

POLICY	BOARD OF EDUCATION OF FREDERICK COUNTY, MARYLAND	
SCHOOL-SPONSORED PUBLICATIONS AND MEDIA / STUDENT JOURNALISTS	POLICY 436	

The Board of Education (Board) recognizes and respects a student journalist’s constitutional rights of expression in school-sponsored media, understanding that such speech is not absolute but also adheres to protecting the right of others.

The Board supports the balance of those rights as determined by the U.S. Constitution, Supreme Court decisions and Maryland law.

A. Definitions

1. Libel - A defamatory statement expressed in a fixed medium, especially writing, but also a picture, sign or electronic broadcast. ¹
2. Obscenity – The characteristic or state of being morally abhorrent or socially taboo, especially as a result of referring to or depicting sexual or excretory functions. ²
3. Publication - A substantial dissemination of literature in any form made generally available to students, including any book, magazine, pamphlet, newspaper, yearbook, picture, photograph, drawing, or any other written or printed or unusual representation, however produced.
4. School-sponsored media means any material that is:
 - Prepared, written, published or broadcast by a Frederick County Public Schools (FCPS) student journalist;
 - Distributed or generally made available to members of the student body; and
 - Prepared under the direction of a student media advisor.

School-sponsored media does not include material that is intended for distribution or transmission solely in the classroom in which the material is produced.

5. Slander - A defamatory assertion expressed in a transitory form, especially speech. ³

Legal Reference	First Amendment, <i>U.S. Constitution</i>		
	New Voices Maryland Act (SB 764)		
	§7-121, Education Article, <i>Annotated Code of Maryland</i>		
	§15-119, Education Article, <i>Annotated Code of Maryland</i>		
Policy History	Reviewed: 2016	Adopted: 1/28/86	Revised: 9/21/16

¹ *Black’s Law Dictionary, Eighth Edition*; Garner, B. (editor in chief); Thomson-West Publishing (2004)

² *Black’s Law Dictionary, Eighth Edition*; Garner, B. (editor in chief); Thomson-West Publishing (2004)

³ *Black’s Law Dictionary, Eighth Edition*; Garner, B. (editor in chief); Thomson-West Publishing (2004)

6. Student journalist - A Frederick County Public Schools (FCPS) student who is responsible for gathering, compiling, writing, editing, photographing, recording or preparing information for dissemination in school-sponsored media and may not be disciplined for acting in accordance with provisions under this policy or Maryland law.
7. Student media advisor - An individual employed, appointed or designated by the Board of Education of Frederick County (Board), FCPS or the school principal to supervise or provide instruction relating to school-sponsored media. A student media advisor may not be suspended, or retaliated against for acting to protect the rights of a student journalist or refusing to infringe on First Amendment protection.

B. School-Sponsored Publications and School-Sponsored Media

1. Any school-sponsored publication or school-sponsored media which is deemed as follows, shall not be published or distributed:
 - Lewd, vulgar, obscene;
 - Libelous or slanderous;
 - Constitutes an unwarranted invasion of privacy or has the intent to harass, threaten or intimidate;
 - Violates federal or state law; or
 - Incites students to create a clear and present danger of the commission of an unlawful act, the violation of Board policies or FCPS regulations, or the material and substantial disruption of the orderly operation of the public school.
2. Principals shall make known to students system-wide guidelines for school-sponsored publications, as well as unsponsored student publications. Such information shall be included in the student handbook given to each student.
3. The school principal, or designee, in consultation with the teacher and appropriate curriculum specialist, will review publications that may be deemed in violation of standards as outlined in this policy and take action accordingly. Such decision may be appealed in accordance with Board Policy 105.
4. Nothing in this policy may be construed to prevent a student media advisor from teaching professional standards of English and journalism to student journalists.

C. A student media advisor is charged with teaching the professional standards of English and journalism to student journalists, and will review print materials characterized by accuracy, responsibility and integrity.

1. Accuracy
 - a. Exert maximum effort to print the truth in all statements and visuals.
 - b. Strive for completeness and objectivity in reporting.
 - c. Guard against carelessness, bias or distortion by either emphasis or omission.

2. Responsibility
 - a. Use mature and considered judgment in the public interest at all times.
 - b. Select, edit and display information on the basis of its significance and its genuine usefulness to the readership.
 - c. Edit information with candor and good taste and avoid an imbalance of sensational, preponderantly negative or merely trivial news.
 - d. Define sources of information and clearly tell the reader when competent sources cannot be identified.
 - e. Respect rights of privacy.
 3. Integrity
 - a. Deal unemotionally with controversial subjects and treat issues with impartiality in reporting.
 - b. Provide a forum for the exchange of pertinent comment and criticism.
 - c. Label editorial views or expressions of opinion.
 - d. Help to protect all rights and privileges guaranteed by law.
 4. A student media advisor may not use the advisor's position to influence a student journalist to promote or oppose an official position of the Board, FCPS or the individual school.
- D. Activities not permitted on school premises should not be condoned by school publications. These activities are stated under "Disciplinary Policies" in The FCPS Calendar Handbook.
- E. Guidelines to assist yearbook/newspaper advisors/staff will be developed and issued in accordance with criteria as established within this Board policy and Maryland law.