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 of general interest. Additionally, students may distribute handbills, leaflets, and other printed or electronic material, whether produced within or outside of the school. In addition, students may collect signatures on petitions concerning school or nonschool 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 the school or at entrances

No student shall use coercion to induce any other student or person to accept materials or to sign a petition. 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. (Education Code 234.1, 48907)

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. (Education Code 48907)

Each principal may develop a school publications 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. (Education Code 48907)

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 regulation, the staff advisor or other school staff shall first consider any feasible alternative options to limiting the material. If no other option is feasible, the staff advisor or other school staff shall notify the official student 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.

Student Participation in Civic or Political Events

Upon providing advanced notice and in accordance with Board Policy/Administrative Regulation 5113 - Absences and Excuses, a student in middle or high school shall be permitted one excused absence per school year in order to participate in a civic or political event such as voting, poll working, strikes, public commenting, or attending candidate speeches, political or civic forums, or town halls. (Education Code 48205)

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 Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	***Description***

CA Constitution Article 1, Section 2	*Freedom of speech and expression*
Ed. Code 234-234.5	*Safe Place to Learn Act*
Ed. Code 48205	*Excused absences*
Ed. Code 48907	*Exercise of free expression; time, place, and manner rules and regulations*
Ed. Code 48950	*Speech and other communication*
Ed. Code 51520	*Prohibited solicitations on school premises*
Federal	***Description***
20 USC 4071-4074	*Equal Access Act*
U.S. Constitution, First Amendment	*Free exercise, free speech, and establishment clauses*
Management Resources	***Description***
Court Decision	*Dariano v. Morgan Hill Unified School District (2014) 767 F.3d 764*
Court Decision	*Chandler v. McMinnville School District (1992) 978 F.2d 524*
Court Decision	*Mahanoy Area School District v. B.L. (2021) 594 U.S. 180*
Court Decision	*Beussink v. Woodland R-IV School District (1998) 30 F.Supp. 2d 1175*
Court Decision	*Bright v. Los Angeles Unified School District (1976) 18 Cal. 3d 350*
Court Decision	*Emmett v. Kirkland School District No. 415 (2000) 92 F.Supp. 2d 1088*
Court Decision	*J.S. v. Bethlehem Area School District (2000) 757 A.2d 412 (Pa. Commw. 2000)*
Court Decision	*Lavine v. Blaine School District (2001, 9th Cir.) 257 F.3d 981*
Court Decision	*Leeb v. DeLong (1988) 198 Cal.App.3d 47*
Court Decision	*Lovell v. Poway Unified School District (1996) 90 F.3d 367*
Court Decision	*Muller v. Jefferson Lighthouse School (1996) 98 F.3d 1530*
Court Decision	*Smith v. Novato Unified School District (2007) 150 Cal.App.4th 1439*
Court Decision	*Hazelwood School District v. Kuhlmeier (1988) 108 S. Ct. 562*
Court Decision	*Harper v. Poway Unified School District (2006) 445 F.3d 1166*
Court Decision	*Tinker v. Des Moines Independent Community School District (1969) 393 U.S. 503*
Court Decision	*Bethel School District No. 403 v. Fraser (1986) 478 U.S. 675*
Website	*CSBA District and County Office of Education Legal Services*
Website	*California Department of Education*

Website	*CSBA*

Cross References

Policy	***Description***
1100	*Communication With The Public*
1114	*District-Sponsored Social Media*
1114	*District-Sponsored Social Media*
1313	*Civility*
1325	*Advertising And Promotion*
4118	*Dismissal/Suspension/Disciplinary Action*
4118	*Dismissal/Suspension/Disciplinary Action*
5113	*Absences And Excuses*
5113	*Absences And Excuses*
5127	*Graduation Ceremonies And Activities*
5131	*Conduct*
5131.2	*Bullying*
5131.2	*Bullying*
5131.4	*Student Disturbances*
5131.4	*Student Disturbances*
5131.8	*Mobile Communication Devices*
5132	*Dress And Grooming*
5132	*Dress And Grooming*
5136	*Gangs*
5136	*Gangs*
5137	*Positive School Climate*
5144	*Discipline*
5144	*Discipline*
5144.1	*Suspension And Expulsion/Due Process*
5144.1	*Suspension And Expulsion/Due Process*
5144.2	*Suspension And Expulsion/Due Process (Students With Disabilities)*
5145.3	*Nondiscrimination/Harassment*
5145.3	*Nondiscrimination/Harassment*
5145.7	*Sexual Harassment*
5145.7	*Sexual Harassment*
5145.8	*Refusal To Harm Or Destroy Animals*
5145.9	*Hate-Motivated Behavior*
6141.2	*Recognition Of Religious Beliefs And Customs*
6141.2	*Recognition Of Religious Beliefs And Customs*
6142.3	*Civic Education*
6144	*Controversial Issues*
6145.5	*Student Organizations And Equal Access*
6145.5	*Student Organizations And Equal Access*
6145.8	*Assemblies And Special Events*

Regulation **PASADENA UNIFIED SCHOOL DISTRICT**
Approved: November 14, 1995 Pasadena, California
Revised: 05/21/2015; 11/19/2026;