**The Questions Before the U.S. Supreme Court:**

Student Handout

*Hazelwood*

Can school authorities control the free expression of ideas in the school newspaper?

Was the principal’s censorship reasonable or did the censorship violate the First Amendment?

**To Prepare for the Case...**

**Attorneys for the School District (Hazelwood):** Create arguments to convince the justices that the principal had a right to censor the newspaper and acted reasonably.

**Attorneys for the Students (Kuhlmeier):** Create arguments that the students’ First Amendment rights were violated by the principal removing their articles from the paper.

**Justices of the U.S. Supreme Court:** Create at least three questions to ask each side to help you determine whether the school violated the student’s right to free expression under the First Amendment.

**Rules for the Oral Argument**

1. Attorneys representing the school district (Hazelwood) appealed the case to the Supreme Court, they are *appellants*. They will present first.
2. Attorneys representing the students (Kuhlmeier) are responding to the appeal, they are *respondents*. They will present second.
3. Justices will ask questions of both sides during the arguments.
4. After hearing both sides, justices deliberate out loud. Attorneys listen but do not interrupt.

* Justices, deliberate by discussing the arguments you heard. Share with each other the most persuasive and least persuasive arguments you heard.
* Justices, provide reasons why you thought arguments were most persuasive or least persuasive.
* After deliberating, vote whether your court rules in favor of the school district or the students.

**The Arguments of the School District, Hazelwood (Appellants)**

Attorneys representing the school district argued the law did not violate the First Amendment. To support their position they argued:

1. The newspaper was part of the school curriculum, and the principal and school board are allowed and expected to control curriculum.
2. It is up to the teacher, principal, and school board to decide whether students’ articles run in the newspaper. Articles can be censored so long as it relates to reasonable academic concerns.
3. The principal acted reasonably when he removed two pages from the newspaper.

**The Arguments of the Students, Kuhlmeier (Respondents):**

Attorneys representing the students argued the law did violate the student’s First Amendment rights. To support their position they argued:

1. According to school policy, student publications will not restrict free expression…within the rules of responsible journalism and only speech that interferes with the educational environment or invades the rights of others can be prohibited.
2. The students had a constitutional right to express themselves in the paper.
3. The principal’s censorship was unreasonable.