

File: J61

## STUDENT RIGHTS TO FREE SPEECH, ASSEMBLY, PRESS, AND ASSOCIATION

The Chicopee Public Schools recognize the rights of free speech, assembly, press, and association of students in the public schools. To protect the valid exercise of those rights, as well as maintain a sound environment in which to teach and learn, this policy provides guidelines for student conduct during the school day, on school grounds and at school-sponsored activities and events.

For purposes of this policy, speech includes any form of expression that communicates a message or idea, whether expressed verbally, symbolically, in writing or by other means. School-sponsored speech, such as posters for the election of student leaders or school publications like the yearbook, will be subject to reasonable control (*i.e.*, restrictions that are rationally related to the goal of teaching students). All other speech is subject to the terms of this policy.

In exercising their rights, students shall refrain from any expression which:

- is libelous or obscene according to current legal definitions;
- is intended to and likely to incite the commission of illegal acts;
- infringes on the rights of other students, including the rights to be free of discrimination, harassment and bullying in school; or
- is reasonably expected to cause substantial disruption of school or classroom activity, as defined below.

For purposes of this policy, substantial disruption of school or classroom activity includes, but is not limited to, one or more of the following acts:

- Occupying any part of a school building or school grounds, or depriving others of its use.
- Blocking the entrance or exit of any school building, corridor, or room, depriving others of lawful access to or from, or use of, the building, corridor, or room.
- Preventing or attempting to prevent by physical act the safe functioning of any part of any school.
- Continuously and intentionally making noise or otherwise seriously disrupting and/or preventing the normal functioning of the school or the teaching of other students.
- Interfering with an event by blocking audience view or interrupting a speaker or performance.

Consistent with the foregoing, students have the right to:

- A. Wear political buttons, armbands, and other badges of symbolic expression.
- B. Distribute printed materials and circulate petitions on school property, including inside school buildings, without prior authorization by school administrators, except that:
  1. materials distributed and petitions circulated on school property must have the name and address of the individual or sponsoring organization (including the name and address of at least one member of the group) and may not bear the school's name nor any similar words that could mislead other students into reasonably concluding that the speech was school-sponsored; and

2. the person(s) distributing or circulating materials or petitions must be a student in the school involved; and
  3. the time for such distribution or circulation is limited to periods before school begins, after dismissal, and during lunchtime or recess to prevent interference with the school program; and
  4. the places for such distribution or circulation in each school shall be reasonably restricted so as to permit the normal flow of traffic within the school and at exterior doors; and
  5. the manner of such distribution or circulation shall be reasonably restricted so as to prevent undue levels of noise; and
  6. students will be subject to reasonable requirements for removing litter resulting from such distribution or circulation.
- C. Form political and social organizations and to conduct activities in this connection, provided that group membership shall be open to any student, in accordance with the district's anti-discrimination policy.
- D. Assemble (*i.e.*, hold a pre-planned gathering of six or more students for the purpose of influencing the behavior, conduct or beliefs of others) provided that they make a written request to the principal specifying the date, time, place and purpose of the assembly and comply with any reasonable regulation as to the time, place or manner of the proposed assembly that is designed to eliminate the potential for substantial disruption.

Any student aggrieved by the action of a teacher, principal or the principal's designee under the terms of this policy may obtain review through the procedures set forth in this handbook for grievances.

Legal Refs.: First Amendment of the United States Constitution  
Part 1, Article XVI of the Massachusetts Declaration of Rights

1<sup>st</sup> Reading: (Waived – Reg SC Mtg 2/4/2009)

2<sup>nd</sup> Reading: Reg SC Mtg 2/4/2009