

FREEDOM OF SPEECH / EXPRESSION: PUBLICATIONS CODE**Freedom of Expression and Limitations**

Students of the Brea Olinda Unified School District shall have the right to exercise freedom of speech and freedom of the press. Students shall have the right to the use of bulletin boards, the distribution of printed materials or petitions, the wearing of buttons, badges, or other insignia and the right of expression in official publications except that expression is prohibited which is

1. Obscene;
- 2 Libelous;
3. Slanderous; or
4. Materials which so incite students as to create a clear and present danger of the commission of unlawful acts or the violation of lawful school regulations, or the substantial disruption of the orderly operation of the school.

Responsibility for Assigning and Editing

Student editors of official school publications shall be responsible for assigning and editing news, editorial and feature content of the publication subject to the limitations of Education Code and Board Policy. It shall be the responsibility of the journalism adviser of student publications within each school to supervise the production of the student staff to maintain professional standards of English and journalism, and to maintain the provisions of policy and this regulation.

Official school publications are defined as material produced by students in the journalism, newspaper, yearbook or writing classes and distributed to the student body either free or for a fee.

Prior Restraint

There shall be no prior restraint of material prepared for official school publications except as insofar it violates Education Code 48907 and this regulation. The school District shall have the burden of showing justification without undue delay prior to any limitation of student expression under Education Code 48907 and this regulation.

Procedures in Event of Prior Restraint

The school principal may require student editors and journalism advisers to submit to the school principal all drafts of official school publications. In the event the school principal believes that the material in an official school publication violates Education Code 48907 or this regulation, the school principal shall so inform the journalism adviser and the student editor of the official school publication within three school days. If the student editor and

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journalism adviser disagree with the objections of the school principal, the student editor or journalism adviser may request a meeting with the school principal. The school principal shall meet with the journalism adviser and/or student editor and discuss the school principal's objections within three school days.

If the school principal continues to object to the contents of the official school publication and wishes to delete or remove the objectionable material, the journalism adviser and/or student editor may appeal the decision of the school principal to the Assistant Superintendent of Human Services.

1. The Assistant Superintendent shall meet with the student editor within five school days of receiving the request.
2. If the Assistant Superintendent upholds the prior restraint of the material prepared for the official school publication, the student editor or journalism adviser may appeal to the Superintendent.
3. If appealed, the Superintendent shall meet with the student editor or journalism adviser within five school days.
4. If the District Superintendent upholds the prior restraint of the material prepared for the official school publication, the student editor or journalism adviser may appeal to the Governing Board.

The Board shall place the matter on the agenda for the next regularly scheduled meeting, or if there is insufficient time to place the matter on the agenda, then the matter shall be placed on the agenda of the following meeting.

The student editor or journalism adviser shall be given the opportunity to address the members of the Board with respect to the prior restraint of materials prepared for the official school publication and the Board shall take action to uphold or overturn the decision of the Superintendent with respect to the prior restraint of materials prepared for the official school publication. The hearing before the Board shall be tape recorded and the Superintendent or his designee shall also be given an opportunity to state the reasons for the prior restraint of materials prepared for the official school publication.

The decision of the Board shall be the final administrative decision.