



## POLICY 5.70

**5-H** I recommend that the Board approve development of the proposed **revised** Policy 5.70, entitled “Student Publications.”

[Contact: Ira Margulies, PX 45857.]

### **Development**

### **CONSENT ITEM**

- This revised policy provides guidelines related to school-sponsored student publications. Its objective is to ensure that school-sponsored publications which provide a vehicle for student expression are consistent with legal and regulatory requirements, board policies, civil discourse, responsible journalism and professional standards.
- The revised policy expands the student publications to include video programs and digital media. See Paragraph 2.
- The revised policy expands the limitations on the distribution of student publications which promote unlawful activities; violate intellectual property rights; invade or violate the rights of other students or staff; or state or imply the school or school district endorses matters of a political or religious nature. See Paragraph 2.
- Publications must comply with FERPA and may not be distributed for personal gain of students or staff without the approval of Superintendent and School Board. See Paragraphs 3 and 4.
- Principals are responsible for the appropriateness student publications and the publications’ compliance with board policy. See Paragraph 5.
- The Superintendent is delegated authority to implement procedures relative to this policy. See Paragraph 6.
- This revision also updates statutory references.

## POLICY 5.70

### STUDENT PUBLICATIONS

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3 1. Purpose. The purpose of this policy is to provide guidelines related to school-  
4 sponsored student publications. The School Board recognizes that providing  
5 opportunities for responsible student expression is an integral part of the public  
6 school program. It also recognizes its responsibility to the schools, students and  
7 community to ensure that school-sponsored publications which provide a vehicle  
8 for student expression are consistent with legal and regulatory requirements, board  
9 policies, civil discourse, responsible journalism and professional standards.
  
- 10 2. Policy. -- The contents of school newspapers, yearbooks, literacy magazines, video  
11 programs and digital media (e.g., online publications) --publications, leaflets,  
12 pamphlets, advertisements and other materials distributed to students or  
13 sponsored by the school shall conform to the same legal requirements as those  
14 imposed upon conventional newspapers and news media. Student publications  
15 and productions which are primarily financed by the school district, produced as  
16 part of the curriculum or as a school sponsored activity shall not be considered a  
17 public forum. The School Board authorizes the administration to edit or delete  
18 material which is inconsistent with law or our district's educational mission. No such  
19 item shall be distributed in any school which:
  - 20 a. can reasonably be interpreted as obscene to minors;
  - 21 b. can reasonably be interpreted as being libelous or slanderous; or
  - 22 c. promotes unlawful activities;
  - 23 d. could reasonably be expected to create a material and substantial disruption
  - 24 of normal school activity or appropriate discipline in the operation of the
  - 25 school;
  - 26 e. violates intellectual property rights (i.e., copyright, patent, trademark, trade  
27 dress, trade secret, etc.);
  - 28 f. improperly interferes with or invades the privacy, or otherwise violates the  
29 rights, of students and/or staff; or
  - 30 g. is of a political or religious nature that states or implies that the school or any  
31 of its representatives are sponsoring or endorsing the content of the material.
  
- 32 3. Compliance with FERPA. -- Identification of students in student publications (e.g.,  
33 newsletters, newspapers, yearbooks, multimedia, TV programs, and Internet and

34 online services, etc. shall comply in all respects with the Family Educational Rights  
35 and Privacy Act (FERPA), 20 U.S.C. 123 g, as amended, and its interpretive  
36 regulations.

37 4. Prohibition of Commercial Distribution. -- Student publications may not be  
38 distributed commercially for the personal gain of any student(s) or district staff  
39 member(s) without the prior written approval of the Superintendent of Schools and  
40 the Board of Education. In the event that such publication is approved, signed  
41 Release and Consent for Student Information Publication Form  
42 (<http://www.palmbeach.k12.fl.us/Records/PDF/1941.pdf>) must be obtained for all  
43 participants prior to production, and the publication may only be distributed and  
44 used as provided therein.

45 5. Responsibility of Principals. -- School Principals are responsible for ensuring the  
46 appropriateness of school-sponsored publications and that such publications  
47 conform with Board policy.

48 6. Delegation of Authority. -- The Superintendent is authorized to develop procedures  
49 for the implementation of this policy.

50 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.41, 1001.42, Fla. Stat.–230.22

51 LAWS IMPLEMENTED: Fla. Stat. §§ 1001.43 230.22

52 HISTORY: 4/6/83; \_\_\_/\_\_\_2009

Legal Signoff:

The Legal Department has reviewed proposed Policy 5.70 and finds it legally sufficient for development by the Board.

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Attorney \_\_\_\_\_ Date \_\_\_\_\_