

Students

FREEDOM OF SPEECH/EXPRESSION

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. There should be no interference in the school with these liberties, or with the students' access to or expression of controversial points of view, except as provided below: (Education Code 48907)

School-Sponsored Publications

Students shall have the right to exercise freedom of speech and of the press in official school publications, except for expression that is obscene, libelous, slanderous, or so incites students as to create a clear and present danger of the commission of unlawful acts on school premises, the violation of lawful school regulations, or the substantial disruption of the orderly operation of the school. (Education Code 48907)

Official school publications include material produced by students in journalism, newspaper, yearbook, or writing classes and distributed to the student body either for a fee or free. (Education Code 48907)

All student submissions shall be held to professional standards of English and journalism. (Education Code 48907)

If the principal considers material submitted for publication to violate Education Code 48907, he/she shall notify the student, without undue delay, and give specific reasons why the submitted material may not be published. Absent extraordinary circumstances, such notice should be given in sufficient time to allow the student time to either modify the material or to seek review of the principal's determination from the Superintendent or designee. Prior to any restriction of student speech, school officials shall consider any feasible alternative options to restricting the speech.

To the extent that the principal or designee believes that the school and district should be disassociated from a particular idea or opinion, the principal may require student articles to include disclaimers.

Distribution of Printed Materials and Petitions by Students

Students may collect signatures on petitions concerning school or nonschool issues.

The principal or designee may regulate the “time, place, and manner” of student speech.

Printed material or petitions may be distributed only:

1. Before or after school or during lunch time
2. In locations that do not obstruct the normal flow of traffic within the school or at entrances

No student shall use coercion to induce any other student or person to accept printed matter or to sign a petition. No funds shall be collected for any material distributed.

(cf. 5131 – Conduct)

Clothing, Buttons, and Badges

Buttons, badges, armbands, and clothing bearing slogans or sayings may be worn unless their message falls into the categories prohibited by law and Board policy. No employee shall interfere with this practice on the grounds that the message may be controversial or unpopular with students or faculty.

(cf. 5131.4 – Student Disturbances)

(cf. 5132 – Dress and Grooming)

(cf. 5136 – Gangs)

(cf. 5144 – Discipline)

Legal References:

Educational Code

48907 Exercise of free expression; rules and regulations

51512 Prohibited use of electronic listening or recording device, Penalties

51520 Prohibited solicitations on school premises

Regulation Approved: 3/11/09

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California