

1 TO THE HONORABLE SENATE:

2 The Committee on Education to which was referred Senate Bill No. 18
3 entitled “An act relating to freedom of expression for students” respectfully
4 reports that it has considered the same and recommends that bill be amended as
5 follows:

6 First: In Sec. 1, in § 1623, by striking subsections (d) and (e) in their
7 entirety and inserting new subsections (d) and (e) to read:

8 (d) This section shall not be construed to authorize or protect content of
9 school-sponsored media that:

10 (1) is libelous or slanderous;

11 (2) constitutes an unwarranted invasion of privacy;

12 (3) is false as to any person who is not a public figure or involved in a
13 matter of public concern;

14 (4) may be defined as profane, harassing, threatening, or intimidating;

15 (5) violates federal or State law; or

16 (6) creates the imminent danger of inciting students to violate the law or
17 school rules, or to materially and substantially disrupt the orderly operation of
18 a school.

19 (e) Nothing in this section shall be construed to authorize the prior restraint
20 of any school-sponsored media, except as to content specified in subsection (d)
21 of this section. A school may restrain the distribution of content in student

1 media described in subsection (d), provided that the school's administration
2 shall have the burden of providing lawful justification without undue delay.

3 Content shall not be suppressed solely because it involves political or
4 controversial subject matter, or is critical of the school or its administration.

5 Second: In Sec. 2, in § 180, by striking subsections (d) and (e) in their
6 entirety and inserting new subsections (d) and (e) to read:

7 (d) This section shall not be construed to authorize or protect content of
8 school-sponsored media that:

9 (1) is libelous or slanderous;

10 (2) constitutes an unwarranted invasion of privacy;

11 (3) is false as to any person who is not a public figure or involved in a
12 matter of public concern;

13 (4) may be defined as profane, harassing, threatening, or intimidating;

14 (5) violates federal or State law; or

15 (6) creates the imminent danger of inciting students to violate the law or
16 school rules, or to materially and substantially disrupt the orderly operation of
17 a school.

18 (e) Nothing in this section shall be construed to authorize the prior restraint
19 of any school-sponsored media, except as to content specified in subsection (d)
20 of this section. A school may restrain the distribution of content in student
21 media described in subsection (d), provided that the school's administration

1 shall have the burden of providing lawful justification without undue delay.

2 Content shall not be suppressed solely because it involves political or

3 controversial subject matter, or is critical of the school or its administration.

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6 (Committee vote: _____)

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Senator _____

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FOR THE COMMITTEE