

(School Publications Code)

1. Purpose

As stated in Board policy, school-sponsored publications are a public forum for students as well as an educational activity through which students can gain experience in reporting, writing, editing and understanding responsible journalism. Content of school publications should reflect all areas of student interest, including topics about which there may be dissent or controversy.

2. Responsibilities of student journalists

In addition to the responsibilities set forth in the accompanying Board policy, students who work on official student publications will:

- a. Rewrite material, as required by the faculty advisers to improve sentence structure, grammar, spelling and punctuation.
- b. Check and verify all facts and verify the accuracy of all quotations.
- c. In the case of editorials or letters to the editor concerning controversial issues, provide space for rebuttal comments and opinions.

If the Board determines that advertising is allowed in the publication, the student editor will determine the content of any advertisements.

3. Responsibilities of publication advisors

In addition to the responsibilities set forth in the accompanying Board policy, the publication advisor will exercise general supervision over all activities to create a proper learning environment.

4. Prohibited materials

- a. Students may not publish or distribute material that is obscene. "Obscene" means:
 - (1) The average person applying contemporary community standards finds that the publication, taken as a whole, appeals to a minor's prurient interest in sex.
 - (2) The publication depicts or describes in a patently offensive way sexual conduct such as ultimate sexual acts (normal or perverted), masturbation, excretory functions, or lewd exhibition of genitals.
 - (3) The work, taken as a whole, lacks serious literary, artistic, political or scientific value.
- b. Students may not publish expression that is libelous, slanderous or defamatory under state law. "Libelous" is defined as a false and unprivileged statement about a person that injures the individual's reputation in the community.
- c. Expression that is false as to any person who is not a public figure or involved in a matter of public concern is prohibited.

If the allegedly libeled individual is a "public figure or official," the official must show that the false statement was published with actual malice, as the terms are defined in law.

Under the "fair comment rule," a student is free to express an opinion on matters of public interest. Specifically, a student enjoys a privilege to criticize the performance of teachers, administrators, school officials and other school employees.

- d. Expression which presents a clear and present danger of the commission of unlawful acts, violation of lawful school regulations, or material and substantial disruption of the orderly operation of the school, violates the rights of others to privacy, or threatens violence to property or persons is prohibited.

In order for a student publication to be considered disruptive, there must exist specific facts upon which it would be reasonable to forecast that a clear and present likelihood of an immediate, substantial material disruption to normal school activity would occur if the material were distributed. Undifferentiated fear or apprehension of disturbance is not enough; school administrators must be able to show affirmatively substantial facts that reasonably support a forecast of likely disruption. Material that stimulates heated discussion or debate does not constitute the type of disruption that is prohibited.

5. Time, place and manner restrictions

The principal will coordinate with the publications advisor on the time, place and manner of distributing school-sponsored publications to reduce any conflict with school instructional time and/or reduce any disruption of the orderly operation of the school which might be caused by the distribution of school-sponsored publications.

6. Procedures for resolving differences

Student editors will work first with the publications advisor to resolve any differences. If the problem can not be resolved at this level, the student editors and/or the publications advisor may work with the principal to resolve any problems. If the problem is not resolved at the principal level, the student editors and/or the publications advisor may work with the superintendent to resolve any problem. If the problem is not resolved at the superintendence level, the student editors and/or publications advisor may work with the Board of Education. If the problem is not resolved at the Board level, the student editors and/or publications advisor may seek relief through the judicial system.

7. Legal advice

- a. If in the opinion of the student editor, student editorial staff or faculty advisor, material proposed for publication may be "obscene," "libelous," or "cause a substantial disruption of school activities," the legal opinion of the school district's attorney should be sought if authorized by the principal.
- b. Legal fees charged in connection with this consultation will be paid by the Board.
- c. The final decision of whether the material is to be published will be left to the student editor.

ADOPTED: June 11, 2009