



Alisha McBride, Superintendent  
Vale School District  
403 E. Street West  
Vale, Oregon 97918  
SENT ELECTRONICALLY AND VIA USPS

September 8, 2023

Dear Superintendent McBride:

As organizations dedicated to the education and support of student journalists, we are reaching out to ensure Vale School District (VSD) officials are aware of and comfortable in their understanding of the state's student press freedom protection law, [ORS 336.477](#).

We were concerned by [recent reports](#) that district officials, believing the recent Vale High School yearbook to be "defamatory," overruled the students' editorial decisions with regard to the yearbook cover. The district may be violating the law, and we wish to ensure the protection of the students' rights moving forward. The Student Press Law Center has developed a guide for students, teachers and school administrators about Oregon's student press freedom law, known as the New Voices law, which you can review online at <https://splc.org/know-your-rights-oregon/>. We hope that you will share this guide with your administrators and students to ensure that no student is unlawfully censored in your district.

The Student Press Law Center (SPLC) is a non-partisan, non-profit organization that promotes, supports and defends the rights of student journalists and their advisers. As the nation's only organization dedicated solely to student media law, we are uniquely equipped to speak on these issues. The Journalism Education Association (JEA), with more than 2,000 teacher members, and its Scholastic Press Rights Committee support free and responsible scholastic journalism by providing resources and educational opportunities, by promoting professionalism, by encouraging and rewarding student excellence and teacher achievement, and by fostering an atmosphere which encompasses diversity yet builds unity.

The law is clear that student journalists determine the content of school-sponsored media except in narrowly defined circumstances, such as if the content is libelous or slanderous. However, libel and slander are both legal concepts and involve the publication of false statements that seriously harm a person's reputation. (The Student Press Law Center has a guide on this topic which may be helpful to the district; it can be accessed online at <https://splc.org/2001/06/libel-law/>.) Statements of opinion or hyperbole, for example, cannot be defamatory. While school officials may disagree with a student journalist's statements or feel they reflect poorly on the school, that alone does not constitute defamation. As of yet, we are aware of no evidence presented by VSD officials that the yearbook cover would constitute libel.

We would also be remiss if we did not note that the VSD freedom of expression policy — which is required by law — [does not comport with the New Voices law](#) and should be amended as swiftly as practicable. VSD's policy prohibits speech protected under state law, and it is

undoubtedly adding to the district's confusion about school officials' abilities to overrule the students' legal right to determine the content of student media. The Student Press Law Center has a model policy which would resolve this issue, available at <https://splc.org/2021/02/student-press-law-center-model-guidelines-for-high-school-student-media>.

We know that no VSD official intends to violate the law or the rights of student journalists. Both of our organizations stand ready to speak with you about these issues, as well as to help educate your district officials about the law and your students about their rights. Our contact information is below.

Please let us know how we can help as you rectify this situation. Thank you for your support of student journalism.

Sincerely,

Hillary Davis  
Advocacy and Organizing Director  
Student Press Law Center

Kristin Taylor  
Scholastic Press Rights Director  
Journalism Education Association

Cc: Chad Hartley, Vale High School Principal  
Sarah Trask, Vale High School yearbook adviser