

# Nestucca Valley School District 101J

Code: IB  
Adopted: 4/11/11  
Orig. Code: IB

## **Freedom of Expression**

~~The Board seeks to educate young people in the democratic tradition, to foster recognition of individual freedom and social responsibility and to inspire meaningful awareness of and respect for the Constitution and Bill of Rights.~~

~~Freedom of expression within the confines of state law and Board policy will be guaranteed to teachers in order to create a classroom atmosphere that allows students to raise questions dealing with critical issues. The teacher is responsible for exercising judgement in selecting issues for discussion which are of educational value to the students involved.~~

### **1. Freedom of Student Inquiry and Expression**

~~Within this general context, students must exercise their rights to freedom of expression in a manner that is fair, responsible and not disruptive to other individuals or to the educational process.~~

~~Students have a general right to freedom of expression within the school system. The district requires that students exercise their rights fairly, responsibly and in a manner not disruptive to other individuals or to the educational process.~~

### **Freedom of Student Inquiry and Expression**

- 2.1. ~~Generally, students and student organizations are free to examine and discuss questions of interest to them and to express opinions publicly and privately within the school system, provided such examination and expression is fair and responsible and is not disruptive to other individuals or to the educational process. Students may support or oppose causes by orderly means which do not disrupt other individuals or the operation of the school.~~
- 3.2. ~~In the classroom, students are free to examine views offered in any course of study, provided such examination is expressed in a responsible manner.~~

## **Freedom of Association**

Students are free to organize associations to promote their common interests. Student organizations should be open to all students. Membership criteria may not exclude students on the basis of age, race, ~~creed~~~~religion~~, color, national origin, disability, marital status, ~~sex, or~~ sexual orientation<sup>1</sup>, ~~general~~ identification ~~or sex~~. Each student organization must have a staff advisor to counsel and, when necessary, supervise students in the organization. All student organizations must submit to the school a statement of

<sup>1</sup> "Sexual orientation" means an individual's actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual's gender identity, appearance, expression or behavior differs from that traditionally associated with the individual's sex at birth.

purpose, criteria for membership, rules and procedures and a current list of officers. School administrators may establish reasonable rules and regulations governing the activity of student organizations.

### **Publications K-8, Displays and Productions**

On occasion, materials such as leaflets, newsletters, cartoons and other items ~~including displays and productions~~ are prepared, ~~produced and/or~~ distributed by students as part of the educational process and free expression in an academic community. Such materials must receive principal approval, ~~however~~, and may be restricted or prohibited, pursuant to legitimate educational concerns. Such concerns include:

1. The material is or may be defamatory;
2. The material is inappropriate based on the age, grade level and/or maturity of the reading audience;
3. The material is poorly written, inadequately researched, biased or prejudiced;
4. Whether there is an opportunity for a named individual or named individuals to make a response;
5. Whether specific individuals may be identified even though the material does not give names;
6. The material is or may be otherwise generally disruptive to the school environment. Such disruption may occur, ~~for example, e.g.,~~ if the material uses, advocates or condones the use of profane language or advocates or condones the commission of unlawful acts;
7. Students, parents and members of the public might reasonably perceive the materials to bear the sanction or approval of the district.

### **High School Student Journalists**

Generally, high school student journalists have the right to exercise freedom of speech and of the press in school-sponsored media. ~~“School-sponsored media”~~ means materials that are prepared, substantially written, published or broadcast by student journalists, that are distributed or generally made available, either free of charge or for a fee, to members of the student body and that are prepared under the direction of a student media adviser. School-sponsored media does not include media intended for distribution or transmission solely in the classrooms in which they are produced.

School-sponsored media prepared by student journalists are subject to reasonable time, place and manner restrictions, pursuant to state and federal law. School-sponsored media cannot contain material that:

1. Is libelous or slanderous;
2. Is obscene, pervasively indecent or vulgar;
3. Is factually inaccurate or does not meet journalistic standards established for school-sponsored media;
4. Constitutes an unwarranted invasion of privacy;
5. Violates federal or state law; or

6. So incites students as to create a clear and present danger of:

- a. The commission of unlawful acts on or off school premises;
- b. The violation of district policies; or
- c. The material and substantial disruption of the orderly operation of the school. A school official will base a forecast of material and substantial disruption on specific facts, including past experience in the school and current events influencing student behavior, and not on undifferentiated fear or apprehension.

Modifications or removal of items may be appealed in writing to the principal. The principal shall schedule a meeting within three school days of receiving the written appeal. Those present at the meeting shall include the individual(s) making the appeal, the individual(s) who made the decision to modify or remove materials and the principal. At the principal or superintendent's discretion, the district's legal counsel may also attend the meeting. The principal shall make his/her decision within three school days of the meeting. If the complainant is not satisfied with decision of the principal, he/she may appeal to the superintendent.

If the complainant is not satisfied with the decision of the superintendent, he/she may appeal to the Board under established district procedures.

#### END OF POLICY

#### Legal Reference(s):

[ORS 332.072](#)  
[ORS 332.107](#)  
[ORS 336.477](#)

[ORS 339.880](#)  
[ORS 339.885](#)

[OAR 581-021-0050](#)  
[OAR 581-021-0055](#)

# **Nestucca Valley School District 101J**

Code: IGAC  
Adopted: 4/11/11  
Orig. Code: IGAC

## **Teaching about Religion**

The public schools are obligated to maintain neutrality in matters of religion.

The neutrality requirement suggests an ongoing search for sensitivity, understanding, appreciation and factual information about cultural and religious diversity. It also mandates that schools refrain from advocacy of a particular religious position.

~~The superintendent will develop administrative procedures that include guidelines consistent with the philosophy that religion in the schools must be educational in nature and schools must be sensitive to all beliefs.~~

~~Teachers shall be permitted to expose students to information concerning religions and religious beliefs, but teachers shall not promote or inhibit, openly or covertly or by subtlety, a particular religion or religious belief.~~

**END OF POLICY**

**Legal Reference(s):**

[ORS 332.107](#)

[ORS 336.035](#)

# Nestucca Valley School District 101J

Code: IGAI  
Adopted: 4/11/11  
Orig. Code: IGAI

## **Human Sexuality, AIDS/HIV, Sexually Transmitted Diseases, Health Education\*\***

The district shall teach provide an age appropriate, comprehensive plan of instruction focusing on human sexuality, HIV/AIDS and sexually transmitted infections and disease prevention in elementary and secondary schools as an internal part of health education and other subjects. Course material and instruction for all human sexuality education courses that discuss human sexuality shall enhance a student's understanding of sexuality as a normal and healthy aspect of human development. A part of the comprehensive plan of instruction shall provide age-appropriate child sexual abuse prevention instruction for students in kindergarten through grade 12. The district must provide a minimum of four instructional sessions annually; one instructional session is equal to one standard class period. In addition, the HIV/AIDS and sexually transmitted infections and disease prevention education and the human sexuality education comprehensive plan shall provide adequate instruction at least annually, for all students in grades 6-8 and at least twice during grades 9-12.

Parents, teachers, school administrators, local health departments staff, other community representatives and persons from the medical community who are knowledgeable of the latest scientific information and effective education strategies shall develop the plan of instruction and align it with the Oregon Health Education Standards and Benchmarks.

The Board shall approve the plan of instruction and require that it be reviewed and updated biennially in accordance with new scientific information and effective educational strategies.

Parents of minor students shall be notified in advance of any human sexuality, AIDS/HIV district instruction. Any parent may request that his/her child be excused from that portion of the instructional program under the procedures set forth in ORS 336.035 (2).

The comprehensive plan of instruction shall include the following information that:

1. Promotes abstinence for school age youth and mutually monogamous relationships with an uninfected partner for adults;
2. Allays those fears concerning HIV that are scientifically groundless;
3. Is balanced and medically accurate;
4. Provides balanced, accurate information and skills-based instruction on risks and benefits of contraceptives, condoms and other disease reduction measures;
5. Discusses responsible sexual behaviors and hygienic practices which may reduce or eliminate unintended pregnancy, exposure to HIV, hepatitis B/C and other sexually transmitted infections and diseases;

6. Stresses the risks of behaviors such as the sharing of needles or syringes for injecting illegal drugs and controlled substances;
7. Discusses the characteristics of the emotional, physical and psychological aspects of a healthy relationship;
8. Discusses the benefits of delaying pregnancy beyond the adolescent years as a means to better ensure a healthy future for parents and their children. The student shall be provided with statistics based on the latest medical information regarding both the health benefits and the possible side effects of all forms of contraceptives including the success and failure rates for prevention of pregnancy, sexually transmitted infections and diseases;
9. Stresses that HIV/STDs and hepatitis B/C can be possible hazards of sexual contact;
10. Provides students with information about Oregon laws that address young people's rights and responsibilities relating to childbearing and parenting;
11. Advises students of consequences of having sexual relations with persons younger than 18 years of age to whom they are not married;
12. Encourages family communication and involvement and helps students learn to make responsible, respectful and healthy decisions;
13. Teaches that no form of sexual expression or behavior is acceptable when it physically or emotionally harms oneself or others and that it is wrong to take advantage of or exploit another person;
14. Teaches that consent is an essential component of healthy sexual behavior. Course material shall promote positive attitudes and behaviors related to healthy relationships and sexuality, and encourage active student bystander behavior;
15. Teaches students how to identify and respond to attitudes and behaviors which contribute to sexual violence;
16. Validates the importance of one's honesty, respect for each person's dignity and well-being, and responsibility for one's actions;
17. Uses inclusive materials and strategies that recognizes different sexual orientations, gender identities and gender expression;
18. Includes information about relevant community resources, how to access these resources, and the laws that protect the rights of minors to anonymously access these resources.

The comprehensive plan of instruction shall emphasize skills-based instruction that:

1. Assists students to develop and practice effective communication skills, development of self-esteem and ability to resist peer pressure;

2. Provides students with the opportunity to learn about and personalize peer, media, technology and community influences that both positively and negatively impact their attitudes and decisions related to healthy sexuality, relationships and sexual behaviors, including decisions to abstain from sexual intercourse;
3. Enhances students' ability to access valid health information and resources related to their sexual health;
4. Teaches how to develop and communicate sexual and reproductive boundaries;
5. Is research based, evidence based or best practice; and
6. Aligns with the Oregon Health Education Content Standards and Benchmarks.

All sexuality education programs emphasize that abstinence from sexual intercourse, when practiced consistently and correctly, is the only 100 percent effective method against unintended pregnancy, sexually transmitted HIV and hepatitis B/C infection and other sexually transmitted infections and diseases.

Abstinence is to be stressed, but not to the exclusion of contraceptives and condoms for preventing unintended pregnancy, HIV infection, hepatitis B/C infection and other sexually transmitted infections and diseases. Such courses are to acknowledge the value of abstinence while not devaluing or ignoring those students who have had or are having sexual relationships. Further, sexuality education materials, including instructional strategies, and activities must not, in any way use shame or fear-based tactics.

Materials and information shall be presented in a manner sensitive to the fact that there are students who have experienced, perpetrated or witnessed sexual abuse and relationship violence.

#### END OF POLICY

##### Legal Reference(s):

[ORS 336.035](#)

[ORS 336.107](#)

[ORS 336.455 to -336.475](#)

[ORS 339.370 to -339.400](#)

[OAR 581-022-1910](#)

[OAR 581-022-2030](#)

[OAR 581-022-2050](#)

[OAR 581-022-2220](#)