



Frederick County Public Schools
Board of Education
STUDENT RIGHTS AND RESPONSIBILITIES
Policy 404

A. Policy Purpose

To establish a policy concerning the rights and responsibilities of students enrolled in Frederick County Public Schools (FCPS).

B. Definitions

1. “Student” is defined to mean an individual who is enrolled in FCPS and for whom FCPS maintains the student’s records or personally identifiable information. “Student” does not mean an individual who has not been in attendance at an FCPS school or program.

C. Policy Statement

1. The Board of Education of Frederick County (Board) supports the systemic aspirational goals of equipping students to be empowered learners and engaged citizens.
2. The Board acknowledges the importance of informing FCPS students about their rights and responsibilities and expects that these rights and responsibilities are clearly communicated to students, parents/guardians, and FCPS staff members.
3. The Board is committed to providing an educational environment which promotes intellectual development, responsibility, citizenship and respect. The Board believes that all students have the right to free inquiry and expression, due process, equal educational opportunity, and freedom from discrimination.

D. Implementation

1. The Superintendent shall ensure that student rights and responsibilities are communicated to students annually and are available to the school community, administrators, staff, and parents/guardians. Student rights and responsibilities are included in the [Parent/Student Handbook and Student Code of Conduct](#). This document shall be:
 - a. distributed within the first thirty (30) calendar days of the start of the school year; and,
 - b. made available in print and digital format.
2. Students retain all the rights and responsibilities articulated in all FCPS policies and regulations, as well as those defined by law.

E. Related Information

1. **Board Policy**
 - a. [Policy 102, Meetings](#)

- b. [Policy 105](#), *Appeal and Hearing Procedures*
- c. [Policy 111](#), *School and Workplace Safety*
- d. [Policy 112](#), *Promoting a Drug-Free, Alcohol-Free, and Tobacco/Vaping-Free Environment*
- e. [Policy 114](#), *Policy Development*
- f. [Policy 115](#), *Responsible Use of Social Media*
- g. [Policy 116](#), *Title IX Sexual Harassment*
- h. [Policy 117](#), *Anti-Racism*
- i. [Policy 203](#), *Facilities and Grounds*
- j. [Policy 314](#), *Political Activity*
- k. [Policy 403](#), *Student Discipline*
- l. [Policy 408](#), *Suspension and Expulsion*
- m. [Policy 409](#), *Promotion of Health and Wellness – Students*
- n. [Policy 414](#), *Field Trips and Overnight Travel-Study Programs*
- o. [Policy 415](#), *Administrative Attendance Waiver*
- p. [Policy 418](#), *Child Abuse and Neglect*
- q. [Policy 421](#), *Student Education Records*
- r. [Policy 425](#), *Flag Display and Salute*
- s. [Policy 426](#), *Fundraising in Schools*
- t. [Policy 427](#), *Religious Expression*
- u. [Policy 430](#), *Attendance at Schools*
- v. [Policy 436](#), *School-Sponsored Publications and Media/Student Journalists*
- w. [Policy 437](#), *Bullying-Harassment-Intimidation*
- x. [Policy 438](#), *Test Administration and Data Reporting*
- y. [Policy 439](#), *Dress Code for Students*
- z. [Policy 441](#), *Student Transportation*
- aa. [Policy 442](#), *Student Data Privacy*
- bb. [Policy 443](#), *Creating Welcoming and Affirming Schools for Transgender and Gender Nonconforming Students*
- cc. [Policy 444](#), *Educational Equity and Excellence*
- dd. [Policy 508](#), *Special Education*
- ee. [Policy 509](#), *Extracurricular and Co-Curricular Activities*
- ff. [Policy 511](#), *Assessments*

2. Code of Maryland Regulations (COMAR)

- a. [COMAR 13A.01.04.03](#), *School Safety*
- b. [COMAR 13A.05.01.15](#), *Procedural Safeguards*
- c. [COMAR 13A.08.03](#), *Discipline of Students with Disabilities*
- d. [COMAR 13A.08.01.09](#), *Student Organization*
- e. [COMAR 13A.08.01.10](#), *Guidelines for Students' Responsibilities and Rights*
- f. [COMAR 13A.08.01.11](#), *Disciplinary Action*
- g. [COMAR 13A.08.01.12](#), *Arrests on School Premises*
- h. [COMAR 13A.08.01.13](#), *Questioning on School Premises*

3. FCPS Regulations

- a. [Regulation 100-11](#), *School and Workplace Safety – Behavior Threat Assessment*

- b. [Regulation 117-01](#), *Anti-Racism*
- c. [Regulation 200-26](#), *Communicable Diseases*
- d. [Regulation 200-19](#), *Service Animals*
- e. [Regulation 200-39](#), *Allergic Reactions – Severe/Life Threatening Emergency Care*
- f. [Regulation 200-41](#), *Research Requests*
- g. [Regulation 300-38](#), *Fundraising*
- h. [Regulation 300-39](#), *Weapon Possession on School Property*
- i. [Regulation 400-05](#), *Field Trip and Overnight Travel Study Programs*
- j. [Regulation 400-06](#), *Health: Food Allergies/Food Sensitives*
- k. [Regulation 400-07](#), *Enrollment Residency Requirements*
- l. [Regulation 400-11](#), *Frederick County Virtual School (FCVS) Student Enrollment, Attendance and Commencement*
- m. [Regulation 400-15](#), *Out of District Enrollment*
- n. [Regulation 400-16](#), *Admission of Non-Resident (Out of County/State) Students – Tuition*
- o. [Regulation 400-18](#), *Electronic Devices – Student Use*
- p. [Regulation 400-20](#), *Student Records*
- q. [Regulation 400-36](#), *Creating Welcoming and Affirming Schools for Transgender and Gender Nonconforming Students*
- r. [Regulation 400-48](#), *Bullying, Harassment, Intimidation Complaint Process for Students*
- s. [Regulation 400-44](#), *Physical Restraint and Exclusion Practices*
- t. [Regulation 400-46](#), *Student Travel to Activities/Events*
- u. [Regulation 400-47](#), *Reporting Abuse and Neglect*
- v. [Regulation 400-48](#), *Bullying, Harassment, Intimidation Complaint Process for Students*
- w. [Regulation 400-55](#), *Homeless Students – Enrollment Procedures*
- x. [Regulation 400-57](#), *Bus Discipline Procedures*
- y. [Regulation 400-59](#), *Search and Seizure, Arrests and Questioning of Students*
- z. [Regulation 400-60](#), *Placement of Students Charged with a Reportable Offense Off Campus*
- aa. [Regulation 400-62](#), *Test Administration and Data Reporting*
- bb. [Regulation 400-64](#), *Immunization Program*
- cc. [Regulation 400-66](#), *Section 504 of the Rehabilitation Act of 1973-Implementation Guidelines*
- dd. [Regulation 400-67](#), *Student Surveys-Protection of Student Rights*
- ee. [Regulation 400-73](#), *Responsible Use of Digital Technology – Students*
- ff. [Regulation 400-74](#), *Enrolment of Foreign Exchange Students*
- gg. [Regulation 400-80](#), *Students with Diabetes*
- hh. [Regulation 400-82](#), *Wellness*
- ii. [Regulation 400-92](#), *Physical Education and Athletic Programs for Students with Disabilities*
- jj. [Regulation 400-93](#), *Incarcerated Youth with Disabilities – Educational Services*
- kk. [Regulation 400-94](#), *College and Career Readiness and College Completion*
- ll. [Regulation 400-95](#), *Kindergarten Enrollment/Registration*
- mm. [Regulation 400-96](#), *Student Data Privacy*

- nn. [Regulation 400-98](#), *Student Attendance*
- oo. [Regulation 400-99](#), *Pregnant and Parenting Students*
- pp. [Regulation 403-01](#), *Student Discipline*
- qq. [Regulation 408-01](#), *Suspension and Expulsion*
- rr. [Regulation 444-01](#), *Educational Equity and Excellence*
- ss. [Regulation 500-05](#), *Grading, Reporting, and Intervention – Secondary*
- tt. [Regulation 500-06](#), *Grading, Reporting, and Intervention – Elementary*
- uu. [Regulation 500-10](#), *Placement and Promotion of Students*
- vv. [Regulation 500-15](#), *Homework Guidelines*
- ww. [Regulation 509-01](#), *Student Clubs*

4. **FCPS Resources**

- a. [Parent/Student Handbook and Student Code of Conduct](#)

5. **Federal Law**

- a. United States Constitution as Amended
- b. Equal Access Act, 20 USC § 4071
- c. Equal Educational Opportunities Act of 1974
- d. Federal Family Educational Rights and Privacy Act (FERPA), 20 USC § 1232(g)
- e. Individuals with Disabilities Education Act (IDEA), 20 USC § 1400, *et seq.*
- f. Section 504 of the Rehabilitation Act, 29 USC § 794

6. **Maryland Statutes**

- a. Md. Code Ann., Educ. § 7-101
- b. Md. Code Ann., Educ. § 7-101(c)-(d)
- c. Md. Code Ann., Educ. § 7-306
- d. Md. Code Ann., Crim. Law § 10-304

F. Policy History (Maintained by Legal Services)

<i>Responsible Office</i>	Department of System Accountability and School Administration, Department of Student Services
Adoption Dates	12/05/75
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