

STUDENT RIGHTS AND RESPONSIBILITIES

Students, like all citizens, have civil rights guaranteed by the Constitution of the United States. The First Amendment, which ensures the freedom of religion, speech, press, assembly and petition, and the Fourteenth Amendment, which guarantees due process and equal protection, apply in school environments.

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 rights are exercised and must accept the consequences of actions and recognize the boundaries of rights. Each exercise of an individual's rights must demonstrate respect for the rights of others.

These statements set forth the rights of students and the responsibilities that are inseparable from these rights, which include the right to:

1. equal educational opportunity and freedom from discrimination and the responsibility not to discriminate against others;
2. attend free public schools; the responsibility to attend school regularly and to observe school rules essential for permitting others to learn at school;
3. due process of law with respect to suspension and expulsion;
4. free inquiry and expression and the responsibility to observe rules regarding these rights and
5. privacy, which includes privacy with respect to the student's school records.

As part of the educational process, students should be made aware of their legal rights and of the legal authority of the Board to make rules and delegate authority to its staff to make rules necessary for the orderly operation of the schools.

A copy of the school discipline code is posted in each of the schools and given to each student. This code describes in detail the offenses for which disciplinary action may be taken. Copies of the code are available to any parent in the principal's office.

[Adoption date:]

LEGAL REFS.: U.S. Const. Amend. I
U.S. Const. Amend. XIV, Section 1
ORC 3313.20; 3313.66; 3313.661; 3313.662; 3313.668
3320.01; 3320.02; 3320.03

CROSS REFS.: ABC, Student Involvement in Decision Making (Also JFB)
IGDB, Student Publications
JFC, Student Conduct (Zero Tolerance)
JFG, Interrogations and Searches
Student Handbooks

NOTE: House Bill (HB) 410 (2016) prohibits districts from disciplining a student based solely on the basis of the student being absent from school without legitimate excuse.

HB 164 enacted the “Ohio Student Religious Liberties Act of 2019.” The act allows students enrolled in a public school to engage in religious expression before, during and after school hours in the same manner and to the same extent that a student is permitted to engage in secular activities or expression before, during and after school hours and removed the previous language in statute allowing the board to limit a student’s exercise or expression of the pupil’s religious beliefs to lunch periods or other noninstructional time periods when pupils are free to associate. Districts also must grant the same access to school facilities to students who wish to conduct a meeting for the purpose of engaging in religious expression as is given to secular student groups, without regard to the content of a student’s or group’s expression.

Districts cannot prohibit a student from engaging in religious expression as defined by law, in the completion of homework, artwork or other written or oral assignments. Assignment grades and scores must be calculated using ordinary academic standards of substance and relevance, including any legitimate pedagogical concerns and cannot penalize or reward a student based on the religious content of a student’s work.