

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.

Students have a general right to freedom of expression within the district. 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.

1. Freedom of Student Inquiry and Expression

- a. Generally, students and student organizations are free to examine and discuss questions of interest to them and to express opinions publicly and privately within the district, provided such examination and expression is fair and responsible and is not disruptive to other individuals or to the educational process. Students may support causes by orderly means which do not disrupt other individuals or the operation of the district.
- b. In the classroom, students are free to examine views offered in any course of study, provided such examination is expressed in a responsible manner.

2. Freedom of Association

Students are free 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 race, creed, national origin or sex. 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 district a statement of purpose, criteria for membership, rules and procedures, and a current list of officers. District administrators may establish reasonable rules and regulations governing the activity of student organizations.

3. Publications

On occasion, materials such as leaflets, newsletters, cartoons and other items are prepared and distributed by students as part of the educational process and free expression in an academic community. Such materials may be restricted or prohibited, however, pursuant to legitimate educational concerns. Such concerns include:

- a. The material is or may be defamatory;
- b. The material is inappropriate based on the age, grade level and/or maturity of the reading audience;

- c. The material is poorly written, inadequately researched, biased or prejudiced;
- d. Whether there is an opportunity for a named individual or named individuals to make a response;
- e. Whether specific individuals may be identified even though the material does not use or give names;
- f. 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;
- g. Students, parents and members of the public might reasonably perceive the materials to bear the sanction or approval of the district.

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 adviser. 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.

The superintendent's decision shall be final and binding on all parties.

END OF POLICY

Legal Reference(s):

[ORS 332.072](#)

[ORS 332.107](#)

[ORS 336.477](#)

[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. 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

INB - Studying Controversial Issues

JFI - Student Demonstrations and Petitions