

DELMAR SCHOOL DISTRICT

Students Rights and Responsibilities

I. BOARD RESPONSIBILITIES:

The duties, responsibilities, and authority of Boards of Education are carefully spelled out in Title 14 of the Delaware Code and have been reinforced by a body of practices and interpretations by the courts and the Attorney General. This broad delegation covers authority to determine policy and adopt rules and regulations covering, among many other things, rules and regulations concerning students.

Some of the education functions should:

1. Provide an atmosphere for the learner to be actively involved in the learning group. Consideration should be given to the concept that learning takes place as students consider, analyze, and evaluate ideas and solutions.
2. Provide that 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.
3. Provide for student expression as long as the expression does not mock, demean, or ridicule other persons or groups, does not interfere with scheduled activities or disrupt the educational process, or does not reflect obscenity, vulgarity, or inflammatory statements, or does not seek to coerce or influence others to follow his model of expression or interfere with the free expression of others, and does not endanger the health or safety of others or indicate a commercial purpose. The right to expression shall be accompanied by the following responsible actions:
 - a. Designation of the person or persons who write published articles.
 - b. Distribution of materials through permission of the Superintendent or Principal.
 - c. Adherence to acceptable standards which emphasize literary value, newsworthiness and propriety.
 - d. Display of materials on bulletin boards through permission of the Superintendent or Principal.
 - e. Acceptance of the legal consequences for student expressions and publications.
 - f. Faculty advisors, school principal, or superintendent may counsel students as to literary style, format, suitability and content of materials.

II. STUDENT RESPONSIBILITIES:

- A. Students are responsible for learning the content of the subjects for which they have been scheduled.
- B. Students 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. Students must accept the consequences of their actions, recognize the limits of their freedom, and show concern and consideration for the rights, safety, and welfare of others.
- D. Students thus have at least the following additional responsibilities:
 1. To accept every person as a human being
 2. To apply their abilities and Interests to the improvement of their knowledge and to the development and application of learning skills
 3. To recognize and function within the policies established by the school board and school officials
 4. To attend school for the purpose of obtaining a quality education
 5. To abide by the rules and regulations necessary for the orderly conduct of school activities by the administration and faculty

6. To contribute cooperatively toward the improvement of the teaching and learning situation and to strive for the overall betterment of the total school environment
7. To maintain respect for school staff and students
8. To exhibit conduct reflecting self-control, self-regulation, and self-discipline
9. To participate in eligible school activities such as assemblies, sports, and student organizations which provide constructive learning opportunities and contribute toward the educational progress of all students
10. To assure all students of a voice in the Student Council through their duly selected representatives
11. To contribute toward the overall improvement of the school curriculum through activity involvement in the classroom and related activities
12. To develop a sense of pride and respect for the school
13. To provide support for the members of athletic and other groups necessary for team success.
14. To realize that all rights are relative to the rights of others and must be protected with the same degree of respect with which they are accepted
15. To treat authorized school visitors with respect

III. **STUDENT AFFAIRS:**

- A. Students may, with permission from the administration, organize clubs within the school for educational, civic, social, athletic, and other lawful purposes in accordance with the following guidelines.
 1. Group membership shall not be denied to any student because of race, gender, sexual orientation, gender identity, color, creed, nationality, sex, disability or other prohibited category.
 2. Clubs or associations may require special qualifications for members if such qualifications relate directly to the purpose of the group.
 3. Groups with a constitution and by-laws should submit such documents along with a listing of officers to the school administration and Student_ Council. Amendments to the constitution and changes in the by-laws should also be submitted.
 4. Students shall have the right to recommend a faculty advisor for their clubs, especially as related to groups with special purpose.

IV. **STUDENT GOVERNMENT:**

- A. The organization shall be known as the Delmar Student Council.
- B. The purposes of the Student Council shall be to provide an opportunity for student cooperation and participation in the direction of school affairs; to promote good sportsmanship, appropriate conduct, school spirit, and all other qualities that shall add to the betterment of the Delmar Junior-Senior High School.
- C. The Student Council shall have the power to:
 1. Investigate and report on all matters referred to it by the faculty or the student body.
 2. Assist in the organization and direction of school activities.
 3. Take proper steps to improve school sportsmanship, appropriate conduct, and school spirit.
 4. Meet with faculty members when the officers feel this would be helpful and informative.
 5. Aid the school in routine duties.
 6. Offer suggestions for school improvement.

V. **PERSONAL APPEARANCE:**

The following is to serve as a guide and should not be interpreted as being all inclusive.

1. Students should refer to the specifics outlined under "Dress Code" in the Student Handbook.

2. All students should take pride in their appearance as it reflects the quality of the individual, the student body, and the school. Discretion and good judgment should be exercised in all phases of planning a school wardrobe. Students' dress shall not interfere with the teaching and learning process or create classroom disorder.
3. In special situations, specific dress and grooming standards that are appropriate to the instructional setting may be required (i.e., field trips, science labs, industrial arts shop, etc.).
4. Any student who comes to school so dressed and groomed that it disrupts the educational process will be required to return home to make the necessary changes.

VI. MARRIAGE AND PREGNANCY:

Students will not be discriminated against nor excluded from education programs or activities, including any class or extracurricular activity, on the basis of such student's pregnancy, termination of pregnancy, or recovery therefrom, unless the student requests voluntarily to participate in a separate portion of the education program or activity of the school.

The aforementioned will apply equally for married or unmarried students.

VII. LOCAL FINANCING OF SCHOOL ACTIVITIES:

Some activities such as clubs and class affairs are not financed by the regular school allotment and must, therefore, be paid for by funds which are raised locally. If funds are raised locally by means other than taxation, the following guidelines must be followed:

- A. Students shall not be required to pay admission fees to movies, entertainments, and lectures held within the school day.
- B. Funds collected by clubs, classes, etc. must be deposited in the school activities account as prescribed by administrative policy.
- C. All funds will be deposited and accounted for as required by the Delaware School Law.
- D. The record shall be public property and open for inspection.
- E. A monthly statement of accounts will be made and distributed.

VIII. STUDENT BEHAVIOR

The schools exist as social and educational institutions concerned with the objectives of providing learning activities which lead to the development of responsible and intelligent citizens. School officials are, therefore, granted the authority to maintain an orderly and nonthreatening educational environment which considers student conduct and behavior as an essential and developmental aspect of the learning process. Students should become familiar with the Delmar School District Attendance Procedures and the Code of Student Conduct.

IX. LAW ENFORCEMENT:

Students may be made available for questioning but only in the presence of one or more of the school or district administrators.

Students should not be subjected to harassment or intimidation by police authorities while attending school. Students, however, are reminded of their citizenship duty to support police authority and to cooperate in law enforcement.

Students may be released into the custody of the police when a warrant is presented or the behavior of the student justifies such action.

Reference Title 14 Delaware Code, Regulation 926:

35.1 Rule of construction: Nothing in these regulations prohibits an agency from reporting a crime committed by a child with a disability to appropriate authorities or prevents Delaware law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a child with a disability.

35.2 Transmittal of records: An agency reporting a crime committed by a child with a disability shall ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom the agency reports the crime.

35.2.1 An agency reporting a crime under this section may transmit copies of the child's special education and disciplinary records only to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act.

X. STUDENT CONCERNS AND GRIEVANCES:

In the day-to-day operation of our school, there may be instances when students feel it necessary to discuss some concern relating to procedures or policies, or to express themselves regarding a grievance (complaint). Since it is much easier to resolve issues soon after they occur, every effort should be made to complete steps (1-4) within fifteen (15) school days.

Informal Resolution

For fairness and consistency, the following guidelines have been established and should be followed by students, groups of students, or parents:

1. The student should first discuss the problem with the individual immediately concerned. This could be a teacher, another student, coach, administrator or other staff member, depending upon the situation.
2. Should the student feel that further discussion or review is necessary, he/she should make an appointment with the assigned guidance counselor.
3. If after the conference with the counselor the matter is still not resolved, the student and/or the counselor may refer it to the assistant principal or the principal, depending upon the nature of the problem.
4. Whenever the first three steps have been tried and the problem is still unresolved, any party may ask for a formal appeal to the superintendent, whose decision will be final unless otherwise required by law as set forth in Policy BDE.

Formal Appeals to the School Board

In any situation when (i) policy provides an appeal to the School Board or (ii) an appeal to the School Board is required by law, or (iii) the complaint concerns the interpretation of the rules and regulations of the School Board, a student, parent, or guardian who feels aggrieved by a decision of a school district employee may formally appeal that decision as set forth in Policy BDE to the Delmar Board of Education. A copy of these procedures shall be given to the individual requesting the appeal.

Students are not to take class time to discuss concerns and grievances without first obtaining permission from the classroom teacher. It is the purpose of these guidelines to provide a means for access to appropriate school personnel. It is not their purpose to provide an opportunity for airing trivial matters, irresponsible actions, or out-of-school complaints.

Student Protests

Understanding that informal and formal appeal processes exist to voice student concerns and grievances, unauthorized student protests including, but not limited to, walkouts, sit-ins, and picketing will not be tolerated unless protected by the First Amendment and will receive disciplinary consequences as outlined the Student Code of Conduct, Administrative Procedures for Handling Disciplinary Infractions.

XI. STUDENT RECORDS

Collection, maintenance, and disclosure of education records by the district are functions governed by State and federal statute and regulations. Parents, guardians, and students may avail themselves of these services by request to the guidance office. Such service is governed by the Family Education Rights Privacy Act and its Delaware corollaries.

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