

WHY TAKE IT TO COURT?

Constitutional Questions:

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

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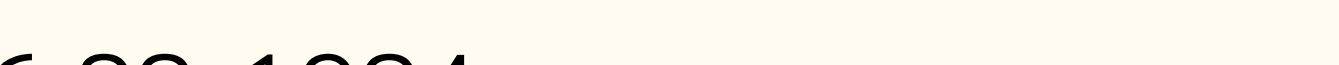
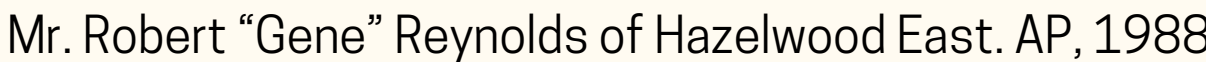
- What is a public forum?
- Was *Spectrum* a public forum?

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

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.

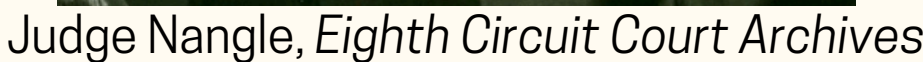
Students' Arguments

- *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



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



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.

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