

Student publications are important elements of the instructional program and contribute directly to the accomplishment of the schools' goals. The Board recognizes students' constitutionally protected right to freedom of expression in the school setting. Freedom of expression in our schools shall be interpreted as including, and not being contrary to:

1. development of student responsibility in distinguishing between freedom and license;
2. consideration by the faculty of the maturity levels of students and of appropriate standards of journalistic taste; and
3. care for the development of skills of written expression among students.

### **Standards for Publication**

The schools are entitled to set high standards and to exercise control in regard to publications produced or distributed under school auspices so long as some valid educational purpose is served by such control and will not permit or sponsor the publication or dissemination of student expression that is:

- a. biased or prejudiced;
- b. vulgar, profane, obscene or lewd;
- c. unsuitable for immature audiences;
- d. defamatory or otherwise intrusive upon the rights of others;
- e. inadequately researched, ungrammatical or poorly written;
- f. associates the school with any position other than neutrality on matters of political controversy; or
- g. that will, or is likely to, disrupt or impede the work of the schools, on the basis of articulated, objective facts.

Publications may not be deemed disruptive merely because they express unpopular or controversial views. Building principals are hereby authorized to promulgate regulations consistent with this policy.

### **Appeal Rights**

Any student or student group alleging deprivation of freedom of expression under this policy shall have the right to request a hearing to determine whether such deprivation is justified under this policy. The request shall be submitted to the principal within five (5) school days of the action giving rise to the complaint. Such a hearing shall be held as soon as possible after the request before a committee, which includes representatives of the faculty and the student body. Both sides shall be provided the opportunity to present evidence and argument as to the propriety of the application of this policy. During such hearings, the school shall have the burden of justifying its actions. No legal

counsel shall be permitted and no formal record shall be made, but the committee shall render its decision, including findings of fact, in writing within five (5) school days after the conclusion of the hearing.

The student or student group has the right to appeal the decision of the hearing committee to the Board of Education. An appeal shall be made in writing, setting forth the factual basis for the appeal, no later than five (5) school days after the committee issues its decision. Such appeal shall be a review of the procedure and the findings of the committee which shall not be set aside unless it is established, by a preponderance of the evidence presented, that insufficient cause existed for the decision. The Board may render a decision based on the committee's decision and the appellant's written statement on appeal without a hearing. The Board's decision shall be final.