



STATE OF CONNECTICUT
STATE BOARD OF EDUCATION



TO: Superintendents of Schools

FROM: Dr. Dianna R. Wentzell, Commissioner of Education 

DATE: February 21, 2018

SUBJECT: Standards for Educational Opportunities for Students Who Have Been Expelled

Section 10-233d of the Connecticut General Statutes (C.G.S.), requires local education agencies (LEAs) to offer an alternative educational opportunity to (a) any student under 16 years old who has been expelled; and (b) any student between 16 and 18 years old who has been expelled for the first time, wishes to continue with his/her education and complies with conditions set by the LEA.

Pursuant to Public Act 17-220, *An Act Concerning Education Mandate Relief*, the State Board of Education (SBE) was directed to adopt standards for the provision of an adequate alternative educational opportunity, pursuant to subsection (d) of section 10-233d of the C.G.S. Public Act 17-220 notes that the standards must address, but need not be limited to, the kind of instruction and number of hours to be provided to a student enrolled in an alternative educational opportunity.

At the January 3, 2018, SBE meeting, the Board approved the following resolution:

RESOLVED, That the State Board of Education, pursuant to section 3 of Public Act 17-220, An Act Concerning Education Mandate Relief, adopts the “Standards for Alternative Educational Opportunities for Students Who Have Been Expelled,” and directs the Commissioner to take the necessary action.

In 2016, the Connecticut State Department of Education (CSDE) issued its Guidelines for Alternative Education Settings, as required by a 2015 law that required that the SBE establish guidelines concerning alternative education programs/settings in general. During the 2016 legislative session, the General Assembly passed a law expanding and more clearly defining the obligation of LEAs to provide alternative educational opportunities for students who have been expelled in particular. Therefore, the CSDE reconvened the Alternative Schools Committee (ASC), originally established by the CSDE to assist in developing the 2016 Guidelines for Alternative Education Settings, to collaborate in developing guidelines specifically addressing alternative educational opportunities for students who have been expelled.

In 2017, after the reconvened ASC completed its work, the General Assembly further refined the law governing educational opportunities for students who have been expelled, which included directing the SBE to adopt standards for the provision of such alternative educational opportunities. In preparing the standards, the CSDE considered the extensive and thoughtful input provided by the ASC and incorporated the statutory changes resulting from the 2017 legislation.

In preparing these standards, the CSDE recognized that many districts offer alternative education programs that may be appropriate for students who have been expelled. The CSDE also understands the recent legislation in this area to have confirmed the importance of making individualized assessments concerning the appropriate educational programming and setting for each student – as is expected with any placement of a student into an alternative education program.

Thus, the standards require a determination concerning appropriate programming and the development of an individualized learning plan (ILP) for all students who have been expelled.

The ILP, delineated in the Standards document, must be developed as soon as the student is admitted to an alternate educational placement due to an expulsion. It informs and directs student learning goals and activities for the duration of the expulsion.

In the case of a student with an Individualized Education Program (IEP), the planning and placement team (PPT) shall determine the appropriate services for the student during the period of expulsion. In addition, for special education students, the PPT will determine the interim alternative educational setting and services.

In developing an ILP for any student, the LEA will consider all relevant student records that may exist for the student, such as, any IEP, Student Success Plan (SSP), Section 504 Plan or Individualized Health Plan (IHP) and/or other academic and behavioral information. While these plans inform decision making for the ILP, they do not replace the development of an ILP. Likewise, the ILP does not replace or supersede the above-mentioned plans and the fact that a student with an IEP, Section 504 Plan or IHP also has an ILP because he or she was expelled does not in any way limit the obligations of the school district to comply with all requirements applicable to students with IEPs, Section 504 plans or IHPs.

I am confident that effective implementation of the attached *Standards for Educational Opportunities for Students Who Have Been Expelled* will assure that students who have been expelled will access high-quality programming that will position them for success.

If you have questions or need additional information, please contact Glen Peterson, Education Division Director, at glen.peterson@ct.gov or (860) 713-6915.

DRW:crt

Attachment