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Exclusive: Oregon Protects Free Speech
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 Source: The Family Security Foundation, Inc.
 Date: July 17, 2007



Just last week some very encouraging news came from Oregon, one of the most liberal states in the Union. FSM Contributing Editor Jason Rantz has an absorbing, detailed report on a highly significant legislative development guaranteeing students' freedom from ideological harassment.

Oregon Protects Free Speech

By Jason Rantz

The Student Press Law Center (SPLC) [reports](#) this week that the great hippie state of Oregon has joined the fight to protect students from free speech assaults by clueless, hypersensitive college and high school administrations. Oregon Governor Ted Kulongoski, a Democrat, signed [House Bill 3279](#) into law Friday the 13th (perhaps an ominous message to administrators interested in using ideology to punish students for engaging in constitutionally protected speech).

The vote was 16-14 in the state Senate and 29-16 in the House of Representatives.

According to the SPLC, [House Bill 3279](#) "will become the first state law that protects both high school and college student publications under a single statute and the first measure enacted since 1995 that protects the free press rights of high school students." The summary of the Bill applies the protections to "school-sponsored media" and further gives students or their guardians the right to file a civil cause of action against the college or high

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school.

The Bill provides a rightfully general definition of "student publications" by defining them as "materials that are prepared, substantially written, published or broadcast by student journalists, that are distributed or generally made available, either free of charge or for a fee, to members of the student body and that are prepared under the direction of a student media adviser." That means, not only are student magazines, newsletters and newspapers protected, but also radio broadcasts (an important distinction).

3279 is similar to the high school version of the so-called "[Leonard Law](#)" in California, which in pertinent part reads:

Any pupil enrolled in a school that has made or enforced any rule in violation of subdivision (a) may commence a civil action to obtain appropriate injunctive and declaratory relief as determined by the court. Upon motion, a court may award attorney's fees to a prevailing plaintiff in a civil action pursuant to this section.

The Leonard Law also applies to college students, but recently suffered a blow by the California Court of Appeals in the case *Antebi v. Occidental College*, where administrators can choose to expel a student, or punish that student for protected speech right before graduation, without any legal consequence.

Oregon made a terrific decision to sign this bill into law; students with conservative opinions, in that very liberal State, should let out a collective sigh of relief. Now they can write and broadcast controversial (by Oregon standards, of course) opinions of an ideologically conservative nature. Since Oregon schools (colleges, in particular) suffer from Draconian speech codes, this bill is a welcome one. (Check out the Foundation for Individual Rights in Education's terrific resource "[The Spotlight](#)," which grades college policies in every State. The two major Oregon colleges get [failing marks](#)).

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