



RELATED BOARD POLICY: PG2.6 - ASSET PROTECTION

# WSD PROCEDURE PG2.6-P2

APPROVAL DATE: 4/1/2024



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Superintendent Signature

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## CENSORSHIP OF PREVIOUSLY APPROVED MESSAGES, DISPLAYS, PRACTICES, AND MATERIALS

There may be several reasons why a message is requested to be taken down, including parental complaints, teacher complaints, student complaints, etc., and policy or procedure exists around specific situations, such as curriculum adoption, the use of the flagpole, and the administration of library materials which are to be first consulted. Criticism and complaints continue to be welcomed and acknowledged, and investigations are carried out when compelling evidence exists that the matter has not been previously addressed and settled either by precedent or by this guidance.

The question remains whether censorship should be placed on the message and/or messenger due to the feelings of dissatisfaction or discomfort within specific members of the audience. To clarify our position on censorship of previously approved messages, we find it imperative to issue the following guidance:

### I. Understanding the principle and its applicability across situations

Schools, as most other institutions, do not operate under the premise that something will be taken down as soon as someone is made uncomfortable by it. Although the situation at hand may seem clear cut to the involved parties, this principle is applicable across many common situations, and careful consideration must be given to the context

and purpose of the display beyond whether consensus exists among viewers. Past examples of how this principle is applied can be illustrated by the following examples:

1. Some people feel uncomfortable by the religious undertone of the Pledge of Allegiance, yet we cannot disallow it in school due to additional considerations.
2. Some people are uncomfortable by a uniformed and armed officer, yet we have not prescinded from the services of our S.R.O.
3. Should a controversial slogan or message be in question, we would not take it down automatically and solely based on people's reactions to it.
4. The display of a Christian cross in one employee's office may make some people uncomfortable, yet it is allowed to remain due to other considerations.
5. The display of a photograph of a teacher's spouse or family may make some uncomfortable for different reasons. If the spouse is of the same sex, some may argue that their personal lives do not belong in the classroom. If the spouse is of the opposite sex, some may argue the same or that it perpetuates heteronormativity in public spheres. Both displays are allowable for other considerations besides people's reactions to them.
6. All other Supreme Court precedents where messages have been allowed to stand despite explicit or even dramatic discomfort among the audience, in accordance with context and the limitations of the rulings.

None of these examples are the same, but they all share the principle that discomfort on the audience does not automatically become basis for censorship. Their purpose may not be primarily to provoke feelings of discomfort, but to present a message of importance to the individual or group. Over the past years, for example, requests for censorship of certain messages have been focused on instances where the individuals or group hold the sincere belief that the message in question advances the inclusion and sense of belonging of historically underrepresented or oppressed voices, and that their articulation or display is categorically encouraged by the WSD's Ends Statement and policies.

Over the decades, the courts have discussed this mere issue extensively, and a fine line is drawn between speech that is aberrated in meaning by a faction of a vexed audience with the sole purpose to silence it and, on the other hand, speech designed to explicitly target individuals in protected classes for intimidation purposes or designed primarily to disrupt the educational program. We take this distinction seriously and remain watchful of cases where this determination has the potential to influence whether a message is allowed or not.

## **II. A message is likely to be considered for removal or censorship by school administration when:**

1. It is conceived by its local sponsor(s) to negatively disrupt the educational program.
2. It promotes values contrary to the WSD's Ends Statement and policies.
3. The sponsor is not able to articulate a reasonable connection between the message and the district's Ends Statement, policy, or state-adopted standards.
4. It originated and is used as primarily partisan messaging, such as political campaigns.
5. It is generally perceived as religious proselytism, or its primary function is to emphasize a certain religion for evangelizing or promotion rather than for pedagogical purposes.
6. It depicts a negative, stereotypical, or grossly generalized message about a group with intrinsic characteristics, with a common identity not by choice (e.g., race, gender identity, sex, class, language, etc.), or choices that are sincere and deeply personal (e.g., religion, marriage, etc.).
7. It targets, refers to, or depicts the individual(s) making the complaint or the group to which the individual may belong.
8. The depicted group is generally likely to reject the message in question.
9. No explicit authorization has been obtained, or precedence does not exist for the same or similar messages being allowed under various levels of district and school oversight.

### **III. When a message, display, or material is ordered to come down**

1. A written decision will be provided to the complainant and the sponsor of the message, and a period of 48 hours will be given for the display to be removed, unless the nature of the installation reasonably requires more time to remove. In the latter instance, removal must be initiated within 48 hours and last no more than one week.
2. If the sponsor is a staff member, a post-decision conference will be scheduled with the school administrator to discuss the decision and possible areas of growth for the employee. If a disciplinary measure is necessary, these procedures must be applied in tandem with the Master Agreement rules regarding employee supervision and discipline.
3. If the sponsor is a student (or student group), a post-decision conference will be scheduled along with guardians. Disciplinary measures will be considered only based on existing discipline policy and procedures, not on the decision reached

through this procedure (as it only applies to the message itself, not the individual).

4. A report of the incident, complaint, and decision documentation will be provided to the superintendent and kept in record.

#### **IV. When a message, display, or material is allowed to stay**

1. Although a previously approved message may remain, the sponsor is strongly encouraged to engage in dialogue with the complainant with the option of involving an additional administrative or district facilitator. While the message is approved, the teacher or staff should approach this dialogue with an open mind and willing to make potential modifications to the message as presented if necessary. The complainant, similarly, should approach this dialogue without the assumption that a pre-approved message will cease to be presented because of their discomfort.
2. All teachers and staff will continue to be trained in frameworks related to collective dialogue that addresses difficult questions in a productive and supportive way. Frameworks may include Restorative practices, Socratic seminars, or any structure that allows for student-centered dialogue, exposure to a diversity of perspectives, and the inclusion of underrepresented voices.
3. All students (and other stakeholder, as feasible) will be gradually and explicitly introduced in advance to initiatives and messages to which they will be repeatedly exposed. The homeroom teacher or primary instructor within a classroom or program is directly responsible for this process, which is expected to materialize within the first weeks of school and regularly thereafter.
4. Social-emotional support staff and mental health professionals are made available immediately following the knowledge of feelings of aversion against messages not intended to provoke such a reaction. SEL support is carried out in tandem with the steps above.
5. While schools, as practically possible, maintain a running list of previously approved messages, displays, and practices, the delivery of such messages is periodically reviewed to ensure that their original purpose continues to be emphasized.
6. Criticism and complaints continue to be welcomed and acknowledged, and investigations are carried out when compelling evidence exists that the matter has not been previously addressed and settled either by precedent or by this guidance.