

POLICY C11: STUDENT FREEDOM OF EXPRESSION

Policy Statement

Freedom of expression is a fundamental principle in a democratic society that provides all citizens, including students, with the right to engage in a robust discussion of ideas. It is the policy of the Orange Southwest School District to ensure that students enjoy free speech and free press protections related to school-sponsored media, and to encourage students to become educated, informed, and responsible members of society.

No expression made by students in school-sponsored media shall be deemed to be an expression of school policy.

Definitions

“Media advisor” means a person employed, appointed, or designated by the district/ supervisory union to provide instruction relating to school-sponsored media.

“School-sponsored media” means any material prepared, written, published, or broadcast as part of a school-supported program or activity by a student journalist that is distributed or generally made available as part of a school-supported program or activity to an audience beyond the classroom in which the material is produced. “Student journalist” means a student enrolled in the district/supervisory union who gathers, compiles, writes, edits, photographs, records or prepares information for dissemination in school-sponsored media. “Student supervisor” means a student who is responsible for editing school-sponsored media.

Implementation

Subject only to the conditions 1-6 below, a student journalist may exercise freedom of speech and freedom of the press in school-sponsored media. Student supervisors of school-sponsored media are responsible for determining the content of their respective media. This policy does not authorize or protect content of school-sponsored media that:

1. Is libelous or slanderous;
2. Constitutes an unwarranted invasion of privacy;
3. May be defined as obscene, gratuitously profane, threatening or intimidating;
4. May be defined as harassment, hazing, or bullying under Title 16 § 11;
5. Violates federal or state law; or
6. Creates the imminent danger of materially or substantially disrupting the ability of the school to perform its educational mission.

District/Supervisory Union staff may restrain the distribution of content in school-sponsored

media that can be demonstrated to violate any of the conditions 1-6 above. Content in school-sponsored media will not be restrained solely because it involves political or controversial subject matter, or is critical of the school or its administration. A student journalist may not be disciplined for acting in accordance with this policy.

A media advisor may not be disciplined for taking reasonable and appropriate action to protect a student journalist in conduct protected by this policy or for refusing to infringe on conduct that is protected by this policy, by the first amendment to the U.S. Constitution, or by the Vermont Constitution.

Date Warned: March 9th 2020
Date Adopted April 13th 2020
Legal Reference 16 V.S.A. § 1623