



STUDENTS: Students' Responsibilities and Rights

School-Sponsored Media/Student Journalists

I. Purpose

To implement Board of Education of Baltimore County (Board) Policy 5610 by establishing guidelines for school-sponsored media and freedom of expression by student journalists in Baltimore County Public Schools (BCPS).

II. Definitions

A. *Libel* – A defamatory statement expressed by print, writing, pictures, sign or electronic broadcast. The act of making a defamatory statement; publication of defamatory matter by written or printed words, by its embodiment in physical form; or by any other form of communication that is injurious to the reputation of another or exposes him/her to public hatred, contempt or ridicule.

B. *Obscene* – Objectionable or offensive to accepted standards of decency. Material is obscene when:

1. The average adult applying contemporary community standards would find that the material, taken as a whole, appeals to the prurient interest;
2. The material depicts or describes sexual conduct, including intimate sexual acts, excretory functions, or lewd exhibitions, in a manner that is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material;
3. The material consists of an obscene picture of a nude or partially nude figure; or
4. The material, taken as a whole, lacks serious artistic, educational, literary, political or scientific value.

C. *Profanity* – Vulgar, irreverent or contemptuous language.

D. *School-Sponsored Media* –

1. Includes any material that is:

- a. Prepared, written, published or broadcast by a student journalist;
 - b. Distributed or generally made available to members of the student body; and
 - c. Prepared under the direction of a student media advisor.
2. Does not include material that is intended for distribution or transmission solely in the classroom in which the material is produced.

- E. *Slander* – A false oral statement that damages a person’s reputation.
- F. *Student Journalist* – A Baltimore County Public School (BCPS) student who gathers, compiles, writes, edits, photographs, records or prepares information for dissemination in school-sponsored media.
- G. *Student Media Advisor* – An individual employed, appointed or designated by the Board, BCPS or the principal to supervise or provide instruction relating to school-sponsored media.

III. School-Sponsored Media

- A. Under the supervision of a student media advisor, a student journalist is responsible for determining the news, opinion, feature and advertising content of school-sponsored media.
- B. School-sponsored media includes, but is not limited to:
1. School-sponsored publications, such as school newspapers, yearbooks, literary magazines or similar publications, including electronically published documents and web-based programs.
 2. School-sponsored productions, such as videos, broadcasts or recordings, including electronic productions.
- C. Any school-sponsored media which is deemed as follows shall not be published and distributed:
1. Is libelous or slanderous;
 2. Constitutes an unwarranted invasion of privacy;
 3. Violates federal or state law;

4. Incites students to create a clear and present danger of the commission of an unlawful act, the violation of Board policies or the material and substantial disruption of the orderly operation of the institution; or
 5. Is profane, vulgar, lewd, obscene or has the intent to harass, threaten or intimidate.
- D. The principal shall ensure that the guidelines and process by which a student may appeal a decision related to school-sponsored media outlined in this rule has been communicated to students.

IV. Prior Restraint

- A. Except as provided in paragraph III(C), neither the principal nor the student media advisor may exercise prior restraint over school-sponsored media.
- B. The principal shall have emergency powers to prohibit distribution where dissemination of any student media would present a potentially dangerous or disruptive situation in the school.
- C. The principal shall have the burden of proving justification without undue delay before exercising an action of prior restraint.

V. Student Media Advisor

- A. A student media advisor is charged with:
 1. Teaching the professional standards of English and journalism to student journalists;
 2. Providing necessary guidance and direction in editing, formatting, layout, content, professionalism and the provisions of this rule;
 3. Providing necessary guidance and direction to student journalists in the development of sound practices that conform to accepted professional standards and ethics in the creation of publications and productions.
- B. A student media advisor may not influence a student journalist to promote an official position of the Board or of an individual school.

VI. Guidelines

- A. School-sponsored media is encouraged as important aspects of the learning experience.
- B. Related instruction and direction shall promote sound practices that conform to accepted professional standards and ethics in the creation of school-sponsored media.
- C. A student journalist may not be disciplined for expressing freedom of expression, including viewpoints, which are controversial, unpopular, or critical of faculty, administrators or school policies shall not be disciplined based solely on their viewpoint.
- D. Every student interested in participating in school-sponsored media shall be considered.
- E. Students will not be pressured or coerced to take or read school-sponsored media.
- F. Advertisements may be published in school-sponsored publications subject to established school procedures.
- G. School-sponsored media linked to or included as part of any school or school-system Web site shall comply with Board Policy and Superintendent's Rule 6202, *Technology Acceptable Use Policy (TAUP) Students*.
- H. Activities not permitted on school premises should not be condoned by school media. These activities are outlined in the student behavior code.

VII. Appeal Process

- A. A student who disagrees with a decision of a student media advisor regarding content school-sponsored media may appeal the decision.

- B. The student shall meet with the student media advisor to discuss the decision and request reconsideration. The advisor shall discuss the student's perspective with the principal or his/her designee and provide a written response to the student within five school days from the initial meeting.
- C. If the student media advisor does not provide a written decision within five school days or if the student is dissatisfied with the decision of the advisor, the student may appeal in writing to the principal within five school days of when that decision was provided or should have been provided.
- D. The principal or his/her designee shall meet with the student within five school days of receipt of the written appeal. The principal shall have five school days after meeting with the student to render a written decision.
- E. If the principal does not provide a written decision within five school days of meeting with the student, or the student is dissatisfied with the decision of the principal/designee, the student may appeal in writing to the appropriate community superintendent within five school days.
- F. The community superintendent will respond to the student appeal in writing within five school days of the receipt of the appeal. The decision of the community superintendent is final.

Legal References: U.S. Const. Amend. I
Md. Const., Art. 40
2016 MD. Laws, Chapt. 229 (SB 764), *to be codified as, Annotated Code of Maryland*, Education Article §7-121
Annotated Code of Maryland, Criminal Law Article, §11-203, *Sale or Display of Obscene Item to Minor*

Related Policies: Board of Education Policy 5550, *Disruptive Behavior*
Board of Education Policy 5600, *Students' Responsibilities and Rights*
Board of Education Policy 6202, *Technology Acceptable Use Policy (TAUP) for Students*

Related Rules: Superintendent's Rule 1120, *Copyright*
Superintendent's Rule 6202, *Technology Acceptable Use Policy*
(TAUP) for Students

Other: *Student Handbook*

Rule	Superintendent of Schools
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