

POLICY TITLE STUDENT JOURNALISM FREEDOM OF EXPRESSION		
ADOPTION/EFFECTIVE DATE December 5, 2016	MOST RECENTLY AMENDED:	MOST RECENTLY REAFFIRMED:
POLICY/PROCEDURE MANUAL SUMMARY CATEGORY: STUDENT SECTION		

I. Purpose

The purpose of this policy is to set forth criteria relating to the rights of student journalists as defined herein.

II. Definitions

- A. Student Journalist means an HCPS student who gathers, compiles, writes, edits, photographs, records or prepared information which is included in school-sponsored media.
- B. 1. School-sponsored Media means any document, material or writing that is:
- a. Prepared, written, published or broadcast by an HCPS student;
 - b. Is distributed, or generally made available to, members of the student body of a school or schools; and,
 - c. Which is prepared under the direction of a student media advisor.
2. School-sponsored media does not include documents, material or writings intended for distribution or transmission in the classroom in which the material is produced.
- C. Student Media Advisor means an individual employed, appointed or designated by HCPS or a school principal to supervisor or provide instruction relating to school-sponsored media.

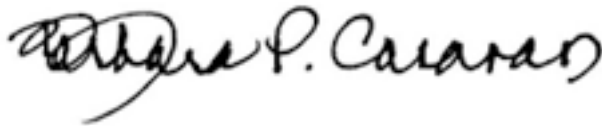
III. Statement of Policy

- A. A student journalist may exercise freedom of speech and freedom of the press in school-sponsored media as follows.
1. A student journalist shall be responsible for determining the news, opinion, feature and advertising content of school-sponsored media.

2. A student media advisor may not use his or her position to influence a student journalist to promote an official position of a county board of education or a public school.
 3. Section A (2) above may not be construed to prevent a student media advisor from teaching professional standards of English and journalism to student journalists.
 4. A student journalist may not be disciplined for acting in accordance with this policy.
- B. Section III (A) above shall not be construed to authorize or protect content of school-sponsored media produced by a student journalist that
1. Is libelous or slanderous;
 2. Constitutes an unwarranted invasion of privacy;
 3. Violates federal or state law; or
 4. Incites students to create a clear and present danger of the commission of an unlawful act, the violation of county board policies, or the material and substantial disruption of the orderly operation of the public school.
 5. Content that is vulgar, lewd, or obscene, or language that has the intent to harass, threaten or intimidate.
- C. A student media advisor may not be dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against for
1. Acting to protect a student journalist engaged in conduct under subsections (B) or (C) of this section; or
 2. Refusing to infringe on conduct that is protected by this policy, the First Amendment to the United States Constitution, or Article 40 of the Maryland Declaration of Rights.
- D. The Board shall have the right to exercise prior restraint of school-sponsored media when the content of same
1. Is libelous or slanderous;
 2. Constitutes an unwarranted invasion of privacy;
 3. Violates federal or state law; or
 4. Incites students to create a clear and present danger of the commission of an unlawful act, the violation of county board policies, or the material and substantial disruption of the orderly operation of the public school.
 5. Content that is vulgar, lewd, or obscene, or language that has the intent to harass, threaten or intimidate. Such intent may be inferred from the facts and circumstances relating to the creation of the content in question.
- E. Time, Place and Manner for Expression By Student Journalists.

Student Journalists shall be provided the opportunity to prepare, write, publish or broadcast during class time as appropriate or pursuant to a club or extra-curricular activity as appropriate or at any other time the school principal deems appropriate.

Board Approval Acknowledged By:



Barbara P. Canavan
Superintendent

Policy Action Dates		
ACTION DATE	ACTION DATE	ACTION DATE
Adopted December 5, 2016		

Responsibility for Policy Maintenance & References	
LAST EDITOR/DRAFTER NAME: Patrick P. Spicer, Esquire	JOB POSITION OF LAST EDITOR/DRAFTER: General Counsel
PERSON RESPONSIBLE: Patrick P. Spicer	JOB POSITION OF PERSON RESPONSIBLE: General Counsel
DESIGNEE NAME:	JOB POSITION OF DESIGNEE:
POLICY NUMBER PRIOR TO NOVEMBER 1, 2005:	

LEGAL REFERENCES¹

Section 7-121 of the Education Article of the Maryland Code.

¹ All references are to specific federal or Maryland statutes or regulations. References are provided for convenience and informational purposes only and are not to be considered as exhaustive or as precluding Harford County Public Schools from relying upon any other statutes or regulations in support of a policy.