

**SENATE, No. 4757**

**STATE OF NEW JERSEY**  
**222nd LEGISLATURE**

INTRODUCED OCTOBER 5, 2026

**Sponsored by:**  
**Senator SHIRLEY K. TURNER**  
**District 15 (Hunterdon and Mercer)**

**SYNOPSIS**

Concerns speech rights of student journalists at nonpublic schools and independent institutions of higher education; prohibits prior administrative review of school-sponsored media at all schools and institutions of higher education.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning student freedom of expression, amending  
2 P.L.2021, c.309, and supplementing P.L.1994, c.48 (C.18A:3B-1  
3 et al.).

4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*

7

8 1. Section 1 of P.L.2021, c.309 (C.18A:36-44) is amended to  
9 read as follows:

10 1. a. Except as otherwise provided in section 2 of **[this act]**  
11 P.L.2021, c.309 (C.18A:36-45), a **[public school]** student shall  
12 have the right to exercise freedom of speech and of the press.

13 b. **[By the first full school year next following the date of**  
14 **enactment of this act, each school district]** The governing body of  
15 each public school and nonpublic school shall adopt a written  
16 policy concerning student freedom of expression in accordance with  
17 the provisions of section 2 of **[this act]** P.L.2021, c.309 (C.18A:36-  
18 45). The policy shall include reasonable provisions for the time,  
19 place, and manner of student expression. The policy may also  
20 include limitations on language that may be defined as profane,  
21 harassing, threatening, or intimidating.  
22 (cf: P.L.2021, c.309, s.1)

23

24 2. Section 2 of P.L.2021, c.309 (C.18A:36-45) is amended to  
25 read as follows:

26 2. a. As used in this section:

27 "School-sponsored media" means any material that is prepared,  
28 substantially written, published, or broadcast by a student journalist  
29 at a public school or nonpublic school, distributed or generally  
30 made available to members of the student body, and prepared under  
31 the direction of a student media adviser. School-sponsored media  
32 does not include media intended for distribution or transmission  
33 solely in the classroom in which the media is produced.

34 "Student journalist" means a **[public school]** student enrolled in  
35 a public school or nonpublic school who gathers, compiles, writes,  
36 edits, photographs, records, or prepares information for  
37 dissemination in school-sponsored media.

38 "Student media adviser" means an individual employed,  
39 appointed, or designated by a **[school district]** public school or  
40 nonpublic school to supervise or provide instruction relating to  
41 school-sponsored media.

42 b. Except as otherwise provided in subsection c. of this section,  
43 a student journalist has the right to exercise freedom of speech and  
44 of the press in school-sponsored media, regardless of whether the  
45 media is supported financially by the **[school district]** public school

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 or nonpublic school or by use of school **【district】** facilities, or  
2 produced in conjunction with a class in which the student is  
3 enrolled. Subject to subsection c. of this section, a student  
4 journalist is responsible for determining the news, opinion, feature,  
5 and advertising content of school-sponsored media and shall not be  
6 required to submit content for prior administrative review. This  
7 subsection shall not be construed to prevent a student media adviser  
8 from teaching professional standards of English and journalism to  
9 student journalists.

10 c. This section does not authorize or protect expression by a  
11 student that:

- 12 (1) is libelous or slanderous;
- 13 (2) constitutes an unwarranted invasion of privacy;
- 14 (3) is profane or obscene;
- 15 (4) violates federal or State law; or
- 16 (5) so incites students as to create a clear and present danger of  
17 the commission of an unlawful act, the violation of school **【district】**  
18 policies, or the material and substantial disruption of the orderly  
19 operation of the school.

20 d. A **【school district】** public school or nonpublic school shall  
21 not authorize any prior restraint of any school-sponsored media  
22 except for the types of expression described in subsection c. of this  
23 section. When a school official determines that the restraint of  
24 student expression is necessary, the school official shall  
25 simultaneously identify the provision within subsection c. of this  
26 section under which the limitation of student expression is  
27 appropriate.

28 e. A **【school district】** public school or nonpublic school shall  
29 not sanction a student operating as an independent journalist.

30 f. An employee of a **【school district】** public school or  
31 nonpublic school shall not be dismissed, suspended, disciplined,  
32 reassigned, transferred, or otherwise retaliated against solely for  
33 acting to protect a student engaged in the conduct authorized under  
34 this section, or refusing to infringe upon conduct that is protected  
35 by this section, the First Amendment to the United States  
36 Constitution, or paragraph 6 of Article I of the New Jersey  
37 Constitution.

38 g. Upon violation of any provision of this section, an aggrieved  
39 person may, in addition to any other available remedy, institute a  
40 civil action in a court of competent jurisdiction, within one year of  
41 the date of the alleged violation.

42 (cf: P.L.2021, c.309, s.2)

43  
44 3. Section 3 of P.L.2021, c.309 (C.18A:62-67) is amended to  
45 read as follows:

46 3. a. As used in this section:

47 "School-sponsored media" means any material that is prepared,  
48 substantially written, published, or broadcast by a student journalist

1 at a public institution of higher education, distributed or generally  
2 made available to members of the student body, and prepared under  
3 the direction of a student media adviser. School-sponsored media  
4 does not include media intended for distribution or transmission  
5 solely in the classroom in which the media is produced.

6 "Student journalist" means a student at a public institution of  
7 higher education who gathers, compiles, writes, edits, photographs,  
8 records, or prepares information for dissemination in school-  
9 sponsored media.

10 "Student media adviser" means an individual employed,  
11 appointed, or designated by a public institution of higher education  
12 to supervise or provide instruction relating to school-sponsored  
13 media.

14 b. Except as otherwise provided in subsection c. of this section,  
15 a student journalist has the right to exercise freedom of speech and  
16 of the press in school-sponsored media, regardless of whether the  
17 media is supported financially by the public institution of higher  
18 education or by use of institution facilities, or produced in  
19 conjunction with a course in which the student is enrolled. Subject  
20 to subsection c. of this section, a student journalist is responsible  
21 for determining the news, opinion, feature, and advertising content  
22 of school-sponsored media and shall not be required to submit  
23 content for prior administrative review. This subsection shall not  
24 be construed to prevent a student media adviser from teaching  
25 professional standards of English and journalism to student  
26 journalists.

27 c. This section does not authorize or protect expression by a  
28 student that:

29 (1) is libelous or slanderous;

30 (2) constitutes an unwarranted invasion of privacy;

31 (3) is profane or obscene;

32 (4) violates federal or State law; or

33 (5) so incites students as to create a clear and present danger of  
34 the commission of an unlawful act, the violation of policies of the  
35 public institution of higher education, or the material and  
36 substantial disruption of the orderly operation of the institution.

37 d. An employee of a public institution of higher education shall  
38 not be dismissed, suspended, disciplined, reassigned, transferred, or  
39 otherwise retaliated against solely for acting to protect a student  
40 engaged in the conduct authorized under this section, or refusing to  
41 infringe upon conduct that is protected by this section, the First  
42 Amendment to the United States Constitution, or paragraph 6 of  
43 Article I of the New Jersey Constitution.

44 e. Upon violation of any provision of this section, an aggrieved  
45 person may, in addition to any other available remedy, institute a  
46 civil action in a court of competent jurisdiction, within one year of  
47 the date of the alleged violation.

48 (cf: P.L.2021, c.309, s.3)

1       4. (New section) a. As used in this section:

2       "School-sponsored media" means any material that is prepared,  
3 substantially written, published, or broadcast by a student journalist  
4 at an independent institution of higher education, distributed or  
5 generally made available to members of the student body, and  
6 prepared under the direction of a student media adviser. School-  
7 sponsored media does not include media intended for distribution or  
8 transmission solely in the classroom in which the media is  
9 produced.

10       "Student journalist" means a student enrolled in an independent  
11 institution of higher education who gathers, compiles, writes, edits,  
12 photographs, records, or prepares information for dissemination in  
13 school-sponsored media.

14       "Student media adviser" means an individual employed,  
15 appointed, or designated by an independent institution of higher  
16 education to supervise or provide instruction relating to school-  
17 sponsored media.

18       b. Except as otherwise provided in subsection c. of this section,  
19 a student journalist has the right to exercise freedom of speech and  
20 of the press in school-sponsored media, regardless of whether the  
21 media is supported financially by the independent institution of  
22 higher education or by use of institution facilities, or produced in  
23 conjunction with a course in which the student is enrolled. Subject  
24 to subsection c. of this section, a student journalist is responsible  
25 for determining the news, opinion, feature, and advertising content  
26 of school-sponsored media and shall not be required to submit  
27 content for prior administrative review. This subsection shall not  
28 be construed to prevent a student media adviser from teaching  
29 professional standards of English and journalism to student  
30 journalists.

31       c. This section does not authorize or protect expression by a  
32 student that:

- 33       (1) is libelous or slanderous;  
34       (2) constitutes an unwarranted invasion of privacy;  
35       (3) is profane or obscene;  
36       (4) violates federal or State law; or  
37       (5) so incites students as to create a clear and present danger of  
38 the commission of an unlawful act, the violation of policies of the  
39 independent institution of higher education, or the material and  
40 substantial disruption of the orderly operation of the institution.

41       d. An employee of an independent institution of higher  
42 education shall not be dismissed, suspended, disciplined,  
43 reassigned, transferred, or otherwise retaliated against solely for  
44 acting to protect a student engaged in the conduct authorized under  
45 this section, or refusing to infringe upon conduct that is protected  
46 by this section, the First Amendment to the United States  
47 Constitution, or paragraph 6 of Article I of the New Jersey  
48 Constitution.

1 e. Upon violation of any provision of this section, an aggrieved  
2 person may, in addition to any other available remedy, institute a  
3 civil action in a court of competent jurisdiction, within one year of  
4 the date of the alleged violation.

5  
6 5. This act shall take effect immediately.

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9 STATEMENT

10  
11 This bill concerns certain freedom of expression rights for  
12 students in schools and institutions of higher education.

13 Current law provides that a student journalist enrolled at a school  
14 district and at a public institution of higher education has the right  
15 to exercise freedom of speech and of the press and is responsible for  
16 determining certain content to be included in school-sponsored  
17 media. This bill establishes identical provisions for nonpublic  
18 schools and independent institutions of higher education to those  
19 that are currently in statute for school districts and public  
20 institutions of higher education.

21 Specifically, the bill provides that a student at a nonpublic school  
22 or an independent institution of higher education who gathers,  
23 compiles, writes, edits, photographs, records, or prepares  
24 information for dissemination in school-sponsored media has the  
25 right to exercise freedom of speech and of the press, and is  
26 responsible for determining the news, opinion, feature, and  
27 advertising content of the school-sponsored media. The bill does  
28 not protect student expression that: (1) is libelous or slanderous; (2)  
29 constitutes an unwarranted invasion of privacy; (3) is profane or  
30 obscene; (4) violates federal or State law; or (5) so incites students  
31 as to create a clear and present danger of the commission of an  
32 unlawful act, the violation of policies of the school or institution, or  
33 the material and substantial disruption of the orderly operation of  
34 the school or institution. A nonpublic school may not authorize  
35 prior restraint of any school-sponsored media except for the types  
36 of expression described in these categories.

37 The bill requires nonpublic schools to adopt a written policy  
38 concerning student freedom of expression in accordance with the  
39 provisions of the bill. The policy is required to include reasonable  
40 provisions for the time, place, and manner of student expression,  
41 and may also include limitations on language that may be defined as  
42 profane, harassing, threatening, or intimidating. The bill also  
43 contains provisions to protect employees of nonpublic schools and  
44 independent institutions of higher education from retaliation for  
45 acting to protect a student engaged in freedom of expression.

46 Additionally, the bill provides that student journalists in all  
47 schools and institutions of higher education will not be subject to  
48 prior administrative review and provides for civil remedies upon

- 1 violation of any of the related provisions concerning student
- 2 freedom of expression.