

# Students and the Right to Demonstrate

If I attend a private school, what free speech rights do I have?

Many of the free speech rights that we enjoy were only created to prevent government regulation of our speech. This means that if you attend a private school, your school's rules may supersede those rights. For example, if you attend a Catholic school, your school may prohibit speech that contradicts what the Church teaches.

This isn't to say that you don't have *any* rights on your school campus, but we do recommend you check your school's policies on speech and demonstrations before participating in the walkout.

If I do attend a public school...

Do I have the right to demonstrate?

As students, you don't lose your First Amendment rights on your school campus. You can demonstrate, voice your opinions, hand out petitions, *but* you do **not** have the right to disrupt your school's regular functioning or violate your school's rules. That being said, if your school prevents you from exercising your rights because they don't agree with your position or consider your speech controversial, that is in violation of your free speech rights.

For example, your school can ban hats, but they cannot specifically ban pussyhats or (unfortunately) pro-NRA hats.

Additionally, your school has the right to limit speech that is 'vulgar, profane, or incites illegal activity, such as drug use.'

Moreover, many colleges and universities have made it clear that they will not hold it against students if they are punished for participating in walkouts or demonstrations.

What does 'disruptive' mean?

'Disruptive,' is a subjective term. Some schools may believe that political protests interfere with the activities of a regular school day. Though there are several laws that prevent schools from abusing this right, we still recommend talking with a member of the school administration about protesting and demonstrating.

Does my school have the right to discipline me for participating in the walkout?

Unfortunately, yes. But, they can only discipline you for missing class, not because of your beliefs or the politics behind the walkout. They can punish you for your actions, not your ideas. Check your school's policies for unexcused absences.

Can I be punished by my school for my posts on social media?

Absolutely not. They cannot punish you for the content you post off-campus or after school hours that doesn't relate to school.

In short...

- ★ Lead a peaceful demonstration
- ★ No vulgar, profane, or illegal speech
- ★ Plan protests around class times
- ★ Stay in constant communication with school administrators

If you still have more questions, email us at [march4ourlivessj@gmail.com](mailto:march4ourlivessj@gmail.com) or consult [this page](#) from the ACLU

