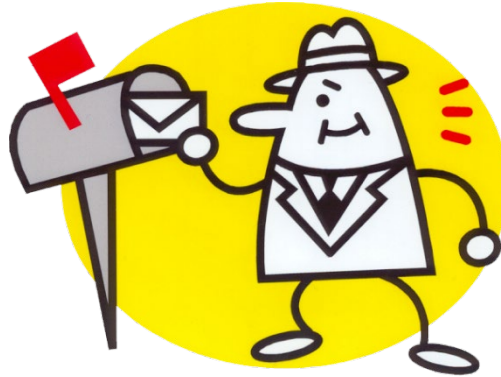


LEGAL MAILBAG – MAY 1, 2025



By Attorney Thomas B. Mooney, Neag School of Education, University of Connecticut

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,

It's been a while since I've written, which I can only attribute to how good the monthly advice is. For this one I had to dust off the 10th edition of "A Practical Guide..." and was left with more questions than answers, as is with all things legal. As budget season is winding down, I was recently asked by a board member about a revenue line in our annual budget. In accordance with board policy, students can be assessed a fine for damaged or lost equipment (textbooks, laptops etc.). After some "spirited" dialogue, other board members asked what we do for graduating seniors who don't pay up. It was suggested that we hold diplomas and/or transcripts.

Is that legal?

Signed,
Just Making Sure

Dear Making:

As creatures of statute, boards of education and their agents (including school administrators) have only those powers granted to them by statute. Community service, for example, is not an authorized disciplinary intervention because the statutes limit student discipline to removal, in-school suspension, suspension, and expulsion. The question, therefore, is where do we find authorization in the statutes for the action you describe – withholding diplomas and/or transcripts from students who do not pay for damaged textbooks or school equipment?

The answer is found in Connecticut General Statutes, § 10-221(d), which provides:

(d) Boards of education may prescribe rules to impose sanctions against pupils who damage or fail to return textbooks, library materials or other educational materials. Said boards may charge pupils for such damaged or lost textbooks, library materials or other educational materials and may withhold grades, transcripts or report cards until the pupil pays for or returns the textbook, library book or other educational material.

Legal Mailbag does not see authority for withholding diplomas, but withholding grades, transcripts or report cards is clearly authorized until fees for damaged or lost textbooks, library books or other educational materials are paid.

Legal Mailbag agrees that the Practical Guide is a great resource, but must admit that the index is not the best. Fortunately (but not universally known), persons who own the Tenth Edition of the Practical Guide to Connecticut School Law have access to an electronic version of the Guide by simply registering their copy of the Guide in accordance with these directions on the back of the first page under the heading DIGITAL VERSION:

TO OBTAIN ACCESS to the digital version, please register at this link: <https://forms.office.com/r/Uu22ppi48R>. Once you have registered, you will receive a password-protected link by return email to download a searchable PDF file of the Guide, which includes hyperlinks to access various cases and other resources. Please download the PDF file and save the password you receive upon registration for future reference.

The digital version of the Guide permits readers to search for words or topics electronically, which is often better than using the Index. Had you searched on “textbooks,” for example, you would have eventually landed on page 137 of the Tenth Edition, which describes the right to withhold grades, transcripts and report cards pending payment for damaged or lost textbooks, library materials, and other educational material, as set forth in Conn. Gen. Stat. § 10-221(d). Happy hunting!