

MAMMOTH UNIFIED SCHOOL DISTRICT

Student Voice and School District Staff Response Information and Guidelines

California Education Code 48907 clearly protects the right of students to exercise freedom of speech and press.

EC 48907

(a) Pupils of the public schools, including charter schools, shall have the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards, the distribution of printed materials or petitions, the wearing of buttons, badges, and other insignia, and the right of expression in official publications, whether or not the publications or other means of expression are supported financially by the school or by use of school facilities, except that expression shall be prohibited which is obscene, libelous, or slanderous. Also prohibited shall be material that so incites pupils as to create a clear and present danger of the commission of unlawful acts on school premises or the violation of lawful school regulations, or the substantial disruption of the orderly operation of the school.

In public schools, we are experiencing a growing number of controversial issues that are resulting in public speech, writing and demonstration. Our schools are no different from the general population and Board Policy 5145.2 clearly supports free inquiry and exchange of ideas: *“The Board of Education believes that free inquiry and exchange of ideas are essential parts of a democratic education. The Board respects students’ right to express ideas and opinions, take stands on issues, and support causes, even when such speech is controversial or unpopular.”*

Providing a culture that supports free speech can at times be tricky within the educational setting. The purpose of this guide is to assist staff, parents, and community in an understanding of the District’s role. Guidelines can assist staff, but will never be able to specifically tell staff what to do in every situation. Understanding these guidelines can however prepare staff for handling the many different scenarios that occur in the exercise of free speech.

Controversial Issues

The entire Board Policy 6144 Controversial Issues is attached. The opening paragraph of BP 6144 provides a summary for the expectations for dealing with controversial issues: *“The Board of Education recognizes that the district’s educational program may sometimes include instruction related to controversial issues that may arouse strong reactions based on personal values and beliefs, political philosophy, culture, religion, or other influences. Instruction concerning such topics shall be relevant to the adopted course of study and curricular goals and should be designed to develop students’ critical thinking skills, ability to discriminate between fact and opinion, respect for others, and understanding and tolerance of diverse points of view.”*

It is important to note that staff are expected to ensure that the coverage of controversial issues is balanced and not an opportunity to advocate his/her personal opinion or viewpoint. Topics and the

handling of topics should be suitable for the age and maturity of students. For example, a general guideline adapted from www.scholastic.com suggests:

Grade K-2: Let the students' questions be your guide. Keep explanations simple. Allow students to express feelings through drawing or imaginative play.

Grades 3-6: Let the student's questions and their discussion be your guide. Support balanced discussion and teach respect and empathy for different viewpoints. Students at this age may need help separating reality from fantasy.

Grade 7-12: Students will be more vocal and may have suggestions for actions that could be taken. Include them in school decisions. Again, teach respect and empathy for different viewpoints and the value and benefits of civil discourse. Be sure a balanced approach to the issue is provided.

Student Protest

At times students may become so passionate about a local, regional or national issue, that they will begin thinking of some type of protest. In the event of staff knowledge of a student protest, administration should be alerted. Although every incident will likely be different, below are general guidelines that staff are asked to follow:

- 1) The number one priority for staff is the safety of students.
- 2) Work with students to create opportunities for students to safely and respectfully exercise their values and beliefs while maintaining the safety of all involved as well as the integrity of the school day. Encourage student leaders to express their purpose and desired outcomes.
- 3) Students must, for their own safety, be urged to stay on campus.
- 4) Provide space and consideration for students who may not want to participate.
- 5) If students leave classrooms, staff should follow if possible to ensure the safety of the students.
- 6) If students leave the school campus, law enforcement should be notified immediately.
- 7) The role of staff is to ensure safety of students. Staff should not actively participate in any protest on school grounds or during the school day.
- 8) Students who leave campus without parent permission during a protest will be treated in the same manner as a student who leaves campus at any time without parent permission.

Debrief

Every incident should be debriefed at the school and the district. Questions and concerns can assist us in providing an improved response the next time.

Resources

Responding to Student Walkouts Protesting School Gun Violence- NEA Advisory

Considerations for principals when Students are Planning an Organized Protest or Walkout, <https://Content.ACSA.ORG/Authors/Marina-Brown-2> -Association of California School Administrators (ACSA)

Tips on Handling Civil Engagement and Walkouts, <https://Content.ACSA.ORG/Authors/Marina-Brown-2> - Association of California School Administrators (ACSA)

How to Talk with Kids about Terrible Things- NPR:Ed

<https://www.npr.org/sections/ed/2018/586447438/how-to-talk-with-kids-about-terrible-things>

A Guide for Possible Student Walkouts- California Department of Education, March 2, 2018

Freedom of Speech/Expression- Mammoth USD Board Policy, BP 5145.2

Controversial Issues- Mammoth USD Board Policy, BP 6144