



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4560

Introduced 1/21/2022, by Rep. Will Guzzardi and Daniel Didech

SYNOPSIS AS INTRODUCED:

105 ILCS 80/7 new
105 ILCS 80/13 new
105 ILCS 80/17 new

Amends the Speech Rights of Student Journalists Act. Requires each school board to adopt a written policy for the right of student journalists to exercise the freedoms of speech and the press in school-sponsored media. Sets forth specific requirements for the policy. Prohibits the dismissal, suspension, discipline, reassignment, or transfer of or other retaliation against a student media adviser for (i) refusing to infringe on conduct or (ii) acting to protect a student journalist engaged in conduct that is protected under the Act or the First Amendment to the United States Constitution. Sets forth provisions concerning injunctive and declaratory relief.

LRB102 23993 CMG 33199 b

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Speech Rights of Student Journalists Act is
5 amended by adding Sections 7, 13, and 17 as follows:

6 (105 ILCS 80/7 new)

7 Sec. 7. School policy. Each school board shall adopt a
8 written policy for the right of student journalists to
9 exercise the freedoms of speech and the press in
10 school-sponsored media in accordance with this Act. The policy
11 must include:

12 (1) reasonable provisions for the time, place, and
13 manner of distribution of student expression; and

14 (2) a provision allowing for the timely appeal within
15 the school district of decisions made pursuant to this
16 Act.

17 (105 ILCS 80/13 new)

18 Sec. 13. Adviser protection. A student media adviser may
19 not be dismissed, suspended, disciplined, reassigned,
20 transferred, or otherwise retaliated against for:

21 (1) refusing to infringe on conduct that is protected
22 under this Act or the First Amendment to the United States

1 Constitution; or
2 (2) acting to protect a student journalist engaged in
3 permissible conduct under this Act or the First Amendment
4 to the United States Constitution.

5 (105 ILCS 80/17 new)

6 Sec. 17. Injunctive and declaratory relief. Any student,
7 parent or guardian of a student, or student media adviser may
8 institute proceedings for injunctive or declaratory relief in
9 any court of competent jurisdiction to enforce the rights
10 provided in this Act. Nothing in this Section shall be
11 construed to create a private right of action on behalf of a
12 student other than to seek injunctive or declaratory relief
13 allowing the publication of the speech in question. A
14 prevailing plaintiff may be awarded reasonable attorney's fees
15 as the court may allow.