



## PRESS FREEDOM

### Answers

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1. True. The First Amendment only prohibits censorship by government officials (also called "state actors"). Because private school administrators are not government officials, they are not bound by the First Amendment. There may, however, be other legal limitations on the ability of private school officials to censor student media.
2. False. Though courts have ruled that the free speech and press rights of minors while they are in school may not be exactly the same as the rights of adults (or minors when they are outside of school), the First Amendment has no set age limitations.
3. True. The federal First Amendment establishes a "floor" of free speech protection. While government officials can never enact a policy or legislation that provides less protection to student media than the First Amendment requires, they can always pass a state law or school district policy that provides more. And many have.
4. False. Public school officials no more "own" a student newspaper than they own the school buses or the school cafeteria. Most importantly, unlike the private owners of *The New York Times* or NBC, for example, public school administrators are government officials whose right to control the content of a student newspaper or other school-sponsored student publication is limited by the First Amendment.
5. True. While school officials can enact *reasonable* rules regarding when, where and how independent student publications are distributed, they cannot enforce an absolute ban on student distribution of such material to other students on school grounds.
6. False. Nothing in the *Hazelwood* decision *requires* school officials to censor anything.
7. True. Students, like all citizens, have strong First Amendment protection when it comes to expressing themselves off-campus.
8. False. The Supreme Court made clear in its *Hazelwood* decision that if a school has recognized a student publication as a forum for student expression, the *Hazelwood*

standard of censorship does not apply. Such forums are created where school officials — either by "policy or practice" — have allowed student editors to make their own content decisions. If student media qualify as forums, the more protective *Tinker* legal standard is applicable.

9. False. *Tinker's* "material and substantial disruption" standard only prohibits speech that school officials can show will cause a significant, typically physical disruption to normal school activities, such as a classroom walkout or physical altercations. Speech that merely "offends" or sparks controversy or debate remains protected.

10. True. The First Amendment only prohibits government officials (including public school administrators and teachers) from endorsing or promoting religion. There is no church/state separation problem when students alone — who are not government officials — create and make the decision to publish stories about religious activities or beliefs in student-edited media.

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