



*Yeo v Lexington, (1997)*

The yearbook staff at Lexington High School in Massachusetts decided against running an ad from Douglas Yeo that advocated “ABSTINENCE: The Healthy Choice.” Yeo was part of LEXNET, a pro-abstinence parent group involved in heated debated with the school district over condom distribution. The yearbook had an unwritten policy against running political ads and so refunded his money and returned his ad.

Yeo sued the superintendent, the principal, the advisers of the yearbook and newspaper and the Lexington school committee claiming that they were denying his First Amendment right to free speech and his Fourteenth Amendment right to due process.

The U.S. Court of Appeals for the First Circuit ruled student journalists do have the right to refuse ads. They are not government agents. Since only the government is in a position to violate the First Amendment or the Fourteenth, there was no suppression of Yeo’s rights.

Furthermore, the court ruled the school district was not responsible for the students’ decisions. “As a matter of law, we see no legal duty here on the part of school administrators to control the content of the editorial judgments of student editors of publication.”

Under Massachusetts law, students control the content of the student publications. At Lexington High School, the policy and practice had been for the students to make editorial decisions. School officials were not responsible for those decisions, and so there were no First or Fourteenth Amendment violations.

The district was protected from judgment in the suit because the students controlled the student media.

by Janet Ewell • Permission granted to use at will for non-commercial purposes