

# CHAVEZ HUIERTA

## K-12 PREPARATORY ACADEMY

<b>Book</b>	CHPA Board Policy Manual
<b>Section</b>	Chapter 2 General Institution
<b>Title</b>	BP 2190 Freedom of Speech and Press
<b>Number</b>	BP 2190
<b>Status</b>	Active/In Revision
<b>Legal</b>	First Amendment to the US Constitution Article 11, Section 10 of the Colorado Constitution §§22-1-170 Rights of Free Expression for Public School Students
<b>Adopted</b>	January 10, 2017
<b>Last Reviewed</b>	May 9, 2023

Chávez/Huerta K-12 Preparatory Academy (CHPA) offices are non-public forums except for those areas that are generally available for use by students or the community, which are limited public forums. The President/Chief Executive Officer (CEO) shall enact such administrative procedures as are necessary to reasonably regulate the time, place, and manner of the exercise of free expression in the limited public forums.

The administrative procedures promulgated by the President/CEO shall not prohibit the right of the students or members of the public to exercise free expression, including but not limited to the use of student publications and bulletin boards designated for such use, the distribution of printed materials or petitions in those parts of the school designated as areas generally available to students and the community, and the wearing of buttons, badges, or other insignia.

Students and members of the public shall be free to exercise their rights of free expression, subject to the requirements of this policy.

Speech shall be prohibited that is defamatory, obscene according to current legal standards, or which so incites others as to create a clear and present danger of the commission of unlawful acts on school property or the violation of school policies or procedures, for the substantial disruption of the orderly operation of CHPA.

Nothing in this policy shall prohibit the regulation of hate violence, so long as the regulation conforms to the requirements of the First Amendment to the United States Constitution, and of Section 10 of Article II of the Colorado Constitution and §§22-1-170 Rights of Free Expression for Public School Students. Staff and students may be disciplined for harassment, threats, intimidation, or hate violence unless such speech is constitutionally protected.

**Last Revised** May 16, 2023

Administrative procedure AP 2190 – Pending