

Students of the district have the right to exercise free expression, including but not limited to, the use of bulletin boards, the distribution of printed materials or petitions and the wearing of buttons, badges and other insignia, except that expression shall be prohibited which is obscene, libelous, slanderous or material which 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.

1.0 Procedures for Circulating Materials

1.1 Leaflets and other printed materials to be distributed shall be submitted to the appropriate school administrator for informational purposes at least 24 hours prior to the school distribution to ensure compliance with the procedures set forth below. Student circulation of petitions, circulars, newspapers, and other printed matters will be subject to the following limitations:

1.1.1 TIME. The time of distribution will be limited to the hours before school begins, during the lunch hour and after school is dismissed.

1.1.2 PLACE. The place of distribution should be reasonably restricted to permit the normal flow of traffic within the school corridors and entrance ways.

1.1.3 MANNER. The manner of distribution will be such that:

1.1.3.1 Coercion is not used to induce students to accept the printed matter or to sign petitions.

1.1.3.2 Materials printed for distribution are not left undistributed or stacked for pick up while unattended at any place in the school or on the grounds.

2.0 Procedures for Student Use of Bulletin Boards

Students shall be provided with bulletin boards for use in posting student materials on campus locations convenient to student use. Where feasible, the location and numbers of such bulletin boards shall be by joint agreement of local school student government representatives and the local school administration.

- 2.1 Student announcements to be posted will be submitted to the appropriate school administrator for informational purposes at least 24 hours prior to each posting.
- 2.2 Student announcements must contain the date the announcement is posted. Such announcements will be removed after a prescribed reasonable time to assure fair access to bulletin boards for all students.
- 3.0 Buttons, Badges and Other Insignia of Symbolic Expression

Students will be permitted to wear buttons, badges, armbands and other insignia as a form of expression unless prohibited.
- 4.0 Prohibited Material:
 - 4.1 Material which 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.
 - 4.2 Material which is obscene, libelous or slanderous.
 - 4.3 Material which is distributed in violation of the Time, Place and Manner requirements (1.1.1 through 1.1.3 inclusive).
- 5.0 Students distributing or posting materials or who wear buttons, badges or other insignia on campus have the legal liability and responsibility for their content which is not to be:
 - 5.1 Obscene to minors according to current legal definitions.
 - 5.2 Libelous according to current legal definitions.
- 6.0 Appeal Procedures
 - 6.1 If materials are determined to be prohibited under Section 4.1, 4.2 or 4.3, the student proposing the distribution may appeal the action to the District Administrative Panel. The decision of the District Administrative Panel will be made not later than the school day following the day of the hearing.

6.2 Appeals to the District Administrative Panel's decision may be made to the Board of Trustees who will render a decision at the next scheduled board meeting. The decision of the Board of Trustees will be the final district decision.

7.0 Notice to Students

The content of this policy, which includes but is not limited to, student liability, procedures to be followed, appeals process and the disciplinary results of noncompliance are to be communicated to all students. Normal means of communications which will ensure full dissemination are to be utilized.

8.0 Responsible Administrator

The principal of each school shall designate one administrator to exercise responsibility for carrying out the above procedure.

9.0 Disciplinary Action

Any student who willfully and knowingly violates any portion of these procedures will be subject to suspension, expulsion or other penalty in accordance with established disciplinary procedures.

10.0 These procedures are not applicable to official school publications such as student newspapers, yearbooks, etc.

Legal References:

Education Code

48907 Student Freedom of Speech and Press

Case Law

Tinker v. Des Moines School District, 393 U.S. 503, 506

Board of Trustees

November 12, 1981

Reviewed: February 12, 1987

Reviewed: February 8, 1990

Revised: August 1993

Revised: April 2005

A