



South Salem High School Student Media Policy – Covering all media outlets in the Broadcasting and Media Department

Updated 2019

The combined media policy was created by Aaron Manfull, JEA Digital Media Chair, with guidance from John Bowen, JEA Scholastic Press Rights Chair. The JEA Model Editorial Policy was also used, as were numerous other editorial policies to create this one which should serve as a starting point for staffs looking to combine their policies.

South Salem High School Student Media

SOUTH SALEM HIGH SCHOOL STUDENT MEDIA POLICY

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

-The First Amendment to the Constitution of the United States of America

“The vigilant protection of constitutional freedoms is nowhere more vital than in the community of American schools.”

-Tinker v. Des Moines Independent Community School District



Reporter Julie with Mary Beth Tinker - 2014

The South Salem High School (SSHS) Media Editorial Policy pertains to all SSHS media, including, but not limited to; SSHS social media, the Clypian; the yearbook (Sword and Shield); the website (Clypian.com); and the podcast, daily online broadcast (Saxon Wrap Up); and the online television channel (SaxonTV). The full editorial policy is available on Clypian.com.

SSHS Media properties are the official student-produced media of news and information published/produced by SSHS Media students.

SSHS Media has been established as designated public forums for student editors to inform and educate their readers as well as for the discussion of issues of concern to their audience.

It will not be reviewed or restrained by school officials prior to publication or distribution. Advisers may – and should coach and discuss content – during the writing process.

Because school officials do not engage in prior review (and the content of SSHS Media is determined by and reflects only the views of the student staff and not the adviser, school officials or the school itself and its' student editorial board and student staff members), students assume complete legal and financial liability for the content of the publication.

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I. FREEDOM OF THE PRESS

As it is essential to preserve the freedom of the press in order to preserve a free society:

1. The media will serve the best interest of the students and faculty of South Salem High School, keeping itself free from any commercial obligations distracting from this purpose; this is defined by media itself.
2. Any decisions affecting the publications on all levels will be made by the editorial board, the adviser is allowed to give legal advice and his/her opinion, but the final decision rests in the hands of the editorial board.
3. Only the editorial board may prevent material it judges to be in violation of the media editorial policy from being printed.
4. All media will vigorously resist all attempts at censorship, particularly pre-publication censorship.
5. All media retain the right to publish any and all material attained through an interview by a staff member of the publications staff, holding that the interviewee was made aware that the information could be published in any form at any time.
6. All student media referenced in this editorial policy are designated public forums.
7. Student journalists may use print and electronic media to report news and information, to communicate with other students and individuals, to ask questions of and consult with experts and to gather material to meet their newsgathering and research needs.
8. SSHS Media and its staff are protected by and bound to the principles of the First Amendment and other protections and limitations afforded by the Constitution of the United States and the various laws and court decisions implementing those principles.
9. SSHS Media will not publish any material determined by student editors or the student editorial board to be unprotected, that is, material that is libelous, obscene, materially disruptive of the school process, an unwarranted invasion of privacy, a violation of copyright or a promotion of products or services unlawful (illegal) as to minors as defined by state or federal law.
10. Definitions and examples for the above instances of unprotected speech can be found in Law of the Student Press published by the Student Press Law Center.

II. THE EDITORIAL BOARD

1. The editorial board will consist of all student staff editors.
2. The editorial board decides on all decisions that pertain directly the SSHS media and their interests.

3. No member of the editorial board shall have more than one vote on the board.
4. All members of the editorial board and the adviser will elect a replacement for board members who have been dismissed.
5. All members of the editorial board are expected to know their duties and jobs in the room and must understand the consequences of not fulfilling said jobs.
6. The student editor and staff who want appropriate outside legal advice regarding proposed content – should seek parties knowledgeable in media law such as those of the Student Press Law Center. Final content decisions and responsibility shall remain with the student editorial board.
7. The duly appointed editor or co-editors shall interpret and enforce this editorial policy.

III. THE ADVISER

1. The adviser is a professional teaching staff member and is in charge of the class just as in a conventional classroom situation.
2. Is a certified journalism teacher (or working towards CJE or MJE certification) that serves as a professional role model, motivator, catalyst for ideas and professionalism, and an educational resource.
3. Provides a journalistic, professional learning atmosphere for students by allowing them to make the decision of content for the media and ensuring the media will remain an open forum.
4. Guides the newspaper staff in accordance with approved editorial policy and aids the educational process related to producing the newspaper.
5. May caution, act as legal consultant and educate terms of unprotected speech, but has no power over censorship or veto except for constitutionally valid reasons.
6. Will keep abreast of the latest trends on journalism and share these with students.
7. Will submit or aid in the submission of the school newspaper, yearbook, podcast, and online content produced by the students to rating services and contests in order for the school publications staff to receive feedback.
8. Will forward any received correspondence and/or information to the appropriate editors.
9. Will provide information to the staff about journalism scholarships and other financial aid, and make available information and contacts concerning journalism as a career.
10. Will work with the faculty and administration to help them understand the freedoms accorded to the students and the professional goals of the school publications.
11. The adviser will not act as a censor or determine the content of the paper. The adviser will offer advice and instruction, following the Code of Ethics for Advisers established by the Journalism Education Association as well as the Canons of Professional Journalism.

12. School officials shall not fire or otherwise discipline advisers for content in student media that is determined and published by the student staff.

IV. THE BUILDING ADMINISTRATION

1. The South Salem High School administration will provide the students of SSHS with a qualified journalism instructor to serve as a professional role model, adequate classroom equipment, and space for a sound journalism program.
2. SSHS administration will offer equal opportunity to all in participating in journalism programs.
3. SSHS administration will not view and approve publication content before publishing.
4. Administration will not practice "prior review."

V. CONTENT OF SSHS MEDIA

A. INTRODUCTION

All content decisions will be made in occurrence to the following provisions, while keeping in mind that the overall purpose, role and goal of all SSHS Media is to

1. Inform, interpret, and entertain their viewers through accurate and factual reports, where information has been thoroughly gathered and information has been completely verified.
2. Serve as an educational laboratory experience for those on staff.
3. Be accurate, fair, and impartial in its coverage of issues that affect the school community.
4. SSHS Media will not avoid publishing a story solely on the basis of possible dissent or controversy.
5. Cover the total school population as effectively and accurately as possible.
6. The staff of SSHS Media will strive to report all issues in a legal, objective, accurate and ethical manner, according to the Canons of Professional Journalism developed by the Society for Professional Journalists. The Canons of Professional Journalism include a code of ethics concerning accuracy, responsibility, integrity, conflict of interest, impartiality, fair play, freedom of the press, independence, sensationalism, personal privacy, obstruction of justice, creditability and advertising.

B. REGARDING PROFANITY

1. The media will not print unnecessary profanity.
2. The editorial board will make the decision on whether content is considered profane or whether it is a cultural or non-vulgar slang term.
3. The editorial board reserves the right to edit quotes for unnecessary profanity or unnecessarily offensive words, quotes that have been edited will be noted accordingly when published.

4. Any edited quote will be read back to the source prior to publishing and sources will have a chance to make changes.
5. Staff interviewers have the right to ask a source when necessary to repeat a quote without the use of profane language.

C. REGARDING STAFF WRITING

1. All writing in the media, other than letters to the editor, will be written by students of the journalism program and will not be accepted otherwise.
2. SSHS students outside of the media staffs will have the opportunity to submit writing to the media.
3. Any writing submitted from an outside source for use will be accepted upon request of the editorial board or when open opportunities arise, and will be viewed by EIC's (Editor in Chief) and adviser for verification.
4. Any material submitted from an outside source can be edited by the editorial board and must comply with this policy.
5. Writing must be the original work of the writer and not previously published and any publication, unless otherwise specified by the adviser and EICs.

D. REGARDING EDITORIALS

1. All editorials printed will be bylined as: "on behalf of Editorial Staff" or in a similar manner.
2. Editorial ideas may be submitted to the editorial board by all members of the appropriate staff.
3. All printed editorial subject matter will be determined by the editorial board.
4. The media will not publish any material for which there is evidence that the author is using the paper for inappropriate personal gain.
5. The media will endeavor to provide a chance for comment on all sides of a critical issue in the same edition.
6. The editorial board, which consists of the staff's student editors, will determine the content, including all unsigned editorials. The views stated in editorials represent that of a majority of the editorial board. Signed columns or reviews represent only the opinion of the author.

E. REGARDING CONTROVERSIAL ISSUES

1. All coverage of controversial issues will occur upon a timely subject.
2. All sides of the issue will be presented and reviewed so as to refrain from any bias, with exception of opinions.
3. In news, all sides of a school, community, city, state, national, or international political issue will be presented factually so as to inform rather than promote or endorse.
4. The media will not publish material that is unnecessarily obscene, libelous, unwarranted invasive of privacy.

5. The media will not attack.
6. If question on the veracity of publication persists, the issue will be brought to the editorial board who must consider the following questions before publication of the piece:
 1. Why is it a concern?
 2. What is its journalistic purpose?
 3. Is the information accurate and complete?
 4. Are any important POV (Point of View) omitted?
 5. How would we feel if the story was about ourselves or someone we know?
 6. What are the consequences' of the publication?
 7. Is there a logical explanation to anyone who challenges issue?
 8. Is it worth risking our credibility?
 9. What are the alternatives?

F. REGARDING BYLINES

1. All articles, graphics, photos, art, columns, pages, reviews, and other material creatively conceived, with exception to staff editorials, mug shots and cut-outs will be bylined with the producer's name.
2. All bylined writers will be held accountable for their work.
3. When more than one person has contributed creatively to a piece of work, any person who has contributed to the work must be bylined as a producer.

G. REGARDING NEWS AND FEATURES

1. The media will specialize in and emphasize on informing their readers of school news and unique students of the South Salem High School community.
2. The media will cover community, state, national, and international news if it is directly relevant to the school community, and includes local angle.
3. The media will strive to provide coverage to all school organizations and functions.
4. When faced with the undesirable news such as student or staff or faculty crimes, the publications will endeavor to publish the facts correctly, explain the issue, and put a stop to any speculative stories that inevitably develop.
5. Major district issues and news will be priority over school news (these major issues will be decided by the editorial board).

H. REGARDING DEATHS

1. Any current student, staff member, faculty member or building administrator that dies during the year will be recognized in the school media.

2. The media will publish factual information (date of birth, date of death, survivors, organizations, hobbies, interests) in a 100-300 word obituary including one mug shot if possible in the Clypian and Clypian.com.
3. The school media will work to obtain permission from the deceased's family before publishing any information regarding the cause of death, if permission is not granted, the editorial board reserves the final say in publication of cause of death. **Suicide will not be listed as a cause of death.**
4. The school media will treat all deaths in a tasteful, respectful way.
5. An issue, or portion of an issue, should **not** be dedicated to or in memory of the deceased.
6. Any current student, staff member, faculty member, or building administrator that dies during the year will be recognized in the school yearbook.
7. The school yearbook will publish factual information (date of birth, date of death, survivors, organizations, hobbies and interests) and one 1" x 2" mug shot if possible in a 1/8 or 1/16 page space.

J. REGARDING ILLUSTRATIONS, PHOTOGRAPHS, GRAPHICS, ETC.

1. All cutline's will record the who and other necessary information in the photo.
2. All photographs must be captioned and bylined, with the exception of mugs and cutouts.
3. Bylines are required on all online photos and galleries.
4. Any photographs that contain any inappropriate attire or actions must be reshot.
5. Artwork represents the interpretations of the artist, not necessarily of the staff or SSSS.
6. The publications will not publish any photos, illustrations etc. that ridicule, demean, or misleadingly represent any individual or group.
7. Electronic manipulations changing the essential truth of the photo or illustration will be clearly labeled if used.
8. The use of the University of Oregon "Viewfinder Test" will be used as a guideline in a decision to post or not post a photo.

K. REGARDING ERRORS

1. Concerns about errors in the school media may be submitted through the adviser (school email), the phone number to the publication room is 503-399-5542, email is Clypian@gmail.com.
2. The editorial board retains the right to determine whether, in fact, an error has been made.
3. Known and or found errors that are brought to the attention of the school media will be addressed regardless if realized by author, audience, or staff member.

4. Staff members will strive to correct errors prior to publication; however, if the editorial board determines a significant error is printed, the editorial board will determine the manner and timeliness of a correction.
5. Major corrections are determined by the editors and adviser.
6. If changes are made to a web story once a story has been posted, the change will be noted along with the date and time the change was made.

L. REGARDING ADVERTISING

1. The publications will not accept advertising for products that are illegal for minors to purchase and/or use.
2. Students not of legal age whose photographs appear in an advertisement of the publications are required to sign a model release form, as well as their legal guardian.
3. The publications will not run advertising without a proper signature on the advertising contract which explains terms of payment, content, size, publishing dates, includes attached layout which explains the terms of payment, content, and size.
4. The publications will not accept personal or classified advertising.
5. All ads need to be approved by editorial board; any ad not deemed appropriate by board will not run.
6. The publications will cease to publish advertising of any advertiser that does not meet payment obligations specified in school contact.
7. All advertisers will receive a complimentary subscription of the Clypian in which their ad has run, or Sword and Shield if advertisers purchase the price designated by the contract and opt to receive a yearbook.
8. If a published advertisement is incorrect in substantive content, a reduced price or corrected run will be negotiated.
9. If a predetermined amount is spent on print advertising, a complimentary online ad may be given to the advertiser.
10. Web ads appear in a specified section of the website and randomly rotate through the area each time the page is refreshed.
11. Advertisers who specifically purchase web ads, as opposed to being given the complimentary one, will have their ad appear more frequently in the designated area.
12. Advertising that appears in the media is not necessarily endorsed by the media or its staff members, editorial board or adviser.

M. REGARDING DISTRIBUTION AND CIRCULATION

1. The paper will begin at no less than 8 pages in tabloid format unless it is a special edition. The number of pages can however be altered if need be under the decision of the adviser and/or editorial board.
2. Daily updates will be made to the website throughout the week during the school year. While less frequent, updates will be made to the site during breaks.

3. The school newspaper will be distributed free of charge to all students according to a distribution schedule approved by the adviser and editors. Newspapers will be distributed every 3-6 weeks, unless specified otherwise by the adviser and editorial board.
4. Current copies of the school newspaper will also be displayed in the library, main office, guidance office and in room 11.
5. Advertising revenues and fundraising are to be used to pay for the school media printing costs, supplies and other media expenses.
6. All budget surpluses are to be used for future production of the school media.
7. The paper will be distributed during the news production class.
8. The school newspaper will accept subscriptions for the price of \$15 for the entire year.
9. Total press run each issue is approximately 1600 unless specified otherwise by adviser or editorial board.
10. Exchange publications are received and displayed in journalism classroom.
11. Exchange publications are mailed to other media rooms across the US when applicable.
12. The school yearbook will come out during the end of the school year, unless specified otherwise by the adviser and editorial board.
13. The school yearbook will be sold for a predetermined price from registration until January 1. Price will then increase after that date. Extra copies of the book will be sold for \$75 at registration on a first-come, first-served basis. This may change as seen necessary by the EIC and adviser.
14. Prices and dates may change as deemed necessary by the adviser.
15. Total press run each issue of the yearbook is approximately 800.

N. INDIVIDUAL PORTRAIT POLICY

1. Senior portraits may be taken by a company of their choice.
2. All senior portraits must arrive to the yearbook staff by the posted date given to the yearbook staff by the senior portrait photographer.
3. Any senior who fails to get their yearbook portrait taken and delivered on time, may not be pictured in the yearbook senior section. Seniors must meet all deadlines in order to be included in the yearbook.
4. Portraits provided by the school photographer will be used for students in grades twelve and for the faculty members. Because of plant deadlines and the possibility of students missing portrait day, the yearbook staff is not responsible for unavailable portraits of students.
5. The section/grade placement of student portraits will be determined by the student's first semester status.
6. Grade designations will only be changed with written permission by student, student's parent, and a member of the administration.

7. Photo omissions will only occur for students or faculty with written permission by the student and a member of the administration.
8. Editorial board reserves the right to review or omit questionable or inappropriate portraits.
9. Names in mugs section will appear as supplied by the student during portrait day unless otherwise requested.
10. Portraits will consist of one individual only. No other persons or props are permitted. Proper publicized size and regulations will also be adhered in senior pictures.

O. GROUP PORTRAIT POLICY

1. Any groups with school sponsors are eligible to take a group photo for the yearbook.
2. Yearbook will cover school sponsored; board approved, and established clubs/sports. All other sports or clubs will be reviewed by the editorial board.
3. Editorial board reserves the right to review or omit questionable or inappropriate portraits.
4. Portraits will consist of group members and sponsors only. Props are not permitted without prior approval.
5. Face painting in group portraits is not permitted.

P. REGARDING LETTERS TO THE EDITOR AND ONLINE COMMENTS

1. Letters to editor will be printed in the opinion section of the newspaper or on the website.
2. Guidelines to write letters to the editor will be printed every issue in the opinion section of the paper and available online at Clypian.com.
3. Letters to the editor may be submitted to the adviser's mailbox, room 11 or emailed at this address: Clypian@gmail.com.com.
4. Letters to editor should not exceed 200 words, must be signed and must include writers address and phone number for verification.
5. Letters to the editor will be verified by a member of the editorial board to determine the authenticity of the writer.
6. No material will be printed where content is obscene, invasive of others' privacy, encouraging physical disruption of school activities, and/or implies libel.
7. The SSHS Media editorial board reserves the right to withhold a letter or column or other submission and/OR return it for revision if it contains unprotected speech or grammatical errors that could hamper its meaning. Deadlines for letters and columns will be determined by each year's student staff, allowing sufficient time for verification of authorship prior to publication.
8. The Clypian will only publish one letter, per author, per issue.

9. All letters to the editor become the property of the school newspaper upon receipt and will not be returned to the author.
10. Online comments will require a name and email address submitted that are verifiable.
11. Personal attacks are not allowed.

Q. REGARDING REVIEWS

1. The reviewer must have experience in the area in which they are reviewing.
2. All reviews will be bylined and all reviews will be expressed opinions of authors, the editorial board and newspaper staff does not express opinions on the subject matter.
3. All reviews will be to evaluate and inform, not to promote.
4. Evaluative criteria used will be determined by editorial board depending on whether the event or item being reviewed is professional or amateur in nature.
5. Review ideas may be submitted to the editorial board by all members of the SSHS media.
6. All reviews must first be reviewed by the opinions editor prior to publishing.
7. All reviews need to be reviewed and printed in a current and timely manner.

R. SOCIAL MEDIA

1. Social media will be used to promote SSHS media, to promote published content and to engage the SSHS community.
2. The editorial board reserves the right to remove comments that violate any provisions hitherto outlined by this policy.
3. Information posted on social media platforms should be held to the same standard as all other reporting in terms of information gathering and fact checking.
4. The official social media accounts should avoid promotion of events and remain objective, reporting what is fact. Reporters using personal social media to cover events should do the same.
5. Information gained through social media channels should be verified through multiple channels before passing it along to others.
6. Audience engagement through social media should be done in a professional manner.
7. Staff members using applications to post updates to social media accounts should have separate applications for their personal account and for the school media accounts. This will limit the chance of a post being sent from the wrong account.

8. Transparency is important. Mistakes made on social media posts should be corrected as soon as possible and any deleted posts should be acknowledged in subsequent postings.

S. PUBLICITY

1. The goal of the media marketing is to promote and expand the media viewing audience.
2. The publicity team will work with all aspects of the media.
3. Contests are run by members of the SSHS media staff and regulated by the EICs.
4. Every contest must have its own set of rules which will be posted in a place visible to the student body and contest participants.
5. All contest rules will be posted online.
6. All contest rules are to be tailored and agreed upon by the editorial board before start of contest.
7. Members of media staffs will not be allowed to enter or win contests put on by SSHS media.
8. Ad trade-outs are regulated by the Business Manager and adviser.
9. The EIC's will work with the web team to promote the publication through outside sources such as Facebook or Twitter.

T. PRIOR REVIEW POLICY

1. Sources will be able to have quotes read back at the time of interview or at reporter's initiative.
2. Sources will not be able to arbitrarily demand to read the reporters completed story and then perform editing tasks on that story.
3. The reporters will always endeavor to include the name and identity of all sources.
4. All media interviewers will respect the interviewees rights to have information remain "off the record" if the fact is known before giving the information to the interviewer.
5. The media will not be reviewed by anyone outside of the editorial board aside from the adviser prior to its release to the public, the adviser is allowed to review the publication, but not required to, for the sole purpose of acting as legal consultant and educator in terms of unprotected speech; the adviser reading content is not considered prior review unless he/she makes changes or directs changes.

U. STUDENT & STAFF PUBLICATION POLICY

1. All students and staff of South Salem High School are eligible for publication in the SSHS student media.
2. Any student or staff member wishing to 'opt out' of being published in the student media needs to fill out the appropriate 'opt out' form with the

guidance office and alert the student media adviser of plans to 'opt out.' All efforts will be made to accommodate the request.

3. All efforts will be made to keep students and staff who have 'opted out' of coverage from publication in the SSHS Media; however, if a student must be covered the SSHS media will cover as deemed necessary.

VI: STAFF POLICY FOR SELECTION AND DISMISSAL

A. EDITOR AND STAFF SELECTION PROCESS

1. Editor in chief(s) and other editor level positions are chosen by faculty adviser, with input previous year's editorial board.
2. New and returning staffs are judged by application, previous work, potential and prerequisite class work.
3. Applicants are not turned down because of age, race, sex, and religion, mental or physical handicap that do not impair editorial responsibilities.
4. Staff applications are due in March of each year prior to registration.
5. The staff and editors are selected prior to registration each April. The adviser reserves the right to make changes to the list as he/she deems necessary after the registration deadline.
6. Editor titles and positions are not named until after all media have finalized publication for the previous year.

B. REGARDING STAFF DISMISSAL

1. All individuals involved with SSHS media are considered a team, each member is expected to complete all assigned stories, pages, photos, etc. on or before the assigned deadline. Staff members, including editors, may be dismissed from their positions and/or the publications staff itself if any of following violations occur:
 1. continuously missed deadlines (dismissal procedures will take place by choice of adviser and EICs)
 2. Plagiarism
 3. Quote falsification
 4. Vandalism or theft of publication equipment
 5. Continuous negative or pessimistic attitude toward staff member or adviser
 6. Submitting an advanced page design, story, photo or other publishable item to anyone outside the media staff without approval by the editorial board
 7. Two suspensions in one academic year
 8. Failing to fulfill job as outlined in job description
2. Major infractions will result in immediate dismissal from staff duties and dismissal from class and staff at the end of semester (major infractions include but are not limited to following: plagiarism, vandalism, theft).

3. Minor infractions will be given a written warning for the first one. The second one is immediate dismissal from staff duties and dismissal from class and staff at end of semester.
4. Warnings will be written and signed by the adviser and editor-in-chiefs, as well as staff member in question.
5. An editor will be stripped of his her title if suspended.
6. First misdemeanor or arrest will result in the loss of editor's title, and second will result in dismissal from staff.
7. Each member of the editorial board and adviser will attend a meeting with potentially dismissed student to discuss the issue, adviser will make final decision.
8. The academic nature of the school newspaper class allows removal of editors or staff members when school and or established media policy is violated.
9. The above list infractions could all result in dismissal however, staff dismissals are not limited to the listed infractions.
10. A dismissed staff member receiving academic credit may be given a grade of F and will not be allowed to register for any other journalism courses (will not preempt school policy).
11. Dismissal procedures are reviewed and approved by the editorial board
12. The dismissed staff member may appeal their dismissal in writing to the editorial board within three school days following dismissal
13. All dismissal appeals will be directed to the building principal and the editorial board

VII. QUERIES

1. Questions or complaints concerning material published in the media should be made in writing to the editor in chief(s) who will present the concern at the next scheduled editorial board meeting.
2. Complaints and suggestions may be emailed to clypian@gmail.com or dropped off in room 11.
3. Resolutions will be made within limits of deadlines.

VIII. PROFESSIONAL AFFILITAITON

1. The SSHS media should be a member of state, national, and/or international organizations.
2. The SSHS media will work to be in contact with professional media such as the Statesman Journal, KBZY Radio and CCTV as well as other individuals and companies in the communications field ranging from public relations and advertising to promotions and copy writing.

IV. BIDDING

1. Bidding is handled every five years by the Salem Keizer School District.

2. Adviser will be present for as many bid meetings as possible to give input on the need of SSSH media.
3. The appropriate media staff and adviser are responsible for choosing publisher.
4. While cost is important, it is not the sole deciding factor in selecting a publisher.

X. Oregon Student Free Expression Law (Public Secondary Schools)

Citation: *Ore. Rev. Stat. sec. 336.477 (2007)*

July 1, 2007

Summary:

In addition to the First Amendment to the U.S. Constitution, states can provide additional free speech protection their own citizens by enacting state laws or regulations. The Oregon Student Free Expression Law is such a provision and provides student journalists attending Oregon public high schools with added protection against administrative censorship. (Ore. Rev. Stat. sec. 351.649 provides similar protection to the state's public college and university student media.)

AN ACT Relating to student journalists; and declaring an emergency.

Whereas the Legislative Assembly finds that freedom of expression and freedom of the press are fundamental principles in our democratic society granted to every citizen of the nation by the First Amendment to the United States Constitution and to every resident of this state by section 8, Article I of the Oregon Constitution; and

Whereas these freedoms provide all citizens, including students, with the right to engage in robust and uninhibited discussion of issues; and

Whereas the Legislative Assembly intends to ensure free speech and free press protections for both high school students and students at institutions of higher education in this state in order to encourage students to become educated, informed and responsible members of society; now, therefore,

Be It Enacted by the People of the State of Oregon:

336.477 Rights; student expression; civil action.

(1) For the purposes of this section:

(a) "School-sponsored media" means materials that are prepared, substantially written, published or broadcast by student journalists, that are distributed or generally made available, either free of charge or for a fee, to members of the student body and that are prepared under the direction of a student media adviser. "School-sponsored media" does not include media intended for distribution or transmission solely in the classrooms in which they are produced.

(b) "Student journalist" means a public high school student who gathers,

compiles, writes, edits, photographs, records or prepares information for dissemination in school-sponsored media.

(c) "Student media adviser" means a person who is employed, appointed or designated by the school district to supervise, or provide instruction relating to, school-sponsored media.

(2) Except as provided in subsection (4) of this section, student journalists have the right to exercise freedom of speech and of the press in school-sponsored media, whether or not the media are supported financially by the school or by use of school facilities or are produced in conjunction with a high school class.

(3) Student journalists are responsible for determining the news, opinion and feature content of school-sponsored media subject to the limitations of subsection (4) of this section. This subsection does not prevent a student media adviser from teaching professional standards of English and journalism to the student journalists.

(4) Nothing in this section may be interpreted to authorize expression by students that:

- (a) Is libelous or slanderous;
- (b) Constitutes an unwarranted invasion of privacy;
- (c) Violates federal or state statutes, rules or regulations or state common law;

or

(d) So incites students as to create a clear and present danger of:

(A) The commission of unlawful acts on or off school premises; (B) The violation of school policies; or (C) The material and substantial disruption of the orderly operation of the school. A school official must base a forecast of material and substantial disruption on specific facts, including past experience in the school and current events influencing student behavior, and not on undifferentiated fear or apprehension.

(5) Any student, individually or through the student's parent or guardian, enrolled in a public high school may commence a civil action to obtain damages under this subsection and appropriate injunctive or declaratory relief as determined by a court for a violation of subsection (2) of this section, the First Amendment to the United States Constitution or section 8, Article I of the Oregon Constitution. Upon a motion, a court may award \$100 in damages and injunctive and declaratory relief to a prevailing plaintiff in a civil action brought under this subsection.

(6) Each school district that includes a public high school shall adopt a written student freedom of expression policy in accordance with this section. The policy shall include reasonable provisions for the time, place and manner of student expression.

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