

Stratford Public Schools Off-School Misconduct

Students are subject to discipline, up to and including loss of participation in extracurricular activities, suspension and expulsion for misconduct, even if such misconduct occurs off-school property and during non-school time.

Such discipline may be imposed for behavior occurring off school grounds and at non-school time, if, in the reasonable discretion of the Board of Education or its designees, it is determined that there was a reasonable likelihood that presence of the student would have a disruptive effect on the school or the educational process by threatening or disrupting:

1. The school's orderly operations;
2. The safety of the school property; or
3. The welfare of the students or of other persons who work or study there.

Examples of the type of such off-school misconduct that may result in such discipline include but are not limited to:

1. Use, possession, sale or distribution of dangerous weapons.
2. Use, possession, sale or distribution of illegal drugs; or
3. Conduct, (including conduct via the internet or social websites) where it is determined that any such activity has the reasonable likelihood of threatening the health, safety or welfare of school property, individuals thereon, and is disruptive of the educational process.

For example, if it is determined that a student's use, possession, or sale of drugs in the community has a reasonable likelihood of endangering the safety of students or employees because of the possibility of such student's 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 of Education may impose discipline up to and including suspension and/or expulsion.

The investigation of the behavior shall not be contingent upon police or judicial action.

With regard to student misconduct that occurs off-school grounds, and not at a school-sponsored activity, i.e., "off-campus misconduct," school administrators must carefully assess each off-campus incident on a case-by-case basis to determine whether the particular conduct in question is, in fact, "seriously disruptive of the educational process" so as to warrant the student's

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suspension under Connecticut General Statutes Sec. 10-233c and/or expulsion under Connecticut General Statutes Sec. 10-233d.

In order to suspend and/or expel a student for off-campus misconduct, school administrators must have factual evidence reflecting a “nexus” between the student’s off-campus misconduct and the disruptive impact upon the educational process. In other words, school administrators must have factual basis upon which to conclude that the off-campus misconduct is “seriously disruptive of the educational process.” The administration must be prepared to show exactly how the off-campus behavior threatens the safety of school property or the welfare of the persons who work or study there.

To assess whether a particular off-campus incident is “seriously disruptive of the educational process.” So as to merit expulsion, school administrators should consider various factors, including but not limited to the following:

- 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 violence, threats of violence or the unlawful use of a weapon, as defined in Section 29-38;
- Whether the conduct involved the use of alcohol;
- To what extent have the school’s orderly operations been jeopardized by the student’s misconduct;
- Is the student population aware of the incident? To what extent? Has there been dialogue among the students during school hours regarding the incident?;
- Has the safety and welfare of other students, faculty or staff been jeopardized by the incident or its consequences? For example, if the off-campus misconduct involves illegal substances, is there reason to believe the student has or might bring the illegal substance onto school property?;
- Are the students fearful of the student accused of the misconduct?;
- Will the safety or welfare of the students, faculty or staff be placed in jeopardy if the student accused of the misconduct should return to school?;
- What type of influence, if any, does the accused have over the other students?;

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- Did the student inflict harm to others, particularly other students (including emotional harm)?;
- What was the degree and severity of personal/emotional harm or property damage caused by the student?;
- What type of disruption could occur if the student accused of the misconduct returned to school? (e.g., unwanted media attention, effect on school image, anxiety or fear among students, faculty or staff, implied message to other students, i.e. “you can get away with it,” educational implication regarding citizenship, community values, promoting law-abiding behavior).

Since each incident must be judged on its own merits, the administration will exercise its discretion in reviewing and applying the above guidelines as uniformly as possible.