates from The Academy.

A student expelled for possession of a firearm or deadly weapon shall have the violation reported to the State Police. The period of expulsion shall not extend beyond a period of one calendar year. A period of exclusion may extend into the next Academy year.

An expelled student may apply for early readmission to The Academy. Such readmission shall be at the discretion of the Head of School. Readmission decisions shall not be subject to appeal to Superior Court. The Board or Head of School may set conditions for such readmission on specified criteria.

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

Legal Reference: Connecticut General Statutes

[4-176e](#) through [4-180a](#). Contested Cases. Notice. Record, as amended
[10-233a](#) through [10-233f](#) Suspension, removal and expulsion of students, as amended by
PA 95304, PA 96-244, PA 98-139, PA 07-66, PA 07-122, PA 08-160, PA 09-82, PA 09-6
(September Special Session), PA 10-111, PA 11-126, PA 14-229 and PA 15-96.

[53a-3](#) Definitions.

[53a-217b](#) Possession of Firearms and Deadly Weapons on Academy Grounds.

PA 94-221 An Act Concerning Academy Discipline and Safety.

PA 15-96 An Act Prohibiting Out-of-Academy Suspensions and Expulsions for
Students in Pre-Academy and Grades Kindergarten to Two GOALS 2000: Educate
America Act, Pub. L. 103-227.

18 U.S.C. 921 Definitions.

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

Over Violence)

Elementary and Secondary Act of 1965 as amended by the Gun Free Academy Act of
1994 P.L. 105-17 The Individuals with Disabilities Act, Amendments of 1997.

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

20 U.S.C. Section 7114, No Child Left Behind Act

P.L. 108-446 The Individuals with Disabilities Education Improvement Act of 2004

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The Woodstock Academy
Woodstock, Connecticut