

## Freedom of Expression

### 1. Condition Description

- a. Citizens of our democracy are permitted free expression under the First and Fourteenth Amendments of the U.S. Constitution and under Article I, Section 8, of the Oregon Constitution.
- b. Since schooling is a learning experience, the matter of free expression must also be viewed as a part of the learning process. Therefore, when school officials or their representatives have reason to believe that a student is unaware of the possible consequences of his/her expressions, they may find it necessary to review publications and speeches to be given by students and to advise on matters of libel, slander, journalistic ethics, and the probable effect of statements or writings in the orderly operation of the school.

### 2. Guidelines

#### a. Rights

- (1) Students are entitled to express their personal opinions.
- (2) Students are encouraged to express personal opinions in writing in school publications and participate in publishing school publications.
- (3) Under certain conditions, students may obtain school authorization to sell or disseminate materials or engage in activities which solicit student financial contributions.
- (4) Such conditions include, but are not limited to:
  - (a) Permission shall be secured from the administration in advance of the activity.
  - (b) A copy of materials to be distributed shall be furnished to the administration for review and deletion of profane, obscene, or libelous material.
  - (c) The administration will designate areas where materials may be distributed.
- (5) Students may not be compelled to participate in patriotic exercises as long as the manner of such non-participation does not disrupt the educational process.
- (6) Students may wear certain distinctive insignias so long as they do not trespass on the rights of others or interfere with the orderly operation of the school program.

### 3. Responsibilities

- a. Students have the responsibility to see that their symbolic or actual freedom of expression does not interfere with the freedom of others to express themselves.

The following types of conduct do interfere with the freedom of others and are prohibited:

- (1) The use of profane or obscene language;
- (2) The display or dissemination of obscene, profane, or libelous materials;
- (3) Threats of harm to persons or property;
- (4) The use of group pressure to subvert lawful authority or encourage unlawful action.

b. Students must submit to the lawful authority of their teachers and other school officials.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.107](#)