

## **Freedom of Expression**

The Board seeks to educate young people in the democratic tradition, to foster recognition of individual freedom and social responsibility, and to inspire meaningful awareness of and respect for the Constitution and the Bill of Rights.

Academic freedom within the confines of state law and Board policy will be guaranteed to teachers in order to create a classroom atmosphere which allows students to raise questions dealing with critical issues.

The teacher is responsible for exercising judgment in selecting issues for discussion and material for use in the classroom. The determining criteria is the educational value to the students involved. The teacher is expected to weigh the relevance of such issues to the adopted curriculum and the age/maturity of the students.

The board encourages freedom of expression within the school system. In accordance with established law, the district requires, however, that students exercise their rights fairly, responsibly and in a manner not disruptive to other individuals or to the educational process.

### **Freedom of student inquiry and expression**

1. Generally, students and student organizations are encouraged to examine and discuss questions of interest to them and to express opinions publicly and privately within the school system, provided such examination and expression is fair and responsible and is not disruptive to other individuals or to the educational process. Students may support or oppose causes by orderly means which do not disrupt other individuals or the operation of the school.
2. In the classroom, students are free to examine views offered in any course of study, provided such examination is expressed in a responsible manner. The teacher is responsible for maintaining the integrity of the learning environment in this regard.

### **Freedom of association**

Students are encouraged to organize associations to promote their common interests. Student organizations should be open to all students. Membership criteria may not exclude students on the basis of age, race, religion, color, national origin, disability, marital status, sex or sexual orientation. Each student organization must have a staff advisor to counsel and, when necessary, supervise students in the organization. All student organizations must submit to the school a statement of purpose, criteria for membership, rules and procedures and a current list of officers. School administrators may establish reasonable rules and regulations governing the activity of student organizations.

### **Publications, displays and productions**

On occasion, materials such as leaflets, newsletters, cartoons and other items including displays and productions are prepared, produced and/or distributed by students as part of the educational process and free expression in an academic community. In accordance with established law, materials may be subject to administrative review, restricted or prohibited, however, pursuant to legitimate educational concerns. Such concerns include:

1. The material is or may be defamatory;
2. The material is inappropriate based on the age, grade level and/or maturity of the audience;
3. The material is poorly written, inadequately researched, biased or prejudiced;
4. Whether there is an opportunity for a named individual or named individuals to make a response;
5. Whether specific individuals may be identified even though the material does not use or give names;
6. The material is or may be otherwise generally disruptive to the school environment. Such disruption may occur, for example, if the material uses, advocates or condones the use of profane language or advocates or condones the commission of unlawful acts;
7. Students, parents and members of the public might reasonably perceive the materials to bear the sanction or approval of the districts.

### **High school student journalists**

Subject to the limitations under established law, high school student journalists are encouraged to express their views and positions in school-sponsored media. School sponsored media means materials that are prepared, substantially written, published or broadcast by student journalists, that are distributed or generally made available, either free of charge or for a fee, to members of the student body and that are prepared under the direction of a student media adviser. School-sponsored media does not include media intended for distribution or transmission solely in the classrooms in which they are produced. Reproduction of school-sponsored media in other forums is not permitted without the district's express, written consent.

School-sponsored media prepared by student journalists are subject to reasonable time, place and manner restrictions, pursuant to state and federal law. School-sponsored media cannot contain material that:

1. Is libelous or slanderous;
2. Is obscene, pervasively indecent or vulgar;

3. Is factually inaccurate or does not meet journalistic standards established for school-sponsored media;
4. Constitutes an unwarranted invasion of privacy;
5. Violates federal or state law; or
6. So incites students as to create a clear and present danger of:
  - a. The commission of unlawful acts on or off school premises;
  - b. The violation of district policies; or
  - c. The material and substantial disruption of the orderly operation of the school. A school official will base a forecast of material and substantial disruption on specific facts, including past experience in the school and current events influencing student behavior, and not on undifferentiated fear or apprehension.

Modifications or removal of items may be appealed in writing to the superintendent. The superintendent shall schedule a meeting within ten school days of receiving the written appeal. The superintendent shall make his/her decision within ten school days of the meeting. The superintendent's decision shall be final and binding on all parties.

#### END OF POLICY

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#### Legal Reference(s):

<a href="#">ORS 332.072</a>	HB 3279 (2007)
<a href="#">ORS 332.107</a>	
<a href="#">ORS 339.880</a>	<a href="#">OAR 581-021-0050</a>
<a href="#">ORS 339.885</a>	<a href="#">OAR 581-021-0055</a>

Equal Access Act, 20 U.S.C. §§ 4071-4074 (2006).  
Westside Cmty. Bd. of Educ. v. Mergens, 496 U.S. 226 (1990).  
Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260 (1988).  
U.S. CONST. amend. I; U.S. CONST. amend. XIV.  
OR. CONST., art. I, § 8.

#### Cross Reference(s):

IGDA - Student Organizations  
IGDB - Student Publications  
INB - Studying Controversial Issues