

**UNDERGROUND STUDENT PUBLICATIONS/
STUDENT DISTRIBUTION OF NONCURRICULAR MATERIALS**

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The Board of Education recognizes that freedom of speech and expression is a fundamental tenet of our nation. Freedom of speech and expression includes the right to distribute to the student body written or graphic material which is not part of a school-sponsored class or activity at reasonable times and places and in a reasonable manner.

There must be a necessary balance between a student's right of free speech and the school's responsibility to maintain an orderly and safe school environment which respects the rights of all students on school grounds and during school-sponsored activities. The rights of students to distribute noncurricular materials are limited as set forth in this policy.

Students shall be subject to disciplinary action for the distribution, on school grounds or at school sponsored activities of any written or graphic materials in any media which:

1. Are obscene or pornographic;
2. Are libelous, slanderous or defamatory under state law;
3. Invade the privacy of others;
4. Contain an expression which is false and not otherwise protected by laws relating to freedom of expression;
5. Contain an expression that is false as to any person who is not a public figure or involved in a matter of public concern;
6. Contain insulting words or words the very expression of which injures or harasses other people and which are inconsistent with the shared values of a civilized social order (e.g. threats of violence or defamation of a person's race, religion, ethnicity, national origin, etc.);
7. Advocate, or create a clear and present danger of, commission of unlawful acts or violation of Board policy or regulations or which cause a material and substantial disruption of the orderly operation of the school; and
8. Constitute literature which is primarily religious or sectarian in nature or content. (This rule shall apply to elementary schools only.)

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School equipment and supplies shall not be used for publication of noncurricular written or graphic materials.

Disclaimer

It is recommended that non-school sponsored publications distributed by students contain on the front page of the publication the following statement:

"The statements and opinions expressed in this publication are not the statements and opinions of (Name of School) or of Aurora Public Schools, nor of its faculty or administration. All statements and opinions in this publication are entirely those of the writers or publishers involved."

A stamp containing this message may be made available at the school office for use by students who wish to use it.

Advertisements

Noncurricular student publications shall not advertise a product or service not permitted for use by persons under age 18.

Liability

No expression made by students in the exercise of freedom of speech or freedom of the press shall be deemed to be an expression of school policy; and no school district or employee or official of such school district shall be held liable in any civil or criminal action for any expression made or published by students.

Distribution of Materials

Students wishing to distribute any written or graphic material by any media to the student body or any significant segment of the student body shall notify the building principal or designee of their intent to distribute at least 24 hours prior to the time of the planned distribution. However, students are not required to produce an advance copy of the materials for the principal's review.

If proper notice is given, students may, so long as the flow of pedestrian traffic is not disrupted,

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distribute in any school buildings at the entrances or exits during the 30-minute time period immediately before the commencement of school or after the end of the school day. Students may also distribute during a school's lunch hour in the school's lunch room, from a location designated by the building principal. Students may not distribute at any other locations or at any other times without the permission of the principal.

LITTERING. Students distributing materials are responsible for picking up materials they have distributed which are discarded in the area of distribution.

Students must distribute in a manner which does not materially or substantially interfere with the operation of the school. The principal of the school may halt distribution if, in her/his opinion, the distribution materially or substantially interferes in the proper and orderly operation of the school or any school activity or if the material being distributed is, because of its content, prohibited under this policy. No student may be compelled or coerced to accept any materials being distributed.

Students distributing written or graphic materials in violation of this policy will be subject to disciplinary action in accordance with district disciplinary procedures.

Nothing in this policy shall be construed to limit the promulgation or enforcement of lawful school regulations designed to control gangs.

CROSS REFS.: JICEA, SCHOOL RELATED STUDENT PUBLICATIONS