

FREEDOM OF EXPRESSION: PROCEDURE FOR APPEAL**I. PROCEDURE FOR APPEAL**

Any student or student group restricted in the exercise of their freedom of expression in any medium has the right to appeal the decision as follows:

- A. A decision by a faculty sponsor or the Principal's delegate may be appealed to the Principal.
- B. A decision by the Principal may be appealed to the Executive Director of Student & At-Risk Services, as outlined in the Student Grievances Policy 503.3.
- C. A decision by the Executive Director of Student & At-Risk Services may be appealed to the Superintendent.
- D. A decision by the Superintendent may be appealed to the Board of Education. The Board may convene in a special meeting or may schedule the hearing for the next regular board meeting.
- E. A student dissatisfied with the decision of the Board of Education may appeal the Board's decision within 30 days to the State Board of Education or may file suit in district court.
- F. In addition, any Principal's delegate, faculty sponsor, or Principal whose decision of disapproval has been reversed by any of the above, shall have the right to appeal the decision to the Board of Education.
- G. At any point during the appeal procedure, the party appealing shall have the right to discontinue the appeal. Parties may also resolve the dispute by mutual written agreement at any time during the appeal process, and once agreement is reached, the appeal is resolved and no further action is necessary. The appeals process shall be free from intimidation or reprisal.
- H. The person, panel, or Board to whom an appeal is made shall consider all facts, discussions, and evidence established in prior steps of the appeal process.
- I. The person, panel, or Board to whom an appeal is made shall make a decision in accordance with the law, school board policy, and these rules.

II. TIME LIMITS

The persons or Board to whom an appeal is made shall render a decision as quickly as possible, either denying or granting approval for posting or distribution of material. Such decision shall be made known to the student or group seeking approval as soon as possible, as follows:

- A. A decision by the Principal shall be made known no later than seven (7) days from the act precipitating the grievance, after he/she is notified of the pending appeal to him/her:
- B. A decision by the Executive Director of Student & At-Risk Services shall be made known no later than three (3) school days of the filing of the appeal.
- C. A decision by the Superintendent shall be made within three (3) school days of the filing of the appeal.

III. REASONS FOR DECISIONS

Whenever an appeal is not approved, that decision shall be in writing and shall state the facts, the evidence taken into consideration, and the reasons for such decisions.

IV. REPRESENTATION AT APPEAL

When appealing the decision, the student, student group, Principal, teacher or a representative of any of these, shall have the right to appear before any person, Panel, or Board hearing the appeal and to present a written statement justifying approval or disapproval of the material.

V. WILLFUL VIOLATION OF GUIDELINES

Any student or student group posting or distributing materials in violation of the guidelines set forth herein shall be subject to the school's normal procedures, as permitted by law or by policies of the school district.

ADOPTED: 4/16/99
6/5/08

Reviewed: 3/6/03, 6/5/08, 5/3/12, 6/1/17