

PUBLICATIONS

The board of education sponsors pupil publications as important elements of the instructional program. Pupils are encouraged to develop skills of written and verbal communication and to exercise the right to express their opinions freely and responsibly.

The rights of free speech, and free expression of pupils in public schools pursuant to the First Amendment, are not automatically coextensive with the rights of adults in other settings and shall be applied in light of the special characteristics of the school environment. The board of education reserves the right to exercise prepublication control over school-sponsored publications through administrative staff and faculty. Pupils shall have the right to appeal the exercise of censorship by school district staff to the board of education.

Pupil expression may be restricted, if it can be determined that such expression is inconsistent with the basic educational mission of the school district and when censorship action is reasonably related to legitimate educational concerns.

Pupils who violate this policy by expression, publication or distribution of any materials which are biased or prejudiced, vulgar or profane, unsuitable for immature audiences, or which do not meet the school district's high standards of learning and propriety consistent with its educational goals and objectives may be subject to appropriate discipline.

This policy shall be implemented in accordance with regulations to be developed by the superintendent. The regulations shall:

- A. Identify school district staff responsible for pupil publications;
- B. Establish procedures for prepublication review; and
- C. Specify procedures for appeal by pupils to the board of education with provisions for prompt decisions to be made at each level.

Web Sites

School-sponsored web sites are also subject to this policy and to the same regulatory constraints as are print publications.

PUBLICATIONS (continued)

Date: Reviewed: December 17, 2008
Adopted: February 18, 2009

Legal References: Use legal reference sheet.

Cross References: List your appropriate policies. See legal reference sheet for possibilities.

Key Words

Publications, Student Publications

Legal References

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Other Reasons:

N.J.S.A. 18A:36-35 prohibits the publication on district web sites of “personally identifiable information” about students without prior written parental consent. “Personally identifiable information” is defined as student names, photos, addresses, e-mail addresses, phone numbers and locations and times of class trips.

It is important to inform the district educational community of board expectations for student publications.

The U. S. Supreme Court decision in Hazelwood indicated that boards should use policy to convey the standards expected of school-sponsored publications.

Recommendation:

A policy expressing the board's philosophy on school-sponsored student publications; setting parameters; and assigning staff responsibility for student publications.

If the district or schools in the district maintain a web site under student control, the rules for its operation would be included in the regulations for this policy. Cross reference policies on District Publications at file code 1111, Photographs of pupils at 5145.5, and Technology at 6142.10, if applicable.

- Legal References:**
- N.J.S.A. 18A:11-1 General mandatory powers and duties
 - N.J.S.A. 18A:36-35 School Internet web sites; disclosure of certain student information prohibited
 - N.J.S.A. 18A:54-20 Powers of boards (county vocational schools)
 - N.J.A.C. 6A:8-3.1 et seq. Implementation of the Core Curriculum Content Standards

Tinker v. Des Moines Independent School District, 393 U.S. 503 (1969)

Bethel School District No. 403 v. Fraser, 478 U.S. 675 (1986)

Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988)

Desilets v. Clearview Regional Board of Education, 137 N.J. 585 (1994)

Possible

- Cross References:**
- *1111 District publications
 - 5145 Rights
 - 5145.2 Freedom of speech/expression
 - *5145.5 Photographs of pupils
 - *6142.10 Technology

*Indicates policy is included in the Critical Policy Reference Manual