

# POLICY

## BOARD OF EDUCATION OF MONTGOMERY COUNTY

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**Related Entries:** CEA-RA, CNA-RA, ECC-RA, EGI-RA, IAA, IGT-RA, IQB-RA, IQD-RA, JEA-RA, JEC-RA, JFA-RA, JGA-RA, JGB-RA, JOA-RA, KEA-RA

**Responsible Office:** Deputy Superintendent of Schools

### **Student Rights and Responsibilities**

#### **A. PURPOSE**

To provide a learning community designed to foster intellectual development, citizenship, responsibility, and mutual respect among students as they engage in the education process. As members of this community, all students have certain rights, responsibilities, and privileges. There are expectations for conduct that are intended to foster the desired environment and educational goals of Montgomery County Public Schools and its students.

#### **B. ISSUE**

In a free and democratic society rights are balanced with responsibilities. All rights are inherently interwoven with responsibilities.

#### **C. POSITION**

1. Students have responsibility for their own learning, their personal conduct, and for the manner in which they exercise their rights. Students are expected to actively participate in the educational community, accept the consequences of their actions, and abide by the policies and regulations of Montgomery County Public Schools.
2. The rights of the student must always be considered in relation to the legal rights and responsibilities retained by others, including students, staff, parents and community.
3. As a component of active participation in the school community, students may form and participate in clubs, teams, and student organizations in accordance with all state and local laws, policies, regulations, and procedures.
4. Students elected to student government or occupying other leadership positions must retain academic eligibility during their term of office.

5. Students seeking election to or occupying positions in student government or other leadership positions are expected to exemplify ethical, legal and appropriate conduct and comply with all policies, regulations, and procedures on and off campus. Decisions regarding eligibility are the responsibility of the principal who may consult with students and/or school community members.
6. The rights of freedom of expression in dress, writing, and other forms are balanced with the responsibility to maintain an environment conducive to learning.
7. The rights of freedom of religion should be respected and accommodated in accordance with law.
8. Students have the right to have disciplinary actions solely based on their individual conduct, which occurs at school, at school-related activities, when being transported by MCPS to or from school or a school-related activity, or would compromise the health or safety of others in the school or would adversely impact the security or operation of the school setting. The superintendent shall ensure that disciplinary actions are fair and appropriate. However, students also have the responsibility to accept the consequences of their actions and be active participants in maintaining an environment conducive to learning.
9. Students have the right to physical autonomy unless the use of physical restraint is reasonable under the circumstances.
10. Students' legally recognized expectations of privacy are to be respected.
11. The essential dignity of all students, teachers, and staff is recognized and the responsibility to secure, respect, and support an environment conducive to learning is shared by all members of the broad-based school community.
12. Students have due process rights which must be protected.
13. Local school staff, in collaboration with students and parents, shall develop, implement, and enforce disciplinary standards and procedures which may include zero tolerance policies and procedures that limit or restrict participation in extracurricular or other school-related activities or events. Exclusion from commencement ceremonies may not be included in local school zero tolerance policies; however, principals retain the authority to exclude students from participation in commencement ceremonies for cause on a case by case basis.
14. Students retain all the rights and responsibilities articulated in all Montgomery County Public Schools policies and regulations, as well as those defined by law.

**D. DESIRED OUTCOMES**

Montgomery County Public Schools will provide an educational environment which promotes intellectual development, responsibility, citizenship, respect for individual dignity, and respect for legally constituted authority.

**E. IMPLEMENTATION GUIDELINES**

1. *A Student's Guide to Rights and Responsibilities* shall be made available to all elementary school students and shall be distributed to all students entering secondary schools. Copies of the document should be made available to parents.
2. The superintendent will develop regulations with student, staff and parental input to guide staff in the implementation of this policy, including issues concerning eligibility for extracurricular activities.

**F. REVIEW AND REPORTING**

This policy will be reviewed in accordance with the Board of Education policy review process.

*Sources:* COMAR 13A.08.01.03; *Annotated Code of Maryland*, Education §7-308

*Policy History:* Adopted by Resolution No.19-97, January 14, 1997; Amended by Resolution No. 197-04, March 22, 2004; revised by Resolution 193-07, April 19, 2007.

*Note previous policy history:* This policy was previously included in the Students Rights and Responsibilities Handbook published in Section M.