

LEGISLATURE OF NEBRASKA
ONE HUNDRED SECOND LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 582

Introduced by Haar, 21.

Read first time January 19, 2011

Committee: Education

A BILL

- 1 FOR AN ACT relating to students; to adopt the Student Expression Act.
- 2 Be it enacted by the people of the State of Nebraska,

1 Section 1. This act shall be known and may be cited as
2 the Student Expression Act.

3 Sec. 2. The Legislature finds that the State of Nebraska
4 has an obligation to protect the First Amendment rights of public
5 school students in order to instill in students the value of
6 democracy and to prepare students for informed and active civic
7 participation. To that end, the right of students to free expression
8 in all public schools in Nebraska shall not be abridged except as
9 provided in the Student Expression Act.

10 The Legislature encourages school districts to adopt and
11 publish policies on student expression following the guidelines of
12 the Student Expression Act.

13 Sec. 3. For purposes of the Student Expression Act,
14 student expression includes the rights of a student to: Express his
15 or her thoughts and beliefs through speech and symbols; create,
16 write, publish, perform, and disseminate his or her views; and
17 assemble peaceably with other students on school property for the
18 purpose of expressing opinions.

19 Sec. 4. The following forms of student expression are
20 prohibited:

21 (1) Student expression which is obscene;

22 (2) Student expression which is defamatory; and

23 (3) Student expression which creates a clear and present
24 danger of unlawful acts, causes material and substantial disruption
25 of the orderly operation of the school, or invades the privacy of

1 others.

2 Sec. 5. No student expression made in the exercise of a
3 First Amendment right shall be deemed to be an expression of school
4 policy, and no public school, school district, teacher,
5 administrator, or school board member shall be held responsible or
6 liable in any civil or criminal action for any student expression.