

AN ACT concerning education.

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

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

Section 5. Definitions. As used in this Act:

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

"School-sponsored media" means 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 adviser. School-sponsored media does not include media intended for distribution or transmission solely in the classroom in which the media is produced.

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

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

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

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

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

and substantially disrupt the orderly operation of the school.

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

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