

Journalists continue to fight censorship, prior review in school

By **Miranda Grayzel-Ward**
staff writer

For many high school journalists, the ability to publish imperative news is a constant battle.

“My school sat me down and was like, ‘We want you to rewrite this story our way.’ I said ‘No,’ because I wasn’t going to argue, but I wasn’t going to compromise,” junior Patrick Baird of Schommer High School said.

Baird, like many students, wanted to publish a story he felt was important. It was a story regarding rights that teenagers have but do not take advantage of. However, his administration did not feel comfortable with this story and forbid him from publishing it in the paper.

“I tore up the article,” Baird said. “The battle wasn’t worth it.”

In 1969, the Supreme Court ruled in “Tinker v. Des Moines” that students did not lose their first amendment rights when they stepped onto school property.

However, this was amended when in 1988, the Supreme Court ruled in “Hazelwood v. Kuhlmeier” that prior review, which allows for the administration to censor high school papers before they are printed, was warranted if it was, “reasonably related to legitimate pedagogical concerns.”

While in 1988, the Supreme Court was addressing concerns over articles about teen pregnancy and divorce, retired newspaper Advisor Susan Newell felt that her administration in Tuscaloosa, Ala. used prior review more freely by blocking anything that might have showcased the school in a negative light.

“They are normally something not favorable for the school,” Newell said. “An example would be if the school was doing something inappropriate, like having a dirty bathroom or other silly things.”

For senior Camille Herren of Sparkman High School, her paper’s prior review is more severe, encompassing all articles that their principal dislikes.

“Our principal has decided to crack down on that and be more conservative about it, so he is checking our newspaper every time before we go to press, looking over it, deciding what articles he likes and what he doesn’t like,” Herren said.

Even though prior review occurs in schools across the country, students still do not feel that prior review should be allowed, citing the freedom of the press in the First Amendment.

“In school, it’s hard because there are certain topics that you just cannot discuss,” senior Quentin Hanson, a writer for the Sparkman High School newspaper, said. “I feel like we should be able to talk about anything within school, that is within reason, and we shouldn’t have to get it approved.”

“It really restricts you and makes it so you aren’t allowed to exercise your full potential,” Baird said.

However, students are beginning to fight back by taking the battle to their state governments.

Beginning in 2015, the New Voices Act legislation has been implemented across several states.

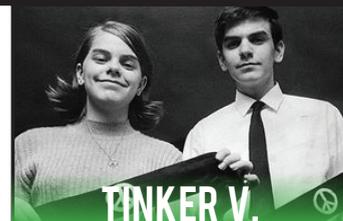
This legislation would “restore the Tinker standard of student expression in public high schools,” which would once again deem prior review unconstitutional, according to the New Voices website.

There are currently 13 states that have the New Voices protection, and another 11 states are actively campaigning to establish these same protections.

While student journalists continue to oppose the prior review at their schools, they must also deal with national criticism regarding the purpose and legitimacy of student journalism, both in schools and in the nation.

“We are journalists, and we are the watchdogs of society,” senior Sydney Doddans of Sparkman High School said. “We are the eyes of the people, the eyes for the people. The media is important because that is what we do.”

Landmark events in student journalism:



TINKER V. DES MOINES (1967)

This court case protected student speech unless it is libelous, an invasion or privacy, is dangerous, or disrupting.



HAZELWOOD V. KUHLMEIER (1988)

School administrators can censor and restrain school publications if they interfere with “legitimate pedagogical concerns.”



NEW VOICES ACT (PRESENT)

This bill would restore the Tinker standard of student expression.

ST AMENDMENT

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

WHEN CAN YOU BE CENSORED AS A STUDENT JOURNALIST?

1 When the expression will create a material and substantial disruption of school activities or an invasion of the rights of others.



When the expression is pervasively vulgar, lewd, or indecent.

2

3

When the expression advocates illegal drug use.



When the censorship is viewpoint neutral and is based on a reasonable educational justification.

4