

Provision for expression of differences of opinion as provided in the First Amendment shall be adequately provided and protected. Prohibition of a particular expression of opinion or means of expression shall be based upon something more than a mere desire to avoid the discomfort and unpleasantness that always accompany an unpopular point of view.

However, no person, be he or she parent, teacher or student, has the absolute right to freedom of speech. It is a myth to say that any person has a constitutional right to say what they please, where they please, and when they please.

The primary liberties in a student's life have to do with the process of inquiry and learning, of acquiring and imparting knowledge, and of exchanging ideas. The process requires that students have the right to express opinions, to take stands, and to support causes, publicly or privately except where the practice materially and substantially interferes with school discipline. School administrators and teachers shall be responsible for teaching students to be considerate of the rights of others. Freedom of speech does not give an individual the right to defame, verbally attack or slander other individuals or organizations. If this occurs staff members have the responsibility to see that this does not occur and to teach students the responsibilities associated with freedom of speech.

The school district reserves the right to regulate information displayed as follows:

I. Bulletin boards. School authorities may restrict the use of bulletin boards to school announcements. Ample bulletin board space may be provided for the use of students and student organizations, including a reasonable area for notices relating to out-of-school activities or matters of general interest to students. The following general limitations on posting shall be applied:

A. School authorities shall prohibit material which may be obscene, which may be libelous, or which may inflame or incite students, other individuals, or

organizations, or which may create a clear and present danger toward the commission of unlawful acts, or which may cause physical disruption to the orderly operation of the school.

Students shall not post material without first discussing the contents of the material to be posted with their organization sponsor, with a teacher, or with the school administration.

- B. Identification shall be required on any posted notice of the student or group posting the material.
- C. The school may require that notices or other communications be officially dated before posting and that such material be removed after a reasonable time to assure full access to the bulletin boards.

II. Distribution of printed material and circulation of petitions. Students may distribute handbills, leaflets, and other printed material and collect signatures on petitions concerning either school or out-of-school issues whether such materials are produced within or outside of the school. The following are general limitations:

- A. The time of such activity shall be limited to periods before and after school. Individuals or organizations shall get the approval of the organization's sponsor, of a teacher or of the school administration prior to distribution of any material or prior to collecting petition signatures.
- B. The place of such activity shall be reasonably restricted to permit the normal flow of traffic within the school and at exterior doors.
- C. The manner of conducting such activity shall be restricted to prevent undue levels of noise, or to prevent the use of coercion in obtaining signature on petitions. The danger of littering is not a sufficient ground for limiting the right of students to distribute printed material; however,

students distributing material shall be responsible for litter which may result from their activities.

- D. The school shall require that all printed matter and petitions distributed or circulated on school property bear the name of the sponsoring organization or individual.
- E. The school shall prohibit the distribution of material within the restricted categories of Paragraph 1(A).

III. Buttons and badges. The wearing of buttons, badges or arm bands bearing slogans or sayings shall be permitted as another form of expression; however, the conditions set forth in Paragraph 1(A) above must be observed.

IV. Student Demonstrations.

- A. The superintendent of school shall be notified immediately of any student demonstrations.
- B. The superintendent of schools, or his or her designee, shall attempt to identify those individuals that may appear to be assuming the leadership role in any demonstration. School officials should attempt to determine if there are individuals outside of the school also participating in the demonstration.
- C. Those students assuming a leadership role shall be informed that no negotiations shall take place until such time that all students have returned to their normal school activity. If the leaders are unable to persuade the students to return to their normal school activities, the superintendent is authorized to exclude from school those students participating in the demonstration. Refer to Policy 5560, Student Suspension, Expulsion, and Grievance Procedures. The students shall be informed of their rights to appeal and shall not be allowed back in school until the conditions set forth in Policy 5560 are met. School officials may request assistance from local authorities to clear the school premises and to prevent property damage if deemed necessary.

- D. Once normal school procedures are resumed the school administrators are authorized to meet with the student leaders to attempt to resolve the student concerns.
- E. School administrators are authorized to take disciplinary action if it is deemed appropriate.
- F. Time lost by students participating in any demonstration shall be made up. Grades or credit shall be withheld until all make up of time and class work has been satisfied. Refer to Policy 5130, Absences for making up school work.

In imposing limitations on student expression for any reason under any of the forgoing provisions, school officials must ensure that their rules are applied in a non-discriminatory basis and that any refusal to allow students to express themselves is not done because of personal biases.

Any student or student group deprived of freedom of expression under any of these provisions shall have the right to request a hearing before the board of education to determine whether such deprivation is justified under these rules. Such hearing must be requested and held as soon as possible after requested.