

# Distress In The District Court

## WHY TAKE IT TO COURT?

In previous years, topics like teen pregnancy, divorce, and runaways, all of which were in the deleted two-page spread, were published in *Spectrum*. After students complained about the deleted pages, an anonymous letter was posted on the Journalism classroom blackboard alleging that the articles were too personal and sensitive in nature. This inspired Cathy Kuhlmeier, Leslie Smart, and Leanne Tippett to seek legal action and file a lawsuit against the school district.

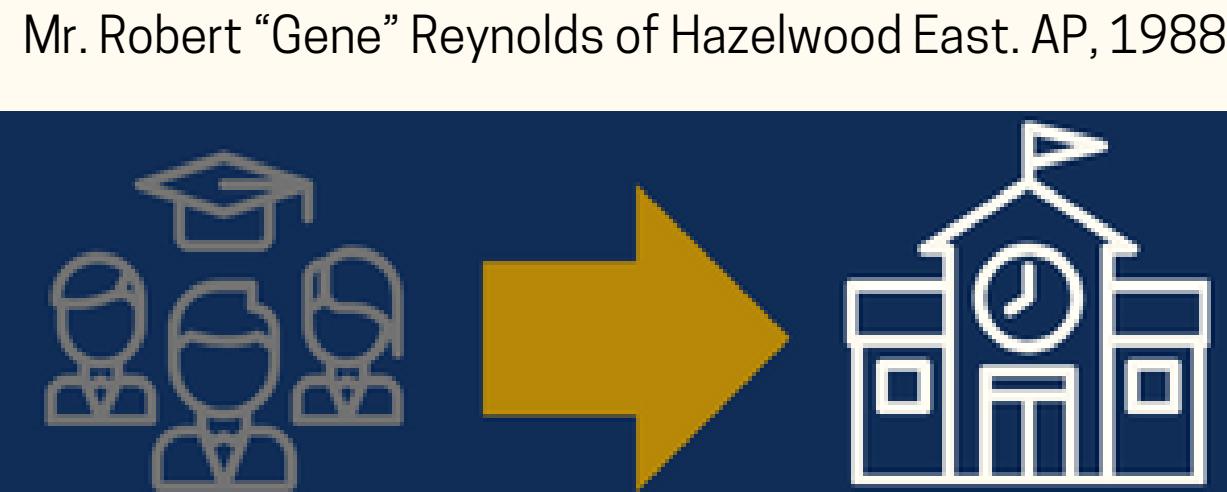
## Constitutional Questions:

- What is a public forum?
- Was *Spectrum* a public forum?

Certain public places, such as streets, parks, and sidewalks, are considered traditional **public forums**. In places like these, the government's authority to regulate speech is more limited. In addition to traditional public forums, the government can create public forums by opening government-controlled spaces for public communication.

## Students' Arguments

- *Spectrum* was a public forum
- *Spectrum* had previously published policy statements protecting the rights of student journalists
- Similar topics were published in previous issues of the newspaper
- Publication of those topics did not result in disturbances under previous administrations
- The privacy of those interviewed was maintained



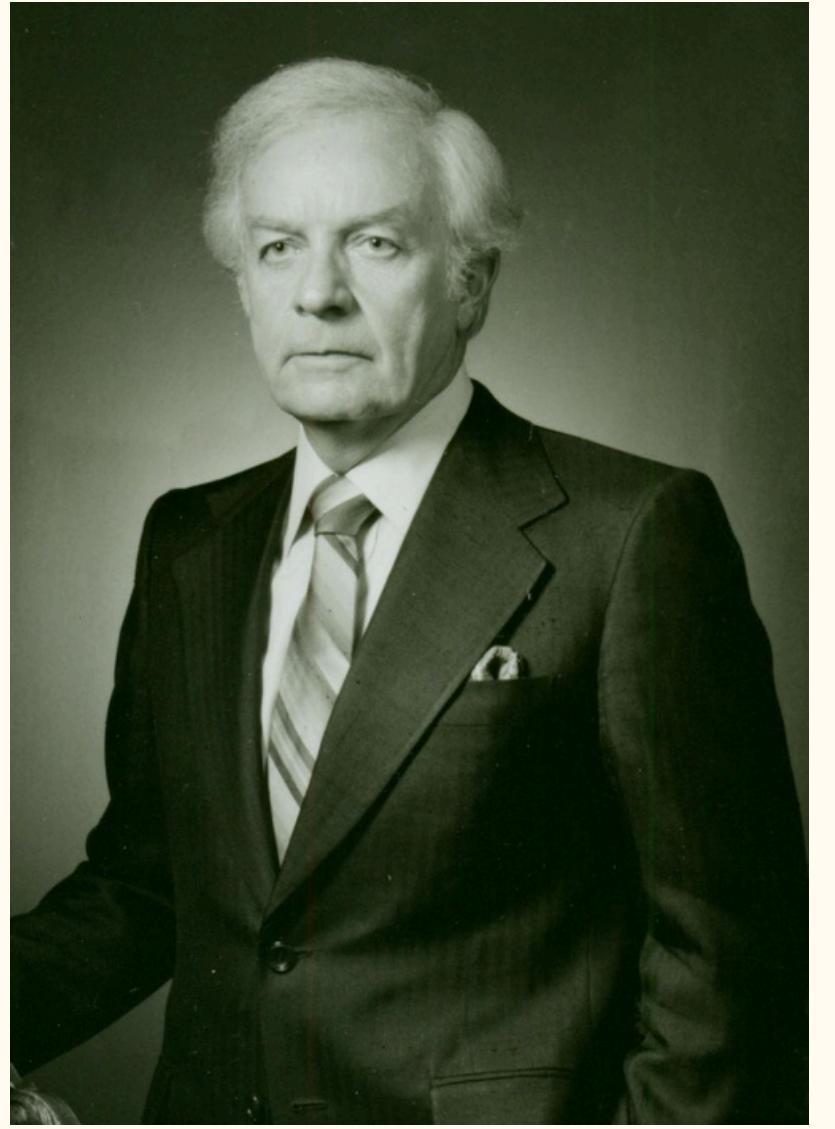
**Trial Dates:** November 26-28, 1984

**Decision Date:** May 9, 1985

**Location:** U.S. District Court, Eastern Missouri

**Judge:** The Honorable John Francis Nangle

**Decision:** Determined *Spectrum* was not a public forum because it was an integral part of the Hazelwood East curriculum.



Judge Nangle, Eighth Circuit Court Archives



The two-page spread that Mr. Reynolds removed from *Spectrum*, Personal Collection of Attorney Robert T. Haar

## School's Arguments

- *Spectrum* was not a public forum
- Journalism II was a graded part of the school curriculum and *Spectrum* was the "laboratory" exercise
- Regulation was at the discretion of the journalism advisor and principal
- Publication of those topics would cause a significant disruption to the learning environment
- The articles didn't protect the students' right to privacy

**Disagreeing with the District Court's opinion and seeking justice, the students petitioned to be heard by the Eighth Circuit Court of Appeals.**