



INVASION OF PRIVACY

Questions

© 2006 Student Press Law Center

Right to reproduce for classroom use with attribution to "Student Press Law Center" granted

1. Because of the important work they do, journalists have a special right to gather news in otherwise private spaces.
2. Truth is an absolute defense to an invasion of privacy claim.
3. A minor's name or photograph can be published in a newsworthy story — without parental (or guardian) permission — as long as the information published is accurate and lawfully obtained.
4. If a statement is newsworthy, it cannot be the basis for a successful invasion of privacy claim based on the public disclosure of a private and embarrassing fact.
5. Lance Lenscap is a photographer for *The Student Times*. While on the sidelines at Friday night's football game, Lenscap snaps a shot of the homecoming queen picking her nose while waiting to take part in the halftime festivities. The next day, the queen's mother calls the *Times* and threatens to sue on behalf of her daughter if Lenscap publishes the "booger shot." Lenscap shrugs, "She has no case." Lenscap is right.
6. Most high school students, because they are minors, cannot validly consent to the publication of a story that invades their privacy (for example, a story in which they discuss their successful battle with an eating disorder) without their parent's permission.
7. The best way to avoid a misappropriation invasion of privacy is to obtain a validly signed model consent form from those appearing in advertisements or commercial promotions.
8. A false light invasion of privacy occurs when a photographer secretly takes a nighttime photo using infrared lighting.
9. There are four different types of invasion of privacy claims commonly recognized by the law.

10. Privacy law prohibits student-edited media from publishing a minor student's name or photograph on the Internet without parental (or guardian) permission.

"Test Your Knowledge of Student Press Law" was made possible by a generous grant from the Newspaper Association of America Foundation (www.naa.org).

