

## **5325-R Student Expression Through Production or Distribution of Printed Material**

In order to protect the educational process and school environment, official school publications will meet the following criteria.

### **SCHOOL PUBLICATION PHILOSOPHY**

- All works should be supervised by a faculty sponsor.
- Attention should be given to developing a sense of responsibility on the part of students for the content and presentation of publications.
- Untrue or offensive statements are to be avoided in all publications.
- Each student publication staff should be carefully selected considering such factors as ability, work ethic, and interest in exploring the profession of journalism.

### **ALL PUBLICATIONS**

Materials proposed for publication will be rejected, or distribution of publications by any student will be halted, if:

- The materials, through depiction or description, encourage actions that endanger the health or safety of students; including, but not limited to, the unlawful or excessive use of alcohol or drugs; provided; however, that this guideline is not to preclude publication or distribution of materials containing responsible debate or discussion.
- The material is obscene, in that it depicts or describes sexual conduct and meets all three of the following criteria:
  - An average person applying contemporary community standards would find that the material appeals to the prurient interest in sex.
  - The material is determined by the supervising staff member and administrator, using reasonable standards, to be obscene.
  - The material lacks serious literary, artistic, political, or scientific value.
- The material is libelous, in that it includes any unprivileged and false material which, by printing, posting, writing, signs or pictures, tends to expose an individual to public scorn, hatred, or ridicule, done knowingly and recklessly or negligently. A false statement about a public official, one who holds an elected or appointed public office, or a public figure, one who either seeks the public attention or is well known because of his/her achievement, is considered libelous if published with actual malice; that is, the writer knew the statement was false or published it with reckless disregard for the truth. A false statement about a private individual is considered libelous if it is published willfully or negligently in

that the writer knew it was false or failed to exercise the care a reasonably prudent person would exercise to verify its truthfulness.

- The material causes or may be reasonably expected to cause substantial disruption of school activities.

### **STUDENT PUBLICATIONS PRODUCED WITHOUT SCHOOL SPONSORSHIP**

- Students may distribute in school, during the school day, publications which they have prepared but that are not school-sponsored, provided:
  - They bear the name of the sponsoring established organization or individual.
  - They are published by students enrolled in the Campbell County Public Schools.
  - The time, place and manner of distribution have been agreed upon by students and administration in advance of distribution.
- Students have a right to be informed by the principal of any policy or procedure regarding distribution of publications which are not school-sponsored.
- All publications, except school-sponsored publications, are to be submitted for approval prior to printing and/or distribution according to the following procedures:
  - The principal will approve or disapprove the proposed printing or distribution of any materials according to the afore-mentioned criteria.
  - The principal will establish a reasonable time, place, and manner of distribution procedures applicable to all student publications and without regard to content.
  - The principal may remove posted material or otherwise stop distribution of material that does not meet the established afore-mentioned criteria.
  - The decision to approve or disapprove the proposed printing and/or distribution of materials is to be made by the principal.

### **SCHOOL SPONSORED PUBLICATIONS**

- The teacher-advisor will notify and consult with the principal in the event the teacher-advisor halts publication or distribution of any material or reasonably believes any material proposed for publication is questionable under the District's criteria.
- The principal may, if he/she has a reasonable belief that a violation of this policy may be about to occur, ask to see the paper or any other school-sponsored publication before publication and apply the criteria in this policy to halt publication. The principal and teacher-sponsor will openly and freely consult concerning decisions on publication.

- The principal will make a decision on compliance with this policy within two (2) school days of receipt of any material, in final form, which the principal asks to review.

## **APPEAL PROCEDURES**

- If the requested printing and/or distribution is denied, the person denying permission will make the decision in writing giving the reasons therefore.
- An appeal of the decision of the teacher-sponsor must be in writing to the principal, who will make a decision within two (2) school days. An appeal of the principal's decision is to be done in the following manner:
  - Delivery of a written notice of appeal to the Superintendent or to his/her office within two (2) school days of the written decision of the Principal.
  - The Superintendent's decision will be made within two (2) school days of receipt of the appeal notice.
  - If the decision of the Superintendent alters the decision of the principal, the decision of the Superintendent must be made in writing with reasons therefore.
  - An appeal of the decision of the Superintendent may be made by filing a written notice of appeal to the Board of Trustees within two (2) school days of the decision of the Superintendent.
  - The written notice of appeal to the Board of Trustees is to be delivered to the Superintendent, to the Chairman of the Board, or to the Superintendent's office.
  - The Board of Trustees will set the matter for the next Board of Trustees meeting for which an agenda has not yet been distributed and will render a decision no later than the Board meeting following the meeting at which the appeal was heard. The appeal procedure before the Board of Trustees will be an informal procedure established at the discretion of the Board of Trustees.
  - The decision of the Board of Trustees will be final.

## **DISCIPLINE**

Noncompliance with this policy and its procedures may subject the student(s) to discipline, including suspension or expulsion, in accordance with the authority of the Board of Trustees.

ADOPTION DATE: August 28, 1984; Revised August 13, 1985; Revised September 12, 1994; Revised April 12, 2011; Revised January 28, 2020

LEGAL REFERENCE(S):

CROSS REFERENCE(S): 5325

ADMINISTRATIVE REGULATION: