Student Exercise of Free Expression

Intent of Policy

The board recognizes free expression as a fundamental constitutional right extending onto the school campus.

Free Expression At School

Students in the District have the right to exercise freedom of speech and of the press including, but not limited to the following:

1. The use of school and the District bulletin boards, including online forums designated for student expression;
2. The distribution of printed materials or petitions;
3. The wearing of buttons, badges, and other insignia; and
4. The right of expression in official publications, whether or not the publications or other means of expression are supported financially by the District, the school, or by use of school facilities.

Prohibited Expression

While the District strongly supports the constitutional right to free expression, the District prohibits expression which is:

1. Obscene;
2. Libelous;
3. Slanderous; or
4. Includes material that so incites students as to create a clear and present danger of the commission of unlawful acts on school premises or the violation of lawful school regulations, or the substantial disruption of the orderly operation of the school.

Time, Place, and Manner Restrictions

The District shall develop a written publications code that includes reasonable time, place, and manner restrictions on student free speech rights.

Official School Publications

An "Official School Publication" refers to any material produced by students in the journalism, newspaper, yearbook, or writing classes and distributed to the student body either free or for a fee.

The District shall not engage in any prior restraint of material prepared for official school publications except insofar as it violates the law and/or this policy. If a District employee believes that material should not be included in a publication he/she bears the burden of showing to his or her supervising administrator, without undue delay, that the material may be limited based on any of the grounds set forth in this policy.

Student editors of official school publications shall be responsible for assigning and editing the news, editorial, and feature content of their publications subject to the limitations of this policy.

Student publication advisers are District staff members assigned as advisers to student publications for each school in the District. Student publication advisers shall be responsible for the following:

1. Supervising the production of the student staff working on official school publications;
2. Maintaining professional standards of English and journalism; and
3. Supporting and maintaining free expression, and any limits on that expression in accordance with this policy.

High School Students [only required if serving grades 9-12]

The District shall not discipline a high school student solely on the basis of conduct that is speech or other communication which would be protected by the First Amendment if it occurred outside of school. However, a high school student may still be disciplined for harassment, threats, or intimidation, unless constitutionally protected. (Ed. Code, §§ 48907, 48950.)