

STUDENT RIGHTS AND RESPONSIBILITIES

POLICY STATEMENT

- A. The privileges and rights of all students will be guaranteed without regard to race, religion, color, gender, sexual orientation, national origin, ancestry, pregnancy, socio-economic status, parental or marital status, handicap, or learning, emotional, mental or physical disability. Discrimination complaints will be processed in accordance with established procedures.
- B. Students will have the right to advocate change of any law, policy, or regulation. Students may exercise their right to freedom of expression through speech, petition, and other lawful means. The exercise of this right may not interfere with the rights of others. Freedom of expression may not be utilized to present material which tends to be obscene or slanderous, to defame the character of others, or to advocate violation of federal, state, and local laws, or official school policies, rules and regulations.
- C. No right is absolute. Every right has its limitations. One basic limitation is this: the freedom of an individual or group to exercise rights ceases when that exercise unduly infringes upon the rights of others. Since the legitimate right of individuals may be incompatible, it is necessary to recognize that rights must be balanced to protect as many persons as possible.
- D. Teachers and students should promote tolerance for the views and opinions of others, as well as for the right of an individual to form and hold different opinions or beliefs.
- E. Each student has a right to an education. Student behavior that unduly disrupts classwork, involves substantial disorder or invades the rights of others will not be tolerated.
- F. Building principals will be responsible for preserving the rights of students consistent with law and Board policy.
- G. Each parent of a minor student has the right to inspect the survey instrument and grant permission for the surveying of minor children, the collection of student information for marketing purposes, and certain non-emergency medical examinations.

PROCEDURE

- A. Freedom of expression may not be restricted unless its exercise interferes with the orderly conduct of classes and school work.
 - 1. Buttons or other insignia may not be worn or displayed if the message is seriously disruptive to the educational process by mocking, ridiculing or deliberately demeaning others because of race, religion, gender, sexual orientation, national origin, or individual views, or to illustrate obscenity or profanity.
 - 2. No student may distribute buttons or other literature during regular school hours either in class or in the halls between classes, unless authorized by the building principal.

3. Publications not sponsored by the school may be distributed as long as they do not violate provisions of Board policy.
 4. Students distributing buttons or other literature are responsible for removing litter which may result from their activities.
 5. Failure to observe these rules may result in confiscation of the material, curtailment of the privilege, or, when necessary, disciplinary action, including suspension.
 6. Speech or actions which disrupt the work of the school or the rights of other students are unacceptable.
- B. Student petitions:
1. Students are authorized to present petitions to the school administration at any time. Collection of signatures, however, is restricted to before or after school hours.
 2. Petitions must be free of obscenities, libelous statements and personal attacks and must be within the bounds of reasonable conduct.
- C. Student participation in surveys:
1. Schools must make instructional materials available for inspection by parents if those materials will be used in connection with any U.S. Department of Education funded survey, analysis, or evaluation in which their children participate.
 2. Schools must obtain prior written parental consent before minor students are required to participate in any U.S. Department of Education funded survey, analysis, or evaluation which reveals information concerning:
 - a. Political affiliations or beliefs of the student or the student's parent;
 - b. Mental and psychological problems of the student or the student's family;
 - c. Sex behavior or attitudes;
 - d. Illegal, anti-social, self-incriminating, or demeaning behavior;
 - e. Critical appraisals of other individuals with whom respondents have close family relationships;
 - f. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
 - g. Religious practices, affiliations, or beliefs of the student or student's parent; or
 - h. Income (other than that required by law to determine eligibility for participation in a program or receiving financial assistance under such program).
 3. For surveys funded by sources other than the U.S. Department of Education, schools are required to:
 - a. Parents have the right to inspect, upon request, a survey created by a third party, or any instrument used in the collection of information from the student for the

- purpose of marketing or selling, or otherwise providing the information to others for that purpose, before the survey is administered or instrument distributed by a school to students.
- b. Arrange to protect student privacy in the event of administration of a survey or instrument to students, including the right of parents to inspect, upon request, the survey or instrument, if the survey contains one or more of the same items of information noted above.
4. The school board must directly notify parents of these rights at least annually, at the beginning of the school year. In the notification, the school board will offer an opportunity for the parents to opt out of (remove their child from) participation in the following activities:
- a. Activities involving the collection, disclosure, or use of personal information collected from the students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose.
 - b. The administration of any third party (non-Department of Education funded) survey containing one or more of the above eight items of information.
 - c. Any non-emergency, invasive physical examination or screening that is:
 - (1) Required as a condition of attendance;
 - (2) Administered by the school and scheduled by the school in advance; and not necessarily to protect the immediate health and safety of the student, or of other students.
5. The requirements concerning activities involving the collection and disclosure of personal information from students for marketing purposes do not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:
- a. Colleges or other postsecondary institutions or military recruitment;
 - b. Book clubs, magazines, and programs providing access to low-cost literacy products;
 - c. Curriculum and instruction materials used by elementary and secondary schools;
 - d. Tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students;
 - e. The sale by students of products or services to raise funds for school-related or education-related activities;
 - f. Student recognition programs;
 - g. Physical examinations and screenings that are permitted or required by state law;

- h. Surveys administered in accordance with the Individuals with Disabilities Education Improvement Act (IDEIA);
- 6. Rights provided to parents under the Protection of Pupil Privacy Act transfer from parent to student when the student turns 18 years old or is an emancipated minor under applicable state law.

LEGAL REFERENCE: Article I, Wisconsin Constitution
Section 118.13 Wisconsin Statutes
PI 9.03(1), Wisconsin Administrative Code
PL 107-110 Title X, Part F, Section 1061 (Protection of Pupil Privacy Act)

CROSS REFERENCE: