

SECOND REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 2058

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HAAHR.

5514H.01P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapters 171 and 173, RSMo, by adding thereto two new sections relating to student journalists.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapters 171 and 173, RSMo, are amended by adding thereto two new sections, to be known as sections 171.200 and 173.1551, to read as follows:

171.200. 1. This section and section 173.1551 shall be known and may be cited as the "Cronkite New Voices Act".

2. For purposes of this section, the following terms mean:

(1) "School-sponsored media", any material that is prepared, substantially written, published, or broadcast by a student journalist at a public school, distributed or generally made available to members of the student body, and prepared under the direction of a student media advisor. The term does not include any media intended for distribution or transmission solely in the classroom in which the media is produced;

(2) "Student journalist", a public school student who gathers, compiles, writes, edits, photographs, records, or prepares information for dissemination in school-sponsored media;

(3) "Student media advisor", an individual employed, appointed, or designated by a school district to supervise or provide instruction relating to school-sponsored media.

3. Except as provided in subsection 4 of this section, a student journalist has the right to exercise freedom of speech and of the press in school-sponsored media, regardless

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 of whether the media is supported financially by the school district or by use of facilities
17 of the school district or produced in conjunction with a class in which the student is
18 enrolled. Subject to subsection 4 of this section, a student journalist is responsible for
19 determining the news, opinion, feature, and advertising content of school-sponsored media.
20 This subsection shall not be construed to prevent a student media advisor from teaching
21 professional standards of English and journalism to student journalists.

22 4. This section does not authorize or protect expression by a student that:

23 (1) Is libelous or slanderous;

24 (2) Constitutes an unwarranted invasion of privacy;

25 (3) Violates federal or state law; or

26 (4) So incites students as to create a clear and present danger of the commission of
27 an unlawful act, the violation of school district policy, or the material and substantial
28 disruption of the orderly operation of the school.

29 5. A school district shall not authorize any prior restraint of any school-sponsored
30 media except when the media:

31 (1) Is libelous or slanderous;

32 (2) Constitutes an unwarranted invasion of privacy;

33 (3) Violates federal or state law; or

34 (4) So incites students as to create a clear and present danger of the commission of
35 an unlawful act, the violation of school district policy, or the material and substantial
36 disruption of the orderly operation of the school.

37 6. A school district shall not sanction a student operating as an independent
38 journalist.

39 7. Each school district shall adopt a written student freedom of expression policy
40 in accordance with this section. The policy shall include reasonable provisions for the time,
41 place, and manner of student expression. The policy may also include limitations to
42 language that may be defined as profane, harassing, threatening, or intimidating.

173.1551. 1. For purposes of this section, the following terms mean:

2 (1) "School-sponsored media", any material that is prepared, substantially written,
3 published, or broadcast by a student journalist at a public institution of higher education
4 in this state, distributed or generally made available to members of the student body, and
5 prepared under the direction of a student media advisor. The term does not include any
6 media intended for distribution or transmission solely in the classroom in which the media
7 is produced;

8 **(2) "Student journalist", a student of a public institution of higher education in this**
9 **state who gathers, compiles, writes, edits, photographs, records, or prepares information**
10 **for dissemination in school-sponsored media;**

11 **(3) "Student media advisor", an individual employed, appointed, or designated by**
12 **a public institution of higher education in this state to supervise or provide instruction**
13 **relating to school-sponsored media.**

14 **2. Except as provided in subsection 3 of this section, a student journalist has the**
15 **right to exercise freedom of speech and of the press in school-sponsored media, regardless**
16 **of whether the media is supported financially by the institution or by use of facilities of the**
17 **institution or produced in conjunction with a class in which the student is enrolled.**
18 **Subject to subsection 3 of this section, a student journalist is responsible for determining**
19 **the news, opinion, feature, and advertising content of school-sponsored media. This**
20 **subsection shall not be construed to prevent a student media advisor from teaching**
21 **professional standards of English and journalism to student journalists.**

22 **3. This section does not authorize or protect expression by a student that:**

23 **(1) Is libelous or slanderous;**

24 **(2) Constitutes an unwarranted invasion of privacy;**

25 **(3) Violates federal or state law; or**

26 **(4) So incites students as to create a clear and present danger of the commission of**
27 **an unlawful act, the violation of institution or coordinating board for higher education**
28 **policies, or the material and substantial disruption of the orderly operation of the**
29 **institution.**

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