

Student Distribution of Noncurricular Materials

To understand Constitutional values such as the right to free speech, students must not only study such principles but also have an opportunity to put them into practice. However, there are limitations on the right of student free speech in the school setting that have been upheld by the courts because of the unique nature of the school community.

It is the goal of this policy to strike a necessary balance between a student's right of free speech and the school's need to maintain an orderly and safe school environment which respects the rights of all students on school grounds and during school-sponsored activities.

Students shall be allowed to distribute noncurricular written materials on school property subject to restrictions on time, place and manner of distribution set out in the accompanying regulations and the prohibitions set out below and in state law.

Any written material containing expression which is obscene, pornographic, sexually explicit, libelous, slanderous or defamatory shall be prohibited. Students shall not distribute any material which advocates commission of unlawful acts or violation of Board or district policy and/or regulations, violates another person's right to privacy, causes a material and substantial disruption of the orderly operation of the school

Students who distribute materials in violation of this policy and/or materials that cause a material and substantial disruption or damage to a person or property in the judgment of school officials shall be subject to appropriate disciplinary action.

School equipment and supplies shall not be used for publication of such written material unless authorized as a school-sponsored activity.

This policy and the accompanying regulations shall be included in all student handbooks.

Current practice codified 1996

Adopted: date of manual adoption

LEGAL REFS.: Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260 (1988)

Tinker v. Des Moines Indep. Comm. Sch. Dist., 393 U.S. 503 (1968)

Colo. Const. Art 9, §5

C.R.S. 22-1-120 (*rights of free expression for public school students*)

C.R.S. 22-32-110(1)(r) (*power to exclude materials that are immoral or pernicious*)

CROSS REFS.: JICEA, School-Related Student Publications

JK, Student Discipline, and subcodes

KHC, Distribution/Posting of Noncurricular Materials

[legal Revised July 2007]