



**2025 Edition**

## **Rights of Minors in Connecticut**

A Guide to Resources in the Law Library

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These guides are provided with the understanding that they represent only a beginning to research. It is the responsibility of the person doing legal research to come to his or her own conclusions about the authoritativeness, reliability, validity, and currency of any resource cited in this research guide.

View our other research guides at  
<https://jud.ct.gov/lawlib/selfguides.htm>

This guide links to advance release opinions on the Connecticut Judicial Branch website and to case law hosted on Google Scholar and Harvard's Case Law Access Project. The online versions are for informational purposes only.

References to online legal research databases refer to in-library use of these databases. Remote access is not available.

[Connecticut Judicial Branch Website Policies and Disclaimers](https://www.jud.ct.gov/policies.htm)  
<https://www.jud.ct.gov/policies.htm>

# Introduction

## A Guide to Resources in the Law Library

- **Minor, Infant and Infancy:** "Except as otherwise provided by statute, on and after October 1, 1972, the terms 'minor', 'infant' and 'infancy' shall be deemed to refer to a person under the age of eighteen years and any person eighteen years of age or over shall be an adult for all purposes whatsoever and have the same legal capacity, rights, powers, privileges, duties, liabilities and responsibilities as persons heretofore had at twenty-one years of age, and 'age of majority' shall be deemed to be eighteen years." Conn. Gen. Stat. § [1-1d](#) (2025).
- **Child:** "means any person under eighteen years of age who has not been legally emancipated, except that for purposes of delinquency matters and proceedings, 'child' means any person who (A) is at least ten years of age at the time of the alleged commission of a delinquent act and who is (i) under eighteen years of age and has not been legally emancipated, or (ii) eighteen years of age or older and committed a delinquent act prior to attaining eighteen years of age, or (B) subsequent to attaining eighteen years of age, (i) violates any order of the Superior Court or any condition of probation ordered by the Superior Court with respect to a delinquency proceeding, or (ii) wilfully fails to appear in response to a summons under section 46b-133 or at any other court hearing in a delinquency proceeding of which the child had notice;" Conn. Gen. Stat. § [46b-120](#)(1) (2025).
- **Family with Service Needs:** "means a family that includes a child who is at least seven years of age and is under eighteen years of age who, according to a petition lawfully filed on or before June 30, 2020, (A) has without just cause run away from the parental home or other properly authorized and lawful place of abode, (B) is beyond the control of the child's parent, parents, guardian or other custodian, (C) has engaged in indecent or immoral conduct, or (D) is thirteen years of age or older and has engaged in sexual intercourse with another person and such other person is thirteen years of age or older and not more than two years older or younger than such child;" Conn. Gen. Stat. § [46b-120](#)(3) (2025).
- **Youth:** "means any person sixteen or seventeen years of age who has not been legally emancipated;" Conn. Gen. Stat. § [17a-1](#)(6) (2025).
- **Definition of the Term "Minor" Under Connecticut Law**, by Michelle Kirby, Connecticut General Assembly, Office of Legislative Research Report, [2013-R-0382](#) (October 1, 2013).

Table 1: Recent Public Acts Affecting Children, Juveniles, and Education

<b>Recent Public Acts Affecting Children, Juveniles, and Education*</b>	
<b>Children / Juveniles</b>	<p>Office of Legislative Research, <a href="#">[Public] Acts Affecting Children (2025)</a>.</p> <p>Office of Legislative Research, <a href="#">[Public] Acts Affecting Children (2024)</a>.</p> <p>Office of Legislative Research, <a href="#">[Public] Acts Affecting Children (2023)</a>.</p> <p>Office of Legislative Research, <a href="#">[Public] Acts Affecting Children (2022)</a>.</p> <p>Office of Legislative Research, <a href="#">[Public] Acts Affecting Children (2021)</a>.</p> <p>Office of Legislative Research, <a href="#">[Public] Acts Affecting Children (2019)</a>.</p> <p>Office of Legislative Research, <a href="#">[Public] Acts Affecting Children (2018)</a>.</p> <p>Office of Legislative Research, <a href="#">[Public] Acts Affecting Children (2017)</a>.</p> <p>Office of Legislative Research, <a href="#">[Public] Acts Affecting Children (2016)</a>.</p> <p>Office of Legislative Research, <a href="#">[Public] Acts Affecting Children (2015)</a>.</p> <p>Office of Legislative Research, <a href="#">[Public] Acts Affecting Children (2014)</a>.</p> <p>Office of Legislative Research, <a href="#">[Public] Acts Affecting Children (2013)</a>.</p> <p>Office of Legislative Research, <a href="#">[Public] Acts Affecting Children (2012)</a>.</p>
<b>Education</b>	<p>Office of Legislative Research, <a href="#">[Public] Acts Affecting Education (2025)</a>.</p> <p>Office of Legislative Research, <a href="#">[Public] Acts Affecting Education (2024)</a>.</p> <p>Office of Legislative Research, <a href="#">[Public] Acts Affecting Education (2023)</a>.</p> <p>Office of Legislative Research, <a href="#">[Public] Acts Affecting Education (2022)</a>.</p> <p>Office of Legislative Research, <a href="#">[Public] Acts Affecting Education (2021)</a>.</p> <p>Office of Legislative Research, <a href="#">[Public] Acts Affecting Education (2019)</a>.</p> <p>Office of Legislative Research, <a href="#">[Public] Acts Affecting Education (2018)</a>.</p> <p>Office of Legislative Research, <a href="#">[Public] Acts Affecting Education (2017)</a>.</p> <p>Office of Legislative Research, <a href="#">[Public] Acts Affecting Education (2016)</a>.</p> <p>Office of Legislative Research, <a href="#">[Public] Acts Affecting Education (2015)</a>.</p> <p>Office of Legislative Research, <a href="#">[Public] Acts Affecting Education (2014)</a>.</p>

	Office of Legislative Research, <a href="#">[Public] Acts Affecting Education (2013)</a> .
	Office of Legislative Research, <a href="#">[Public] Acts Affecting Education (2012)</a> .

\* Source: Office of Legislative Research, *Acts Affecting*,  
<https://www.cga.ct.gov/olr/actsaffecting.asp> (Accessed on 8/13/2025).

# Section 1: Emancipation in Connecticut

A Guide to Resources in the Law Library

**SCOPE:** Bibliographic resources relating to the criteria for statutory and common law emancipation, and the impact of emancipation on the status of minors and the obligations of parents.

**DEFINITIONS:**

- **Emancipation:** "Where the parent has absolutely renounced, by agreement or implication, all care and control of the child, he is emancipated." [Plainville v. Milford](#), 119 Conn. 380, 384, 177 A. 138 (1935).
- **Order Of Emancipation:** "A minor over the age of sixteen who, like the minor child here, voluntarily lives apart from her parents who exercise and attempt to exercise no control over her activities is emancipated by operation of common law... Further, that minor is a party who may petition, as may her parents, for an order of emancipation pursuant to General Statute § 46b-150b..." [Town v. Anonymous](#), 39 Conn. Sup. 35, 38, 467 A.2d 687 (1983).
- **Common Law Emancipation:** "By voluntarily removing herself from her parents' home and securing her own support — originally by sharing her boyfriend's welfare support from the town, and subsequently by becoming a recipient of town welfare in her own name and that of her baby — the minor has effectively removed herself from parental controls. This circumstance, combined with her parents' acquiescence therein, results in her becoming, under common law principles, an emancipated minor." [Town v. Anonymous](#), 39 Conn. Sup. 35, 38-39, 467 A.2d 687 (1983). See also § [46b-150e](#). Emancipation under common law.
- **Desertion by Parents:** "Ordinarily a child is emancipated at majority. 48 C. J. p. 485, § 119, and note 34. But the desertion of a minor by his parent may also emancipate him." [Plainville v. Milford](#), 119 Conn. 380, 384, 177 A. 138 (1935).
- **Plenary Guardianship:** "...means a person, legally authorized state official, corporation, limited liability company, partnership or other entity recognized under the laws of this state, whether or not operated for profit, except a hospital, nursing home facility, as defined in section 19a-521, or residential care home, as defined in section 19a-521, appointed by a Probate Court pursuant to the provisions of sections 45a-669 to 45a-683, inclusive, to supervise all aspects of the care of an adult person, as enumerated in subsection (d) of section 45a-677, for the benefit of such adult, who by reason of the severity of intellectual disability, has been determined to be totally unable to meet essential

requirements for his or her physical health or safety and totally unable to make informed decisions about matters related to his or her care." Conn. Gen. Stat. [45a-669](#)(1) (2025).

#### **PAMPHLETS:**

- Connecticut Network for Legal Aid, *A Teenager's Guide to Emancipation* (Nov 2022) <https://ctlawhelp.org/a-teenagers-guide-to-emancipation>
- 211 E-Library, *Emancipation of Minors – Connecticut* <https://uwc.211ct.org/emancipation-of-minors/>
- Center for Children's Advocacy, *What is Emancipation? Is It a Good Option for You?* <https://cca-ct.org/emancipation%202008.pdf>

#### **STATUTES:**

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.

Conn. Gen. Stat. (2025)

- § [46b-150](#). Emancipation of minor. Procedure. Notice. Attorney General as party.
- § [46b-150a](#). Investigation of petition for emancipation. Report. Appointment of counsel. Probate Court may order examination.
- § [46b-150b](#). Order of emancipation.
- § [46b-150c](#). Appeal.
- § [46b-150d](#). Effect of emancipation.
- § [46b-150e](#). Emancipation under common law.
- § [45a-669](#). Definitions

#### **FORMS:**

- Petition/Emancipation of Minor, Probate Court, PC-905 <https://www.ctprobate.gov/Forms/PC-905.pdf>

#### **LEGISLATIVE:**

[Office of Legislative Research](#) reports summarize and analyze the law in effect on the date of each report's publication. Current law may be different from what is

- *Emancipation Procedures*, Susan Price-Livingston, Connecticut General Assembly, Office of Legislative Research Report, [2002-R-0008](#) (Jan. 3, 2002).

Once you have identified useful cases, it is important to update them to ensure they are still good law. You can [contact your local law librarian](#) to learn about updating cases.

- *Grant v. Norwich Discount Liquor, LLC*, Superior Court, Judicial District of New London at New London (December 22, 2011) (53 Conn. L. Rptr. 235,237) (2011 WL 70494814) (2011 Conn. Super. LEXIS 3241). "Tony Grant was over the age of eighteen at the time of the incident and thus by definition; General Statutes §1-1d, not a minor. Upon reaching his eighteenth birthday Tony Grant had the 'rights, powers, privileges, duties, liabilities and responsibilities' of an adult. After his eighteenth birthday and prior to the accident which is the subject of this complaint, it appears that his parents filed with the Probate Court for approval to serve as his plenary guardians because of his disabilities. Thus, the parent of a mentally handicapped person who has

been emancipated at the age of eighteen by virtue of General Statutes §1-1d, would have to take affirmative steps to obtain a court order authorizing them to continue to care for him and to make decisions on his behalf. In fact, the statute on proceedings involving plenary guardians provides in pertinent part: "'Legally competent'" means having the legal power to direct one's personal and financial affairs. All persons in this state eighteen years of age and over are legally competent unless determined otherwise by a court in accordance with the provisions of Sections 45a-669 to 45a-684, inclusive, or unless otherwise provided by law.' (Emphasis added.) General Statutes §45a-669(2). Thus, while Tony Grant was emancipated when he turned eighteen at some later point in time he was placed under a plenary guardianship which is analogous having a status of being 'unemancipated.'"

- In Re Mary, A Minor, Probate Court, District of Fairfield (August 22, 2008) (22 Quinn. Prob. Law J. 200). "Unlike a termination of parental rights petition or that seeking the removal of a child from a parent, emancipation proceedings do not impose a burden of proof upon the petitioner by clear and convincing evidence. The statute demands no more than a fair preponderance of the evidence standard, meaning that this Court must find in Mary's favor if she proves that the statutory standards have been met by a fair preponderance of the evidence. In layman's parlance, only a 51% preponderance of fact must be found in order to support the petitioner's claim. Therefore, the question now is whether Mary has met that burden. The Court believes she has."
- In Re Antina, Superior Court, Juvenile Matters, Judicial District of Middlesex at Middletown (November 26, 1996). *Juvenile's petition for statutory emancipation granted.*
- In Re Thomas C., 44 Conn. Sup. 437, 444, 691 A.2d 1140 (1996). "Although unfortunate, it is one of the realities of life that parents must shoulder burdensome responsibilities for children who misbehave, or become physically or emotionally ill. A decree legally excusing parents from the obligations and duties of parenthood should not be granted without a substantial reason. Although the petitioners' stated reasons for seeking emancipation are understandable, the court finds that they do not meet the burden of good cause showing that it would be in the best interest of the child, or the parent, to emancipate Thomas."
- In Re Addison A., Superior Court, Juvenile Matters, Judicial District of Hartford/New Britain at Plainville, No. 91-234 (April 16, 1992) (1992 WL 83811) (1992 Conn. Super. LEXIS 1080). *Parents' petition for court ordered emancipation of their seventeen year old son denied.*

- [Delevett v. Delevett](#), 156 Conn. 1, 3-4, 238 A.2d 402 (1968). "When, as part of a divorce decree, a parent is ordered to pay a specified amount periodically for the benefit of more than one child, the emancipation of one child does not automatically affect the liability of the parent for the full amount . . . . The proper remedy, if the full amount is deemed excessive, is to seek a modification of the decree."
- [Wood v. Wood](#), 135 Conn. 280, 284, 63 A.2d 586 (1948). "An "implied emancipation" results when the parent, without any express agreement, by his acts or conduct impliedly consents that his minor son may leave home and shift for himself, have his own time, and the control of his earnings, and it may be inferred from and shown by the circumstances.' *Rounds Bros. v. McDaniel*, 133 Ky. 669, 676, 118 S.W. 956."

**WEST KEY  
NUMBERS:**

- *Parent & Child*  
V. Emancipation  
# 261 – 277

**ENCYCLOPEDIAS:**

Encyclopedias and ALRs are available in print at some law library locations and accessible online at all law library locations.

Online databases are available for in-library use. Remote access is not available.

- 59 *Am Jur 2d Parent & Child*, Thomson West, 2023 (Also available on Westlaw).  
IV. Effect of Emancipation of Child on Relationship, Duties, and Rights of Parties
- 43 *CJS Infants*, Thomson West, 2014 (Also available on Westlaw).  
III. Rights, Privileges, and Disabilities  
C. Removal of Disabilities or Emancipation  
1. In General  
2. Judicial Emancipation
- 67A *CJS, Parent & Child*, Thomson West, 2023 (Also available on Westlaw).  
I. In General  
D. Termination of Relationship and of Rights and Obligations; Emancipation  
2. Emancipation  
a. In General  
c. Constructive Emancipation  
d. Evidence; Questions of Law and Fact  
e. Effect
- 64 *COA 2d* 619, *Cause of Action to Establish Emancipation of Infant*, by Sally J. T. Necheles, Thomson West, 2014 (Also available on Westlaw).
- 1 *Representing the Child Client*, Michael J. Dale, Matthew Bender, 1987, with 2025 supplement (Also available on Lexis).  
Chapter 3. The Legal Status of Minors  
§3.05 Emancipation

**TEXTS &  
TREATISES:**

You can [contact](#) us or visit our [catalog](#) to determine which of our law libraries own the treatises cited.

References to online databases refer to in-library use of these databases.

## Appendix 3B. Connecticut Emancipation of Minors Statutes

### **LAW REVIEWS:**

Public access to law review databases is available on-site at each of our [law libraries](#).

- Clare Ryan, *The Law Of Emerging Adults*, 97 [Washington University Law Review](#) 1131, (2020).
- Francis C. Cady, *Emancipation of Minors*, 12 [Connecticut Law Review](#) 62 (Fall 1979).
- Julie S. Lavin, *Emancipation of Minors: A Doctrinal and Practical Analysis for Child Advocates*, [10 Connecticut Family Law Journal](#) no. 3, 1992, at 1.

Table 2: Child Support and Emancipation

<b>Emancipation and Child Support</b>	
<b>Arrearage</b>	<p>"This court, therefore, 'has jurisdiction in a contempt proceeding to enter an order to pay child support on unpaid installments which accrued before the child reached majority, where the proceedings were commenced after the child reached majority. The jurisdiction of the court is a continuing one, and the mere emancipation of the child should not serve to cancel the arrearage.' <i>Arnold v. Arnold</i>, 35 Conn. Sup. 244, 245-46, 407 A.2d 190 (1979)." <i>Veras v. Veras</i>, 45 Conn. Sup. 169, 170, 702 A.2d 1217 (1997).</p>
<b>By Modification</b>	<p>"When, as part of a divorce decree, a parent is ordered to pay a specified amount periodically for the benefit of more than one child, the emancipation of one child does not automatically affect the liability of the parent for the full amount . . . . The proper remedy, if the full amount is deemed excessive, is to seek a modification of the decree." <i>Delevett v. Delevett</i>, 156 Conn. 1, 3-4, 238 A.2d 402 (1968).</p> <p>See also <i>Malpeso v. Malpeso</i> 165 Conn. App. 151, 176, 138 A.3d 1069 (2016).</p>
<b>Common law emancipation and the child support obligation</b>	<p>"There is nothing in that statute [46b-215] to suggest that common law emancipation absolutely relieves a parent of his or her support obligation. Indeed, the trend of the law in the United States appears to be toward a more flexible concept of emancipation and away from the all-or-nothing view that emancipation is a complete severance, for all purposes, of the parent-child relationship . . . . The enactment of § 46b-150 et seq. bolsters the conclusion that the statutory support obligation is not necessarily impaired by a common law emancipation which a parent has unilaterally decreed. Under those sections of the statute, as indicated above, a parent may petition the court for an order of emancipation and, specifically, for relief from the obligation to support the child. Such a provision would be unnecessary if a parent could obtain the same result without resorting to court action. From the standpoint of society as a whole, of course, the statutory procedure for relief from the parental obligation is preferable to the method which the defendant seeks to employ in the present case. Section 46b-150a provides for investigation by various state agencies, appointment of counsel for the child, and any other safeguards deemed appropriate by the court. It ensures that the interests of all parties, including the state, are considered and protected. In the present case, the defendant contends, in effect, that he can legally shed his financial</p>

responsibility by the simple expedient of unilaterally emancipating the child. It is not hard to envision the economic chaos that such a theory could inflict on society if adopted by the court and universally applied. As is demonstrated by the facts in the present case, the child's need for financial support does not necessarily vanish upon emancipation, and someone else or the state may have to foot the bill. For all of the reasons set forth above, the court holds that the emancipation of the child in this case by the defendant does not relieve him of his legal obligations." [Mills v. Theriault](#), 40 Conn. Sup. 349, 352-353, 499 A.2d 89 (1985).

## Section 2: Runaways in Connecticut

A Guide to Resources in the Law Library

### **SCOPE:**

Bibliographic resources relating to:

- the legal rights of minors who leave home without parental consent and
- the responsibilities of legal guardians and public authorities.

### **STATUTES:**

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.

Conn. Gen. Stat. (2025)

- [Chapter 104](#). Municipal Police and Fire Protection  
§ [7-28c](#). Filing and dissemination of reports re missing children, missing youths and certain missing persons.
- [Chapter 164](#). Educational Opportunities  
§§ [10-19m](#) through [10-19r](#). Youth service bureaus . . .
- [Chapter 319a](#). Child Welfare  
§ [17a-185](#). Police transportation of certain minors to facility for care.
- [Chapter 528](#). Department of Emergency Services and Public Protection  
§ [29-1e](#). Missing Children Information Clearinghouse. Definitions. Duties. Missing Child Reports.
- [Chapter 802h](#). Protected Persons and Their Property  
§ [45a-604](#)(5). Definitions. 'Guardianship' means. . .  
§ [45a-606](#). Father and mother joint guardians.
- [Chapter 815t](#). Juvenile Matters  
§ [46b-120](#)(3). Definitions. Family with service needs.
- [Chapter 815t](#). Juvenile Matters  
§ [46b-149a](#). Duties of police officer re child of family with service needs.
- [Chapter 925](#). Statutory Rights of Action and Defenses  
§ [52-572](#). Parental liability for torts of minors.
- [Chapter 939](#). Offenses Against the Person  
§ [53-21a](#). Leaving child unsupervised in place of public accommodation or motor vehicle. Failure to report disappearance of a child.

United States Code (2025)

- [Chapter 111](#). Juvenile justice and delinquency prevention  
34 U.S.C. §§ 11201-11281. Runaways and homeless youth
- [Chapter 119](#). Homeless assistance

42 U.S.C. §§ 11431-11435. Education for homeless children and youth

**LEGISLATIVE:**

[Office of Legislative Research](#) reports summarize and analyze the law in effect on the date of each report's publication. Current law may be different from what is discussed in the reports.

- *Parental Control and Teenagers' Rights*, Jessica Callahan, Connecticut General Assembly, Office of Legislative Research Report, [2022-R-0197](#) (Nov. 15, 2022).
- *Homeless Student Legislation (2016 – 2020)*, John D. Moran, Connecticut General Assembly, Office of Legislative Research, [2020-R-0357](#) (Dec. 30, 2020).
- *Parental Options for Out-of-Control 16-Year-Olds*, Susan Price, Connecticut General Assembly, Office of Legislative Research Report, [2009-R-0187](#) (April 30, 2009).
- *State Police Missing Persons Protocol*, Veronica Rose, Connecticut General Assembly, Office of Legislative Research Report, [2007-R-0037](#) (Jan. 9, 2007).
- *Parents' Rights and Responsibilities for Their 16- and 17-Year Old Children*, George Coppolo, Connecticut General Assembly, Office of Legislative Research, Report, [2003-R-0564](#) (August 1, 2003).
- *Background on Status Offenders*, Lawrence K. Furbish, Connecticut General Assembly, Office of Legislative Research Report, [2003-R-0130](#) (Jan. 31, 2003).
- *Youth in Crisis Law*, Saul Spigel, Connecticut General Assembly, Office of Legislative Research Report, [2002-R-0786](#) (Sept. 23, 2002).

**REGULATIONS:**

You can visit your local law library or browse the [Connecticut eRegulations System](#) on the Secretary of the State website to check if a regulation has been updated.

- Conn. Agencies Regs. (03/06/2015)  
Title 10 – Education and Culture.  
[§§ 10-19m-1 to 10-19m-10](#)

§ 10-19m-1(f). "'Youth Service Bureau' means an agency operated directly by one or more municipalities or a private agency designated to act as an agent of one or more municipalities for the purpose of evaluation, planning, coordination and implementation of prevention, intervention and treatment services for delinquent, pre-delinquent, pregnant, parenting and troubled youth, and for the provision of opportunities for youth to develop positively and to function as responsible members of their communities."
- 45 Code of Federal Regulations (2025)  
[45 CFR Part 1351](#). Runaway and Homeless Youth Program.

You can search or browse the most recent C.F.R. on the [e-CFR website](#).

**ONLINE PUBLICATIONS:**

- [Legal Rights of Teens](#), Center for Children's Advocacy  
Runaway and Homeless Youth section

**POLICIES:**

- Department of Children and Families Policy Manual  
[Missing from Care](#) – 21-15 (effective date July 15, 2022)

**TEXTS & TREATISES:**

You can [contact](#) us or visit our [catalog](#) to determine which of our law libraries own the treatises cited.

References to online databases refer to in-library use of these databases.

- 2 *Legal Rights of Children 3d*, by Thomas R. Young, 2024-2025 edition, Thomson West (Also available on Westlaw).  
Chapter 15. Children in Institutional Care  
I. Institutional Care Facilities  
    § 15:5. State juvenile detention and correctional facilities
- 1 *Representing the Child Client*, by Michael J. Dale, Matthew Bender, 1987, with 2025 supplement (Also available on Lexis).  
    Chapter 5. Representing Children in Juvenile Justice Proceedings  
    § 5.02. Status Offenders  
        [1] Introduction  
        [2] Status Offender Systems  
        [3] Runaways  
        [4] "Bootstrapping" Status Offenses into Delinquency Offenses with Violations of Valid Court Orders  
            (Contempt)

**HOTLINES:**

- [National Runaway Safeline](#)  
Phone: 1-800-RUNAWAY  
3141B North Lincoln Avenue, Chicago, IL 60657  
email: [communications@1800runaway.org](mailto:communications@1800runaway.org).  
<https://www.1800runaway.org/>  
*Counseling and referral services 24-hrs*
- [211 – United Way of Connecticut](#)  
Inside of Connecticut? Dial 2-1-1  
Outside of Connecticut? Dial 1-800-203-1234  
Hearing Impaired? Dial 7-1-1  
*Connecticut's free information and referral service.*

# Section 3: Truancy in Connecticut

A Guide to Resources in the Law Library

## **SCOPE:**

Bibliographic resources relating to:

- the legal responsibilities of parents, guardians, school districts and public officials concerning truants and
- judicial response to habitual truants

## **DEFINITIONS:**

- "For the purposes of this section . . . , '**truant**' means a child age five to eighteen, inclusive, who is enrolled in a public or private school and has four unexcused absences from school in any one month or ten unexcused absences from school in any school year." Conn. Gen. Stat. § [10-198a\(a\)](#) (2025).
- "For the purposes of this section, '**habitual truant**' means a child age five to eighteen, inclusive, who is enrolled in a public or private school and has twenty unexcused absences within a school year." Conn. Gen. Stat. § [10-200](#) (2025).

## **STATUTES:**

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes

Conn. Gen. Stat. (2025)

- [Chapter 168](#). - School Attendance and Employment of Children.
  - § [10-184](#). Duties of parents. School attendance age requirements.
  - § [10-185](#). Penalty.
  - § [10-198](#). False statement as to age.
  - § [10-198a](#). Policies and procedures concerning truants.
  - § [10-198b](#). State Board of Education to define "excused absence", "unexcused absence" and "disciplinary absence"
  - § [10-198e](#). Truancy intervention models.
  - § [10-199](#). Attendance officers. Duties.
  - § [10-200](#). Habitual truants.
  - § [10-201](#). Fees for arresting truants.
  - § [10-202](#). Warrant and hearing.
- [Chapter 815t](#) – Juvenile Matters
  - § [46b-149c](#). Truancy and other family with service needs cases. Duties of judicial branch.

## **REGULATIONS:**

You can visit your local law library or browse the [Connecticut eRegulations System](#) on the Secretary of the State website to check if a regulation has been updated.

Conn. Agencies Regs. (11/21/2015)

Title 10 – Education and Culture.

§ [10-76d-7\(a\)\(1\)](#). Referral. "Each board of education shall accept and process referrals for the initial evaluation of a child to determine if the child is a child with a disability from appropriate school personnel, as well as from a child's parents, or from a physician, clinic or social worker, provided the parent so permits. The Department of Education shall make available a standard referral form which shall be used in all referrals for the initial evaluation of a child to determine if the child is a child with a disability."

**AGENCY  
GUIDANCE:**

- Connecticut State Department of Education  
[Truancy.](#)  
[Reducing Chronic Absence in Connecticut's Schools: A Prevention and Intervention Guide for Schools and Districts](#) (April 2017).  
[Guidelines for Implementation of the Definitions of Excused and Unexcused Absences and Best Practices for Absence Prevention and Intervention](#) (April 2013).

**LEGISLATIVE:**

[Office of Legislative Research](#) reports summarize and analyze the law in effect on the date of each report's publication. Current law may be different from what is discussed in the reports.

- *Public School Truancy and Chronic Absenteeism Law*, John D. Moran, Principal Analyst, Connecticut General Assembly, Office of Legislative Research Report, [2023-R-0021](#) (January 17, 2023).
- *OLR Backgrounder: Truancy Policies for Public Schools*, Connecticut General Assembly, Marybeth Sullivan, Report, [2019-R-0314](#) (December 23, 2019).
- *Background on Status Offenders*, Lawrence K. Furbish, Connecticut General Assembly, Office of Legislative Research Report, [2003-R-0130](#) (Jan. 31, 2003).
- *Truancy Laws*, Judith Lohman, Connecticut General Assembly, Office of Legislative Research Report, [2000-R-0957](#) (October 13, 2000).

**CASES:**

Once you have identified useful cases, it is important to update them to ensure they are still good law. You can [contact your local law librarian](#) to learn about updating cases.

- [Campbell v. Board of Education](#), 193 Conn. 93, 94, 475 A.2d 289 (1984). "This case concerns the validity of the policy of a local school board that imposes academic sanctions for nonattendance upon high school students . . . The plaintiff claimed that the defendants' policy was *ultra vires* [beyond the scope of legal authority] in light of operative provisions of the Connecticut constitution and the United States constitution." *Definition added.*

**ALR INDEX:**

- Schools and Education
  - Absence or presence

**WEST KEY  
NUMBERS:**

- Education  
Truancy ##690-695.

**TEXTS &  
TREATISES:**

- *A Practical Guide to Connecticut School Law*, 10th ed., by Thomas B. Mooney, Connecticut Association of Boards of Education, 2023.  
Chapter 4. Students
  - A. Residency and School Attendance
  - 2. Parent responsibilities for the education of their children
    - a. Mandatory school attendance
  - B. Supervision of students

You can [contact](#) us or visit our [catalog](#) to determine which of our law libraries own the treatises cited.

References to online databases refer to in-library use of these databases.

2. Specific School Rules
  - b. Student truancy
- 3 *Education Law*, by James A. Rapp, 1984, Matthew Bender, with 2025 supplement.

Chapter 8. The student-educational institution relationship  
§ 8.03. Compulsory education and attendance  
[1] Generally  
[2] Foundations  
[3] Validity of compulsory attendance requirements  
[4] Objections to the application of compulsory attendance requirements  
[5] Nature and scope of compulsory attendance requirements  
[6] Private and parochial schools  
[7] Home schooling or instruction  
[8] Enforcement of compulsory attendance requirements
- 2 *Legal Rights of Children 3d*, by Thomas R. Young, 2024-2025 edition, Thomson West (Also available on Westlaw).

Chapter 16. State-Based Substantive and Procedural Rights of School Children.  
§ 16:03. Compulsory attendance laws

**ONLINE  
PUBLICATIONS  
& PAMPHLETS:**

- Center for Children's Advocacy, *Truancy: Have You Missed a Lot of School? What Does the Law Say?* (2012).  
<https://ctlawhelp.org/en/truancy-your-rights-in-school>
- Center for Children's Advocacy, *Truancy Intervention — National Models and Connecticut Initiatives* (2013).  
<http://cca-ct.org/wp-content/uploads/2012/06/linksKMTruancy-Models-R2013.pdf>
- SpeakUpTeens.org  
*Staying in School*  
<https://speakupteens.org/staying-in-school/>

# Section 4: School Discipline in Connecticut

A Guide to Resources in the Law Library

## **SCOPE:**

Bibliographic resources relating to student discipline and the due process rights of students.

## **DEFINITIONS:**

- **Exclusion:** "means any denial of public school privileges to a pupil for disciplinary purposes." Conn. Gen. Stat. § [10-233a\(a\)](#) (2025).
- **Removal:** "means an exclusion from a classroom for all or part of a single class period, provided such exclusion shall not extend beyond ninety minutes." Conn. Gen. Stat. § [10-233a\(b\)](#) (2025).
- **In-School Suspension:** "means an exclusion from regular classroom activity for no more than five consecutive school days, but not exclusion from school, provided such exclusion shall not extend beyond the end of the school year in which such in-school suspension was imposed." Conn. Gen. Stat. § [10-233a\(d\)](#) (2025).
- **Suspension:** "means an exclusion from school privileges or from transportation services only, provided such exclusion shall not extend beyond the end of the school year in which such suspension was imposed." Conn. Gen. Stat. § [10-233a\(d\)](#) (2025).
- **Expulsion:** "means an exclusion from school privileges for more than ten consecutive school days and shall be deemed to include, but not be limited to, exclusion from the school to which such pupil was assigned at the time such disciplinary action was taken, provided such exclusion shall not extend beyond a period of one calendar year." Conn. Gen. Stat. § [10-233a\(e\)](#) (2025).
- **Emergency:** "means a situation under which the continued presence of the pupil in school poses such a danger to persons or property or such a disruption of the educational process that a hearing may be delayed until a time as soon after the exclusion of such pupil as possible." Conn. Gen. Stat. § [10-233a\(f\)](#) (2025).

## **STATUTES:**

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website.

Conn. Gen. Stat. (2025)

- [Chapter 170](#). Boards of Education
- [§ 10-222d](#). Safe school climate plans. Definitions. School climate assessments.
- [§ 10-233b](#). Removal of pupils from class.
- [§ 10-233c](#). Suspension of pupils.
- [§ 10-233d](#). Expulsion of pupils.
- [§ 10-233e](#). Notice as to disciplinary policies and action.
- [§ 10-233f](#). In-school suspension of pupils. Reassignment.

§ [10-233g](#). Reports of principals to police authority concerning physical assaults upon school employees by students.

§ [10-233h](#). Arrested students. Reports by police, disclosure, confidentiality. Police testimony at expulsion hearings.

§ [10-233i](#). Students placed on probation by a court.

§ [10-233j](#). Student possession and use of telecommunication devices.

§ [10-235](#). Indemnification of teachers, board members, employees and certain volunteers and students in damage suits; expenses of litigation.

- [Chapter 952](#). Penal code: Offenses

§ [53a-217b](#). Possession of a weapon on school grounds: Class D felony.

#### **LEGISLATIVE:**

[Office of Legislative Research](#) reports summarize and analyze the law in effect on the date of each report's publication. Current law may be different from what is discussed in the reports.

- *Criminal Penalties for School Threats*, Michelle Kirby, Connecticut General Assembly, Office of Legislative Research Report [2024-R-0168](#) (September 27, 2024)
- *Education Laws Requiring Parental Notification*, Marybeth Sullivan, Connecticut General Assembly, Office of Legislative Research Report [2024-R-0023](#) (January 24, 2024)
- *Recent Changes to the School Anti-Bullying Law*, John D. Moran, Connecticut General Assembly, Office of Legislative Research Report [2021-R-0212](#) (December 15, 2021)
- *Mandatory School Expulsion Laws*, Marybeth Sullivan, Connecticut General Assembly, Office of Legislative Research Report [2020-R-0006](#) (January 9, 2020).
- *Use of Restraint and Seclusion in Connecticut Public Schools*, John Moran, Connecticut General Assembly, Office of Legislative Research Report [2012-R-0084](#) (Feb. 10, 2012).
- *Expulsion for Conduct Outside of School*, Judith Lohman, Connecticut General Assembly, Office of Legislative Research Report [2011-R-0054](#) (Jan. 27, 2011).
- *Searching Students for Drugs*, Susan Price, Connecticut General Assembly, Office of Legislative Research Report [2009-R-0465](#) (Dec. 31, 2009).
- *School Discipline Policies and Programs*, Judith Lohman & Kristina Arsenault, Connecticut General Assembly, Office of Legislative Research Report [2002-R-0123](#) (Feb. 7, 2002).

#### **AGENCY GUIDANCE:**

- Connecticut State Department of Education  
[Discipline in Schools](#)  
[Guidelines for In-School and Out-of-School Suspension](#)  
(Revised December 2010)  
[Bullying and Harassment](#)

## **CASES:**

Once you have identified useful cases, it is important to update them to ensure they are still good law. You can [contact your local law librarian](#) to learn about updating cases.

- [Palosz v. Town of Greenwich](#), 184 Conn. App. 201, 212, 194 A.3d 885, 892 (2018). "The state action mandated by § 10-222d begins and ends with the development, implementation, submission, and assessment of the policy. Holding the defendant liable for its employees' alleged tortious conduct in failing to execute properly the terms of the policy it developed and implemented, however, does not operate to control or interfere with the activities of the state. Rather, the defendant acts as an agent of the municipality when it enforces and complies with the policy pursuant to its general powers of control over public schools, which is explicitly delegated to a local board of education through the municipality pursuant to § 10-240. Section 10-240 provides: 'Each town shall through its board of education maintain the control of all the public schools within its limits and for this purpose shall be a school district and shall have all the powers and duties of school districts, except so far as such powers and duties are inconsistent with the provisions of this chapter.' It is pursuant to this broad mandate of control, and not through § 10-222d, that a board of education polices the behavior of its students and, accordingly, enforces and complies with the policy. When the delegations of §§ 10-222d and 10-240 are read together, it becomes apparent that the mandate of § 10-222d does not go so far as to encroach upon the general powers of control delegated to the towns by § 10-240. Therefore, we conclude that the defendant was acting as an agent of the municipality, and not the state, when its employees allegedly failed to comply with the policy it had adopted."
- [Safford Unified School Dist. No. 1 v. Redding](#), 557 U.S. 364, 379, 129 S. Ct. 2633, 174 L. Ed. 2d 354, 366-367 (2009). "The strip search of Savana Redding was unreasonable and a violation of the Fourth Amendment, but petitioners Wilson, Romero, and Schwallier are nevertheless protected from liability through qualified immunity. Our conclusions here do not resolve, however, the question of the liability of petitioner Safford Unified School District # 1 under *Monell v. New York City Dept. of Social Servs.*, 436 U.S. 658, 694, 98 S.Ct. 2018, 56 L.Ed.2d 611 (1978), a claim the Ninth Circuit did not address."
- [Packer v. Board of Education](#), 246 Conn. 89, 717 A.2d 117 (1998). "In order to subject a student to expulsion, conduct off school grounds must not only violate school policy, it must also be 'seriously disruptive of the educational process' for reasons other than the fact that it violated school policy," (p. 112)  
"...the language of §10-233d indicates that the legislature intended that the phrase 'seriously disruptive of the educational process' apply to conduct that markedly interrupts or severely impedes the day-to-day operation of a school." (p. 116-117)

- Ambrose v. Singe, Superior Court, Judicial District of Danbury at Danbury, No. 320896 (June 10, 1997) (19 Conn. L. Rptr. 639, 641) (1997 WL 338561) (1997 Conn. Super. LEXIS 1592). *Plaintiff alleged that school officials were negligent in so far as they failed to discipline a student who threatened and finally attacked the plaintiff, and that the city was liable pursuant to Conn. Gen. Stat. §10-235.* “. . . because the two documented incidents of Anthony . . . threatening the plaintiff occurred the week before and the day before the alleged attack, it should have been apparent that the plaintiff was at imminent risk. As such, the present situation falls within one of the exceptions to the doctrine of governmental immunity. . . .”
- Perry v. Wallingford Bd. of Education, Superior Court, Judicial District of New Haven at New Haven, No. CV94-0361257S (August 2, 1994) (1994 WL 422631) (1994 Conn. Super. LEXIS 1999). “The statute which authorizes boards of education to expel or suspend students from attendance at public schools, General Statutes § 10-233d, does not provide for an appeal to the court from such administrative decisions.”
- New Jersey v. T.L.O., 469 U.S. 325, 341-342, 105 S.Ct. 733, 83 L. Ed. 2d 720, 734-735 (1985). “Under ordinary circumstances, a search of a student by a teacher or other school official will be ‘justified at its inception’ when there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. Such a search will be permissible in its scope when the measures adopted are reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.”
- Goss v. Lopez, 419 U.S. 565, 581, 95 S.Ct. 729, 42 L. Ed. 2d 725, 739 (1975). “Students facing temporary suspension have interests qualifying for protection of the Due Process Clause, and due process requires . . . that the student be given oral or written notice of the charges against him and, if he denies them, an explanation of the evidence authorities have and an opportunity to present his side of the story.”

**ATTORNEY  
GENERAL OPINION:**

Opinions, Conn. Atty. Gen. No. 1989-023 (August 22, 1989) p. 130.

“We conclude that Conn. Gen. Stat. §§ 10-233c and 10-233d permit the transfer or exclusion of students on the basis of off-campus misconduct if such behavior threatens the safety of school property or the welfare of the persons who work or study there. Although our determination rests primarily on the plain language of these statutes, it is also supported by the judiciary’s longstanding recognition that school officials may legally discipline students for off-campus activities which directly affect the school’s orderly operations.”

**FORMS:**

- 6 *Education Law*, by James A. Rapp, 1984, Matthew Bender, with 2025 supplement.
  - Chapter F5. Student control and discipline
    - § F5.01. Student control and discipline
      - Includes sample code of discipline, code of student conduct, and emergency disciplinary procedures*
    - § F5.02. Disciplinary Procedures
      - Includes sample notices for detention, probation, suspension, student misconduct, conferences, etc.*
- 22 *Am. Jur. Pleading and Practice Forms*, Schools, Thomson West, 2021 (Also available on Westlaw).
  - Admission, Discipline, and Graduation
    - §123. Petition or application—For writ of mandamus—By minor—To compel readmission of expelled student—Insufficient evidence at expulsion hearing
    - §125. Petition or application—For writ of mandamus—By minor entitled to receive diploma—To compel issuance of diploma by high school authorities
    - § 128. Complaint, petition, or declaration—To enjoin threatened expulsion of student for failure to conform to grooming regulations—By next friend
    - § 129. Complaint, petition, or declaration—To enjoin excessive punishment of student accused of bullying
    - §130. Complaint, petition, or declaration—To enjoin denial of admission of minor to school—By guardian ad litem or next friend
    - §132. Complaint, petition, or declaration—To enjoin school authorities from preventing readmission of student indefinitely expelled for alleged intoxication—By next friend
    - §133. Answer—Defense—Failure to exhaust administrative remedies following expulsion of student

**ALR INDEX:**

- Children and Minors
  - Search and seizure
- Discipline and Disciplinary Actions
- Schools and Education
  - Cell phones

**WEST KEY NUMBERS:**

- Constitutional Law
  - XVIII. Freedom of Speech, Expression, and Press
    - Q. Education
      - # #1975-1981. Student Speech or Conduct
- Education
  - II. Public Primary and Secondary Schools
    - # # 730-759 Control and Discipline
  - III. Private Primary and Secondary Schools
    - # # 955-956 Control and Discipline

## **ENCYCLOPEDIAS:**

Encyclopedias and ALRs are available in print at some law library locations and accessible online at all law library locations.

Online databases are available for in-library use. Remote access is not available.

- 68 *Am Jur 2d Schools*, Thomson West, 2020 (Also available on Westlaw).
  - VIII. Students
    - F. Discipline and Punishment
  - 3. Suspension and expulsion
    - (a). Authority
      - § 307. Suspension and Expulsion of Students from School
      - § 308. Constitutional Considerations in Suspension and Expulsion of Students from School
      - § 309. Power of School Authorities to Suspend or Expel Students
    - (b). Grounds
      - § 310. Insubordination or Disobedience as Grounds for Suspension and Expulsion of Students from School
      - § 311. Sale or Use of Controlled Substance or Alcohol at School as Grounds for Suspension and Expulsion of Students from School
      - § 312. Use of Vulgar or Profane Language as Grounds for Suspension and Expulsion of Students from School
      - § 313. Conduct Outside of School as Grounds for Suspension and Expulsion of Students from School
      - § 314. Violent Behavior or Possession of Weapons as Grounds for Suspension and Expulsion of Students from School
      - § 315. Other Grounds for Suspension and Expulsion of Students from School
    - (c). Due Process
      - § 316. Due Process and Procedural Rights of Students Facing Suspension or Expulsion; Notice and Hearing
      - § 317. Requisites of Notice for Due Process and Procedural Rights of Students Facing Suspension or Expulsion
      - § 318. Nature of Hearing for Students Facing Suspension or Expulsion
      - § 319. Evidence at Hearing for Students Facing Suspension or Expulsion
      - § 320. Witnesses at Hearing for Students Facing Suspension or Expulsion
      - § 321. Appeal and Judicial Review of Hearing for Students Facing Suspension or Expulsion
- 55 *Am. Jur. POF 3d* 313, *Proof That School Board Improperly Expelled Student from School*, Thomson West, 2000 (Also available on Westlaw).
- 78A *CJS Schools and School Districts*, Thomson West, 2018 (Also available on Westlaw).
  - XVII. Control of pupils and discipline
    - A. In General
    - B. Rules and Regulations
    - C. Violation of Rules; Offenses and Punishment

## **PAMPHLETS:**

- Connecticut Network for Legal Aid, *School Expulsion: What Is the Process? What Can You Do?* (August 2022).  
<https://ctlawhelp.org/en/school-expulsions-child-expelled>

- Connecticut Network for Legal Aid, *Your Child's Rights in School* (June 2022).  
<https://ctlawhelp.org/en/your-childs-rights-in-school>

## **TEXTS & TREATISES:**

Each of our law libraries own the Connecticut treatises cited. You can [contact](#) us or visit our [catalog](#) to determine which of our law libraries own the other treatises cited or to search for more treatises.

References to online databases refer to in-library use of these databases. Remote access is not available.

- A *Practical Guide to Connecticut School Law*, 10th ed., by Thomas B. Mooney, Connecticut Association of Boards of Education, 2023.

Chapter 4. Students

B. Supervision of Students

2. Specific School Rules
- c. Bullying
- e. Electronic devices

C. Student Discipline

1. Corporal Punishment
2. Off-campus conduct and school authority
3. Authorized disciplinary interventions

E. Student Rights

2. Search and seizure

- a. Reasonable at inception
- b. Reasonable in scope
- c. Applying *New Jersey v. T.L.O.*

3. Other constitutional rights

- a. Due process
- b. Equal protection
- c. Self-incrimination
- d. Other constitutional claims

- 3 *Education Law*, by James A. Rapp, 1984, Matthew Bender, with 2025 supplement.

Chapter 8. The student-educational institution relationship  
§ 8.06. Regulation and recognition of academic or other performance

[3] Academic dishonesty or fraud

[4] Academic Evaluation and Discipline

Chapter 9. Student safety, control and discipline

§ 9.03. Establishing student conduct rules

§ 9.04. Rules affected by the First and Fourteenth Amendments

§ 9.05. Rules relating to general student conduct

§ 9.06. Rules prohibiting student possession or use of substances

§ 9.07. Rules relating to student housing and fraternities

§ 9.08. Searches and investigations of students

§ 9.09. Student discipline procedures

§ 9.10. Student discipline methods

- 2 *Legal Rights of Children 3d*, by Thomas R. Young, 2024-2025 edition, Thomson West (Also available on Westlaw).

Chapter 16. State-Based Substantive and Procedural Rights of School Children

§ 16:8. Conduct that may be regulated  
§ 16:9. What types of conduct may (or may not) be proscribed  
§ 16:10. Disciplinary sanctions--Suspension or expulsion  
§ 16:11. --Corporal punishment  
§ 16:12. Procedural protections in school discipline  
§ 16:13. Remedies for school district violations of procedural rights

## Chapter 17. Federal Civil and Constitutional Rights of School Children

### Section III. The right to be free from unreasonable searches and seizures

§ 17:23. In general  
§ 17:24. Suspicionless searches  
§ 17:25. Locker searches  
§ 17:26. Seizures  
§ 17:27. Searches of a student's property or person in general  
§ 17:28. Situations and facts justifying searches-- Location of search  
§ 17:29. --Person conducting search  
§ 17:30. Legality of urine testing in public schools and other tests  
§ 17:31. Legality of using metal detectors at entrances to public schools  
§ 17:32. The intended use of evidence obtained in the search

- 2 *Representing the Child Client*, by Michael J. Dale, Matthew Bender, 1987, with 2025 supplement (Also available on Lexis).

## Chapter 6. Representing Students in School-Related Matters

§ 6.08. Special Education and School Discipline  
[5] Discipline of Students with Disabilities  
[a] Exclusion for Unrelated Misconduct  
[b] Standard for Determining Connection Between Misbehavior and Disability  
[c] Procedures for Determining Relationship Between Misbehavior and Disability  
[d] Permissible Actions by School Officials when Misbehavior is Disability-Related  
[e] Disabled Students, Misbehavior, and Juvenile Court  
[f] Use of Restraints  
[6] The Relationship of Special Education Laws to General School Disciplinary Matters

## Chapter 10. School Discipline

§ 10.01 Introduction  
§ 10.02 Constitutional Framework  
§ 10.03 Statutory Framework  
§ 10.04 Legal Grounds for Discipline  
§ 10.05 Particular Types of School Discipline

§ 10.06 Remedies

§ 10.07 Law Enforcement in Schools: Searches,  
Student Privacy, and Student Safety

Table 3: Expulsion of Homeless Student

<p><a href="#"><u>Public Act No. 25-93</u></a>: An Act Increasing Resources for Students, Schools and Special Education.</p>	
Expulsion of Homeless Student	<p><b>Sec. 38.</b> Subsection (a) of section 10-233d of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2025):...</p> <p><u>(4) (A) Prior to conducting an expulsion hearing as required by this subsection, an administrator, school counselor or school social worker at the school in which the pupil is enrolled shall contact the local homeless education liaison designated by the local or regional board of education for the school district, pursuant to Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act, 42 USC 11431 et seq., as amended from time to time, to make a determination whether such pupil is a homeless child or youth, as defined in 42 USC 11343a, as amended from time to time. If it is determined that such pupil is a homeless child or youth, the local or regional board of education, or the impartial hearing board established pursuant to subsection (b) of this section, shall consider the impact of homelessness on the behavior of the pupil during the hearing. No such pupil may be expelled without a plan of interventions and supports to mitigate the impact of homelessness on the behavior of the student.</u></p> <p><u>(B) Any pupil who is determined to be a homeless child or youth and has been expelled for a second time shall be provided a meeting with the local homeless education liaison by the local or regional board of education.</u></p> <p><b>Sec. 39.</b> Subsection (a) of section 10-233c of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2025):...</p> <p><u>Prior to conducting any hearing under this subsection, an administrator, school counselor or school social worker at the school in which the pupil is enrolled shall contact the local homeless education liaison designated by the local or regional board of education for the school district, pursuant to Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act, 42 USC 11431 et seq., as amended from time to time, to make a determination whether such pupil is a homeless child or youth, as defined in 42 USC 11343a, as amended from time to time. If it is determined that such pupil is a homeless child or youth, the administration shall consider the impact of homelessness on the behavior of the pupil during the hearing.</u></p>

# Section 5: Freedom of Speech in Public Schools

A Guide to Resources in the Law Library

**SCOPE:** Bibliographic resources relating to student rights to freedom of expression in public schools.

**CONSTITUTIONS:**

- Conn. Const. [Art. I, § 4](#).  
"Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that liberty."

- Conn. Const. [Art. I, § 5](#).  
"No law shall ever be passed to curtail or restrain the liberty of speech or of the press."
- [U.S. Const.](#) Amend. I.  
"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

**DEFINITIONS:**

- Tinker Standard:** "In our system, state-operated schools may not be enclaves of totalitarianism . . . Students in school as well as out of school are 'persons' under our Constitution. They are possessed of fundamental rights which the State must respect, just as they themselves must respect their obligations to the State . . . In the absence of a specific showing of constitutionally valid reasons to regulate their speech, students are entitled to freedom of expression of their views." [Tinker v. Des Moines Independent Community School District](#), 393 U.S. 503, 511, 89 S.Ct. 733, 21 L.Ed.2d 731, 740 (1969).

**CASES:**

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

- [Doninger v. Miehoff](#), 642 F.3d 334, 338 (2d Cir. 2011). "We are once again called upon to consider the circumstances in which school administrators may discipline students for speech relating directly to the affairs of the school without running afoul of the First Amendment. More precisely, we must determine if the defendant-school-administrators before us are entitled to qualified immunity on the plaintiff student's claims that they violated her First Amendment rights by (1) preventing her from running for Senior Class Secretary as a direct consequence of her off-campus internet speech, and (2) prohibiting her from wearing a homemade printed t-shirt at a subsequent school assembly."
- [Morse v. Frederick](#), 551 US 393, 127 S. Ct. 2618, 168 L. Ed. 2d 290, 295 (2007). "At a school-sanctioned and school-supervised event, a high school principal saw some of her students unfurl a large banner conveying a message she reasonably regarded as promoting illegal drug use. Consistent with established school policy prohibiting such

messages at school events, the principal directed the students to take down the banner. One student— among those who had brought the banner to the event—refused to do so. The principal confiscated the banner and later suspended the student.” (p. 396)

“It was reasonable for her to conclude that the banner promoted illegal drug use – in violation of established school policy – and that failing to act would send a powerful message to the students in her charge . . . about how serious the school was about the dangers of illegal drug use. The First Amendment does not require schools to tolerate at school events student expression that contributes to those dangers.” (p. 410)

- [Byars v. City of Waterbury](#), 47 Conn. Sup. 342, 795 A.2d 630 (2001). “The issue in the above captioned action is the constitutionality of a school dress code imposed by the Waterbury board of education on students attending the Waterbury public schools.” (pp. 342-343)

“The plaintiffs have not claimed that the school dress code at issue violated any right to freedom of speech or expression, and the court makes no finding in this regard...The plaintiffs have failed to prove their other claims.” (p. 371)

- [Hazelwood School District v. Kuhlmeier](#), 484 U.S. 260, 272-273, 108 S.Ct. 562, 98 L. Ed. 2d 592, 606 (1988). Censorship of articles in a high school newspaper. “Accordingly, we conclude that the standard articulated in Tinker for determining when a school may punish student expression need not also be the standard for determining when a school may refuse to lend its name and resources to the dissemination of student expression. Instead, we hold that educators do not offend the First Amendment by exercising editorial control over the style and content of student speech in school-sponsored expressive activities so long as their actions are reasonably related to legitimate pedagogical concerns.”
- [Bethel School District No. 403 v. Fraser](#), 478 U.S. 675, 685, 106 S.Ct. 3159, 92 L. Ed. 2d 549, 560 (1986). “Unlike the sanctions imposed on the students wearing armbands in Tinker, the penalties imposed in this case were unrelated to any political viewpoint. The First Amendment does not prevent the school officials from determining that to permit a vulgar and lewd speech such as respondent's would undermine the school's basic educational mission. A high school assembly or classroom is no place for a sexually explicit monologue directed towards an unsuspecting audience of teenage students. Accordingly, it was perfectly appropriate for the school to disassociate itself to make the point to the pupils that vulgar speech and lewd conduct is

wholly inconsistent with the 'fundamental values' of public school education."

**ALR INDEX:**

- Freedom of Speech and Press

**ENCYCLOPEDIAS:**

Encyclopedias and ALRs are available in print at some law library locations and accessible online at all law library locations.

Online databases are available for in-library use. Remote access is not available.

- 68 *Am Jur 2d Schools*, Thomson West, 2020. (Also available on Westlaw).  
VIII. Students
  - E. School Regulation of Students
    - 3. Students' Rights to Freedom of Expression and Personal Autonomy
    - a. Free Speech Rights
      - (1) In General
        - § 289. Students' rights to free speech in school
        - § 290. Students' rights to free speech in student newspapers and other printed material
      - (2) Categories of Restricted Speech
        - § 292. Types of restricted speech by schools
        - § 293. -Offensive, vulgar, lewd, or indecent speech
        - § 294. -School sponsored speech
        - § 295. -Substantial disruption test
    - b. Personal Appearance of Students
      - § 296. School regulation of personal appearance of students; Grooming regulations and dress codes
      - § 297. Content-neutral versus noncontent-neutral dress codes in school
      - § 298. Particular applications
      - § 299. Vagueness in dress regulations
- 78A *CJS Schools and School Districts*, Thomson West, 2018 (Also available on Westlaw).  
XVII. Control of pupils and discipline
  - A. In General
    - § 1076. Students' rights of free speech and expression
    - § 1077. --Speech outside of school; school-sponsored speech
    - § 1078. --Viewpoint discrimination
- 58 *ALR 5th 1, Validity of Regulation by Public-School Authorities as to Clothes or Personal Appearance of Pupils*, by Robin Cheryl Miller, West Group, 1998. (Also available on Westlaw).
- 76 *ALR Federal 599, What Oral Statement of Student is Sufficiently Disruptive so as to Fall Beyond Protection of First Amendment*, by Mitchell J. Waldman, Thomson West, 1986.
- A *Practical Guide to Connecticut School Law*, 10th ed., by Thomas B. Mooney, Connecticut Association of Boards of Education, 2023.  
Chapter 4. Students

**TEXTS & TREATISES:**

Each of our law libraries own the Connecticut treatises cited. You can [contact](#) us or visit our [catalog](#) to determine which of our law libraries own the other treatises cited or to search for more treatises.

References to online databases refer to in-library use of these databases. Remote access is not available.

- B. Supervision of Students
- 2. Specific school rules
  - d. Dress codes
- C. Student Discipline
- 2. Off campus conduct and school authority
- E. Student Rights
  - 1. Free speech
    - a. The *Tinker* standard
    - b. The evolution of free speech rules
- 3 *Education Law*, by James A. Rapp, 1984, Matthew Bender, with 2025 supplement.
  - Chapter 9. Student safety, control and discipline
    - § 9.04. Rules affected by the First and Fourteenth Amendments
    - [4]—Speech
      - [a]—In general
      - [b]—Symbolic speech and political expression
      - [c]—Pure speech or expression
- 5 *Education Law*, by James A. Rapp, 1984, Matthew Bender, with 2025 supplement.
  - Chapter 11. Curriculum and teaching methods
    - § 11.01. Academic freedom
    - § 11.02. Curriculum, teaching methods, instructional materials, and school activities
    - § 11.03. Library and resource center materials
    - § 11.04. Services and activities related to the mission of the educational institution
- 2 *Representing the Child Client*, by Michael J. Dale, Matthew Bender, 1987, with 2025 supplement (Also available on Lexis).
  - Chapter 6. Representing Students in School-Related Matters
    - § 6.07. Freedom of Expression
      - [1]—Overview
      - [2]—*Tinker v. Des Moines Independent Community School District*
      - [3]—*Bethel School District No. 403 v. Fraser*
      - [4]—*Hazelwood School District v. Kuhlmeier*
      - [5]—*Morse v. Frederick*
      - [6]—Considerations after *Tinker, Fraser, and Kuhlmeier*, and *Morse*
      - [7]—Particular forms of expression in the schools
        - [a]—Saluting the flag
        - [b]—Buttons, armbands, and other insignia, T-Shirts, and school dress
        - [c]—Hair length, dress codes, and other matters of personal appearance
        - [d]—Distribution of literature
        - [e]—School-sponsored activities
        - [f]—Access to school facilities
        - [g]—Contraceptives

- [h] —Sports
- [8] Religion
- [9] Use of the Internet
- [10] Instant Messaging [Texting]
- [11] Freedom of Expression Outside the School

- 2 *Legal Rights of Children 3d*, by Thomas R. Young, 2024-2025 edition, Thomson West (Also available on Westlaw).  
Chapter 17. Federal Civil and Constitutional Rights of School Children  
I. The Right to Free Speech and Expression in School

**INTERNET RESOURCES:**

- United States Courts Educational Resources  
<https://www.uscourts.gov/about-federal-courts/educational-resources>
  - [First Amendment Activities](#)

**LAW REVIEWS:**

Public access to law review databases is available on-site at each of our [law libraries](#).

- Meghan Keeley, *Twitter Hacks, Football Field Prayers and Campus Speech Climate: Today's First Amendment Issues in Education*, 39 *Children's Legal Rights Journal* 323 (2019).

# Section 6: Curfews in Connecticut

A Guide to Resources in the Law Library

## **SCOPE:**

Bibliographic resources relating to juvenile curfew ordinances and the constitutional issues raised by juvenile curfews.

## **STATUTES:**

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website.

Conn. Gen. Stat. (2025)

- [Chapter 98](#). Municipal Powers  
§ [7-148](#) Scope of municipal powers  
(c) "Any municipality shall have the power to do any of the following, in addition to all powers granted to municipalities under the Constitution and general statutes:  
(7) Make rules relating to . . . .  
(F)(iii) Prohibit the loitering in the nighttime of minors on the streets, alleys or public places within its limits;"

## **LEGISLATIVE:**

[Office of Legislative Research](#) reports summarize and analyze the law in effect on the date of each report's publication. Current law may be different from what is discussed in the reports.

- Susan Price, Principal Legislative Analyst, *Curfew Laws for Minors*, Connecticut General Assembly, Office of Legislative Research Report, [2006-R-0581](#) (Oct. 2, 2006).
- Jason K. Matthews, Research Fellow, *Constitutionality of Hartford's Loitering Ordinance*, Connecticut General Assembly, Office of Legislative Research Report, [2002-R-0296](#) (Mar. 27, 2002).

## **AGENCY GUIDANCE:**

- Department of Motor Vehicles  
[The \[Driver's\] Curfew Law for 16- and 17- Year-Olds Regarding Prom Season](#)  
[Learner's permit restrictions for drivers age 16 or 17](#)

## **CASES:**

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

- [Ramos v. Town of Vernon](#), 353 F. 3d 171, 172 (2nd Cir. June 2, 2003). "The U.S Court of Appeals for the 2nd Circuit ruled that the Town of Vernon curfew ordinance violates the constitutional rights of juveniles. "The constitutionality of a curfew is determined by balancing the recognized interests the state has in protecting children and fighting crime against the constitutional right of all citizens, including juveniles, to move about freely. Here, Vernon's curfew interferes with juveniles' freedom of movement, that is, their right with parental consent to walk the streets, move about at will, meet in public with friends, and leave their houses when they please. This right to free movement is a vital component of life in an open society, both for juveniles and adults."

*New York*

- [Anonymous v. Rochester](#), 13 NY 3d 35, 41, 915 N.E.2d 593 (2009). "The issue before this Court is whether the juvenile nighttime curfew adopted by the Rochester City Council violates the Federal and New York State Constitutions. We hold that it does."

*Massachusetts*

- [Commonwealth v. Weston W.](#), 455 Mass. 24, 26, 913 N.E.2d 832 (2009). "We conclude that the curfew itself is narrowly tailored to achieve its purposes. However, the criminal processes and punishments provided in the ordinance for curfew violations are not the least restrictive means of accomplishing those purposes, and contradict well-established goals of rehabilitating, not incarcerating, juvenile offenders."

*Other Federal*

- [Hutchins by Owens v. District of Columbia](#), 188 F.3d 531, 539 (D.C. Cir., 1999). *Curfew law found constitutional; district court's grant of summary judgment reversed* "That the rights of juveniles are not necessarily coextensive with those of adults is undisputed, and 'unemancipated minors lack some of the most fundamental rights of self-determination—including even the right of liberty in its narrow sense, i.e., the right to come and go at will.'..."
- [Qutb v. Strauss](#), 11 F.3d 488, 496 (5th Cir. 1993), *cert. denied*, 511 U.S. 1127 (1994). "In conclusion, we find that the state has demonstrated that the curfew ordinance furthers a compelling state interest, i.e., protecting juveniles from crime on the streets. We further conclude that the ordinance is narrowly tailored to achieve this compelling state interest. Accordingly, we hold that the nocturnal juvenile curfew ordinance ... is constitutional."

**WEST KEY  
NUMBERS:**

- *Infants*  
# 1006(15). Prohibited hours and premises; curfew
- *56 Am Jur 2d Municipal Corporations*, Thomson West, 2020. (Also available on Westlaw).  
Municipal Corporations, Counties, and Other Political Subdivisions  
X. Police Power  
F. Regulation of Personal Conduct and Habits  
§ 405. Municipal regulation of curfews
- 83 A.L.R.4th, *Validity, construction, and effect of juvenile curfew regulations*, by Danny R. Veilleux, Thomson West, 1991.
- 59 A.L.R.3rd 321, *Validity and Construction of Curfew Statute, Ordinance, or Proclamation*, by Jeffrey F. Ghent, Thomson West, 1974.

Encyclopedias and ALRs are available in print at some law library locations and accessible online at all law library locations.

Online databases are available for in-library use. Remote access is not available.

## **TEXTS & TREATISES:**

Each of our law libraries own the Connecticut treatises cited. You can [contact](#) us or visit our [catalog](#) to determine which of our law libraries own the other treatises cited or to search for more treatises.

References to online databases refer to in-library use of these databases. Remote access is not available.

- 1 *Legal Rights of Children 3d*, by Thomas R. Young, 2024-2025 edition, Thomson West (Also available on Westlaw).  
Part III. Children and the Societal Relationship  
Chapter 11. Restrictions on the Legal Rights and Liberties of Adolescents  
§ 11:6. Curfews
- 6A *The Law of Municipal Corporations*, 3d ed., by Eugene McQuillin, 2015, Thomson West, with 2025 supplement (Also available on Westlaw).  
Chapter 24 - Municipal Police Power and Ordinances  
II. B. Preservation of Peace and Order  
§ 24.111. Curfew Laws
- 1 *Representing the Child Client*, by Michael J. Dale, Matthew Bender, 1987, with 2025 supplement (Also available on Lexis).  
Chapter 3. The Legal Status of Minors  
§ 3.02. Rights Restricted Based on Age  
[3] Right to participate in community activities  
[e] Restrictions on mobility  
[ii]. Curfew

## **LAW REVIEWS:**

Public access to law review databases is available on-site at each of our [law libraries](#).

- Alexander Korecky, *Curfew Must Not Ring Tonight: Judicial Confusion and Misperception of Juvenile Curfew Laws*, 44 *Cap. U.L. Rev.* 831 (Fall 2016).
- Cody Stoddard et al., *All the Way Home: Assessing the Constitutionality of Juvenile Curfew Laws*, 42 *Am. J. Crim. L.* 177 (Summer 2015).
- Lindsay LaCava, *Ramos v. Town of Vernon: Second Circuit Weighs in on Juvenile Curfew Debate*, 23 *QLR* 1197 (2004-2005)
- Mike A. Males, *Vernon, Connecticut's Juvenile Curfew: the Circumstances of Youths Cited and Effects on Crime*, 11 *Crim. Just. Pol'y Rev.* 254 (September 2000).
- Frank DeLucia, *Connecticut's Juvenile Curfew Ordinances: An Effective Means for Curbing Juvenile Crime, or an Unconstitutional Deprivation of Minors' Fundamental Rights* 15 *QLR* 357.

# Section 7: Contractual Rights of Minors

A Guide to Resources in the Law Library

**SCOPE:** Bibliographic resources relating to the capacity of minors to enter into contracts and the enforceability of such contracts.

**DEFINITIONS:**

- **Privilege of an infant to avoid contracts:** "The privilege of an infant to avoid contracts which are injurious to him, and rescind those which are not, is not an exception to a general rule, but a general rule with exceptions. The law assumes the incapacity of an infant to contract. It also recognizes the fact that ... it is indispensably necessary that an infant should be at liberty to contract for necessaries; and that he may happen to make other contracts which will be beneficial to him. It does not therefore forbid him to contract, but gives him for his protection the privilege of avoiding contracts which are injurious to him and rescinding all others ... excepting from the operation of the privilege only contracts for necessaries, contracts which he may be compelled in equity to execute, and executed contracts where he has enjoyed the benefit of them and can not restore the other party to his original position." [Riley v. Mallory](#), 33 Conn. 201, 206 (1866).
- **Doctrine of Necessaries:** "The rule that a minor's contracts are voidable, however, is not absolute. An exception to this rule, eponymously known as the doctrine of necessities, is that a minor may not avoid a contract for goods or services necessary for his health and sustenance. See 5 S. Williston, Contracts (4th Ed. 1993) § 9:18, pp. 149-57. Such contracts are binding even if entered into during minority, and a minor, upon reaching majority, may not, as a matter of law, disaffirm them." [Yale Diagnostic Radiology v. Estate of Fountain](#), 267 Conn. 351, 356, 838 A.2d 179 (2004).
- "Even when an infant agrees to pay a stipulated price for necessities, he is not bound to pay the price stipulated in the contract, and the person furnishing them can recover only the fair and reasonable value of such necessities." [Ennis v. Beers](#), 84 Conn. 610, 612-613, 80 A. 772 (1911).

**STATUTES:**

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website

Conn. Gen. Stat. (2025)

- Chapter 1. Construction of Statutes  
§ [1-1d](#). "Minor", "infant", "infancy", "age of majority", defined.
- Chapter 665a. Deposits  
§ [36a-297](#). Deposits or share accounts of minors.
- Chapter 699. Insurance contracts in general  
§ [38a-284](#). Insurance contracts by minors.

- Title 42a, Article 3  
[§ 42a-3-305](#). Defenses and claims in recoupment.
- Chapter 815t. Juvenile matters  
[§ 46b-150d](#). Effect of emancipation.
- **RESTATEMENT OF THE LAW:**
  - Restatement (Second) of Contracts (1981) (See Appendix volumes for additional cases)
    - § 7. Voidable contracts
    - § 12. Capacity to contract
    - § 14. Infants
- **JURY INSTRUCTIONS:**
  - Connecticut Judicial Branch, *Civil Jury Instructions* (2009).
    - [4.4-1. Minors](#)
    - [4.4-2. Guardianship](#)
- **CASES:**
  - Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.
  - [Zeolla v. Flight Fit N Fun \(New Britain\), LLC](#), Superior Court, Judicial District of Hartford at Hartford, HHDCV196118419S (Oct. 21, 2020) (2020 WL 6712430) (2020 Conn. Super. LEXIS 1281). "The essential question raised, therefore, is whether an agreement is voidable when entered into on behalf of a minor by the apparent authority of a noncustodial third party. As a matter of first impression, this court concludes that such a contract is voidable to the extent that it purports to waive a child's constitutional right of access to our courts. The defendant's motion for stay is therefore denied."
  - [Yale Diagnostic Radiology v. Estate of Fountain](#), 267 Conn. 351, 355, 838 A.2d 179 (2004). "Connecticut has long recognized the common-law rule that a minor child's contracts are voidable. See *Shutter v. Fudge*, 108 Conn. 528, 530, 143 A. 896 (1928); *Strong v. Foote*, 42 Conn. 203, 205 (1875). Under this rule, a minor may, upon reaching majority, choose either to ratify or to avoid contractual obligations entered into during his minority. See 4 S. Williston, *Contracts* (4th Ed. 1992) § 8:14, pp. 271-72. The traditional reasoning behind this rule is based on the well established common-law principles that the law should protect children from the detrimental consequences of their youthful and improvident acts, and that children should be able to emerge into adulthood unencumbered by financial obligations incurred during the course of their minority."
  - [Saccente v. Laflamme](#), Superior Court, Judicial District of Tolland at Rockville, No. CV01-00756730 (July 11, 2003) (35 Conn. L. Rptr. 174, 176) (2003 WL 21716586) (2003 Conn. Super. LEXIS 1913). "In opposition to the motion for summary judgment, the plaintiff also claims that there is a genuine issue of material fact as to whether a release and hold harmless agreement is enforceable against a minor. The plaintiff claims, quoting *Addario v. Sandquist*, Superior Court, judicial district of New Haven at New Haven, Docket No. CV 960391759 (March 25, 1998, DeMayo, J.T.R.) (21

Conn.L.Rptr. 501), that it is well settled that a child who enters into a contract may elect to avoid the legal relations created by the contract. However, there the court found that the contract was entered into by the minor on his own and for himself. Similarly, in *Blancato v. Feldspar Corporation*, 203 Conn. 34, 52 A.2d 1235 (1987), cited by the plaintiff the court allowed a minor to avoid an employment contract but only where he had been illegally employed in violation of the child labor laws. In *Wells v. Radville*, 112 Conn. 459, 465, 153 A. 154 (1931), the court held that '[t]he contract implied by the Compensation Act, that both parties agree to accept its benefits and be bound thereby in lieu of any other remedy, being a contract implied by the law for the mutual protection and benefit of both, there seems no logical reason why a minor should not be bound and subject to this implied contract just as much as a person of full age and *sui juris*.' Thus in proper circumstances a minor may enter into a binding contract. In any event, the issue here is not the same as the cases cited above since the contracts here were entered into not only by the minor but also by the minor's parent on his own behalf as well as on behalf of his child."

- Addario v. Sandquist, Superior Court, Judicial District of New Haven at New Haven, No. CV-96-0391759S (Mar. 25, 1998), (21 Conn. L. Rptr. 501, 501) (1998 WL 161176) (1998 Conn. Super. LEXIS 799). "Assuming as facts the defendant's scenario, the court finds no basis to suggest that this was not a purchase by the minor. The adult who was present did not stand '*in loco parentis*' to the minor. He was the father of a friend of the minor, both having accompanied this plaintiff to the car trade show in the minor's car. The minor's registration plate was placed on the vehicle, and it was the minor who received the bill of sale and the car keys from the defendant. The defendant did not insert *any* name in the bill of sale under 'purchaser.'"
- Goodrow v. Bates, Superior Court, Judicial District of Danbury, Docket No. 295634 (May 8, 1992) (6 Conn. L. Rptr. 778, 780) (1992 WL 108080) (1992 Conn. Super. LEXIS 1405). "The clear impact of *Blancato* is that the plaintiff has an election of remedies, either to affirm the illegal employment contract and accept workers' compensation benefits, or to reject it and bring a common law tort action... This is a clear situation of election of remedies and ratification of the illegal employment contract."
- Blancato v. Feldspar Corporation, 203 Conn. 34, 37, 522 A.2d 1235 (1987). "We therefore address the limited issue of whether the exclusive remedy provision of our Workers' Compensation Act bars the estate of a minor killed while illegally employed from bringing a suit for wrongful death pursuant to General Statutes § 52-555."

“...we limit this power of election with respect to employment contracts to minors who had been illegally employed.” (p. 42)

- [Saccavino v. Gambardella](#), 22 Conn. Supp. 167, 169, 164 A.2d 304 (1960).  
“The infancy of the defendant son should be pleaded as a defense if relied upon, rather than as a ground of demurrer.”
- **FORMS:**
  - 9B *Am Jur Legal Forms 2d Infants*, Thomson West, 2020 (Also available on Westlaw).
    - Chapter 144. Infants
      - II. Agreements and Related Instruments
        - B. Contracts of Infants or Minors; Purchases of Necessaries
        - C. Related Instruments by Parents, Guarantors, Etc.
      - III. Disaffirmance and avoidance agreements
        - § 144:18 Notice—Disaffirmance of contract—Return of consideration tendered
        - § 144:19 Notice—Disaffirmation of contract—Provision—Justification for no return of consideration
        - § 144:20 Notice—Disaffirmation of promissory note
        - § 144:24 Notice of ratification of contract made during minority
        - § 144:27 Ratification of contract—Debt contracted during minority
        - § 144:29 Ratification—Land sales contract
  - 14A *Am Jur Pleading & Practice Forms Infants*, Thomson West, 2025 (Also available on Westlaw).
    - III. Actions involving infants
      - C. Contracts and Conveyances
        - 1. In general
          - 61. Checklist—Drafting a complaint in an action for or based on rescission of infant's contract
        - 2. Actions by infants
        - 3. Actions against infants
          - § 72. Answer of infant by guardian ad litem—Contract for nonnecessaries—Disaffirmance by defendant
          - § 73. Answer—Defense—Infant's lack of capacity to contract
          - § 79. Reply—Allegation—Goods furnished infant were necessities
        - 4. Ex parte matters
  - *Library of Connecticut Collection Law Forms*, by Robert M. Singer, Connecticut Law Tribune, 2015.
    - Chapter 11. Special Defenses
      - Form 11-003. Lack of Capacity – Under the Age of Majority

**CHECKLISTS:**

- 9B *Am. Jur. Legal Forms 2d* (2020). Also available on Westlaw.

Chapter 144. Infants  
IV. Ratification of agreements  
§ 144:23 Form drafting guide—Checklist—Matters to be considered in drafting ratification of minor's agreement

**ALR INDEX:**

- Children and Minors
  - Contracts

**WEST KEY  
NUMBERS:**

- Infants
  - III. Contracts
  - # 1051-1083

**ENCYCLOPEDIAS:**

Encyclopedias and ALRs are available in print at some law library locations and accessible online at all law library locations.

Online databases are available for in-library use. Remote access is not available.

- 42 *Am Jur 2d Infants*, Thomson West, 2020 (Also available on Westlaw).
  - IV. Contracts and Conveyances
    - A. Validity and Binding
    - B. Avoidance
    - C. Ratification
- 43 *CJS Infants*, Thomson West, 2014 (Also available on Westlaw).
  - V. Contracts
    - A. In General
      - 1. Capacity to Contract and Validity of Contracts
      - 2. Ratification
      - 3. Avoidance or Disaffirmance
    - B. Particular Transactions

**TEXTS &  
TREATISES:**

- *Incapacity, Powers of Attorney and Adoption in Connecticut* 4th ed., by Ralph H. Folsom, Laura Weintraub Beck and Daniel P. Fitzgerald, Thomson West, 2025 (Also available on Westlaw).
  - Chapter 3. Guardianships
    - § 3:16. Contractual capacity of minors
    - § 3:17. Affirmance or disaffirmance of minor's contracts
    - § 3:18. Minor's liability for necessaries
- 1 *Legal Rights of Children 3d*, by Thomas R. Young, 2024-2025 edition, Thomson West (Also available on Westlaw).
  - Part III. Children and the Societal Relationship
    - Chapter 10. Children and the law of contracts
      - § 10:1. The right of a child to make contracts and disaffirm them

Each of our law libraries own the Connecticut treatises cited. You can [contact](#) us or visit our [catalog](#) to determine which of our law libraries own the other treatises cited or to search for more treatises.

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- § 10:2. Exceptions to the disaffirmation rule—Arbitration clauses, exculpatory and indemnification clauses, and legal proceedings
- § 10:3. Exceptions to disaffirmance rule--Contracts for necessaries
- § 10:4. ----Necessaries defined
- § 10:5. ----Statutory changes
- § 10:6. --"Pro Ami" or "child settlement" hearings regarding legal settlements affecting children
- § 10:7. Consequences of a disaffirmance
- § 10:8. Misrepresentation of age

- 5 *A Treatise on the Law of Contracts*, 4th ed., Samuel Williston, 2009 edition, Thomson West, with 2024 supplement (Also available on Westlaw).
  - Chapter 9. Capacity of Parties in General; Infants
  - § 9:1. Parties of limited capacity to contract; introduction
  - § 9:2. Early law concerning validity of minor's contract
  - § 9:3. The age of majority
  - § 9:4. Emancipation of minor under common law
  - § 9:5. Emancipation of minor under statutory law
  - § 9:6. Minor's contracts are generally voidable, not void
  - § 9:7. Transactions that cannot be avoided by minor
  - § 9:8. —Special rules governing minor's contract of partnership
  - § 9:9. —Statutory changes in common-law liability of minors
  - § 9:10. Meaning of "voidable" contract
  - § 9:11. Power of avoidance of minor's contract is personal
  - § 9:12. Effect of subsequent good-faith purchaser on minor's disaffirmance right
  - § 9:13. What constitutes disaffirmance of minor's contract or conveyance
  - § 9:14. When power of avoidance of minor's contract may be exercised
  - § 9:15. Partial disaffirmance of minor's contract
  - § 9:16. Other consequences of disaffirmance of contract or conveyance by minor
  - § 9:17. Restoration of consideration by minor disaffirming contract or conveyance
  - § 9:18. Ratification of minor's contract or conveyance
  - § 9:19. Minor's liability for necessities
  - § 9:20. What are and are not necessities that minor is liable for
  - § 9:21. —Money advanced for purchase of necessities
  - § 9:22. —Necessaries already available to minor
  - § 9:23. Estoppel due to false representation of minor's age
  - § 9:24. Estoppel due to other false representations by minor
  - § 9:25. Minor's ability to bind parents

## § 9:26. Actions by and against minors

- 1 *Representing the Child Client*, by Michael J. Dale, Matthew Bender, 1987, with 2025 supplement (Also available on Lexis).  
    Chapter 3. The Legal Status of Minors  
        § 3.03. Minor's right to contract: Capacity to promise
  - [1]—Generally
    - [a]—Binding contracts
    - [b]—Voidable contracts
  - [2] Employment
  - [3] Estates
  - [4] Real Property
- *Calamari and Perillo on Contracts*, 6th ed., by Joseph M. Perillo, Thomson West, 2009.  
    Chapter 8. Capacity of Parties
  - § 8.1. Introduction
  - § 8.2. Transactions that the infant cannot avoid
  - § 8.3. Avoidance and ratification
  - § 8.4. Effect upon ratification of ignorance of law or fact
  - § 8.5. Obligations of restitution upon disaffirmance
  - § 8.6. Torts connected with contracts
  - § 8.7. Liability of an infant for necessaries

# Section 8: Medical Treatment for Minors

A Guide to Resources in the Law Library

**SCOPE:** Bibliographic resources relating to the rights of minors to consent to confidential medical treatment including abortions.

**DEFINITIONS:**

- **Reproductive health care services:** "includes all medical, surgical, counseling or referral services relating to the human reproductive system, including, but not limited to, services relating to pregnancy, assisted reproduction, contraception or the termination of a pregnancy;" [Public Act No. 25-168](#), Sec. 277.

- **Gender-affirming health care services:** means all supplies, care and services of a medical, behavioral health, mental health, surgical, psychiatric, therapeutic, diagnostic, preventative, rehabilitative or supportive nature, including medication relating to the treatment of gender dysphoria and gender incongruence. "Gender-affirming health care services" does not include "conversion therapy" as defined in section 19a-907;" [Public Act No. 25-168](#), Sec. 277.

**ONLINE PUBLICATIONS:**

- Center for Children's Advocacy, [Adolescent Health & Confidentiality - Teen Legal Rights & Healthcare Access](#) (June 27, 2018).
- Access to Information in Juvenile Court Proceedings, [Legal Guide - Medical Treatment of Minors](#) (2013).
- Access to Information in Juvenile Court Proceedings, [Legal Guide - Health Care Records](#) (2013).

## STATUTES:

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.

Conn. Gen. Stat. (2025)

- § [1-1d](#). "Minor", "infant", "infancy", "age of majority, defined.
- § [17a-1](#). Definitions.
- § [17a-4a](#). Children's Behavioral Health Advisory Committee. Membership. Reports.
- § [17a-6](#). Powers and duties of commissioner (*Dept. of Children & Families*)
- § [17a-76](#). Application for commitment of mentally ill child. Jurisdiction. Transfer to Superior Court. Appointment of counsel. Three-judge court, powers
- § [17a-81](#). Parental consent necessary for treatment. Exceptions.
- § [17a-101f](#). Exam by physician - diagnostic tests and procedures to detect child abuse. Expenses.
- § [17a-688\(d\)](#). Record keeping and confidentiality. Permitted disclosure. Treatment or rehabilitation of minor.
- § [19a-14c](#). Provision of outpatient mental health treatment to minors without parental consent.
- § [19a-216](#). Examination or treatment of minor for venereal disease. Confidentiality. Liability for costs.

- § [19a-285](#). Consent by minor to medical, dental or hospital services for child.
- § [19a-285a](#). Donation of blood by minors.
- § [19a-582](#). General consent required for HIV-related testing. Counseling requirement. Exceptions.
- § [19a-592](#). Testing, prophylaxis and treatment of minor for HIV or AIDS. Confidentiality. Exception for minors twelve years of age or younger. Liability for costs.
- § [19a-601](#). Information and counseling for minors required. Medical emergency exception. (*Abortion*)
- § [45a-604\(5\)](#). "Guardianship" means guardianship of the person of a minor, and includes: (A) The obligation of care and control; (B) the authority to make major decisions affecting the minor's education and welfare, including, but not limited to, consent determinations regarding marriage, enlistment in the armed forces and major medical, psychiatric or surgical treatment;..."
- § [45a-606](#). Father and mother joint guardians.
- § [46b-150](#). Emancipated Minor. Procedure. Notice. Attorney General as party. (*at least 16 years old*)

#### **PUBLIC ACTS:**

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.

- [Public Act No. 25-28, An Act Concerning Access to Reproductive Health Care.](#) (Effective June 9, 2025)
- [Public Act No. 25-168, AN ACT CONCERNING THE STATE BUDGET FOR THE BIENNIAL ENDING JUNE 30, 2027, AND MAKING APPROPRIATIONS THEREFOR, AND PROVISIONS RELATED TO REVENUE AND OTHER ITEMS IMPLEMENTING THE STATE BUDGET.](#)  
(Search for reproductive health care services or gender-affirming health care services.)

#### **LEGISLATIVE:**

[Office of Legislative Research](#) reports summarize and analyze the law in effect on the date of each report's publication. Current law may be different from what is discussed in the reports.

- *Connecticut Abortion Law*, James Orlando, Connecticut General Assembly, Office of Legislative Research Report, [2022-R-0281](#) (December 5, 2022).
- *Connecticut School Immunization Requirements*, Nicole Dube, Connecticut General Assembly, Office of Legislative Research Report, [2021-R-0134](#) (July 30, 2021).
- *Nonmedical Exemptions from Childhood Immunization Requirements*, James Orlando, Connecticut General Assembly, Office of Legislative Research Report, [2019-R-0235](#) (October 9, 2019).
- *Children's Mental Health Services*, James Orlando, Connecticut General Assembly, Office of Legislative Research Report, [2013-R-0081](#) (January 31, 2013).
- *Drug Rehabilitation for Connecticut and Florida Teenagers*, Katherine Dwyer, Connecticut General Assembly, Office of

Legislative Research Report, [2012-R-0257](#) (June 25, 2012).

- *Childhood Immunizations*, John Kasprak, Connecticut General Assembly, Office of Legislative Research Report, [2009-R-0373](#) (October 9, 2009).
- *Refusal of Medical Treatment on Religious Grounds*, John Kasprak, Connecticut General Assembly, Office of Legislative Research Report, [99-R-0180](#) (February 3, 1999).
- *Medical Treatment for Minors*, John Kasprak, Connecticut General Assembly, Office of Legislative Research Report, [95-R-0617](#) (March 22, 1995).

#### **CASES:**

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

- [In re Cassandra C.](#), 316 Conn. 476, 502-503, 112 A. 3d 158 (2015). "The record amply supports ... [the] finding that Cassandra was not a mature seventeen year old and, therefore, was not competent to refuse a course of medical treatment that would provide her with her only chance of survival."
- [Hodgson v. Minnesota](#), 497 U.S. 417, 423, 110 S. Ct. 2926, 111 L. Ed. 2d 344 (1990). " . . . we now conclude that the requirement of notice to both of the pregnant minor's parents is not reasonably related to legitimate state interests and that subdivision 2 is unconstitutional." *The court further held that provision of statute which requires two parent notification unless pregnant minor obtains judicial bypass was constitutional.*
- [H.L. v. Matheson](#), 450 U.S. 398, 399-400, 67 L. Ed. 2d 388, 101 S.Ct. 1164, 1166 (1981). "The question presented in this case is whether a state statute which requires a physician to 'notify, if possible,' the parents of a dependent, unmarried minor girl prior to performing an abortion on the girl violates federal constitutional guarantees."
- [Ruby v. Massey](#), 452 F.Supp. 361 (D. Conn. 1978). *Can parents give consent to sterilization of mentally retarded/handicapped children in lieu of children's consent?*

#### **FORMS:**

- 13C Am. Jur Legal Forms 2d Parent and Child, Thomson West, 2022 (Also available on Westlaw).
  - Chapter 191. Parent and child
    - 2. Medical and Dental Treatment
      - § 191:38. Introductory Comments
      - § 191:39. Consent of Parent--Medical Treatment for Minor
      - § 191:40. --Surgery for Minor
      - § 191:41. --Medical Treatment for Emancipated Minor--with Disclaimer of Liability for Expenses

§ 191:42. Authorization to Consent to Medical and Dental Treatment for Minor--to Adult Nonparent  
§ 191:43. Authorization for Emergency Medical Treatment for Minor--to School  
§ 191:44. Authorization to Administer Medicine at School  
§ 191:45. Consent of Minor Living Separate and Apart from Parents or Legal Guardian--for Hospital and Medical Care  
§ 191:46. Consent by Minor Living Separate and Apart from Parents or Legal Guardian--for Dental Care  
§ 191:47. Consent of Emancipated Minor--Medical Care  
§ 191:48. ----Married Minor  
§ 191:49. --Treatment and Care of Contagious Disease  
§ 191:50. --Diagnosis and Treatment of Venereal Disease  
§ 191:51. --Diagnosis or Treatment for Drug Abuse  
§ 191:52. Consent of Minor on Active Duty with Armed Forces--for Hospital, Medical, and Surgical Care  
§ 191:53. Consent by Unmarried Pregnant Minor--for Hospital, Medical, and Surgical Care

- 14A *Am Jur Pleading & Practice Forms* Infants, Thomson West, 2025 (Also available on Westlaw).
  - III. Actions involving infants
    - A. In general
      - § 11. Complaint--In federal Court--To restrain enforcement of law prohibiting gender affirming medical care of minors

**WEST KEY NUMBERS:**

- *Health*
  - # 911. Minors in general; consent of parent or guardian

**ALR INDEX:**

- Children and Minors
  - Medical care
  - Informed consent

**TEXTS & TREATISES:**

- 1 *Representing the Child Client*, by Michael J. Dale, Matthew Bender, 1987, with 2025 supplement (Also available on Lexis).
  - Chapter 3. The Legal Status of Minors
    - § 3.02. Rights Restricted Based on Age.
    - [2]. Privacy Right Restricted by Inability to Consent
      - [c]. Medical care
        - [i] Parental Consent to Treatment
        - [ii] Contraception and Abortion

You can [contact](#) us or visit our [catalog](#) to determine which of our law libraries own the treatises cited.

References to online databases refer to in-library use of these databases.

- [iii] Physician/Patient Privilege
- [iv] Refusal of Treatment
- [v] Payment of Medical Costs
- [vi] Substituted Judgment Doctrine
- [vii] Sexual Conversion Therapy
- [viii] Vaccinations
- [ix] Transgender Youth Medical Care

- 1 *Legal Rights of Children 3d*, by Thomas R. Young, 2024-2025 edition, Thomson West (Also available on Westlaw).  
Chapter 11. Restrictions on the legal rights and liberties of adolescents
  - § 11:14. Consent to medical treatment for minors—  
The common law rule
  - § 11:15. —Failure to consent to medical treatment:  
reasonable, unreasonable, and religious  
based refusal to seek treatment
  - § 11:17. — Minor's right to consent to abortion  
without  
parental consent
  - § 11:18. — Minors right to obtain contraceptives
  - § 11:19. —Admission of minors to state mental  
hospitals

#### **LAW REVIEWS:**

Public access to law review databases is available on-site at each of our [law libraries](#).

- Lois A. Weithorn & Dorit Rubinstein Reiss, *Providing Adolescents With Independent And Confidential Access To Childhood Vaccines: A Proposal To Lower The Age Of Consent*, 52 Conn. L. Rev. 771 (July 2020).

# Section 9: Employment Rights of Minors

A Guide to Resources in the Law Library

**SCOPE:** Bibliographic resources relating to the rights of minors in the workplace.

**SEE ALSO:** [Employment Law and the Family](#)

**STATUTES:** Conn. Gen. Stat. (2025)

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.

[Chapter 168](#). School Attendance and Employment of Children

§ [10-193](#). Certificate of age for minors in certain occupations.

§ [10-194](#). Penalty

§ [10-195](#). Evidence of age.

§ [10-197](#). Penalty for employment of child under fourteen.

[Chapter 31](#). Labor

§ [31-12](#). Hours of labor of minors in manufacturing or mechanical establishments.

§ [31-13](#). Hours of labor of minors in mercantile establishments.

§ [31-14](#). Night work of minors regulated.

§ [31-15](#). Penalty. *Penalties for violating the provisions of §§ 31-12 to 31-14.*

§ [31-15a](#). Criminal penalty.

§ [31-16](#). Night work in messenger service.

§ [31-18](#). Hours of labor of minors in certain other establishments.

§ [31-23](#). Employment of minors prohibited in certain occupations. Exceptions.

§ [31-23a](#). Minors employed on or after October 1, 2007, deemed to have been lawfully employed.

§ [31-24](#). Hazardous employment of children forbidden. Penalty.

§ [31-25](#). Operation of elevators by minors.

§ [31-69a](#). Additional penalty.

- United States Code (2025)

[29 U.S.C. § 203\(l\)](#). "Oppressive child labor" defined

[29 U.S.C. § 212](#). Child labor provisions

[41 U.S.C. § 6502](#). Required contract terms (*A contract made by an agency of the United States for the manufacture or furnishing of materials, supplies, articles, or equipment, in an amount exceeding \$10,000, shall include... [n]o individual under 16 years of age.*)

**REGULATIONS:**

- Conn. Agencies Regs. (03/08/2015)

Title 31. Labor

§ [31-23-1](#). Employment of minors.

*Includes a list of jobs declared hazardous by the Connecticut State Department of Labor*

- 29 Code of Federal Regulations (2024)

You can visit your local law library or search the most recent C.F.R. on the [e-CFR website](#) to confirm that you are accessing the most up-to-date regulations.

## 29 CFR. Part 570

Child labor regulations, orders and statements of interpretation

- Subpart A—General
- Subpart B—Certificates of age
- Subpart C—Employment of minors between 14 and 16 years of age (Child Labor Reg. 3)
- Subpart E—Occupations particularly hazardous for the employment of minors between 16 and 18 years of age or detrimental to their health or well-being
- Subpart G – General Statements of Interpretation of the Child Labor Provisions of the Fair Labor Standards Act of 1938, as Amended

## **LEGISLATIVE:**

[Office of Legislative Research](#) reports summarize and analyze the law in effect on the date of each report's publication. Current law may be different from what is discussed in the reports.

- *Employment of 14- And 15-Year-Olds in Connecticut Compared to Federal Law*, John Moran, Connecticut General Assembly, Office of Legislative Research, [2008-R-0330](#) (May 30, 2008).  
"You asked for a comparison of how state law, including PA 08-108, compares to federal law regarding the employment of 14- and 15-year-olds."
- *Employing Foreign Minors*, Lynn Marx, Connecticut General Assembly, Office of Legislative Research, [2001-R-0271](#) (Mar. 15, 2001).  
"You asked whether 16 and 17 year old high school students from France could work in the United States for 4 to 8 weeks during the summer. The French students would be coming to the United States as part of an exchange program."

## **AGENCY GUIDANCE:**

- Connecticut Department of Labor [Employment of Minors](#)
- [Community-Based Vocational Training Programs for Students Receiving Special Education Application Form](#)
- [Employers' Checklist for Employment of Minors](#)
- [Employment of Minors - Frequently Asked Questions](#)
- [Getting The Facts To Promote Young Worker Safety in Connecticut](#) (PDF, 224KB)
- [Permitted and Prohibited Places of Employment, Time and Hour Restrictions, and Exemptions](#)
- [Connecticut's Working Papers Manual](#)
- [Steps in obtaining Working Papers for Minors](#)
- [Promise of Employment Letter](#)
- [Required Information in a Promise of Employment Letter](#)

## **CASES:**

- *Kwiatkowski v. Beatty*, Superior Court, Judicial District of Waterbury, Docket No. UWY CV 16-6033094 (June 16, 2017) (64 Conn. L. Rptr. 719, 721) (2017 WL 3081063) (2017 Conn. Super. LEXIS 3602). "The plaintiff's argument that parents permit their children to work and thus the employer is entrusted with the care of the child ignores the different

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

relationship that arises between an employee and employer versus the well-known 'loco parentis' doctrine that applies to certain activities and requirements involving a child....The fact that a minor applies for position at a business such as a restaurant without a need for any parental oversight such as permission or consent supports the premise that this employment activity does not have the same legal relationship as the cases in which the agency, school, team, club or other activity is responsible for the safety in the context of a special relationship."

- [Goodrow v. Bates](#), Superior Court, Judicial District of Danbury, Docket No. 295634 (May 8, 1992) (6 Conn. L. Rptr. 778, 780) (1992 WL 108080) (1992 Conn. Super. LEXIS 1405). "The clear impact of *Blancato* is that the plaintiff has an election of remedies, either to affirm the illegal employment contract and accept workers' compensation benefits, or to reject it and bring a common law tort action.... This is a clear situation of election of remedies and ratification of the illegal employment contract."
- [Grant v. Bassman](#), 221 Conn. 465, 604 A.2d 814 (1992). "The plaintiffs, Russell Grant (Grant) and his mother, Gail Grant, brought this action against the defendants, Charles Bassman, Inc. (CBI), and its president, Charles Bassman, seeking damages for personal injuries suffered by Grant while, as a minor, he was illegally employed by CBI. CBI moved to dismiss the plaintiffs' complaint on the ground that the trial court lacked subject matter jurisdiction because Grant had applied for and received workers' compensation benefits for his injuries and, thus, was precluded from bringing this action by General Statutes § 31-284 (a). The trial court granted CBI's motion and the plaintiffs appealed to the Appellate Court. We transferred the appeal to this court pursuant to Practice Book § 4023. We reverse the judgment of the trial court."
- [Blancato v. Feldspar Corporation](#), 203 Conn. 34, 37, 522 A.2d 1235 (1987). "We therefore address the limited issue of whether the exclusive remedy provision of our Workers' Compensation Act bars the estate of a minor killed while illegally employed from bringing a suit for wrongful death pursuant to General Statutes § 52-555."

"We hold that the plaintiff administrator's wrongful death action pleaded in the first count of the complaint is not barred by § 31-284 (a)." (p. 40)

"...we limit this power of election with respect to employment contracts to minors who had been illegally employed." (p. 42)

**FORMS:**

- 9A *Am. Jur. Legal Forms 2d* (2020). (Also available on Westlaw).

Chapter 132. Guaranty  
B. Kinds of Guaranties  
2. General Forms  
§ 132:23. Guaranty by Parents--Performance of Minor's Obligations Under Employment Contract--Letter Form

**ALR INDEX:**

- Children and Minors
  - Labor and employment

**TEXTS &  
TREATISES:**

Each of our law libraries own the Connecticut treatises cited. You can [contact](#) us or visit our [catalog](#) to determine which of our law libraries own the other treatises cited or to search for more treatises.

References to online databases refer to in-library use of these databases. Remote access is not available.

- 1 *Labor and Employment in Connecticut: A Guide to Employment Laws, Regulations and Practices*, 2<sup>nd</sup> ed., by Jeffrey L. Hirsch, Matthew Bender, 2000, with 2024 supplement.
  - Chapter 1. Hiring
    - § 1-8. Hiring of minors—Child labor
      - [a] Coverage
      - [b] Permissible employment
      - [c] Hours
      - [d] Employment forms
      - [e] Penalties
  - *Connecticut Employment Law*, 7th. ed., by Pamela J. Moore, Connecticut Law Tribune, 2024.
    - Chapter 8. Wage and Hour Provisions
      - § 8-3. Minimum Wage and Overtime Obligations
        - § 8-3:3. Exceptions to Minimum Wage Rate
          - § 8-3:3.1. Minors and Certain Disabled Employees
    - Chapter 10. Health and Safety
      - § 10-6 Hazardous Employment for Minors
        - § 10-6:1. Introduction
        - § 10-6:2. Minors prohibited from working in certain industries
          - § 10-6:2.1. Children Under 18
            - Table 10-1. Hazardous Industries for Children Under 18
            - Table 10-2. Hazardous Occupations for Children Under 18
            - § 10-6:2.2. Children Under 16
            - Table 10-3. Prohibited Industries for Children Under 6
            - Table 10-4. Prohibited Hazardous Activities for Children Under 16
        - § 10-6:3. Certificate of Age
    - *Littler on Connecticut Employment Law*, by Littler Mendelson, 2017.
      - Chapter 3. During Employment
        - § 3.6. Child Labor
          - § 3.6(a). Federal Guidelines on Child Labor
          - § 3.6(b). State Guidelines on Child Labor

§ 3.6(b)(i). State Restrictions on Type of Employment for Minors

§ 3.6(b)(ii). State Limits on Hours of Work for Minors

§ 3.6(b)(iii). State Child Labor Exceptions

§ 3.6(b)(iv). State Work Permit or Waiver Requirements

§ 3.6(b)(v). State Enforcement, Remedies and Penalties

- 1 *Legal Rights of Children 3d*, by Thomas R. Young, 2024-2025 edition, Thomson West (Also available on Westlaw).  
Part IV. Substantive Legal Protection for Children  
    Chapter 14. Child labor  
        I. Federal Child Labor Laws  
        II. State Child Labor Laws
- 1 *Representing the Child Client*, by Michael J. Dale, Matthew Bender, 1987, with 2025 supplement (Also available on Lexis).  
    Chapter 3. The legal status of minors  
        § 3.03. Minor's right to contract: Capacity to promise  
            [2]—Employment  
                [a] Child labor laws  
                [b] —Minimum wage  
                [c]—Prohibition on race and sex discrimination  
                [d]—Parents' right to child's wage  
                [e]—Taxes due
- 1 *Employment Law*, 7th ed., by Mark A. Rothstein et al., 2019, Thomson West, with 2024 supplement (Also available on Westlaw).  
    Chapter 4. Wage, hours, and benefits  
        § 4.7.—Child labor

# Section 10: LGBTQI

A Guide to Resources in the Law Library

**SCOPE:** Bibliographic resources relating to the rights of LGBTQI youth.

**DEFINITIONS:**

- "The public schools shall be open to all children five years of age and over who reach age five on or before the first day of September of any school year, and each such child shall have, and shall be so advised by the appropriate school authorities, an equal opportunity to participate in the activities, programs and courses of study offered in such public schools, at such time as the child becomes eligible to participate in such activities, programs and courses of study, without discrimination on account of race, as defined in section 46a-51, color, sex, gender identity or expression, religion, national origin, sexual orientation or disability; provided a child who has not reached the age of five on or before the first day of September of the school year may be admitted (1) upon a written request by the parent or guardian of such child to the principal of the school in which such child would be enrolled, and (2) following an assessment of such child, conducted by such principal and an appropriate certified staff member of the school, to ensure that admitting such child is developmentally appropriate." Conn. Gen. Stat. § [10-15c\(a\)](#) (2025).
- "'Gender identity or expression' means a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held, part of a person's core identity or not being asserted for an improper purpose." Conn. Gen. Stat. § [46a-51\(21\)](#) (2025)

**STATUTES:** Conn. Gen. Stat. (2025)

You can visit your local law library or search the most recent [statutes](#) and [public acts](#) on the Connecticut General Assembly website to confirm that you are using the most up-to-date statutes.

[Chapter 164](#). Educational Opportunities  
§ [10-15c](#). Discrimination in public schools prohibited.  
School attendance by five year old.

[Chapter 368II](#). Miscellaneous Provisions  
§ [19a-907](#). Conversion therapy. Definitions.  
§ [19a-907a](#). Conversion therapy by healthcare provider. Prohibition.

§ [19a-907b](#). Conversion therapy in conduct of trade or commerce. Prohibition. Unfair or deceptive trade practice.

§ [19a-907c](#). Conversion therapy and the expenditure of public funds.

[Chapter 170](#). Boards of Education

§ [10-222d](#)(a)(1). Safe school climate plans. Definitions. School climate assessments.

[Chapter 814c](#). Human Rights and Opportunities

§ [46a-51](#)(21). Definitions.

§ [46a-60](#). Discriminatory employment practices prohibited.

§ [46a-64](#). Discriminatory public accommodations practices prohibited. Penalty.

§ [46a-64c](#). Discriminatory housing practices prohibited. Disposition of complaints. Penalty.

§ [46a-71](#). Discriminatory practices by state agencies prohibited.

§ [46a-81c](#). Sexual orientation discrimination: Employment.

§ [46a-81d](#). Sexual orientation discrimination: Public accommodations.

§ [46a-81g](#). Sexual orientation discrimination: State practices.

§ [46a-81i](#). Sexual orientation discrimination: Services of state agencies.

§ [46a-81l](#). Sexual orientation discrimination: State agencies not to permit in professional or occupational associations, public accommodations or housing.

§ [46a-81m](#). Sexual orientation discrimination: Educational and vocational programs of state agencies.

§ [46a-81n](#). Sexual orientation discrimination: Allocation of state benefits.

§ [46a-81p](#). Sexual orientation discrimination: Religious organizations.

§ [46a-81q](#). Sexual orientation discrimination: ROTC programs.

§ [46a-81aa](#). Gender identity or expression discrimination: Religious organizations.

[Chapter 952](#). Penal Code: Offenses

§ [53a-181i](#). Intimidation based on bigotry or bias: Definitions.

§ [53a-181j](#). Intimidation based on bigotry or bias in the first degree: Class C felony.

§ [53a-181k](#). Intimidation based on bigotry or bias in the second degree: Class D felony.

§ [53a-181l](#). Intimidation based on bigotry or bias in the third degree: Class A misdemeanor.

**LEGISLATIVE:**

- *Connecticut Hate Crime Laws*, Michelle Kirby, Connecticut General Assembly, Office of Legislative Research, [2024-R-0043](#) (February 1, 2024).
- *Hate Crimes Legislative History*, Christopher Reinhart, Connecticut General Assembly, Office of Legislative Research, [2006-R-0489](#) (August 4, 2006).

**ONLINE PUBLICATIONS:**

- [The Law of Gender Identity and Sexual Orientation: A Beginner's Guide](#) - June 9, 2015 by Barbara Bavis – Law Library of Congress research guide
- SpeakUpTeens.org  
*LGBT – What are my rights as an LGBT teen?*  
<https://speakup teens.org/lgbt>
- National Center for Transgender Equality  
[Name and Gender Change Information-Connecticut](#)

**AGENCY GUIDANCE:**

- Connecticut State Department of Education,  
[Guidance on Civil Rights Protections and Supports for Transgender or Gender-Diverse Students](#) (January 2024)
- [Department of Children and Families Policy Manual](#), Vol. 2, Child Welfare Program Management Chapter 21. Specialized Child Welfare Subject Matter 21-16. Gender Identity and Sexuality  
[Non-Discrimination of LGBTQQIAA Individuals](#) - (effective January 2, 2019)
- [Working with Transgender Youth and Caregivers Practice Guide](#), Department of Children and Families (December 2018)
- [Policy Review and Development Guide: Lesbian, Gay, Bisexual, Transgender, and Intersex Persons in Custodial Settings](#), U.S. Department of Justice, National Institute of Corrections  
Chapter 2. LGBTQI Youth Under Custodial Supervision

**FORMS:**

- *22 Am Jur Pleading and Practice Forms Schools*, Thomson West, 2021 (Also available on Westlaw).  
VII. Students  
D. Sexual Orientation and Gender Identity in Schools  
    § 153. Introductory comments  
    § 160. Complaint in federal district court—Violation of the First and Fourteenth Amendments—For damages and injunctive relief—Verbal and physical harassment and abuse of student by peers on basis of sexual orientation  
    § 161. Violation of Fourteenth Amendment and negligence – For damages and injunctive relief –

Verbal and physical harassment and abuse of student by peers on basis of sexual orientation  
§ 168. Complaint, petition or declaration—  
Allegation—Selective enforcement of school rules against student based on sexual orientation violates state education law  
§ 168.50. Complaint, petition or declaration—  
Allegation—Harassment of student by teacher

### **CASES:**

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can [contact your local law librarian](#) to learn about the tools available to you to update cases.

- In re Jane Doe. Superior Court, Judicial District of Fairfield, Juvenile Matters at Bridgeport, No. F04JV32912660A (May 6, 2014) (2014 WL 2600505) (2014 Conn. Super. LEXIS 1128). "B. Proper Location for Housing of Transgender Inmate - . . . In light of the Respondent's status as a transgender girl, the initial housing determination is difficult. The statute was first passed in 1971, and has been changed in minor ways over the years. When the statute was first passed, male and female were likely considered immutable characteristics. Recent legislative enactments on both the state and federal level suggest to the court that the directive if male, to Manson, if female, to Niantic, is better understood as referring to an individual's gender identity when the individual has established a gender identity different from her biological sex.  
  
1. Connecticut Nondiscrimination Statute - In 2011, the Connecticut legislature enacted Public Act 11-55, an act aimed at combatting discrimination against transgendered individuals. The act added 'gender identity or expression' to a variety of statutes barring discriminatory practices against specific groups. It added a definition of 'Gender identity or expression' to General Statutes § 46a-51: '(21) Gender identity or expression means a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth, which gender-related identity can be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity or any other evidence that the gender-related identity is sincerely held, part of a person's core identity or not being asserted for an improper purpose.' It did not alter the juvenile or department of corrections statutes, but it did alter General Statutes § 46a-71 to state that '(a) All services of every state agency shall be performed without discrimination based upon race, color, religious creed, sex, gender identity or expression, marital status, age, national origin, ancestry, mental retardation, mental disability, learning disability or physical disability, including, but not limited to, blindness.' DCF Policy Manual 30-9 provides that DCF shall not discriminate against Lesbian, Gay, Bisexual, Transgender, Questioning and Intersex individuals. It includes provisions

for providing support groups for LGBTQI youth and sensitivity training."

**ENCYCLOPEDIAS:**

- 150 *Am. Jur. Trials* 115, *Litigation of Freedom of Speech and Expression in School Setting With Respect to LGBTQ Community*, Sarah L. Harrington, Thomson West, (2017), (Also available on Westlaw).
- 79 *COA 2d* 1, *Cause of Action Under First Amendment for Freedom of Speech and Expression in Educational Setting With Respect to LGBTQ Community*, Elizabeth Williams, J.D., Thomson West, 2017, (Also available on Westlaw).

**TEXTS & TREATISES:**

You can [contact](#) us or visit our [catalog](#) to determine which of our law libraries own the treatises cited.

References to online databases refer to in-library use of these databases.

- 1 *Representing the Child Client*, by Michael J. Dale, Matthew Bender, 1987, with 2025 supplement (Also available on Lexis).
  - Chapter 3. The legal status of minors
    - § 3.02. Rights Restricted by Age.
      - [2]. Privacy Right Restricted by Inability to Consent
        - [c]. Medical care
          - [vii] Sexual Conversion Therapy
          - [ix] Transgender Youth Medical Care
  - 2 *Representing the Child Client*, by Michael J. Dale, Matthew Bender, 1987, with 2025 supplement (Also available on Lexis).
    - Chapter 6. Representing Students in School-Related Matters
      - § 6.02. Overview of the Right to an Education
        - [7] Right to Privacy in School Settings Including Rights of LGBT Students
      - § 6.06. School Injury Litigation; Actions for Damages
        - [6] LGBT Students

**LAW REVIEWS:**

Public access to law review databases is available on-site at each of our [law libraries](#).

- Roy Abernathy, *Seeking Remedies For LGBTQ Children From Destructive Parental Authority In The Era Of Religious Freedom*, 26 *Wash. & Lee J. Civil Rts. & Soc. Just.* 625 (Spring 2020).
- Daliah Silver, *Transforming America's Perspective: How Recognizing the Rights of Transgender Youth Will Empower the Next Generation*, 39 *Children's Legal Rights Journal* 233 (2019).
- Katherine Szczerbinski, *Education Connection: The Importance of Allowing Students to Use Bathrooms and Locker Rooms Reflecting Their Gender Identity*, 36 *Children's Legal Rights Journal* 153 (2016).
- Cindy C. Albracht-Crogan, *A Children's Rights Lawyer's Perspective on LGBTQ Youth Issue*, 3 *LGBT Litigator* 6 (2012-2013).

- Cindy C. Albracht-Crogan, *Recognizing and Addressing LGBTQ Issues*, 14 Children's Rights Litigation 23 (2011-2012).
- Vickie L. Henry, *Have No LGBTQ Youth Clients – Think Again: What Every Attorney Representing Youth Needs to Know*, 57 Boston Bar Journal 10 (2013).
- Amanda Valentino, *Part 2: LGBTQ Youth in the Juvenile Justice System*, 14 Children's Rights Litigation 20 (2011-2012).
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Table 4: Miscellaneous

Miscellaneous	
<p>Privacy Rights of Minors in Public Libraries</p>	<ul style="list-style-type: none"> <li>• <b>Confidentiality of records.</b> "Notwithstanding section 1-210, records maintained by libraries that can be used to identify any library user, or link any user to a library transaction, regardless of format, shall be kept confidential, except that the records may be disclosed to officers, employees and agents of the library, as necessary for operation of the library." Conn. Gen. Stat. § <a href="#">11-25</a>(b)(1) (2025).</li> <li>• "Information contained in such records shall not be released to any third party, except (A) pursuant to a court order, or (B) with the written permission of the library user whose personal information is contained in the records. Conn. Gen. Stat. § <a href="#">11-25</a>(b)(2) (2025).</li> <li>• Questions and Answers on Privacy and Confidentiality American Library Association <a href="http://www.ala.org/advocacy/privacy/FAQ">http://www.ala.org/advocacy/privacy/FAQ</a>  See section <u>IV. Minors' Privacy Rights</u> 28. Are privacy rights of minors the same as those of adults? What information about a minor's use of the library should be kept confidential and what may be released to parents?  29. How does the Family Educational Rights and Privacy Act (FERPA) affect minors' library records in K-12 schools?  30. How can the confidentiality of minors' library records be protected in school libraries?</li> </ul>
<p>Generally</p>	<ul style="list-style-type: none"> <li>• Anne C. Dailey &amp; Laura A. Rosenbury, <i>The New Law of the Child</i>, <u><i>Yale Law Journal</i></u>, Vol. 127, Issue 6 (April 2018), pp. 1448-1537.</li> <li>• <i>Variations From the Age of Majority in Connecticut</i>, Lawrence K. Furbish, Connecticut General Assembly, Office of Legislative Research, Report, <a href="#">2003-R-0071</a> (January 28, 2003). See section on "Ages of Rights, Privileges, and Responsibilities" "You asked for a list of the ages at which various rights, responsibilities, and privileges take effect in Connecticut. Your interest was in how many ages are different from age 18, the age of majority in Connecticut."</li> </ul>