

tion whether the First Amendment requires a school affirmatively to promote particular student speech.”⁸³⁶ The student newspaper had been created by school officials as a part of the school curriculum, and served “as a supervised learning experience for journalism students.”⁸³⁷ Because no public forum had been created, school officials could maintain editorial control subject only to a reasonableness standard. Thus, a principal’s decision to excise from the publication an article describing student pregnancy in a manner believed inappropriate for younger students, and another article on divorce critical of a named parent, were upheld.

The category of school-sponsored speech subject to *Kuhlmeier* analysis appears to be far broader than the category of student expression still governed by *Tinker*. School-sponsored activities, the Court indicated, can include “publications, theatrical productions, and other expressive activities that students, parents, and members of the public might reasonably perceive to bear the imprimatur of the school. These activities may fairly be characterized as part of the school curriculum, whether or not they occur in a traditional classroom setting, so long as they are supervised by faculty members and designed to impart particular knowledge or skills to student participants and audiences.”⁸³⁸ Because most primary, intermediate, and secondary school environments are tightly structured, with few opportunities for unsupervised student expression,⁸³⁹ *Tinker* apparently has limited applicability. It may be, for example, that students are protected for off-premises production of “underground” newspapers (but not necessarily for attempted distribution on school grounds) as well as for non-disruptive symbolic speech. For most student speech at public schools, however, *Tinker*’s tilt in favor of student expression, requiring school administrators to premise censorship on likely disruptive effects, has been replaced by *Kuhlmeier*’s tilt in favor of school administrators’ pedagogical discretion.⁸⁴⁰

⁸³⁶ 484 U.S. at 270–71.

⁸³⁷ 484 U.S. at 270.

⁸³⁸ 484 U.S. at 271. Selection of materials for school libraries may fall within this broad category, depending upon what is meant by “designed to impart particular knowledge or skills.” See generally Stewart, *The First Amendment, the Public Schools, and the Inculcation of Community Values*, 18 J. LAW & EDUC. 23 (1989).

⁸³⁹ The Court in *Kuhlmeier* declined to decide “whether the same degree of deference is appropriate with respect to school-sponsored expressive activities at the college and university level.” 484 U.S. at 274, n.7.

⁸⁴⁰ One exception may exist for student religious groups covered by the Equal Access Act; in this context the Court seemed to step back from *Kuhlmeier*’s broad concept of curriculum-relatedness, seeing no constitutionally significant danger of