

## 220-AR STUDENT EXPRESSION

## I. PURPOSE

Students have the right to express themselves unless such expression materially and substantially interferes with the educational process, threatens immediate harm to the welfare of the school or community, encourages unlawful activity, or interferes with another individual's rights.

## II. GENERAL GUIDELINES

- A. Students may use publications, handbills, announcements, assemblies, group meetings, armbands, and other means of common communication, provided that the form of expression and/or the use of public school communications facilities is/are in accordance with the regulations of the authority in charge of those facilities.
- B. Students have the responsibility to act in accordance with Board Policy No. 220, to obey laws governing libel and obscenity, and to be aware of the full meaning of their expression.
- C. Students have the responsibility to be aware of the feelings and opinions of others and to give others a fair opportunity to express their views.
- D. Copies of all materials to be displayed, posted or distributed on school property, at school functions or on school-sponsored vehicles must be submitted to the building principal or designee for prior approval.
- E. Approval procedures must be followed prior to distribution or display of materials on school property, at school functions/events, or on school-sponsored vehicles.
- F. The wearing of armbands and similar items shall be permitted as a form of expression within the restrictions listed in these regulations and the school dress code.
- G. The Board reserves the right to designate and prohibit demonstrations of student expression which are not protected by the right of free expression because they violate the rights of others, interfere with the educational process, threaten serious harm to the school or community, or encourage unlawful activity. Such expressions are those which:
  - 1. Libel any specific person or persons.
  - 2. Seek to establish the supremacy of a particular religious denomination, sect or point of view.
  - 3. Advocate the use or advertise the availability of any substance or material which may reasonably be believed to constitute a direct and substantial danger to the health or well being of students.

## 220-AR STUDENT EXPRESSION

4. Are obscene or contain material otherwise deemed to be harmful to impressionable students who may receive them.
  5. Incite violence, advocate the use of force, or urge the violation of law or school regulations.
  6. Solicit funds for non-school organizations or institutions when such solicitations have not been approved by the Board.
- H. The wearing of buttons, badges, arm bands, clothing or accessories bearing slogans and sayings shall be permitted as another form of expression, unless the message thereof materially or substantially interrupts the educational process or intrudes upon the rights of others.
- I. It is understood that no teacher or administrator shall attempt to interfere with this process on the grounds that the message is unpopular with the students or faculty.

## III. PROCEDURES

## A. Use of Facilities/Equipment

1. Students may be permitted to use the school district facilities and equipment provided they obtain and abide by the terms of Board Policy No. 707 and its accompanying regulations, as well as any other applicable policies.
2. Students may be permitted use of school equipment for official school newspapers, publications and/or announcements. Permission to use such equipment must be obtained from the appropriate school official and that person has the right to deny the use of such equipment if the content of the material to be communicated does not conform to school regulations concerning student use of bulletin boards and student publication of newspapers and other publications or for any other reasonable cause.
3. The school district retains the right to ensure non-interruption of school operations. Student use may not interfere with faculty use of facilities or equipment.

## B. Bulletin Boards

1. School authorities may restrict the use of certain bulletin boards.
2. Each building principal shall designate space on certain bulletin boards for use by students and shall permit students and/or student organizations to post material on such bulletin boards subject to the following regulations:
  - a. No material containing matter that is obscene, libelous, or that inflames or incites students so as to create a clear and present danger of the commission of unlawful acts or of physical disruption of the orderly operation of the school shall be permitted to be posted on any school bulletin board.

## 220-AR STUDENT EXPRESSION

- b. The person(s) posting any material shall bear the responsibility for its contents.
- c. All materials must be dated by the school office as of the date of posting, must bear the signature of the principal or designee, and must be removed by the person who posted the material from the bulletin board after ten (10) days unless an extension is granted by the principal or designee.
- d. Any school-sponsored or school-related student group wishing to post any material must submit such material to its faculty advisor, who shall approve of its contents and facilitate its submission to the building principal or designee at least one (1) day prior to the requested date of posting. Identification of at least one (1) responsible person in such a student group will be required upon submission for approval. If the principal or designee, after reviewing such material, believes it contains prohibited matter, s/he shall notify the student group of such.
- e. Any school district student or nonschool-related student organization desiring to have proposed material reviewed by the principal or designee to determine whether it contains prohibited matter shall submit that material to the principal or designee no later than seventy-two (72) hours prior to the desired time of posting. The person wishing to post the material must provide his/her name, address, telephone number and, where applicable, the name of his/her organization. This information shall be filed in the principal's office. The principal or designee shall, upon receipt of any notice for review prior to posting, render his/her decision as to the content of such material no later than the desired date of posting.
- f. If the principal or designee concludes that any proposed or posted material contains prohibited matters, s/he shall remove or prevent the posting of such material and shall notify the student or student organization which posted or desired to post such notice of the reasons for his/her decision.
- g. Any materials for which a determination has been made not to allow posting shall not be posted on school property, at school functions or on school-sponsored vehicles.
- h. Permitted postings may be required to display the appropriate school district disclaimer. All nonschool-sponsored postings must bear the disclaimer.
- i. Any student or student organization who posts printed materials shall be responsible for cleaning any litter that results from such posting.
- j. Violation of any of these regulations shall subject the student or student organization to possible disciplinary action as per the school code of conduct.

## 220-AR STUDENT EXPRESSION

## C. Unofficial Publications

The school district has no responsibility to assist students in or to provide facilities for the publishing of materials not sanctioned by the school district. Students who publish and/or distribute unofficial publications have moral and legal obligations to observe the rules of responsible journalism and will be held solely responsible for all such materials. The school district will not be responsible for any statements published in unofficial publications. The students themselves have sole responsibility for any statements.

## D. Distribution of Unofficial Leaflets, Newspapers, Etc.

The distribution by students of all literature, leaflets, unofficial newspapers and other material on school property, other than any material which is distributed by a school-sponsored or school-related organization, such as the school newspaper and yearbook, shall be governed by the following regulations:

1. All such material, together with a copy of the plan of distribution, must be submitted to the principal, who shall forward such information to the Superintendent or designee for approval, no later than seventy-two (72) hours prior to the planned distribution. The plan of distribution shall set forth in detail the desired time, place and manner of distribution, as well as those who will be distributing.
2. No plan of distribution shall be accepted if it would constitute a threat of a substantial disruption or material interference with school activities.
3. Identification of the individual student or at least one (1) responsible person in a student group will be required upon submission for approval.
4. The person wishing to distribute such material on school property must provide in writing his/her name, address, telephone number and organization, if any. This information shall be filed in the principal's office.
5. The principal or designee shall notify the students planning to distribute such material of his/her decision to grant or deny permission to distribute the material as planned. If the decision is to not permit the distribution, the principal or designee shall specify the reasons for his/her decision and shall specify the changes in the content of the material or in the plan of distribution which must be made in order to secure such permission. If the student(s) desiring to distribute such material make(s) such changes in a manner satisfactory to the decision maker prior to the planned distribution, the principal or designee may then grant permission to distribute.
6. No material shall be permitted to be distributed on school property if the content is obscene, libelous or would constitute a threat of a substantial disruption of or material interference with school activities.

## 220-AR STUDENT EXPRESSION

7. Any materials for which a determination has been made not to allow distribution shall not be distributed on school property, at school functions or on school-sponsored vehicles.
8. So as to allow for the normal flow of traffic within the school and its exterior doors, the distribution of such materials will be permitted only on sidewalks paralleling school driveways. Building entrance walkways and building lobbies shall not be utilized for such distribution. Distribution of materials in other places shall be permitted only upon receipt of written permission from the principal or designee.
9. Distribution of such material shall be limited to times prior to the opening of school for the day and immediately following the dismissal of students for the day unless written permission for other times is received from the principal or designee.
10. Permitted distributions may be required to display the appropriate school district disclaimer. All nonschool-sponsored materials must bear the disclaimer.
11. Any student who distributes materials shall be responsible for cleaning any litter that results from such distribution.
12. No student shall harass or otherwise interfere with the distribution of approved material by student(s).

## E. School Newspapers

Students have the responsibility to observe the rules for responsible journalism. Within these bounds and school district regulations, students have a right to report the news and to editorialize.

1. Official school publications (e.g., yearbook and newspaper) and all other subject or class related publications will be supervised by a faculty advisor approved by the proper school officials.
2. The student staff members and advisors of the publications shall develop a written policy that will govern the nature and content of the material to be published and distributed. Such policy shall contain a statement that obscene and libelous material and material advocating illegal action will not be included in the publication.
3. The faculty advisor of the publication and/or proper school official(s) shall remove obscene or libelous material, as well as edit material that, if published, would cause a substantial disruption or material interference with school activities. School officials may not censor or restrict material simply because it is critical of the school or its administration.
4. The faculty advisor shall submit material that would be considered to be of questionable nature to the principal or designee for prior approval. Material shall be deemed appropriate for publication by the principal or designee if it

220-AR STUDENT EXPRESSION

meets with school district regulations, guidelines, procedures and policies, as well the written policy described herein.

5. In the event material is referred to the principal or designee for prior approval, the faculty advisor and/or student editor will be notified by the principal or designee of the decision within three (3) full school days. If the prescribed time for approval elapses without a decision, the material shall have been deemed to be authorized for publication and distribution.
  6. If the faculty advisor or the principal or designee shall determine that any proposed publication contains prohibited material, s/he shall notify the student staff member or other student desiring to publish such material, indicating the material objected to and the reasons for its rejection.
  7. Student staff members will be held responsible for published materials which are libelous or obscene.
  8. Students who are not members of the official publication staff and other members of the school community should have access to its pages. The criteria for submission of materials by non-staff members shall be contained in the written policy described above and shall be distributed to all students.
  9. All other publications which are published on school equipment and distributed in the school shall be subject to these regulations and Board policy.
- IV. Appeal of decisions made regarding unprotected expression shall follow the procedures outlined in 219-AR, Student Complaint Process.

Established: June 15, 2011