

P6905 STUDENT PUBLICATIONS

BOARD POLICY:

Student Publications are publications prepared in whole or part by students in accordance with the principles contained in the Kansas Student Publications Act, K.S.A. 72-7209 et seq., and under the supervision of qualified faculty advisers. Students shall be given the opportunity to progress in developing school newspapers, yearbooks, literary magazines, video programs, and digital media (e.g., online publications). BOE Policy 1230 - *Acceptable Device and Communication Use by Staff, Students, and the District* applies to on-line student publications.

Administrative Implemental Procedures:

1. School-level Management. The adviser(s) of student publications at each building shall organize a Student Publications Editorial Board which may include the following: a building administrator or administrative designee, adviser(s) of student publications, a student representative from each publication, a student at large, a community patron, and such other community or staff members as shall be deemed appropriate.
2. Duties of the Student Publications Editorial Boards. Each Student Publications Editorial Board shall:
 - a. Develop or adopt written publications guidelines, which are intended to provide guidance for student publications procedures and to provide a process for resolving issues. Assistance will be provided upon request.
 - b. Review those issues submitted by patrons, staff members, or students that relate to student publication content. Recommendations from the Student Publications Editorial Board shall be sent to the adviser(s) of student publications and the building principal for final determination.
3. Material Not Protected. Student publications may not contain expression that:
 - a. is libelous, slanderous, or obscene;
 - b. commands, requests, induces, encourages, commends or promotes conduct that is defined by law as a crime or conduct that constitutes a ground or grounds for suspension or expulsion of students;
 - c. creates a material or substantial disruption of the normal school activity;
 - d. is inconsistent with high standards of English and journalism;
 - e. violates intellectual property rights (i.e., copyright, patent, trademark, trade dress, trade secret, etc.); or
 - f. improperly invades the privacy of students and staff.
4. Compliance with FERPA. Identification of students in student publications (e.g., newsletters, newspapers, yearbooks, multimedia, TV programs, and Internet and online services, etc.) shall comply in all respects with the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, as amended, and its interpretive regulations, 34 C.F.R. § 99.1, *et seq.* (See BOE Policy 5501 – *Privacy of Student Records* and the District’s FERPA guidelines).

5. Commercial Distribution of Student Publications. Student publications may not be distributed commercially for the personal gain of any student(s) or district staff member(s) without the prior written approval of the Superintendent of Schools and the Board of Education. In the event that such publication is approved, signed Publication Consent Forms must be obtained for all participants prior to production, and the publication may only be distributed and used as provided therein.

Approved as to content and form by Board attorney.

Administrative Responsibility: Secondary Education Office – Career and Technical Education

Latest Revision Date: September 2001

Previous Revision Date: July 1986 P6905

Updated administratively for alignment purposes: April 2021

Kansas Student Publications Act - K.S.A. 72-7209, et seq.

Section 1. This act shall be known and may be cited as the student publications act.

Section 2. As used in this act:

- (a) "School district" means any public school district organized and operating under the laws of this state.
- (b) "Student publication" means any matter which is prepared, substantially written, or published by students which is distributed or generally made available, either free of charge or for a fee, to members of the student body, and which is prepared under the direction of a certified employee.

Section 3.

- (a) The liberty of the press in student publications shall be protected. School employees may regulate the number, length, frequency, distribution and format of student publications. Material shall not be suppressed solely because it involves political or controversial subject matter.
- (b) Review of material prepared for student publications and encouragement of the expression of such material in a manner that is consistent with high standards of English and journalism shall not be deemed to be or construed as a restraint on publication of the material or an abridgment of the right to freedom of expression in student publications.
- (c) Publication or other expression that is libelous, slanderous or obscene or matter that commands, requests, induces, encourages, commends or promotes conduct that is defined by law as a crime or conduct that constitutes a ground or grounds for the suspension or expulsion of students as enumerated in K.S.A. 72-6114, and amendments thereto, or which creates a material or substantial disruption of the normal school activity is not protected by this act.
- (d) Subject to the limitations imposed by this section, student editors of student publications are responsible for determining the news, opinion, and advertising content of such publications. Student publication advisers and other certified employees who supervise or direct the preparation of material for expression in student publications are responsible for teaching and encouraging free and responsible expression of material and high standards of English and journalism. No such adviser or employee shall be terminated from employment, transferred, or relieved of duties imposed under this subsection for refusal to abridge or infringe upon the right to freedom of expression conferred by this act.
- (e) No publication or other expression of matter by students in the exercise of rights under this act shall be deemed to be an expression of school district policy. No school district, member of the board of education or employee thereof, shall be held responsible in any civil or criminal action for any publication or other expression of matter by students in the exercise of rights under this act. Student editors and other students of a school district, if such student editors and other students have attained the age of majority, shall be held liable in any civil or criminal action for matter expressed in student publications to the extent of any such student editor's or other student's responsibility for and involvement in the preparation and publication of such matter.

Section 4.

This act shall take effect and be in force from and after its publication in the statute book.

History: L. 1992, ch. 5, § 1; July 1.