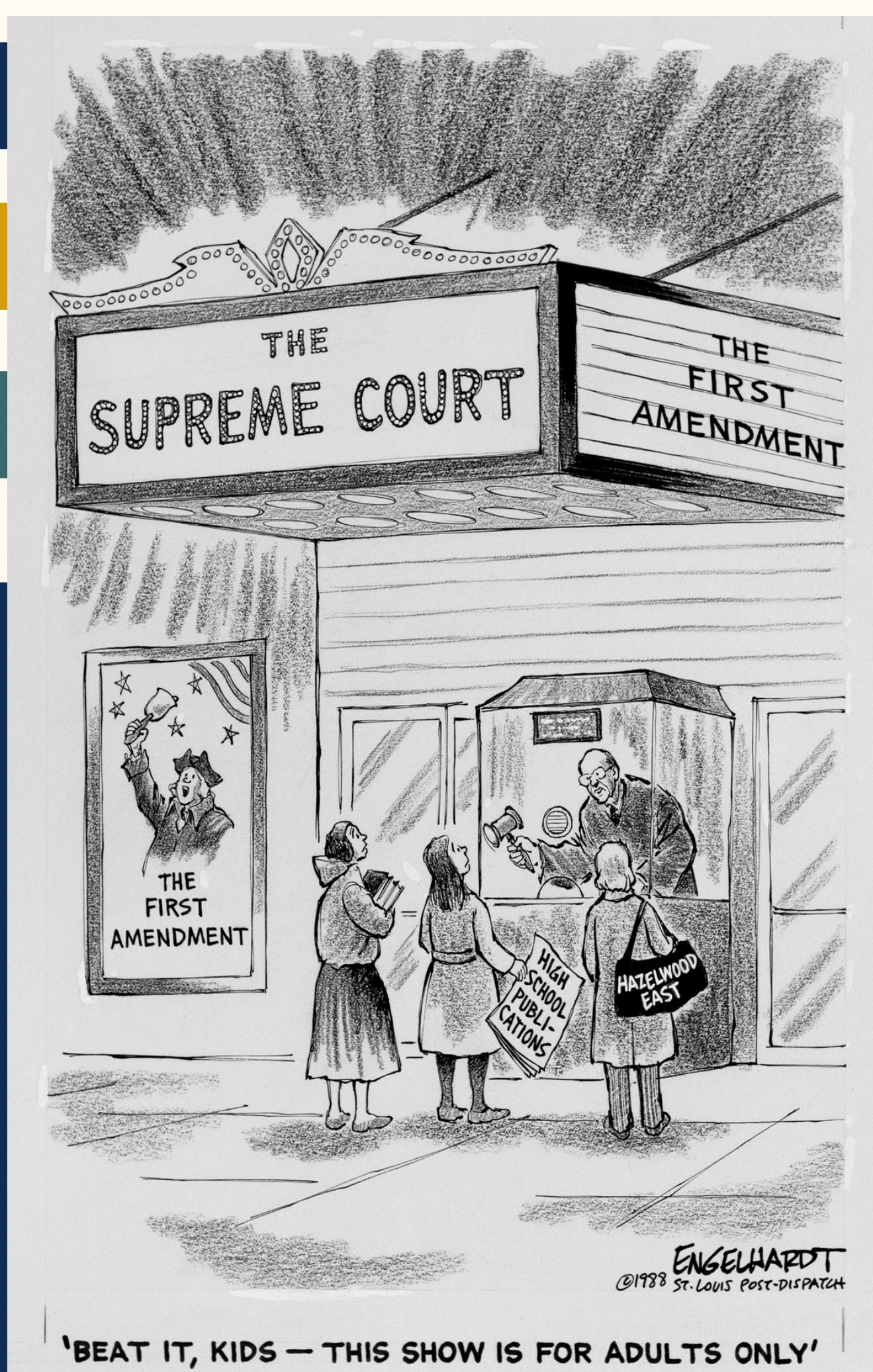


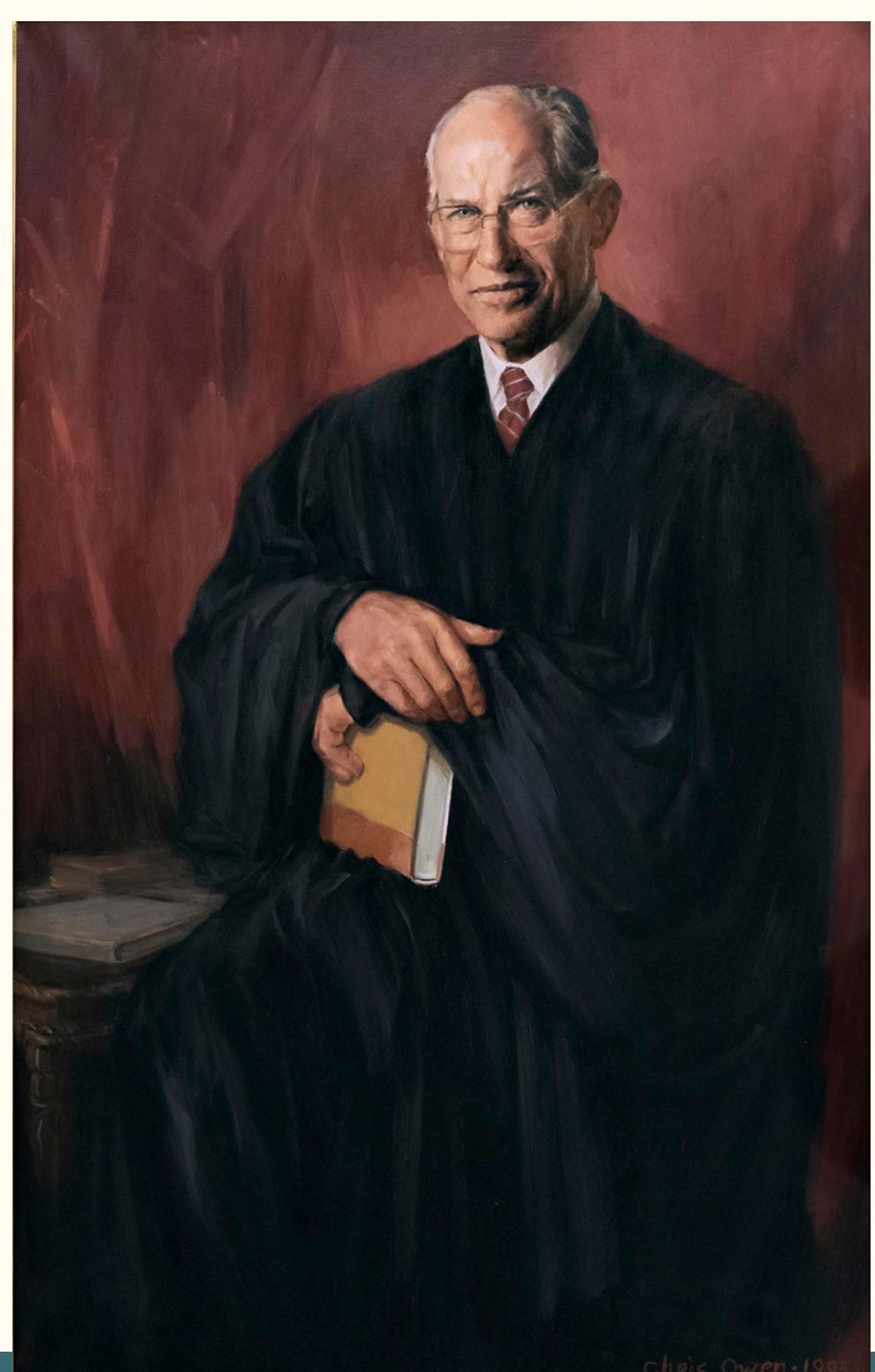
The Final Appeal

FINAL RULING

On January 18, 1988, the Supreme Court ruled, in a five-to-three decision, that Principal Reynolds and the Hazelwood School District did not violate the students' freedom of speech. In its decision, the Court held that censoring *Spectrum* was acceptable because the newspaper was an established part of the school curriculum; thus, administrators had a legitimate interest in removing articles they felt were inappropriate. *Spectrum* could not be characterized as a public forum because school administrators had not opened up the newspaper to general use by the public. Writing for the majority, Justice White explained that a school need not tolerate student speech that is inconsistent with its basic educational mission, even though the government could not censor similar speech outside the school.



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Justice Byron R. White,
Collection of the Supreme Court of the United States

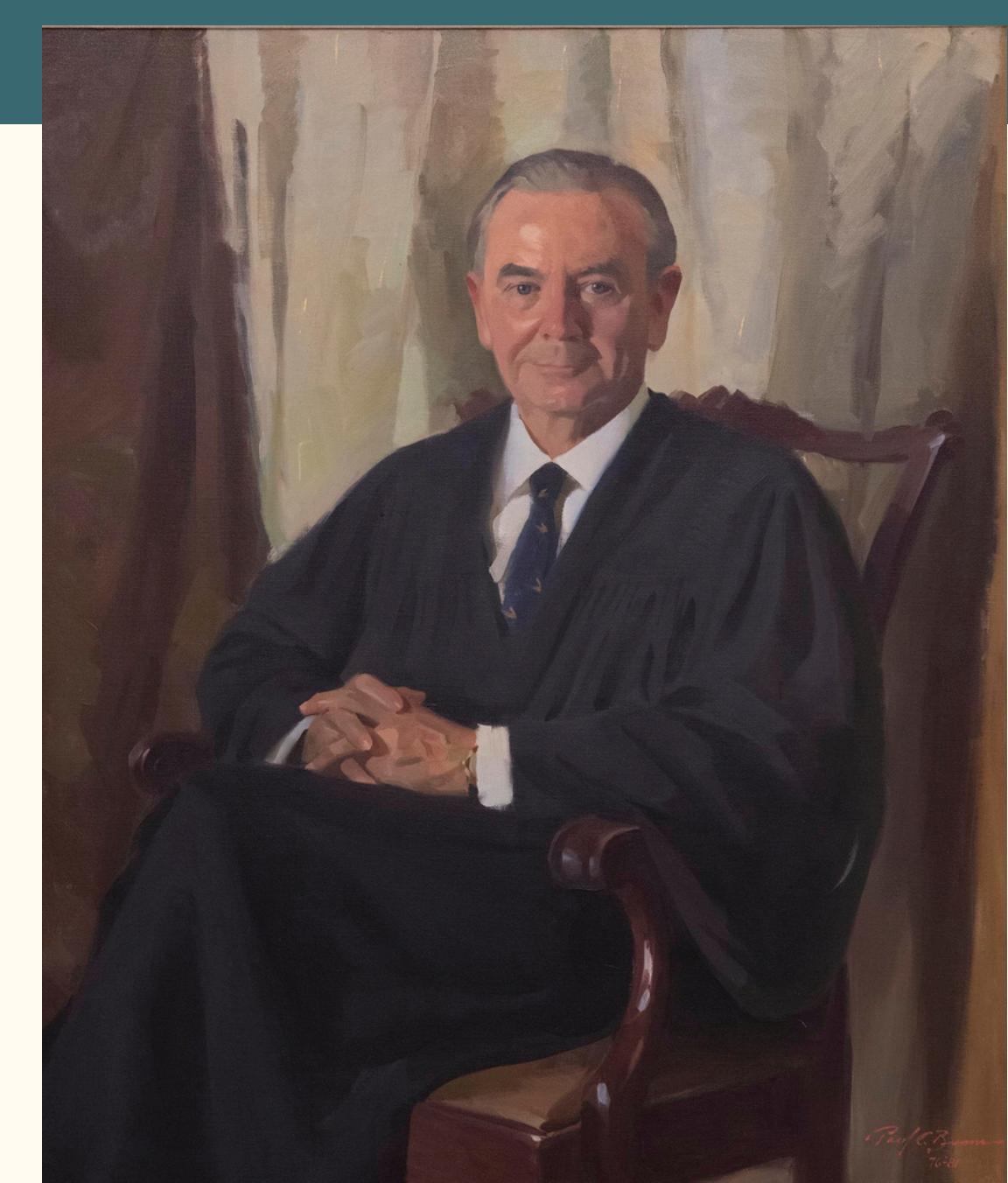
HOW WOULD
YOU DECIDE?



Scan the QR Code to listen to a clip from
the *Hazelwood v. Kuhlmeier* oral argument
October 13, 1987

VS

5:3
Decision



Justice William J. Brennan Jr.,
Collection of the Supreme Court of the United States

"The question whether the First Amendment requires a school to tolerate particular student speech—the question that we addressed in *Tinker*—is different from the question whether the First Amendment requires a school affirmatively to promote particular student speech." - Justice Byron R. White, Majority Opinion

THE HAZELWOOD DECISION & STUDENT RIGHTS

The decision in *Hazelwood v. Kuhlmeier* ultimately adjusted the boundaries of students' freedom of speech rights that were decided in *Tinker v. Des Moines* (1969). Though students do not shed their rights at the schoolhouse gate, the Supreme Court held that educators and administrators do not offend the First Amendment by exercising editorial control over the style and content of student speech in school-sponsored expressive activities, so long as their actions are reasonably related to legitimate educational concerns.



The Rehnquist Court as composed in 1988, Collection of the Supreme Court of the United States

Front row, left to right: Associate Justice Thurgood Marshall, Associate Justice William Brennan, Chief Justice William Rehnquist, Associate Justice Byron White, and Associate Justice Harry Blackmun.

Back row, left to Right: Associate Justice Antonin Scalia, Associate Justice John Paul Stevens, Associate Justice Sandra Day O'Connor, and Associate Justice Anthony Kennedy.

At the time of oral argument in the *Hazelwood* case, Justice Powell's retirement had created a vacancy on the Court.

Justice Kennedy (pictured above) had not yet been appointed, resulting in an eight-justice Court.

