

STUDENT RIGHTS POLICY

1.0 SCOPE: This rule sets the expectation that student and parental rights will be recognized throughout all schools in Barbour County.

2.0 PURPOSE: The Board of Education recognizes that students possess the right to an education and many of the rights of citizenship.

3.0 STUDENT RIGHTS:

3.1 In providing students with a free appropriate public education, the Board shall offer nurture, counsel, and custodial care appropriate to their age and maturity. The Board also recognizes that no student may be deprived of the basic right to equal access to educational programs, or his/her constitutional right to due process and free expression and association as appropriate for the school environment.

3.2 Attendant to the rights afforded to each student, however, are certain responsibilities, which include respect for the rights of others, obedience to properly constituted school authority, and compliance with the guidelines and rules of the county/school. (See Policy 8400 Student code of Conduct)

3.3 The Board realizes that as students differ in age and maturity, so they differ in ability to handle both the rights of citizens and the concomitant responsibilities. The exercise of each right shall be granted, therefore, with due regard for the degree of responsibility possessed by the student and the student's need for the continuing guidance and control of those responsible for his/her education.

3.4 Since a student who has reached the age of majority possesses the full rights of an adult, s/he may authorize those school matters previously handled by his/her parents, but s/he also assumes the responsibility for his/her performance in school, attendance, and compliance with school rules.

3.5 Student rights can be limited as determined by school officials, to ensure all students have access to uninterrupted quality education in a safe environment.

4.0 PARENTAL RIGHTS:

4.1 Parents also have the rights to know about their student's educational experience. Those rights may be exercised consistent with the provisions of West Virginia Board of Education Policy 4350 and other pertinent State and Federal law and regulation.

4.2 In addition, parents have the right to inspect any instructional materials used as part of the educational curriculum for their student. Instructional materials means instructional content, regardless of format, that is provided to the student, including printed or representational materials, audio-visual materials, and materials available in electronic or digital formats (such as materials accessible through the Internet). Instructional material does not include academic tests or academic assessments of any kind.

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(continued)

Parental Rights (continued) -

- 4.3 The Superintendent or her/his designee shall, develop a procedure addressing the right of parents as described herein and procedures to assure timely response to parental requests to review instructional material. The procedure shall also address reasonable notification to parents and students of their rights to review these materials.
- 4.4 This policy shall not supersede any rights under the Family Education Rights and Privacy Act.

5.0 Authority: 20 U.S.C. 1232h; West Virginia Board of Education Policy 4350; FERPA; W.Va. Constitution, Article XII, Section 2, W.Va. Code §18-2-5.

Adopted: 7/75

Revised: 08/10/09