

XI. STUDENT PUBLICATIONS

A. Statement of Policy

1. The First Amendment to the Constitution protects the rights of students to freedom of expression. Educators have the obligation to teach the responsibilities that accompany this freedom. First Amendment rights of students may be limited when the exercise of those rights interferes with the educational objectives of the school.
2. Student publications shall serve as educational tools; as means of expression for students; as forums for discourse on issues; and as sources of entertainment and enlightenment.
3. School publications are not a public forum and, therefore, are not open to indiscriminate use by the public. School officials retain the right and the duty to exercise supervision and final judgment over the content of all school publications.

B. Official School Publications

1. School publications will offer students opportunities to inform, to investigate, to interpret, and to evaluate—all being accepted, responsible functions of the traditional democratic press. All students, through the editorial pages, will have the opportunity to express their views.
2. The criteria for the inclusion of a story, illustration, advertisement, or other materials in any school publication will be those of accepted journalistic practice. As an integral part of the school curriculum, all school publications are under the direction of school officials.
3. It is recognized that a school publication should be prepared and published by students rather than professionally compensated journalists and it thus becomes necessary to provide the students with a journalism advisor who has proper journalism training and whose duties include:
 - a. Teaching and implementing accepted, responsible journalism.—
 - b. Advising and counseling students in the implementation of the criteria for the inclusion of stories and other materials in the publication.

C. Student Responsibilities

Truth, fairness, accuracy and responsibility are essential to the practice of journalism.

1. Student journalists have an obligation to learn and observe the legal and ethical responsibilities expected of professional journalists, as discussed in the Code of Ethics of Professional Journalists, including accuracy and fairness.
2. Student journalists have the responsibility to know and observe applicable laws including libel, slander, obscenity, privacy, copyright, and disruption of school activities, and should consider accepted community standards of decency and good taste.
3. In keeping with the above statements, the following types of publications by students are not authorized:
 - a. Publications that are obscene as to minors, as defined by state law.
 - b. Publications that are libelous or slanderous, as defined by state law.—
 - e. Publications that constitute an unwarranted invasion of privacy, as defined by state law.
 - d. Publications that so incite students as to create a clear and present danger of the commission of unlawful acts on school premises or the violations of lawful school regulations or the disruption of the orderly operation of the school.

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:

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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.

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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.

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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.

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4. Prohibited publications include:

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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;

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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; and

f. Hate literature that scurrilously attacks ethnic, religious, or racial groups.

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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 not contain any non-educational advertisements. Additionally, student web publications shall:

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1. Adhere to the restrictions regarding use of Directory Information as prescribed in Policy 4.13 including not using a student's photograph when associated with the student's name unless written permission has been received from the student's parent or student if over the age of eighteen (18); and

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2. State that the views expressed are not necessarily those of the Board or the employees of the District.

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Student Distribution of Non-school Literature, Publications, and Materials

A student or group of students who distribute ten (10) or fewer copies of the same non-school literature, publications, or materials (hereinafter “non-school materials”), shall do so in a time, place, and manner that does not cause a substantial disruption of the orderly education environment. A student or group of students wishing to distribute more than ten (10) copies of non-school materials shall have school authorities review their non- school materials at least three- (3) school days in advance of their desired time of dissemination. School authorities shall review the non-school materials, prior to their distribution and will bar from distribution those non-school 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 a substantial disruption of the orderly operation of the school or educational environment will likely result from the distribution. Concerns related to any denial of distribution by the principal shall be heard by the Superintendent, whose decision shall be final.

The school principal or designee shall determine the time, place, and manner of student distribution of non- school 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)
Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988)

Additional Reference: ASBA Model Policies

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