

Student Free Speech Policy

GENERAL POLICY STATEMENT:

The Board and AGCS personnel shall comply with all applicable provisions of the SB 438. Effective January 1, 2011, California charter schools must comply with long standing Education Code Sections 48907 which generally afford free speech and press rights to students, subject to reasonable time, place and manner restrictions.

POLICY DETAILS:

1. AGCS will comply with applicable provisions of Section 48907 as described below:
 - 1.1. Free Speech Rights: Pupils of charter schools shall have the right to exercise freedom of speech and of the press, including the use of bulletin boards, distribution of printed material or petitions, the wearing of buttons, badges and other insignia, and the right of expression in official publications. Specific exceptions to these rights include speech which is:
 - 1.1.1. obscene, libelous or slanderous,
 - 1.1.2. which creates a clear and present danger of the commission of unlawful acts or violation of school regulations,
 - 1.1.3. Which creates a substantial disruption to the orderly operation of the school; and
 - 1.2. Written Publications Code: Official School Publications shall be coordinated by defined school employees who will define reasonable provisions for the time, place, and manner for such activities. There shall be no prior restraint of material prepared for Official School Publications except insofar as it violates this policy.
 - 1.2.1. Official School Publications refers to material produced by pupils in the journalism, newspaper, yearbook, or writing classes and distributed to the student body either free or for a fee.
 - 1.3. Responsibility Remains With Journalism Advisers:
 - 1.3.1. Pupil editors of official school publications shall be responsible for assigning and editing the news, editorial and feature content of their publications subject to the limitations of this policy.
 - 1.3.2. It shall be the ultimate responsibility of journalism advisers (school employees) to supervise the production of the pupil staff, to maintain professional standards of English and journalism and to maintain the provisions of this policy.
 - 1.4. This policy does not prohibit or prevent AGCS from adopting otherwise valid rules and regulations related to oral communications by pupils on the premise of the school.
 - 1.5. An employee shall not be disciplined or otherwise retaliated against solely for acting to protect a pupil's free speech rights.

NON-COMPLIANCE TO POLICY:

Violations of this policy may result in the employee being subject to disciplinary action in accordance with Board disciplinary policy and administrative regulations.

GOVERNANCE:

The Executive Director will own primary responsibility for monitoring adherence to the policy.

Last Reviewed/Revised:

April 11, 2011 Original ____ yays ____ nos

Effective Date:

April 11,, 2011