

Washington West Supervisory Union Model Policy

Policy F29

F-29: Student Self-Expression and Student Distribution of Literature

Student Distribution of Non-School Sponsored Literature

It is the policy of the member district schools of the Washington West Supervisory Union: Fayston Elementary School, Harwood Union High School, Moretown Elementary School, Waitsfield Elementary School, Warren Elementary School, and Waterbury/Duxbury Union School District (Crossett Brook Middle School and Thatcher Brook Primary School) to allow limited distribution of non-school sponsored literature on school grounds or at school events by students. Accordingly, the superintendent/principal may allow students to distribute these materials so long as they are in compliance with this policy.

Non-school sponsored literature means any printed, written, or electronic materials prepared by non-school organizations or individuals that are not made as a part of the curricular or approved extracurricular programs of the district. They include such things as fliers, invitations, announcements, pamphlets, posters, photographs, pictures, audio recordings, digital recordings, and electronic messages. Materials prepared under the supervision of school staff as part of classroom instruction or classroom activities are not restricted by this policy.

Distribution means circulating non-school sponsored literature in ways that include: handing to others on school property or during school-sponsored events; posting on school property such as walls, bulletin boards, and district websites; placing upon desks, tables, on or in lockers; or making available in principal's office.

This policy prohibits the distribution of literature that:

- A. Violates federal, state or local laws;
- B. Advocates the use or availability of tobacco, alcohol or illegal drugs;
- C. Incites violence;
- D. Interferes with or advocates interference with the orderly operation of the schools, and/or substantially or materially disrupts learning;
- E. Primarily seeks to advertise for sale products or services;
- F. Has fundraising as its primary purpose; or
- G. Is obscene, vulgar, or profane, in such a manner that it harms the reputation of others.

When a student wishes to distribute copies of non-school sponsored literature, the materials must include the name of the person or organization sponsoring the literature, and shall be submitted to the superintendent/principal to review ahead of time in order to confirm that the literature does not fall in one of the prohibited categories listed above.

The superintendent/principal does not need to review the literature ahead of time when the materials will be distributed by a student to other attendees of a student group meeting at school during non-

instructional time. However, even in these cases, students must ensure that the materials do not fall into one of the prohibited categories.

The superintendent/principal may place reasonable time, place, and manner restrictions on the distribution of non-school sponsored literature. However, the administrator cannot use these restrictions or others to discriminate as to the point of view reflected in the materials.

Student Self-Expression

Students have a right to express themselves on school property and at school functions through speech or expressive actions, provided they do not materially and substantially interfere with the orderly operation of the school and the rights of others.

This policy prohibits student self-expression that:

- A. Violates federal, state or local laws;
- B. Advocates the use or availability of tobacco, alcohol or illegal drugs;
- C. Incites violence;
- D. Interferes with or advocates interference with the orderly operation of the schools and/or substantially or materially disrupts learning;
- E. Utilizes school-owned technology to harass;
- F. Threatens harm to self or to other students or staff;
- G. Is obscene, vulgar, or profane in such a manner that it harms the reputation of others.

The situation in which students express themselves may affect the amount of freedom they are given in their speech. If the speech is part of a school-sponsored publication, when a reasonable person would think that the speech is endorsed by the school district, the school district may exercise more control. School district representatives may have editorial control over the style and content of student speech in school-sponsored activities, such as class work or a school newspaper, or speeches, so long as their edits are directly related to legitimate school-related concerns tied to A through G above.

Date Warned: 5.28.2015
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Dates Revised:
Legal Reference(s).