

**Policy**

---

PUBLICATIONS

The board of education sponsors pupil publications as important elements of the instructional program. Pupils are encouraged to develop skills of written and verbal communication and to exercise the right to express their opinions freely and responsibly.

The rights of free speech, and free expression of pupils in public schools pursuant to the First Amendment, are not automatically coextensive with the rights of adults in other settings and shall be applied in light of the special characteristics of the school environment. The board of education reserves the right to exercise prepublication control over school-sponsored publications through administrative staff and faculty. Pupils shall have the right to appeal the exercise of censorship by school district staff to the board of education.

Pupil expression may be restricted, if it can be determined that such expression is inconsistent with the basic educational mission of the school district and when censorship action is reasonably related to legitimate educational concerns.

Pupils who violate this policy by expression, publication or distribution of any materials which are biased or prejudiced, vulgar or profane, unsuitable for immature audiences, or which do not meet the school district's high standards of learning and propriety consistent with its educational goals and objectives may be subject to appropriate discipline.

This policy shall be implemented in accordance with regulations to be developed by the superintendent. The regulations shall:

- A. Identify school district staff responsible for pupil publications;
- B. Establish procedures for prepublication review; and
- C. Specify procedures for appeal by pupils to the board of education with provisions for prompt decisions to be made at each level.

Web Sites

School-sponsored web sites are also subject to this policy and to the same regulatory constraints as are print publications.

Adopted: 1994  
NJSBA Review/Update: December 2008  
Readopted: March 2009

Key Words

Publications, Student Publications

**Legal References:** N.J.S.A. 18A:11-1 General mandatory powers and duties  
N.J.S.A. 18A:36-35 School Internet web sites; disclosure of certain student information prohibited  
N.J.S.A. 18A:54-20 Powers of boards (county vocational schools)  
N.J.A.C. 6A:8-3.1 et seq. Implementation of the Core Curriculum Content Standards

PUBLICATIONS (continued)

Tinker v. Des Moines Independent School District, 393 U.S. 503 (1969)

Bethel School District No. 403 v. Fraser, 478 U.S. 675 (1986)

Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988)

Desilets v. Clearview Regional Board of Education, 137 N.J. 585 (1994)

**Possible**

**Cross References:** \*1111 District publications  
5145 Rights  
5145.2 Freedom of speech/expression  
\*5145.5 Photographs of pupils  
\*6142.10 Technology

\*Indicates policy is included in the Critical Policy Reference Manual