

**STATE BOARD OF EDUCATION**

**Consent Item**

July 18, 2018

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**SUBJECT:** Repeal of Rule 6D-7.0071, Student Rights and Responsibilities

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**PROPOSED BOARD ACTION**

For Approval

**AUTHORITY FOR STATE BOARD ACTION**

Section 1002.36(4)(c), Florida Statutes

**EXECUTIVE SUMMARY**

Section 1002.36(4)(c), Florida Statutes, provides the Board of Trustees of the Florida School for the Deaf and the Blind, rulemaking authority contingent upon approval by the State Board of Education. The Florida School for the Deaf and the Blind analyzed and found that Rule 6D-7.0071, Student Rights and Responsibilities, needed to be repealed to better serve the School's duties to provide educational opportunities for Deaf and Hard-of-Hearing, Dual-Sensory Impaired and Visually Impaired Students. The Board of Trustees of the Florida School for the Deaf and the Blind voted to approve the attached amendments.

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**Supporting Documentation Included:** Proposed Rule 6D-7.0071, F.A.C.

**Facilitator/Presenter:** Sidney F. Ansbacher, Esquire, Upchurch, Bailey and Upchurch, P.A., Counsel for Florida School for the Deaf and the Blind



**6D-7.0071 Student Rights and Responsibilities.**

*Rulemaking Authority 242.331(3) FS. Law Implemented 242.331(4) FS. History—New 5-5-87, Amended 1-12-95, 1-15-97, Repealed*

**6D-7.0071 Student Rights and Responsibilities.**

Listed below are the rights of the students at the Florida School for the Deaf and the Blind and the responsibilities the students are expected to observe and follow:

- (1) Attendance.
  - (a) Students have the right to attend class and pursue their education under competent instructors.
  - (b) Students are responsible for attending class and meeting the requirements of all classes. If a student is absent without excuse for more than fifteen (15) class periods per year, eight (8) per semester for students enrolled in a block schedule system, the student shall not earn credit for that class.
- (2) Respect for persons.
  - (a) Students have a right to expect courtesy, fairness and respect from members of the School staff and other students.
  - (b) Students have a responsibility to extend courtesy, fairness and respect to members of the School staff and other students.
- (3) Respect for property.
  - (a) Students have the right to privacy of their personal possessions unless there is reason to believe that the student is possessing or concealing materials prohibited by law.
  - (b) Students have the responsibility not to carry, possess or conceal any materials that are prohibited by law.
  - (c) All students have property rights.
  - (d) Students have a responsibility to respect the property rights of others. Students are responsible for their own property as well as School property entrusted to them.
  - (e) Students have a right to a clearly understandable statement defining the personal property which may be brought to School.
  - (f) Students have a responsibility to abide by School rules pertaining to personal property and to request clarification when in doubt.
- (4) Rules of conduct.
  - (a) Students have a right to expect and have available to them clear and understandable rules of student conduct.
  - (b) Students have a responsibility to know the School rules which pertain to them, and to seek the help of faculty or administrators when in doubt.
  - (c) Students have a right to expect the rules of conduct to be enforced without discrimination.
  - (d) Students have a responsibility to observe the rules of conduct which pertain to them.
- (5) Expression of opinion.
  - (a) Students have the right to express their opinions orally or in writing or in their own forms of communication (i.e., sign language) in such a way as will not interfere with the School's Programs.
  - (b) Students have the responsibility to express and publicize their opinions and ideas in a manner not slanderous, libelous, or obscene.
  - (c) Students have the right to form and express their own opinions on issues without jeopardizing their relations with their teachers or School.
  - (d) Students have the responsibility to become informed and knowledgeable about issues, and express their opinions in a manner that is suitable for the forum in which the discussion is taking place.
- (6) Publications.
  - (a) Students have the right to publish and distribute leaflets, newspapers and other printed materials under the supervision of the Principal or designee.
  - (b) Students have the responsibility to be aware of all rules and regulations governing student behavior that relate to publicizing information.
- (7) Assembly.
  - (a) Students have the right to assembly.
  - (b) Students have the responsibility to plan for, seek approval of and conduct those assemblies which are consistent with the educational objectives of the School.
- (8) Participation in School programs.

- (a) Students have a right to an educational program which is appropriate to their needs and goals.
- (b) Students have a responsibility to take advantage of the educational experiences offered them, and to put forth their best efforts.
- (c) Students have the right to voice their opinions in the development of their curricula.
- (d) Students have the responsibility to contribute to curriculum development in a responsible way.
- (e) A student's marks in each class should represent fairly and impartially his/her progress in that class. The student should have the opportunity of periodically reviewing his/her progress with the teacher.
- (f) Students have the responsibility to achieve their progress through their own efforts. Students are responsible to review their progress with teachers periodically and seek additional help in problem areas.
- (g) Students have the right to appropriate counseling for personal and educational problems. Access to consultation within a reasonable period of time should be assured.
- (h) Students have the responsibility to schedule appointments in advance unless the problem of concern is an emergency.
- (9) Participation in School activities.
  - (a) Students have the right to organize and participate in associations and extra-curricular activities which are organized for any proper and lawful purposes, providing that no such group denies membership to any student because of race, religion, nationality or physical handicaps.
  - (b) Students have the responsibility to seek prior and proper consent from administrators and any other designated School personnel before organizing student associations and to meet the approved criteria for membership in clubs, organizations and activities.
  - (c) Students have a right to have an elected representative Student Council appropriate to the School level and to take an active part in student activities which are designed to help make rules that affect their time in School.
  - (d) Student Council officers and representatives have the responsibility to be aware of School needs and concerns of the student body and to work toward the attainment of those needs. Students have the responsibility to participate regularly in their respective organizations and to conduct themselves in an appropriate manner.
- (10) Student records.
  - (a) Parents or guardians or eligible students have the right to review, update and challenge the information in the student's permanent cumulative record.
  - (b) Parents or guardians or eligible students have the responsibility of providing the School with accurate and current information.
  - (c) Students have the right to be protected by legal provisions which prohibit the release of personally identifiable information to other than legally authorized persons without the consent of the parent or guardian or eligible student.
  - (d) Students have a right to expect professional and ethical treatment of personal information shared with School personnel.
  - (e) Students have the responsibility of providing the School with accurate and current information.

*Rulemaking Authority 242.331(3) FS. Law Implemented 242.331(4) FS. History—New 5-5-87, Amended 1-12-95, 1-15-97.*