

Board of Education
New Milford Public Schools
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NEW MILFORD, CT

PLEASE POST

November 7, 2017

PRESENT:

Hearing Officer: Attorney Michael P. McKeon

Others Present: Mr. Joshua Smith, Mr. Greg Shugrue, Ms. Linda Scoralick, Attorney Daniel P. Murphy, and the Court Reporter were present for the entire special meeting. The student who was the subject of the first hearing and that student's father were present for that part of the special meeting that was held for the purpose of conducting that student's disciplinary hearing. The student who was the subject of the second hearing, and that student's mother and father, were present for the other part of the special meeting, which was held for the purpose of conducting that student's disciplinary hearing.

At the November 2, 2017 special meeting that was called for the purpose of holding a student expulsion hearing, a Hearing Officer acting on behalf of the New Milford Board of Education took the following actions.

Attorney McKeon, serving as Hearing Officer, called the hearing to order at 11:15 a.m. and immediately moved into executive session since personally identifiable information relating to the student who was the subject of the hearing was likely to be discussed, and invited into executive session Mr. Joshua Smith, Mr. Greg Shugrue, Ms. Linda Scoralick, Attorney Daniel P. Murphy, the Court Reporter, the student who was the subject of the first hearing, and that student's father.

The evidentiary portion of the hearing as well as the Hearing Officer's deliberations having concluded, Attorney McKeon returned to public session at 1:02 p.m., at which time he took the following action on behalf of the Board:

Based upon the factual findings adopted by the Board of Education, the student who was the subject of this expulsion hearing shall be expelled from the New Milford Public Schools' and from all school-sponsored activities, either curricular or extracurricular, either on school grounds or at another location, for a period of one calendar year, effective immediately, and the student shall be offered an alternative educational opportunity determined by the Superintendent of Schools during the period of exclusion. Notwithstanding the foregoing, the student may apply to be readmitted to school on the first day of the 2018-2019 school year if the student satisfies the following conditions: 1) full and adequate participation in any offered alternative educational opportunity,

including but not limited to no unexcused absences; 2) the completion of third-party drug testing at the parent(s)' expense no earlier than ten calendar days before the date of the proposed early readmission and the provision to the Superintendent of the written report of that testing indicating that the student is drug free; and 3) no violations of the law or conduct that would constitute grounds for suspension or expulsion under publicized Board policies. The determination as to whether the student has met these conditions shall be at the sole discretion of the Superintendent of Schools with the stipulation that if the student is readmitted early, the student must continue to meet condition 3 as set forth above, and if the student fails to meet this condition upon readmission, the Superintendent may reinstate any unserved period of expulsion without a hearing or otherwise commence new disciplinary proceedings.

The first student disciplinary hearing concluded at 1:08 p.m., and there was an adjournment of the special meeting pending the commencement of the second student disciplinary hearing.

Attorney McKeon, again serving as Hearing Officer, reconvened the special meeting and called the second student disciplinary hearing to order at 1:25 p.m. and immediately moved into executive session since personally identifiable information relating to the student who was the subject of the hearing was likely to be discussed, and invited into executive session Mr. Joshua Smith, Mr. Greg Shugrue, Ms. Linda Scoralick, Attorney Daniel P. Murphy, the Court Reporter, the student who was the subject of the second hearing, and that student's mother and father.

The evidentiary portion of the hearing as well as the Hearing Officer's deliberations having concluded, Attorney McKeon returned to public session at 1:44 p.m., at which time he took the following action on behalf of the Board:

I hereby move on behalf of the Board of Education that the Stipulated Expulsion Agreement which the parties' jointly submitted be adopted in its entirety and made the decision and order of the Board regarding the student who is the subject of this hearing.

There being no further business before the Hearing Officer, the meeting was adjourned at 1:48 p.m.

Respectfully submitted,


Joshua Smith
Superintendent of Schools