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BSD Policy C11

BURLINGTON SCHOOL DISTRICT POLICY

CODE C11: STUDENT FREEDOM OF EXPRESSION IN SCHOOL-SPONSORED MEDIA

Purpose

The Burlington School District (the District) believes freedom of expression is a fundamental principle in a democratic society that provides all citizens, including students, with the right to engage in a robust discussion of ideas.

It is the policy of this District to ensure all students in all grades enjoy free speech and free press protections related to school-sponsored media, and to encourage students to become educated, informed, and responsible members of society.

No expression made by students in school-sponsored media shall be deemed to be an expression of school policy.

Definitions

Media Advisor means a person employed, appointed, or designated by the District to supervise or provide instruction relating to school-sponsored media.

School-Sponsored Media means any material prepared, written, published, or broadcast as part of a school-supported program or activity by a student journalist that is distributed or generally made available as part of a school-supported program or activity to an audience beyond the classroom in which the material is produced.

Student Journalist means a student enrolled in the District who gathers, compiles, writes, edits, photographs, records or prepares information for dissemination in school-sponsored media.

Student supervisor is a supervising student who is responsible for editing or reviewing school-sponsored media.

Policy

Subject only to the conditions 1-6 below, a student journalist may exercise freedom of speech and freedom of the press in school-sponsored media. Student supervisors of school-sponsored media are responsible for determining the content of their respective media.

This policy does not authorize or protect content of school-sponsored media that:

1. Is libelous or slanderous;
2. Constitutes an unwarranted invasion of privacy;
3. May be defined as obscene, gratuitously profane, threatening or intimidating;
4. May be defined as harassment, hazing, or bullying under Title 16 V.S.A. S 11;
5. Violates federal or state law; or
6. Creates the imminent danger of materially or substantially disrupting the ability of the school to perform its educational mission.

There shall be no prior review by the District or Building Administrator of school-sponsored media published in conformance with Vermont's New Voices law (reference 16 V.S.A. S 1623); rather it is the belief and expectation that a media advisor is suitably qualified to provide appropriate guidance to student journalists.

District staff may restrain the distribution of content in school-sponsored media that can be demonstrated to violate any of the conditions 1-6 above.

Content in school-sponsored media will not be restrained solely because it involves political or controversial subject matter or is critical of the school or its administration.

A student journalist may not be disciplined for acting in accordance with this policy.

A media advisor may not be dismissed, suspended, disciplined, reassigned or transferred:

- (a) for taking reasonable and appropriate action to protect student journalists in conduct protected by this policy,
- (b) for actions of student journalists exercising their rights to freedom of expression in school sponsored media, or
- (c) for refusing to infringe on conduct that is protected by this policy, by the first amendment to the U.S. Constitution, or by the Vermont Constitution.

In the event of a conflict between this policy and Vermont's New Voices law, the New Voices law shall control.

Legal Reference: 16 V.S.A. ç 1623

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