

FAIRVIEW SCHOOL DISTRICT

SECTION: PUPILS

TITLE: STUDENT EXPRESSION

ADOPTED: June 20, 1994

REVISED:

220. STUDENT EXPRESSION	
<p>1. Purpose Title 22 Sec. 12.9 SC 511</p>	<p>The Board respects the right of students to express themselves in word or symbol and to distribute materials as a part of that expression, but recognizes that the exercise of that right must be limited by the need to maintain an orderly school environment and to protect the rights of all members of the school community.</p>
<p>2. Authority</p>	<p>The Board reserves the right to designate and prohibit manifestations of student expression which are not protected by the right of free expression when they violate the rights of others.</p>
<p>3. Delegation of Responsibility Title 22 Sec. 12.9 AP 220.1</p>	<p>The Superintendent shall develop rules and regulations for the distribution of printed material which shall include procedures for the prior review of all material to be distributed. Such procedures shall designate a reviewer who shall bear the burden of showing the material to be unprotected, require that the time consumed by the review process not be so excessive as to constitute a prohibition in itself, and delineate an appeal process.</p>
<p>4. Guidelines</p>	<p>Students have the right to express themselves in any manner unless such expression directly interferes with the educational process, threatens immediate harm to the welfare of the school or community, or encourages unlawful activity, or interferes with another individual's rights.</p> <p>Students may use publications, handbills, announcements, assemblies, group meetings, buttons, armbands, and any other means of common communication, provided that the use of public school communications facilities shall be in accordance with the regulations of the authority in charge of those facilities.</p> <p>Students have the responsibility to obey laws governing libel and obscenity and to be aware of the full meaning of their expression. 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.</p>

<p>Title 22 Sec. 12.9(g)</p>	<p><u>Bulletin Boards</u></p> <p>School authorities may restrict the use of certain bulletin boards to school announcements. Bulletin board space should be provided for the use of students and student organizations.</p> <p><u>School Newspapers and Publications</u></p> <p>Students have the responsibility to refrain from libel and obscenity and to observe the rules for responsible journalism. Within these bounds, students have a right and are as free as editors of other newspapers to report the news and to editorialize.</p> <p>School officials will supervise student run newspapers published with school equipment and remove obscene or libelous material, as well as edit material that would cause substantial disruption or material interference with school activities.</p> <p><u>Unofficial Publications</u></p> <p>The constitutional right of freedom of speech guarantees the freedom of public school students to publish on their own materials other than those sanctioned by the school. The school has no responsibility to assist students or to provide facilities in the publishing of such materials, nor may the school be held responsible for any statements published in them. The newspaper staff members themselves have sole responsibility for any statements published. Unofficial publications have moral and legal obligations to observe the rules of responsible journalism.</p> <p><u>Distribution of Literature, Leaflets and Newspapers</u></p> <p>Courts have ruled that school authorities may prohibit the distribution or dissemination of student-originated material on school grounds only when such material would materially and substantially interrupt the educational process or intrude upon the rights of others (the rationale of the United States Supreme Court in the Tinker case).</p> <p>Students have the right to distribute leaflets, newspapers and other printed material adjacent to school property without any restriction by school authorities. However, the Board of School Directors has the right to have printed material submitted to the appropriate school official prior to distribution within the school for the purpose of determining whether distribution would result in substantial disruption of or material</p>
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<p>Title 22 Sec. 12.9(i)</p>	<p>interference with school activities. The rules for prior submission must be specific, reasonable and not calculated to delay distribution unduly. Before distribution can be denied the threat of disturbance must be real and not immaterial. Also, the Board must have rules to protect those who distribute materials in a peaceful and lawful manner. Threats by other students should not lead a Board to prohibit lawful distribution.</p> <p>The Board of School Directors may set forth the time and place of distribution so that distribution would not materially and substantially interfere with the requirements of appropriate discipline in the operation of the school. A proper time and place set for distribution is one which would give the students the opportunity to reach fellow students. The place of such activity may be restricted to permit the normal flow of traffic within the school and at exterior doors.</p> <p>The manner in which printed materials are distributed should be restricted to prevent undue levels of noise or to prevent the use of coercion in obtaining signatures on petitions. Students engaged in distributing material should be responsible for the clean-up of litter.</p> <p>It is recommended that the time for such activity be before school begins, after dismissal, and during lunch time.</p> <p>The Board may require that all printed matter and petitions distributed on school property bear the name of the sponsoring organization and the name of one individual of such organization.</p> <p><u>Buttons and Badges</u></p> <p>The wearing of buttons, badges, or armbands bearing slogans and sayings shall be permitted as another form of expressions, unless the message thereof is obscene according to current legal definitions; is libelous; or 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.</p> <p>No teacher or administrator shall attempt to interfere with this practice on the ground that the message may be unpopular with the students or faculty.</p>
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