

# YOUR RIGHTS, RESPONSIBILITIES, AND CODE OF CONDUCT



2012  
2013

## STUDENT HANDBOOK



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## **Handbook Committee Chairpersons**

Patsy J. Holmes  
Glenda W. Myrick

## **Attorneys**

Margaret-Ann Howie, Esq.  
Anjanette Dixon, Esq.  
J. Stephen Cowles, Esq.

## **Layout**

Pierre I. François

## **2012-2013 Revision Committee**

Frank Abbott  
Molly Bissell  
Ari Blum  
Victoria Cofield-Aber  
Beverly Coleman  
Renee Crabbe  
E. Rusty Evans  
Thomas Evans  
Deborah Glinowiecki  
Samantha Hartzel  
Lakecia Hines  
Damien Ingram  
Nicole Joseph  
Olivia Keithley  
Dr. Margaret Kidder  
David Konkle  
Merry Macer  
Stephen Mackert  
Gail Martin  
Traci Mathena  
Debra Miller  
Kalisha Miller  
Laurel Moody  
Cynthia North  
Nancy Ostrow  
Andrew Pariser  
Dr. Joan Lavinia Parr  
Raymond O. Pluemer  
Dale Rauenzahn  
Shelia Reed  
Paul Satterfield  
Delores Tedeshi-Butler  
Gordon Webb  
R. Chris Wilde  
Dr. Lynette Woodley



## **A MESSAGE FROM OUR SUPERINTENDENT**

Baltimore County Public Schools (BCPS) is committed to providing a safe and orderly learning environment for all students. The BCPS Student Handbook 2012-2013 based on the Board of Education's Policy 5550, *Behavior*, provides you – students and parents – with the information to become partners with the school system in maintaining safe learning environments in each and every school. The handbook was developed with input from students, parents, staff, teachers, administrators, and community members. This collaborative process was important in ensuring that BCPS is responsive to our schools and communities.

The handbook emphasizes BCPS' focus on character development and the modeling of good character as a means to promote and reinforce positive student behavior. The handbook outlines the behavioral and discipline protocols established throughout the school system. Strong and consistent behavioral protocols with the necessary supports and resources for students are crucial in promoting the positive learning environment all parents expect for their children. Positive student behavior is imperative in ensuring that your children – our students – are able to learn and achieve.

Parents, take the time to review this Handbook with your child to help reinforce the importance of education and why positive student behavior is essential at all times for school success.

Working together, we will build on the school system's legacy of excellence. Our goal is to make Baltimore County Public Schools the best school system in the nation. Your children deserve the best.

S. Dallas Dance, Ph.D.  
Superintendent

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## INTRODUCTION

Baltimore County Public Schools offers many educational opportunities to prepare our students to be good, smart, creative and productive citizens and lifelong learners. The academic, career, social and emotional needs of all students are best met when there is cooperation and support among the school staff, all students, and parents. This *Student Handbook* was designed to help students understand their rights, responsibilities, and behavior expectations so that they may enjoy learning in safe and orderly environments.

Positive behavior in the school is extremely important to the maintenance of safe and orderly learning environments for all students. Without positive behavior in the school students will not reach expected achievement standards.

Each school develops its own routines, regulations, procedures, and expectations for student conduct based on the school system's *Student Code of Conduct*. Several different strategies may be used by school staff members to teach, practice, and reinforce the schoolwide code of conduct, rules, and expectations for student behavior. In maintaining positive behavior, each student is expected to adhere to the school's code of conduct; to follow all routines, regulations and procedures included in the school's positive behavior plan; and to behave appropriately. (Board of Education Policies and Superintendent's Rules 5500 and 5510).

## CHARACTER EDUCATION

### Character Development

Character development is an important element of Baltimore County Public Schools' continuous school improvement process. Character development is to be included in all instructional programs for all students. The modeling of good character is expected of all staff and students because it is a powerful means of developing and reinforcing positive character in schools. Students who exhibit good character contribute to safe and orderly schools, to student achievement, and to positive student and staff morale (Board of Education Policy and Superintendent's Rule 5510).

Character development includes the study and practical application of ethics and codes of conduct acceptable for society. It provides opportunities to develop skills necessary to determine right from wrong, to understand consequences, and to make appropriate choices. Developing good character should be an ongoing process.

The following are Baltimore County Public Schools' character objectives:

1. To develop the wisdom and good judgment to make reasoned decisions.
2. To develop a sense of justice that is informed by fairness, honesty, and civility.
3. To develop and demonstrate respect for self, respect for others, and respect for property.
4. To demonstrate tolerance and understanding of others regardless of race, gender, ethnicity, disability, national origin, religion, creed, socio-economic status, marital status, pregnancy, personal record, sexual orientation, or political belief.
5. To demonstrate compassion for others through the development of empathy, kindness, and service.
6. To demonstrate discipline and responsibility by exhibiting self-control and the willingness to admit mistakes and correct them.
7. To develop a positive attitude that reflects hope, enthusiasm, flexibility, and appreciation.
8. To demonstrate pride in oneself and others by doing the best for self, family, school, and community and by respecting the achievements of others.
9. To exhibit personal and academic integrity through honesty, expressing beliefs in appropriate ways, and working to one's full potential.

## SCOPE OF AUTHORITY

This behavior code applies to all students enrolled in Baltimore County Public Schools (BCPS). The provisions of this policy apply in all situations in which students are involved, including:

1. All school-sponsored activities on property owned or leased by the board or held off of school grounds, including but not limited to: field trips, extracurricular activities, social events.
2. Travel on school buses or other official means of transportation.
3. On-site or off-site school-related problems which are the result or cause of disruptive behavior on school grounds.

A student may be subject to disciplinary responses when he or she commits an act or acts away and apart from school and school property that can be shown to pose a threat or danger to the safety of other students, staff, or school property and/or that the act or acts prevent the orderly delivery of the instructional program at school (Board of Education Policy 5550).

## STUDENTS' RIGHTS AND RESPONSIBILITIES

The following is a short outline of Students' Rights and Responsibilities. For the complete explanation of Students' Rights, see Policy and Rule 5600 and the Appendix of this handbook.

### Rights and Responsibilities

- Attendance
- Discipline Action
- Due Process
- Grievance
- Privacy of Records
- Student Expression
- Student Activities, Student Governance, Student Use of Facilities
- Personal Property Searches
- Non-discrimination

### Protections of Pupil Rights Amendment

The Protection of Pupil Rights Amendment (20 U.S.C. § 1232h) gives to parents, and students who are 18 or emancipated minors, certain rights regarding surveys, the collection and use of information for marketing purposes, and certain physical exams. These rights include the right to consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey"), if the survey is funded in whole or in part by a program of the United States Department of Education. These areas are:

1. Political affiliations or beliefs of the student or the student's parent.
2. Mental or psychological problems of the student or the student's family.
3. Sex behavior or attitudes.
4. Illegal, anti-social, self-incriminating, or demeaning behavior.
5. Critical appraisals of other individuals with whom respondents have close family relationships.
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers.
7. Religious practices, affiliations, or beliefs of the student or of the student's parents.
8. Income other than that required by law to determine program eligibility for participation in a program or for receiving financial assistance under such program.

The right to *receive notice* and an *opportunity* for a student to *opt out of*:

1. Any other protected information survey, regardless of funding.
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health or safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening required under State Law.
3. Activities involving the collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

The right to *inspect*, upon request, and before the administration or use:

1. Protected information surveys of students.
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes.
3. Instructional material used as part of the educational curriculum.

Baltimore County Public Schools will notify parents and eligible students of their rights annually. Parents or eligible students who believe that their rights have been violated may file a complaint with:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5920

## ANNUAL NOTIFICATION OF PARENTS' RIGHTS

### **Release of Directory Information and New Photography Release**

State law affords parents and a student who is 18 years old or attending an institution of post-secondary education ("eligible student") certain rights with respect to the student's education record. In accordance with the law, Baltimore County Public Schools (hereinafter, "BCPS") is providing parents and eligible students with this Annual Notification of Rights.

### **Confidentiality**

Parents or eligible students have the right to consent to disclosure of personally identifiable information contained in the student's education record, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. "School official" is defined as those individuals employed by, or a person or company contracted by the school system, who has a legitimate educational interest in a student record in order to fulfill professional or job responsibilities, as determined by BCPS. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, BCPS will disclose, without consent, a student's education record to another school or school system in which the student seeks or intends to enroll.

### **Directory Information**

FERPA requires that BCPS, with certain exceptions, obtains written consent prior to the disclosure of personally identifiable information from a student's education record. However, BCPS may disclose appropriately designated "directory information" without written consent, unless advised to the contrary as outlined below.

The following information has been designated by BCPS as "directory information" and can be released without parental consent: student's name, address, date of birth, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received.



Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's or eligible student's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws<sup>1</sup> require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide to *military recruiters*, upon request, name, address, and telephone listing — *unless the parent or eligible student has advised the LEA that they do not want this information disclosed without their prior written consent*.

You may refuse disclosure by completing and returning the *Parental Privacy Preference Opt-Out Form for Directory Information* or by putting your request in writing and sending it to the principal by October 1 of each school year or within 30 days of your child's enrollment in school. The opt-out form was mailed to you in your child's back-to-school information packet. The form is also available to you at your child's school and may be obtained on the Baltimore County Public Schools' Web site at [www.bcps.org](http://www.bcps.org) under the Office of Student Support Services page.

If you do not return a completed opt-out form or send your request in writing to opt-out, then you are giving BCPS permission to release your child's directory information. Additionally, if no opt-out form or written request is on file with your child's school, your child's name, address, and telephone number will be released to United States military recruiters and to institutions of higher education upon request.

<sup>1</sup> *Section 9528 of the ESEA (20 U.S.C. 7908), as amended by the No Child Left Behind Act of 2001 (20 U.S.C. 6301, et seq.), and 10 U.S.C. 503, as amended by section 544, the National Defense Authorization Act for Fiscal Year 2002 (10 U.S.C. 503), the legislation that provides funding for the Nation's armed forces*

### **Access to Records**

All BCPS' students' records shall be available to parents or eligible students for review and inspection in conferences with appropriate school personnel. If a student is 18 years of age or older, rights afforded to and required of the parent shall thereafter only be afforded to and required of the student. Maryland law provides that a student's education record may be released by BCPS to other educational or specified governmental agencies, to a person involved in approved research projects, to comply with a judicial order or a lawfully issued subpoena, or in a health or safety emergency (Superintendent's Rule 5230; *Student Records*).

### **Request to Amend a Student's Record**

If a parent or eligible student believes that a student's record is inaccurate, misleading, or violates the privacy rights of the student, he/she may make a written request of the school principal to amend the record. The request must be made in writing to the school principal; clearly identify the part of the record to be changed; and specify why it is inaccurate, misleading, or a violation of the student's privacy. If the principal denies the request, the principal will notify the parent or eligible student in writing of his/her decision and of the procedures for appealing the decision (Superintendent's Rule 5230, *Student Records*).

### **BCPS Review of a Student's Record**

A parent or eligible student has the right to inspect and review the student's education record within 45 days after the principal receives a request for access. A parent or eligible student should submit to the school principal a written request that identifies the education record he/she wishes to inspect. The school principal, or his/her designee, will make arrangements for access and notify the parent or eligible student of the time and place where the student's record may be inspected.

### **Videotaping on School Property Including School Buses**

BCPS possesses the ability to videotape students on school property and to videotape students (including audiotape) while on its school buses. At the discretion of the superintendent or his designee, videotapes may be used for disciplinary purposes.

# TELECOMMUNICATIONS ACCEPTABLE USE POLICY FOR STUDENTS

Telecommunications extend the classroom beyond the school building by providing access to information resources on local, state, national, and international electronic networks, such as the Internet. For students, telecommunications use in Baltimore County Public Schools is for educational purposes, such as accessing curriculum-related information, sharing resources, and promoting innovation in learning. No personal use of any kind is permitted.

As set forth in Board of Education Policy 6202: *Telecommunications Access to Electronic Information, Services, and Networks*, students shall use telecommunications for educational purposes only.

Students shall be held responsible for appropriate behavior as specified in the terms and conditions below. Signing of the *Telecommunications Acceptable Use Policy* Form (see page 27) verifies that students understand and will abide by the policy.

## Information Available

- Government publications and databases
- Museums and multimedia collections
- Maps and other geographic resources
- Encyclopedias and dictionaries
- Magazines and newspapers
- Library catalogs and community directories
- Homework and other assignments
- Virtual reference services

## Telecommunications Safety

Precautions will be taken to attempt to ensure that the Internet is a safe learning environment. Students will be supervised while using the Internet and will be instructed in the appropriate and safe use, selection, and evaluation of information. Also, software which attempts to block access to objectionable material will be accessible on computer networks used by students as required by the Children's Internet Protection Act.

## Disclaimer

The accuracy and quality of the information cannot be guaranteed. No warranties for telecommunications access are expressed or implied; BCPS will not be responsible for any information that may be lost, damaged, or unavailable due to technical or other difficulties.

## Terms and Conditions

### Students shall:

- ✓ Use telecommunications for educational purposes only.
- ✓ Communicate with others in a courteous and respectful manner.
- ✓ Maintain the privacy of an individual's personal information such as address, phone number, password(s), and respect the same privacy of others.
- ✓ Use only telecommunication accounts and passwords provided by BCPS.
- ✓ Report any incident of harassment to the supervising employee.
- ✓ Comply with copyright laws and intellectual property rights of others.
- ✓ Agree to the review of communications, data, and files by Baltimore County Public Schools.
- ✓ Report violations of this *Telecommunications Acceptable Use Policy* to the supervising employee.

### Students shall not:

- ✗ Knowingly enter unauthorized computer networks or software to tamper with or destroy data.
- ✗ Bypass the school system's filtering server.
- ✗ Access or distribute abusive, harassing, bullying, libelous, obscene, offensive, profane, pornographic, threatening, sexually explicit, or illegal material.
- ✗ Install unauthorized software on computers.
- ✗ Use telecommunications for commercial, purchasing, or illegal purposes.
- ✗ Use telecommunications in any other manner that would violate the school board's disciplinary policies.

## **Penalties**

Violations of the *Telecommunications Acceptable Use Policy* may be a violation of law, civil regulations, or Board of Education Policies and Superintendent's Rules 5550, 5560, and 6202. Suspension of telecommunications privileges, school disciplinary action, and/or legal action may result from infringement of this policy.

# **TELECOMMUNICATIONS PARENT NOTIFICATIONS**

## **Use of Electronic Images During School-Sponsored Activities and/or Learning Experiences**

BCPS shall permit photographs, videos, and/or sound recordings of students taken during school-sponsored activities and/or learning experiences to appear in, but not be limited to, a school – or system – level Web site, pod cast, video production, the Education Channel production or broadcast, and commercial news broadcast media.

## **Publication of Student's Intellectual Property During School-Sponsored Activities and/or Learning Experiences**

BCPS shall publish/produce student's intellectual property created during school-sponsored activities and/or learning experiences to appear in, but not be limited to, a school – or system – level Web site, pod cast, video production, the Education Channel production or broadcast, and commercial news broadcast media.

## **News/Photography**

Students may be photographed, videotaped, and/or audiotaped while participating in school-sponsored activities and/or learning experiences when such activities are of interest to the news media. School staff will monitor all media activities in schools. School administrative staff will deny access to news media if their presence is deemed disruptive to the school day or to students or if photographing, videotaping, and/or audiotaping students are not appropriate, given the nature of a particular news story.

## **Opting Out**

If you do not want your child to participate in the use of telecommunications; do not want your child photographed, videotaped, and/or audiotaped during school-sponsored activities and/or learning experiences; or do not want your child's intellectual property published, produced, and/or displayed, you must opt out.

**To opt-out means you do not want the student to use telecommunications and/or you do not want the student's intellectual property published/produced/displayed anywhere.** You must put your request in writing or complete the *Opt-Out Form for Telecommunications and Intellectual Property* and send your requests to your child's principal by October 1 of this school year or within 30 days of your child's enrollment in school. If you do not express your preferences, you are giving your child permission to use telecommunications and you are giving BCPS permission to publish/produce/display your child's intellectual property.

The opt-out form was mailed to you in your child's back-to-school information packet. The form is also available to you at your child's school and may be obtained on the Baltimore County Public Schools' Web site at [www.bcps.org](http://www.bcps.org) on the Department of Student Support Services page.

# STUDENT BEHAVIOR

## Student Dress Code

The student dress code outlines acceptable standards for student dress during the school day and during other school-sponsored activities (Board of Education Policy and Superintendent's Rule 5520).

Students will wear attire and groom themselves in a manner that supports a healthy and safe learning environment.

Students will not wear attire that is disruptive to the school environment, that promotes illegal or harmful activities, or that could endanger the health and safety of the student or other students, which includes, but is not limited to, that which:

1. Depicts messages that are lewd, vulgar, obscene, plainly offensive, violent, sexually explicit; or that references items that are illegal in general or illegal specifically for underage students.
2. Promotes use of tobacco, drugs, alcohol, or other illegal or harmful products.
3. Contains sexually suggestive messages.
4. Depicts gang affiliation.
5. Causes or is likely to cause a substantial or material disruption to school activities or the orderly and safe operation of the school or at school-sponsored activities.
6. Contains rude, disrespectful, or discourteous expressions inconsistent with civil discourse and behavior.

The following specific items are not permitted, except in individual cases as approved by the principal of the school:

1. Bare feet.
2. Headwear, except as worn for medical reasons or as a legitimate expression of a student's religious practice and faith.

## Unauthorized Persons

The Board of Education, Board president, superintendent, principal, or a person designated in writing by any of the above has the right to seek the immediate removal of unauthorized persons from the school property. An unauthorized person is one who is described as a person who "does not have lawful business to pursue at the school or who acts in a manner that disrupts or disturbs the normal educational function of the institution." This includes students who are under suspension, reassignment, or expulsion. Reassigned or expelled students may receive counseling services at the schools from which they have been reassigned or expelled after obtaining special permission from the principals of those schools.

The principal has the authority to tell an unauthorized person that he or she cannot come on school property at any time, thus barring him or her from school premises. This includes all school-sponsored activities, on or off campus. If a person has been barred by the principal, he or she is subject to immediate arrest if he or she fails to leave or returns after being told by the principal or his/her designee that he or she is barred. Staff members may ask for identification from any person and may ask him or her why he or she wishes to come onto school property. Further, they may ask an unauthorized person to leave. If a person previously barred by the principal is asked to leave by a staff member, he or she must do so or be subject to arrest.

## Student Bullying, Harassment, or Intimidation

A person is bullied when he/she is exposed to intentional negative actions on the part of one or more students, and whose ability to participate in or benefit from the school's educational programs or activities is adversely affected. Bullying often occurs repeatedly and over time.

A person is harassed when he/she perceives or actually experiences discomfort with identity issues in regard to race, color, national origin, gender, disability, sexual orientation, religion, or other identifying characteristics,

and whose ability to participate in or benefit from the school's educational programs or activities is adversely affected.

A person is intimidated when he/she is subjected to intentional action that seriously threatens and induces a sense of fear and/or inferiority, and whose ability to participate in, or benefit from, the school's educational programs or activities is adversely affected.

Bullying, harassment, or intimidation is strictly prohibited by federal law and will not be tolerated in Baltimore County Public Schools (Board of Education Policy and Superintendent's Rule 5580).

Students who engage in behaviors that constitute bullying, harassment, or intimidation will be disciplined according to the procedures set forth in this *Student Handbook* and the *Education That Is Multicultural Bylaw* which states that "throughout Maryland in every local school system, educational efforts in curriculum, instruction, and assessment must reflect multicultural education."

Students may report bullying, harassment, or intimidation without fear of harmful consequences. Students, parents, close adult relatives, and/or staff may complete a **Bullying, Harassment, or Intimidation Reporting Form**. This form may be obtained from a school principal, the principal's designee, or on the Baltimore County Public Schools' Web site at [www.bcps.org](http://www.bcps.org) under Students, Parents, and the Office of Student Support Services. Completed forms should be given to the principal of the school or the principal's designee.

### **Gang Activity and Similar Destructive or Illegal Group Behavior**

Baltimore County Public Schools prohibits gang activity and similar destructive or illegal group behavior on school property, on school buses, or at school-sponsored events.

Therefore, students shall not engage in any act furthering the interest of any gang or gang activity including, but not limited to, the following:

- Soliciting, with or without coercion, membership in, or affiliation with, any gang.
- Painting, writing, or otherwise inscribing gang-related graffiti, messages, symbols or signs on school property.
- Engaging in violence, extortion, or any other illegal act or other violation of school discipline policies in furtherance of gang activity.
- Soliciting any person to engage in physical violence against another person in furtherance of gang activity.

Students who violate Board of Education Policy and Superintendent's Rule 5551 shall be subject to the student discipline code, Board of Education Policy and Superintendent's Rule 5550, as well as any applicable criminal or civil penalties.

### **Student Use and Possession of Tobacco**

The school buildings and grounds of the Baltimore County Public Schools are tobacco-free. The sale, use, or possession of tobacco in any form is prohibited in all BCPS buildings, grounds, and at any school-sponsored activities. As described in Board of Education Policy and Superintendent's Rule 5530, administrators will process violations in a given school year on a four-step progression:

1. **First offense** – hold a conference with student and parent.
2. **Second offense** – hold a conference with student and parent and student may be suspended.
3. **Third offense** – student may be suspended.
4. **Fourth and subsequent offenses** – hold a conference with student and parent, student may be suspended for up to 10 days and referred to the superintendent or his designee for an alternative education program assignment.

**Medication: Prescription and Non-Prescription**

Students who require medication during the school day must provide the school nurse with an order from a licensed health care provider and deliver the medication to the school nurse in a pharmacy-labeled container. All medication is administered by the school nurse or a trained staff person. Written permission from the school nurse, parent, and health care provider is required before a student may carry an emergency medication such as an inhaler or EpiPen. School nurses may administer certain non-prescription medications for certain conditions (e.g., headache) with parent permission.

**Voluntary Admission of Drug Use**

If a student who is neither under the influence nor in possession of drugs voluntarily acknowledges drug use, it is possible that the student is asking for help. Therefore, punishing the student may not help that student and could discourage other students from admitting that they have drug problems. Under current law, there is no need to report the matter to the police. Support and resources will be offered to help the student with the problem.

**Alcoholic Beverages and Drugs**

As set forth in Policy 5540, the possession, use, distribution, or conspiracy to distribute alcoholic beverages or illegal drugs in any quantity is prohibited on school property owned by the Board of Education, on school buses, or at off-site, school-sponsored activities. The possession, use, or distribution of controlled paraphernalia as outlined in the *Criminal Law Article of the Annotated Code of Maryland* is prohibited on school property or at off-site, school-sponsored activities. Students who violate the provisions of Board of Education Policy 5540, *Alcoholic Beverages and Drugs*, may be suspended, assigned to an alternative program, or expelled in accordance with the procedures outlined in Board of Education Policy and Superintendent's Rule 5560, *Suspension or Expulsion*.

Definitions for alcoholic beverages, other illegal substances, and paraphernalia are found in the *Board of Education Policy 5540*. Board Policies and Superintendent's Rules are available on the BCPS Web site at [www.bcps.org](http://www.bcps.org).

**Drug Education, Counseling, and Detection**

All school personnel must be aware of the distinction between students who are violating the law and those who are seeking help. The law regarding drug abuse clearly provides penalties for convicted violators. Members of the school community are subject to these laws on and off school grounds. School personnel have the same responsibility as every other citizen to uphold the law.

**Required Counseling and Education**

Before being readmitted to the day school program of instruction, all students reassigned or disciplinarily removed for drug and/or alcohol offenses must fulfill the following requirements:

1. Success in an alternative program.
2. Participation in a drug and alcohol screening process conducted by the Baltimore County Bureau of Behavioral Health. The level of counseling will be determined by the outcome of the screening.
3. Successful attendance and completion of a mandated counseling and drug education program prior to readmission to the regular day school program.

**Presence of Material Evidence**

If suspected illegal drugs are found by school personnel, the matter, as required by law, must be reported to the Baltimore County Police Department by informing the school resource officer in the secondary school or by dialing 9-911 to request a police officer to take possession of the illegal drug.

# STUDENT CODE OF CONDUCT

## PHILOSOPHY

The Baltimore County Public School System expects all students to put forth their best efforts during the educational process. To accomplish this, students must recognize their individual responsibilities and they must behave in accordance with Baltimore County Public Schools' Student Code of Conduct (Board of Education Policy 5500).

### **STUDENT CODE OF CONDUCT – ALL BCPS STUDENTS WILL:**

- A. Attend school daily unless there is a lawful purpose for being absent.
- B. Engage in learning activities.
- C. Bring to school only those items and materials that are appropriate for their education programs.
- D. Demonstrate positive behavior and language and respect the personal, civil, and property rights of others.
- E. Accept responsibility for their actions and education while abiding by established Board of Education policies, superintendent's rules, and a school's procedures.

### **STANDARD**

- A. The codes of conduct for school campuses shall apply to all off-site school-sponsored activities.
- B. All school personnel are expected to effectively deal with students whose behaviors inhibit their own education or unduly hinder others from learning.
- C. The Board of Education recognizes the school system's responsibility to give all reasonable support and assistance to teachers with respect to the maintenance of control and discipline in the classrooms.

## CATEGORIES OF INTERVENTIONS, SUPPORTS, AND RESPONSES FOR VIOLATIONS OF THE CODE OF CONDUCT

As with any incident of student behavior, school administrators must exercise informed judgment as to whether a student's actions constitute a violation of the Board policy and/or Code of Conduct. The categories shown on the following pages are designed to guide administrators to use progressive interventions and responses to teach or motivate students to change their behaviors. Moreover, if a behavior is deemed a criminal offense by local authorities and such offense is not identified in the Code of Conduct, the consequence may be reassignment or expulsion to an alternative program. Restitution for loss or damage will be required in addition to any other prescribed consequences.

Student disciplinary offenses and the responses to them are divided into three categories. Each category represents progressively more serious offenses; therefore, interventions, supports, and consequences used should be designed to improve the student's behavior or to prevent the student's behavior from continually interrupting the safe and orderly learning environment for other students. Behavior offenses, interventions, supports, and disciplinary responses are outlined below. Students who take part in inappropriate behaviors are subject to discipline that may range from staff/ administrative responses to expulsions according to the procedures outlined in Board Policy and Superintendent Rule 5560. **School administrators have the authority to review and assess each individual situation to determine, if any, the type and number of interventions and supports to use prior to any disciplinary action being taken.**

# **C**ategory I Offenses

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Disruptive acts of misconduct as determined by school staff that interfere with the orderly conduct of the activities, administration, or classes of a school; a school-sponsored activity; or while being transported to and from school or school-sponsored activities. **CATEGORY I** offenses (Board of Education Policy and Superintendent Rule 5550, *Disruptive Behavior*) are listed below; followed by a suggested list, not all inclusive of interventions, supports, and disciplinary responses that may be used when students commit **CATEGORY I** offenses.

## **ARSON/FIRE/EXPLOSIVES**

- a. Possession and/or igniting of matches or lighters (when not a part of the instructional program)

## **ATTACKS/THREATS/FIGHTING**

- b. Fighting

## **ATTENDANCE (IN-SCHOOL SUSPENSION ONLY)**

- c. Leaving school grounds without permission
- d. Unexcused lateness (class/classes)
- e. Unexcused lateness (school day)
- f. Unexcused absence or truancy (class/classes)
- g. Unexcused absence or truancy (school day)

## **DANGEROUS SUBSTANCES**

- h. Nonprescription violation (possession of nonprescription medications)
- i. Use and/or possession of tobacco or cigarette rolling paper

## **DISRESPECT/INSUBORDINATION**

- j. Failure to follow a direction such as, but not limited to, failure to report to office when directed by school staff to do so
- k. Harassment (nuisance phone calls to students or staff members; continued comments or passing of unofficial notes to another individual that he/she does not wish to hear or receive)
- l. Refusing to cooperate with school rules and regulations
- m. Refusing to cooperate with school transportation regulations
- n. Refusing to do assigned work

- o. Refusing to serve detention
- p. Using obscene or abusive language

## **PERSONAL HEALTH**

- q. Personal health, when a student knowingly uses his or her state of health to threaten the health of others

## **OTHER**

- r. Academic dishonesty (cheating on tests, copying term papers, forging signature of teacher and/or parent/guardian)
- s. Gambling
- t. Unauthorized sale or distribution in school of items, goods, or services not related in any way to the school operation (e.g., sale of football pools)
- u. Use of personal telecommunication/electronic communication devices, such as cell phones, tablets, or any wireless or cellular communication device, except when the use of the device is authorized by, and under the supervision of, the classroom instructor and used in conjunction with the instructional program. At all other times, personal telecommunication/electronic communication devices must be **turned off** and **must not** be carried in a **visible** manner. The ban on the use of personal telecommunication/electronic communication devices applies to buses used for all school-related activities. All other uses of such devices require the advance prior approval of the principal.



## **SUGGESTED INTERVENTIONS AND SUPPORTS FOR CATEGORY I OFFENSES:**

- a. Use proximity control to keep students on task.
- b. Pre-correct individual student's behavior.
- c. Use nonverbal cues/signaling.
- d. Conduct in-class conference with student.
- e. Determine root causes and functions of student misbehavior and respond appropriately.
- f. Teach, practice, and reinforce positive replacement behaviors.
- g. Provide special work assignment.
- h. Provide movement breaks between low-energy activities for individual students as deemed appropriate.
- i. Use think chair, time-out chair, or reflection area in the classroom.
- j. Require the student to complete a written reflection/apology for misbehavior.
- k. Provide choices for learning activities and behavior.
- l. Use student behavior strategies, progress reports, behavior contracts, and/or behavior point sheets.
- m. Use goal setting paired with acknowledgment of improved behavior for individual student.
- n. Assign a student buddy supporter.
- o. Recommend peer mediation support.
- p. Recommend conflict resolution support.
- q. Withhold student privilege(s).
- r. Contact student's parent.
- s. Hold a parent and student conference.
- t. Assign detention (parent contact mandatory).
- u. Provide small group character-building and social skills training.
- v. Refer student to student support services staff for support.
- w. Give student a timeout with adult supervision.
- x. Refer student to student support team (SST).
- y. Develop and implement or review and revise student support plan for eligible student that includes interventions, supports, or strategies designed to help the student to behave appropriately.
- z. Develop and implement, or review and revise, a 504 Plan for eligible student, including behavioral accommodations as deemed necessary.
- aa. Conduct functional behavioral assessment (FBA) and, if student is eligible, develop a behavior intervention plan (BIP).
- bb. Review and revise a student's existing BIP.
- cc. Refer eligible student to individual education program (IEP) team.
- dd. Develop and implement IEP for eligible student.
- ee. Include behavior interventions, supports, or strategies as supplementary aides and services in the student's IEP if deemed necessary.

## **RANGE OF POSSIBLE DISCIPLINARY RESPONSES FOR CATEGORY I:**

- a. Suspend student temporarily from bus transportation for bus-related offenses.
- b. Exclude the student from participating in extracurricular/co-curricular programs or activities (temporarily or permanently).
- c. Assign student to Saturday school.
- d. Assign student an in-school suspension.
- e. Suspend student from school when appropriate interventions or supports did not result in positive behavior changes by the student.
- f. Warn student and parent of **CATEGORY II** disciplinary action.

## **C**ategory II Offenses

**Examples of offenses for which the student may be suspended, assigned to an alternative program, and which may result in expulsion (Board of Education Policy and Superintendent's Rule 5550, *Disruptive Behavior*):**

More serious acts of misconduct as determined by school administrators that interfere with the orderly conduct of activities, administration, or classes of a school; a school-sponsored activity; or while being transported to and from school or at school-sponsored activities. **CATEGORY II** offenses (Board of Education Policy and Superintendent Rule 5550, *Disruptive Behavior*) are listed below; followed by a suggested list, not all inclusive of interventions, supports, and disciplinary responses that may be used when students commit **CATEGORY II** offenses.

### **ARSON/FIRE/EXPLOSIVES**

- a. Fire alarm/false fire report
- b. Possession and/or detonation of an incendiary or explosive material or device, including live ammunition (firecracker or greater)

### **ATTACKS/THREATS/FIGHTING**

- c. Extortion or taking money or possessions from another student(s) by threat or causing fear and intimidation
- d. Physical attack(s) on a student
- e. Threat(s) on individual(s)

### **DANGEROUS SUBSTANCES**

- f. Distribution, attempt to distribute, or possession with the intent to distribute a non-controlled substance that is represented as a controlled dangerous substance
- g. Non-prescription violation (misuse of non-prescription medications) including failure to have medications administered by school nurse or delegated personnel
- h. Possession, use, or distribution of controlled dangerous substance and/or drug paraphernalia
- i. Prescription violation (possession of prescribed medication)
- j. Purchase of a non-controlled substance that has been represented to be a controlled dangerous substance
- k. Use and/or possession of tobacco or cigarette rolling paper, repeated offense

### **DISRESPECT/INSUBORDINATION**

- l. Conspiracy or planning between two or more persons to commit a Category III offense

- m. Disruptive behavior that results in the interference with the normal school program, including repeated Category I or II offenses
- n. Bullying, harassment, or intimidation for any reason
- o. Interfering with another student's right to attend school or classes
- p. Participating in and/or inciting a school disruption

### **SEX OFFENSES**

- q. Inappropriate behavior of a sexual nature
- r. Indecent exposure

### **WEAPONS**

- s. Possession of a look-alike weapon of any kind
- t. Possession of a pocket knife

### **OTHER**

- u. Destruction and/or vandalism of school property, personal property of students and/or faculty. This includes receipt, sale, possession, or distribution of property stolen from Baltimore County Public Schools. Restitution is required, either monetary or school work project.
- v. Exchange of money for an illegal purpose
- w. Reckless endangerment resulting in injury to a person
- x. Theft and/or knowingly possessing stolen property
- y. Trespassing
- z. Violation of the *Telecommunications Acceptable Use Policy*
- aa. Violation of the gang policy by confirmed involvement in gang activities.

## **SUGGESTED INTERVENTIONS AND SUPPORTS FOR CATEGORY II OFFENSES:**

- a. Use appropriate interventions and supports from **CATEGORY I**.
- b. Contact parent (mandatory).
- c. Hold a parent and student conference.
- d. Require student to return property, pay for property, pay restitution for property damages, or assign student to an approved supervised service to school.
- e. Exclude the student from participating in extracurricular/co-curricular programs or activities (temporarily or permanently).
- f. Review and revise the 504 Plan for eligible student, including behavioral accommodations as deemed necessary to help improve student's behavior.
- g. Review and revise the Behavior Intervention Plan for student as deemed necessary to help improve student's behavior.
- h. Review and revise the student's IEP as deemed necessary to help improve student's behavior.
- i. Offer student supervised campus clean-up as an alternative to suspension.
- j. Use community partners and interagency partners to provide support and resources to student to help improve behaviors.
- k. Refer two or more students to the Conflict Resolution Center of Baltimore County for a community conference to resolve a conflict.
- l. Refer student to pupil personnel worker for support in changing behavior.
- m. Refer student to superintendent's designee for a program review.
- n. Warn student of **CATEGORY III** disciplinary action.

## **RANGE OF POSSIBLE DISCIPLINARY RESPONSES FOR CATEGORY II OFFENSES:**

- a. Exclude the student from participating in extracurricular/co-curricular programs or activities (temporarily or permanently).
- b. Assign student to an in-school suspension.
- c. Suspend student temporarily from bus transportation for bus-related offenses.
- d. Suspend student to pupil personnel worker (PPW).
- e. Suspend student from school.
- f. Suspend student to the superintendent's designee with the recommendation for reassignment to an alternative program when deemed appropriate by the school administrator.

# **C**ategory III Offenses

**Examples of offenses that may result in assignment to an alternative program or expulsion  
(Board of Education Policy, 5550, *Disruptive Behavior*):**

The most serious acts of misconduct as determined by a school administrator. Students who commit these offenses **may** be suspended from school and/or to the superintendent's designee with the recommendation for reassignment to an alternative program or expulsion and transfer to an alternative program. Major acts of misconduct must be reported to the school administrator immediately after the incident and may result in the immediate removal of a student from the school. **CATEGORY III** offenses (Board of Education Policy and Superintendent Rule 5550, *Disruptive Behavior*) are listed below; followed by a suggested list, not all inclusive of interventions, supports, and disciplinary responses that the school administrator may use when students commit **CATEGORY III** offenses.

## **ARSON/FIRE/EXPLOSIVES**

- a. Arson (expulsion only)
- b. Bomb threat

## **ATTACKS/THREATS/FIGHTING**

- c. Striking a staff member who is intervening in a fight or other disruptive activity (intentional or unintentional)
- d. Physical attack(s) on a staff member (expulsion only)
- e. Violent behavior that creates a substantial danger to persons or property

## **DANGEROUS SUBSTANCES**

- f. Distribution and/or sale of alcohol
- g. Distribution and/or sale of controlled dangerous substances (illegal drugs) (expulsion only)
- h. Possession of alcohol
- i. Possession of controlled dangerous substances (illegal drugs)
- j. Prescription violation (misuse of prescribed medications) including failure to have medications administered by school nurse or delegated personnel
- k. Use of a controlled dangerous substance (illegal drugs), under the influence of a controlled substance, or showing evidence of having used a controlled substance
- l. Use of alcohol, under the influence of alcohol, or showing evidence of having consumed alcohol
- m. Use of any intoxicants which causes a loss of self-control or inebriation and which shall include glue and solvents

## **SEX OFFENSES**

- n. Sexual assault (expulsion only)

## **WEAPONS**

- o. Possession and/or use of a firearm on school property (one-year expulsion)
- p. Possession or use of any other gun or rifle (loaded or unloaded, operable or inoperable) which shall include, but not be limited to: pellet gun, paintball gun, stun gun, BB gun, flare gun, nail gun\* (expulsion for use)
- q. Possession or use of a real weapon of any kind which shall include, but not be limited to: switchblade knife, hunting knife, star knife, razors (including straight or retractable razor), nunchaku, spiked glove, spiked wristband, any mace derivative, tear gas device, or pepper spray product (expulsion for use)
- r. Use of a look-alike gun or rifle (loaded or unloaded, operable or inoperable)\*
- s. Use of a look-alike weapon of any kind which shall include, but not be limited to: switchblade knife, hunting knife, star knife, pocket knife, razors (including straight or retractable razor), nunchaku, spiked glove, or spiked wristband
- t. Use of a pocketknife or any object as a weapon

## **OTHER**

- u. Robbery

\* **Exemption:** The use of permanently inoperable or wooden look-alike rifles by JROTC or color guard/marching band students shall not be a violation of this policy during instructional time and at any other times when under the direct supervision of JROTC or color guard/marching band instructors.

### **SUGGESTED INTERVENTIONS AND SUPPORTS FOR CATEGORY III OFFENSES:**

- a. Use appropriate interventions from **CATEGORIES I AND II**.
- b. Contact parent (mandatory).
- c. Hold required parent and student conference.
- d. Contact police if a clear violation of the law is committed that is not ordinarily handled by the school administrator.
- e. When returning to home school from an alternative program assignment, in cooperation with the alternative program staff, develop and implement the student's transition plan.

### **RANGE OF POSSIBLE DISCIPLINARY RESPONSES FOR CATEGORY III OFFENSES:**

- a. Exclude student from participating in extracurricular/co-curricular programs or activities (temporarily or permanently).
- b. Suspend student from school.
- c. Suspend student to the superintendent's designee with the recommendation for reassignment to an alternative program or expulsion and transfer to an alternative program.
- d. Refer student to an appropriate Baltimore County agency (mandatory for arson and criminal activities).
- e. Require student to complete mandatory substance abuse program for drug, alcohol, and/or tobacco violations.

## **DUE PROCESS DURING STUDENT DISCIPLINARY ACTIONS**

### **Short-term Suspension**

The principal of each school, in accordance with Board of Education Policies and Superintendent's Rule 5560, shall have the right to suspend temporarily, for cause, any student in the school under his/her direction.

Due process requires that prior to any suspension, a student shall receive verbal or written notification of the charges against him/her, the conduct which forms the basis of the charges, and the policy, rule, or regulation violated. If the student denies the charges, he/she shall have the right to an explanation of the evidence supporting the charge and an opportunity to present his/her side of the story. A student whose presence in school poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process may be immediately removed from school provided that, as soon as practical thereafter, the student shall be informed of the nature of the charges against him/her and the evidence supporting the charges, and be given the opportunity to present his/her side of the story.

While suspended, the student shall not be permitted to participate in any school activity on property owned by the Board of Education or any offsite, school-sponsored activities.

### **Long-term Suspension, Assignment to an Alternative Education Program, or Expulsion**

Assignment to an alternative education program and expulsion require the withdrawal of a student from the day school. Suspension for greater than ten (10) school days, assignment to an alternative education program, or expulsion may be made by the Superintendent or his designee at the recommendation of the principal. The school should use appropriate intervention and resources prior to making such a recommendation, except in cases of acts of behavior that warrant immediate suspension with a recommendation for a long-term suspension, assignment to an alternative program, or expulsion. Pending action by the superintendent, the principal may temporarily suspend a student in accordance with the procedures previously stated for short-term suspensions.

Following receipt of the suspension notice and other appropriate data, the superintendent or his designee shall determine whether a suspension longer than ten (10) school days is warranted. A letter to the principal must communicate the decision to have a hearing promptly. If it is determined that a suspension beyond ten (10) school days is not advisable, the principal shall process the suspension as he/she would regularly process a short-term suspension.

A thorough school report (in the suspension packet) must be promptly submitted to the superintendent's designee. The superintendent's designee shall conduct a hearing with the student and his/her parent within ten (10) school days of the date of the temporary suspension by the principal. The student and the parent shall be notified in writing of the time and place of the hearing; the nature of the charges; the evidence and witnesses upon which the charges are based; the policy, rule, or regulation violated; and the fact that the hearing may result in the student's suspension for longer than ten (10) school days, assignment to an alternative education program, or expulsion. The notice shall also inform the student and the parent that the student may have witnesses and a representative or attorney appear on his/her behalf. At the hearing, the student shall have the right to review all documentary evidence. If the evidence is in testimonial form, the student may examine any witness statements. Written witness statements and other hearsay evidence are acceptable, but not given the same weight as live testimony. The student may question witnesses and have witnesses testify or give written statements on his/her behalf.

If, upon consideration of all of the evidence presented at the hearing, the superintendent's designee concludes that a long-term suspension, assignment to an alternative education program, or expulsion is warranted, he/she may impose assignment to an alternative program, an expulsion, or continuation of the suspension as long as necessary. The superintendent's designee shall notify the student and parent verbally and in writing of his/her findings and decision. This conversation and letter shall also advise the parent and student of their right to

appeal this decision to the Board of Education by sending such a request in writing to the superintendent within 10 school days of the decision of the superintendent's designee.

While assigned to an alternative education program or expelled, the student shall not be permitted to participate in any school activity on property owned by the Board of Education or any offsite, school-sponsored activities except those associated with approved counseling and alternative education programs. Seniors who are reassigned or expelled shall not be permitted to participate in any day school graduation-related activity, including their commencement program.

### **Alternative Education Programs**

Students on long-term suspension, assignment, or expulsion from day school will be offered an alternative education program administered by the Office of Alternative Education, Dropout Prevention, and Summer School. A student's day school academic program cannot be replicated in the alternative program because course availability is restricted by enrollment. Alternative middle and high schools have a set capacity that will result in limited availability. Transportation is provided to alternative day schools. An alternative program, such as evening high school, has all standard courses. A maximum of five credits can be attained. Students who wish to take more than two courses must attend a second evening center or Saturday school. Students must provide their own transportation to evening and Saturday schools. Seniors may participate in the alternative education program's graduation.

### **Individual Education Programs and 504 Plans**

Students with IEPs or with 504 plans may be disciplined by the school principal for violations of the Code of Conduct. When the disciplinary removal is for more than 10 days in the school year, the student is entitled to a manifestation determination and must be provided with appropriate educational services while removed from school, in accordance with IDEA, Section 504, and state and federal regulations.

## **REPORTABLE OFFENSES**

The school system is required to provide an appropriate educational program for every student who has been arrested by a law enforcement agency for a "reportable offense." School administrators will determine whether a student's presence in the home school creates a safety and/or security risk and recommend that the student's program be continued at the home school or in an alternative education program. Notice of the reportable offense charge alone may not be the basis for the suspension, reassignment, or expulsion of the student. Appropriate educational programming and related services will be provided to an identified student with disabilities in accordance with the *Individuals with Disabilities Education Act* (IDEA) and state special education law and regulation (Board of Education Policy and Superintendent's Rule 5561).

## **STUDENT DISCIPLINE APPEALS AND MITIGATION**

### **Appeal Process**

Upon appeal, the Board of Education or a designated committee thereof shall hear the matter promptly, but in no event later than fifteen (15) school days from the receipt of notice of appeal in the superintendent's office. Each party has the opportunity to present witnesses and be represented by counsel. Unless the student or parent requests a public hearing, the hearing shall be conducted out of the presence of all persons except those whose presence is deemed necessary or desirable by the board. The appeal to the Board of Education shall not operate as a stay of the decision of the superintendent, and the decision of the board is final (Board of Education Policy and Superintendent's Rule 5560).

The function of the board is to hold a hearing to determine whether the testimony and exhibits presented support the charge upon which the alternative education program assignment or expulsion was based. The board delegates to the superintendent the responsibility for determining the duration of an assignment or expulsion and considering readmission. The superintendent shall consider mitigating circumstances in making such decisions.

### **Consideration of Readmission/Mitigation Process**

Immediately following the final determination of an alternative education program assignment or expulsion and all appeals are waived or exhausted, the executive director of Student Support Services may consider, in consultation with the appropriate parties, mitigating circumstances to determine the duration of an alternative program assignment or expulsion and consider readmission to the appropriate day school program. A written request must be sent to the executive director of Student Support Services.

The executive director of Student Support Services may consider the following circumstances in the consideration of early readmission: the student's disciplinary history; present effort in the academic program, including attendance and citizenship; whether the offense for which the student was reassigned or expelled caused disruption; whether the readmission would cause a disruption to the school program; health and safety issues; implications for the school; and/or recommendations of the school staff.

The process of mitigation may take two to four weeks from the date of receipt of the letter by the executive director of Student Support Services requesting the mitigation. During this time, the student should attend an alternative education program and be in the process of completing any requirements for reinstatement, such as the substance abuse program, if required.

## **APPENDIX**

### **Abridged Statement of Students' Rights and Responsibilities**

The complete text of the statement of Students' Rights and Responsibilities is available in the Board of Education of Baltimore County (Board) *Manual of Policies and Regulations*. This manual may be found in each school library or online at [http://www.bcps.org/system/policies\\_rules/](http://www.bcps.org/system/policies_rules/).

## **STUDENT RIGHTS AND RESPONSIBILITIES**

### **Responsibility for Attendance**

Students have the responsibility to comply with the attendance procedures detailed in Board of Education Policy and Superintendent's Rule 5120, *Student Attendance and Excuses*.

A student absent from school shall present a note signed by the parent immediately upon return to school. If a student is absent for one of the lawful reasons, teachers will assist the student in making up missed work whenever possible. The student is expected to assume the responsibility for maintaining the continuity of learning regardless of the reason for absence. If a student is absent for an extended period of time because of illness, a written statement of explanation may be required from a physician on the day of the student's return to school.

Students missing 20 percent or more of the class days within each grading period are subject to a

failing classwork grade. Unexcused absences, 10 percent or more, will result in failure for the marking period.

### **Responsibility for Dress and Appearance**

Students have the right to select their dress apparel in accordance with individual school practice. BCPS may only regulate the dress and/or appearance of students to the extent that the dress and/or appearance interfere with the educational process. Dress apparel must not cause disruption, be a safety or health hazard, or hinder the educational process. Public schools do not regulate the dress and/or appearance of students, unless the dress and/or appearance interfere with the educational process. Standards for student dress during the school day and during other school-sponsored activities (Board of Education Policy and Superintendent's Rule 5520, *Student Dress Code*).



## STUDENT RIGHTS AND RESPONSIBILITIES

### **The Right to Privacy of Records**

One student record is maintained for each student from his/her entrance into school through the twelfth grade.

The student and parents have the right under federal and state laws to inspect and review the student's educational record, to have that record maintained confidentially, and to have any school record inaccuracies corrected.

The school's principal is responsible for maintaining an accurate and confidential school record for each student and for working cooperatively in the reasonable collection of data.

A parent or eligible student has the right to inspect and review the student's record. The principal shall comply with requests for access to a student's record within a reasonable period of time, but in no case more than 45 days after the request is received. The record is to be inspected by a parent or eligible student in the presence of a school official. The record may include at least the following:

- A. Student's personal data
- B. Student's school attendance data
- C. Annual performance, Grades PreK-8
- D. Annual secondary school performance, Grades 9-12
- E. State mandated and local school system testing
- F. Disciplinary record
- G. Health screening
- H. Record of health inventory
- I. Immunization data
- J. Maryland student withdrawal/transfer record
- K. Statewide educational interview form

Unless there is a court order to the contrary, custodial and noncustodial parents have equal access to school-related information, including the student's educational record.

In most instances, except for the transfer of the student's record to a public school in Maryland, information in the student's record will not be disclosed to any person or agency outside the school without the written permission of the student's parents or the eligible student.

Student record information may not be disclosed over the phone, except to the receiving school for students in "state-supervised care" where BCPS is required to release grade and level of service under IDEA or Section 504.

### **The Right to Patriotic and Religious Exercises**

**Patriotic** - The Board shall provide for the display of the flag of the United States of America on the site of each school and for the display of the flag in each classroom. It shall be the responsibility of the principal of each school to provide for appropriate patriotic exercises in his/her school. Students have the right not to participate in patriotic exercises, but shall not interfere with the rights of other students to participate in such exercises.

**Religious** - Students have the right to voluntary prayer or Bible reading to the extent that it does not interfere with school activities required of the students.

### **The Right to Student Governance**

Students have the right to organize and promote a form of student government that is acceptable to the majority of students in the school. All students academically eligible have the right to seek and hold office and to vote in student elections. Such rights shall not be abridged for reasons of race, gender, ethnicity, disability, national origin, religion, creed, socio-economic status, marital status, pregnancy, personal record, sexual orientation, or political belief. Students are ineligible to seek or hold office if they have less than a 2.0 grade point average with no more than one failing, incomplete, or medical grade in the marking period prior to seeking or holding offices. First, second, third, and fourth quarter report cards determine (continued) eligibility.

Subject to the required procedures and approval by school officials, school-sponsored student organizations and clubs may conduct activities on school property.

Each organization's activities must be open to all students.

Students are responsible for using school facilities safely, responsibly, and in accordance with school system procedures.

### **The Right to Participate in Extracurricular Activities**

Students have the right to participate in extracurricular activities sponsored by their school and shall not be excluded on the basis of race, gender, ethnicity, disability, national origin, religion, creed, socio-economic status, marital status, pregnancy, personal record, sexual orientation, or political belief. A school organization has the right to establish criteria, including conduct and achievement for membership provided such criteria are relevant to the purpose and activities of that group.

Organizations must be sponsored by qualified members of the school staff, and students may not engage in illegal or discriminatory practices. Membership on teams, performing groups, publication staffs, and other school-sponsored clubs shall be available without membership charge to students.

Organizations sponsoring social activities, such as dances and parties, may charge admission. School organizations are not required to subsidize the cost of student participation in social functions.

### **The Right to Participate in Interscholastic Athletics**

Students have the right to participate in interscholastic athletics at the high school level. School authorities have the right to establish and maintain minimal standards of achievement and conduct for participation in interscholastic athletics in compliance with the Board of Education and Maryland State Regulations.

Students are ineligible to participate if they have less than a 2.0 grade point average with no more than one failing, incomplete, or medical grade in the marking period prior to the start of the season of participation. First, second, third, and fourth quarter report cards determine (continued) eligibility.

### **The Right to Use of School Facilities**

In the management of the use of school facilities, first priority will be given to the requirements of regular school sessions and other activities that are school related. Space in BCPS facilities and/or

grounds may be used by the Baltimore County Department of Recreation and Parks (DRP) pursuant to the Joint Use Agreement between BCPS and DRP; the Community College of Baltimore County (CCBC); Parent-Teacher (Student) Associations (PTSA); other county, state, and federal agencies; and other groups and organizations, either profit or nonprofit. The Department of Physical Facilities is responsible for managing the safe and appropriate use of public school facilities in collaboration with school-based administrators. Administrative procedures have been established to implement this policy to ensure that scheduling is orderly, that adequate security and logistical preparation is made, that all sponsoring organizations understand their privileges and their obligations, and that Board of Education personnel consistently apply this policy and rule related procedural requirements (Board of Education Policy and Superintendent's Rule 1300, *Use of School Facilities*).

### **The Right to Personal Property**

Students have the right to maintain personal property at schools subject to reasonable searches of students and their possessions on school premises or on school-sponsored trips.

Students shall not possess any items prohibited under federal or state laws and regulations and/or BCPS' policies and rules.

Students have the responsibility to cooperate with school officials who conduct reasonable searches and seizures under federal and state laws and regulations and BCPS' policies and rules.

The principal or the assistant principal of a public school may conduct a reasonable search of a student on the school premises and on school-sponsored activities if he/she has a reasonable belief that the student has in his/her possession an item, the possession of which constitutes a criminal offense under the laws of this state. The search must be made in the presence of a third party (staff member).

A teacher may be designated by the principal to conduct a reasonable search of a student at school-sponsored activities if he/she has reason to believe that the student has in his/her possession an item, the possession of which constitutes a criminal offense under the laws of this state. The teacher

must receive training prior to the search. The search must be made in the presence of a third party (staff member).

The principal of a public school may conduct a search of the physical plant of the school and every appurtenance thereof, including students' lockers. The right of the school official to search lockers must be published within the school.

#### **The Right to Nondiscrimination**

Students have the right to be free from discrimination, bullying, harassment, or intimidation.

#### **The Responsibility for Nondiscrimination**

Students are responsible for respecting the personal, civil, and property rights of others.

#### **The Right Concerning Age of Majority Students**

The Board of Education of Baltimore County, any of its agencies, or anyone acting on their behalf shall not abridge the rights of adult citizenship granted to students eighteen (18) years of age or older as specified in the *Annotated Code of Maryland*. Specifically, a student who has reached the age of majority is given the option of assuming the responsibility of accounting for his/her school absences, in writing, on the day of his/her return. This in no way diminishes the right of the principal or his/her designee to communicate with parents regarding any problem or question pertaining to the education of the student.

#### **The Right of Free Speech and Expression**

Students have the right to freedom of speech, religion, and the right to assemble peaceably, but speech and behavior that are disruptive can be prohibited.

Students' right to prepare written communication for school-sponsored publications is subject to the reasonable restrictions of school authorities that are based on legitimate educational concerns.

Students' right to distribute literature is subject to school authorities' having the right to restrict the

time, place, and manner of such activities to maintain the orderly operation of schools.

Students' right to assemble is subject to school authorities' setting reasonable limits regarding the time, place, and manner in which students may assemble.

Students have the right to symbolic forms of expression to the extent that the symbolic expressions do not substantially disrupt school activities.

#### **The Responsibility of Free Speech and Expression**

Students are responsible for controlling their conduct while exercising their rights to expression. Students' expressions can neither infringe upon the rights of others nor disrupt the classroom or school procedures.

Students are responsible for recognizing the rights of others to have opinions that may differ from their own.

#### **The Right to Grievance**

Students have the right to a timely response to a proper grievance.

#### **The Right to a Safe Learning Environment**

The Board of Education of Baltimore County is committed to and continues to support a safe learning environment through its policies.

The relationships between students and employees of the Baltimore County Public Schools must be of a professional nature. Employees may not date students or exploit teacher/student relationships.

Students have the right to participate in all school and classroom activities in environments free from bullying, harassment, or intimidation. Students have the responsibility not to engage in behaviors of a sexual nature. School staff members are responsible for educating students about bullying, harassment, and intimidation; for investigating incidents of bullying, harassment, and intimidation; and for establishing interventions, supports, and consequences of such behaviors.

# PREVENTION AND INTERVENTION STUDENT WORKSHEET

Preventing problems with others is a goal for students of all ages. Often, the best way to solve a problem is to prevent it. Students know when they or their friends are having problems getting along. This is the time for them to seek help. There are school interventions, supports, and resources designed to help students solve their problems. The following worksheet provides ideas to help students solve problems and set positive behavior goals for themselves.

1. Who can help me solve this problem?

	Name	How?
Teacher		
School Counselor		
Administrator		
Parent		
Coach		
Mentor		
Class Advisor		

2. How can I solve my problem without violating BCPS policies, rules, school procedures and regulations?

## STOP AND THINK

**Identify the problem.**

**How could this problem cause trouble for me?**

**Do I need assistance?**

**How can I ask for help to solve this problem?**

3. Choices that may work for me:

- Take my own time-out.
- Walk away.
- Talk it over with my teacher, counselor, administrator, or parent seeking advice and a solution.
- Consider the consequences if I choose to handle the problem without adult advice.
- Remember that I may choose how to handle the problem, but I will not be able to choose the consequence.

## STUDENT HANDBOOK 2012-2013 ACKNOWLEDGEMENT FORM

Our school system is one of the best in the country. This is because we work as a team with you, staff, parents, and community members. You, the student, make up a large part of this team. Your cooperation shows in many ways.

- **You take responsibility for your behavior.**
- **You help create a good learning environment and school climate.**
- **You take pride in your school.**
- **You contribute to the effectiveness of your school.**

We know this and are proud of you. With your help, the Baltimore County Public Schools will continue to excel.

This form must be signed and dated by you and your parent after reviewing the *2012-2013 Student Handbook*. **You must return the signed form to your school within five school days.**

Student's Last Name		Student's First Name
School	Grade	Homeroom Teacher

I have received a copy of the Baltimore County Public Schools *2012-2013 Student Handbook*. The handbook was explained and I was given an opportunity to ask questions. I read and understand the code of conduct listed in the handbook and the consequences for all offenses. Additionally, I understand the *Telecommunications Acceptable Use Policy for Students*. I was informed that I may meet individually with my assistant principal to discuss the handbook in more detail.

Student's Signature	Date

I have discussed the *Student Handbook* with my child. I have also reviewed the *Telecommunications Acceptable Use Policy for Students* and the *Annual Notification of Parents Rights*.

**I understand that I must complete the *Parental Privacy Preference Opt-Out Form for Directory Information*, and/or the *Parental Privacy Opt-Out Form for Telecommunications and Intellectual Property*, or I must provide written notice to my child's principal:**

### IF I DO NOT WANT

- **My child to participate in the use of telecommunications.**
- **My child's intellectual property published/produced/displayed.**
- **My child photographed, videotaped, and/or audiotaped during school-sponsored activities and/or learning experiences.**
- **My child's "Directory Information" released publicly.**
- **My child's name, address, and telephone number released to United States military recruiters or institutions of higher education.**

The opt-out form was mailed in the back-to-school information packet. It is also available at each school, or may be obtained on the Baltimore County Public Schools' Web site at [www.bcps.org](http://www.bcps.org) under the Parents/Families tab, or the Office of Student Support Services. I further understand that my request must be submitted to the principal by October 1 each school year or within 30 days of my child's enrollment in school. If I do not opt-out, I have given BCPS permission for my child to participate in the use of telecommunications, the principal has permission to release my child's directory information, and my child may be photographed, videotaped, and/or audiotaped during school-sponsored activities and/or learning experiences.

Parent's Signature	Date



## LEGAL POLICY AND REFERENCES

### ANNOTATED CODE OF MARYLAND

Educ. Art. §§7-301 to -308: Attendance and Discipline of Students  
Educ. Art. §7-111: Military Recruiter Access to Public Schools  
Educ. Art. §§26-101 to -104: School Security  
Crim. Law Art. §4-102: Deadly Weapons on School Property  
Crim. Law Art. §§4-201 to -209: Handguns  
Crim. Law Art. §6-301: Malicious Destruction  
Crim. Law Art. §§4-501 to -503: Destructive Devices  
Crim. Law Art. §3-607: Hazing  
Crim. Law Art. §5-101 et seq.: Controlled Dangerous Substances, Prescriptions, and Other Substances  
Crim. Law Art. §7-101 et seq.: Theft and Related Crimes  
Crim. Law Art. §§10-113 to -120: Alcoholic Beverages Violations  
Crim. Law Art. §10-108: Possession of Tobacco Product by Minor; Use of False Identification  
Crim. Law Art. §§10-201, -203: Disturbing the Peace, Disorderly Conduct, and Related Crimes  
Crim. Law Art. §6-409: Refusal or Failure to Leave Public Building or Grounds  
Crim. Proc. Art. §§11-601 to -618: Restitution and Other Payments

### CODE OF MARYLAND REGULATIONS TITLE 13A, STATE BOARD OF EDUCATION

13A.02.04-Tobacco-Free School Environment  
13A.05.01-Provision of a Free Appropriate Public Education  
13A.06.03-Interscholastic Athletics in the State  
13A.08-Students

### BOARD OF EDUCATION POLICIES AND SUPERINTENDENT RULES ([www.bcps.org/system/policies\\_rules/](http://www.bcps.org/system/policies_rules/))

5000 Sub Series: Students  
5100 Sub Series: Enrollment and Attendance  
5200 Sub Series: Promotion and Retention  
5300 Sub Series: Activities  
5400 Sub Series: Services to Students  
5500 Sub Series: Conduct  
5600 Sub Series: Students' Rights and Responsibilities  
Policy and Rule 4100: *Employee Conduct and Responsibilities*  
Policy and Rule 6202: *Telecommunications Access to Electronic Information, Services, and Networks*

### UNITED STATES CODE

Controlled Substances Act, 21 U.S.C. §§801, et seq.  
Gun-Free School Zones Act of 1990, 18 U.S.C. §§921, et seq.  
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§7101, et seq.  
The Family Educational Rights and Privacy Act (FERPA) 20 U.S.C. §1232g  
The Protection of Pupil Rights Amendment (PPRA) 20 U.S.C. §1232h  
Elementary and Secondary Education Act of 1965 (ESEA) 20 U.S.C. §§7801  
No Child Left Behind Act of 2001, 20 U.S.C. §§6301, et seq.  
Section 544 of the National Defense Authorization Act for Fiscal Year 2002, 10 U.S.C. §503  
Section 507 of the USA Patriot Act of 2001, P.L. 107-56; 115 Stat. 272

### MISCELLANEOUS

*How to Establish a Character Education Program in Your School, 2007*  
*Blueprint for Progress*  
*Manual for Disciplinary Procedures Including: Program Reviews, Suspensions, Expulsions, 2006*  
*Pupil Services Manual, 2010*

**SAFE SCHOOLS TIP HOTLINE  
1-877-636-6332**

**MARYLAND SUICIDE AND CRISIS HOTLINE  
1-800-422-0009**



6901 Charles Street  
Towson, Maryland 21204  
[www.bcps.org](http://www.bcps.org)

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**NOTICE OF NONDISCRIMINATION**

The Baltimore County Public Schools does not discriminate on the basis of race, ethnicity, gender, age, national origin, religion, creed, disability, socio-economic status, marital status, pregnancy, political belief, or sexual orientation, and does comply with Title VI, Title VII, Title IX, and Section 504 of the Rehabilitation Act of 1973 in all of its educational programs. All courses are open to both male and female students. For further information, contact the Office of Equal Employment Opportunity, 410-887-8937, or the Office of Special Education for Compliance and Placement, 410-887-3660, Baltimore County Public Schools, 6901 Charles Street, Towson, Maryland 21204. There is a Compliance Officer responsible for identifying, preventing, and remedying prohibited harassment concerning students. Complaints of harassment should be directed to: Executive Director of Student Support Services, 9610 Pulaski Park Drive, Suite 219, Baltimore, Maryland 21220, 410-887-4360.