



Policy: **9.09**

SUBJECT: **STUDENT RIGHTS AND RESPONSIBILITIES**

Supersedes: JF
Effective: September 8, 2008
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Approved by: Detroit Board of Education

1.0 Policy

Note: The following statement is extracted from the Uniform Code of Student Conduct, approved by the court October 29, 1975 and subsequently revised with court approval. Portions of the code of conduct that appear elsewhere in this policy manual are indicated.

Students in the Detroit school system are guaranteed the right to an education in public schools. The United States Supreme Court has held that a student may not be deprived of this right to a public education without adherence to procedural due process. It is the responsibility of the Detroit Board of Education and its staff to ensure that no student is arbitrarily denied the right to an education. It is the responsibility of each student to behave in a manner that does not threaten, interfere with or deprive other students of their right to an education.

RESPONSIBILITIES

Students in the Detroit public schools are expected to fulfill the following responsibilities.

1. **Participation:** Students have the responsibility of participating fully in the serious business of learning. Students must report to school and to all scheduled classes regularly and on time, remain in classes until excused, pay attention to instruction, complete assignments to the best of their ability and request help when it is needed.
2. **Behavior:** Students have the responsibility of avoiding any behavior that is detrimental to their own or other students' achievement of educational goals. Students must cooperate in maintaining reasonable orderliness in the school and in the classroom, take reasonable care of books and other instructional materials, and encourage a climate where learning is cherished. Most

particularly, students must refrain from engaging in conduct that violates the provisions of this Policy.

3. Respect for Teachers: Students have the responsibility of showing respect for the knowledge and authority of their teachers. Students must obey reasonable directions, use only acceptable and courteous language, avoid actions that show contempt, and appeal decisions only through appropriate channels.
4. Respect for Other Students: Students have the responsibility of recognizing the rights and human dignity of fellow students. For example, students must refrain from name-calling, fighting, harassment, belittling or engaging in deliberate attempts to embarrass or harm another student, and must show concern for and encourage achievement in others.

While all students are expected to fulfill these responsibilities, some may occasionally need guidance and correction. Some students will need more help than others in learning to behave in a responsible, mature manner. It is expected that persistent misbehavior, even when each single instance is a minor infraction of the rules, will be dealt with appropriately in order to help students avoid establishing a pattern of unacceptable habits.

RIGHTS

Students have the following rights by virtue of the United States Constitution:

1. The Right to an Education: No student will be denied the opportunity to participate in any program offered by the Detroit Public Schools because of race, creed, color or national origin.
2. The Rights to Freedom of Expression and Publication, Dissent, and the Right to Petition: Students have the right to express their beliefs and opinions on issues orally, symbolically, and through publication, so long as such expression is made in a reasonable manner. However, freedom of expression does not include engaging in libel, obscenity, personal attacks on individuals and groups, defamation of character, commercial solicitation or the distribution of discriminatory materials of racial, ethnic or religious nature, or materials that otherwise endanger the health and safety of people or threaten to disrupt the educational process. Further, written expressions must be signed by the authors.

Students have the right to dissent. However, freedom to dissent is relative, not absolute. The exercise of the right to dissent must not infringe in any way upon the rights of others. The right of dissent does not include participation in student sit-ins, unauthorized assemblies, the take-over of school offices or other school facilities, or the obstruction of halls and stairways.

Students have the right to petition to seek redress of grievances or to express dissatisfaction with policies of those in positions of authority affecting students. The Board will establish procedures for consideration of such grievances, which must be published and observed so that an orderly process will result.

3. Freedom from Unreasonable Searches and Seizures: see statement coded Interrogations and Searches.
4. The Right to Due Process in Disciplinary Proceedings: Due process safeguards must apply in any instance where the behavior or rights of students are being evaluated. The student must always be treated with fundamental fairness in light of the total circumstances. Thus, the student has the right to be informed fully about his or her alleged breach of behavior and must be provided with an opportunity to respond to such charges. Where there is an opportunity for review by others of the student's alleged misconduct, he or she should be fully informed of the opportunity for such review. Finally, any permanent record that results from the student's actions or their consequences should clearly state whether the charges of misbehavior were or were not substantiated. Procedural rules for disciplinary adjudications are set out in detail in Appendix I of the Code of Conduct.
5. Student's Rights When Under Interrogation by the Police: See, Interrogations and Searches.
6. Student Dress: See, Student Dress Code.

Attachments to Policy 9.09: None

See also: None

Legal References: None

Labor Contract References: None