

STUDENTS

A. Generally

The right of all citizens of the United States relative to freedom of the press is clearly laid down by the Constitution. Students shall have the right to express themselves freely in writing by means of publications. Within the scope of such expression, students shall maintain the responsibility to refrain from libel and obscenity. Students shall be afforded opportunities to contribute to written publications (newspapers, yearbooks, announcements, etc.) so they may gain experience in understanding the right and responsibilities incumbent upon individuals who write for the public.

B. School Sponsored Publications

1. Ongoing publications prepared by members of the student body for distribution to other students and to faculty shall be under the supervision of one or more faculty members. The advisor is to be appointed by the principal.
2. Great care shall be taken to guarantee that legitimate forms of expression on the part of students are not stifled. Libelous or obscene materials are not to be considered legitimate forms of expression.
3. The person, or persons, designated as editor or co-editors will bear full student responsibility for content.
4. The editor or editorial staff will be responsible for the final review and preparation of the articles for the paper under the direction of the previously appointed members of the faculty.

C. Non-School Sponsored Publications

1. No publication shall be permitted to be sold and/or distributed in any school in this school division which contains obscenity or pornography. The use of asterisks, dashes, and any other subterfuge to avoid the restriction will not be sufficient.
2. No publication shall be permitted to be sold and/or distributed in any school in this school division which contains language, otherwise acceptable, the import of which is to create violence, or to create disorder within the school or within the school division.
3. Any non-school publication may be sold on school premises only at the times designated by the principal and with his/her approval. Only those publications which meet the standards noted above may be approved.

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Publications (continued)Legal Reference:

Trachman v. Anker, 563 F.2d 512 (2d Cir. 1977)--". . . We believe that the school authorities did not act unreasonably in deciding that the proposed questionnaire should not be distributed because of the probability that it would result in psychological harm to some students. Although psychological diagnoses of the type involved here are by their nature difficult of precision, . . .we do not think defendants' inability to predict with certainty that a certain number of students in all grades would be harmed should mean that defendants are without power to protect students against a foreseen harm. We believe that the school authorities are sufficiently experienced and knowledgeable concerning these matters, which have been entrusted to them by the community; federal court ought not impose its own views in such matters where there is a rationale basis for the decisions and actions of the school authorities." (1978)

Editor's Note: The Supreme Court let the U.S. Court of Appeals decision stand by declining to accept the case for review (March 21, 1978).

Hazelwood School District v. Kuhlmeir, (U.S. Supreme Court, January 13, 1988)
Educators have censoring authority ". . . over school sponsored publications, theatrical productions, and other expressive activities that students, parents and members of the public might reasonably perceive to bear the imprimatur of the school. . . ." (1988)

Adopted by School Board: June 19, 1973
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