

**STUDENT RIGHTS AND RESPONSIBILITIES**Preamble

Recognizing that the fundamental goals of public education include the development of intellectual skills and attitudes consistent with the responsibilities of citizenship in a democratic society, it becomes incumbent upon the schools to insure that the rights and dignity afforded by such citizenship be guaranteed. Furthermore, recognizing that responsibility cannot thrive if rights do not exist and that rights will not long endure if responsibility is not exercised, it behooves schools and students to work in concert to maintain and nurture those rights and responsibilities. It is in this spirit of mutual respect and shared tasks that this Student Rights and Responsibilities (policy) is adopted.

## 1.0 FREEDOM OF EXPRESSION -- STATEMENT OF INTENT

Students shall have the right to exercise free expression including, but not limited to, the use of bulletin boards, the distribution of printed materials or petitions, and the wearing of buttons, badges, and other insignia, except that expression which is obscene, libelous, or slanderous according to what are considered in good faith to constitute current legal standards, or which so incites as to create what is considered in good faith to constitute a clear and present danger of the commission of unlawful acts on school premises or the violation of lawful school regulations, or the substantial disruption of the orderly operation of the school, shall be prohibited.

## A. DISTRIBUTION OF MATERIALS

1. CIRCULATION OF OFF-CAMPUS MATERIALS INCLUDING PETITIONS, CIRCULARS, NEWSPAPERS, AND OTHER PRINTED MATTER -- Students shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter subject to the following specific limitations:
  - a. TIME -- The time of distribution shall be limited to the hours before the first regularly scheduled class period, during the nutrition break, during the lunch period, and after the last regularly scheduled class period.
  - b. MANNER -- The manner of distribution shall be such that:
    - (1) Coercion shall not be used to induce students to accept the printed matter or to sign petitions.
    - (2) Funds or donations shall not be collected for the material distributed.
    - (3) Leaflets and printed material to be distributed shall be submitted to the designated school official at least 24 hours prior to such distribution. Approval or disapproval of such distribution shall be indicated as soon as reasonably possible but no later than the same time the next school day. Grounds for any disapproval shall be given at the same time. The number

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of students or groups of students who may distribute materials in any one day may be limited to a reasonable number.

(4) Materials shall not be left undistributed or stacked for pickup while unattended at any place in the school or on school grounds.

2. **BUTTONS, BADGES, AND OTHER INSIGNIA OR SYMBOLIC EXPRESSION**  
-- Students shall be permitted to wear buttons, badges, arm bands, and other insignia as a form of expression, subject to paragraph B below.

B. **CONTENT OF MATERIALS** -- In the exercise of student rights described above, no student shall distribute materials, wear buttons or other materials which:

1. Are obscene to minors according to what are considered in good faith to constitute current legal definitions.
2. Are libelous or slanderous according to current legal definitions.
3. Incite students so as to create what is considered in good faith to constitute a clear and present danger of the imminent commission of unlawful acts on school premises or of the violation of lawful school regulations or of the substantial disruption of the orderly operation of the school.
4. Express or advocate racial, ethnic, or religious prejudice so as to create a clear and present danger of imminent commission of unlawful acts on school premises or of the violation of lawful school regulations or of the substantial disruption of the orderly operation of the school.
5. Are distributed in violation of the time, place and manner requirements.

C. **REVIEW OF MATERIALS** -- The principal of each school shall designate an administrator to review material and exercise administrative responsibilities as required. The name of the designated person shall be suitably posted.

D. **VIOLATION OF PROCEDURE** -- Knowing violation of this procedure by any student is sufficient cause for suitable disciplinary action to be taken.

E. **IMPLEMENTATION OF PROCEDURE** -- The designated local school administrator shall develop rules and regulations to implement this procedure in conjunction with student government representatives. In case of a disagreement, the decision of the designated administrator shall be final.

F. **APPEALS** -- A student may, however, appeal a decision concerning this procedure to a district administrator who shall render a decision within one school day after receipt of the appeal or within a reasonable time.

(Reference: Education Code Sections 48930-48932)

## 2.0 FREEDOM OF ASSEMBLY

Students shall have the right to peaceful assembly with respect to exercising their freedom of expression and other related rights. Such assemblages shall not interfere with the orderly operation of the school or with the rights of others.

## 3.0 PROCEDURAL DUE PROCESS

Students shall have the right to procedural due process in those situations involving severe sanctions such as an extended period of suspension or expulsion. In all disciplinary situations, it is expected that school personnel will recognize that the individual's right to an education is crucial not only to that individual, but to society as well. Such recognition will manifest itself in diligent attention to the importance of the maintenance of the student's educational opportunities balanced against the need for deterrence and orderly operation of the school.

## 4.0 SELF-GOVERNANCE

Students shall have the right, consistent with legal guidelines, to form student organizations and to conduct the business and activities of such organizations so long as they do not disrupt the orderly operation of the school.

## 5.0 CONFIDENTIALITY OF INFORMATION

No information regarding any student shall be released except pursuant to established District and/or other legal guidelines. The right of access of the individual student to his own records shall include procedures to insure accurate interpretation of information contained therein.

## 6.0 FREEDOM OF ASSOCIATION

Students shall have the right to participate in student organizations in accordance with District Policy 5410. This right shall not be denied for reasons of race, religion, creed, or membership fees.

## 7.0 INSTITUTIONAL REPRESENTATION

Students shall have the opportunity for direct consultation through student representation in regard to instructional and educational matters of the school and District which directly affect the students as stipulated in the rules and regulations.

## 8.0 PERSONAL RESPONSIBILITY

Students shall make every effort to exercise personal responsibility. School officials shall make every effort to insure that students have the "prior knowledge" of rules and regulations pertinent to the exercise of their personal responsibility.

## 9.0 REDRESS OF GRIEVANCES

Any student who perceives that he/she has been denied his/her lawful rights shall have the right of redress of such grievances. A student may appeal to the next higher authority, subject only to the rules that no designated authority be bypassed and that the orderly operation of the school not be disrupted, if he/she feels that his/her rights have been violated. The line of appeal is to the teacher, to the appropriate assistant principal, to the principal, to the Superintendent, to the Board of Trustees and, ultimately, to the courts. The student shall have the right of representation at every level of appeal.