

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 district's responsibility to maintain an orderly and safe school environment which respects the rights of students, staff members and others on district grounds and during district-sponsored activities.

Students may distribute non-curricular materials on district property in person or electronically in accordance with this policy, its accompanying regulation, and applicable state and federal law.

Prohibited distribution

Students may not circulate petitions or distribute non-curricular materials in person or electronically on district property, at district-sponsored activities or events, or through the district's electronic network(s) that in themselves or in the manner they are distributed:

- create or threaten to create a substantial disruption or material interference with the normal operation of the district, district activity or event;
- advocate or encourage unlawful conduct or conduct that violates Board policy, including but not limited to the Board's policies prohibiting unlawful discrimination, harassment and bullying;
- cause or threaten to cause injury to persons or property; or
- are obscene, defamatory or violate any person's privacy rights.

Students who circulate petitions or distribute non-curricular materials in violation of this policy may be subject to appropriate disciplinary action, including suspension and/or expulsion.

District equipment and supplies and district technology devices may not be used for the creation or publication of such material.

The principal shall present to any student or students wishing to circulate petitions or distribute non-curricular materials a copy of this policy and its accompanying regulation.

Adopted: August 8, 1984

Revised: July 28, 1993

Revised: May 24, 1995

Revised: October 12, 2005

Revised: June 24, 2015

Revised: September 26, 2018

Revised: September 9, 2020

LEGAL REFS.: Tinker v. Des Moines Indep. Comm. Sch. Dist., 393 U.S. 503 (1968)
Taylor v. Roswell Indep. Sch. Dist., 713 F.3d 25 (10th Cir. 2013)

Colo. Const. Art 9, Sect. 5
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)

CROSS REFS.: JICEA, School-Related Student Publications (School Publications Code)
JK, Student Discipline, and subcodes
KHC, Distribution/Posting of Promotional Materials
JS*, Student Responsible Use of the Internet and Electronic Communications

St. Vrain Valley School District RE-1J, Longmont, Colorado