

Freedom of Expression

The Board and administration agree that academic freedom is essential to the fulfillment of the purposes of the district. No licensed employee shall be prevented from introducing controversial material, including personal opinion, into a classroom presentation, and discussion, providing that such material is relative to the course content and is in no way detrimental to the school system or to the educational program.

Freedom of expression, as defined by federal and state law and Board policy, will be guaranteed to teachers to create a classroom atmosphere that allows students to raise questions dealing with critical issues.

The licensed employee shall make every effort to insure that conflicting opinions are presented and that the topic and material used will be appropriate to the maturity level and intellectual ability of the students.

The teacher is responsible for exercising judgment in selecting issues of educational value for discussion.

High School Student Journalists

Generally, high school student journalists have the right to exercise freedom of speech and of the press 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 advisor. School-sponsored media does not include media intended for distribution or transmission solely in the classrooms in which they are produced.

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 three school days of receiving the written appeal. Those present at the meeting shall include the individual(s) making the appeal, the individual(s) who made the decision to modify or remove materials and the superintendent. At the superintendent's discretion, the district's legal counsel may also attend the meeting. The superintendent shall make his/her decision within three school days of the meeting.

If the complainant is not satisfied with the decision of the superintendent, he/she may appeal to the Board under established district procedures.

END OF POLICY

Legal Reference(s):

[ORS 332.072](#)

[ORS 332.107](#)

[ORS 339.880](#)

[ORS 339.885](#)

[OAR 581-021-0050](#)

[OAR 581-021-0055](#)

Equal Access Act, 20 U.S.C. §§ 4071-4074 (2006).

Westside Cmty. Bd. of Educ. v. Mergens, 496 U.S. 226 (1990).

Hazelwood Sch. District v. Kuhlmeier, 484 U.S. 260 (1988).

U.S. CONST. amend. I; U.S. CONST. amend. XIV.

OR. CONST., art. I, § 8.