

## PREFACE

This document combines model guidelines for high school student media, according to the SPLC (1998), which are based on interpretations of federal and state laws; the Pennsylvania Administrative Code: Rights and Responsibilities (2005); The Pennsylvania Sunshine Act (as amended in 2011); and original policy suggestions as drafted by the undersigned members of Freedom Area High School's student newspaper and yearbook (2012-2013). We, the undersigned, believe in a strong student press and submit the following document for implementation as accepted policy.

## I. STATEMENT OF POLICY

Freedom of expression and press freedom are fundamental values in a democratic society. The mission of any institution committed to preparing productive citizens must include teaching students these values, both by lesson and by example.

As determined by the courts, student exercise of freedom of expression and press freedom is protected by both state and federal law, especially by the First Amendment of the United States Constitution. Accordingly, school officials are responsible for encouraging and ensuring freedom of expression and press freedom for all students.

It is the policy of the Freedom Area Board of Education that the newspaper, yearbook, and any affiliated website reproductions, the official, school-sponsored student media of Freedom Area High School, have been established as forums for student expression and as voices in the uninhibited, robust, free, and open discussion of issues.

Each medium should provide a full opportunity for students to inquire, question, and exchange ideas. Content should reflect all areas of student interest, including topics about which there may be dissent or controversy.

It is the policy of the Freedom Area Board of Education that student journalists shall have the right to determine the content of student media pending administrative approval.

## II. OFFICIAL STUDENT MEDIA

### A. Responsibilities of Student Journalists

Students who work on official, school-sponsored student publications or electronic media determine the content of their respective publications and are responsible for that content. These students should:

1. Determine the content of the student media.
2. Strive to produce media based upon professional standards of accuracy, objectivity and fairness.
3. Review material to improve sentence structure, grammar, spelling and punctuation.
4. Check and verify all facts and verify the accuracy of all quotations.
5. In the case of editorials or letters to the editor, determine the need for rebuttal comments and opinions and provide space therefore if appropriate. It is important that the student body's voice be heard, even when a particular viewpoint is not necessarily represented by the members of the organization.

## **B. Unprotected Expression**

### 1. Material that will cause a material and substantial disruption of school activities.

(a) Disruption is defined as student rioting, unlawful seizures of property, destruction of property, or substantial student participation in a school boycott, sit-in, walk-out or other related form of activity. Material that stimulates heated discussion or debate does not constitute the type of disruption prohibited.

(b) For student media to be considered disruptive, specific facts must exist upon which one could reasonably forecast that a likelihood of immediate, substantial material disruption to normal school activity would occur if the material were further distributed or has occurred as a result of the material's distribution or dissemination. Mere undifferentiated fear or apprehension of disturbance is not enough; school administrators must be able affirmatively to show substantial facts that reasonably support a forecast of likely disruption. Photography and/or videography of any/all school employees and students does not constitute a disruption of the learning process.

(c) In determining whether student media is disruptive, consideration must be given to the context of the distribution as well as the content of the material. In this regard, consideration should be given to past experience in the school with similar material, past experience in the school in dealing with and supervising the students in the school, current events influencing student attitudes and behavior, and whether there have been any instances of actual or threatened disruption prior to or contemporaneously with the dissemination of the student publication in question.

(d) School officials must protect advocates of unpopular viewpoints.

(e) "School activity" means educational student activity sponsored by the school and includes, by way of example and not by way of limitation, classroom work, official assemblies, and other similar gatherings, school athletic contests, band concerts, school plays, and scheduled in-school lunch periods.

f) Student journalists are permitted to obtain photographs and/or videos on school property or at school-related events as long as it does not disrupt the learning process as defined above. As a courtesy to the professional responsibility of Freedom Area School District's instructional staff, journalists must receive permission to enter the classroom for photography purposes, and every effort should be made to provide the instructor with notice prior to the journalist's visit.

g) Freedom Area School District employees may not restrict student journalists from having access to their classrooms or their students. Instructors reserve the right to schedule an appropriate time in good faith for student journalists to access the classroom setting prior to assigned deadlines.

## **C. Protected Speech**

### 1. School officials cannot:

(a) Cut off funds to official student media because of disagreement over editorial policy.

(b) Prohibit the endorsement of candidates for student office or for public office at any level.

### 2. Commercial Speech

Student media may accept advertising. Acceptance or rejection of advertising is within the purview of the publication staff. All advertising must be within the boundaries of good taste within the Freedom Area community and may not be inconsistent with the district's educational mission. Advertising of any product that is unlawful

will be prohibited, including products that are unlawful only for school-aged children, such as alcohol and tobacco. Advertising will also not be permitted if it is obscene, lewd, vulgar, libelous, invades the privacy of another person in violation of the other's legal rights, constitutes fighting words, or, which materially and substantially interferes with or may be disruptive to the educational process or the requirements of appropriate discipline in the operation of the school. Student media reserves the right to reject any advertising on any grounds, as deemed appropriate by editors, the faculty adviser, or the school administration.

#### **D. Online Student Media and Use of Electronic Information Resources**

##### **1. Online Student Media**

Online media, including Internet websites, e-mail, social media, etc. may be used by students like any other communications media to reach both those within the school and those beyond it. All official, school-sponsored online student publications are entitled to the same protections and are subject to no greater limitations than other student media, as described in this policy.

(a) Parental and/or additional permissions are not needed before student names or photographs are published in any online media, including Internet websites, e-mail, social media, etc. if parent/guardian did not opt out by signing and returning the Freedom Area School District Media Release Form (Appendix C).

##### **2. Electronic Information Resources**

Student journalists may use electronic information resources, including Internet Web sites, e-mail, social media, to gather news and information, to communicate with other students and individuals and to ask questions of and consult with sources. School officials will apply the same criteria used in determining the suitability of other educational and information resources to attempts to remove or restrict student media access to online and electronic material. Just as the purchase, availability, and use of media materials in a classroom or library does not indicate endorsement of their contents by school officials, neither does making electronic information available to students imply endorsement of that content.

Although faculty advisers to student media are encouraged to help students develop the intellectual skills needed to evaluate and appropriately use electronically available information to meet their newsgathering purposes, advisers are not responsible for approving the online resources used or created by their students.

##### **3. Acceptable Use Policies**

The Board recognizes that the technical and networking environment necessary for online communication must conform to the district's technology agreement. The guidelines may not be used to unreasonably restrict student use of or communication on the online media.

#### **E. Freedom of Information**

##### **1. Student Rights and The Sunshine Act**

Student journalists have all of the rights and privileges outlined in the Pennsylvania Sunshine Act (Appendix B).

#### **F. Student Journalist Freedoms**

1. Materials (photographs, videos, articles, etc.) obtained on school property are the property of the creator, even if school equipment is used. It is the responsibility of the student journalist who owns said material and his/her

fellow staff to use materials ethically. Failure to do so may result in disciplinary action and is at the discretion of school administrators.

2. Submissions to the student journalism staff must adhere to all policies and guidelines of the student journalism staff. Publication of submitted materials is at the sole discretion of the student journalism staff in collaboration with the faculty adviser.
3. Materials and information acquired from students or school officials on school property and at school events do not require permission by any student, school official, or parent prior to publication.

### **III. ADVISER JOB SECURITY**

The student media adviser is not a censor. No person who advises a student publication will be fired, transferred, or removed from the advisership by reason of his or her refusal to exercise editorial control over student media or to otherwise suppress the protected free expression of student journalists.

### **IV. PRIOR RESTRAINT**

While administrative approval of student publications must be obtained prior to distribution as long as publications are distributed on school property according to Pennsylvania Administrative Code: Student Rights and Responsibilities (Appendix A), if administration is unable to approve the publication in the time between completion of the publication and its submission, approval is at the professional discretion of the student staff and its adviser. The school assumes no liability for the content of any student publication, and urges all student journalists to recognize that with editorial control comes responsibility, including the responsibility to follow professional journalism standards each school year.

### **V. CIRCULATION**

These guidelines will be available to students and school employees upon request, pending approval by The Board of Directors.