

2011-2012

*A Student's Guide to*

# *Rights and Responsibilities*

*in Montgomery County Public Schools*

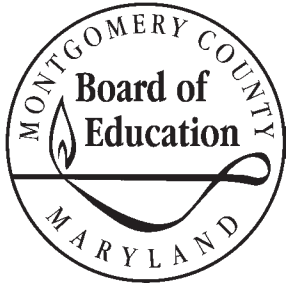


State laws, Maryland State Board of Education bylaws, and Montgomery County Board of Education policies and administrative regulations are subject to change and shall supersede the statements and references contained in this publication.

Student Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_



## **VISION**

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*A high-quality education is the fundamental right of every child. All children will receive the respect, encouragement, and opportunities they need to build the knowledge, skills, and attitudes to be successful, contributing members of a global society.*

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850 Hungerford Drive  
Rockville, Maryland 20850  
[www.montgomeryschoolsmd.org](http://www.montgomeryschoolsmd.org)

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*A Student's Guide*  
*to*  
*Rights and Responsibilities*  
*in Montgomery County*  
*Public Schools*

This document is available in an alternate format, upon request, under the Americans with Disabilities Act, by contacting the Public Information Office, at 850 Hungerford Drive, Room 112, Rockville, MD 20850, or by telephone at 301-279-3391 or via the Maryland Relay at 1-800-735-2258.

Individuals who need sign language interpretation or cued speech transliteration in communicating with Montgomery County Public Schools (MCPS) may contact Interpreting Services in the Deaf and Hard of Hearing Program at 301-517-5539.

MCPS prohibits illegal discrimination on the basis of race, color, gender, religion, ancestry, national origin, marital status, socioeconomic status, age, disability, physical characteristics, or sexual orientation. Inquiries or complaints regarding discrimination or Title IX issues such as gender equity and sexual harassment should be directed to the Office of the Deputy Superintendent of Schools at 301-279-3126, via the Maryland Relay at 1-800-735-2258, or addressed to that office at 850 Hungerford Drive, Room 129, Rockville, MD 20850.



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Montgomery County Public Schools

Rockville, Maryland

# Resources for Students

## Stay Connected To MCPS

For systemwide information and emergency announcements:

- MCPS on Twitter
- QuickNotes E-mail Messages and Newsletter: [www.mcpsQuickNotes.org](http://www.mcpsQuickNotes.org)
- Ask MCPS Information Service
  - Telephone: 301-309-MCPS (6277)
  - E-mail: [AskMCPS@mcpsmd.org](mailto:AskMCPS@mcpsmd.org)
- MCPS Television ([www.mcpsITV.org](http://www.mcpsITV.org); Comcast 33 and 34, RCN 88 and 89, Verizon 35 and 36)
- Recorded Emergency and Weather Information: . . . . . 301-279-3673

Youth Crisis Hotline of Montgomery County . . . . .	301-738-9697
Montgomery County Crisis Center . . . . .	301-738-9697
<b>To Report Safety and Security Concerns</b>	
MCPS Safe School 24-Hour Hotline . . . . .	301-517-5995
MCPS Department of Safety and Security . . . . .	301-279-3066
Montgomery County Police Department Family Crimes Division . . . . .	240-777-5400
Montgomery County Police Nonemergency . . . . .	301-279-8000
Montgomery County Police Drug Tip Hotline . . . . .	240-773-TIPS (8477)
Montgomery County Police Gang Tip Hotline . . . . .	240-773-TIPS (8477)
Montgomery County Health and Human Services Information Line. . . . .	240-777-1245
The Cyber Tipline. . . . .	1-800-843-8000
Report inappropriate online activity within the school system to <a href="mailto:CyberSafety@mcpsmd.org">CyberSafety@mcpsmd.org</a>	

## Useful Phone Numbers

- Student Government
  - Coordinator of Student Affairs . . . . . 301-670-1419
- Student Member of the Board
  - Board of Education Office . . . . . 301-279-3617
- Community Superintendents
  - Office of School Performance . . . . . 301-315-7377
- Department of Family and Community Partnerships . . . . . 301-279-3100

## MCPS Resources on the Web

- MCPS Web Student Page: [www.montgomeryschoolsmd.org/parents/](http://www.montgomeryschoolsmd.org/parents/)
- College and Career Information: [www.montgomeryschoolsmd.org/curriculum/careercenter/](http://www.montgomeryschoolsmd.org/curriculum/careercenter/)
- 7 Keys to College Readiness: [www.mcps7keys.org/](http://www.mcps7keys.org/)
- Countywide Student Government Organizations:  
[www.montgomeryschoolsmd.org/departments/studentaffairs/sga/](http://www.montgomeryschoolsmd.org/departments/studentaffairs/sga/)
- Course Bulletin: [www.montgomeryschoolsmd.org/curriculum/coursebulletin/](http://www.montgomeryschoolsmd.org/curriculum/coursebulletin/)
- Diploma Requirements:  
[www.montgomeryschoolsmd.org/curriculum/coursebulletin/publications/diplomaRequirements.html](http://www.montgomeryschoolsmd.org/curriculum/coursebulletin/publications/diplomaRequirements.html)
- High School Assessments: [www.montgomeryschoolsmd.org/curriculum/hsa/](http://www.montgomeryschoolsmd.org/curriculum/hsa/)
- Grading and Reporting: [www.montgomeryschoolsmd.org/info/grading/](http://www.montgomeryschoolsmd.org/info/grading/)
- Policies and Regulations: [www.montgomeryschoolsmd.org/departments/policy](http://www.montgomeryschoolsmd.org/departments/policy)
- Special Programs: [www.montgomeryschoolsmd.org/curriculum/specialprograms/](http://www.montgomeryschoolsmd.org/curriculum/specialprograms/)
- Student Member of the Board of Education:  
[www.montgomeryschoolsmd.org/boe/about/members/student.shtm](http://www.montgomeryschoolsmd.org/boe/about/members/student.shtm)
- Student Rights and Responsibilities: [www.montgomeryschoolsmd.org/students/rights/](http://www.montgomeryschoolsmd.org/students/rights/)
- Student Service Learning: [www.mcpsssl.org](http://www.mcpsssl.org)
- Superintendent's Leadership Program:  
[www.montgomeryschoolsmd.org/departments/superintendent/leadership/](http://www.montgomeryschoolsmd.org/departments/superintendent/leadership/)





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# Introduction

This booklet is a guide to the rights and responsibilities students enjoy in Montgomery County Public Schools (MCPS). This booklet is only a summary of laws and regulations that affect you. It is not a definitive statement of your rights in any particular situation. For additional information, please read the specific laws, policies, and regulations referenced at the end of each section. MCPS policies and regulations are available on the Internet at [www.montgomeryschoolsmd.org/departments/policy](http://www.montgomeryschoolsmd.org/departments/policy). In addition, your school's media center and school administrators should have copies of these documents.

State laws, Maryland State Board of Education bylaws, and Montgomery County Board of Education policies and administrative regulations are subject to change and shall supersede the statements and references contained in this publication.

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## Free Public Education

Residents of Montgomery County who are 5 years old or older and under the age of 21 have a right to attend public schools without payment of tuition.

Residents of Montgomery County with disabilities have a right to a free appropriate education from birth through the end of the school year in which the student turns 21 years of age.

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## Student Participation

Students shall be informed of the general objectives of each course and the basis upon which their performance will be evaluated. Students have the responsibility to involve themselves in classroom activities and abide by classroom rules, expectations, and procedures.

Students, in consultation with faculty, may suggest seminars, assemblies, or short courses of study on selected topics during the school day as alternatives or additions to the regular program and/or voluntary programs of interest to students outside the school day.

Students will work collaboratively with principals and staff to plan programs. Programs should be consistent with the Board of Education's Strategic Plan and the schools' basic educational mission, be appropriate for the age and maturity of the audience, and be structured to create a balance in presentation of controversial topics.

Student representatives shall be involved in the revision or development of any major Board policies affecting students. Such involvement may be accomplished by the responsible office, department, or committee (including student representatives in meetings) or by soliciting student input at any one of several stages in the process of the development or revision. Students have a right to similar involvement in the revision or development of a major local school policy or rules affecting students. Before developing or revising major local school policies or rules affecting students, copies will be available for student review by posting them in locations convenient to students, with sufficient time for student comment.

If your parents/guardians should ask that you not participate in classroom activities that are part of the state-required Comprehensive Health Education Curriculum units on Family Life and Human Sexuality and Disease Prevention and Control, alternative activities will be provided to you.

### References:

- Policy JFA: *Student Rights and Responsibilities*
- Regulation JFA-RA: *Student Rights and Responsibilities*
- COMAR 13A.04.18.04 Program in Comprehensive Health Education

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## Rights of Privacy

Your privacy will be respected by school staff.

Students or their parents/guardians have a right to ask a teacher to provide an alternative to an activity if the parent/guardian or student believes the activity would invade student privacy by calling attention to the student's grades, religion, values, or physical condition.

Students have a right to fulfill instructional objectives, through classroom discussion, assignments or other means, without revealing personal information about family occurrences or personal habits, relationships, preferences, traits, decisions, or problems, or to compare themselves or their families with others.

Students may be subject to audio and video camera surveillance in public locations with posted notification, and any student may be disciplined based on evidence gathered through such audio or video surveillance. Under these circumstances, students should have no expectation of privacy.

### References:

- Policy JFA: *Student Rights and Responsibilities*
- Regulation JFA-RA: *Student Rights and Responsibilities*

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## Attendance

Daily attendance is crucial to student achievement and required in order to demonstrate mastery of material and receive credit for courses. Students are required to attend school and to arrive at school and to classes on time.

Except when excused, you must go to your classes and other required activities during the school day. Your attendance will be reported to your parents/guardians on your report card. A student is counted present for a full day if a student is in attendance four hours or more of the school day. A student is counted present for a half day if in attendance for at least two hours of the school day, but less than four hours.

According to your local school's procedures, if you are absent from school, the school will follow up on your absence.

## Excused Absences

You may miss school for the following reasons only:

- Death in your immediate family
- Illness (The principal may require a physician's certificate from the parent/guardian in cases of chronic or extended absences for an illness.)
- Court summons
- Religious holiday
- State emergency
- Suspension
- Hazardous weather conditions (weather conditions that would endanger you on your way to or from school)
- Lack of authorized transportation (for example, if your bus does not show up)
- Permission from your principal

If you miss school for one of these reasons, you must bring a note from your parent/guardian within three school days after your return to school. For example, if you miss school Wednesday and Thursday and then return Friday, you must hand in a note explaining your absence by the following Tuesday. Otherwise, the absence will be considered unexcused. If you are 18 or older or married, you can write your own note. When a student is exercising his/her age of majority rights and is residing as a dependent child with his/her parent/guardian, additional notification of unexcused absences may be sent to the parent/guardian.

The principal also may allow you to miss school for work or another activity if your parent/guardian (or you, if you have reached the age of majority) has asked permission five school days in advance. The principal usually will excuse you if you miss school to do one of the following:

- Visit a college campus
- Participate in a college orientation program
- Interview for a job
- Work as part of an approved cooperative education program
- Participate in short-term, full-time work

Family vacations usually are not excused. If unusual circumstances arise, however, the principal may excuse the absence.

## Unexcused Absences

An absence that is not excused according to the above conditions is an unexcused absence. If you miss a day of school and are not excused, you will have an unexcused absence in each class you miss. Unexcused absences are considered disciplinary infractions that can result in nonacademic consequences, as determined by each school's discipline committee.

It is important for students to make up missed work regardless of the legal status of their absence. However, teachers may deny students the opportunity to earn credit for missed work or assessments that occur or are due on days of unexcused absences.

The principal may refuse you the opportunity to participate in extracurricular activities on a day that you have an unexcused absence.

Each school establishes a process to encourage regular daily attendance, monitor attendance, and provide interventions.

## Work Missed During an Absence

Students have a responsibility and are expected to make up missed work, regardless of the legal status of their absence. If the absence is excused or is a result of a suspension, your teacher will help you make up your work. If the absence is unexcused, your teacher does not have to help you make up the work you missed, give you a retest, or give you an extension on work that was due. Even though the teacher does not have to help you make up missed work, you still have to make up the work so that you can complete the rest of the course.

### References:

Policy JFA: *Student Rights and Responsibilities*  
Regulation IKA-RA: *Grading and Reporting*  
Regulation IOA-RA: *Gifted and Talented Education*  
Regulation IQB-RA: *Extracurricular Activities*  
Regulation JEA-RA: *Student Attendance*  
Regulation JFA-RA: *Student Rights and Responsibilities*  
Maryland Student Records System Manual  
MCPS High School Course Bulletin

## Honors, Advanced-level, and Advanced Placement (AP) Courses

Principals will ensure that all students who have the capability, motivation, or potential to accept the challenge of Honors, AP, and advanced-level courses will be accorded an opportunity to do so. Each school provides responsible open enrollment in Honors, AP, and advanced-level courses for every student who is capable or motivated to pursue a rigorous program and higher-level coursework. A profile of student strengths can be determined by conducting a thorough review of the following multiple criteria:

- Mastery of course prerequisites (grade of A, B, or C)
- Parent/guardian recommendations
- Standardized test scores, as appropriate
- Willingness to complete challenging assignments
- Student interest or motivation
- Teacher/counselor recommendations
- Work samples and portfolios

## Grading and Reporting

Grading and reporting practices will be fair and meaningful and support rigorous performance standards for all students. Grades will have consistent meaning throughout the school system and be based on grade level and course expectations, as outlined in the curriculum. Look for Policy IKA: *Grading and Reporting*, at [www.montgomeryschoolsmd.org/departments/policy](http://www.montgomeryschoolsmd.org/departments/policy).

In Grades 1–5, grades reflect academic achievement in relation to grade-level expectations.

In Grades 6–12, grades reflect academic achievement in relation to course expectations. In middle schools and high schools, teachers implement MCPS Procedures in Grades 6–12 for grading, reteaching/reassessment, and homework. Work turned in after the due date and by the deadline may be lowered no more than one letter grade or 10% of the grade. Work submitted after the deadline will be recorded as a zero. Teachers assign a grade no lower than 50% to a task or assessment. A teacher may assign a zero if the teacher determines the student did not attempt to meet the basic requirements of the task/assessment. Teachers will not award extra credit.



These procedures are available to parents/guardians and students on the MCPS website, [www.montgomeryschoolsmd.org/info/grading](http://www.montgomeryschoolsmd.org/info/grading), and in schools' main offices.

## Student Service Learning (SSL)

All students working toward Maryland State Department of Education diplomas must complete service learning hours in addition to the graduation requirements of enrollment, credit, courses, and competencies. The service-learning hours may be accrued beginning the summer after completing Grade 5. Students must complete 75 service-learning hours before graduation. Details of the MCPS SSL plan may be found at [www.mcpsssl.org](http://www.mcpsssl.org) or by contacting the SSL coordinator at any middle or high school.

### References:

Annotated Code of Maryland, Education, Sections 13A.03.02.07

## Student Government

### Participation

Students have a right to establish and participate in student government. Students have a right to have a voice in school affairs through the student government organization. Students have a responsibility to work toward creating an effective student government organization that is accountable to the students. Any student legally enrolled in a school, academically eligible, and meeting any criteria set forth in the school constitution may run for and hold office in student government. Students must remain academically eligible to continue to hold office. This means you must maintain at least a 2.0 average and have no more than one failing grade on a report card to hold your elected office. Service learning hours may be earned for participation in student government.

### Faculty Support

School staff will support your right to participate in student government. The principal will ensure that the student government gives students a voice in school business.

In the spring, the student government executive committee will meet with the principal regarding the appointment of an advisor for the following year and careful consideration will be given to the students' input before the advisor is appointed.

School staff will help the student government get needed supplies and use of rooms.

Students who miss class in order to participate in student government activities approved by the administration will receive an excused absence and have the responsibility to make up missed assignments.

### Powers of Student Government

Students have a responsibility to prepare a written constitution or amendments to the existing constitution for the student government, with advice from school staff/advisor as needed. All constitutions must include an article recognizing the decision-making authority of the principal. Students have a right to expect the school principal to approve the student government constitution or amendments to it, unless it violates the law, policy, or would, in the judgment of the

principal, substantially interfere with the effective operation of the school. Students will be notified in writing of the reasons for disapproval and must be given an opportunity to revise the constitution to address administrative concerns.

Students, through their student government, have a right to receive from the school administration a response to recommendations by the student government within five school days. The administration shall give reasons, either written or oral, if recommendations are not adopted or are modified. If the recommendations are extensive or complicated, the school administration, in consultation with representatives of the student government, shall establish a reasonable time for either an oral or written response.

The executive committee, student government advisor, and principal will confer regularly regarding progress and concerns of the student government organization.

### References:

Policy JFA: *Student Rights and Responsibilities*

Regulation JFA-RA: *Student Rights and Responsibilities*

Regulation IQD-RA: *Academic Eligibility for High School Students Who Participate in Extracurricular Activities*

Regulation IQD-RB: *Academic Eligibility for Middle School Students Who Participate in Extracurricular Activities*

## Freedom of Inquiry and Expression

### Speech

Students have a right to be presented with a variety of viewpoints on controversial topics, within the limitations imposed by state or county curriculum documents, and a right to express individual views so that they may weigh alternate ideas and form their own opinions. Students have a responsibility to respect different opinions and the right of each person to hold and express an individual viewpoint. Students have a responsibility to consider seriously the topics presented in their courses; participate in class discussions to add their view to enhance the variety of viewpoints expressed on the topics under discussion. They also have a responsibility to refrain from the use of vulgar and abusive language, which detracts from a positive learning and working environment, and which is inconsistent with the goal of maintaining an atmosphere of mutual respect.

### Petitions

Students have a responsibility to meet with school administrators to clarify any misunderstandings and provide a forum for exchange of information on the topics that are the subject of a petition. Students have a right to circulate petitions during noninstructional time, as long as they do not disrupt school operations. Students have the responsibility of ensuring that petitions do not encourage actions that endanger the health or safety of students or others in the school community and are not libelous or lewd or otherwise cause substantial disruption to the operation of the school. Circulation of petitions may be halted by administration for failure to meet this responsibility. At the school level, students have a right to a response within five school days by posting the response or forwarding the response to the originator if the originator can be identified.

## Technology

Students have a right to use technology provided by MCPS for educational purposes only as defined in Regulation IGT-RA. Computer equipment, computer services, and network access to schools and offices are provided for purposes consistent with the mission of MCPS. All actions are subject to MCPS review and may be logged and archived. Students must protect information and resources against theft, malicious damage, unauthorized access, tampering, and loss and comply with relevant state, local, and federal laws. Students do not have a right or expectation of privacy in their use of school computers. Students have the responsibility to conduct themselves in accordance with the requirements of MCPS Regulation IGT-RA and other reasonable rules and restrictions regarding electronic communications.

## Publications and Productions—Print and Nonprint

A publication/production is sponsored by a person or a group when the person or group either financially backs or produces the product. There are different rules for school-sponsored and non-school-sponsored publications/productions. Cablecast requests are covered under a separate MCPS Regulation IID-RA.

### School-sponsored Publications and Productions

School-sponsored publications, such as newspapers, yearbooks, and literary magazines and school-sponsored productions, such as school plays and television shows designed for use within schools are encouraged. Each publication/production will have a qualified advisor. Students have the right to select or develop the content of school-sponsored publications and productions, subject to their advisor's approval. If any material is rejected for publication or production by the advisor, students may appeal to the principal.

Advertisements in school-sponsored publications/productions will follow these rules:

- Advertisements that contain the names and/or pictures of people who are not public figures must be authorized (public figures include celebrities and people who hold a government office). Advertisements that contain company trademarks also must be authorized.
- If the advertisement might be confused with a news story or some other part of a publication, it must be labeled as an advertisement.
- Advertisements must be submitted under the name(s) of the people or companies sponsoring them.
- When possible, advertisements will be preceded by a statement explaining that the advertising does not reflect the viewpoint or policies of the editors, school, or Board of Education.

For more information on school-sponsored publications and productions, see Regulation JFA-RA, *Student Rights and Responsibilities*.

### Non-school-sponsored Posters, Flyers, and Similar Materials

As an MCPS student, you have the right to create and distribute publications and productions without school sponsorship. A publication or production is distributed when it is given away, sold, or put out for people to read or view.

You may post materials on bulletin boards, walls, or other areas that are normally used for posting student information, as long as the content doesn't fit into one of the prohibited categories described in the next section.

You may place flyers or brochures at any time of the school year on tables, magazine racks, or similar areas designated by the school, as long as the content doesn't fit into one of the prohibited categories described in the next section.

They may be removed periodically by the school. If your materials are removed because the content violates one of the rules, you will receive a written explanation.

Any time you post or distribute something that you didn't create, the materials must bear the name of the sponsoring organization or person and include the following disclaimer: "These materials are neither sponsored nor endorsed by the Board of Education of Montgomery County, the superintendent, or this school."

Informational materials only may be distributed directly to students through take-home folders, backpacks, or similar manner four times a year, at a time designated by the school (see MCPS Regulation CNA-RA).

### Prohibited Material

The principal will prevent distribution of materials under the following conditions:

- The content is in violation of the law, Montgomery County Board of Education policies, or MCPS regulations.
- The content causes or may be reasonably expected to cause substantial disruption of school activities. "Substantial disruption" means either interference with school or disorderly conduct by a significant number of students, including but not limited to rioting, school boycotts, sit-ins, destroying property, and walkouts.
- The content, as a whole or in significant part, through depiction or description, encourages actions that endanger the health or safety of students or staff, including, but not limited to, the unlawful or excessive use of alcohol, drugs, or other intoxicants; violence; teen sex; illegal discrimination; or illegal activities. However, this guideline does not preclude publication or distribution of information materials containing responsible debate or discussion.
- The content is obscene, in that it depicts or describes sexual conduct and meets all three of the criteria for obscenity described in Regulation JFA-RA.
- The content is libelous, in that it includes any unprivileged, false, and malicious material which by printing, writing, or other form of representation such as signs or pictures tends to expose an individual to public scorn, hatred, or ridicule, done knowingly and/or recklessly and/or negligently. This is described further in Regulation JFA-RA.

If the principal stops you from distributing a publication, he/she will meet with you to talk about the publication and whether you should be allowed to distribute it. The principal will give you a decision in writing within two school days that states his/her reasons for the decision. You may appeal the decision. The appeal procedure is described in the Appeals-Complaint Procedure—Due Process section of this booklet (page 11).

## Political Material

No one may distribute campaign material that is unconstitutional, illegal, violates state election laws, or which, in the reasoned opinion of the principal, poses a danger of disruption to the educational environment. Campaign materials must have an authority line (see MCPS Regulation KEA-RA). This decision may be appealed. The appeal procedure is described in the Appeals-Complaint Procedure—Due Process section of this booklet (page 11).

Other political material may be distributed if you follow these rules:

- Make material available to people who are interested, rather than giving it to everyone. Here are some ways to distribute material without violating this rule: hand out material to interested people, set up a display, or post material on bulletin boards.
- You may distribute political material on sidewalks and in the cafeteria, designated hallways, or student government rooms or areas. Do not distribute political materials in classrooms, the media center, or other school rooms during the school day, except—
  - a. when the room is being used as a voluntary meeting place, or
  - b. when the material is being used in a class as part of the regular teaching program or a voluntary forum or seminar held by students.
- Only distribute political material outside of class time.

## Participation in Political Campaigns

Students in Grades 9–12 may participate in political campaign activities during school hours with parental/guardian consent, approval of the principal or his/her designee, and at the request of the political candidate or organization. Released time may be granted to students for such participation for a total of three school days per school year during the two-week period immediately prior to a primary or general election. In order to earn student service learning hours for political campaigns, students must have MCPS Form 560-50 granted in advance of any service for an individual running for public office.

### References:

- Policy JFA: *Student Rights and Responsibilities*
- Regulation JFA-RA: *Student Rights and Responsibilities*
- Regulation KBA-RB: *Educational Purposes and Administration of the MCPS Web*
- Regulation KEA-RA: *Participation in Political Campaigns and Distribution of Campaign Materials*
- Regulation IGT-RA: *User Responsibilities for Computer Systems, Electronic Information, and Network Security*
- Regulation IID-RA: *Programs to be Cablecast on the MCPS Education Channels*

## Freedom of Assembly

Students have a right to assemble for discussions of issues of importance to them and to demonstrate peacefully. Students have a responsibility to consult with the school principal to determine if the activity will be allowed during the school day, outside the school day or during lunch, and the type of supervision required. Students also have a responsibility to work cooperatively with the staff and take reasonable steps to ensure that the activity is orderly.

### References:

- Regulation JFA-RA: *Student Rights and Responsibilities*

## Patriotic Exercises

You will have the opportunity to participate in and/or watch patriotic exercises in school.

Students have a right to not be compelled to participate in patriotic exercises, or be penalized or embarrassed for failure to participate.

You may not interrupt others who are participating in patriotic exercises.

### References:

- Annotated Code of Maryland, Education Article, Section 7-105
- Regulation JFA-RA: *Student Rights and Responsibilities*

## Freedom of Religion

Students have a right to school-sponsored activities that are neutral toward religion and do not include religious exercises. Students have a right to an academic environment where religious beliefs are not advocated in courses or in school-sponsored activities such as commencements or assemblies. Students also have the right to observe their religious practices in school, including non-school-sponsored student prayer groups, unless these violate the rights of others or disrupt school activities. Students have a right to participate in or to attend holiday concerts that include religious music that meets MCPS guidelines. When available, students may attend elective seminars on the history or comparative study of religions, in which aspects of religion may be discussed. Presentations in these classes should be factually objective and not advocate particular religious viewpoints.

Distribution of religious material follows the same guidelines as those for political material.

### References:

- Regulation JFA-RA: *Student Rights and Responsibilities*
- Regulation IKB-RA: *Homework Procedures*

## Clubs, Teams, and Student Organizations

Students have a right to participate in clubs, teams, and student organizations and a responsibility to become familiar with appropriate Board of Education policies and MCPS regulations that affect their ability to participate.

An extracurricular fee is charged to students for school-sponsored activities.

MCPS offers a comprehensive interscholastic athletics program open to all students who satisfy MCPS and Maryland Public Secondary School Athletic Association (MPSSAA) eligibility requirements. The program includes corollary athletics teams, offered in partnership with Special Olympics, offered in each of the three athletics seasons (fall, winter, and spring).

## School-sponsored Organizations

For some school-sponsored organizations, you must be academically eligible to participate. Students seeking election or appointment to or occupying leadership positions in clubs, teams, or student organizations will exemplify ethical, legal, and appropriate conduct, including complying

with all policies, regulations, and procedures on and off campus. Principals retain the authority to place restrictions on participation in extracurricular activities for violations of disciplinary rules and regulations. Authorized student organizations have the right to use school facilities. This includes reasonable use of bulletin boards, the public address (PA) system, and copiers.

### **Student Organizations Without School Sponsorship**

Students have a right to conduct a meeting during non-instructional time, provided they meet the following responsibilities:

- The meeting does not present a safety or security risk.
- Meetings are voluntary and initiated by students and not represented or treated as a school-sponsored club.
- School employees do not sponsor or promote meetings; however, a school staff member may provide supervision for safety.
- School employees do not lead or participate in meetings, including religious meetings.
- The meeting does not and cannot reasonably be predicted to materially and substantially interfere with the orderly conduct of educational activities within the school.
- Nonschool persons do not lead or regularly attend meetings.
- Public funds are not spent on meetings (excluding the costs of providing a place to meet).

**References:**

Policy IOB: *Education of Students with Disabilities*  
 Policy JFA: *Student Rights and Responsibilities*  
 Regulation JFA-RA: *Student Rights and Responsibilities*  
 Regulation IQD-RA: *Academic Eligibility for High School Students Who Participate in Extracurricular Activities*  
 Regulation IQD-RB: *Academic Eligibility for Middle School Students Who Participate in Extracurricular Activities.*

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### *Nondiscrimination*

Students have a responsibility to conduct themselves in a manner built on mutual respect and a right to be treated in the same manner.

All acts of hate/violence and illegal discrimination are unacceptable and intolerable and in particular those based on race, color, national origin, religion, gender, age, marital status, socioeconomic status, sexual orientation, physical characteristics, or disability.

Students have a right to an environment that is free of bullying, harassment, and intimidation so that schools are safe places in which to learn. Bullying, harassment, or intimidation is disruptive to learning and can adversely affect academic achievement, emotional well-being, and school climate.

- Schools will inform students of the reporting procedures at each school, including the availability of MCPS Form 230-35: *Bullying, Harassment, or Intimidation Reporting*. Reports are turned in to the school’s principal.
- The reporting of bullying, harassment, or intimidation incidents shall be encouraged and supported by MCPS.

- Principals or designee will promptly investigate all reports of bullying, harassment, and intimidation and implement remedial measures and consequences as appropriate.
- Principals will promptly notify parents/guardians of students involved in a bullying incident.
- At the conclusion of an investigation, individual and private conferences will be held with both the student who was bullied and the student who bullied to determine if the bullying, harassment, or intimidation has continued.
- Support services shall be made available to the student who is bullied, the student who bullies, and bystanders.

(Refer to Board of Education Policy JHF: *Bullying, Harassment, or Intimidation.*)

**References:**

Policy ACA: *Human Relations*  
 Policy JFA: *Student Rights and Responsibilities*  
 Regulation JFA-RA: *Student Rights and Responsibilities*  
 Regulation CNA-RA: *Display and Distribution of Informational Materials and Announcements*  
 First Amendment to the United States Constitution  
 Section 1983 of the Civil Rights Act of 1871  
 Title VI of the Civil Rights Act of 1964  
 Title IX of the Education Amendments of 1972  
 Section 504 of the Rehabilitation Act of 1973  
 The Americans with Disabilities Act of 1990  
 Policy ACB: *Nondiscrimination*  
 MCPS Document: R.E.S.P.E.C.T. Make it Real

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### *Dress and Grooming*

Students have a responsibility to be dressed and groomed for school in accordance with the community standards for dress and grooming addressed by the local school discipline policy. Students may not be disciplined for their style of dress or grooming unless it—

- is likely to cause disruption to school activities;
- causes a disruption to school activities;
- endangers health or safety;
- fails to meet a reasonable requirement of a course or activity;
- is associated with gangs;
- is lewd, vulgar, obscene, revealing, or of a sexual nature; or
- promotes the use of tobacco, alcohol, or drugs.

**References:**

Policy JFA: *Student Rights and Responsibilities*  
 Regulation JFA-RA: *Student Rights and Responsibilities*

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### *Sexual Harassment*

Sexual harassment is defined in MCPS Policy ACF as unwelcome sexual advances, requests for sexual favors, and/or other inappropriate verbal, written, or physical conduct of a sexual nature that takes place under any of the following circumstances:

- When submission to such conduct is made, explicitly or implicitly, a term or condition of employment, instruction, or participation in other school activities.

- When submission to or rejection of such conduct by an individual is used by the offender as the basis for making personnel or academic decisions affecting the individual subjected to sexual advances.
- When such conduct has the effect of unreasonably interfering with the individual's work and/or academic performance or creating an intimidating, hostile, or offensive work or learning environment.

Sexual harassment committed by students against students or staff is inappropriate and violates MCPS policies. Sexual harassment committed by a staff member against a student should be reported to the school principal. If the complaint of sexual harassment is against the principal, the complaint should be filed with Mrs. Carole C. Goodman, associate superintendent, Office of Human Resources and Development, 45 West Gude Drive, Suite 1100, Rockville, Maryland 20850. She may be reached at 301-279-3270.

**References:**

- Policy ACF: *Sexual Harassment*
- Regulation ACF-RA: *Sexual Harassment*
- Regulation JFA-RA: *Student Rights and Responsibilities*

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*Student Records*

Your principal will maintain a student record for you. Your record has a cumulative folder that contains basic information about you recorded on MCPS forms. In some special circumstances, a confidential folder may be created for you. School personnel must inform your parents/guardians when they create a confidential folder.

You and your parents/guardians both have the right to see your cumulative student record during a meeting with school personnel. At your request, school personnel can explain or interpret your cumulative record for you.

Within 30 days of the beginning of the school year, MCPS will give public notice of the categories of information that will be considered directory information. This information will include your name, phone number, date and place of birth, and other information. Your home address and phone number only may be given to organizations of parents, teachers, students, former students or any branch of the military. Your parents/guardians may exclude any or all of this information from being considered directory information. If you exclude this information, it will be treated confidentially, the same as any other information in your student record.

If you have reached the age of majority, you have the same rights regarding your student record as your parents/guardians. However, if you are dependent on your parents/guardians, they have access to your student record regardless of your age.

**References:**

- Policy JFA: *Student Rights and Responsibilities*
- Regulation JFA-RA: *Student Rights and Responsibilities*
- Regulation JOA-RA: *Student Records*

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*Search and Seizure*

The principal, assistant principal, security team member, or a designated teacher on a school-sponsored trip may conduct a reasonable search of a student on the school premises or at a school-sponsored trip if he/she has a reasonable belief that you have possession of an item, the possession of which is a criminal offense or a violation of other state law or MCPS rules or regulations.

Authorized personnel conducting a search of the student's person, possession, locker, or assigned personal space will make a reasonable effort to inform the student prior to the search.

The police will be called for all incidents involving seized items that are illegal. These items will be turned over to law enforcement personnel. All other items will be returned to the student or parent/guardian within a reasonable period of time.

**References:**

- Policy JFA: *Student Rights and Responsibilities*
- Regulation JFA-RA: *Student Rights and Responsibilities*
- Regulation JGB-RA: *Search and Seizure*
- Annotated Code of Maryland, Education Article, Section 7-308

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*School Safety and Security*

The safety of students and staff is essential to maintaining a positive learning environment. Safety and security of our schools is everyone's concern. In order to be prepared for an emergency/crisis situation and as a proactive approach to school safety, all schools have developed a school emergency crisis plan. A crisis is an unpredictable, unplanned situation that requires an immediate response. Crises may include, but are not isolated to, bomb threats, criminal activity, accidents, fire, hazardous materials incidents, and weather-related incidents. New procedures called Lockdown, Evacuate, and Shelter (LES) have been developed as a response to an emergency situation at a school and are part of the school emergency preparedness plan. It is vital that students, staff, and parents/guardians have an understanding of these procedures. **Lockdown** is a term used to describe an emergency at an MCPS facility. Lockdown alerts staff that imminent danger exists inside or outside the building and requires moving to an immediate lockdown mode. It requires that all students are under adult supervision. Students and staff must move quickly to a securable location, remain quiet, and follow staff instructions. **Evacuate** is a term used to describe an emergency inside the school. It requires all students and staff to evacuate the building using either the fire evacuation alarm or a public announcement directed evacuation by the administration. **Shelter** is a term used to alert staff that an emergency exists at or near an MCPS facility. It requires all students to be accounted for and under adult supervision inside the building. There are three types of shelter alert: Public Safety, Severe Weather, and Outside Hazardous Materials Release.

In an effort to provide students, staff, and parents/guardians an anonymous way to report safety and security concerns, SAFE SCHOOLS HOTLINE is staffed 24 hours a day/7 days a week and does not utilize Caller ID. Remember, safety and security of our schools and facilities is everyone's concern,

and these concerns need to be reported in a timely manner to a responsible adult or through the SAFE SCHOOLS HOTLINE.

Montgomery County Public Schools SAFE SCHOOLS  
24-HOUR HOTLINE: 301-517-5995

Additional hotlines staffed 24 hours a day/7 days a week:

Montgomery County Police—  
Nonemergency: 301-279-8000  
Drug Tip Hotline: 240-773-3784  
Gang Tip Hotline: 240-773-4264

Montgomery County Public Schools Department of School Safety and Security: 301-279-3066

Montgomery County Health & Human Services Information Line (Monday–Friday, 8:30 a.m.–5:00 p.m.):  
240-777-1245

**References:**

Regulation EKA-RA: *Emergency and Disaster Preparedness*  
Regulation EKC-RA: *Bomb Threats/Explosive Devices*  
Regulation JFA-RA: *Student Rights and Responsibilities*

**Portable Communication Devices**

Middle and high school students may possess portable communication devices on MCPS property and at MCPS-sponsored activities. It is the student's responsibility to ensure that the device is turned off and out of sight during times of unauthorized use.

Elementary school students are not permitted to possess or use portable communication devices on MCPS school campuses during the instructional day.

By written request from a parent/guardian and upon the approval of the principal/designee, an elementary school student may possess a portable communication device on an elementary school campus during the instructional day. Principals/designees will grant waivers to the regulation based on consideration of the following factors: safety to and from school, communication during off-campus, after-school activities, or medical concerns. Other factors may be considered at the discretion of the principal/designee. Communication among parent/guardian, student, and principal or designee is required for every waiver request.

No student may, at any time, use a portable communication device in a manner that is profane, indecent, or obscene, or constitutes an invasion of privacy. Examples of this include, but are not limited to, photographs or text messages.

This regulation applies to the instructional times for students attending Saturday School and High School Plus.

**References:**

Regulation COG-RA: *Portable Communication Devices*

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*Discipline*

Students have a responsibility to treat each other and school staff respectfully and to help create and maintain a safe, healthy learning environment that promotes mutual respect. Students have a right to be informed about school discipline procedures and a right to consequences that are fair and appropriate.

You may face disciplinary actions as a consequence of any behavior that disrupts classes, causes disorder, invades the rights of others, or is unsafe or violates a school rule or

disciplinary code. Discipline will be fair and appropriate and not designed to embarrass students. Some types of behavior, such as making bomb threats, making threatening statements to students or staff regarding death or the infliction of serious bodily harm/injury, possession of a firearm, or false activation of a fire alarm, result in significant consequences in terms of disciplinary actions and criminal sanctions.

Whenever possible, the disciplinary action you get will be related to your offense. If you have to do academic work as part of that action, it will teach you something of value that is related to the class you are taking. It cannot simply be punitive. For example, your teacher cannot assign a lot of math problems as a consequence when it is clear that you already know how to do them. Rote work also is not allowed as a consequence. Your teacher cannot make you write a sentence over and over or copy from a dictionary. As an example of an academic assignment you can be given, you can be made to write a paper explaining why your actions were wrong.

Any MCPS student athlete with verified use or possession of alcohol, tobacco, illegal drugs, and/or controlled substances on school property or at a school-sanctioned event shall receive a minimum 10-consecutive-school-day suspension from all athletic activities. Athletic activities will not resume until completion of the school-day suspension from all athletic activities (*High School Athletic Handbook, MCPS*).

A student can never be punished physically. However, school personnel may use reasonable force to break up a fight, prevent violence, or restrain a disruptive student on school premises or during a school-sponsored trip. Grades will never be adjusted as a form of disciplinary action.

An entire group of students cannot be disciplined for the actions of some members of the group. For example, if one student disrupts class, the teacher cannot give everyone in the class detention. This rule applies even if it is not known who is responsible for the actions.

Student conduct occurring outside of school hours and away from school or school-sponsored activities is subject to disciplinary action if the principal reasonably believes that the conduct threatens the health or safety of students or staff in the school setting or if the conduct causes or is reasonably expected to cause substantial disruption of or material interference with school activities. Discipline may be imposed for offenses involving school activities outside of the regular school hours, including on a school bus or at a bus stop. If you do things outside of school that are related to school (for example, harassing a teacher or fighting with a student while walking home), school authorities may talk with your parents/guardians about it or take other appropriate disciplinary action.

When a student's behavior is determined to have been disruptive and detrimental to the operation of the school the student may be temporarily removed from class, in accordance with the procedures outlined in MCPS Regulation JGA-RA: *Classroom Management and Student Behavior Interventions*.

Absences from class due to disciplinary action are excused absences and staff members should make reasonable efforts to assist students in making up tests or other work missed.

## **Suspension of 10 Days or Less**

The principal has the right to suspend a student for 10 days or less, with a proper reason. Out-of-school suspensions may be given only when it is determined by the principal that a behavior is disruptive and detrimental to the operation of the school. Students may not receive out-of-school suspension for attendance offenses, i.e., truancy, class cutting, and tardiness. If a student is suspended, he/she cannot go to classes or take part in school activities for a specified time. The student also will be excluded from school grounds and school activities unless you have the approval of the principal. In-school suspension is when a student is removed from class for a specified period of time without being provided direct instruction.

Before a student is suspended (both in school and out of school), an informal conference will be held that will address the following:

- Reason for suspension
- Oral or written notice of the charges against you
- An explanation of the evidence against you
- A chance to tell your side of the story

If a student poses a danger to people or property, is an ongoing threat to disrupt classes and/or school activities, or if extenuating circumstances make it necessary, the student may be immediately removed from school. An informal conference will take place as soon as possible.

The principal will notify the student's parents/guardians if he/she is suspended. The notification will include the following information:

- How long the student is suspended and when the suspension begins and ends
- An offer to meet with the student's parents/guardians as soon as possible
- Information about the appeal process (principal, Student Services Appeals Unit, superintendent of schools, Board of Education)

Additional rules may apply for students with disabilities.

## **Expulsions and Extended Suspensions of More Than 10 Days**

The principal may recommend that the student be suspended for 10 days and recommend expulsion. If the principal recommends expulsion, the request is sent to the Disciplinary Review and School Assignment Unit. Staff from that unit will contact the student's parents/guardians to schedule a conference. Parents/guardians will get a decision in writing that will include the reasons for the decision. The decision could be to return the student to school, suspend the student beyond 10 days, or refer the student to the deputy superintendent of schools for expulsion. *Extended suspensions* may be appealed by your parents/guardians to the Board of Education. The appeal must be in writing and given to the Board of Education within 10 days of receipt of the written decision.

If the decision made by the Disciplinary Review and School Assignment Unit is to refer the case for *expulsion*, the Office of the Chief Operating Officer, serving as the superintendent of schools' designee, will conduct a conference with school personnel, the pupil personnel worker, the student, and the parents/guardians. A decision on the recommendation for expulsion will be made.

Parents/guardians will have the right to appeal the decision to the Board of Education in writing, within 10 days of receipt of the written decision.

If the student is expelled, he/she cannot attend any Montgomery County public school, night school, or any other MCPS program or activity. If the student is given an opportunity to apply for readmission in the future, he/she will be required to complete an application packet and provide documented evidence of participation in specific activities during the period of expulsion. These activities must show a positive change in the student's behavior and attitude and participation in educational experiences. An Expulsion Review Board, made up of principals and other staff, will meet with the student and his/her parents/guardians, review the application, and determine the appropriateness of permitting the student to return to a Montgomery County school program.

If a student with a disability is suspended for more than a total of 10 days, or is expelled, the student will continue to receive some educational services based on his/her Individualized Education Program (IEP).

There are additional rules for suspending students with disabilities. See the regulations at the end of this section for more information.

## **Local School Disciplinary Plan**

In accordance with MCPS policies, student representatives have the right to work collaboratively with parents/guardians and schools staff to develop, implement, review, and enforce a local school disciplinary plan. The plan should include a procedure for handling student grievances and appeals. These local school discipline plans may include zero-tolerance policies that restrict participation in extracurricular or other school-related activities or events. Exclusion from commencement ceremonies may not be included in local school zero-tolerance policies. Students may be excluded from participation in commencement ceremonies for cause on a case-by-case basis.

Each school also will have a local disciplinary plan for other violations such as fighting, cutting class, truancy, intimidation, tardiness, refusal to identify oneself, look-alike weapons, disruptive behavior, obscenity, graffiti, false fire alarm, leaving school grounds without permission, smoking, misuse of portable communication devices, and insubordination/disrespect. Academic honesty, not receiving or attempting to receive an unfair advantage in academic work, is an essential component of an effective learning environment. Therefore, the local school discipline plan should reflect the critical role academic honesty plays in creating and maintaining an effective learning environment. Schools, in providing a continuum of possible approaches to remediate problem situations, also should consider restrictions on participation in extracurricular activities, including temporary or permanent removal from elected or appointed leadership positions. The school staff, students, and parents/guardians should be involved in the development and review of the local school plan each year.

## **Guidelines for Systemwide and Local School Implementation of the Discipline Policy**

The following page contains the Countywide Violations table, a reference used by administration to determine the severity of offenses.

## Countywide Violations

<b>I. • Mandatory Recommendation for Expulsion • Mandatory Police Referral</b>	<b>Regulation/Reference</b>
Evidence of intent to distribute or distribution of controlled dangerous substances	MCPS Regulation COF-RA, <i>Intoxicants on MCPS Property</i>
Possession of bombs, or facsimile, or bomb threat	MCPS Regulation EKC-RA, <i>Bomb Threats/Explosive Devices</i>
Possession of firearms, including starter guns	MCPS Regulation COE-RA, <i>Weapons</i>
Violent physical attack on a student or staff member <sup>1</sup>	
Weapons used to cause bodily harm/injury	MCPS Regulation COE-RA, <i>Weapons</i>
<b>II. • Discretionary School-based Consequences • Mandatory Police Referral</b>	<b>Regulation/Reference</b>
Firesetting	MCPS Regulation ECC-RA, <i>Loss of MCPS Property</i>
Gang-related incident	
Possession or use of intoxicants	MCPS Regulation COF-RA, <i>Intoxicants on MCPS Property</i>
Sexual offenses <sup>2</sup>	MCPS Regulation ACF-RA, <i>Sexual Harassment</i>
Theft, if over \$500 for a single incident	
Hate violence <sup>3</sup>	Reference hate/violence guidelines (Contact Human Relations Compliance Officer for copy)
<b>III. • Discretionary School-based Consequences • Discretionary Police Referral</b>	<b>Regulation/Reference</b>
Academic dishonesty or plagiarism <sup>4</sup>	
Bullying <sup>5</sup>	MCPS Regulation JHF-RA, <i>Bullying, Harassment, or Intimidation</i>
Burglary (breaking and entering of a building or occupied structure with the intent to commit a crime therein)	
Computer or network abuse	MCPS Regulation IGT-RA, <i>User Responsibilities for Computer Systems, Electronic Information, and Network Security</i>
Destruction of public property (vandalism)	MCPS Regulation ECC-RA, <i>Loss of MCPS Property</i>
Excessive absences	
Extortion <sup>6</sup>	
Hazing <sup>7</sup>	
Possession of a knife <sup>8</sup>	
Possessing other weapons (including, but not limited to, firearm facsimiles, BB guns, pellet guns, paintball guns, and other firearm “look-alike” weapons)	MCPS Regulation COE-RA, <i>Weapons</i>
Physical attack on a student	
Physical attack on a staff member	
Sexual harassment	MCPS Regulation ACF-RA, <i>Sexual Harassment</i>
Sexual activity (consensual)	MCPS Regulation ACF-RA, <i>Sexual Harassment</i>
Theft	
Threat (verbal, electronic <sup>9</sup> , or written)	
Verbal abuse	

<sup>1</sup> Violent physical attack on another that requires medical attention outside of the school health room.

<sup>2</sup> In accordance with the *Safe Schools Act of 2010*, the superintendent of schools *shall consider* prohibiting a student who is arrested for a reportable sexual offense from attending the same school or riding on the same school bus as the alleged victim of the reportable offense, if such action is necessary or appropriate to protect the physical or psychological well-being of the alleged victim. If a student is convicted of or adjudicated delinquent for the rape or sexual offense, the student *may not* attend the same school or ride on the same school bus as the victim.

<sup>3</sup> Harassing a person or damaging property of a person because of his/her race, color, religious beliefs, sexual orientation, or national origin.

<sup>4</sup> Examples of academic dishonesty include, but are not limited to the following: the willful giving or receiving of an unauthorized, unfair, dishonest, or unscrupulous advantage in academic work over other students, using fraud, duress, deception, theft, trickery, talking, signs, gestures, copying, or any other methodology, including the use of photographs without the permission of the photographer.

<sup>5</sup> Bullying—refer to definition on page 1.

<sup>6</sup> Extortion is the use, or the express or implicit threat of the use, of violence or other criminal means to cause harm to a person, reputation, or property as a means to obtain something of value or to complete some action from someone else.

<sup>7</sup> Hazing is an act which recklessly or intentionally subjects a student to mental or physical discomfort, embarrassment, harassment, or ridicule for the purpose of initiation into an organization.

<sup>8</sup> Intentional possession of a knife requires police referral.

<sup>9</sup> Examples of electronic threats include, but are not limited to the following: instant messaging, blogs, social sites, videos, and photographs.



Students have the right to firm, fair, and consistent application of discipline that requires decision makers to ensure that they are implementing disciplinary action in an objective and consistent manner, based on the consideration of relevant factors.

Students have a right to consistent action from and direction for all schools for disciplinary infractions. The consequences may be modified, as appropriate, for special education students, in accordance with federal and state law.

Principals have the authority and the discretion to implement consequences, ranging from a conference to a recommendation for expulsion and a police referral, as deemed appropriate by the circumstance of the event and on the consideration of relevant factors. There are certain infractions that require a mandatory recommendation for expulsion. Certain infractions also require a mandatory police referral.

Policy JFA: *Student Rights and Responsibilities*

Policy JGA: *Student Discipline*

Regulation JFA-RA: *Student Rights and Responsibilities*

Regulation JGA-RA: *Classroom Management and Student Behavior Interventions*

Regulation JEC-RA: *Student Withdrawals from Classes*

Regulation JGA-RB: *Suspension or Expulsion of an MCPS Student*

Regulation COE-RA: *Weapons*

Regulation ECC-RA: *Loss of MCPS Property*

Code of Maryland Regulations 13A.02.04: *Tobacco-free School Environment*

Regulation COF-RA: *Intoxicants on MCPS Property*

Regulation IGO-RA: *Guidelines for Drug/Alcohol Abuse Counseling*

## Appeals-Complaint Procedure— Due Process

This section is designed to provide information about fair treatment for each student involved in a grievance, discrimination complaint, or disciplinary action not involving suspension or expulsion. In order to ensure such treatment, school rules must be consistent with MCPS *Goals of Education* and published existing laws and regulations. Both the countywide and local school's discipline codes should be published and made available to parents/guardians, students, and staff members.

### School-level Decision

- A. If a student has a problem or complaint, including complaints of discrimination,<sup>10</sup> the student has a right to—
  1. meet with the principal<sup>11</sup> or designee to seek an informal resolution, or
  2. request in writing that the principal or designee formally review the complaint.

If the student chooses A.1, but is not satisfied with the informal process or the proposed resolution, or if no resolution is reached within 15 school days of its presentation, the student may file a written request for a formal review of the complaint by the principal.

- B. When the principal formally reviews a student's complaint, the student has a right to present witnesses and evidence in support of the complaint. The principal shall render a decision in writing and forward a copy of it to the complainant within 10 school days of receipt of the written complaint from the student.

### Appeal of the Decision of the Principal

#### A. Submitting an Appeal

If the student is not satisfied with the decision rendered, the student may appeal the decision to the superintendent of schools' designee in writing within 10 school days of the principal's written decision. The appeal statement should include the following:

1. A request for a review of the complaint and the decision of the principal
2. All pertinent factual information
3. The remedy requested

#### B. Review of an Appeal

1. The superintendent of schools or designee reviews the issue and related information.
2. Within 10 school days of receipt of the appeal, the superintendent of schools or designee renders a decision and notifies the student and principal in writing.

### Appeal of the Decision of the Superintendent of Schools

The student has the right to appeal the decision of the superintendent of schools. The decision may be appealed by contacting the Office of the Montgomery County Board of Education.

#### References:

Policy JFA: *Student Rights and Responsibilities*

Regulation JFA-RA: *Student Rights and Responsibilities*

Policy BLB: *Rules of Procedure in Appeals and Hearings*

Policy BLC: *Procedures for Review and Resolution of Special Education Disputes*

<sup>10</sup> MCPS prohibits discrimination based on race, color, national origin, religion, ancestry, gender, age, marital status, socioeconomic status, sexual orientation, physical characteristics, or disability. Students pursuing a complaint of discrimination may contact Dr. Frank H. Stetson, chief school performance officer, Office of School Performance, 850 Hungerford Drive, Room 100, Rockville, Maryland 20850, 301-517-8258, or the Student Affairs Office, 301-670-1419, for advice and assistance.

<sup>11</sup> During any investigation of a sexual harassment complaint, the complainant is not to be required to attend a face-to-face meeting with, or confront in any way, the alleged harasser.



# Appendix—MCPS Regulations

## **MCPS Regulation ABA-RA: *Community Participation in Decision Making at the Local School***

This regulation recognizes that citizens have a direct interest in the successful operation of MCPS, especially the local school, and outlines policy and procedures for obtaining and maintaining meaningful citizen participation in local decision making. The local school discipline plan is one such important area for community participation.

## **MCPS Regulation ABC-RA: *Parent and Family Involvement***

This regulation establishes guidelines for school, field, and central office staff for working with parents/guardians to ensure a strong home-school partnership and promotes an environment that enhances the motivation, commitment, achievement, and self-worth of each student.

## **MCPS Regulation ACF-RA: *Sexual Harassment***

This regulation defines sexual harassment and sets forth the procedures that an individual shall use to report such an incident and secure assistance and support. It further identifies the actions that MCPS shall take to assure students and staff that they will not be subjected to such behavior.

## **MCPS Regulation CNA-RA: *Display and Distribution of Informational Materials and Announcements***

This regulation provides guidelines for approval and distribution of advertising materials and/or announcements or sale of products and/or services.

## **MCPS Regulation COB-RA: *Reporting a Serious Incident***

This regulation establishes the procedures to be implemented when a serious incident occurs on school property or in connection with a school-related activity.

## **MCPS Regulation COC-RA: *Trespassing or Willful Disturbance on MCPS Property***

This regulation establishes the authority of school personnel to deal with persons trespassing on MCPS property and provides procedures for enforcing the law. As stipulated in this document, students suspended from school are not permitted on school grounds unless authorized by the principal or his/her designee.

## **MCPS Regulation COE-RA: *Weapons***

This regulation sets forth the law prohibiting possession on MCPS property of weapons considered dangerous or deadly and establishes procedures to be followed when a violation of the law is observed. Weapons are defined as “. . . implements that can cause bodily harm. This includes firearms, knives, and any object used as a weapon.”

## **MCPS Regulation COF-RA: *Intoxicants on MCPS Property***

This regulation sets forth the state law that makes it unlawful for any individual to consume, possess, or distribute alcoholic beverages or controlled substances not authorized by a physician's prescription on school premises and establishes procedures and penalties for school administrators to apply if confronted with such a situation.

## **MCPS Regulation COG-RA: *Portable Communication Devices***

This regulation establishes the procedures and penalties for possession and use of portable communication devices by students who are on MCPS property or engaged in MCPS-sponsored activities.

## **MCPS Regulation ECC-RA: *Loss of MCPS Property***

This regulation establishes procedures for identifying and reporting property loss, including both accidental and malicious damage, theft of property, and fire loss or damage; deleting stolen or destroyed items from the school inventory; and obtaining restitution for property loss.

## **MCPS Regulation ECG-RA: *Student Driving and Parking Facilities***

This regulation sets forth the responsibility of principals to annually evaluate available facilities and the parking needs of students and establishes criteria for allocating parking facilities to students. The local school community is given authority to determine appropriate disciplinary action for parking violations. Students are subject to all laws and local school rules regarding driving and parking vehicles on school grounds.

## **MCPS Regulation ECI-RA: *Display of the United States and Maryland Flags***

This regulation sets forth the procedures for displaying the flags and establishes responsibility for approving opening exercises and encouraging student participation in such exercises. The regulation prohibits penalties for not participating.

## **MCPS Regulation EEA-RA: *Student Transportation***

This regulation establishes the walking distance for each grade level and lists the guidelines a principal must follow in transporting students, keeping proper records, and ensuring that proper safety precautions are taken. It establishes the procedure to be followed by a bus driver in reporting disciplinary problems and states the principal's responsibility in following through on student discipline. Transportation for special education students and students with disabilities also is addressed.

## **MCPS Regulation EKA-RA: *Emergency and Disaster Preparedness***

This regulation sets forth the procedures for the development and maintenance of the comprehensive local crisis plans, which provides for the safety of all persons in MCPS sites.

**MCPS Regulation EKC-RA: *Bomb Threats/Explosive Devices***

This regulation provides the procedures to be used in case of a bomb threat communicated to MCPS personnel or the discovery of a suspected explosive device on an MCPS site.

**MCPS Regulation IGO-RA: *Guidelines for Drug/Alcohol Abuse Counseling***

This regulation recognizes drug abuse as a serious and complex community, national, and worldwide problem and establishes a program to address the problem within MCPS. That program calls for parent/guardian and community involvement, educational and counseling opportunities for students, and cooperation with other county agencies.

**MCPS Regulation IGT-RA: *User Responsibilities for Computer Systems, Electronic Information, and Network Security***

This regulation establishes procedures and expectations for the appropriate use of computer networks, such as Outlook accounts.

**MCPS Regulation IID-RA: *Programs to be Cablecast on the MCPS Education Channels***

This regulation establishes procedures for schools and school-related organizations and departments for requesting taped or live programs to be cablecast on the MCPS education channels.

**MCPS Regulation IKA-RA: *Grading and Reporting***

This regulation promotes grades that accurately reflect student achievement by aligning grading and reporting processes with the standards-based curriculum and assessments of MCPS and the state of Maryland.

**MCPS Regulation IKB-RA: *Homework Procedures***

This regulation provides specific guidelines for homework procedures and assignments. It also defines designated religious holidays as those indicated on the Board of Education's adopted calendar and clarifies that students who have been excused from school for religious observances should have the opportunity to make up assignments.

**MCPS Regulation IKC-RA: *Grade Point Averages (GPA) and Weighted Grade Point Averages (WGPA)***

This regulation establishes procedures for determining grade point averages and weighted grade point averages and for reporting them to current and prospective employers and postsecondary institutions that require the information as part of the application and admissions process.

**MCPS Regulation IOA-RA: *Gifted and Talented Education***

This regulation establishes procedures for implementing the policy on gifted and talented education.

**MCPS Regulation IQA-RA: *Administration of the High School Interscholastic Athletic Programs***

This regulation clarifies the authority of the administration of the countywide interscholastic athletic program in Montgomery County high schools. Schedules, rules, and guidelines pertaining to all aspects of secondary school athletics are contained in the Senior High School Athletic Handbook, which is available in the principal's office and the media center of each high school.

**MCPS Regulation IQB-RA: *Extracurricular Activities***

Criteria for establishing and maintaining an extracurricular activity program are set forth in this regulation.

**MCPS Regulation IQD-RA: *Academic Eligibility for High School Students Who Participate in Extracurricular Activities***

This regulation establishes procedures for eligibility for high school students.

**MCPS Regulation IQD-RB: *Academic Eligibility for Middle School Students Who Participate in Extracurricular Activities***

This regulation establishes procedures for eligibility for middle school students.

**MCPS Regulation ISB-RA: *High School Graduation Requirements***

This regulation publishes the procedures for implementation of the state and county graduation requirements.

**MCPS Regulation JEA-RA: *Student Attendance***

This regulation sets forth the appropriate sections of law that apply to attendance, establishes responsibility for excusing and recording absences, and outlines procedures for improving attendance and for follow-up with students and parents/guardians. The regulation describes the way in which course credit may be related to excessive unexcused absences of students in Grades 9–12. Finally, the regulation establishes the responsibilities of teachers and students in making up work missed due to student absences.

**MCPS Regulation JEC-RA: *Student Withdrawals from Classes***

This regulation sets forth the procedures students must follow to withdraw from a class. It defines time frames for such actions and establishes guidelines for the assignment of grades and credit.

**MCPS Regulation JFA-RA: *Student Rights and Responsibilities***

This regulation provides procedures for the implementation of the Student Rights and Responsibilities policy.

**MCPS Regulation JGA-RA: *Classroom Management and Student Behavior Interventions***

This regulation sets forth procedures for establishing a continuum of classroom discipline and control procedures that are designed for an environment that is conducive to maintaining learning. The regulation provides specific direction concerning the principal's responsibilities in line with this document and the agreement between the Montgomery County Education Association and the Board of Education of Montgomery County.

**MCPS Regulation JGA-RB: *Suspension or Expulsion of an MCPS Student***

This regulation implements the state law governing suspension and expulsion, establishes procedures defining the responsibilities of MCPS staff, clarifies the rights of students in the process, and provides for appeals. Included are procedures regarding suspension or expulsion related to a student's disability.

**MCPS Regulation JGB-RA: *Search and Seizure***

This regulation sets forth specific guidelines to be followed whenever students and/or their possessions are subject to search and seizure for alleged infractions of law or an MCPS rule or regulation. It establishes procedures to be followed when it is necessary to take action.

**MCPS Policy JHF: *Bullying, Harassment, or Intimidation***

This policy states MCPS's commitment to an environment that is free of bullying, harassment, or intimidation so schools are a safe place in which to learn. The policy defines "bullying, harassment, or intimidation" and lays out steps for prevention and intervention, consequences and remedial actions, and procedures for reporting acts of bullying, harassment, or intimidation.

**MCPS Regulation JIA-RA: *Honor Societies and Honor Rolls in Secondary Schools***

This regulation provides procedures for establishing an honor roll system in middle and high schools, and an honor society in high schools.

**MCPS Regulation JNA-RA: *Curricular Expenses for Students***

This regulation sets forth procedures to provide all students, regardless of their economic circumstances, with full access to all courses, the instructional materials required for those courses, and the instructional program.

**MCPS Regulation JOA-RA: *Student Records***

This regulation sets forth procedures and establishes responsibilities for collecting, maintaining, and releasing information about students.

**MCPS Regulation KBA-RB: *Educational Purposes and Administration of the MCPS Web***

This regulation provides a framework for the structure and content of the MCPS web. It ensures that use of the web serves the educational purpose of MCPS and establishes controls to protect the privacy of MCPS staff and students.

**MCPS Regulation KEA-RA: *Participation in Political Campaigns and Distribution of Campaign Materials***

The criteria for student participation in political campaign activity as well as procedures for securing approval for participation are set forth in this regulation.

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*Notes*





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