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.
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 11/2019. 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.

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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

Under current Connecticut law, bullying is a series of acts by one or more students in the same school or district that

- cause physical or emotional harm to another student,
- put that student in reasonable fear of harm, or
- affect that student’s rights at school.

Bullying can be verbal or physical, and it can happen anywhere, including

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

It is very important to file a written report each time your child is bullied. Give the school as much information as possible. The school must promptly investigate the report and notify you of the outcome of the investigation. Read your school handbook to learn more about your district’s 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.

Each 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 go to);
- **suspension** (removing a child from the classroom or school for at least 90 minutes and up to 10 school days); and
- **expulsion** (removing a child from school for more than 10 and up to 180 school days).

Talk to your child about the school’s rules and make sure that they understand 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 their 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, they 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, you can

- 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 go to school from age 5 to age 18 or until they graduate. As a parent, you can

- sign a form asking that your child start 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 can 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 can also be excused for things like a death in the family or a court appearance.

Discipline of a special education student

Special education students have extra protections when it comes to school discipline. If the school is considering expelling a student who gets special education services, it must first hold a special Planning and Placement Team (PPT) or 504 meeting. This meeting is called a Manifestation Determination Review. It is very important for you to go to this meeting.

A special education student cannot be expelled if

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

Tip: Special education students who are expelled have a right to services listed in their IEPs, even if they are placed in other programs.

For more information about the rights of special education students, read the legal aid booklet: 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 have the right to look at the records within 45 days.

If your child is a special education student, you have the right 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 they

- bring a dangerous weapon to school or to a school function,
- try to sell illegal drugs on or off school grounds, or
- use a deadly weapon to commit a crime off school grounds.

The school may also try to expel your child for certain behaviors outside of school.

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 they did, it is very important for you to get a public defender or a private lawyer right away.

You and your child have many rights if the school tries to expel your child. For more information on expulsion and your child’s legal rights, read the legal aid booklet: School Expulsions.

TIP:

If criminal charges are brought against your child because of what they 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 they have

- 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:

- they could lose course credit,
- the school could make a referral to a community agency,
- 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 or because they have emotional problems that make it hard for them to be in school. The school must talk with you about solving the problems that are causing your child to miss school. Be sure to go to all meetings to talk with school staff about how to help your child. If no meetings are scheduled, you can ask for one.

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 for your child to be evaluated for special education services in certain situations. For more information, read the legal aid booklet, 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/or are temporarily staying with someone 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.

If you choose to send your child to school where you used to live, the school must give your child transportation back to where you used to live. If you need help, you can ask to talk to the district’s homeless liaison.

Discipline

The school will discipline your child if it thinks that they

- broke a rule,
- make it hard for others to learn, or
- make 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.

Important: A school cannot require you to pick your child up from school unless they have been suspended.

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

Suspension

Suspension is the removal of your child from the classroom for at least 90 minutes and up to 10 school 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.

TIP:

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

Expulsion

Expulsion is much more serious than a suspension. An expulsion is the removal of your child from the school and all school activities for more than 10 school 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 they

- endanger people or property,
- disrupt the school, or
- break an important behavior or safety rule (check your school’s handbook for a list of these rules).