

Press Case Scenario

Directions: Read the Text of the First Amendment of the United States Constitution as it refers to press. Read the scenario and decide whether or not the government can limit or punish the publication by the student group in the scenario. Answer the question at the bottom of the page.

“Congress shall make no law...abridging the freedom... of the press...”

Scenario:

Students at General Public High School are in charge of broadcasting the morning announcements via closed circuit television and a live streaming link. All students in the school are instructed to remain quiet and to carefully pay attention to these announcements. The script for the morning announcements is approved by the administration each morning. One of the student journalists was given screen shots of a text message conversation between six building and district administrators. In the conversation, the administrators were openly mentioning specific students and teachers by name, making disparaging remarks about these individuals. The administrators called one student an “idiot.” They referred to a teacher as an “imbecile.” The student journalist transferred all of the screen shots into a PDF and carefully redacted the names of the students and teachers by highlighting each with a black bar. The student preserved the names of the administrators involved in making the disparaging remarks. Without adding the story to the script for approval, the student disrupted the broadcast of the morning announcements and began displaying the PDF of the group text conversations live and on the air. A building administrator ordered that the broadcast be ended immediately. As a response, the student journalist immediately sent an email to every student in the school using the school email system. The email included the story and the PDF of the screenshots from the conversation. Unbeknownst to the student journalist, anyone in possession of the email could delete the redactions by simply removing the black highlight bar over each word.

Can the administration of the school punish the student for the publication of sensitive student information?

Case Interpretation Worksheet

Case Name	Summarize the decision	How the decision supports the students	How the decision supports the administrators	Which side is better supported by this decision?
<i>Near v. Minnesota</i>				
<i>New York Times Company v. United States</i>				
<i>Hazelwood School District v. Kuhlmeier</i>				

Which side students or administrators' is better supported by the existing caselaw? Provide three facts that support your argument.

Exit Ticket

1. What is prior restraint?

2. How has the Supreme Court treated prior restraint by state or federal governments?

3. How has the Supreme Court treated prior restraint in a school setting? Why?

4. Why is the freedom of the press important to democratic principles?