

Think First

JEA
press rights
commission

Free expression
through
responsible
journalism

When developing editorial policies, be sure they are what you want to live by

by Candace and John Bowen

For years, the Journalism Education Association and the Student Press Law Center have urged advisers and students to develop editorial policies as the first step to a professionally oriented journalism program.

Some we have recently found are not what JEA and the SPLC have in mind.

“Students who edit, publish, post or distribute material within the school,” one policy states, “are responsible for the content of such publications.”

This sounds good, but continues, “literature a student wishes to distribute on school property is not only the student’s responsibility, but that of school authorities. All such publications must identify the author, and/or editor and publisher and shall be submitted to the principal for his or her approval prior to distribution. The ultimate responsibility for determining the suitability of materials rests with the superintendent and the board of education.”

In 1964, when John graduated from the school with that policy, there was no such policy. It was generated in 1976.

In 1964 student editors had no prior review, no prior restraint. Student editors had final control of what went in the paper. But, because of the 1976 policy, a student journalist at that school would not have had the same learning opportunity John did 12 years earlier.

Candace doesn’t remember her high school newspaper having a policy, but that’s probably just as well: She attended Des Moines, Iowa, Roosevelt High and graduated the year before the famous Tinker black armband incident there.

Policies and attitudes similar to that 1976 one exist, and sadly, seem to be growing in number.

We really need look no further than 1988 and the Hazelwood decision to find current roots of policies restricting free expression.

Robert Reynolds, former Hazelwood East principal, told an audience at the National Association of Secondary School Administrators in Anaheim, Cal., several months following the 1988

Think First

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Free expression through responsible journalism

Hazelwood v. Kuhlmeier decision, “When Ferris Buler is the editor of your school newspaper and it’s Friday the 13th, just stay home.”

Reynolds also distributed a flyer, “Hazelwood East Curriculum for Journalism II,” defending his view of scholastic journalism.

It described Hazelwood’s journalism program as a model for others and outlined four conditions to avoid controversy in the future:

- A clear board of education policy be in place to provide for student and school-sponsored publications;
- Curriculum be written to guide the teacher in the classroom and to provide a liaison with the principal for an understanding of each other’s needs;
- A dialogue be established between the scholastic journalism groups and principals’ organizations to develop a set of common principles concerning scholastic journalism;
- Standards procedures be developed to assure these common principles are implemented reasonably and uniformly in schools.

Although we disagree with Reynolds’ philosophies and approaches, we agree policies are important to help students, administrators and advisers avoid journalistic controversy and would suggest some other, more educationally sound, ones.

One of our goals is to see adoption of editorial policies for scholastic publications based on a clear application of the principles of free expression.

Common, restrictive and repressive policies are being developed by school districts. Instead, we believe in encouraging students and advisers to develop policies enhancing student freedom of expression.

Three advisers recently shared their policies in a course sponsored by Kent State University. Although they had been newspaper advisers from two to eight years, none had seen the publication’s policy before digging them out of a volume of school guidelines. Two said policy content and reality varied greatly. All said they were surprised to see their policies looked identical--same fonts, same rounded corner boxes and same format. These were policies created by the Northeastern Ohio Learning Association, NEOLA.

The teachers’ policies included these definitions of prohibited speech:

- material inconsistent with the shared values of a civilized social order;
- material potentially harmful to juveniles or offensive according to community standards as to what

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Free expression through responsible journalism

is suitable for juveniles;

- materials offensive to good taste;
- material that endorses any candidate for public office or takes a political stand on any issue;
- material that endorses any candidate for school board.

Several had questionable objectives:

- to create a wholesome school spirit and to support the best traditions of the school;
- to promote cooperation among taxpayers, parents, the school and its students;
- to promote and encourage school-sponsored activities;
- to serve as public relations media.

Several called for the principal to have final decision over all content.

Although not developed by NEOLA, John's high school's 1976 policy called for administrators to protect students and "the entire school community from irresponsible publications such as those aimed at creating hostility or violence, advocating procedures deteriorative to a person's health, pornography or material of a libelous nature. Libel, obscenity, profanity, personal attacks and encouragement of the violation of laws are prohibited."

The Journalism Education Association would also question the legality and educational basis for these examples from these generic publication guidelines:

- a by-line shall accompany every article;
- school publications shall not endorse any candidate for public office;
- all material is subject to review by the advisers and/or principal. Those who are denied approval for inclusion of materials in school publications may appeal to a committee composed of the principal, the advisers of the school paper and yearbook and the presidents of each class. The function of this committee is advisory, based to review the material presented. The decision remains with the principal.

Individual policies prepared for other NEOLA schools have:

- Σ prohibited speech inconsistent with the school's basic educational mission, including material inadequately researched, offensive although not legally obscene, associates the school with any position other than neutrality on matters of political controversy;
- Σ prohibited "unprotected speech," including prejudicial speech, material harmful to impressionable students, in addition to the areas the SPLC and others refer to as unprotected;
- Σ said the publication shall serve as a public relations medium;
- Σ banned the publication from promoting, favoring or opposing any candidate for election to the board or adoption of any bond issue;
- Σ denied equal opportunity for all viewpoints unless the material is generally acceptable to this community;
- Σ denied ads if they would be offensive to a significant minority or the majority of the community.