



# WOODBIDGE SCHOOL DISTRICT

40 Beecher Road – South  
Woodbridge, Connecticut 06525

Jonathan S. Budd, Ph.D. – Superintendent

## MEMORANDUM

TO: Woodbridge Board of Education Policy Committee

FROM: Jonathan S. Budd, Ph.D., Superintendent

DATE: April 6, 2021

RE: Follow-Up to Proposed Revision of Policy 5114, “Suspension and Expulsion / Due Process”

1. Subsequent to our meeting this morning, additional research suggested **the following additional revisions** to Policy 5114, each of which is represented in red bold italics on the attached policy:
  - “Informal hearing” provision for student frequently removed from class (B.3 – page 2)  
C.G.S. § 10-233b requires the language presented in the currently proposed policy; the “informal hearing” requirement cites C.G.S. § 10-233c, and is consistent with the other parts of the currently proposed policy. For additional clarity, the following revision is now proposed:  
***No student shall be removed from class more than six (6) times in any year, nor more than twice in one week, unless such student is referred to the building Principal or his/her designee and granted an informal hearing to discuss his/her behavior.***
  - Policy specificity re: Anti-Discrimination (D.1.g – page 3)  
To clearly reference the relevant WSD Policy, the following revision is now proposed:  
Harassment and/or hazing/bullying on the basis of that person’s race, religion, ethnic background, gender, sexual orientation, ***or any other basis prohibited through Woodbridge Board of Education Policy 0521, “Nondiscrimination”;***
  - Updated language on expungement of expulsion from student records (I.1 – page 8)  
The following revision is what I showed on my screen during our meeting this morning, and is now reflected in the attached policy as well:  
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 may be expunged from the cumulative educational record by the Board if the Board determines that the student’s conduct and behavior in the years following such expulsion warrants an expungement.***  
And with this, the prior proposed I.4 would be deleted.
  - Policy reference to Student Records policy (page 9)  
Because of the relationship between this policy (re: expungement of records) and the relevant WSD policy on student records, the following revision is now proposed:  
***(cf. 5125 – Student Records; Confidentiality)***

2. Subsequent to our meeting this morning, additional research suggested that the following segments of the proposed revised policy **do not need additional revisions:**
- Definition of “deadly weapon” (A.10 – page 2)  
Connecticut General Statute §10-233d, which is the statute that triggers mandatory expulsion proceedings for possession of a deadly weapon, cites C.G.S. §53a-3 as the controlling definition of “deadly weapon.” The first sentence of the definition of “deadly weapon” in the currently proposed policy comes verbatim from C.G.S. §53a-3. The second sentence is based on Connecticut state judicial interpretation of the statute going back to at least the 1962 case *State v. Arpino*.
  - Definition of “firearm” (A.11 – page 2)  
C.G.S. §10-233d also triggers mandatory expulsion proceedings for firearm possession, and cites the federal law 18 U.S.C. 921 as the controlling definition of “firearm.” The definition of “firearm” in the currently proposed policy comes verbatim from 18 U.S.C. 921. Although the CABE model does have the “antique firearm” language twice, it is used slightly differently: first, “antique firearm” is excluded from the definition of “firearm”; second, “antique firearm” is excluded from the definition of “dangerous device,” which is a subset of “firearm.” The second use could be stricken without issue, but revision is not required.
  - Definition of “dangerous instrument” (A.15 – page 2)  
C.G.S. §10-233d also triggers mandatory expulsion proceedings for possession of a dangerous instrument, and cites C.G.S. §53a-3 as the controlling definition of “dangerous instrument.” The definition of “dangerous instrument” in the currently proposed policy comes verbatim from C.G.S. §53a-3.
  - Definition of “seriously disruptive of the educational process” (A.16 – page 2)  
C.G.S. §§10-233c & 10-233d use this phrase to limit suspensions and expulsions. The 1998 Connecticut Supreme Court ruling in *Packer v. Thomaston Board of Education* interpreted the phrase to be verbatim what is presented in the currently proposed policy.