

CORONA-NORCO UNIFIED SCHOOL DISTRICT

EXECUTIVE SERVICES

1311

PUBLIC ACTIVITIES INVOLVING STAFF, STUDENTS, OR SCHOOL FACILITIES

FREEDOM OF SPEECH/EXPRESSION

The Governing Board believes that free inquiry and exchange of ideas are essential parts of a democratic education. The Board respects students' rights to express ideas and opinions, take stands on issues, and support causes, even when such speech is controversial or unpopular.

On-Campus Expression

Students shall have the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing of buttons, badges, and other insignia; and the right of expression in official publications. (Education Code 48907)

Student expression on district or school Internet web sites and online media shall generally be afforded the same protections as in print media.

(cf. 1113 - District and School Web Sites)

(cf. 6774 - Student Use of Technology)

Students' freedom of expression shall be limited only as allowed by Education Code 48907, 48950, and other applicable state and federal laws.

Students are prohibited from making any expressions or distributing or posting any materials that are obscene, libelous, or slanderous. Students also are prohibited from making any expressions that so incites students as to create a clear and present danger of the commission of unlawful acts on school premises, the violation of school rules, or substantial disruption of the school's orderly operation. (Education Code 48907)

(cf. 5475 - Sexual Harassment)

The use of "fighting words" or epithets is prohibited in those instances where the speech is abusive and insulting, rather than a communication of ideas, and the speech is used in an abusive manner in a situation that will foreseeably cause a breach of the peace.

School officials shall not engage in prior restraint of material prepared for official school publications except insofar as the content of the material violates the law. Journalism advisers for student publications shall supervise the production of the student staff, maintain professional standards of English and journalism in publications, and maintain the provisions of Education Code section 48907.

The Superintendent or designee shall not discipline any high school student solely on the basis of speech or other communication that would be constitutionally protected when engaged in outside of school, but may impose discipline for harassment, threats, or intimidation unless constitutionally protected. (Education Code 48950)

#### Off-Campus Expression

A student shall be subject to discipline for off-campus expression made during or outside of school hours, including expression on off-campus Internet web sites, when such expression poses a threat to the safety of other students, staff, or school property, or substantially disrupts the educational program. The Superintendent or designee shall document the impact the expression had or could be expected to have on the school program.

Legal Reference: Education Code 48907 Exercise of free expression; rules and regulations  
48950 Speech and other communication, 51520 Prohibited solicitations on school premises  
UNITED STATES CODE, TITLE 20, 4071-4074 Equal Access Act  
CALIFORNIA CONSTITUTION, Article 1, Section 2 Freedom of speech and expression  
U.S. CONSTITUTION, Amendment 1 Freedom of speech and expression

#### Management Resources:

WEB SITES, CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

Adopted: January 22, 2019

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FREEDOM OF SPEECH/EXPRESSION

School-Sponsored Publications

Students shall have the right to exercise freedom of speech and of the press in official school publications, except for expression that is obscene, libelous, or slanderous, or that so incites students as to create a clear and present danger of the commission of unlawful acts on school premises, the violation of lawful school regulations, or the substantial disruption of the orderly operation of the school. (Education Code 48907)

Official school publications include material produced by students in journalism, newspaper, yearbook, or writing classes and distributed to the student body free or for a fee. (Education Code 48907)

A school publications code shall outline the responsibility of student journalists, editors, and publication advisors.

All student submissions shall be held to professional standards of English and journalism. (Education Code 48907)

If the principal considers material submitted for publication to violate Education Code 48907, the principal shall notify the student, without undue delay, and give specific reasons why the submitted material may not be published. Absent extraordinary circumstances, such notice should be given in sufficient time to allow the student time to either modify the material or to seek review of the principal's determination from the Superintendent or designee. Prior to any restriction of student speech, school officials shall consider any feasible alternative options to restricting the speech.

To the extent the principal or designee believes that the school and district should be disassociated from a particular idea or opinion, the principal may require student articles to include disclaimers.

Distribution of Printed Materials and Petitions by Students

The principal or designee may provide bulletin boards on which students and student organizations may post materials of general interest. Students also may post or distribute handbills, leaflets, and other printed material, whether produced within or outside of the school. Students may collect signatures on petitions concerning school or nonschool issues. The principal or designee may require some or all distributed materials to include disclaimers.

Printed materials or petitions may be distributed only:

1. Before or after school or during the scheduled lunch period
2. In locations that do not obstruct the normal flow of traffic within the school or at entrances
3. In a manner that does not disrupt instruction or the peaceful operation of the school

No student shall use coercion to induce any other student or person to accept printed matter or to sign a petition. No funds shall be collected for any material distributed.

#### Clothing, Buttons, and Badges

Buttons, badges, armbands, and clothing bearing slogans or sayings may be worn unless their message falls into the categories prohibited by law and Board policy. No employee shall interfere with this practice on the grounds that the message may be controversial or unpopular with students or faculty.