

HAZELWOOD SCHOOL DISTRICT v. KUHLMEIER

It is Monday morning. You arrive at school a little early and run down to the office where the school newspaper is prepared. The latest edition of the weekly paper is hot off the presses, and you are eager to see how it came out. You are especially excited because the first article you ever wrote is to be featured on page one. When you arrive at the office you discover that half of the first page, including the space where your article was to appear, is blacked out.

You immediately assume that the printers made a mistake. But your fellow reporters inform you that the school's principal purposefully blacked out two front-page stories because he thought they were too controversial. Is this fair? More important, is this legal?

Are students protected by the First Amendment right to free expression and press? In October 1987, the U.S. Supreme Court heard arguments in a case that decided whether student reporters are protected by the same First Amendment rights as are adult reporters. The case, *Hazelwood School District et al v. Kuhlmeier et al*, involved the principal and three student reporters from Hazelwood East High School, in Hazelwood Missouri.

A SPECIAL EDITION OF THE *SPECTRUM*

In 1983, Cathy Kuhlmeier, Leslie Smart, and Leanne Tippet were reporters for the *Spectrum*, Hazelwood East's weekly student newspaper. In May of that year the three students devoted a two-page special section of the *Spectrum* to articles on problems facing high-school students. Issues such as parental divorce, teenage pregnancy, and runaway teens were featured.

DR. REYNOLDS RESPONDS

The *Spectrum* already had a reputation for publishing controversial articles, and Hazelwood's principal, Dr. Robert Reynolds, kept a close watch on the kinds of articles students were writing. When Dr. Reynolds read early versions of some of the articles scheduled for the May issue, he decided they were too controversial.

One story was about a student whose family was going through a painful divorce. The reporter interviewed a student who explained her views of the causes of her parents' problems. Although the reporter had removed the student's name from the final version of the story, her name appeared in the earlier version that the principal read. Dr. Reynolds felt that the story was an invasion of the student's and her family's privacy. Dr. Reynolds also objected to a story about three pregnant Hazelwood students. He thought that the story presented teenage pregnancy in a positive light and, therefore, would not permit its publication. The students working on the newspaper had written other articles for the special section discussing the difficulties of teen pregnancy. One article discussed the high failure rate of teenage marriages. Still, Dr. Reynolds felt that the material was inappropriate. He decided that the entire 2 page supplement should not be published. Thus, when the May issue of *Spectrum* came out, no articles on teenage problems appeared.

THE STUDENTS RESPOND

Believing that their First Amendment rights of free speech and press had been violated, the three reporters – Kuhlmeier, Smart, and Lippett – filed a lawsuit in 1983 against their principal. They claimed that the *Spectrum* was a public forum – a place where people could express their views freely.

The first court to hear their case, the U.S. District Court in St. Louis, ruled in 1985 that the principal and the school had a right to control what was published in the school newspaper. The court explained that the *Spectrum* was part of the school curriculum and that journalism students received course credit for their work. The principal, then, was exercising his responsibility for the students' education.

