

## **Student Rights and Responsibilities**

One of the basic purposes of schooling is to prepare students for responsible self-expression in a democratic society. Citizens in our democracy are permitted free expression under the First and Fourteenth amendments of the U.S. Constitution. Students, as citizens, have the right of free expression and must bear the responsibility for the consequences of such expression.

Since schooling is a learning experience, the problem of free expression must also be viewed as a part of the learning process. Therefore, school officials may, from time to time, find it necessary to review publications and speeches to be given to students and to counsel on matters of libel, slander, journalistic ethics and the probable effect of statements or writings on the orderly operation of the school.

### **Responsibilities**

1. Symbolic and actual freedom of expression shall not interfere with the freedom of others to express themselves. The use of profane or obscene language and threats of harm to persons or property are prohibited.
2. Willful disobedience, open defiance of a teacher or district official's authority may be sufficient cause for discipline.
3. Any publication sponsored or in any way funded by the district shall be known as a district publication as opposed to a student publication.

Example: A school newspaper should reflect the total life of the school community. Even though the publication may be accomplished by student effort, the student has a responsibility to the total school community.

Libelous and profane or obscene matter are prohibited from all publications. The free speech right outlined in the First Amendment must be balanced against the state's duty to educate pupils in a decent and orderly fashion and to protect the rights of all students.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.061](#)

[ORS 332.072](#)

[ORS 337.150](#)

[ORS 339.155](#)

[ORS 339.240](#)

[ORS 339.250](#)

[ORS 659.850](#)

[ORS 659.865](#)

[OAR 581-021-0045](#)

[OAR 581-021-0046](#)

[OAR 581-021-0050 to -0075](#)

[OAR 581-022-1140](#)

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

Bethel Sch. Dist. v. Fraser, 478 U.S. 675 (1986).

**Cross Reference(s):**

JFC - Student Conduct