

June 8, 2026

Dr. Maria F. Vazquez, Superintendent
Orange County Public Schools
445 W Amelia St.,
Orlando, FL 32801
407-317-3200

Dear Dr. Vazquez:

We, a group of press organizations, jointly write to express concerns about the Orange County Public Schools' Management Directive B-5 (the "Media Policy"). While the Media Policy may have been adopted with good intentions, it is our experience that it suppresses press freedoms, restricts speech, limits the flow of information to the community, and chills First Amendment-protected speech. The Media Policy's restrictions hinder our ability to gather and report news and may also impede the school system's ability to share information with the public.

We value our relationship with Orange County Public Schools and the role it plays in serving the broader community. That relationship depends on the free flow of information. We write to preserve and strengthen this fruitful relationship moving forward.

The Media Policy has the unfortunate effect of restricting the flow of information that makes this relationship work. As written, it appears to require all Orange County Public Schools' employees to seek permission before responding to media requests. Not only is the open exchange of information between the school system and the press vital to our ongoing relationship and to an informed public, it is also guaranteed by the First Amendment to the U.S. Constitution. Accordingly, U.S. Supreme Court and federal appellate precedent firmly supports these freedoms—including employee speech on matters of public concern. *Garcetti v. Ceballos*, 547 U.S. 410 (2006).

While the government may regulate employees' speech made within their official duties, such restrictions cannot be absolute. In one instance, a municipality sought to prevent police from discussing internal police matters with any external party—including the media—to control the flow of communication. Because the policy extended beyond official duties to ban any comments or conversations relating to matters that could be of public concern, the court found that this policy was an improper restriction of public-employee speech. *Moonin v. Tice*, 868 F.3d 853 (9th Cir. 2017).

Courts have rejected overbroad policies that extend beyond *Garcetti*'s limited scope. In *Barrett v. Thomas*, a binding precedent, the Fifth Circuit struck down a policy that prohibited public employees from making media comments on any matters that could possibly be controversial as overbroad. This holding confirms that facial constitutional challenges are warranted against policies that require prior authorization for public statements by government employees, partially because of the problematic chilling effect that such policies can have on speech.

The Media Policy raises concerns regarding the well-established right of government employees to speak freely on matters of public concern. Open communication from public

employees is protected by the First Amendment and plays a critical role in promoting transparency and accountability in government institutions. This freedom is central to the work of media organizations like ours.

The Media Policy appears to extend beyond the permissible scope of regulation, discouraging protected communication and delaying news reporting. It also has the effect of suppressing news publication. In practice, it delays timely access to basic information, which affects how quickly we can report and share updates with the public.

These effects are not just hypothetical. In one instance, school officials acknowledged that the Media Policy would prevent a teacher from sharing the date and time of a middle-school band concert with the press—information that was not secret but was shared freely by middle-school band students to their parents, friends, and neighbors. In another case, a school employee shared basic information and quickly regretted it, saying "[the] press department would eat [him/her] alive" if he/she accidentally crossed a line—clearly illustrating the chilling effect of the Media Policy. Multiple media outlets have also been flatly denied access to the superintendent.

We believe it would be mutually beneficial to find ways to decrease or eliminate these constitutional and practical concerns, while meeting both of our interests: a revised media policy. An acceptable media policy might (1) request District employees to loop in the Public Information Officer ("PIO") on statements—ensuring collaboration without requiring prior approval to speak; (2) acknowledge employees' First Amendment right to free speech, including the right to speak as private citizens on matters of public concern; (3) expressly state that employees will not be disciplined for speaking to the media; and (4) include training to ensure employees are equipped to interact appropriately and effectively with the press. Such a policy would advance Orange County Public Schools' interests while protecting free speech and press freedom.

In short, the Media Policy hinders newsgathering, restricts employees' speech, and reduces public transparency. A more balanced approach—one that protects transparency while addressing legitimate operational needs—would better serve Orange County Public Schools, its employees, and the surrounding community. We welcome your response and the opportunity to meet to discuss a revised policy that suggests, rather than requires, that District employees loop in the PIO on media inquiries—shifting from a prior-approval requirement to a notice-based approach that allows for coordination without restricting speech. We look forward to resolving these concerns promptly and amicably.

Signed:

Baldwin Park Living Magazine
OrangeObserver.com
Oviedo Community News
Society of Professional Journalists
The Apopka Chief
The Local Winter Garden

The Orlando Sentinel
The Shepherd Radio
The Southwest Orange Observer
The West Orange Times and Observer
VoxPopuli