Freedom of Speech/Expression

Adopted: 06/02/1998 **| Last Revised**: 09/23/2026 **| Last Reviewed**: 09/23/2026

Time, Place, and Manner Restrictions for Student Expression

Each principal or designee may annually identify physical or electronic locations, such as school courtyards, bulletin boards, or social media accounts, on which students and student organizations may hold a public rally, express and debate issues, or post information or general interest. Additionally, students may distribute handbills, leaflets, and other printed or electronic materials, whether produced within or outside of the school. In addition, students may collect signatures on petitions concerning school or non-school issues. All such expression in a given year shall be limited to the locations identified by the principal or designee for that year.

Materials or petitions may be distributed only:

1. Before or after school or during lunch time

2. For printed materials or petitions, in locations that do not obstruct the normal flow of traffic within school or at entrances

No student shall use coercion to induce any other student or person to accept materials or to sign petitions. No funds shall be collected for any material distributed.

At the principal or designee's discretion, any materials or petitions may be required to include a disclaimer indicating that views, ideas, and opinions expressed in the materials or petitions are not sponsored by and do not necessarily reflect those of the school or district.

Permissible buttons, badges, armbands, and clothing bearing slogans or sayings may be worn at all times. No employee shall interfere with such expression solely on the grounds that the message may be controversial or unpopular with students or faculty.

Official School Publications

Official school publications are materials produced by students in journalism or yearbook courses or programs, student clubs or organizations, student newspapers or other student publications, or writing classes, and distributed to the public or to the student body either for a fee or free.

Each principal may develop a school publication code outlining the responsibility of the students who produce or support the production of content for official student publications and the staff who serve as advisors of official student publications.

All official student publications shall be held to professional standards of language and journalism.

If a staff advisor to an official student publication or other school staff with similar responsibility determines that material intended for inclusion in an official student publication violates the accompanying Board policy or this rule, the staff advisor or other school staff shall first consider any feasible alternative options to limiting the publication, via the student editor-in-chief or similar position, and the student authors of the material without undue delay and shall provide specific reasons for why the submitted material may not be

published. Absent extraordinary circumstances, such notice shall be given in sufficient time to allow the official student publication or the student authors to either modify the material or request review by the Superintendent or designee.

At the principal's discretion, all official student publications may be required to include a disclaimer indicating that views, ideas, and opinions expressed in official student publications do not necessarily reflect those of the school or district.

Policy Reference Disclaimer:
These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Legal References:

STATE
CALIFORNIA CONSTITUTION
Article 1, Section 2 - Freedom of speech and expression
EDUCATION CODE
48907 Exercise of free expression; time, place, and manner rules and regulations
48950 Speech and other communication
51520 Prohibited solicitations on school premises
FEDERAL
UNITED STATES CODE
20 USC 4071-4074 Equal Access Act
UNITED STATES CONSTITUTION
First Amendment - Free exercise, free speech, and establishment clauses
MANAGEMENT RESOURCES
COURT DECISIONS
Beussink v. Woodland R-IV School District (1998) 30 F.Supp. 2d 1175
Bright v. Los Angeles Unified School District (1976) 18 Cal. 3d 350
Emmett v. Kirkland School District No. 415 (2000) 92 F.Supp. 2d 1088
J.S. v. Bethlehem Area School District (2000) 757 A.2d 412 (Pa. Commw. 2000)
Lavine v. Blaine School District (2001, 9th Cir.) 257 F.3d 981
Leeb v. DeLong (1988) 198 Cal.App.3d 47
Lovell v. Poway Unified School District (1996) 90 F.3d 367
Muller v. Jefferson Lighthouse School (1996) 98 F.3d 1530
Smith v. Novato Unified School District (2007) 150 Cal.App.4th 1439
Hazelwood School District v. Kuhlmeier (1988) 108 S. Ct. 562
Tinker v. Des Moines Independent Community School District (1969) 393 U.S. 503
Bethel School District No. 403 v. Fraser (1986) 478 U.S. 675
WEBSITES
CSBA District and County Office of Education Legal Services https://legalservices.csba.org/#
California Department of Education http://www.cde.ca.gov/
CSBA http://www.csba.org/#

Rule Adopted: 06/02/1998
Revised: 08/20/2024
Revised: 09/23/2026