



Chico Unified School District

1163 East Seventh Street, Chico, CA 95928-5999
(530) 891-3000

Administrative
Regulation:

#5145.2

Section: 5000

Students

Page 1 of 3

FREEDOM OF SPEECH/EXPRESSION

Time, Place, and Manner Restrictions for Student Expression

Each principal or designee may annually identify physical or electronic locations, such as school courtyards, bulletin boards, or social media accounts, on which students and student organizations may hold a public rally, express and debate issues, or post information of general interest. Additionally, students may distribute handbills, leaflets, and other printed or electronic material, whether produced within or outside of the school. In addition, students may collect signatures on petitions concerning school or nonschool issues. All such expression in a given year shall be limited to the locations identified by the principal or designee for that year.

Materials or petitions may be distributed only:

1. Before or after school or during lunch time.
2. For printed materials or petitions, in locations that do not obstruct the normal flow of traffic within school or at entrances.

No student shall use coercion to induce any other student or any other person to accept materials or to sign a petition. No funds shall be collected for any material distributed.

Official School Publications

Official school publications are materials produced by students in journalism or yearbook courses or programs, student clubs or organizations, student newspapers or other student publications, or writing classes, and distributed to the public or to the student body either for a fee or free. (Education Code 48907)

All official student publications shall be held to professional standards of language and journalism. (Education Code 48907)

Policy Reference Disclaimer: *These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.*

State	Description
CA Constitution Article 1, Section 2	<u>Freedom of speech and expression</u>
Ed. Code 234-234.5	<u>Safe Place to Learn Act</u>
Ed. Code 48205	<u>Excused absences</u>
Ed. Code 48907	<u>Exercise of free expression; time, place, and manner rules and regulations</u>
Ed. Code 48950	<u>Speech and other communication</u>
Ed. Code 51520	<u>Prohibited solicitations on school premises</u>

Federal	Description
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Regulation Approved: EAC-4/25/07; SAC-2/1/07; 09/14/26



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Page 2 of 3

Federal

20 USC 4071-4074

Description

Equal Access Act

U.S. Constitution, First Amendment

Free exercise, free speech, and establishment clauses

Management Resources

Description

Court Decision

Dariano v. Morgan Hill Unified School District (2014) 767 F.3d 764

Court Decision

Chandler v. McMinnville School District (1992) 978 F.2d 524

Court Decision

Mahanoy Area School District v. B.L. (2021) 594 U.S. 180

Court Decision

Beussink v. Woodland R-IV School District (1998) 30 F.Supp. 2d 1175

Court Decision

Bright v. Los Angeles Unified School District (1976) 18 Cal. 3d 350

Court Decision

Emmett v. Kirkland School District No. 415 (2000) 92 F.Supp. 2d 1088

Court Decision

J.S. v. Bethlehem Area School District (2000) 757 A.2d 412 (Pa. Commw. 2000)

Court Decision

Lavine v. Blaine School District (2001, 9th Cir.) 257 F.3d 981

Court Decision

Leeb v. DeLong (1988) 198 Cal.App.3d 47

Court Decision

Lovell v. Poway Unified School District (1996) 90 F.3d 367

Court Decision

Muller v. Jefferson Lighthouse School (1996) 98 F.3d 1530

Court Decision

Smith v. Novato Unified School District (2007) 150 Cal.App.4th 1439

Court Decision

Hazelwood School District v. Kuhlmeier (1988) 108 S. Ct. 562

Court Decision

Harper v. Poway Unified School District (2006) 445 F.3d 1166

Court Decision

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

Court Decision

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

Website

CSBA District and County Office of Education Legal Services

Website

California Department of Education

Website

CSBA

Cross References

Code

Description

1100

Communication With The Public

1114

District-Sponsored Social Media

1313

Civility

1325

Advertising And Promotion

4118

Dismissal/Suspension/Disciplinary Action

5113

Absences And Excuses

5127

Graduation Ceremonies And Activities

5131

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Page 3 of 3

Code	Description
5131.2	Bullying
5131.4	Student Disturbances
5131.8	Mobile Communication Devices
5132	Dress And Grooming
5136	Gangs
5137	Positive School Climate
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
5145.3	Nondiscrimination/Harassment
5145.7	Sexual Harassment
5145.8	Refusal To Harm Or Destroy Animals
5145.9	Hate-Motivated Behavior
6141.2	Recognition Of Religious Beliefs And Customs
6142.3	Civic Education
6144	Controversial Issues
6145.5	Student Organizations And Equal Access
6145.8	Assemblies And Special Events