



Student Political Speech, Protest, and Walkouts: Know Your Rights

This guide gives general information about student speech and protest in public K-12 schools in Washington. It is not intended to provide legal advice.

Am I allowed to express my political views while I am at school?

Yes. The First Amendment of the U.S. Constitution and Article 1, Section 5 of the Washington Constitution guarantee freedom of speech and freedom of the press to all people, including students. This includes:

- wearing buttons, badges, armbands, or shirts with messages
- speaking up in class or other school settings about your views
- posting notices on school bulletin boards or distributing petitions
- handing out other printed materials, such as leaflets
- writing in public school newspapers and yearbooks, or unofficial publications (like student-led newspapers)

Can my school place any limits on when and how I express my political views?

Yes. Even though you have broad rights to express your views in a variety of ways, your school can adopt rules to prevent or punish speech that **materially disrupts the functioning of schools**. Courts will review whether those rules are appropriate on a case by case basis. For example, courts have typically upheld students' rights to wear expressive shirts or buttons.

Schools can also place reasonable restrictions on the "**time, place, and manner**" of student protests or other expressive conduct. For example, the school could adopt a rule that prohibits distributing leaflets during class time. On the other hand, a rule prohibiting distributing leaflets during lunch period would not be permissible.

Can my school censor or prohibit my speech based on what I'm saying?

Generally, no. The school is not allowed to prohibit or censor speech by students based on the content of the speech (what you are saying). There are three exceptions to this rule:

- it is foreseeable that the speech will cause substantial disruption of the operation of the school.
- it is legally "obscene" (meaning vulgar or lewd).
- it is libelous or slanderous (it is untrue, harms someone's reputation, and you are either extremely careless about verifying truth or you know it is untrue when you say it).

Unless your speech falls into the exceptions above, principals or teachers cannot censor it, even if they think it is controversial, divisive, or expresses a political point of view.

Can school officials prevent students from expressing their opinions because they think a topic is too controversial?

No. School officials may believe that talking about such topics as war or education budget cuts is too controversial. But they cannot censor those topics unless there is clear evidence that the speech will cause a substantial disruption of the operation of the school. Even if discussion could provoke strong disagreement, school officials still cannot censor it. Criticism of your school, teachers, or school officials, or discussion about serious problems either at school or elsewhere is generally protected.

Can I organize or participate in protests, rallies, or demonstrations?

Yes, but there are limits. You have the freedom to express yourself in groups, with posters, songs, and drama. You must comply with reasonable school rules regulating the time, place, and manner of student speech, including group demonstrations.

- **What are the limits?** You can be disciplined for holding a protest at school that substantially disrupts the orderly operation of the school. If you block a hallway or make a lot of noise while others are studying, school officials will likely consider it a disruption.
- **When can I organize a demonstration?** You should be able to organize a peaceful, orderly protest at lunch or before or after school. If you are unsure, check your school district's written policies and rules about free speech on school grounds.
- **Can I skip class to participate?** Because the law requires you to attend school, the school can discipline you if you skip class to participate in a protest. The school also cannot generally suspend you for an unexcused absence, because the law requires districts to try other interventions (like detention or a conference with your family) before suspending a student for unexcused absence. In addition, the school cannot discipline students who miss class due to a walkout more harshly than they discipline students who have other types of unexcused absences.

Can I be forced to say the Pledge of Allegiance or sing the national anthem?

No. You cannot be forced to make a pledge of loyalty to the government. You also cannot be forced to stand while other students say the Pledge of Allegiance, and you cannot be punished for refusing to stand during the national anthem.

What can I do if the school tries to censor me?

Washington law requires each school district to put in writing the rules controlling speech and press activities. So, if you are faced with a school official trying to limit what you say or write, you should ask to see those written rules to determine whether the school official is following them. But remember: sometimes exercising your free speech rights involves risks. If a school official overreacts to your lawfully exercising your rights, you may have to defend yourself in a meeting with school officials or even go to court to protect your rights.

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