

Students

Freedom of Speech/Expression: Publications Code

Free inquiry and exchange of ideas are essential parts of a democratic education. The Governing Board respects students' rights to express ideas and opinions, take stands, and support causes, whether controversial or not, through their speech, writings, printed materials, and/or the wearing of buttons, badges, and other insignia.

Student freedom of expression shall be limited only as allowed by law in order to

maintain an orderly school environment and to protect the rights, health, and safety of all members of the school community. Students shall not be disciplined solely on the basis of constitutionally protected speech or other communication.

The Superintendent or designee shall ensure that due process is followed when resolving disputes regarding student freedom of expression.

Legal References:

Education Code

48907 Exercise of free expression; rules and regulations

48950 Speech and other communication

51520 Prohibited solicitations on school premises

Perumal et al v. Saddleback Valley Unified School District (1988) 198 Cal. App. 3rd 64

Tinker v. Des Moines School District, (1969) 393 U.S. 503

Collin v. Smith, (1978) 447 F. Supp. 676, affd. (1078) 578 F.2d 1197, cert. den. (1978) 439 U.S. 916