

HCS HB 441 -- CRONKITE NEW VOICES ACT

SPONSOR: Corlew

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Elementary and Secondary Education by a vote of 10 to 1. Voted "Do Pass" by the Committee on Rules- Administrative Oversight by a vote of 12 to 1.

This bill establishes the "Cronkite New Voices Act" and defines "school sponsored media," "student journalist," and "student media advisor."

The act provides that a student journalist has a right to exercise freedom of speech and of the press in school-sponsored media.

These provisions do not apply to content that is libelous or slanderous; constitutes an invasion of privacy; violates federal or state law; is a threat of violence; advertises a product or service that is illegal or is not permitted to be sold to minors by law; is likely to incite students to commit an unlawful act or to violate school district policy or procedure; or is likely to materially and substantially disrupt the orderly operation of the school.

This bill does not prevent the teaching of professional standards of English and journalism to student journalists by a student media advisor.

The bill requires each school district to adopt a written student freedom of expression policy which must include reasonable provisions for the time, place, and manner of student expression. The policy may include restrictions on speech that may be defined as vulgar, obscene, offensively lewd, profane, harassing, threatening, or intimidating.

The above provisions apply to public institutions of higher education as well as school districts, as specified in the bill.

This bill is similar to HB 2058 (2016).

PROPOSERS: Supporters say that it's time for Missouri to pass this bill. Both Kansas and Illinois passed similar legislation. We want to expand to students the same rights as found in Tinker v. Des Moines Independent Community School District for that of their clothing to that of student journalists. Student journalists often work on controversial topics. As a result the school sometimes does not allow the stories to come to light and as such the students are subject to prior restraint.

Hope is that with this bill we will pave the way for success for other students. A free press is the bedrock of our nation and such a foundation should extend to scholastic journalism.

This is good for the industry as well as good for the schools and their communities.

Usually more protections have been afforded to higher education journalists via case law but the 7th circuit has actually applied the Hazelwood standard to higher education.

Testifying for the bill were Representative Corlew; Missouri National Education Association; Jacob Chriarelli; Dr. Robert Bergland; Missouri Press Association; and Kennady Wade.

OPPONENTS: There was no opposition voiced to the committee.

This bill is similar to HB 2058 (2016).