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**RICHFIELD PUBLIC SCHOOLS**

**SCHOOL SPONSORED STUDENT PUBLICATIONS**

**I. PURPOSE**

The purpose of this policy is to protect students' rights to free speech in production of official school publications while at the same time balancing the school district's role in supervising student publications and the operation of public schools.

**II. GENERAL STATEMENT OF POLICY**

- A. Expression and representations made by students in school publications is not an expression of official school district policy. Official school publications are free from prior restraint by officials except as provided by law. Faculty advisors shall supervise student writers to ensure compliance with the law and school district policies.
- B. Students who believe their right to free expression has been unreasonably restricted in an official student publication may seek review of the decision by the building principal. The principal shall issue a decision no later than three (3) school days after review is requested.
  - 1. Students producing official school publications shall be under the supervision of a faculty advisor and the school principal. Official publications shall be subject to the guidelines set forth below.
  - 2. Official school publications may be distributed at reasonable times and locations.

**III. DEFINITIONS**

- A. "Distribution" means circulation or dissemination of material by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, or posting or displaying material in hard copy or electronically on a web-site.
- B. "Official school publications" means school newspapers, yearbooks, webpages or other digital media and material produced in communication, journalism or other classes as a part of the curriculum.
- C. "Obscene to minors" means:

- 1                   1.     The average person, applying contemporary community  
2                   standards, would find that the material, taken as a whole,  
3                   appeals to the prurient interest of minors of the age to whom  
4                   distribution is requested;
- 5
- 6                   2.     The material depicts or describes, in a manner that is  
7                   patently offensive to prevailing standards in the adult  
8                   community concerning how such conduct should be  
9                   presented to minors of the age to whom distribution is  
10                  requested, sexual conduct such as intimate sexual acts  
11                  (normal or perverted), masturbation, excretory functions, and  
12                  lewd exhibition of the genitals; and
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- 14                  3.     The material, taken as a whole, lacks serious literary,  
15                  artistic, political, or scientific value for minors.
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- 17     D.     "Minor" means any person under the age of eighteen (18).
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- 19     E.     "Substantial disruption" of a normal school activity means:  
20
- 21                  1.     Where the normal school activity is an educational program  
22                  of the school district for which student attendance is  
23                  compulsory, "material and substantial disruption" is defined  
24                  as any disruption, which interferes with or impedes the  
25                  implementation of that program.
- 26
- 27                  2.     Where the normal school activity is voluntary in nature  
28                  (including, without limitation, school athletic events, school  
29                  plays and concerts, and lunch periods) "material and  
30                  substantial disruption" is defined as student rioting, unlawful  
31                  seizures of property, conduct inappropriate to the event,  
32                  participation in a school boycott, demonstration, sit-in, stand-  
33                  in, walk-out, or other related forms of activity.
- 34
- 35                  In order for expression to be considered disruptive, there must exist  
36                  specific facts upon which the likelihood of disruption can be  
37                  forecast, including past experience in the school, current events  
38                  influencing student activities and behavior, and instances of actual  
39                  or threatened disruption relating to the written material in question.
- 40
- 41     F.     "School activities" means any activity of students sponsored by the  
42                  school including, but not limited to, classroom work, library  
43                  activities, physical education classes, official assemblies and other  
44                  similar gatherings, school athletic contests, music concerts, school  
45                  plays, and in-school lunch periods.
- 46
- 47     G.     "Libelous" is a false and unprivileged statement about a specific  
48                  individual that tends to harm the individual's reputation or to lower  
49                  that individual in the esteem of the community.
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**IV. GUIDELINES**

A. Expression in an official school publication is prohibited when the material:

- (1) is obscene to minors
- (2) is libelous or slanderous
- (3) advertises or promotes any product or service not permitted for minors by law
- (4) encourages students to commit illegal acts or violate school regulations or substantially disrupts the orderly operation of school or school activities.
- (5) expresses or advocates sexual, racial or religious harassment or violence or prejudice
- (6) is distributed or displayed in violation of time, place and manner regulations

B. Time, Place and Manner of Distribution

Students shall be permitted to distribute written materials at school as follows:

- (1) Time  

Distribution shall be limited to the hours before the school day begins, during the lunch hour, after school is dismissed and at other times with administrative approval.
- (2) Place  

Written materials may be distributed in locations so as not to interfere with the normal flow of traffic within the school hallways, walkways, entry ways and parking lots. Distribution shall not impede entrance to or exit from school premises in any way.
- (3) Manner  

No one shall induce or coerce a student or staff member to accept a student publication.

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**Legal References:** U.S. Constitution, First Amendment  
Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988)  
Bystrom v. Fridley High School, I.D.S. No. 14, 822 F.2d 747 (8th Cir. 1987)

**Cross References:** Board Policy 107 – Electronic Communications and Administrative Guidelines 107.1 – Electronic Use and Communications  
Policy 541 - Student Behavior  
Administrative Guidelines 541 - Student Behavior  
Policy 561 - Distribution of Non-Curricular Literature to Students  
Policy 563 - Advertising in the Schools

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