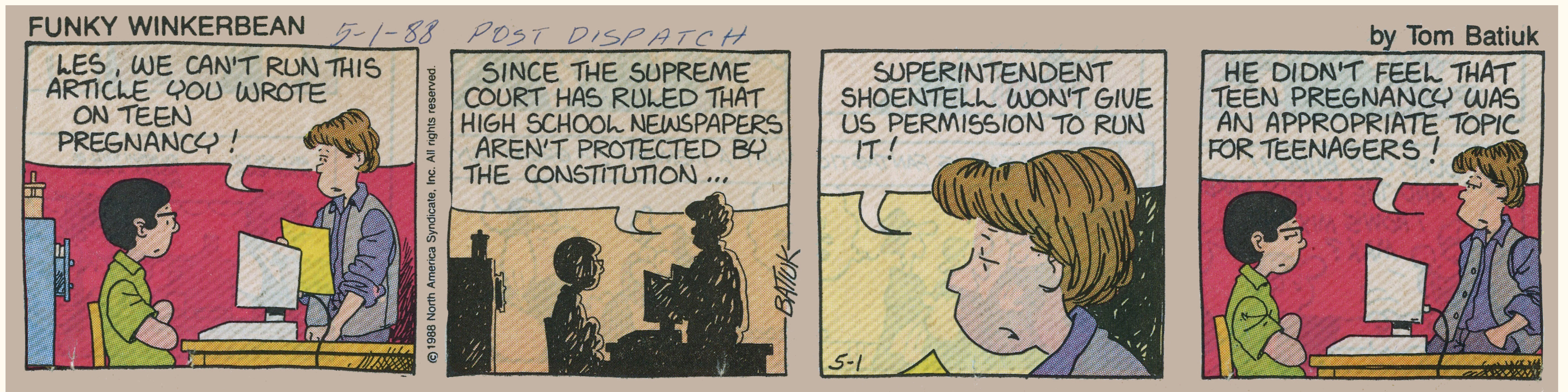


New Voices Emerge



St. Louis Post-Dispatch, May 1, 1988, used with permission from the artist, Personal Collection of Cathy Kuhlmeier

IMPACT OF HAZELWOOD

School journalism is monitored by teachers, principals, and, at times, even the school board. The issue of First Amendment rights has evolved to apply to students representing the school in any circumstance, not just as journalists. *Hazelwood v. Kuhlmeier* established that students' freedom of speech when representing a school is a privilege and no longer a comprehensive right.



"Heroes of the First Amendment" event at the Eagleton Courthouse, November 2019. Right to left, Cathy Kuhlmeier, Mary Beth Tinker, and Lynne Jackson (descendant of Dred Scott), speak to students about their rights.

CALL TO ACTION

- As of 2023, seventeen state legislatures have passed "New Voices" laws to protect student press freedom in school-sponsored media.
- California was the first state to pass such a law, in 1977, prior to *Hazelwood v. Kuhlmeier*.
- Schools and districts may designate student publications as public forums regardless of New Voices status in the state.

INTERPRETING THE FIRST AMENDMENT

The previous standard established by *Tinker v. Des Moines* allowed censorship of student speech only if substantial disruption in school or invasion of rights could be shown.

The *Hazelwood v. Kuhlmeier* majority opinion clarified that the rights of students "must be 'applied in light of the special characteristics of the school environment.'"

North and North County Suburban Journal, January 15, 1988, Personal Collection of Cathy Kuhlmeier

APPLYING PRECEDENT

Mahanoy School District v B.L. (2021)

In an 8-1 decision, the United States Supreme Court sided with B.L., a student. The Court held that a student's suspension from the team due to a Snapchat post violated her First Amendment rights. This limited a school's power over student speech off-campus.

Morse v. Frederick (2007)

Siding with the school administrators, the United States Supreme Court held that the First Amendment does not prevent school administrators from restricting student expression that is reasonably viewed as promoting the use of illegal drugs. This 5-4 decision further clarified when a school can restrict student speech.

Students do ~~not~~ shed their First Amendment rights at the schoolhouse gates?