

OFFICE OF SCHOOL PERFORMANCE & ACCOUNTABILITY

Student Speech & Expression

Presented by:

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Purpose

The purpose of this workshop presentation is to review and discuss current policies and procedures for student speech and expression and to determine whether revisions are needed.



Introduction

Student speech and expression have been integral and respected components of the educational process for decades. Below are the most common types of student speech and expression in our schools.

- Campaign speeches for student offices
- Student publications (newspapers, yearbooks, etc....)
- Graduation speeches
- Distribution of printed materials
- Student lead school announcements
- Extra curricular/co-curricular student activities

(NOTE: This is not an exhaustive list.)



Legal Background

Legal precedent and perspectives for student speech and expression are codified in three landmark US Supreme Court Decisions.

Tinker v. Des Moines School District	Bethel School District v. Fraser	Hazelwood School District v. Kuhlmeier
1969	1986	1988
<p>Students nor teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate</p> <p>Even on controversial topics, the speech may not be limited unless it materially and substantially interferes with the requirements of appropriate discipline in the operation of the school or the rights of others</p>	<p>School officials can prohibit student speech that is vulgar, lewd, or plainly offensive</p> <p>Set distinction from Tinker decision that was considered political speech</p> <p>Freedom to advocate unpopular and controversial views in schools and classrooms must be balanced against society's countervailing interest in teaching students the boundaries of socially appropriate behavior</p>	<p>Set the distinction between public forum and limited forum</p> <p>Set the precedent for school-sponsored speech (bears the imprimatur of the school)</p> <p>Speech can be edited or prevented that is deemed inappropriate by the school administration and might appear to have the imprimatur of the school</p>



School Board Policies

Currently, the School Board has adopted the policies listed below. Additionally, Policy 5.8 (Code of Student Conduct) contains language on pages 21 through 24 that addresses student speech, expression, and activities.

(6207) Publications	(1344) Ceremonies at all School Board-Sponsored Functions	(5313) Protocol for High School Graduation and Senior Activities
1974	1990	2000
<p>Entire contents must be reviewed and approved by the principal before going to print (principal may be assisted by a faculty committee)</p> <p>Principal makes the final decision on inclusion or exclusion of questionable content</p> <p>Principal has the final authority of advertisements in student publications</p>	<p>All comments, speeches, invocation, benedictions, etc. at any board-sponsored event must be non-sectarian and non-denominational in nature</p> <p>Employees who invite guest speakers must advise them of the requirements of this policy</p>	<p>Stage guests are limited to students, staff, and school board members</p> <p>School board members are the only elected officials who may participate in the program</p> <p>The principal is responsible for organization and administration of the ceremony</p> <p>Students must adhere to Code of Student Conduct</p> <p>The Superintendent may waive a provision of the policy</p>



Current Practices

Code of Conduct

All publications and distributed materials must be approved by the principal or designee

All school publications and distributed materials must include a statement advising that the opinions are not expressly of the school or the District



Student Speeches

All speeches must be approved by the principal or designee

All speeches must be non-sectarian and non-denominational

All speeches must be free of content that is lewd, vulgar, profane, obscene, pornographic, slanderous, or libelous



Administrative Responsibility

Administration must approve any activities related to school-approved or school-sponsored clubs and groups

If student speeches, distributed materials, and publications are denied, the specific reason must be provided

If it may cause a disruption, explanation of why the disruption may occur and how it will be substantial must be provided



Board Discussion & Guidance



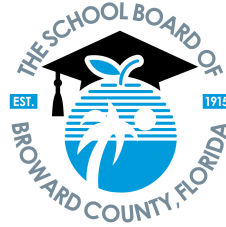
Appendix

Attachment 1: Policy 1344 (Ceremonies at all School Board-Sponsored Functions)

Attachment 2: Policy 5313 (Protocol for High School Graduation and Senior Activities)

Attachment 3: Policy 6207 (Publications)





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