

# POLICY

## Board of Education Las Cruces Public Schools

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**Related Entries:** JICE, JJA, JICA, JICA-RA  
**Responsible Office:** Chief Academic Officer

### Student Publications

#### I. PURPOSE

Student publications are important elements of the instructional program and contribute directly to the accomplishment of the schools' goals. The board recognizes the students' constitutionally protected right to freedom of expression.

#### II. DEFINITION

Freedom of expression in our schools shall be interpreted as including, and not being contrary to:

- A. The development of student responsibility in distinguishing between freedom and license.
- B. The consideration by the faculty of the maturity levels of students and of appropriate standards of journalistic taste.
- C. The development of skills of written expression among students.

#### III. POSITION

Any student or student group deprived of freedom of expression under this policy shall have the right to request a hearing to determine whether such deprivation is justified under these rules. Such a hearing must be held as soon as possible after the request before a committee, which includes representatives of the administration, faculty and the student body. The hearing shall provide for a full and fair opportunity for both sides to present evidence and argument as to the propriety of the application of this policy. At these hearings, the school shall have the burden of justifying its actions.

The student or student group has the right to appeal the decision of the hearing authority to the local school board. Such appeal shall be a review of the procedure and the findings of the hearing authority and shall not be set aside unless it is established, by a preponderance of the evidence presented, that insufficient cause existed for the decision.

The schools are entitled to set high standards and to exercise control in regard to publications produced or distributed under school auspices and will prohibit the publication or dissemination of student publications that reflect racial or ethnic prejudice, bigotry or hatred; contain or promote the use of name-calling, racial or ethnic epithets, racially or ethnically insensitive terms, or offensive, pejorative, or crude anatomical or sexual terms or references, or are sexually suggestive, vulgar, profane, obscene or lewd; unsuitable for immature audiences; defamatory or otherwise intrusive upon the rights of others; or that will, or are likely to disrupt or impede the work of the schools on the basis of articulable objective facts; or inflame or incite students so as to create a clear and present danger of the commission of unlawful acts or of physical disruption to the orderly operation of the school.

**IV. REVIEW AND REPORTING**

This policy will be reviewed in accordance with the Board of Education policy review process.

*Legal Reference:* 6.11.2.9 NMAC

*Policy History:* Formerly Policy 351, Revised 6.20.06



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*Board of Education, President*

June 20, 2006

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*Date*