

CHAPTER 39 ACTIVITY
Analyzing

GLENCOE
STREET LAW
A Course in Practical Law

Directions: Read the facts in the case below, and then answer the question that follows. Be sure to review the material on expression in special places on pages 471–474 in the Student Edition.

One school district adopted a policy requiring its high school students to submit all student-written material for approval by school officials before any such material could be distributed on school premises or at official school functions. The policies were directed at student writings that were not contained in official school publications.

After the policy had been in place for a few years, students in a high school within the district distributed copies of an unauthorized student-written newspaper called *Bad Astra*. It was given out at a school-sponsored senior class barbecue on school grounds without submitting the publication to officials for review. In addition, a parent, the president of the PTA, put copies of the newspaper in faculty and staff mailboxes.

The paper included articles, written by five students, that were generally critical of school administration policies; a mock teacher evaluation poll; and poetry. There was no profane, obscene, defamatory, or commercial material. Some of the teachers who were described in the mock poll were emotionally upset about their descriptions. Additionally, the students did not sign their real names to the articles.

The principal reprimanded the students for violating the review policy but also indicated that had the paper been submitted for review it would have been approved. The students, with their parents, sued the school district, claiming that the school policy violates the First Amendment right of free expression.

How should the judge rule? Give your reasons.
