

Sec. 17b-800-5. Expulsion and suspension of shelter clients

(a) All rules and policies of the shelter, including the shelter's grievance procedures, shall be posted in a conspicuous place and shelter clients shall be given a copy upon request. The shelter's grievance procedures shall include information on how to initiate the grievance process and shall also include a clear notice to clients identifying the house rules that carry a penalty of suspension or expulsion if violated, and, if applicable, the length of any suspension.

(b) All rules and policies shall be written in plain language and, when feasible, translated for clients who do not speak English. If the shelter has reason to believe a client is illiterate, the shelter shall provide the rules and procedures orally.

(c) A client shall not be expelled or suspended, except for good cause. Good cause includes, but is not limited to, the following kinds of events:

(1) Violations, after a warning, of posted house rules that seriously or materially impede the operation of a shelter;

(2) Behavior that poses a threat to the health or safety of other clients, shelter staff, or other people on the premises of the shelter, or to the physical property of the clients or the shelter or anyone on the premises of the shelter. This may include the possession or use of illegal drugs or alcohol;

(3) Violations, after a warning, of case plans or contracts, when the client has committed in writing to follow such plan or contract;

(4) Expiration of a defined length of stay, unless, according to the shelter's own rules, the client qualifies for an extension;

(5) Theft or destruction of property in or on the grounds of the shelter; or

(6) Sexual harassment or sexual activity in violation of shelter rules.

(d) Except as provided in subsection (e) or (f) of this section, as applicable, if a shelter client violates a rule or policy that might lead to suspension or expulsion:

(1) The client shall receive written and oral notice of the infraction prior to suspension or expulsion. This notice shall state the consequences of having violated the rule or regulation; and

(2) The client shall have an opportunity to request the review of this decision through the shelter grievance procedure prior to the suspension or expulsion. The notice in subdivision (1) of this subsection shall inform the client of his or her rights to a grievance review and how to request a grievance review.

(e) In cases where the behavior of the client poses a threat to the health or safety of other clients, shelter staff, or anyone on the grounds of the shelter, or to the physical property of the clients of the shelter or anyone on the premises of the shelter, the client may be suspended or expelled without any prior warning, or the prior opportunity for a hearing under the shelter grievance procedure. A staff person who has decided to expel or suspend a client shall, whenever possible, consult with an impartial staff person on whether the decision is appropriate.

(f) A client may be suspended without prior warning or a prior opportunity for a hearing if he or she poses a threat to the health of other clients, shelter staff or anyone on the grounds of the shelter because the client is reasonably believed to be infected with a disease that is easily spread through casual contact or by airborne means only if:

- (1) Contamination with the disease could cause serious health problems for others;
 - (2) The shelter does not have adequate means to isolate the infected clients; and
 - (3) The shelter, if possible, has attempted to place the client in an alternative facility.
- (g) Behavior that constitutes a threat to health and safety shall be defined by the shelter and shall include, but not be limited to, the following:
- (1) Possession, distribution, or use of illegal drugs or alcohol;
 - (2) Possession of a dangerous weapon;
 - (3) Physical assault or the threat of physical violence when there is reason to believe such a threat indicates a genuine possibility of actual physical assault directed at anyone in or on the grounds of the shelter; and
 - (4) Arson or attempted arson.
- (h) The shelter shall clearly identify the infractions that can lead to suspension or expulsion without prior notice or a prior hearing in the notice provided under subsection (a) of this section.
- (i) The client shall have an opportunity to have any decision to expel or suspend him or her reviewed under the shelter grievance procedure. The burden shall be on the shelter to show that the client was in violation of the shelter rules. In the case of expulsion or suspension under subsection (e) or (f) of this section, as applicable, the review may be conducted after expulsion or suspension.
- (j) Any client who is suspended or expelled shall, whenever possible, be given information on any other facilities available to him or her, and the name and phone number of the person to contact at any appropriate public agency.
- (k) If the expelled or suspended client was originally placed at the shelter by a state agency, that agency shall be informed of the expulsion or suspension within one business day.

(Effective February 1, 1993; Transferred from § 17-590-5, June 28, 2013; Amended June 28, 2013)