

WESTMORLAND UNION ELEMENTARY SCHOOL DISTRICT

Board Policy No. 5020: PUPIL EXERCISE OF FREE EXPRESSION/ASSEMBLY

- A. The Board prohibits any expressions or materials on District property, or at any District activity off school property, if such expressions or materials are obscene, libelous or slanderous according to current legal definitions

- B. The Board prohibits expressions or materials on District property, or at any District activity off school property, if such expressions or materials demonstrably incite pupils to commit unlawful acts on school premises, violate school rules, or substantially disrupt the school's orderly operation.

- C. Printed materials or petitions shall be distributed only at reasonable times and places and in reasonable ways:
 - 1. Before school begins, during lunch time, and after dismissal.

 - 2. In locations that do not obstruct the normal flow of traffic within school or at entrances.

 - 3. Without undue noise, and without any use of coercion.

 - 4. No pupil shall use coercion to induce pupils or any other persons to accept printed matter or to sign petitions. No funds or donations shall be collected for any material distributed.

 - 5. All printed matter and petitions distributed or circulated on school property shall bear the name and the address or contact location of the sponsoring organization or individual.

- D. Appeals

The pupil and the involved faculty member shall attempt to resolve any dispute regarding the application to the pupil of the provisions of this Policy. If the issue cannot be resolved between the pupil and the faculty member, the pupil may appeal to the Superintendent. As a final step, the pupil may request an informal hearing to determine whether a deprivation of freedom of expression was justified. The hearing shall be held before the Board or an impartial person appointed by the Board as soon as possible after the hearing is requested.

Legal Reference:

Education Code sections 48907, 51520

Date Policy Adopted By The Board: August 22, 1989 (formerly B.P. 5020)

Date Policy Revised By The Board: November 8, 1994

Date Policy Revised By The Board: October 9, 2003 (formerly B.P. 5016)