

Boerne ISD
130901

STUDENT EXPRESSION:
DISTRIBUTION OF NONSCHOOL LITERATURE

FNA
(LEGAL)

PROTECTED SPEECH	Activities such as distributing literature, displaying signs, petitioning for change, and disseminating information concerning issues of public concern are protected by the First Amendment. <i>Schenck v. Pro-Choice Network</i> , 519 U.S. 357, 117 S. Ct. 855 (1997) (recognizing leafletting and commenting on matters of public concern as protected speech); <i>Boos v. Barry</i> , 485 U.S. 312, 108 S. Ct. 1157 (1988) (recognizing public issue signs as protected speech); <i>Meyer v. Grant</i> , 486 U.S. 414, 108 S. Ct. 1886 (1988) (recognizing the solicitation of signatures for a petition drive as protected speech)
LIMITATIONS ON EXPRESSION	<p>The District may prohibit expression by students if:</p> <ol style="list-style-type: none">1. It materially and substantially interferes with school activities;2. It materially and substantially interferes with the rights of other students or teachers; or3. The District can demonstrate reasonable cause to believe that the expression would engender such material and substantial interference. <p>The District shall not prohibit student expression solely because other students, teachers, administrators, or parents may disagree with its content.</p>
PRIOR REVIEW	The District may subject student expression to prior screening under clear and reasonable regulations.
TIME, PLACE, AND MANNER LIMITATIONS	<p>The District may limit student expression in manner, place, or time by means of reasonable and equally-applied regulations.</p> <p><i>Shanley v. Northeast Indep. Sch. Dist.</i>, 462 F.2d 960 (5th Cir. 1972) [See also CPAB for use of the District's mail system]</p>

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