

January 11, 2007

Dear President Navarro and Members of the Board of Education;

The members of the Montgomery County Civic Federation Education Committee have carefully read the proposed revision of Policy JFA (Student Rights and Responsibilities) posted to the BoE website and welcome the opportunity to offer comment.

1. Under C.2, at line 42, we urge you modify the wording as follows: "other staff, parents, and **other members of the community**". By adding mention of the community in general, you will be emphasizing the role that public education plays in the functioning of a civil society and explicitly recognizing that those who are not directly involved in the functioning of the school system nevertheless have a major stake in its commitment to "foster...citizenship" (lines 14-15).
2. We strongly object to the notion (C.5. lines 56-57) of a "higher standard". Proper behavior and adherence to rules should not have gradations of what is acceptable. Each and every student should meet the same standard when it comes to rights and responsibilities. By proposing a policy including reference to a "higher standard", you are *de facto* implying the existence of a lower standard. Which raises logical questions as to the nature of such a lower standard and what students might be subject to such a standard. Our society is struggling on a daily basis with problems related to perceptions that laws and rules are not enforced fairly and equally. At the national level, there is discussion as to whether powerful elected officials and corporate officers are allowed to "get away with" things the average citizen cannot do. Recently, some in the local community have expressed concerns about their perception that athletes are treated differently - when it comes to behavior - than are other students. Such doubts as to the inherent fairness of how rules are enforced is corrosive of a democratic society. We urge you to modify C.5 so it is an explicit statement that all students will be held to the same high standards of conduct.
3. We recognize that having rules and responsibilities is inextricably linked to a discussion of how violations of those rules should be handled. We therefore are concerned about sections C.4 and C.13 - as the wording now stands - and their potential linkage to the notion of different standards. We have previously (in our comments regarding Policy IQD) urged that the opportunity to participate in extracurricular activities not be so tightly linked to academic performance as to deprive any student access to the educational value of extracurricular activities. There is a very fine - but extremely important - line to be drawn between penalizing students who violate rules of acceptable behavior and students who do not perform up to what one believes are acceptable levels of academic achievement. What we are saying is that acceptable behavior - once defined - must be the same for each and every student, whereas acceptable academic achievement is inherently different depending on the individual student. We urge you not to blur this

distinction. It might be helpful to distinguish academic eligibility from - for example, "behavior eligibility". We would be happy to discuss this in more detail - at your convenience.

4. With respect to Section E.2, we suggest that it would be helpful to have a clearer statement as to how these regulations will be developed, including an explicit statement that there will be input from the community at large. Assuming there are to be revisions to JFA-RA, once the revised JFA has been accepted by the BoE, we urge that a vigorous effort be made to engage the civic community in discussion of the many details of how this policy can best be implemented so as to maximize the likelihood that it not only leads to smoother functioning "within the building" but also, and perhaps of even greater significance, helps our children understand the strengths of a democratic society, the fragile nature of civil behavior, and the responsibility we all share to preserve our rights by recognizing and fulfilling our responsibilities.

5. Consistent with our previous recommendations, we urge that lines 1-3 be deleted and replaced with a footnote (at the end of the document, immediately preceding Policy History) specifying the related documents and spelling out the complete name of each document. The issue of reducing the use of obscure or confusing acronyms is related to our belief that optimal communication with interested citizens is best achieved by reducing the use of such jargon.

As always, we thank you in advance for your thoughtful consideration of our comments.

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