

Oak Creek-Franklin Joint School District Board of Education

Policy 440: STUDENT RIGHTS AND RESPONSIBILITIES

Students shall have the right to advocate change of any law, policy, or regulation. Students may exercise their right to freedom of expression through speech, petition, and other lawful means. The exercise of this right may not interfere with the rights of others. Freedom of expression may not be utilized to present material which tends to be obscene; or to defame character; or to advocate violations of federal, state, and local laws, or official school policies, rules and regulations.

Every right has its limitations. One basic limitation is this: the freedom of an individual or group to exercise rights ceases when that exercise unduly infringes upon the rights of others. Since the legitimate rights of individuals may be incompatible, it is necessary to recognize that rights must be balanced to protect as many persons as possible.

Teachers and students should promote tolerance for the views and opinions of others, as well as for the right of an individual to form and hold different opinions and beliefs.

Each student has a right to an education. Student behavior that unduly disrupts classwork, involves substantial disorder, or invades the rights of others will not be tolerated.

Before any disciplinary action such as suspension or expulsion is taken against a student, the student has a right to due process as guaranteed by the Constitution. Any student accused of an action and threatened with punishment for this action has the right to request a hearing before the Superintendent with the student's parent(s)/guardian(s) attending if the student or the parent/guardian desires this.

The Administration of this code is the responsibility of each building administrator and must be done in accordance with due process.

LEGAL REF: Article I Wisconsin Constitution
 PI 9

CROSS REF: 449 – Student Suspension/Expulsion

APPROVED: July 1993

REVISED: November 1999
 July 2004