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Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988)

Facts of the Case

Student staff members of a high school newspaper filed First Amendment action seeking injunctive relief, money damages and declaration that their First Amendment rights were violated by censorship of certain articles. The U.S. District Court denied injunctive relief, [596 F.Supp. 1422](http://campus.westlaw.com.mcc1.library.csulb.edu/find/default.wl?tf=-1&spa=003351140-2000&rs=WLW10.01&serialnum=1984151747&fn=_top&sv=Split&tc=-1&findtype=Y&ordoc=1988007755&mt=CampusLaw&db=345&vr=2.0&rp=%2ffind%2fdefault.wl&pbc=D7083022), and held that the students' First Amendment rights were not violated, [607 F.Supp. 1450](http://campus.westlaw.com.mcc1.library.csulb.edu/find/default.wl?tf=-1&spa=003351140-2000&rs=WLW10.01&serialnum=1985123956&fn=_top&sv=Split&tc=-1&findtype=Y&ordoc=1988007755&mt=CampusLaw&db=345&vr=2.0&rp=%2ffind%2fdefault.wl&pbc=D7083022). The students appealed. The Court of Appeals reversed, [795 F.2d 1368](http://campus.westlaw.com.mcc1.library.csulb.edu/find/default.wl?tf=-1&spa=003351140-2000&rs=WLW10.01&serialnum=1986135016&fn=_top&sv=Split&tc=-1&findtype=Y&ordoc=1988007755&mt=CampusLaw&db=350&vr=2.0&rp=%2ffind%2fdefault.wl&pbc=D7083022). Defendants petitioned for writ of certiorari. The Supreme Court, Justice White, held that: (1) the high school paper that was published by students in journalism class did not qualify as “public forum,” so that school officials retained the right to impose reasonable restrictions on student speech in the paper, and (2) the high school principal's decision to excise two pages from the student newspaper on ground that the articles unfairly impinged on privacy rights of pregnant students and others, did not violate students' speech rights.

Questions Before the Court

1. Do students in public schools have the same constitutional rights to freedom of speech or expression as they do outside of school?
2. Must a school tolerate student speech that is inconsistent with its basic educational mission if it is part of the curriculum?
3. Can a school facility be deemed a “public forum,” for purpose of First Amendment, only if school authorities have, by policy or practice, opened the facility for indiscriminate use by the general public or by some segment of the public, such as student organizations?

Decision of the Court (5-3, by Mr. Justice White)

1. No
2. No
3. Yes

Rationale

The First Amendment rights of students in the public schools are not automatically coextensive with the rights of adults in other settings, and must be applied in light of the special characteristics of the school environment. The school newspaper here cannot be characterized as a forum for the exchange of public expression. If the facilities have instead been reserved for other intended purposes, communicative or otherwise, then no public forum has been created, and school officials may impose reasonable restrictions on the speech of students, teachers, and other members of the school community. Educators do not offend the First Amendment by exercising editorial control over the style and content of student speech in school-sponsored publications as long as their actions are reasonably related to “legitimate pedagogical concerns.”