

STUDENT EXPRESSION

The non-disruptive expression of opinions by students in the public schools is protected by the free-speech guarantees of the United States and New Mexico Constitutions. However, a person's right of expression may be limited when, because of the time, place or manner of the speech or expressive conduct, it interferes with the schools' compelling interest in maintaining school programs which further its educational responsibilities without disruption.

Education is founded on the process of inquiry and analysis, of acquiring and imparting knowledge, and of exchanging ideas. Therefore, students have the right to express opinions, to take stands, and to support causes, publicly and privately. There should be no interference in the schools with these liberties, except as provided below.

School authorities shall prohibit the distribution of material which is obscene according to current legal definitions, which is libelous, which endorse actions endangering the health and safety of students or staff; which advocate imminent lawless or disruptive action and are likely to incite or produce such actions; which cause physical disruption to the orderly operations of the school; which contains content that violates other RRPS policies, including but not limited to policies 1004, 1008, 1010, and 1013, or which would violate the intellectual property rights, privacy rights or other rights of another person.

For purposes of this policy, "distribution" means the circulation of more than ten (10) printed copies of material from a source other than the district.

A. Bulletin Boards

School authorities may restrict the use of certain bulletin boards to school announcements. Bulletin board space at school sites shall be provided for the use of students and student organizations, including a reasonable area for notices relating to the date and location of activities of student groups. The following general limitations on posting may be applied:

1. The material shall include the name of the students or student group sponsoring the posting or distribution.
2. The school shall require that notices or other communications be dated before posting and that such material be removed after a prescribed reasonable time to assure full access to bulletin boards.

B. Distribution of Printed Material and Circulation of Petitions

Students shall be free to distribute handbills, leaflets, and other printed materials and to collect signatures on petitions concerning either school or out-of-school issues, whether

such materials are produced within or outside the school subject to the following limitations:

1. The time of such activity shall be limited to periods before school begins, after dismissal, during lunchtime, or other non-instructional time as authorized by the site principal;
2. The place of such activity shall be reasonably restricted so as not to impede the normal flow of traffic within the school and at exterior doors.
3. The manner of conducting such activity shall be restricted to prevent undue levels of noise, or to prevent the use of coercion in obtaining signatures on petitions. The student or student group shall be responsible for collection and proper disposal or removal of all materials from school property after the activity to prevent littering and unsafe walking areas.
4. Any non-school sponsored literature which a student wishes to distribute or possesses to distribute will first be submitted to the Superintendent, or his/her designee, for approval. Requests for approval shall include the name of the person or organization sponsoring the distribution. The Superintendent or his/her designee may have up to five (5) days to review the material before approving or disapproving based on the foregoing criteria. If disapproved, the Superintendent or his/her designee shall state the reasons in writing.
5. The school shall require that all printed matter and petitions distributed or circulated on school property bear the name of the sponsoring organization and/or individual, and shall also bear the schools' stamp and date of approval.
6. In case of petitions presented by students to the school authorities, students shall have the right to have their petitions considered and to receive an authoritative reply thereto.
7. Materials approved for distribution under this policy shall contain a statement that, "The distribution of this material does not reflect approval or endorsement of its content by the Rio Rancho Public School District."

C. Exception to Prior Review

Prior review shall not be required for distribution of non-school literature by district students only in the following circumstances:

1. Distribution of materials by a student to other attendees during a meeting of a non-curriculum-related student group authorized to meet at school during non-instructional time in accordance with Policy 900; or

2. The non-disruptive distribution of written materials on matters of public concern at parents-only school-sponsored meetings, such as PTO meetings; after school; or at board meetings; or
3. Distribution of materials under the supervision of instructional personnel as part of instruction or otherwise authorized classroom activities, such as student publications addressed in Policy 419.

D. Appeal

In the event the submitted material is denied the privilege of distribution, the applicant may:

1. Appeal the decision of the Superintendent or his/her designee in writing within five (5) school days to the Superintendent. The appeal shall include the factual grounds on which the appealing party relies to support the distribution of non-school sponsored materials. The Superintendent shall reply in writing within five (5) school days. In imposing limitations on student expression for any reason under any of the foregoing provisions, the district shall ensure that this policy is applied on a non-discriminatory basis.
2. The decision of the Superintendent shall be final.

E. Penalties

Failure to comply with this policy regarding distribution of non-school literature shall result in appropriate administrative action, including but not limited to confiscation of nonconforming materials, suspension of a non-curriculum-related student group's use of district facilities, and/or other disciplinary action.

Rio Rancho Public Schools
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