Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 28A.600
RCW to read as follows:

(1) Student editors of school-sponsored media are responsible for
determining the news, opinion, feature, and advertising content of
the media subject to the limitations of subsection (2) of this
section. This subsection does not prevent a student media adviser
from teaching professional standards of English and journalism to the
student journalists. A student media adviser may not be terminated,
transferred, removed, or otherwise disciplined for complying with
this section.

(2) School officials may only prohibit student expression that:
(a) Is libelous or slanderous;
(b) Is an unwarranted invasion of privacy;
(c) Violates federal or state laws, rules, or regulations;
(d) Incites students to violate federal or state laws, rules, or
regulations;
(e) Violates school district policy or procedure related to
harassment, intimidation, or bullying pursuant to RCW 28A.300.285 or
the prohibition on discrimination pursuant to RCW 28A.642.010;
(f) Inciting of students so as to create a clear and present
danger of:
(i) The commission of unlawful acts on school premises;
(ii) The violation of lawful school district policy or procedure;
or
(iii) 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; or
(g) Is in violation of the federal communications act or applicable federal communication commission rules or regulations.

(3) Political expression by students in school-sponsored media shall not be deemed the use of public funds for political purposes, for purposes of the prohibitions of RCW 42.17A.550.

(4) Any student, individually or through his or her parent or guardian, enrolled in a public high school may file an appeal of any alleged violation of subsection (1) of this section pursuant to chapter 28A.645 RCW.

(5) Expression made by students in school-sponsored media is not necessarily the expression of school policy. Neither a school official nor the governing board of the school or school district may be held responsible in any civil or criminal action for any expression made or published by students in school-sponsored media.

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

(7) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

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

(b) "Student journalist" means a 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 to supervise, or provide instruction relating to, school-sponsored media.

NEW SECTION. Sec. 2. A new section is added to chapter 28B.10 RCW to read as follows:

(1) Students at institutions of higher education 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 class. All school-sponsored media produced primarily by
students at an institution of higher education are public forums for
expression by the student journalists and student editors at the
particular institution. Student media, whether school-sponsored or
nonschool sponsored, are not subject to mandatory prior review by
school officials.

(2) Student editors of school-sponsored media are responsible for
determining the news, opinion, feature, and advertising content of
the media. This subsection does not prevent a student media adviser
from teaching professional standards of English and journalism to the
student journalists. A student media adviser may not be terminated,
transferred, removed, or otherwise disciplined for refusing to
suppress the protected free expression rights of student journalists.

(3) 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 the federal communications act or any rule or
regulation of the federal communications commission; or
(d) So incites students as to create a clear and present danger
of:

(i) The commission of unlawful acts on school premises;
(ii) The violation of lawful school regulations, policies, or
procedures; or
(iii) 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.

(4) Any student enrolled in an institution of higher education
may commence a civil action to obtain appropriate injunctive and
declaratory relief as determined by a court for a violation of
subsection (1) of this section by the institution of higher
education. Upon a motion, a court may award reasonable attorneys'
fees to a prevailing plaintiff in a civil action brought under this
section.

(5) Expression made by students in school-sponsored media is not
the expression of school policy. Neither a school official nor the
governing board of any institution of higher education may be held

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responsible in any civil or criminal action for any expression made
or published by students in school-sponsored media unless school
officials or the governing board have interfered with or altered the
content of the student expression.

(6) The definitions in this subsection apply throughout this
section unless the context clearly requires otherwise.

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

(b) "Student journalist" means a 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 to supervise, or provide
instruction relating to, school-sponsored media.

NEW SECTION. Sec. 3. If any provision of this act or its
application to any person or circumstance is held invalid, the
remainder of the act or the application of the provision to other
persons or circumstances is not affected."

Correct the title.

EFFECT: (1) For common schools:
(a) Allows for the restriction of expression that violates or
incites students to violate federal or state laws, rules, or
regulations.
(b) Allows for the restriction of expression that violates school
district policy or procedure related to harassment, intimidation,
bullying, or discrimination.
(c) Clarifies that any expression that violates the Federal
Communications Act is prohibited.
(2) For public institutions of higher education, provides that
expression that so incites students as to create a clear and present
danger of the violation of lawful school policies and procedures, in
addition to lawful school regulations, is prohibited.

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