

Student Distribution of Noncurricular Materials

The Board of Education (the “Board”) for Mapleton Public Schools (the “District”) recognizes the importance of students having opportunities to put Constitutional values, such as the right to free speech, into practice in the school setting when practicable. However, the District must balance a student’s right of free speech and the school’s need to maintain an orderly and safe school environment which respects the rights of all students on school grounds and during school-sponsored activities. To that end, courts have upheld limitations on the right of student free speech in the school setting because of the unique nature of the school community.

The purpose of this policy and accompanying regulation is to ensure an appropriate balance of those competing interests. Students may distribute noncurricular materials on school property in accordance with this policy, its accompanying regulation, and applicable State and Federal law.

Prohibited Distribution

Students shall not distribute any noncurricular materials on school property or at school-sponsored activities or events that in themselves or in the manner they are distributed:

- create or threaten to create a substantial disruption or material interference with the normal operation of the school, school activity, or event;
- advocate or encourage unlawful conduct or conduct that violates District policy, including but not limited to the District’s policies prohibiting unlawful discrimination, harassment, and bullying;
- cause or threaten to cause injury to persons or property; or
- are obscene, defamatory, or violate any person’s privacy rights.

Students who distribute materials in violation of this policy may be subject to appropriate disciplinary action, including suspension and/or expulsion.

School equipment and supplies shall not be used for publication of noncurricular materials.

Adopted June 25, 2019, by the Board of Education for Mapleton Public Schools.

LEGAL REFERENCES:

Tinker v. Des Moines Indep. Comm. Sch. Dist., 393 U.S. 503 (1968).

Taylor v. Roswell Indep. Sch. Dist., 713 F.3d 25 (10th Cir. 2013).

Colo. Const. Art 9, 5

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

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

CROSS REFERENCES:

JICEA: School-Related Student Publications

JK: Student Discipline, and subcodes

KHC: Distribution/Posting of Noncurricular Materials