

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

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

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

22 Section 10. Free speech. Except as otherwise provided in

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

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

19 (1) is libelous, slanderous, or obscene;

20 (2) constitutes an unwarranted invasion of privacy;

21 (3) violates federal or State law; or

22 (4) so incites students as to create a clear and
23 present danger of the commission of an unlawful act, the
24 violation of policies of the school district, or the
25 material and substantial disruption of the orderly

1 operation of the school.

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

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