

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  
5 College Campus Press Act.

6 Section 5. Definitions. For purposes of this Act:

7 "Campus media" means any matter that is prepared,  
8 substantially written, published, or broadcast by students at  
9 State-sponsored institutions of higher learning, that is  
10 distributed or generally made available, either free of charge  
11 or for a fee, to members of the student body, and that is  
12 prepared under the direction of a student media adviser.  
13 "Campus media" does not include media that is intended for  
14 distribution or transmission solely in the classrooms in which  
15 it is produced.

16 "Campus policy" means the views and positions of  
17 State-sponsored institutions of higher learning promulgated by  
18 administrators, officials, or other agents of these  
19 institutions.

20 "Collegiate media adviser" means a person who is employed,  
21 appointed, or designated by the State-sponsored institution of  
22 higher learning to supervise or provide instruction relating to  
23 campus media.

1 "Collegiate student editor" means a student at a  
2 State-sponsored institution of higher learning who edits  
3 information prepared by collegiate student journalists for  
4 dissemination in campus media.

5 "Collegiate student journalist" means a student at a  
6 State-sponsored institution of higher learning who gathers,  
7 compiles, writes, photographs, records, or prepares  
8 information for dissemination in campus media.

9 "Prevailing party" includes any party who obtains some of  
10 his or her requested relief through judicial judgment in his or  
11 her favor, who obtains some of his or her requested relief  
12 through a settlement agreement approved by the court, or whose  
13 pursuit of a non-frivolous claim was a catalyst for a  
14 unilateral change in position by the opposing party relative to  
15 the relief sought.

16 "State-sponsored institution of higher learning" means the  
17 University of Illinois, Southern Illinois University, Chicago  
18 State University, Eastern Illinois University, Governors State  
19 University, Illinois State University, Northeastern Illinois  
20 University, Northern Illinois University, Western Illinois  
21 University, and public community colleges subject to the Public  
22 Community College Act.

23 Section 10. Public forum. All campus media produced  
24 primarily by students at a State-sponsored institution of  
25 higher learning is a public forum for expression by the student

1 journalists and editors at the particular institution. Campus  
2 media, whether campus-sponsored or noncampus-sponsored, is not  
3 subject to prior review by public officials of a  
4 State-sponsored institution of higher learning.

5 Section 15. Grammar and journalism standards. Collegiate  
6 student editors of campus media are responsible for determining  
7 the news, opinions, feature content, and advertising content of  
8 campus media. This Section does not prevent a collegiate media  
9 adviser from teaching professional standards of grammar and  
10 journalism to collegiate student journalists. A collegiate  
11 media adviser must not be terminated, transferred, removed,  
12 otherwise disciplined, or retaliated against for refusing to  
13 suppress protected free expression rights of collegiate  
14 student journalists and of collegiate student editors.

15 Section 20. Injunction and declaratory relief. A  
16 collegiate student enrolled in a State-sponsored institution  
17 of higher learning or a collegiate media advisor of a  
18 State-sponsored institution of higher learning may commence a  
19 civil action to obtain appropriate injunctive and declaratory  
20 relief as determined by a court for violation of Section 10 of  
21 this Act by such State-sponsored institution of higher  
22 learning. Upon motion, a court may award attorney's fees to a  
23 prevailing party in a civil action brought under this Section.

1           Section 25. Campus policy and speech distinguished.  
2           Expression made by a collegiate student journalist, collegiate  
3           student editor, or other contributor in campus media is neither  
4           an expression of campus policy nor speech attributable to a  
5           State-sponsored institution of higher learning.

6           Section 30. Discipline; unprotected speech. Nothing in  
7           this Act prohibits the imposition of discipline for harassment,  
8           threats, or intimidation, unless constitutionally protected,  
9           or for speech that is not constitutionally protected, including  
10          obscenity or incitement.

11          Section 35. Immunity. A State-sponsored institution of  
12          higher learning shall be immune from any lawsuit arising from  
13          expression actually made in campus media, with the exception of  
14          the institution's own expression.

15          Section 97. Severability. The provisions of this Act are  
16          severable under Section 1.31 of the Statute on Statutes.