

# THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: PUPILS  
TITLE: Student Expression  
ADOPTED: April 27, 1981  
REVISED: December 17, 1990

## 220 STUDENT EXPRESSION

### **Purpose**

The Board respects of the right of students to express themselves in word or symbol and to distribute materials as a part of that expression, but recognizes that the exercise of that right must be limited by the need to maintain an orderly school environment and to protect the rights of all members of the school community.

### **Authority**

The Superintendent shall have the responsibility of developing procedures to protect the right of students to free expression provided that such expression does not interfere with the educational program, threaten immediate harm to the welfare of school or community, encourage unlawful activity or take away another individual's lawful rights.

The guidelines expressed in Section 3 shall be printed and distributed to all students and discussion of these guidelines by students and faculty provided by the principal.

### **Guidelines**

Students have the responsibility of obeying laws governing character attack.

Students may use publications, flyers, announcements, group meetings, buttons, arm bands and any other means of common communication, provided the use of school communications facilities shall be the responsibility of those in charge of the facilities.

Identification of the individual student or at least one responsible person in a student group is required on posted or distributed materials.

The principal or his/her representative may name the time and place of distribution of materials so that the activity shall not interfere with the operation of the school.

Students have the responsibility to be aware of the feelings and opinions of others and to give others a fair opportunity to express their views.

Sufficient bulletin board space shall be provided for the use of students and student organizations including space for notices of out-of-school activities or matters of general interest to students. School authorities may limit the use of certain bulletin boards to school announcements. Notices or other communications shall be officially dated before posting such material and removed after an announced, reasonable time.

In regard to school newspapers and publications, students have a right to report the news and comment in accordance with the provisions of this policy. School officials shall supervise student newspapers published with school equipment. They shall remove obscene or other objectionable material and edit other material that would interfere with school activities. They may not remove or limit material because it is critical of the school or its administration.

1. Students who are not members of the newspaper staff shall have the opportunity to submit material for publication. Criteria for submission of materials by non-staff members shall be developed and distributed to all students.
2. Student editors shall submit all written and photographic copy to the faculty advisor for examination. Where no editor is involved, the author shall submit the material to the advisor.
3. Should the advisor believe the material violates this policy, the copy shall be submitted to the principal.
4. If the principal agrees that the copy is in violation of this policy, the principal shall send the copy together with the reasons for the objection, to the General Counsel and to the Associate Superintendent for School Operations. At the same time, the principal must inform the student editor of the objections. If the principal decides to prevent publication, he/she must advise the student editor within 48 hours of receipt of the copy.
5. The editor may fill the space intended for the rejected copy with the statement. "The article which was to have appeared in this space was removed according to the provisions of Publications Review of the Student Handbook."
6. The student editor shall be given an opportunity to present his/her views or offer to make changes to eliminate the objections to the principal and to the General Counsel.
7. The Associate Superintendent for School Operations shall make recommendations to the Superintendent who shall decide the question of publication within 10 school days.

In regard to the distribution of printed materials or the circulation of petitions, students shall be free to distribute handbills, flyers, and other printed material and to collect signatures on petitions concerning either school or out-of-school issues, whether such materials are produced within or outside the school. This distribution is subject to the review process noted in this policy.

1. The following general limits may be applied: to prevent interference with a school program, the time of such activities shall be limited to periods before school begins, during lunch time, and after dismissal.
2. The place of such activities shall permit the normal flow of traffic within the school and at outside doors.

3. The manner of conducting such activity shall be limited to prevent loud noise or to prevent the use of force in obtaining signatures on petitions. The danger of littering is not a reason for limiting the right of students to distribute printed material. All printed material and petitions must bear the name of the sponsoring school organization and the name of a responsible person of such organization.

In the matter of petitions presented by students to the school authorities, the students shall have the right to have their petitions considered and to receive an official reply.

In regard to the wearing of buttons, badges or arm bands bearing slogans or sayings shall be permitted as another form of expression subject to the conditions of this policy.

Open meetings in classrooms, assemblies, and extra-curricular organizations are appropriate settings for the oral exchange of ideas. Guidelines for the use of such forums should be developed by the administration, faculty, and student government and made available to students and staff. Guidelines shall prevent: violation of attendance regulations, obscenity, inflammatory language, inciting students to riot, endangering health or safety of members of the school community, or disrupting the educational process.

Where a student fails to follow this policy and the material distributed contains obscene, defamatory offensive language, or results in interference with the educational program, suspension, transfer or expulsion may result.

The school must make certain that these guidelines are applied on an equal basis and in a manner to ensure maximum freedom of expression to students. The school shall avoid any action placing limits on ideas prior to their expression. Any student or student group considering itself deprived of freedom of expression under these guidelines shall have the right to enter a grievance to determine whether such limits are justified under these rules.

### **Legal References**

Pennsylvania Code 22, Section 12.9(c)(d)(e)(3)