5.14—STUDENT PUBLICATIONS AND THE DISTRIBUTION OF LITERATURE

Student Publications

All publications that are supported financially by the school or by use of school facilities, or are produced in conjunction with a class shall be considered school-sponsored publications. School publications do not provide a forum for public expression. Such publications, as well as the content of student expression in school-sponsored activities, shall be subject to the editorial control of the District’s administration whose actions shall be reasonably related to legitimate pedagogical concerns and adhere to the following limitations.

1. Advertising may be accepted for publications that do not condone or promote products that are inappropriate for the age and maturity of the audience or that endorse such things as tobacco, alcohol, or drugs.

2. Publications may be regulated to prohibit writings, which are, in the opinion of the appropriate teacher and/or administrator, ungrammatical, poorly written, inadequately researched, biased or prejudiced, vulgar or profane, or unsuitable for immature audiences.

3. Publications may be regulated to refuse to publish material which might reasonably be perceived to advocate drug or alcohol use, irresponsible sex, or conduct otherwise inconsistent with the shared values of a civilized social order, or to associate the school with any position other than neutrality on matters of political controversy.

4. Prohibited publications include:
   a. Those that are obscene as to minors;
   b. Those that are libelous or slanderous, including material containing defamatory falsehoods about public figures or governmental officials, which are made with knowledge of their falsity or reckless disregard of the truth;
   c. Those that constitute an unwarranted invasion of privacy as defined by state law,
   d. Publications that suggest or urge the commission of unlawful acts on the school premises;
   e. Publications which suggest or urge the violation of lawful school regulations;
   f. Hate literature that scurrilously attacks ethnic, religious, or racial groups.

Student Publications on School Web Pages

Student publications that are displayed on school web pages shall follow the same guidelines as listed above plus they shall:

1. Not contain any non-educational advertisements. Additionally, student web publications shall;

2. Not contain any personally identifying information, as defined by “Directory Information” in the student handbook, without the written permission of the parent of the student or the student if over eighteen (18);

3. State that the views expressed are not necessarily those of the School Board or the employees of the district.

Non-school Publications

The Director of School and Community Relations shall review non-school publications prior to their distribution and will bar from distribution those materials that are obscene, libelous, pervasively indecent, or advertise unlawful products or services. Material may also be barred from distribution if there is evidence that reasonably supports a forecast that disruption will likely result from the distribution.

Distribution of Literature

The school principal or designee shall establish reasonable regulations governing the time, place, and manner of student distribution of literature.

The regulations shall:

1. Be narrowly drawn to promote orderly administration of school activities by preventing disruption and may not be designed to stifle expression;
2. Be uniformly applied to all forms of literature;
3. Allow no interference with classes or school activities;
4. Specify times and places where distribution may and may not occur; and
5. Not inhibit a person’s right to accept or reject any literature distributed in accordance with the regulations.

The Superintendent, along with the student publications advisors, shall develop administrative regulations for the implementation of this policy. The regulations shall include definitions of terms and timelines for the review of materials.

Legal References:  A.C.A. § 6-18-1202, 1203, & 1204

Tinker v. Des Moines ISD, 393 U.S. 503 (1969)
Bethel School District No. 403 v. Fraser, 478 U.S. 675 (1986)

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