

**School-Related Student Publications**  
(School Publications Code)

The Board encourages students to express their views in school-sponsored publications while observing rules for responsible journalism and complying with this policy and state and federal law. To protect the rights of all members of the school community and to support the district's educational mission and purposes, students are prohibited from publishing expression which:

- is false or obscene;
- is libelous, slanderous, or defamatory under state law;
- presents a clear and present danger of the commission of unlawful acts, violation of school rules, or material and substantial disruption of the orderly operation of the school;
- violates the privacy rights of others; or
- threatens violence to property or persons.

Student editors of school-sponsored publications are responsible for determining the news, opinion, and advertising content of their publications subject to the limitations of this policy, its accompanying regulation, and applicable state and federal law. The publications advisor within each school is responsible for supervising the production of school-sponsored publications and for teaching and encouraging free and responsible expression and professional standards of journalism.

The publications advisor has authority to establish or limit writing assignments for students working with publications and to otherwise direct and control the learning experience that publications are intended to provide when participation in a school-sponsored publication is part of a school class or activity for which grades or school credits are given.

1<sup>st</sup> reading 8-11-2020

LEGAL REFS.: C.R.S. 22-1-120 (*rights of free expression for public school students*)

C.R.S. 22-1-123 (5)(e) (*state law does not prevent a student who is working under the supervision of a journalism teacher or sponsor from preparing or participating in a survey, analysis or evaluation without obtaining written parental consent as long as participation is not prohibited by federal law*)

C.R.S. 22-32-110 (1)(r) (*power to exclude materials that are immoral or pernicious*)

CROSS REF.: JLDAC, Screening/Testing of Students

*NOTE 1: The Board may want to consider a more conservative approach to the issue of editorial control of school-sponsored student publications than is reflected in this policy. Although the Colorado statute on this issue, C.R.S. 22-1-120, has never been tested in the courts, some believe that because the statute does not provide for a true "limited open forum," the Board can be more restrictive about who exercises ultimate editorial control. Some Colorado school boards have adopted policy vesting such control in the publications advisor subject to review by the superintendent and Board. We suggest discussing this issue with the district's legal counsel.*

*NOTE 2: Neither the publications advisor nor any public school employee may be dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against solely for acting to protect a student engaged in protected conduct, as outlined in C.R.S. 22-1-120, or for refusing to infringe upon conduct that is protected by state law or the First Amendment to the U.S. Constitution.*

*NOTE 3: "Student publication" includes speech and press that is printed, broadcast, or online. C.R.S. 22-1-120.*

**[Revised July 2020]**