

Think First

JEA
press rights
commission

Free expression
through
responsible
journalism

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Student press liability lesson plan

Time: (3) 50-minute journalism class sessions

Goal: This lesson plan is intended to help students understand the legal liability concerns of administrators and students in relation to student press rights. Liability is one way of encouraging the passage of board policies that forbid prior review.

Scenario:

You are a student journalist for your school paper. Your school is a new public charter school, which that just opened its doors this year. Currently, there is no policy to govern student press rights for the school.

You are a part of the journalism class that will introduce a statement of policy to your school principal. There are many categories and responsibilities included in such a policy. The category you have been tasked to cover is legal liability.

Using at least one particular case, *Yeo v. Lexington*, as an example, prepare a speech you will recite to the principal in support of using liability as one way to encourage her/him to adopt the statement of policy that discourages prior review.

Assignment:

1st 50-minute class: Use this time to study the links supplied to you, as well as any others you find that will help guide you.

2nd 50-minute class: Turn in your presentation for grading.

3rd 50-minute class: Discussion of findings, and readings of selected papers.

Assignment learning objectives:

Students will achieve the following objectives:

1. Study impact of Yeo as it relates to this lesson.
2. Defend 1st Amendment student press rights using liability as one tool.
3. Understand the concept of liability.
4. Learn how to craft a presentation on legal liability that will support a student press policy (which restricts prior review.)
5. Familiarize yourself with a statement of policy as adopted by SPLC.

History behind the case:

Did Lexington High School violate the First Amendment rights of an advertiser when student editors of the high school's student newspaper and yearbook refused to publish his advertisement? The ad, which promoted sexual abstinence, was submitted by Douglas Yeo, a town resident and parent, after the school board had voted to make condoms available to students. The students said they had a policy of not publishing political or advocacy ads. They offered to allow Yeo to submit a congratulatory ad to seniors in the yearbook and a letter to the editor in the newspaper expressing his views, but Yeo refused the offer and sued.

References:

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Materials were produced for this Web site by the Journalism Education Association (<http://jeapressrights.org>) and the Center for Scholastic Journalism (<http://jmc.kent.edu/csjs>).

Free expression through responsible journalism

Law of the Student Press, 2nd Edition

Student Press Law Center:

<http://www.splc.org/legalresearch.asp?id=6>

<http://www.yeodoug.com/articles/text/livefree.html>

<http://www.ca1.uscourts.gov/cgi-bin/getopn.pl?OPINION=96-1623.01A>

• Court refuses to hear advertiser http://www.splc.org/report_detail.asp?id=304&edition=10

• SPLC article:

<http://www.splc.org/newsflash.asp?id=47&year=1997>

• Yeo v Lexington

<http://lw.bna.com/lw/19980106/961623.htm>

Findlaw report <http://caselaw.lp.findlaw.com/scripts/getcase.pl?court=1st&navby=case&no=961623v3&exact=1>

• The safety, security and sanctuary by Douglas Yeo <http://www.yeodoug.com/articles/text/livefree.html>

• School overreaches in banning yearbook photo

<http://www.yeodoug.com/articles/text/livefree.html>

• First circuit court decision

<http://www.ca1.uscourts.gov/cgi-bin/getopn.pl?OPINION=96-1623.01A>



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