Student Activities Publications and Prior Review

School-Sponsored Expressive Activities

The District's professional employees shall exercise editorial control over style and content of student speech in school-sponsored expressive activities. Inclusion of student material in school-sponsored activities shall not be the basis of a grade.

The District may refuse to disseminate or sponsor student speech that: 1. Might reasonably be perceived to advocate drug or alcohol use, irresponsible sex, or conduct otherwise inconsistent with the shared values of a civilized social order. 2. Is inappropriate for the level of maturity of the readers. 3. Does not meet the standards of the professional employees who supervise the production of the publication. 4. Associates the school with any position other than neutrality on matters of political controversy. Hazelwood School District v. Kuhlmeier, 484 U.S. 260, 272 (1988)

School-Sponsored Publications

Students who have a complaint regarding a decision about the content or style of school's sponsored publication shall present that complaint in accordance with Board policy.

Prior Review of Non-School Materials

"Written Material" includes any book, magazine, pamphlet, newspaper, year book, picture, photograph, drawing, or any other written or printed matter or visual representation however produced, but does not include private, written student communications from one student to another.

All written material over which the District does not exercise control that is intended for distribution to students shall be submitted for prior review according to the following procedures:

Material shall be submitted to the building Principal for review. 1. The Principal or the Principal's designee shall approve or disapprove submitted material within three (3) school days of the time the material is received. If the submitted material is disapproved, the principal or his designee shall provide a written explanation of the reason(s) the material is disapproved and allow the student(s) to resubmit the material after the student(s) have revised the written material. If the student(s) believe that the written material is urgent or emergent and requires approval sooner than three (3) school days, the student shall provide a written explanation

of the urgent or emergent circumstances along with the submitted material. 2. Disapproval may be appealed to the Superintendent who shall decide the appeal within five (5) school days of receipt of the appeal. Failure of the Superintendent to act within the five (5) school day period shall be interpreted as disapproval. 3. Disapproval of a request to distribute material may be appealed to the Board. Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987)

Non-School Publications

Content of the non-school-sponsored materials to be distributed must conform to the following standards: 1. Materials that are indecent, vulgar, obscene to minors or sexually inappropriate for the age and maturity of the audience, or that endorse actions endangering the health and safety of students shall not be distributed. a. “Obscene to minors” is defined as: i) The average person, applying contemporary community standards, would find that the written material, taken as a whole appeals to the prurient interest of minors of the age to whom distribution is requested; ii) The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as

intimate sexual acts (normal or perverted), excretory functions, and lewd exhibition of the genitals; and iii) The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors. Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987) Shanley v. Northeast ISC, 462 F.2d. 960 (5th Cir. 1972); Williams v. Spencer, 622 F.2d 1200 (4th Cir. 1980); Trachtman v. Anker, 563 F. 512 (2nd Cir. 1977), cert denied 98 S. Ct. 1491 (1977) 2. Material may not be forbidden if the portions or specific language objected to may also be found in material that is made available to students through school facilities, i.e., the school library or readings assigned by teachers. Channing Club v. Board of Regents, 317 F. Supp. 688 (1970) 3. Libelous material may be prohibited from distribution. Libelous material includes defamatory falsehoods and unprivileged statements about public

figures or governmental officials, which are made with knowledge of their falsity or reckless disregard for truth. Shanley v. Northeast ISD, 462 F.2d 960, 964 (5th Cir. 1972) Gertz v. Robert Welch, Inc., 418 U.S. 323 (1974) 4. Publications that criticize Board members or school officials or advocate violation of school rules may be prohibited if it appears likely that the publication of this material will substantially interfere with or disrupt the operations of the school. “Bare allegations” of disruption or unsubstantiated speculation as to what “might” happen or “could result” are not sufficient to support a reasonable forecast of disruption of the normal operations of the school. Material that is merely offensive or unpopular, or that stimulates controversy, shall not be restricted or forbidden. Tinker v. Des Moines ISD, 393 U.S. 503 (1969) Shanley v. Northeast ISD, 462 F.2d 960 (5th Cir. 1972) Sullivan v. Houston ISD, 475 F.2d 1071 (5th Cir. 1973) 5. Advocacy directed toward inciting or producing imminent lawless or disruptive action and that is likely to incite or produce such action shall be restricted. Healey v. James, 408 U.S. 169, 189 (1972) Brandenburg v. Ohio, 395 U.S. 444, 447 (1969) 6. Hate literature that scurrilously attacks ethnic, religious, or racial groups, and similar irresponsible publications aimed at creating hostility and violence may be banned if it falls within the disruption standard described at item (4) above.

Distribution of Non-School Publications

Distribution may be limited in order to prevent material and substantial interference with normal school operations in circumstances where there is evidence that reasonably supports a forecast that disruption will likely result directly from the distribution. “Bare allegations” of disruption or unsubstantiated speculation as to what “might” happen or “could result” are not sufficient to support a reasonable forecast of disruption of the normal operations of the school. Moreover, material that is merely offensive or unpopular, or that stimulates controversy, shall not be restricted or forbidden.

Source Traceability

Source	Use / Disposition
USBA Model Policy FFA	Retained as the controlling school-sponsored expressive activity, prior review, non-school publication, and distribution framework.
MSD Policy 2070, approved 2024; MSD Policy 6330, approved 2024	Inserted as FFA-1 to preserve local advertising, harmful-product, endorsement, and non-school-sponsored activity disclaimer controls.