

Beussink v. Woodland R-IV School District, 30 F.Supp. 2d 1175 (E.D. Mo. 1998).

Facts:

A high school student created a personal Web site on his own computer. His homepage contained a hyperlink to the school web site and lampooned school officials. He used vulgar language on his site. Another student showed the student's web site to a teacher, who then showed it to the principal. The principal suspended the student for ten days because of the content of his homepage. The student sued, claiming a violation of his First Amendment rights.

Issue:

Whether school officials may punish a student because they dislike the content of his personal Web site that he created off-campus.

Holding:

In his decision, Judge Rodney W. Sippel held that school officials may not punish a student for the content of his or her personal homepage unless the material creates a substantial disruption at school.

Reasoning:

"Disliking or being upset by the content of a student's speech is not an acceptable justification for limiting student speech under *Tinker*." The student's homepage did not create a substantial disruption or material interference with school activities. "Indeed, it is provocative and challenging speech, like Beussink's, which is most in need of the protections of the First Amendment."

Majority:

"The public interest is not only served by allowing Beussink's message to be free from censure, but also by giving the students at Woodland High School this opportunity to see the protections of the United States Constitution and the Bill of Rights at work."