

If you're 60 or over, call your local legal aid office:

Eastern CT	800-413-7796	Western CT	800-413-7797
Hartford Area	860-541-5000	Bridgeport Area	800-809-4434
Stamford Area	800-541-8909	New Haven Area	203-946-4811

If you're under 60, call SLS for help:



Statewide Legal Services
1-800-453-3320
860-344-0380

Search our website for help:



www.ctlawhelp.org

EDUCATION

LEGAL SERVICES

SELF-HELP SERIES

Your Child's Rights in School

June 2016



We offer free legal help in many areas, including

- welfare,
- SNAP (food stamps),
- divorce,
- child support,
- domestic violence,
- bankruptcy,
- special education,
- nursing home care,
- health insurance,
- eviction,
- foreclosure,
- and more.

See the reverse side for more about legal services.

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If you're under 60, call us for help:



Statewide Legal Services

1-800-453-3320 or 860-344-0380

Search our website for help:



www.ctlawhelp.org

If you're over 60, call your local legal aid office.

Connecticut Legal Services

www.ctlegal.org

Bridgeport

1000 Lafayette Blvd 203-336-3851
Suite 950

New Britain

16 Main Street 860-225-8678

New London

125 Eugene O'Neill Dr.
Suite 120 860-447-0323

Stamford

20 Summer Street 203-348-9216

Waterbury

85 Central Avenue 203-756-8074

Willimantic

1125 Main Street 860-456-1761

Greater Hartford Legal Aid

www.ghla.org

999 Asylum Avenue
Hartford, CT 06105
860-541-5000

New Haven Legal Assistance Association

www.nhlegal.org

205 Orange Street
New Haven, CT 06510
203-946-4811

Consumer Law Project for Elders

Free legal assistance to people 60 and over throughout Connecticut who have money/debt problems.

1-800-296-1467

Your Child's Rights in School

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This booklet was produced by Connecticut Legal Services, Greater Hartford Legal Aid, New Haven Legal Assistance Association, and Statewide Legal Services of Connecticut.

The information in this booklet is based on laws in Connecticut as of 6/2016. We hope that the information is helpful. It is not intended as legal advice. For advice on your situation, call Statewide Legal Services or contact a lawyer.

Generally, the school can't share your child's records without your written permission, but there are some exceptions. The school can share your child's records with other teachers or staff in the school system. They can also share the records if there is a health or safety emergency.

Bullying

Bullying is when a student repeatedly makes fun of, threatens, or embarrasses another student in a way that has a harmful effect on the student or the student's environment at school. Bullying can be verbal or physical, and it can happen

- at school,
- at a school activity,
- on the bus,
- over the phone,
- online, or
- in a text message.

It is very important to tell the school each time when your child is being bullied. Give the school as much information as possible. The school must meet with the student who is being bullied and the student who is doing the bullying. Read your school handbook to learn more about their policy on bullying.

Bullying can sometimes be a crime. You should contact the police if your child is the victim of a crime.

School Rules

Every school-age child has the right to an education.

Every year, your child's school must tell you what the rules are and what will happen if a rule is broken. Most schools give every family a student handbook or make one available online. There are rules about

- **attendance** (going to school and getting there on time);
- **residency** (where you live and what school your child can attend);
- **suspension** (removing a child from the classroom or school for a period of time); and
- **expulsion** (removing a child from school for at least 10 and up to 180 days).

Talk to your child about the school's rules and be sure that he or she understands them.

What if the school says my child broke a rule?

If the school says your child broke a rule, it has to

- tell you which rule they think your child broke,
- give your child a chance to tell his or her story, and
- discipline your child according to school guidelines.



Be sure to read the rules in the school's handbook.



If your child breaks a rule, he or she must be treated fairly. See your school handbook.

If you have a question about the way your child was disciplined or about the rule the school says was broken,

- read about the rule in the school handbook,
- ask the school administrators for more information, and/or
- call Statewide Legal Services at 1-800-453-3320.

Attendance

It is important that every child attends school.

Parents are responsible for making sure that their children attend school from age 5 to age 18 or until they graduate. As a parent, you may

- sign a form asking that your child starts school at age 6 or 7, or
- give written permission for your child to withdraw from school if they are at least 17 years old.

Children have the right to stay in school until they are 21 if they have not gotten a high school diploma.

Excused Absences

Your child may be excused from school for a good reason, such as an illness. Write a note to the school asking them to excuse your child's absence. If your child misses ten or more days of school, you will need to give the school a written note from a doctor. Absences may also be excused for things like a death in the family or a court appearance.

Discipline for special education students

Special education students have extra protections when it comes to school discipline. If a special education student is suspended for more than 10 days in a school year, the school must hold a Planning and Placement Team (PPT) meeting.

A special education student **cannot** be expelled if

- his or her disability caused the behavior, or
- the behavior was because the school did not carry out (or *implement*) the *Individualized Education Plan* (IEP).

TIP: A special education student who is expelled has a right to all of the education services listed in his or her IEP, even if he or she is placed in another program.

For more information about the rights of special education students, read the legal aid article, *Special Education*.

School Records

You have the right to see your child's school records.

Always ask for your child's records in writing. The time it will take to get your child's records will depend on what you need from the school and the type of student they are. The school may charge a fee for the records. If you can't afford to pay the fee, you have the right to get a free copy.

If your child is a **regular education student**, you should be able to look at or get a copy of the records **within 45 days**.

If your child is a **special education student**, you should be able to look at the records without unnecessary delay before a PPT meeting or hearing and get a copy **within 10 school days**.

The school *must* try to expel your child if he or she

- brings a dangerous weapon to school or to a school function,
- tries to sell illegal drugs on or off school grounds, or
- uses a deadly weapon to commit a crime off school grounds.

If the school tries to expel your child, there will be an expulsion hearing.

You have the right to bring a lawyer with you to the expulsion hearing to defend your child's rights.

If criminal charges are brought against your child because of what he or she did, it is very important for you to get a public defender or a private lawyer right away.

For more information on expulsion and your child's legal rights, read the legal aid article, *School Expulsion*.

TIP:

If criminal charges are brought against your child because of what he/she did that caused the expulsion, it is very important for you to get a public defender or private lawyer right away.

Unexcused absences

If your child is absent from school without a good reason, the absence is unexcused. As few as 4 unexcused absences can violate the school's rules.

Truancy

Your child is *truant* if he or she has

- 4 or more unexcused absences in one month, or
- 10 or more unexcused absences in one school year.

Truancy is a very serious problem. If your child is truant,

- he or she could lose course credit,
- he or she could be sent to juvenile court,
- the school could call the Department of Children and Families (DCF) and report you for educational neglect, or
- you can be fined or made to do community service.

Sometimes children miss a lot of school because they're being bullied by another child or because they have emotional problems that make it hard for them to be in school. **The school must ask to talk with you about solving the problems that are causing your child to miss school. Be sure to go to the meetings to talk with school staff about how to help your child.**

When the school meets with you, they should talk about ways to fix these problems so your child can feel comfortable at school.

You have the right to ask that your child be evaluated for special education services. For more information about enrolling your child in special education, read the legal aid article, *Special Education*.

School Districts

Most children must go to school in the district they live in. But there are some reasons why a child might go to school in another district.

If you are *homeless*, meaning you don't have a permanent place to live and are staying with friends or in a shelter, a motel, or a car, your child can

- go to school in the district where you are staying now, or
- keep going to school in the district where you used to live.

Homeless Person

The law says a homeless person is someone who does not have a permanent place to live and is staying in a shelter, motel, car, or with friends.

If you choose to send your child to school in your old district, the school must give your child transportation back to your old district. Every school has someone who works as a *homeless liaison*, and you can talk to that person for help.

Discipline

The school will discipline your child if it thinks that he or she

- broke a rule,
- makes it hard for others to learn, or
- makes the school unsafe.

As a result, your child may be

- removed from the classroom,
- given an in-school or out-of-school suspension, or
- expelled from school.

Remember! A school can't make you pick your child up from school unless he or she has been suspended.

Check your school handbook for more information about school discipline and your child's rights.

TIP:

A school cannot make you pick up your child because he/she misbehaved or is having a bad day unless the school is suspending your child.

Suspension

Suspension is when your child is removed from the classroom for longer than 90 minutes. The longest one suspension can last is 10 days.

The school must notify you within 24 hours that your child has been suspended. Your child has the right to get homework assignments and make up all missed work and tests during a suspension. Ask the school for this work so that your child can keep up with the class.

Expulsion

Expulsion is much more serious than a suspension. An expulsion is when your child is removed from the classroom for more than 10 days. An expulsion can last for up to 180 school days. Try to get legal help for your child right away. If you cannot afford a lawyer, call Statewide Legal Services at 1-800-453-3320.

The school *may* try to expel your child if he or she

- endangers people or property,
- disrupts the school, or
- breaks an important behavior or safety rule (check your school's handbook for a list of these rules).