

Student Petitions and Distribution of Non-Curricular Materials

To understand constitutional values such as the right to free speech, students must not only study such principles but also have an opportunity to put them into practice. However, there are limitations on the right of student free speech in the school setting that have been upheld by the courts because of the unique nature of the school community.

It is the goal of this policy to strike a necessary balance between a student's right of free speech and the school's responsibility to maintain an orderly school environment which respects the rights of students, staff members and others on school grounds and during school-sponsored activities.

Students shall be allowed to circulate petitions and distribute non-curricular materials on school property subject to restrictions on time, place and manner of distribution set out below and in the accompanying regulations and in state law.

Students shall not circulate petitions or distribute non-curricular material which is obscene; which is libelous, slanderous or defamatory under state law; which is false as to any person who is not a public figure or involved in a matter of public concern; which creates a clear and present danger of the commission of unlawful acts, the violation of lawful Board or school policies or regulations, or the material and substantial disruption of the orderly operation of the school; or which violates the rights of others.

Students who circulate petitions or distribute non-curricular materials which, in the judgment of school officials, are in violation of this policy will be required to discontinue such activity and shall be subject to appropriate disciplinary action.

School equipment and supplies shall not be used for publication of such petitions or written materials unless authorized as a school-sponsored activity.

The Principal or designee shall present to any student or students wishing to circulate petitions or distribute non-curricular materials a copy of this policy and the accompanying regulations.

Students who wish to appeal the decision of school officials may do so to the Superintendent/designee School Board (see Policy T-JII & T-JII-E). The appeal must be in writing and received within five working days after the school Principal or designee official's decision. The Superintendent/designee Board will consider the appeal and respond back to the student(s) within ten working days.

If the student(s) wish to further appeal, they may do so by filing their request in writing to the Board of Education within five working days of the Superintendent/designee's decision. The Board of Education will consider this appeal at its next regularly scheduled meeting.

CROSS REFS.:

T-JK, Student Discipline, and subcodes
T -KHC, Distribution/Posting of Promotional Materials
T-JII, Student Concerns, Complaints and Grievance
T-JII-E Grievance Form

LEGAL REFS.: C.R.S. 22-1-120 Rights of free expression for public school students
C.R.S. 22-32-110 (1)(r) Power to exclude materials that are immoral or pernicious)

Adopted April 6, 2011