

4.14 – STUDENT MEDIA AND THE DISTRIBUTION OF LITERATURE - School Board Policy

All student media that are supported financially by the school or by use of school facilities, or are produced in conjunction with a class, shall be considered school-sponsored media. School-sponsored media do not provide a forum for public expression. Student media, as well as the content of student expression in school-sponsored activities, shall be subject to the editorial review of the District's administration, whose actions shall be reasonably related to legitimate pedagogical concerns and adhere to the following limitations:

1. Advertising may be accepted for media that does not condone products that are inappropriate for the age and maturity of the audience or that endorse such things as tobacco, alcohol, or drugs.
2. Media may be regulated to prohibit communications determined by the appropriate teacher, student media advisor, and/or administrator to be ungrammatical; poorly written; inadequately researched; biased or prejudiced; vulgar or profane; or unsuitable for immature audiences.
3. Media may be regulated to prohibit the dissemination of material that may reasonably be perceived to advocate drug or alcohol use; irresponsible sex; conduct that is otherwise inconsistent with the shared values of a civilized social order; or to associate the school with any position other than neutrality on matters of political controversy.
4. Prohibited media include those that:
 - a) Are obscene as to minors;
 - b) Are libelous or slanderous, including material containing defamatory falsehoods about public figures or governmental officials, and made with knowledge of their falsity or a reckless disregard of the truth;
 - c) Constitute an unwarranted invasion of privacy as defined by state law;
 - d) Suggest or urge the commission of unlawful acts on the school premises;
 - e) Suggest or urge the violation of lawful school regulations;
 - f) Scurrilously attacks ethnic, religious, or racial groups; or
 - g) Harass, threaten, or intimidate a student.

Student Media on School Web Pages

Student media displayed on school web pages shall follow the same guidelines as listed above and shall also:

1. Does not contain any non-educational advertisements;
2. Adhere to the restrictions regarding the use of Directory Information as prescribed in Policy 4.13, including not using the student's photograph when associated with the student's name unless written permission has been received from the student's parent or student if over the age of 18;
3. State that the views expressed are not necessarily those of the School Board or the employees of the district.

Student Distribution of Non-school Literature, Publications, and Materials

A student or group of students who distribute ten (10) or fewer copies of the same non-school literature, publications, or materials (hereinafter "non-school materials") shall do so in a time, place, and manner that does not cause a substantial disruption of the orderly education environment. A student or group of students wishing to distribute more than ten (10) copies of non-school materials shall have school authorities review their non-school materials at least three (3) days in advance of their desired time of dissemination. School authorities shall review the non-school materials before their distribution and will bar from distribution those non-school materials that are obscene, libelous, pervasively indecent, or that

advertise unlawful products or services. Materials may also be barred from distribution if there is evidence that reasonably supports a forecast that a substantial disruption of the orderly operation of the school or educational environment will likely result from the distribution. Concerns related to any denial of distribution by the principal shall be heard by the superintendent, whose decision shall be final.

The school principal or designee shall establish reasonable regulations governing the time, place, and manner of student distribution of non-school materials.

The regulations shall:

1. Be narrowly drawn to promote orderly administration of school activities by preventing disruption and may not be designed to stifle expression;
2. Be uniformly applied to all forms of non-school materials;
3. Allow no interference with classes or school activities;
4. Specify times, places, and manner where distribution may and may not occur; and
5. Not inhibit a person's right to accept or reject any literature distributed by the regulations.
6. Students shall be responsible for the removal of excess literature that is left at the distribution point for more than the days set.

The Superintendent, along with the student media advisors, shall develop administrative regulations for the implementation of this policy. The regulations shall include definitions of terms and timelines for the review of materials.

Legal References: ACA § 6-18-1202, 1203, & 1204 Tinker v. Des Moines ISD, 393 U.S. 503 (1969)

Bethel School District No. 403 v. Fraser, 478 U.S. 675 (1986)

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

Date Adopted: Oct. 2010

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