



SECTION: 600

TITLE: PUBLICATIONS

NESHAMINY SCHOOL DISTRICT

1	I. General	Subject to the terms, conditions and limitations set forth herein, it is the policy	1
2		of the School District to offer one or more courses or after school activities in	2
3		which students are taught relevant material and skills relating to the writing	3
4		and production of a school newspaper, the yearbook and other school	4
5		publications. It is also the policy of the School District to ensure that proper	5
6		controls and supervision over School District publications exist and are	6
7		implemented.	7
8		School sponsored publications are developed within the adopted curriculum	8
9		or in connection with after school activities. Any course associated with the	9
10		production of school publications or content for school publications shall be	10
11		considered to be – a laboratory situation in which the students publish the	11
12		school newspaper or other publication applying skills they have learned in	12
13		class – or in connection with an after school activity. The lessons to be learned	13
14		in the applicable courses or activities include development of journalistic skills	14
15		under deadline pressure, the legal, moral, and ethical restrictions imposed	15
16		upon journalists within the school community, and responsibility and	16
17		acceptance of criticism for articles of opinion.	17
18		The classroom teacher(s) and/or advisor(s) provided by the School District to	18
19		oversee the publication of School District publications shall, in the first	19
20		instance, have the authority to control the applicable school publication in	20
21		accordance with the terms, conditions and limitations set forth in this Policy	21
22		and within budgetary constraints. By way of example, and not limitation, the	22
23		teacher(s)/advisor(s) have the following power and authority:	23
24		a. to select the editors and officers of the publication;	24
25		b. to schedule publication dates; decided the number of pages for each	25
26		issue;	26
27		c. to assign story ideas to class members, advise students on the	27
28		development of their stories;	28
29		d. to review the use of quotations, to edit stories, to select and to edit the	29
30		letters to the editor; and	30
31		e. to deal with the printing company.	31
32		After issues of School District publications have been approved by the	32
33		applicable teacher(s)/advisor(s), the issue must be submitted for review by the	33
34		Principal or his/her designee.	34
35			35

POLICY 600 (continued)

The School District recognizes and adopts the principle that the First Amendment rights of students in the public schools “are not automatically coextensive with the rights of adults in other settings,” *See, Bethel School District No. 403 v. Fraser*, 478 U.S. 675, 682, 106 S.Ct. 3159, 3164, 92 L.Ed.2d 549 (1986), The School District further recognizes and adopts the principle that student rights must be “applied in light of the special characteristics of the school environment.” *Tinker, supra*, 393 U.S., at 506, 89 S.Ct., at 736; cf. *New Jersey v. T.L.O.*, 469 U.S. 325, 341-343, 105 S.Ct. 733, 743-744, 83 L.Ed.2d (1985). The School District will not tolerate student speech that is inconsistent with its “basic educational mission,” *Fraser, supra*, 478 U.S., at 685, 106 S.Ct., at 3165.

The School District does not intend to open the pages of its publications to indiscriminate use by its student reporters and editors, or by the student body generally. The School District reserves all legal rights that it has and School District publications for their intended purpose as a supervised learning experience for students. Accordingly, school officials are entitled under this Policy to regulate the contents of School District publications in any reasonable manner that is consistent with applicable law and constitutional principles.

Within the foregoing parameters, the School District distinguishes between news stories on the one hand and editorials on the other. With regard to the writing and publishing of the news, the editors and advisor have discretion to operate and edit like any newspaper, subject to the rules set forth in this Policy. No student has the right to insert any particular word or phrase in any news article published by the “newspaper” if rejected by the editorial board, advisor or principal. However, when it comes to editorials, particular words or phrases, or the expression of ideas, cannot be prohibited solely because of the word, phrase or viewpoint expressed; but may be prohibited for other reasons.

Official School District Publications: The following publications are and shall be owned, supervised and managed by the School District and, except as otherwise stated herein, shall be produced primarily by students under the direction and supervision of the designated teacher (s) and/or faculty advisor(s), and the high school principal:

- a. The Playwickian;
- b. The Yearbook, whose name shall remain the “Redskin”; and
- c. The Howler.

Nothing in this Policy is intended to interfere with the usual supervisory and governance structure of the School District

POLICY 600 (continued)

Publication Formats:

Playwickian – The Playwickian may be published in both paper and/or electronic form.

a. Paper Publication of Playwickian

- 1) After a fair process for the solicitation of competitive quotes, and taking into account reasonable relevant factors, the printer shall be selected by the Advisor, subject to oversight and approval by the principal, the Superintendent and the School Board with regard to those printing contracts in excess of One Hundred Dollars (\$100).
- 2) Contracts may be awarded by the edition or by the year, whichever seems most advantageous to the advisor and principal. No contract may be awarded for more than two (2) school years without first obtaining approval for a longer contract from the School Board.
- 3) The Playwickian may be financed by the sale of papers, advertising, student activities, fundraising, and/or Board appropriations.

b. Electronic Publication of Playwickian – Each paper edition of the Playwickian may also be published on the School District’s website. In reproducing the Playwickian on the School District’s website, the School District’s webmaster shall ensure the following:

- 1) that the entire publication is reproduced on-line;
- 2) that only the current issue is “posted” with an archive accessible through links to past editions going back at least three calendar years; and
- 3) that “comments,” “likes” and those sort of features shall not be allowed on the website in general or in connection with the Playwickian.

Redskin – The Redskin Yearbook may be published in a hardbound book in a style and format customary for such yearbooks.

- a. After a fair process for the solicitation of competitive quotes, and taking into account reasonable relevant factors, the printer shall be selected by the advisor(s), subject to oversight and approval by the principal, the Superintendent and the School Board.
- b. After a fair process for the solicitation of competitive quotes, and taking into account reasonably relevant factors, the photographer shall be selected by the principal, subject to oversight and approval by the Superintendent and the School Board.
- c. Contracts may be awarded for printing and/or photography for up to two (2) years, unless approval for a longer contract is given by the School Board.

POLICY 600 (continued)

d. The Redskin yearbook shall be financed by the sale of yearbook, advertising, student activities, fundraising, and/or Board appropriations.

Intellectual Property: In order to preserve and protect the intellectual property rights of the School District associated with the School District publications subject to this policy, the solicitor shall register any trademarks or logos associated with the Playwickian, the Redskin and the Howler and shall periodically ensure that the registrations are properly maintained. The Playwickian, the Redskin and the Howler shall be appropriately copyrighted and marked that the School District owns the copyright. No one may reproduce or republish the Playwickian, the Redskin, the Howler or any part of the Playwickian, the Howler or the Redskin in violation of the School District’s copyright or other intellectual property rights. No claim to copyright is being made with respect to any material owned by others.

Masthead: Each edition of the Playwickian shall contain a masthead. The masthead shall contain the following:

- a. a listing of all editors and officers of the Playwickian;
- b. the policy of the newspaper, in the form and content set forth hereafter;
- c. a listing of all contributing writers to the Playwickian;
- d. the manner in which students who are not in the applicable class or on the newspaper staff may submit material for publication.

Playwickian Policy: The policy of the Playwickian which shall be published as part of the masthead of the newspaper shall be as follows:

“Policy. Subject to applicable law and the terms, conditions and limitations set forth in Policy 600 of the Board of School Directors of the Neshaminy School District and this policy statement, it is the policy of School District that student journalists shall have the right to determine the content of the Playwickian. Except for advertisements, all content shall be prepared by students, subject to editing by others.

Students: (a) strive to produce media based upon professional standards of accuracy, objectivity and fairness; (b) review material to improve sentence structure, grammar, spelling and punctuation; (c) check and verify all facts and verify the accuracy of all quotations; and (d) in the case of editorials or letters to the editor concerning controversial issues, determine the need for rebuttal comments and opinions and provide space therefore if appropriate.

POLICY 600 (continued)

As examples, and not limitations on the proper authority of school officials, the following types of expression will not be approved for publication: (a) material that is obscene; (b) the work, taken as a whole, lacks serious literary, artistic, political or scientific value; (c) indecent or vulgar language is not obscene; (d) material that violates the legal or constitutional rights of others; (e) material that will cause a material and substantial disruption of school activities; and (f) any other material that the school authorities reasonably believe should be prohibited.

Within the terms, conditions and limitations of Policy 600 and this policy statement, students are free to express opinions. Specifically, a student may criticize school policy or the performance of teachers, administrators, school officials and other school employees.

The viewpoints expressed by anyone in this paper shall not be deemed to be the viewpoints of the School District, any official or employee of the School District, or any student other than the student or students who expressed the viewpoint.

Student Rights. School Newspaper. Playwickian.

- a. Subject to the rules set forth herein, students have a right and are as free as editors of other newspapers to report the news and to editorialize in any School District newspaper.
- b. School officials may not censor or restrict material simply because it is critical of the school or its administration; but may censor or restrict the material under the other applicable rules set forth herein.
- c. Students who are not members of the newspaper staff shall have access to its pages in accordance with the terms, conditions and limitations set forth in the Playwickian for the submission of such material.

Authority of School Officials.

- a. The applicable teacher(s)/advisor(s), school principal(s) and Superintendent shall have the rights and authority to censor or prohibit any material proposed for publication in the Playwickian and in the Howler for any of the following reasons:
 - 1) Where for any reasonable reason the material should be prohibited from publication;
 - 2) Where it is reasonably believed that readers should not be exposed to material that may be inappropriate for their level of maturity;
 - 3) Where the views of the individual speaker may be erroneously attributed to the school, any school employee or official, or to the school district;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

POLICY 600 (continued)

- 4) Where the speech is, for example, ungrammatical, poorly written, inadequately researched, biased or prejudiced, vulgar or profane, or unsuitable for immature audiences;
- 5) Where the writing does not reflect high standards that the School District desires;
- 6) Where, taking into account the emotional maturity of the intended audience, an article or editorial is felt to be inappropriate;
- 7) Where the article or editorial might reasonably be perceived to advocate drug or alcohol use, irresponsible sex, or conduct otherwise inconsistent with the shared values of a civilized social order;
- 8) Where the content is not accurate in whole or in part;
- 9) Where the content has not been adequately researched or developed;
- 10) Where material is graded material and does not achieve of a grade of at least a "B" ("pass/fail" content shall not be published);
- 11) Where the material constitutes, may arguably constitute, or be considered as evidence of unlawful discrimination, unlawful retaliation, unlawful harassment, unlawful intimidation, bullying or hazing;
- 12) Where the material impinges on the rights of others;
- 13) Where the material supports particular candidates for office;
- 14) Where the material contains (a) racial or ethnic slurs/symbols, (b) gang affiliations, (c) vulgar, subversive, or sexually suggestive language or image;
- 15) Where the material promotes products that students may not legally buy; such as alcohol, tobacco, and illegal drugs or promotes conduct that is unlawful;
- 16) Where the material incites violence; advocates use of force; or encourages violation of federal, state or municipal law, Board Policy or district rules or regulations.
- 17) Where the material is likely to or does materially or substantially interfere with the educational process, including school activities, school work or discipline and order on school property or at school functions;
- 18) Where the material threatens serious harm to the school or community;
- 19) Where the material violates written school district administrative regulations or procedures on time, place and manner for posting and distribution of otherwise protected expression.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

POLICY 600 (continued)

- b. In making these assessments, school officials and employees are expected to fulfill their role to awakening each child to cultural values, to prepare each child for later professional training, and to help each child to adjust normally to his or her environment.
- c. Prior approval for publication of the Playwickian and Howler must be provided by the principal or his/her designee. Each edition of any publication shall be provided to the principal or his/her designee at least ten (10) school days prior to the time that the edition is due to be sent to the printer. Although the principal or his/her designee is expected to review the edition as soon as reasonably practicable, it must be reviewed within seven (7) calendar days. Everything shall be deemed approved unless something is specifically disapproved and the teacher(s)/advisor(s) as applicable is notified in writing within seven (7) days that one or more things are to be removed from the edition. If the prescribed time for approval elapses without a decision, the material shall be considered authorized for distribution.

Rules of Construction

- a. Nothing herein shall be construed as an intent to create a public, a designated forum or a limited public forum with regard to any School District publication. On the contrary, it is the intent of the Board of School Directors of the School District that School District publications be considered government speech for purposes of the First Amendment and to the extent permitted by the First Amendment.
- b. Nothing herein shall be construed to violate the constitutional or legal rights of any person and if two or more interpretations can be given to any provision herein, some constitutional and some not, it is intended to give only the constitutional and/or legal interpretation,
- c. The term "Redskins" when referring to the School District mascot and when used to express the writer's viewpoint about the term shall not be construed as a racial or ethnic slur and is not intended by the Board of School Directors as a racial or ethnic slur. Consequently, no student or school official shall censor or prohibit use of the term or of an article or editorial that has been submitted that contains the word and where the word is used in a constitutionally permitted way in accordance with the Free Speech rights of the student author. However, the use of the word or term is not a license to violate any of the terms and conditions of this Policy. An article or editorial that contains the term may be censored or prohibited for other reasons consistent with this policy or if used in a demeaning manner or as a racial slur.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

POLICY 600 (continued)

- 1) It is not the intent of the Board of School Directors to limit or restrict students in their editing of work for school District publications. Consequently, no student editor shall be disciplined for editing or editorial decisions, including the deletion of the word "Redskin" from any article or editorial or for objecting to its use in any advertisement.
- 2) Where any material or words, including the word "Redskins" is edited or deleted from an article or editorial submitted by a student, the student affected may appeal the decision to the Principal who shall have final authority in determining what material may be used in accordance with applicable law.

Approved: 9/26/67
Reviewed: 9/2003
Rev/Approved: 6/2014

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45