

## **Case 2: *Hazelwood School District v. Kuhlmeier* (1988)**

In 1988, a Missouri high school principal removed two pages of the school's six-page newspaper without telling the student editors. The pages had personal stories of teenagers at the school. In one article, a student had written about divorce and had brutally criticized her father. The other article was about teenage pregnancy, and described experiences with sex and birth control. The principal was concerned that in the first article, the father had not been given a chance to respond. In the second article, he thought that the references to sexual activity were inappropriate for younger students. He also worried that the article might violate the privacy of the students described in it.

Cathy Kuhlmeier and other editors of *Spectrum*, the school newspaper, filed a lawsuit against the school district. They claimed that the principal's actions were censorship and violated their First Amendment right to freedom of press. The lawyers for the student editors argued that the principal should only be allowed to omit articles that would disrupt the school. They said that these articles would not have caused any disruption. Lawyers for the school district responded that the district paid for most of the production cost of the newspaper. Therefore, they argued, the district was the publisher and had the final say on the content of the paper, just as publishers control adult newspapers. They pointed out that the principal had not limited students' private expression. He had made no attempt to stop the students from later photocopying the omitted articles and distributing them on campus.

A federal appeals court sided with the students, agreeing that their First Amendment rights had been violated. Hazelwood School District appealed to the Supreme Court, which considered these issues:

### **DISCUSS THE FOLLOWING ISSUES WITH YOUR GROUP:**

1. Who is considered the publisher of a school newspaper, with the right to determine the content of the paper?
2. Under what circumstances, if any, does the First Amendment allow school officials the right to censor school newspapers?

**Question:** Did the principal violate the students' First Amendment right to freedom of press by censoring their newspaper?

### **WRITE YOUR RESPONSES TO THE FOLLOWING QUESTIONS IN YOUR WRITING FOLDER:**

1. Your decision:
2. Explanation of your group's majority opinion:
3. Explanation of your group's minority opinion:
4. Actual Supreme Court ruling: