

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for House Bill No. 576, Page 1, Section A, Line 2, by  
2 inserting after all of said section and line the following:

3  
4 "171.200. 1. This section and section 173.1551 shall be known and may be cited as the  
5 "Cronkite New Voices Act".

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

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

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

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

16 3. Subject to the provisions of this section, the freedom of the press in school-sponsored  
17 media shall be protected. A student journalist has the right to exercise freedom of speech and of the  
18 press in school-sponsored media. Material in school-sponsored media shall not be suppressed solely  
19 because it involves political or controversial subject matter.

20 4. School districts and student-media advisors may regulate the number, length, frequency,  
21 and format of school-sponsored media. Review of material prepared for school-sponsored media  
22 and encouragement of the expression of such material in a manner that is consistent with  
23 professional standards of English and journalism shall not be deemed to be or construed as an  
24 abridgement of the right to freedom of expression in school-sponsored media or a restraint on  
25 publication of the material therein.

26 5. A school district shall not authorize any prior restraint of any school-sponsored media  
27 except if the administration or student-media advisor reasonably determines or anticipates that the  
28 media:

29 (1) Is libelous or slanderous;

30 (2) Constitutes an invasion of privacy;

31 (3) Violates federal or state law;

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- 1       (4) Is a threat of violence;  
 2       (5) Advertises a product or service that is illegal or is not permitted to be sold to minors by  
 3 law;  
 4       (6) Violates the rights of others;  
 5       (7) Is likely to incite students to commit an unlawful act or to violate school district policy  
 6 or procedure; or  
 7       (8) Is likely to materially and substantially disrupt or interfere with the orderly operation of  
 8 the school.

9       6. Subject to the limitations imposed by this section, student journalists are responsible for  
 10 determining the news, opinion, and advertising content of school-sponsored media. Student-media  
 11 advisors are responsible for teaching and encouraging free and responsible expression of material  
 12 and professional standards of English and journalism. No student-media advisor shall be  
 13 disciplined, terminated from employment, transferred, or relieved of duties imposed under this  
 14 subsection for refusal to abridge or infringe upon the right to freedom of expression conferred by  
 15 this section.

16       7. No publication or other expression of matter by students in the exercise of rights under  
 17 this section shall be deemed to be an expression of a school district's policy. No school district,  
 18 member of the board of education, student-media advisor, or employee of a school district shall be  
 19 held liable in any civil or criminal action for any publication or other expression of matter by  
 20 student journalists in the exercise of rights under this section except to the extent that such persons  
 21 or entities actively participated in the conduct that is the subject of the civil or criminal action or  
 22 knew of the conduct and failed to take timely action to prevent or withdraw publication or  
 23 expression that is the subject of the civil or criminal action. A student journalist who has attained  
 24 the age of majority may be held liable in any civil or criminal action for material expressed in  
 25 student publications to the extent of such student journalist's responsibility for and involvement in  
 26 the preparation and publication of such matter.

27       8. Each school district shall adopt a written policy regarding the freedom of the press and  
 28 expression by students in accordance with this section. The policy shall include reasonable  
 29 provisions for the time, place, and manner of student expression. The policy may also include  
 30 limitations regarding language that may be defined as vulgar, obscene, offensively lewd, profane,  
 31 harassing, threatening, or intimidating.

32  
 33 Further amend said bill, Page 5, Section 173.1550, Line 147, by inserting after all of said section  
 34 and line the following:

35  
 36       173.1551. 1. For purposes of this section, the following terms mean:

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

1 produced;

2 (2) "Student journalist", a student of a public institution of higher education who gathers,  
3 compiles, writes, edits, photographs, records, produces, or prepares content for dissemination in  
4 school-sponsored media;

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

8 2. Subject to the provisions of this section, the freedom of the press in school-sponsored  
9 media shall be protected. A student journalist has the right to exercise freedom of speech and of the  
10 press in school-sponsored media. Material in school-sponsored media shall not be suppressed solely  
11 because it involves political or controversial subject matter.

12 3. Subject to subsection 4 of this section, a student journalist is responsible for determining  
13 the news, opinion, feature, and advertising content of school-sponsored media. This subsection  
14 shall not be construed to prevent a student-media advisor from teaching professional standards of  
15 English and journalism to student journalists.

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

17 (1) Is libelous or slanderous;

18 (2) Constitutes an invasion of privacy;

19 (3) Violates federal or state law;

20 (4) Is likely to incite students to commit an unlawful act or to violate institution policy or  
21 procedure; or

22 (5) Is likely to materially and substantially disrupt or interfere with the orderly operation of  
23 the institution.

24 5. Except as provided in subsection 4 of this section, a student journalist at a public  
25 institution of higher education in the state shall not be disciplined for exercising his or her freedom  
26 of expression in school-sponsored media.

27 6. A student-media advisor at a public institution of higher education in the state shall not be  
28 dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against for  
29 protecting or refusing to infringe on the rights of student journalists outlined in this section.

30 7. No publication or other expression of matter by students in the exercise of rights under  
31 this section shall be deemed to be an expression of an institution's policy. No public institution of  
32 higher education or a member of the institution's governing body or employee thereof shall be held  
33 liable in any civil or criminal action for any publication or other expression of matter by student  
34 journalists in the exercise of rights under this section except to the extent that such persons or  
35 entities actively participated in the conduct that is the subject of the civil or criminal action."; and

36  
37 Further amend said bill by amending the title, enacting clause, and intersectional references  
38 accordingly.