A Bill

For An Act To Be Entitled

AN ACT TO AMEND THE ARKANSAS STUDENT PUBLICATIONS ACT; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE ARKANSAS STUDENT PUBLICATIONS ACT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code §§ 6-18-1202 — 6-18-1204 are amended to read as follows:

6-18-1202. Written policy.

Each school district board of directors shall adopt rules and regulations in the form of a written student publications media policy developed in conjunction with the student publication media advisors and the appropriate school administrators, consistent with the other provisions of this subchapter, which shall include reasonable provisions for the time, place, and manner of distributing student publications school-sponsored media.

6-18-1203. Students’ right of expression.

(a) Student media policies shall recognize that students may exercise their right of expression within the framework outlined in § 6-18-1202 guaranteed by the First Amendment to the Constitution of the United States.

(b)(1) This right includes expression in school-sponsored publications media, whether such publications are student media are supported financially...
by the school or by use of school facilities, or are produced in conjunction
with a class, except as provided in § 6-18-1204.

(2)(A) Expression made by a student journalist in student media
is not the expression of a school district’s policy.

(B) The following individuals shall not be held
responsible in any civil or criminal action for any expression made or
published by a student journalist in student media unless the individual
interfered with, altered, or made substantial decisions with respect to the
content of the student expression:

   (i) A public school district official; and
   (ii) A member of a public school district board of
directors.

6-18-1204. Prohibited publications.

Student publications policies shall recognize that truth, fairness,
accuracy, and responsibility are essential to the practice of journalism, and
that the following types of publications student media by students student
journalists are not authorized:

   (1) Publications Student media that are obscene as to minors, as
defined by state law;

   (2) Publications Student media that are libelous or slanderous,
as defined by state law;

   (3) Publications Student media that constitute an unwarranted
invasion of privacy, as defined by state law; or

   (4) Publications Student media that so incite students as to
create:

      (A) A clear and present danger of the commission of
unlawful acts on school premises;

      (B) The violation of lawful school regulations; or

      (C) The material and substantial disruption of the orderly
operation of the school.; and

   (5) Student media that harass, threaten, or intimidate a
student.

SECTION 2. Arkansas Code Title 6, Chapter 18, Subchapter 12, is
amended to add additional sections to read as follows:
6-18-1205. Definitions.

As used in this subchapter:

(1)(A) "Student media" means any means of communication that are:

(i) Prepared, substantially written, published, or broadcasted by a student;

(ii) Distributed or generally made available, either free of charge or for a fee, to members of the student body; and

(iii) Prepared under the direction of a student media advisor.

(B) "Student media" does not include media that is intended for distribution or transmission solely in the classroom in which it is produced;

(2) "Student journalist" means a student who gathers, writes, edits, photographs, records, video tapes, or prepares information for dissemination in student media; and

(3) "Student media advisor" means an individual who is employed, appointed, or designated by a public school district to supervise or provide instruction with respect to student media.

/s/J. Mayberry

APPROVED: 4/11/19