

JOB RELATED PUBLIC SPEECH

When public employees make statements pursuant to their official duties: in the classroom, at board meetings, and at other meetings or other public forums such as social media internet web sites, related to educational issues affecting the District, the employees may not be speaking as private citizens for First Amendment purposes. Thus the state and federal Constitutions may not insulate their communications from employer discipline. (See *Garcetti v. Ceballos*)

The Board is legally responsible for and duty bound to protect the efficient and effective management of the District, so that teachers can teach and students can learn in a safe, secure, and disruption-free educational environment. The Board respects the legitimate First Amendment speech and expression rights of all employees in the work place.

School system employees are encouraged to exercise their rights as private citizens in the community to engage in public discourse involving all matters impacting on the general welfare, progress, and safety of their community.

Statements (oral or written) made by any employee, speaking as a school system employee discharging his/her job-related duties, are not considered private speech.

Use of the District's computers or email system to communicate with the press, the public, parents or patrons raises a presumption that the statements made are not private speech and thus are not protected by the First Amendment.

Employee job-related concerns and issues (including but not limited to official misconduct, violations of law, and violations of school system policy) shall be brought to the immediate attention of the employee's direct administrator, using the school system's formal communications/complaints procedure. Taking these matters public while identified as a District employee can result in disciplinary action if it is determined that the comments relate to the employee's duties as an employee and may have a detrimental effect upon District operations and management.

Where public disclosure of school system official business is determined to be necessary and appropriate, such matters shall be communicated (verbally or in writing) to the general public by individuals formally designated (by the Board) as the school system's official representative.

Adopted 4-9-12

WEST CENTRAL SCHOOL DISTRICT