

**Employee Speech**

Fargo Public Schools expects that employees use sound judgment when making statements in their capacity as school district employees. This expectation extends to all aspects of public speech. It is important to note that speech made as an employee differs significantly from speech made as a private citizen on a matter of public concern. Inappropriate speech made as an employee is prohibited and may subject an employee to disciplinary action. In some circumstances, speech made as a private citizen may subject an employee to disciplinary action as well.

For the purposes of this policy, speech includes but is not limited to, substantiated statements made orally, in writing, through social media, and other electronic means. Speech also includes photographs, videos, and other visual media.

**Speech made as an Employee**

The following are grounds for disciplinary action where the speech is made in the ordinary scope of the employee's duties or in an official capacity:

- Speech made that is knowingly false or inaccurate;
- Speech made with reckless disregard for the truth;
- Speech that violates the district's mission statement;
- Speech that causes or leads to disruption of the work or educational environment;
- Speech that poses a safety threat to district students, staff, or operations;
- Speech that violates state law or district policies;
- Speech that is harassing, racist, or discriminatory;
- Speech that interferes with the school district's interests, including, but not limited to, the delivery of public services

**Employee Speech made as a Private Citizen**

Employee speech made as a private citizen may also subject the employee to discipline. Inappropriate speech made as a private citizen on a matter of public concern may subject the employee to disciplinary action when the severity of the speech and the interference with the district's interests outweigh the employee's interest in commenting as a private citizen.

Adopted 7/2018  
Reviewed 7/2022