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When Pupils Protest, Schools Walk Tricky Line

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When more than 600 Los Angeles public high school students walked out of classes last month to demonstrate against the war in Iraq, administrators jumped into action.

The Los Angeles Unified School District had prepared for the walkouts after hearing that organizers were encouraging high school students to meet at various intersections along busy Wilshire Boulevard. The Nov. 2 protests illustrate the tricky position for school officials who must navigate between ensuring students' free speech rights and keeping them safe.

Those demonstrations certainly were not the first for the nation's second-largest school system. In March 1968, for instance, thousands of students — beginning in Eastside high schools — protested poor school conditions and learning environments. Their efforts spawned a movement of activism (and an upcoming TV movie). Through the years, students have protested such things as teachers' salaries, controversial ballot measures and campus conditions.

Question: What are kids' rights when it comes to demonstrations and expressing their political views at school?

Answer: First and foremost, the 1st Amendment of the U.S. Constitution guarantees freedom of speech and freedom of the press, which covers everyone — students included. But two sections of the California Education Code also provide broad protections for students wishing to express their political views.

In Section 48907, the code states: "Students of the public schools shall have the right to exercise freedom of speech and of the press."

Section 48950 protects students in public and private high schools from disciplinary action for engaging in free speech. "School districts ... shall not make or enforce any rule subjecting any high school pupil to disciplinary sanctions solely on the basis of conduct that is speech or other communication that, when engaged in outside of the campus, is protected from governmental restriction by the 1st



FREE SPEECH: Students from L.A. Unified's Downtown Business Magnet High School join a street protest last month against the war in Iraq. The 1st Amendment and the California Education Code protect students' right to participate in such activities.

Amendment."

That said, however, students cannot engage in any activity that could be considered obscene, libelous or slanderous. Also prohibited is any material that could incite students to conduct unlawful acts on school campuses.

Q: It sounds as though high schoolers have plenty of protections, no?

A: According to the American Civil Liberties Union and others, students are well protected both by the state Education Code and the U.S. Constitution.

"The state law is so good on students' free speech rights," said Ranjana Natarajan, a staff attorney with the ACLU of Los Angeles. "The idea is we want students to have a sense of civic participation, to get involved in political issues. It's very impor-

tant that school districts develop policies — and many do — that encourage students to participate and give them the opportunity to participate without the fear of retaliation."

Q: Can school districts stop students from expressing their views on something that officials might consider too controversial?

A: Absolutely not. School officials cannot stop students from protesting the war or any other political issue unless it would incite illegal activity or disrupt the campus.

Additionally, students are allowed to publish underground newspapers and write articles for the regular school newspaper expressing their views. They also may wear T-shirts, buttons and badges that state their political opinions.

Q: What about walkouts? They disrupt the school day and could be unsafe, right?

A: Public high schools generally do not prohibit students from leaving campus when they are conducting an organized protest. In fact, Los Angeles Unified School District officials said it could become more unsafe to lock gates and corral students. "If you try to detain 200 or 250 students on campus, some will attempt to jump fences, you'll have injuries, some chaos; some might run wild because they can't get out," said Dan Isaacs, chief operating officer for the district.

Instead, campus administrators try to talk to students, encourage them to stay on campus and meet in auditoriums or stadiums rather than leave the school grounds. Last month, for example, about 475 students at

Franklin High School in Highland Park remained on campus, conducting a sit-in demonstration protesting the war in Iraq.

Q: So, what happens when they do leave? Can the school go after them?

A: When students leave en masse to demonstrate, school officials try to walk with them. They ensure that the students stay on sidewalks and stop for traffic lights, and they alert school police and the Los Angeles Police Department. Chuck Flores, assistant principal in charge of discipline and school safety at Los Angeles High School, said he and others walked with the 300 students who left the campus Nov. 2.

"We had some calls from parents wondering why we were leading the charge," Flores said. "We walked all the way with

them. We wanted them to be safe."

When the protesters arrived at Wilshire and Crenshaw boulevards, the administrators allowed the students to demonstrate for a time and then took them back to campus on school buses. The decision to return the students on buses was made by the district's operations department.

Q: The district sent buses for the demonstrating students?

A: Because administrators had prior warning about the walkouts last month, the district decided to put the transportation branch on notice that buses might be needed to return students to school. Isaacs, the district's chief operating officer, said they decided to send five buses to retrieve the students.

"It was strictly a measure of safety," Isaacs said. In an internal bulletin, district officials alerted principals to the possibility of the walkout — and to the possibility that buses would be available.

"At some point, students will either reach their destination, or become tired. Notify our office and transportation will be provided to bring students back to school," the bulletin said.

Q: Were students punished for the walkouts?

A: When students returned to school, they were met by administrators who gave them the chance to talk about their experiences. The majority of students returned to class without incident.

Some campuses alerted parents that their children participated in the walkouts. In one case at Belmont High School, a student was detained by a school police officer who said the student had lunged for the officer's gun. The student was transferred from the school, which set off a round of protests there.

Natarajan, of the ACLU, said she hears frequently from students around the state whose schools are attempting to stop them from publishing material that administrators deem inappropriate or from wearing T-shirts with what officials say are controversial messages.

"We hear those stories all the time," she said. "Schools can't stop these kinds of things."