

STUDENT PUBLICATIONS

A. Publications in General

Students may distribute free publications and literature at reasonable times and places as designated by the principal. The principal shall restrict the distribution of any written matter which:

1. Is vulgar, indecent, or obscene.
2. Contains libelous statements or abusive language such as language defaming a person's character, race, religion, or ethnic origin.
3. Causes or clearly threatens to cause a material and substantial disruption of normal classroom activity, any normal school function, or other school activity.
4. Encourages the commission of unlawful acts or the violation of lawful school regulations.
5. Advertises any product or service not permitted to minors by law.

The principal may also restrict the distribution of any school-sponsored student publication which:

6. Exposes its particular audience to material that may be inappropriate for their level of maturity.
7. Associates the school with any position other than neutrality on matters of political controversy.

B. School-Sponsored Publications

Student newspapers and other school-sponsored publications shall have faculty supervision. Responsible journalism should be free from libel, obscenities, or personal attacks; student editors and writers should report the news and editorialize in the same manner as other newspapers. Journalism students are responsible for the content of student publications. The faculty sponsor of such publications or school principal may restrict the distribution of any materials that fail to meet journalistic standards or are inappropriate for the school audience as outlined in Section A of this policy. Students may appeal such a decision to the principal who shall render a written decision after receiving the appeal. Further appeals shall be made as provided in Section D of this policy.

C. Review Before Distribution

Students wishing to distribute any publication on campus must first submit the publication to the principal for review.

The principal may prevent distribution of a non-school-sponsored publication if material in the publication falls into one of the 5 categories of inappropriate speech listed above in Section A.

The principal may prevent distribution of a school-sponsored publication if material in the publication falls into one of the 7 categories of inappropriate speech listed above in Section A.

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The principal must decide whether or not to allow the publication to be distributed within the school. If the principal disapproves or prevents distribution, the principal shall state the reasons in writing.

D. Appeals

If a student is dissatisfied with the decision of the principal, the student may appeal the decision to the superintendent in writing. If the student requests an appeal, an informal hearing shall be held and a decision by the superintendent or his designee shall be rendered following the hearing.

If the student is dissatisfied with the decision of the superintendent, the student may appeal this decision to the Board of Education. An appeal is taken from the superintendent's decision by notifying the superintendent, in writing, of the student's desire to appeal. The Board of Education shall conduct an informal hearing concerning the notice of appeal and shall render its decision in writing following the hearing. If the board does not issue a decision, the publication may be distributed. If the board later decides that the publication is inappropriate under Section A, the distribution may be halted.

At every level of the appeal process, the student or representative shall have the right to appear and present the student's case, supported by relevant witnesses and materials, as to why distribution of the student publication is appropriate.

E. Definitions

The following terms used in this statement of policy shall be defined as follows:

1. "Obscene": any speech or work which the average person, applying contemporary community standards (as opposed to "national" standards) would find, taken as a whole, appeals to prurient interest, or which depicts or describes, in a patently offensive way, sexual conduct specifically defined by applicable law, and which, taken as a whole, lacks serious literary, artistic, political or scientific value.
2. "Libelous statement": false and unprivileged statements about a specific individual, which injure that person's reputation in the community.
3. Any conduct by a student, in class or out, which for any reason including inappropriateness of time, place or type of behavior, significantly interferes with school functions, classroom instruction or extra-curricular activities, causes or induces disciplinary violations, or interferes with the rights of other students.

Examples of substantially disruptive conduct include, but are not limited to, anything that significantly distracts other students from instruction, demonstrations, destruction of property, injury to persons, shouting or boisterous conduct and related activities.

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F. Student Productions

School-sponsored productions shall have faculty supervision. The faculty sponsor of such productions or the school principal may restrict the presentation of any production, in whole or in part, that is inappropriate for its audience or that falls into any one of the 7 categories of prohibited speech listed in Section A. A student may appeal any restriction of a production following the procedures outlined in Sections C and D of this policy.

Legal Reference: Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).
Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987).
Iowa Code § 280.22 (1995).

Cross Reference: 502 Student Rights and Responsibilities
504 Student Activities