

Student Rights & Responsibilities

On December 10, 1974, the Board of Education of Dorchester County Public Schools enacted a policy outlining the Procedures of Student Responsibilities and Rights. This document was developed by a representative committee of students, parents, teachers, and school administrators and reflects the beliefs and position of the broad educational body.

Portions of this policy are expressed in various other statements found in this handbook. In addition to those statements, the student responsibilities and rights policy contains the following information.

Rationale

A primary task of the school is to provide the means whereby an active pursuit of knowledge and personal development within a democratic society may be sought by all students. Such a posture includes an adequate exposure to the rights and responsibilities of citizens in our society. That the school community is educating its students for citizenship is reason enough for the scrupulous protection of the constitutional freedoms of all individuals who fall under its domain. This policy is intended to present opportunities for students and other parties-of-interest to understand their rights and concomitant responsibilities for citizenship.

The rights of an individual are preserved only by the protection and preservation of the rights of others. A student is responsible for the way he exercises his rights, and he must accept the consequences of his actions and recognize the boundaries of his rights. To achieve this goal, the staff, students, and parents must work cooperatively to avoid the extremes of regimentation and authoritarianism on the one hand, and anarchy and irresponsibility on the other.

This policy sets forth the rights of students in the public schools of Dorchester County and enumerates the responsibilities which are inseparable from those rights. In like manner, this policy should not be interpreted as being all inclusive and nothing contained herein shall abridge the Constitution of the United States, the school code of the State of Maryland, and the agreements established within the Dorchester County Public Schools.

Implementation

The procedures contained herein should be applied to all students in public schools; however, there is a recognized distinction between students of different ages and maturity, and it is reasonable to expect that the procedures could not uniformly apply to all students in all grades, PreK ÷ 12.

Secondary Schools

Nothing should preclude the implementation of these procedures in all senior high schools in Dorchester County, Maryland. It is recognized that appropriate educational activities should be undertaken to facilitate this implementation.

Middle School

Because of the recognized distinction between students of different ages and because middle school in particular represents the time when the greatest degree of change in maturation is likely to occur in students, there is needed flexibility in the application of these procedures. Implementation should not be undertaken without some instructional activities.

Elementary School

Students in the elementary school should have opportunities to be exposed to the substance of the policy in an instructional setting. Activities should be designed to acquaint children with the concepts of rights and responsibilities applicable to citizens at large and to students in the school setting.

Student Grievance Procedures

Student grievances related to the specific procedures for student involvement, rights, and responsibilities should be directed in writing to the school principal.

If unresolved at the principal level, the grievance should be directed to the assistant superintendent.

If unresolved at this level, the grievance should be directed to the superintendent of schools.

Each grievance step will be in the stated order of sequence and will not function unless the order of sequence is followed.

Student Expression

The primary liberties in a student's life have to do with the processes of inquiry and learning, acquiring and imparting knowledge, and exchanging ideas.

These processes entitle students to have the right to express opinions, to take stands, and to support causes either publicly or privately.

Student Activities:

1. Students have the right to seek changes in school policies and regulations in an orderly manner by utilizing those channels provided for this purpose. (Refer to Student Grievance Procedures.)
2. Students must, upon request, identify themselves to proper school authorities in school buildings, on school grounds, or at school-sponsored events.
3. Students at school-sponsored, off campus events shall be governed by school rules and regulations and are subject to the authority of school officials.
4. Students attending school-sponsored activities shall be governed by rules and regulations of the sponsoring school.

Speech

1. Students have the right to search for the truth by the orderly expression of their opinions either verbally or symbolically, without academic penalty, as long as they do not infringe upon the rights of others.

2. Student responsibilities must include personal concerns for the effect of the spoken word or symbolic expression on the personal reputations of others, and a student has the right to have his own personal reputation protected accordingly.

Petition

1. Students have the right to present petitions using those channels provided for this purpose; however, the collecting of signatures on petitions shall not disrupt the classroom procedures nor interfere with educational process.

2. Students shall not be subjected to disciplinary measures for initiating or signing a petition providing that the petition is free from obscenities, libelous statements, and personal attack.

Press

School Sponsored Publications

In a school community, students involved in student publications shall convey information with accuracy and insight. Such publication shall have qualified faculty advisors and shall strive to meet high publication standards. Only material alleged to contain the following should be withheld from the press:

1. Libelous materials as defined.*

2. Obscenity as defined.*

3. Materials which would reasonably lead the principal to forecast substantial disruption of, or material interference with, school activities.*

The responsibility and authority for decisions based on the standards mentioned above are vested with the principal.

* Legal definitions are available from the school principal.

Non-School-Sponsored Publications

Literature may be distributed and posted by the students of the subject school in designated areas on school property as long as it is not obscene or libelous* and as long as the distribution of said literature does not reasonably lead the principal to forecast substantial disruption or material interference with school activities.

If a student desires to post or make a distribution of free literature which is not officially recognized as a school publication, the following procedures will be followed:

1. Students shall submit such non-school material to the principal for review and prior approval.
2. The principal shall render a decision and notify the students within two (2) pupil days of such submission. If the decision is in the negative, the principal shall state his reason to the student in writing. During this period of review, any supply of the material may be retained by the student or may be left with the principal for safekeeping. Distribution of such material during the review and appeal period, or following a negative decision, shall be sufficient grounds for confiscation of such material and suspension of the student by the principal.
3. If the student is dissatisfied with the decision of the principal, he may appeal the decision to the Assistant Superintendent, who shall render a decision, stating his or her reason in writing, within three (3) pupil days of such appeal.
4. Appeal from a decision of Assistant Superintendent is to the Superintendent.
5. If an administrator fails to act within the time periods specified in this paragraph, the student(s) who submitted the literature for review may distribute same.

ASSEMBLAGE

1. Students have the right to assemble peacefully as long as it is not a violation of the rights of others, or a clear violation of statute and legal policies. Conducting and/or participating in demonstrations which interfere in the operation of the school, classroom, or basic rights of others is inappropriate and prohibited.
2. Student meetings in school buildings or on school grounds may function only as a part of the formal educational process or as cooperatively established and approved by the principal of the school.

Use of Electronic Equipment

It is the general policy of Dorchester County Public Schools that computer systems and network services are to be used as any other instructional medium. Standards of conduct and use appropriate to an instructional setting are expected of all users. Therefore computer systems and network services are to be used in a responsible, efficient, ethical, and legal manner in accordance with the mission of the Dorchester County Public Schools. Users of any Dorchester County Public Schools computer system or network must acknowledge their understanding of the general policy and guidelines as a condition of use.

Use of Dorchester County Public Schools' computer systems and networks is a privilege, not a right. Failure to adhere to this policy and administrative procedures may result in suspension or revocation of system or network access. Willful or intentional misuse could lead to disciplinary action or criminal penalties under applicable state and federal law.

Provisions:

1. Acceptable uses of Dorchester County Public Schools' systems or networks are activities which support learning and teaching. System or network users are encouraged to develop uses which meet their individual educational needs and which take advantage of the system or network's functions.

2. Unacceptable uses of Dorchester County Public Schools' systems or networks include, but are not limited to:

- Violating the rights to privacy of students or employees of Dorchester County Public Schools, or others outside the school system.

- Using profanity, obscenity, or other language which may be offensive to another user.

- Violating United States copyright law.

- Plagiarizing, which is the taking of someone else's words, ideas, or findings and intentionally presenting them as your own without properly giving credit to their source.

- Using the system or network for personal financial gain or for any non-school commercial or any illegal activity.

- Attempting to degrade or disrupt system or network performance or unauthorized entry to and/or destruction of computer systems and files.

- Re-posting personal e-mail communications without the author's prior consent.

- Revealing home phone numbers, addresses, or other personal information.

- Making personal purchases or unauthorized orders using the Dorchester County Board of Education name.

- Accessing, downloading, storing, or printing files or messages that are sexually explicit, obscene, or that offend or tend to degrade others. The administration invokes its discretionary rights to determine such suitability.

- Accessing, downloading, storing, or printing files or messages related to illegal activities, substances, and/or devices which are not permitted by law or by Dorchester County Board of Education Policy and Procedures.

- Downloading or copying information on to disks or hard drives without prior teacher approval.

3. The staff of Dorchester County Public Schools will be responsible for:

- Teaching students the Dorchester County Public Schools Policy and Procedures for system and network services.
- Supervising and guiding student access to system and network services to ensure that each student adheres to the appropriate use guidelines.
- Installing and monitoring "technology protection measures" that block or filter Internet access to inappropriate sites which are obscene, contain pornography, or are harmful to minors.

4. The following people are entitled to use the network:

- All Dorchester County Public Schools staff and other employees as directed by appropriate authority.
- All Dorchester County Public Schools students under the supervision of a staff member and/or parent/guardian.
- Others who request Guest Accounts from the network or system administrator. These requests will be reviewed on a case-by-case basis and will be granted, if warranted, as needs and resources permit.

5. Dorchester County Public Schools makes no express or implied warranties for the Internet access it provides. Dorchester County Public Schools cannot completely eliminate access to information that is offensive or illegal and residing on networks outside of Dorchester County Public Schools system. The accuracy and quality of information obtained cannot be guaranteed. Dorchester County Public Schools will not guarantee the availability of access to the Internet and will not be responsible for any information that may be lost, damaged, or unavailable due to technical or other difficulties. Information sent or received cannot be assured to be private.

Confidentiality of Students' Records

Student records are accumulated and maintained by teachers and other school personnel in accordance with the Public School Laws of Maryland, the rules and regulations of the Maryland State Board of Education, and the policies of the Dorchester County Board of Education. Parents have the right to inspect and review all official school records of their children. Students 18 years of age or older may review their own records. Requests by parents for access to their child's records should be made in writing to the school principal and will be granted within a reasonable time and at the mutual convenience of the parent and school principal.

Individual student records are confidential in nature, and access to these records may be granted by the Board of Education or its duly appointed representatives only for the purpose of serving legitimate educational interests.

Access to records by colleges, prospective employers, and other legitimately recognized agencies shall be made available upon written permission by the parent or the student provided he/she is of legal age.

In the event a parent of a student or an eligible student believes that information contained in educational records kept by the school is inaccurate or misleading or violates the rights of the student, he/she may request that the record be changed. This request is to be made directly to the principal of the school. The principal will determine whether to amend the educational record of the student within a reasonable period of time. When any such request to amend records is denied, the parent of the student or the eligible student will be informed in writing of the denial and advised of his/her right to a hearing. The hearing will be conducted in accordance with the Maryland State Department of Education Bylaws on Student Records, a copy of which may be obtained from the Board of Education office.

From time to time it may become necessary for a student's records to become available to certain Federal and State officials, including State Health Officials, in connection with the audit and evaluation of federally supported programs, or in connection with the enforcement of or compliance with federal legal requirements which relate to these programs; or an emergency in which knowledge of the information is necessary to protect the health and safety of the student or other individuals. In such instances the prior written consent of the parent of the student, or of the eligible student is not required. (See By-law - Section 13.07 05 24.)

In regard to educational records, a non-custodial parent has the same rights as a custodial parent unless the custodial parent has presented evidence of a binding, legal instrument (such as a court order governing divorce, separation, or custody which specifically states that the non-custodial parent not be informed of or have access to the educational records of the student). If not specifically stated, both parents shall be considered to have the right to be informed of or have access to educational records of the student. Except as stated above, custodial and non-custodial parents have equal rights to be informed of their child's educational progress, including the right to receive report cards and to attend parent-teacher conferences.

A parent of a student or a student may waive any of his/her rights with respect to educational records so long as the waiver is in writing and signed. If a parent or a student executes a waiver, that waiver may be revoked by the student at any time after he/she becomes an eligible student. (An individual who is an applicant for admission to an institution of postsecondary education or employment may waive his or her right to inspect and review confidential letters and confidential statements of recommendation respecting (1) admission to an educational institution, (2) application for employment, or (3) the receipt of an honor or honorary recognition. All waivers for the above three reasons must be executed by the individual, regardless of age, rather than by the parent of the individual.)

Dorchester County Public Schools reserves the right to disclose directory information. Directory information means information contained in an educational record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. Directory information may include the following information relating to a student: (a) student name; (b) grade; (c) address; (d) telephone number; (e) date and place of birth; (f) major field of study; (g)

participation in officially recognized activities and sports; (h) weight and height of members of athletic teams; (i) dates of attendance; (j) degrees and awards received; (k) most recent previous local school system or educational institution attended by the student; and (l) other similar information as defined by the Dorchester County Public Schools. The parent or guardian of the student or the eligible student may refuse to permit the designation of any or all categories of personally identifiable information as directory information. In the event of such refusal the parent or guardian of the student or the eligible student must inform the Pupil Services Facilitator in writing within thirty (30) days of the beginning of the school year or from the date of enrollment; of any objection to the disclosure of personally identifiable directory information.

Questions regarding the confidentiality of student records, requests for copies of the policy, and complaints concerning an alleged failure to comply with the provisions of the Family Education Rights Privacy Act (FERPA), should be directed to the Pupil Services Facilitator at 410-221-5260. Provisions will be made to provide information, as appropriate, to non-English speaking parents and eligible students.

Child Abuse/Neglect

The Maryland Child Abuse and Neglect Laws mandate that any person who believes or has reasons to believe that a child may have been abused or neglected must report the incident both orally and in writing to the Department of Social Services. Employees of the school system are also required to report the incident to the principal of the child's school. Those reporting in good faith are immune from any civil liability or criminal penalty.

The law defines child abuse as "the physical or mental injury of a child by any parent or other person who has permanent or temporary custody or responsibility for supervision of a child, or by any household or family member, under circumstances that indicate that the child's health or welfare is harmed or at a substantial risk of being harmed; or sexual abuse of a child, whether physical injuries are sustained or not."

According to the law, "child neglect means the leaving of a child unattended or other failure to give proper care and attention to a child by any parent or other person who has permanent or temporary care or custody or responsibility for the supervision of the child under circumstances that indicate that the child's health or welfare is harmed or placed at substantial risk of harm; or mental injury to the child or a substantial risk of mental injury." Mental injury means "the observable, identifiable, and substantial impairment of a child's mental or psychological ability to function."

Department of Social Services regulations require that the identity of the person reporting a case of suspected child abuse and/or neglect shall not be revealed. All persons are required by the law to protect the identity of the person reporting. Only a court order can allow disclosure of the person's name who is reporting. The school cannot provide a parent with the name of who has reported suspected child abuse and/or neglect.

School officials are not required to notify parents/ guardians of investigations on school premises involving suspected child neglect and suspected child abuse.

Search and Seizure

Police officers, upon the authority of a search warrant, may make a search of that part of the school premises described in the search warrant, and school authorities will cooperate in performing such a search; however, in no case may a police officer search the person of a student not under arrest, unless that police officer has a reasonable suspicion that such a student is concealing a weapon which poses a danger to others. Under no condition or circumstances shall a school official conduct such a search of the person at the request of a police officer.

School officials may at any time conduct such searches as are essential to the security, discipline, and sound administration of the particular school, but are limited as stated above whenever the search is in connection with a police officer.

A principal, assistant principal, or school security guard of a public school may make a reasonable search of a student on school premises or on a school sponsored trip if he/she has reason to believe that the student has in his/her possession an item, the possession of which is a criminal offense under the laws of the state of Maryland or a violation of any policy, rule, or regulation of the Board of Education. The search shall be made in the presence of a third party.

Every effort shall be made to conduct searches in a manner which will minimize a disruption of the normal school routine and minimize embarrassment to pupils affected.

A principal, assistant principal, or school security guard of a public school may make a search of the physical plant of the school and its contents, including the lockers of students. The right of school officials to search the locker shall have been announced or published previously in the school.

Drug-detection dogs may be used by law enforcement agencies to search the school building for controlled dangerous substances.

Arrests on School Grounds

When possible and appropriate, an arrest by police will be made during non-school hours away from the school premises; however, when an arrest on school premises during school hours is necessary, the responsible school official will gather the necessary facts from the arresting officer that will enable him to fully advise the parents or guardian and other school officials of the nature of the charge, the identity of the arresting officer, and the location of the student.

When an arrest has taken place on school premises or during school hours, every effort will be made by school officials to inform the parents/guardians and the Superintendent immediately.

Arrests on school premises during the school hours shall be done in such a way as to avoid both embarrassment to the student being arrested and jeopardizing the safety and welfare of other students.

Questioning on School Grounds

School officials will not allow questioning of a student under arrest on the school grounds and will request the arresting officer remove the student from the grounds as soon as practicable after an arrest is made. However, in the event that a student is connected to a crime committed on the school grounds or is connected with an investigation which, if not immediately permitted, would compromise the success of that investigation or endanger the lives or safety of the students or other persons, questioning will be allowed. A school official will be present throughout the questioning. If such is the case, the school official will promptly advise the parent or guardian and the Superintendent's office of the nature of the investigation and such other details as may be required.

In the absence of an arrest, school officials will not authorize the removal of a student from school for the purpose of investigative questioning without the consent of the parent or guardian.

Reporting Crimes

School officials will promptly report to the responsible law enforcement agencies all police matters coming to their attention which involve students attending the particular school, whether occurring on or away from the school premises.

Admission of Foreign Exchange Students

The Board of Education recognizes the benefits derived from the placement of exchange students from throughout the world in the high schools of Dorchester County. Because of the growing number of exchange programs in operation, administrative procedures have been established to ensure equity and to control the number of students admitted each year.

1. The sponsoring program must be listed in the National Secondary School Principal's Association publication of the Advisory List of International Educational Travel and Exchange Programs for the year of admittance.
2. Eligible sponsors must be nonprofit organizations or institutions which have received tax-exempt status from the Internal Revenue Service under Section 502(c)(3) of the Internal Revenue Code.
3. The designated sponsor assumes the following responsibilities, with final selection approved by the receiving school administration:
 - a. the selection of students,

- b. obtaining a local advisor,
 - c. obtaining host families.
4. The designated sponsor assumes complete responsibility for the student and will:
- a. provide the school system with all necessary placement information in a timely manner.
 - b. participate in developing a plan to monitor student progress during the exchange year and facilitate communication among parents, host families, and the school.
5. No more than two (2) exchange students will be enrolled in each school per school year.
6. Exchange students will only be enrolled for full school year programs.

Any questions regarding these procedures should be addressed to Pupil Services Facilitator, at 410-221-5260.

Non-Discrimination Policy

The Dorchester County Board of Education does not discriminate in admission, access, treatment, or employment in its programs and activities on the basis of race, color, sex, age, national origin, religion, disability, sexual orientation, or any other basis prohibited by law.

Questions regarding this information may be directed to Ms. Angela Whitaker, 504 Coordinator. This information is available in alternative formats upon request.
Title IX and Section 504

Dorchester County Public Schools also comply with the provisions of Title IX and Section 504 of the Rehabilitation Act of 1973. For more information, contact Title IX Coordinator or 504 Coordinator at 410-228-4747.

Sexual Harassment Policy

The Dorchester County Board of Education expects that staff members, students, and others conducting business on Board of Education property will not be subject to sexual harassment. Sexual harassment violates federal and state laws and is completely inappropriate in the workplace and the learning environment.

Sexual harassment can be evident in two different forms: sexual conduct related to an employment benefit or detriment or sexual conduct which creates a hostile environment. Sexual harassment can include unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual or otherwise offensive nature, such as propositions, repeated requests for dates, dirty jokes, sexually provocative pictures, unnecessary touching or graphic or verbal

comments about an individual's body, or use of sexually degrading names.

Any person who believes he or she is being subjected to sexual harassment should report the incident to a school administrator, department head, guidance counselor, or the assistant superintendent of schools. If a complaint is against the immediate supervisor, the complaint should be reported to the next level supervisor.

All discussions will be considered confidential to the extent permitted by law and consistent with the school system's obligation to investigate complaints. An investigation of the incident shall begin immediately. Corrective action will be taken in an instance where sexual harassment is found.

The Board of Education prohibits any form of retaliatory action against any person who has filed a complaint of sexual harassment.