

LEGAL MAILBAG – OCTOBER 29, 2026



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The “Legal Mailbag Question of the Week” is a regular feature of the CAS Weekly NewsBlast. We invite readers to submit short, law-related questions of practical concern to school administrators. Each week, we will select a question and publish an answer. While these answers cannot be considered formal legal advice, they may be of help to you and your colleagues. We may edit your questions, and we will not identify the authors. Please submit your questions to: legalmailbag@casciac.org.

Dear Legal Mailbag,

I am dealing with a serious disciplinary issue, and I would appreciate some free legal advice. A parent complained to me about a grade of B that her daughter received in AP United States History for the first quarter. The parent said that her daughter works very hard on her studies, and indeed the student’s grade point average is above 4.0. She reported that she has emailed the teacher several times asking that he explain why her daughter had received a B, but that she had not heard back.

I am naturally reluctant to get involved in teacher grading decisions. But in checking PowerSchool, I see that every student in the class received a B for the first marking period, which seemed very odd to me. Accordingly, I scheduled a meeting with the teacher, and I was surprised when he arrived at the meeting with his union representative in tow.

When the meeting started, the teacher went hands up. He explained that he was having personal problems, and that he figured that it would be safe simply to give all the students a first-quarter grade of B without reviewing their work. He apologized for his dereliction and promised to do better.

Assessment of student progress is a key responsibility of teachers. I am incensed that this teacher would do something so unprofessional, and I am recommending that the superintendent initiate termination proceedings. The immediate problem, however, is what to do about the grades that the teacher arbitrarily assigned to his students.

I presume that the mother who complained will want me to adjust her daughter's grade to an "A," and I have no reason to believe that she did not do A work for the first quarter. That said, I am reluctant to change the student's grade to A, but I don't see how I can let the Grade of B stand because the teacher simply assigned the grade arbitrarily. How would Legal Mailbag resolve this Hobson's choice?

Signed,
Making (Up) the Grade

Dear Making:

You are correct that assessing student process and assigning corresponding grades are key teacher responsibilities. Moreover, the teacher's actions were unconscionable, and serious disciplinary action is certainly warranted. However, Legal Mailbag would urge your superintendent to consider all the facts and circumstances here before moving straight to termination. As Legal Mailbag has previously noted, the Teacher Tenure Act now provides that termination proceedings will now be resolved through arbitration, and the arbitrator will have the final say in such matters. The teacher's disciplinary record, if any, will be a key consideration in determining whether to initiate termination proceedings or to impose a lesser (but still serious) disciplinary consequence.

Legal Mailbag shares your concern about simply changing the grade for this student to an A because that action would also be arbitrary, and it leaves open the question of what to do with all the other students' grades. It may be possible to ask another teacher who is appropriately certified to review the students' work and assign grades, but that approach also presents challenges, including whether you can find a teacher qualified and able to perform this task and whether it would be possible to reconstruct grades in a reliable way. If that approach is impractical, Legal Mailbag suggests that (1) you simply confirm with the teacher that the students attended the class and did the work, and then (2) vacate the grades but grant students credit for the first quarter.

It is an imperfect world, as is this solution. If you take this suggestion, it will be important to assure that the credit-but-no-grade approach does not disadvantage the affected students, as would be the case if the first quarter "no grade" were averaged in.

In handling this messy situation, you should also check your district's board policy on the subject. Conn. Gen. Stat. §10-220g provides:

Each local and regional board of education shall establish, and update as necessary, a written policy concerning the manner in which students' grade point averages are calculated, including whether such grade point average is weighted or not weighted. The policy shall provide that parents and students are advised as to whether a grade in an honors class, advanced placement class, International Baccalaureate program, Cambridge International program,

dual enrollment, dual credit or early college is or is not given added weight for purposes of calculating grade point average and determining class rank.

Legal Mailbag does not expect that the policy your board of education adopted pursuant to this statute will address this unique situation, but you should check. Finally, whatever you do, please confer with your superintendent to assure that you two agree on an appropriate approach.