

# Student Rights in School

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- Students have the right to an equal education. They can not be discriminated against regardless of: race, ethnicity, religion, gender, sexual orientation, or even wealth.

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- Children who are not American citizens, but are living in the US, also have the right to a public education.
- All students have the right to the best possible education the school can offer. If a student has the grades for higher level classes, he/she can request a change in placement in accordance with his/her academic ability.

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- Students have the right to freedom of expression. Students may express their opinions orally or in writing as long as these opinions do not “materially and substantially” disrupt school activities. This includes not standing during the pledge of allegiance, expressing unpopular opinions, etc.

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- A student's right to privacy also extends to the school, though to a lesser extent than it exists outside of school.
- Unlike police, school officials can search students based solely on a belief that a certain student violated the law or school rules. Officials can not search everyone after a violation has occurred however, rather officials must have "individualized suspicion".

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- In some areas, a student's locker is viewed as the property of the school, and therefore can be searched at any time. Other areas require "reasonable suspicion" to search a locker.
- Students can be subjected to metal detector search as the courts have ruled that they are less invasive than other forms of searches. Some states have required that metal detectors be used uniformly to avoid discrimination.

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- Students may also be subjected to drug tests, though the policy differs in various areas. Drug tests should only be administered when there is reasonable suspicion that a student is under the influence of drugs, and even then, the legality of drug testing is circumspect.
- Students have the right to freedom of religion and cannot be subjected to religious teachings in public school.

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- Graduation prayers are unconstitutional at public schools, even student-led prayer that is voted for by a majority of students. Mass prayers at the beginning of other events, such as football games, have been declared unconstitutional.
- Students have the right to pray to themselves during school, so long as it does not effect the rest of the class.



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- Students have a right to due process, even when in school.
- Any student who faces a serious punishment (e.g. suspension) is entitled to a hearing, and in some instances a lawyer and the right to call witnesses.
- In some cases a school can suspend a child for actions that took place off school grounds, but again, students are entitled to a proper hearing.

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- In most areas, corporal punishment is banned. Even in the schools where it is allowed, teachers are not allowed to hurt students.
- Students also have the right to access their permanent record (at a certain age), though some documents (such as medical evaluations are off limits to students).

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- Students have the right to be informed of the school rules at the beginning of the year, in order to know what is and is not allowed.
- Students are entitled to have parents, advocates, and concerned educators involved in all decisions affecting their education.
- Students are entitled to a broad range of support services.

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- Students are entitled to attend schools that are safe, attractive, and free from prejudice.
- Students are entitled to access a common body of knowledge and the opportunity to acquire higher order skills.
- Students are entitled to attend school unless they pose a danger to other children or staff.

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- Students are entitled to broadly based assessments of their academic progress and grading structures that enhance individual strengths and potential.
- Students are entitled to instruction by teachers who hold high expectations for all students and who are fully prepared to meet the challenges of diverse classrooms.

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- Students are entitled to learn in an integrated, heterogeneous setting responsive to different learning styles and abilities.
- Students are entitled to comprehensive, culturally supportive, and developmentally appropriate curriculum and teaching strategies.