

STUDENT RIGHTS AND RESPONSIBILITIES

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General

1. The goals of education are best served where there is a safe and pleasant environment which permits staff and students to concentrate on teaching and learning. Such an atmosphere can only exist and be maintained through the cooperative efforts of all those involved in the education community – especially students, educators, and parents/guardians.
 - a. Students have the responsibility to conduct themselves as good citizens, and to know and abide by established district and school policies, regulations, rules, and procedures.
 - b. Educators have the responsibility to develop and follow policies, regulations, rules, and procedures which reflect due regard for the students as citizens. Further, educators have the responsibility to inform students of their rights and concurrent responsibilities.
 - c. Parents/guardians have the responsibility to familiarize themselves and their children with school rules and procedures to avoid misunderstandings and to join the school community's efforts to maintain a climate of respect, consideration, and good citizenship, as well as one that is safe, secure, and conducive to learning. Ultimately, parents/guardians are responsible for their children.
2. The public schools are by tradition and legislative intent created for the purpose of perpetuating in each generation the knowledge, skills, beliefs, and values required for self-sufficiency and effective participation in our society. Consequently, the policies, regulations, rules, and procedures necessary to the process of education reflect a firm commitment to the basic principles of democratic government, emphasizing particularly the precepts of freedom and the dignity of the individual as set forth in our Constitution and the Bill of Rights.

Precepts Underlying This and Other Policies Relating to Students

1. The primary function of the public schools in a democratic republic is the preparation of a literate and informed electorate.
2. The schools are to be organized in such a way as to emphasize those rights and responsibilities which young people hold both as students of varying stages of maturity and as human beings living in a democratic republic.
3. Effective channels for the expression of student concerns and for student participation in the deliberations and processes necessary to the operation of the schools are to be established and functioning as intended. These channels are to provide a free flow of ideas. The ideas which are brought to the school system's attention through appropriate channels are to be responded to in a timely manner and with respect.
4. Provisions for basic rights can only be founded upon student commitment to the democratic process and a concurrent rejection of any means of expression resulting in disruption of the educational program.
5. The organization structure of the schools, as developed by the respective staffs, is to foster the concomitant confidence, respect, and desire necessary to the establishment of an increasing dialogue among and with the student body, thereby assuring an atmosphere of mutual confidence in which faith in the democratic process can flourish and grow.
6. The educational programs developed at all levels and including cocurricular and extracurricular program are to reflect an understanding of and commitment to that which is relevant to the current and future needs of youth and society.

Student Rights

Student rights include the following:

1. The right to learn in a safe and secure environment, free from harassment and fear.
2. The right to have an education offered which will enable him/her to be a contributing member of society.
3. The right to be taught and evaluated upon the basis of individual learning capacity and to receive instruction relevant to that capacity.
4. The right to be treated with fairness, justice, and dignity at all times, predicated upon a belief in the worth of the individual and a determination that factors of race, religion, sex, or background will never condition procedures and judgments relating to students and their education.

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5. The right to express and discuss concerns and grievances through channels embodying guarantees against consequent retaliation.
6. The right of recourse to publication with guarantees of freedom of expression short of disrupting the educational program.
7. The right to participate, through procedures developed jointly by the staff and students, in the development of curriculum and those policies, rules, regulations, and procedures affecting students.
8. The right of privacy of thought and belief.

Student Responsibilities

Student responsibilities including the following:

1. The responsibility to conduct himself/herself in school in such a manner that he/she can receive full benefits from the program and in so doing not to interfere with the rights of others.
2. The responsibility to use established channels in expressing concerns and grievances and to take no related action which would result in disruption of the educational program.
3. The responsibility, to the limit of his/her individual capacity, to uphold the school in fulfilling its goals, through his/her efforts in the classroom in cocurricular activities, and through his/her recognition of the responsibilities set forth here.
4. The responsibility to his/her forebears and to the community to prepare himself/herself for effective participation in the American way of life.
5. The responsibility to abide by the letter and the spirit of those policies, rules, and regulations developed jointly for the benefit of all.

Educational Programs

It shall be the policy of the Seaford School District to provide programs designed to recognize and meet the unique needs of all students. Curricula will, therefore, reflect a commitment to meaningful learning experiences organized to lead the individual toward effective citizenship, vocational competency, creative and aesthetic awareness, and a lifetime interest in learning.

Student Program Participation

It shall be the policy of the school board that rules, regulations, and procedures provide for the fullest possible participation of all students in the curricular and extracurricular activities constituting the educational programs of the school district. Such programs shall reflect the necessity to avoid procedures tending to create or encourage divisiveness.

Fundamental and Developmental Rights

The schools exist to provide the opportunities for students to develop their intellectual abilities through the processes of inquiry, discovery, exposition, and the interchange of ideas. Education in a democracy must also contribute toward a mastery of self-discipline so that minimal external control will be necessary in school and beyond. This responsibility necessitates the development of a variety of learning activities and opportunities for students to participate as full-fledged citizens in the school environment. An essential concern at the secondary school level is the maintenance and encouragement of freedom of expression and association, leadership development, right of due process, and development of societally desired behaviors so that constructive student involvement assures individual educational progress and provides the initial experiences for responsible citizenship.

Freedom of Expression

Within the school program, students should be provided the opportunity for free expression of ideas. Responsible criticism and reasonable dissent are basic to the education process. No idea should be suppressed simply because it is unpopular.

Actions which are unacceptable means of expression and that will be dealt with as a breach of the disciplinary code are: actions offensive to others, and done so as to elicit such offense; libelous statements; disruptive, or potentially disruptive activities; the use of obscenities (verbal or gesture); and advocating violation of the law or official school regulations.

1. During school hours, students shall be free to express views and opinions provided they do not seek to coerce others to agree with them, or interfere with the free expression of the rights of others, or express themselves unacceptably in a manner or at a time that is disruptive to the educational process, or that is unacceptable as noted above.
2. Students shall be permitted to discuss and express all views relevant to the subject matter in the classroom limited only to the responsibility of the teacher to maintain order, to assure meaningful participation, and to respect the contributions of all students.
 - a. Students are, however, responsible for learning the content of the subjects for which they have been scheduled or have themselves elected.
 - b. They are further responsible for meeting the performance standards of the subjects as established by the teachers and school officials. Requirements of class attendance, participation, and the submission of written assignments are important aspects of student responsibilities.
 - c. Evaluation of student performance shall be related to the achievement of the subject matter content, the understanding of processes, and the development and application of learning skills. If such can be demonstrated while espousing a contradictory point of view to that taught by the curriculum, then subject mastery has been achieved. The student does not have to espouse the precepts taught in the curriculum, just master them.
3. Students shall have the right to express themselves through direct and symbolic means as long as such expression:
 - a. Does not mock, demean, or ridicule other persons or groups
 - b. Is not offensive to others and done so as to elicit such offense
 - c. Does not interfere with the scheduled activities or disrupt the educational process within the school
 - d. Does not reflect obscenity, vulgarity, or inflammatory statements
 - e. Does not advocate violation of the law or official school regulations.

Communications

Students will have access to school communication facilities in accordance with established school guidelines.

Due Process

Students shall be afforded due process rights including:

1. The right to be informed about violations of rules, regulations, or the law
2. The right to air their versions of the events and to hear and respond to the charges and/or evidence against them
3. The right to be judged innocent until proven guilty
4. The right to appeal disciplinary decisions following the established and published appeals procedure
5. The right to be represented by legal counsel or advisor or, in the case of a handicapped student, the right to be accompanied and advised by individuals with special knowledge or training regarding the problems of handicapped children.

Freedom of Assembly

Students shall have the right to hold peaceful assembly involving free discussion, passing of resolutions, and exercising lawful action pertaining to matters which directly concern their educational progress.

The school administration requires that meetings or assemblages be held at times which will not disrupt classes or other scheduled school activities, will not present hazards to persons or property, and will avoid conflicts through advance notice of intent to hold meetings.

Students shall have the right to petition school officials regarding activities directly related to the conduct and improvement of the educational process and services. Such proposals should contain recommendations for constructive and responsible improvement and action and will be given full consideration by school officials. The school administration will respond to the proposal/petition in a timely manner and with respect.

The school administration requires that signature on petitions be so collected as not to create a distraction or foster a disruptive influence.

Student Activities

Student activities shall be regarded as a vital part of the total educational program and shall be used as a means of developing wholesome attitudes and good human relations, as well as knowledge and skills.

It shall be the policy of the school board that, within the capabilities of any student, all rules, regulations, and procedures provide for the fullest possible participation of all students in the curricular, cocurricular, and extracurricular activities constituting the educational programs of the school district.

In administering this policy, only those student organizations and activities which include in their constitutions, rules, and practices, provisions for equal and democratic participation of all students regardless of their religion, race, sex, color, creed, economic status, national origin, ethnicity, age, marital or handicapped status, will be permitted to exist. No organization is authorized which is exclusive with respect to or tends to foster discrimination by virtue of a student's religion, race, creed, color, sex, economic status, national origin, ethnicity, age, marital or handicapped status.

Freedom of Association

The rights appropriate to students regarding freedom of expression imply further consideration of the right to associate for the fulfillment of common purposes, the interchange of ideas, and the improvement of human relations and intercultural understanding.

1. Students shall have the right to organize clubs and associations within the school for educational, civic, social, athletic, and other lawful purposes in accordance with the following guidelines:
 - a. Clubs and organizations must have a charter in order to meet or conduct business or carry on activities.
 - b. School clubs and organizations must be chartered according to provisions established by the student government and administration. Any group of students seeking and denied a charter must receive a full written explanation for why the request was denied. Those denied a charter can appeal the decision through successively higher levels (principal, superintendent, Board of Education).
 - c. Each organization or club shall have a set of bylaws approved by the student government and administration. These bylaws shall neither be in conflict with the constitution of the student government nor the policies of the Seaford School District; shall provide for a faculty sponsor; shall provide for a roster of members on file with the student government; and shall set forth membership qualifications which do not exclude students based on religion, race, creed, color, sex, economic status, national origin, ethnicity, age, marital or handicapped status, or political belief.
 - d. The student government and the administration have the authority to revoke the charter of any club that operates in violation of its bylaws. The reasons for such a revocation must be detailed in writing and the decision to revoke is appealable through successively higher levels (principal, superintendent, Board of Education).
2. Students shall have the right to decide the nature, organization, and procedures for their clubs and associations so long as such decisions do not threaten the health and safety of students or disrupt the educational process.

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SEAFORD SCHOOL DISTRICT
Seaford, Delaware