

*Background Guide*

Supreme Court of the United States  
**Hazelwood v. Kuhlmeier**

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**JACKRABBIT MUN VIII**

L.B. POLY - MAY 23rd, 2026

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# CO-HEAD CHAIR LETTERS

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Hello Delegates!

My name is Aiden, and I am honored to be one of your co-chair's at Jackrabbit MUN VIII. I am a sophomore and this is my first year being a part of our Model UN program. So far, I have attended BruinMUN and CondorMUN. At both of these conferences, I have made great connections with fellow delegates and have learned so much through the lenses of others. I hope all of you can do the same this year at Jackrabbit.

Outside of MUN, I am the varsity captain of our water polo team and a part of the swim team. I also enjoy being outside, doing things like fishing and hiking. I hope you are all as excited as I am for this conference. If you have any questions or concerns, please reach out to me or my wonderful co-chair.

Sincerely,

Aiden Greenwood

SCOTUS: Hazelwood v. Kuhlmeier | Co-Head Chair

[aidengreenwood73@gmail.com](mailto:aidengreenwood73@gmail.com)



# CO-HEAD CHAIR LETTERS

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Hi Delegates!

My name is Gabby and I'm elated to be one of your co-chairs for SCOTUS! I'm currently a Junior in the PACE program and this is my third year in MUN, my first time running a SCOTUS room, and my third time chairing. I also have the honor of serving as Jackrabbit MUN's Under-Secretary General of Specialized Committees. I'm Co-Captain of the varsity girl's golf team as well as Co-Editor In Chief of the school's newspaper: *The High Life*. I enjoy volunteer work, coaching, playing in tournaments, and picking up new hobbies like nail art and braiding.

Through MUN I've met so many awesome people and I'm really looking forward to seeing delegates from previous conferences I've attended. My public speaking, social skills, and overall confidence have truly benefited from the program.

As I said earlier, I work for Poly's student publication, so the Hazelwood v. Kuhlmeier case piqued my interest the moment we started brainstorming committee ideas. I'm looking forward to all that you guys have to say and I'm excited to see pragmatic and thoughtful debate as SCOTUS unfolds! If you or a fellow delegate have questions about the conference, background guide, procedure, or position papers, please feel free to contact me or my phenomenal co-chair. See you are Jackrabbit MUN VIII!

Sincerely,

Gabby Gales

SCOTUS: Hazelwood v. Kuhlmeier | Co-Head Chair

[gabrielle.gales@gmail.com](mailto:gabrielle.gales@gmail.com)

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# POSITION PAPER GUIDELINES

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- Position Papers are due at 11:59 PM on **Sunday, May 17th**.
- Delegates **must** submit position papers to be eligible for **research AND committee awards**.
- Position Papers can be submitted through a Google form:
  - <https://forms.gle/H3ruhahP2SQUEPs38>
- At the top of each paper, include your character/country name, first and last name, school name, and appropriate committee. For example:

United States  
First Last  
School Name (**Full name no abbreviations please!**)  
SCOTUS
- Papers should be emailed as a PDF file if necessary
  - Paper content should also be copied and pasted into the body of the email so it can still be graded in the event of any technical difficulties
  - Please name the file and subject line of the email [Committee\_Country]
    - Ex. **SCOTUS\_United States**
- Papers should be 1-2 pages in length with an additional Works Cited page in MLA format
- Papers should be single-spaced in Times New Roman 12 pt. font and include no pictures or graphics
- Please include the following sections for each committee topic:
  - Background & Previous Court Cases with Legal Context
  - Position of your Character
  - Possible Solutions

If you have any questions or concerns, please email one of your chairs.



# TOPIC SYNOPSIS

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It was 1983 at Hazelwood East High School when student journalists Cathy Kuhlmeier, Leslie Smart, and Leanne Tippet, noticed articles missing from the newest publication of their school newspaper The Spectrum. Unbeknownst to the students, their principal, Robert Reynolds, had taken issue with two of the newspaper's segments, and removed them from the paper entirely. The first of these two segments included anonymous interviews with current students of Hazelwood who had faced or were facing the challenges of teen pregnancy. The second covered the effect of divorce on teens, again, with interviews. Principal Reynolds defended his position to his student journalists, noting the highly personal nature of the two articles and remarking that they were inappropriate for the students of Hazelwood. In response, the three students filed a lawsuit, labeling the actions of their principal as a violation of their 1st constitutional right to free speech and freedom of press.

Despite United States citizens being protected under the 1st Amendment, the laws surrounding school censorship were unclear. Although each student who was interviewed consented to having their interview in the newspaper, Principal Reynolds and the school district feared that they would have to deal with accusations of libel and slander from the divorced parents and the families of the pregnant students. Granted that The Spectrum was a student publication, it was not considered a public forum, raising debates on whether the paper was property of the school, or if each individual article published was property of the students who wrote it.

In this committee, delegates will be challenged with the opinions of educators, students, and the dissenting viewpoints of justices. Hazelwood v. Kuhlmeier is a test of not only student freedom, but the original rights our country was built upon.

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# COMMITTEE DESCRIPTION

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Although SCOTUS is a Specialized committee, many procedural expectations will remain the same, only the following details will differ from the average committee:

1. Committee will begin with a Round-Robin style Oral Argument from each delegate, the current set time for each argument is 1:30; you are NOT required to give a substantive speech containing solutions
2. Each delegate is expected to use legal terminology whenever possible. Please take the time to familiarize yourself with any terms that will assist you in getting your argument across in the best manner.
3. Instead of a Resolution Paper, each delegate will write an Opinion that will be presented as you would a Resolution. Delegates are allowed to be Sponsors on multiple Opinions but should ensure that any Opinion they choose to contribute too aligns with their character's viewpoint.
4. Even though this is a past court case, disregard the original real-life ruling. Whichever Opinion receives the most votes in favor will be deemed the Majority Opinion and will determine who wins the case
5. A template for an Opinion will be linked below and at the start of the committee we will go over the template as well as answer any other procedural questions that arise.

[☰ Delegate SCOTUS Opinion Template](#)

Please feel free to email our Dais or make a Point of Inquiry during the committee if you have any further questions!



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# BACKGROUND

## FACTS OF THE CASE

The case of *Hazelwood School District V. Kuhlmeier* originated at Hazelwood East High School in Missouri in 1983 and centered on the question of how much control school administrators have over student speech in school-sponsored publications. The dispute began with *The Spectrum*, the school's student newspaper, which was produced as part of the school's journalism class. Students were responsible for researching, writing, and editing the articles, while the journalism teacher, Howard Emerson, served as the faculty advisor for the publication. In preparation for *The Spectrum*'s May 1993 issue, student journalists prepared several articles addressing serious issues affecting students. Two of these stories later became the focus of the legal dispute. One article discussed the experiences of several students dealing with teen pregnancy, while another examined the emotional impact of divorce on students and their families. The students involved in writing these stories attempted to protect the identities of those interviewed by using pseudonyms. Before the issue was printed, the newspaper's page proofs were reviewed by Principal Robert Eugene Reynolds, who had the authority to approve school publications. Reynolds raised concerns about both articles, believing that the pregnancy story might indirectly reveal the identities of the students involved, potentially violating their privacy. He also worried that the article discussing divorce portrayed one of the

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student's fathers in a negative light, and that the parent was not given the opportunity to respond to the claims made in the article. Because the school year was nearly over and the newspaper was close to publication, Reynolds decided not to request revisions, but to instead order the removal of the two pages containing the articles from the newspaper entirely. As a result, the issue of *The Spectrum* was published without the stories against the student journalist's wishes.

Three journalism students; Cathy Kuhlmeier, Leslie Smart, and Leanne Tippett, filed a lawsuit against the Hazelwood School District. They argued that the principals decision to remove the articles violated their rights to freedom of speech under the First Amendment. The school district, supported by Superintendent Thomas Lawson, argued that the administrators had the authority to regulate school-sponsored publications to ensure they met educational and ethical standards. The case moved through the federal court system and a US District Court initially ruled in favor of the school district, stating that the newspaper was not a public forum and could therefore be regulated by school officials. However, the US Court of Appeals for the Eight Circuit reversed this decision, arguing that the student's First Amendment rights had been violated. The dispute was eventually appealed to the Supreme Court of the United States.

In 1988, the Supreme Court ruled in favor of the Hazelwood School District in a 5-3 decision. The majority opinion, written by William Rehnquist, held that school administrators may exercise editorial control over the content of student speech in school spaces, provided that their actions are reasonably related to legitimate educational concerns. Several justices, including William J. Brennan strongly dissented, arguing that the decision significantly weakened students' First Amendment protections.



## LEGAL CONTEXT

The main constitutional issue in this case concerns the interpretation of the First Amendment to the United States Constitution, which protects several fundamental civil liberties, including freedom of speech and freedom of the press. Ratified in 1791 as part of the United States Bill of Rights, the First Amendment states that “Congress shall make no law...abridging the freedom of speech, or of the press.” These protections were created to prevent governmental authorities from suppressing public criticism, political debate, and the exchange of ideas that are essential to democratic governance. Although the First Amendment originally limited only the federal government, its protections were later extended to state and local governments, including public schools under the “equal protection” clause. Because public schools are government institutions, their actions must therefore comply with constitutional protections such as the First Amendment. However, constitutional rights are not always applied in exactly the same way within schools as they are in other public spaces. The Supreme Court has long recognized that schools have a unique responsibility to maintain order and support the educational process. As a result, courts have attempted to balance students’ constitutional freedoms with the authority of school officials to regulate the learning environment. A key precedent shaping the balance was the famous case *Tinker v. Des Moines*, where the Supreme Court ruled that the student’s protest was protected by the First Amendment because it did not substantially disrupt school activities. The Court famously declared that students do not “shed their constitutional rights of freedom of speech or expression at the schoolhouse gate”. This decision established the “substantial disruption” test, meaning that schools may restrict the rights of others. The *Hazelwood* case required the Court to determine whether the *Tinker* standard should apply to all student



speech, including speech that occurs in school-sponsored activities. In this case, the student newspaper was produced as part of a journalism class using school resources and faculty. The Supreme Court therefore has to consider whether the newspaper constituted as a public forum for student expression or an extracurricular that represents the school itself.

The majority opinion, written by Justice Rehnquist, concluded that school-sponsored publications may be subject to greater regulation than independent student expression. The Court ruled that administrators may exercise editorial control over student speech in curricular activities as long as their decisions are reasonably related to legitimate pedagogical concerns, such as protecting student privacy, maintaining age-appropriate content, or ensuring journalistic accuracy.

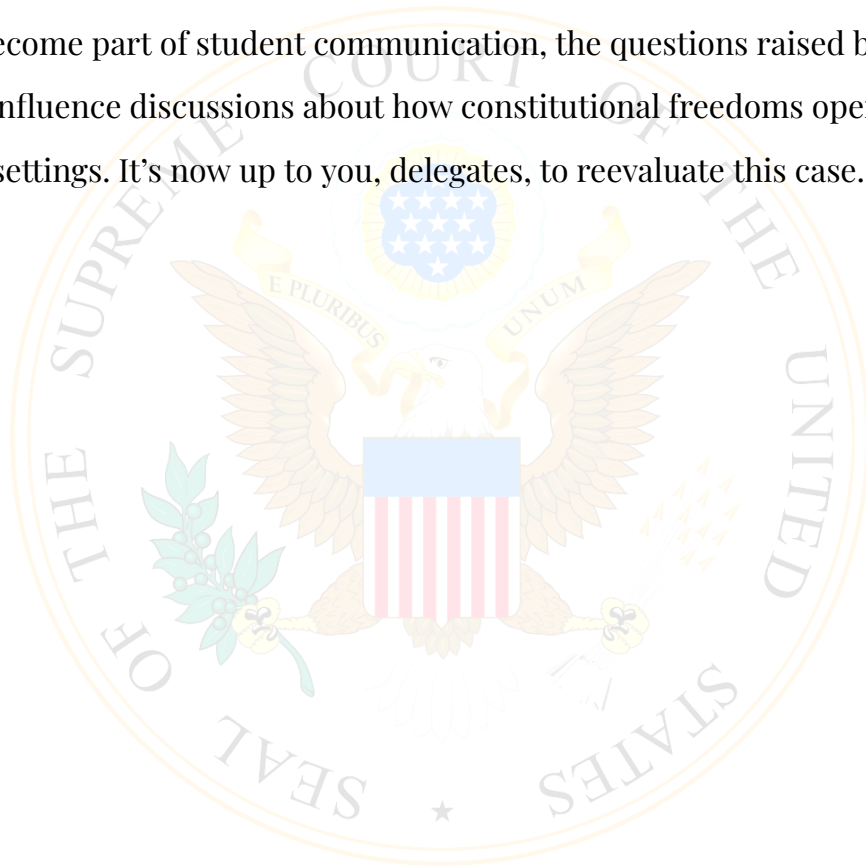
However, several justices strongly disagreed with this interpretation. In a dissenting opinion, Justice Brennan argued that the majority weakened the First Amendment by allowing school officials to censor speech simply because it addressed controversial or sensitive topics. Brennan maintained that the Constitution protects open discussion and critical inquiry, especially in educational settings where students are learning to participate in democracy.

## **IMPACT AND SIGNIFICANCE**

The ruling in *Hazelwood School District v. Kuhlmeier* had a lasting influence on the relationship between student expression and administrative authority in public schools. The Supreme Court determined that when a publication is produced as part of a class or school activity, school officials may review and limit its content if they believe it conflicts with instructional objectives or the responsibilities of educators. This decision gave school administrators broader discretion when overseeing



newspapers, yearbooks, and similar student media connected to coursework. The outcome of the case also sparked continuing debate about the appropriate limits of administrative oversight. Some educators view the decision as necessary for protecting students and maintaining responsible journalism within schools, while critics argue it allows officials to suppress discussion of difficult or controversial topics. In response to these concerns, several states have adopted laws intended to strengthen protections for student journalists. As new forms of media, such as online publications and social platforms, become part of student communication, the questions raised by Hazelwood continue to influence discussions about how constitutional freedoms operate within educational settings. It's now up to you, delegates, to reevaluate this case.



# PAST COURT CASES

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## 1. **West Virginia State Board of Education V. Barnette (1943) -**

West Virginia State Board of Education v. Barnette addressed whether public schools could compel students to participate in patriotic rituals. During World War II, the West Virginia State Board of Education required all public school students to salute the American flag and recite the Pledge of Allegiance. Students who refused faced expulsion and their families risked legal penalties for truancy. Members of Jehovah's Witnesses objected on religious grounds, believing such acts constituted forbidden worship of symbols. The case was brought on behalf of students including Walter Barnette and ultimately reached the Supreme Court of the United States. In a 6–3 decision, the Court ruled that forcing students to salute the flag violated the First Amendment's protections of free speech and religious freedom. Justice Robert Jackson's majority opinion declared that the government cannot compel individuals to express beliefs they do not hold. The ruling established the constitutional principle against compelled speech and became a cornerstone for later student free-expression cases.

## 2. **Tinker V. Des Moines (1969) -**

Tinker v. Des Moines Independent Community School District concerned student political protest and the extent of First Amendment protections in public schools. In 1965, students including Mary Beth Tinker, John Tinker, and Christopher Eckhardt wore black armbands to school to protest the Vietnam War. Anticipating

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controversy, the Des Moines Independent Community School District adopted a rule prohibiting armbands, and the students were suspended for violating it. The case reached the Supreme Court of the United States, which ruled 7–2 in favor of the students. The Court held that students retain constitutional rights in school, famously stating that students do not “shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.” The Court established the “substantial disruption” test, allowing schools to restrict student expression only when it materially interferes with school operations. This decision became the leading precedent protecting student political speech.

### 3. **Healy V. James (1972) -**

Healy v. James addressed freedom of association on college campuses and whether universities may deny recognition to controversial student groups. Students at Central Connecticut State College sought official recognition for a campus chapter of Students for a Democratic Society (SDS), a national antiwar student organization. College president James Healy refused recognition, citing concerns about potential disruption and the organization’s national reputation for activism. Without recognition, the group was denied access to campus facilities and funding. The Supreme Court of the United States unanimously ruled in favor of the students, holding that public colleges are bound by the First Amendment and may not deny recognition based solely on disagreement with a group’s ideas or fears of possible misconduct. The Court emphasized that restrictions must be based on actual disruptive behavior rather than speculation, strengthening constitutional protections for student political associations at public universities.



#### 4. **Papish V. Board of Curators of University of Missouri (1973) -**

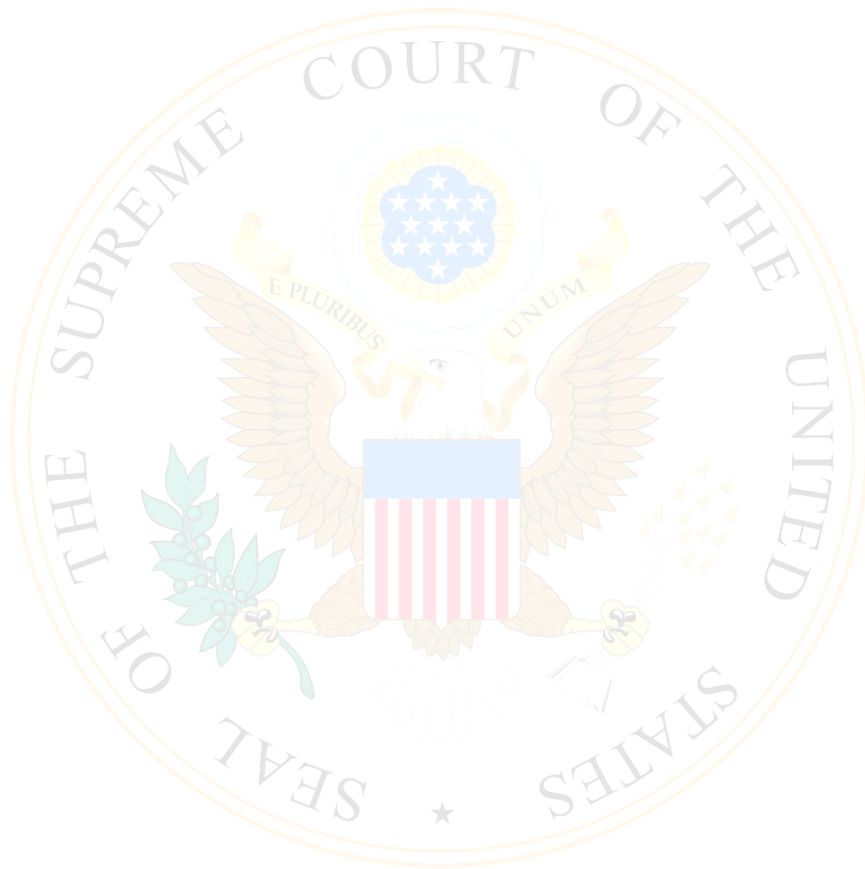
Papish v. Board of Curators of the University of Missouri examined whether public universities may punish students for distributing offensive but non-obscene speech. Graduate journalism student Barbara Papish distributed an underground newspaper on the campus of the University of Missouri containing a political cartoon criticizing law enforcement and a headline that included profanity. University officials expelled her for violating campus rules prohibiting “indecent conduct.” The case reached the Supreme Court of the United States, which ruled in a per curiam decision that the university’s actions violated the First Amendment. The Court held that public universities cannot suppress speech merely because it is offensive or vulgar, so long as it is not legally obscene or disruptive. The ruling reinforced the concept of universities as marketplaces of ideas and clarified that offensive expression remains constitutionally protected.

#### 5. **Bethel School District V. Fraser (1986) -**

Bethel School District v. Fraser addressed limits on student speech involving vulgar or sexually suggestive expression in schools. High school student Matthew Fraser delivered a speech nominating a fellow student for office at a school assembly within Bethel School District No. 403. The speech contained sexual innuendo and suggestive language, leading school administrators to suspend Fraser and remove him from eligibility to speak at graduation. Fraser argued that his punishment violated the First Amendment under the precedent established in Tinker V. Des Moines. However, the Supreme Court of the United States ruled 7-2 in favor of the school district, holding that schools may prohibit lewd, vulgar, or plainly offensive speech inconsistent with educational objectives. The Court distinguished political expression from



inappropriate speech and concluded that schools have authority to promote civility and appropriate conduct. This decision limited the scope of student speech protections recognized in earlier rulings.



# PROSECUTING *and* DEFENDING ARGUMENTS

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## **Prosecuting Argument -**

Argued that public schools have the authority to regulate school-sponsored student speech when it is part of an educational activity, such as a school newspaper produced in a journalism class. Administrators at Hazelwood East High School removed two pages of articles discussing teen pregnancy and divorce from the student newspaper because they believed the stories were inappropriate for younger students, insufficiently protective of student privacy, and not aligned with educational standards. The district maintained that the newspaper was not a public forum for unlimited student expression but rather a supervised learning tool bearing the school's official endorsement. Therefore, they argued, educators must be allowed editorial control to ensure content is consistent with legitimate pedagogical concerns. Allowing unrestricted publication, they claimed, would undermine schools' responsibility to teach professionalism, accuracy, and age-appropriate communication.

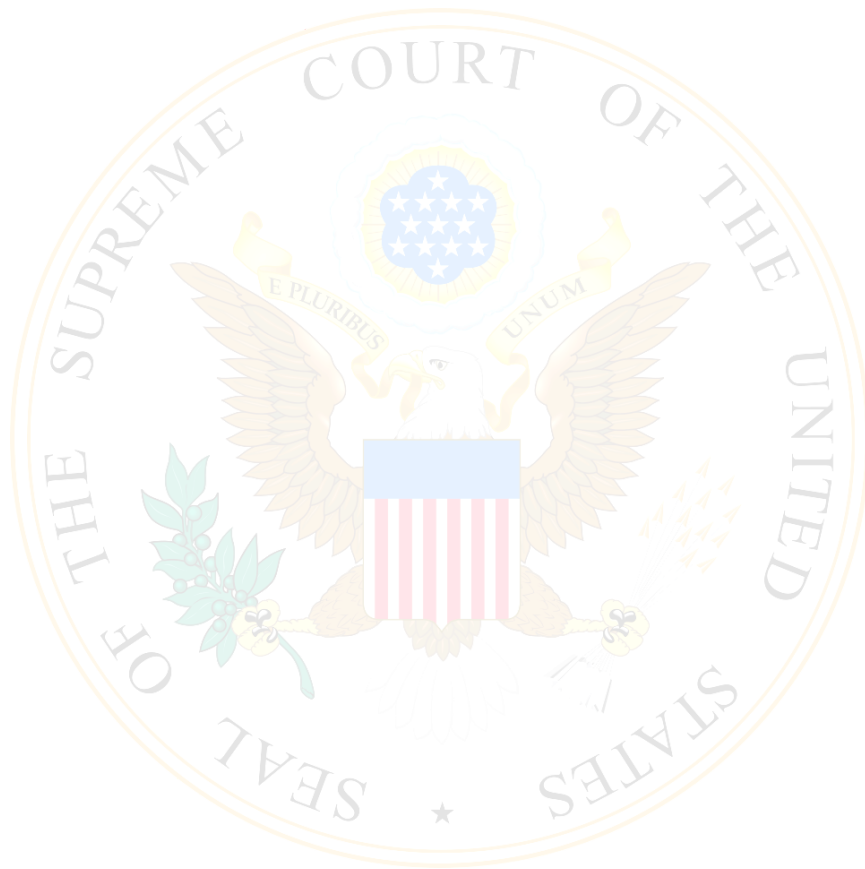
## **Defending Argument -**

Argued that removing the articles violated their First Amendment right to freedom of speech and press. They claimed the censorship was unjustified because the stories addressed real issues affecting students and were written responsibly as part of legitimate journalism. The students relied heavily on earlier student-speech precedents, arguing that schools cannot suppress expression simply because administrators dislike or feel uncomfortable with the topic. From their perspective, the newspaper functioned as a platform for student voices, not merely as school

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propaganda, and prior review by administrators created a chilling effect on student journalism. They contended that allowing censorship based on vague concerns about sensitivity or controversy weakened students' constitutional protections and discouraged open discussion of important social issues in an educational setting.



# CHARACTER DESCRIPTIONS

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## **Chief Justice William Rehnquist**

Served as Chief Justice of the U.S. Supreme Court and authored the majority opinion in *Hazelwood*. Rehnquist argued that public school administrators have the authority to regulate student speech in school-sponsored activities, including newspapers produced as part of a journalism class. He distinguished this case from *Tinker v. Des Moines Independent Community School District*, arguing that while students retain First Amendment rights, those rights may be limited in school-sponsored settings when educators have legitimate pedagogical concerns. His opinion emphasized the responsibility of schools to ensure that curricular activities reflect educational goals and appropriate standards.

## **Justice William J. Brennan**

Wrote the primary dissenting opinion in the case and strongly opposed the majority's ruling. Brennan argued that the decision gave school officials excessive power to censor student expression and undermined the principles established in *Tinker*. He believed the student newspaper represented a legitimate forum for student voices and discussion of important social issues. Brennan warned that allowing administrators to suppress controversial topics such as teen pregnancy and divorce would discourage critical thinking and meaningful student journalism.



### **Justice Byron R. White**

Joined the majority opinion supporting the Hazelwood School District. White agreed that because *The Spectrum* newspaper was produced as part of a journalism class and used school resources, it could reasonably be considered a school-sponsored activity. From this perspective, administrators had the authority to review and remove material they believed was inappropriate or inconsistent with educational objectives. His vote contributed to the 5–3 majority ruling in favor of the school district.

### **Justice Thurgood Marshall**

Joined Justice Brennan's dissenting opinion and strongly criticized the majority's reasoning. Marshall believed the decision significantly weakened students' First Amendment protections and gave school officials broad authority to suppress speech they disagreed with. He argued that student journalists should be encouraged to explore real-world issues and that censorship of responsible reporting undermined the educational value of student media.

### **Justice Harry A. Blackmun**

Also joined the dissenting opinion. Blackmun expressed concern that the majority decision allowed administrators to remove student content simply because it addressed controversial or sensitive topics. He believed that students participating in a journalism program should have meaningful opportunities to practice responsible reporting and editorial judgment, and that excessive administrative control could undermine the purpose of such educational activities.



### **Justice John Paul Stevens**

Was part of the dissenting minority as well. Stevens argued that the principal's actions constituted unnecessary censorship and that the students' articles were legitimate attempts to address serious issues affecting their peers. He maintained that students should be trusted to participate in open discussion and that school officials should not restrict speech simply because it may be uncomfortable or controversial.

### **Justice Sandra Day O'Connor**

Joined the majority opinion supporting the school district. O'Connor agreed that school administrators must have the ability to regulate school-sponsored student expression when necessary to maintain educational standards and ensure that material presented under the school's name reflects appropriate content. Her vote reinforced the majority's argument that curricular student activities may be subject to greater oversight than independent student speech.

### **Justice Antonin Scalia**

Joined the majority decision as well. Scalia supported the view that the First Amendment does not require schools to endorse or publish student speech that conflicts with educational objectives. Because the newspaper was produced as part of a class and used school resources, he agreed that administrators could regulate its content to ensure it aligned with the school's educational mission

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### **Principal Robert Eugene Reynolds**

Served as the principal of Hazelwood East High School in Missouri and played a central role in the controversy. Before the May 1983 issue of the school newspaper *The*



*Spectrum* was printed, Reynolds reviewed the layout and ordered two pages removed. These pages contained articles about teen pregnancy and the effects of divorce on students. Reynolds argued that the stories contained sensitive subject matter, could potentially reveal the identities of students discussed in the articles, and were inappropriate for younger readers. His decision to remove the pages led to the students' lawsuit against the school district.

### **Howard Emerson**

Was the journalism teacher at Hazelwood East High School and served as the faculty advisor for *The Spectrum*. Emerson supervised the student journalists but allowed them significant editorial responsibility as part of their learning experience. When Principal Reynolds removed the pages, Emerson supported the students' position that the articles were carefully reported and addressed important issues affecting the student body. His role illustrates the educational tension between encouraging student independence in journalism and administrative oversight of school-sponsored publications.

### **Cathy Kuhlmeier**

A student journalist and one of the primary plaintiffs in the lawsuit against the Hazelwood School District. As a staff member of *The Spectrum*, she believed the removal of the newspaper pages represented an unjustified restriction on student expression. Kuhlmeier argued that the articles were responsibly written and that student journalists should have the freedom to report on issues that directly affect their peers. Her involvement helped bring national attention to the question of students' First Amendment rights in schools.



### **Leslie Smart**

Served as one of the editors of *The Spectrum* and joined the legal challenge against the school district. Smart believed that the student newspaper functioned as a legitimate forum for student discussion and journalism. She argued that the principal's decision to remove entire pages of the publication undermined the students' ability to practice editorial judgment and limited the scope of topics students could responsibly address in their reporting.

### **Leanne Tippett**

Another student editor who was involved in the case. Tippett supported the argument that the newspaper's articles about teen pregnancy and divorce were important pieces of student journalism that reflected real issues affecting the school community. She maintained that censoring these articles limited students' ability to discuss complex topics and develop skills in investigative reporting and editorial decision-making.

### **Superintendent Thomas Lawson**

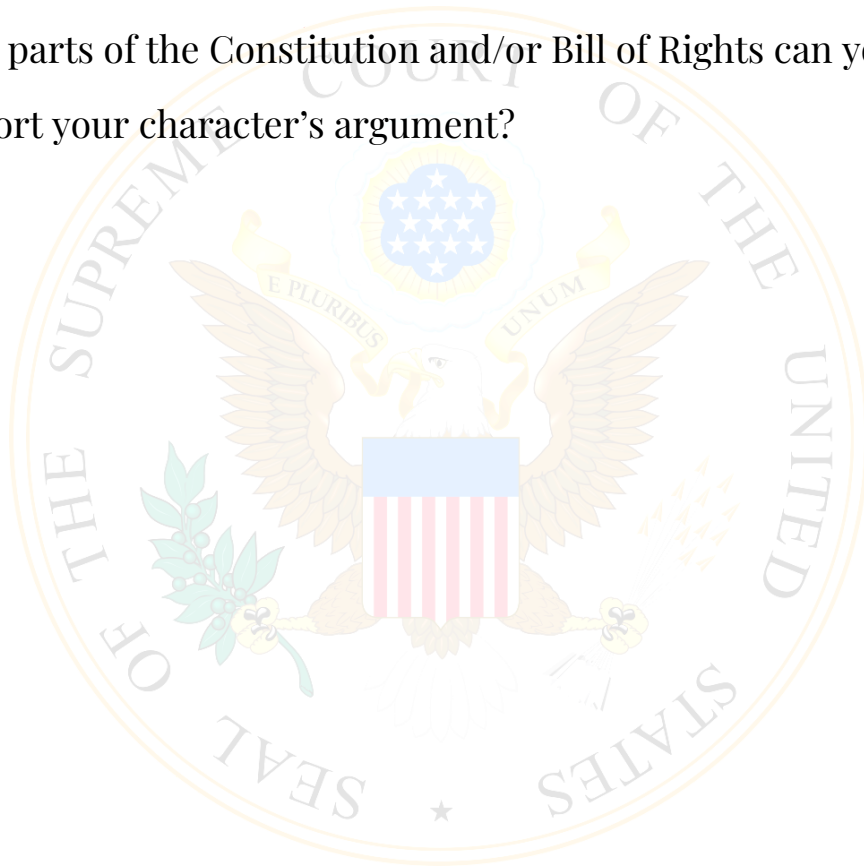
The superintendent of the Hazelwood School District during the dispute and represented the district's broader administrative position. Lawson supported Principal Reynolds' decision, arguing that school officials have the responsibility to ensure that school-sponsored publications are appropriate for the student audience and consistent with educational objectives. The district maintained that because *The Spectrum* was part of the school curriculum and used school resources, administrators had the authority to review and regulate its content.



# QUESTIONS TO CONSIDER

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1. How does your character connect to free speech laws?
2. Has your character participated or ruled on any similar cases?
3. If you are representing a character that isn't a Justice: has your character had any previous experiences with the law?
4. What parts of the Constitution and/or Bill of Rights can you use to support your character's argument?



# WORKS CITED

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