

Adopted: August 14, 2014

Revised: _____

COMMUNITY OF PEACE ACADEMY POLICY No. 5.7.3 STUDENTS' FREE SPEECH RIGHTS

I. PURPOSE

The purpose of this policy of the Board of Community of Peace Academy is to set forth the standards regarding acceptable student speech.

II. POLICY STATEMENT

The Board of Community of Peace Academy recognizes and appreciates the importance of protecting the free speech rights of students. At the same time, it is important that such speech does not interfere with the educational mission of the school nor impair the rights of others. This policy will delineate the acceptable bounds of student speech with due consideration for both important values.

III. POLICY STATEMENT

- A. Verbal, symbolic, or written opinion shall be expressed or disseminated in such a way as not to interfere with or interrupt the normal conduct of classes, school activity, or the movement to and from classes.
- B. Students wishing to disseminate their opinion by distributing pamphlets, leaflets, or other written material on school property shall be subject to disciplinary action if the materials are found to:
 - 1. Be libelous, vulgar, profane, or obscene;
 - 2. Be soliciting funds or advertising a commercial enterprise;
 - 3. Be racially derogatory, harassing or intimidating to others;
 - 4. Have created substantial disruption of the ordinary order of the school.
- C. Official student publications, such as newspapers or yearbooks, shall comply with the criteria established in the section above; except that paid commercial ads may be included. Standards of responsible journalism, such as accuracy, completeness, and objectivity in reporting, shall be observed. The advisor to the student publications shall be responsible to assure that the publication meets those standards and criteria.
- D. Students not following these guidelines shall be subject to disciplinary action up to and including suspension from school.

Legal References: U.S. Const. Am. 1
Bethel v. Frazer, 478 U.S. 675 (1986)
B.W.A. v. Farmington, 508 F. Supp. 2d 740 (E.D. Mo. 2007)
Chambers v. Babbitt & Independent Sch. Dist. 833, 145 F.Supp.2d 1068
(D. Minn. 2001)
Chandler v. McMinnville Sch. Dist., 978 F.2d 524, 529 (9th Cir. 1992)
Doe v. Pulaski, 306 F.3d 616 (8th Cir. 2002)
Hazelwood v. Kuhlmeier, 484 U.S. 260 (1988)
Morse v. Frederick, 551 U.S. 393 (2007)
Phillips v. Anderson County Sch. Dist. No. 5, 987 F. Supp. 488, 492
(D.S.C. 1997)
Tinker v. Des Moines Public Schools, 393 U.S. 503 (1969)