

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Speech
5 Rights of Student Journalists Act.

6 Section 5. Definitions. As used in this Act:

7 "School official" means a school's principal or his or her
8 designee."

9 "School-sponsored media" means any material that is
10 prepared, substantially written, published, or broadcast by a
11 student journalist at a public school, distributed or generally
12 made available to members of the student body, and prepared
13 under the direction of a student media adviser.
14 School-sponsored media does not include media intended for
15 distribution or transmission solely in the classroom in which
16 the media is produced.

17 "Student journalist" means a public high school student who
18 gathers, compiles, writes, edits, photographs, records, or
19 prepares information for dissemination in school-sponsored
20 media.

21 "Student media adviser" means an individual employed,
22 appointed, or designated by a school district to supervise or
23 provide instruction relating to school-sponsored media.

1 Section 10. Free speech. Except as otherwise provided in
2 Section 15 of this Act, a student journalist has the right to
3 exercise freedom of speech and of the press in school-sponsored
4 media, regardless of whether the media is supported financially
5 by the school district or by use of school facilities or
6 produced in conjunction with a class in which the student is
7 enrolled. Subject to Section 15 of this Act, the appropriate
8 student journalist is responsible for determining the news,
9 opinion, feature, and advertising content of school-sponsored
10 media. This Section shall not be construed to prevent a student
11 media adviser from teaching professional standards of English
12 and journalism to student journalists. There shall be no prior
13 restraint of material prepared for official school
14 publications except insofar as it violates Section 15 of this
15 Act. School officials shall have the burden of showing
16 justification without undue delay prior to a limitation of
17 student expression under this Act.

18 Section 15. Exceptions. This Act does not authorize or
19 protect expression by a student journalist that:

- 20 (1) is libelous, slanderous, or obscene;
- 21 (2) constitutes an unwarranted invasion of privacy;
- 22 (3) violates federal or State law; or
- 23 (4) incites students to commit an unlawful act, to
24 violate policies of the school district, or to materially

1 and substantially disrupt the orderly operation of the
2 school.

3 Section 20. Liability. No expression made by students in
4 the exercise of freedom of speech or freedom of the press shall
5 be deemed to be an expression of school policy, and no school
6 district or employee or parent, legal guardian, or official of
7 the school district shall be held liable in any civil or
8 criminal action for any expression made or published by
9 students, except in cases of willful or wanton misconduct.

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.