

# Fight the good fight: oppose censorship

While we know advisers will make decisions regarding prior review and other educational issues based on what they believe they can best support philosophically, JEA reiterates its strong rejection of prior review – and hence prior restraint – as a tool in the educational process. Under that principle, we need to help advisers oppose censorship.

## Resources:

- **Short arguments against censorship**  
<http://www.jeapressrights.org/2008documents/2008Teachingmaterials/2008Teaching/shortarguments.html>
- **Report prior review**  
[http://www.surveymonkey.com/s.aspx?sm=o4Kp1Ypz9arqgMO8\\_2fZSsRw\\_3d\\_3d](http://www.surveymonkey.com/s.aspx?sm=o4Kp1Ypz9arqgMO8_2fZSsRw_3d_3d)
- **Schools with student media designated as public forums**  
<http://jmc.kent.edu/cs/documents/forumschools.html>
- **Important scholastic media law decisions**  
<http://www.jea.org/pressrights/pressrightscurriculum/importantcases.html>
- **Press Freedom in Practice**  
<http://www.splc.org/adviserspfip>



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Teaching journalism is rewarding, but can become frightening and frustrating when advisers face prior review and/or censorship as part of their daily expectations.

A key decision to fight censorship, Adam Goldstein, SPLC attorney advocate said, is for journalism teachers who live with prior review or restraint to do more than recognize its educational weaknesses.

Their job, he said, is to oppose it as best they can.

“Prior review sends the message that actions don’t have consequences because there’s always someone else who can clean up your mistakes,” Goldstein said in an interview. “People who grow up in an environment without consequences don’t function well in the real world.”

JEA knows some teachers may face job loss if they try to protect student learning. We know sometimes there is no other choice but to do as ordered.

Still, we urge all teachers to consider these points:

- Advisers teach professional approaches to journalism – whether in gathering information, in providing leadership through coverage or opinion or in presenting the information accurately, completely and coherently.

Limiting this process strips any pretense of student learning, critical thinking or application of principles schools teach. It also strips away information citizens need to maintain civic engagement.

“The entire gamble of representative democracy is that people make good choices in their own best interest when provided with honest information,” Goldstein said.

- Students learn most when they practice responsible journalism. When advisers are required to accept censorship or censor students’ work themselves, they are placed in an untenable position undermining what they strive to teach.

“Aspirationally,” Goldstein said, “If the goal of education is to prepare students for their role in society, nothing is more essential to that role than the ability to create and disseminate their thoughts. The entire marketplace of ideas that makes our democracy function depends on it.”

- Students and communities suffer when censorship exists.

“Censorship of high school students creates new citizens in that democracy who think, first, that the information isn’t honest; and second, that they aren’t free to share their own information,” Goldstein said. “These days people look at the political process and wonder how it got so hostile,

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## Resources:

- **Dean v. Utica FAQ**  
<http://www.studentpress.org/nsipa/trends/~law0205hs.html>
- **Death by Cheeseburger**  
[http://www.firstamendmentcenter.org/pdf/dbc\\_text.pdf](http://www.firstamendmentcenter.org/pdf/dbc_text.pdf)
- **Wooster decision clarifies censorship guidelines**  
<http://www.studentpress.org/nsipa/trends/~law0203hs.html>
- **Twenty years of Hazelwood**  
[http://www.splc.org/news/report\\_detail](http://www.splc.org/news/report_detail)
- **Sparking a passion for journalism in high school**  
<http://www.nieman.harvard.edu/reports/article/101741/Sparking-a-Passion-for-Journalism-in-High-School.aspx>
- **Prior review in the high school newspaper**  
[http://www.gspa.uga.edu/Forms/dennis\\_joseph\\_g\\_200705\\_ma.pdf](http://www.gspa.uga.edu/Forms/dennis_joseph_g_200705_ma.pdf)

misinformed and regressive, and then shrug their shoulders when, every day in high schools, students are told not to tell the truth.”

- Learning to report material responsibly is a unique opportunity denied students who face censorship. The exciting part of advising and teaching journalism is watching students expand their ideas and become educated not only in the specifics of media but also about the importance of a free press in a democracy.

“Prior restraint is even more troubling because it undermines everything we try to instill in students about the American way of life,” Goldstein said. “The ability to just remove the right to free expression from anyone is something that is irreconcilable with our political system. So students get cynical about it and think administrators are liars.”

- Reviewing media materials, while not illegal, has no legitimate educational value. Advisers need to educate themselves, their administrators and their communities about students’ legal rights, ethical responsibilities and educational obligations.

“Journalism and social studies teachers end up suffering the most when they turn a blind eye to student rights because they are the ones tasked with inculcating a respect for the values that censorship violates,” Goldstein said. “It’s one thing if a science

teacher chooses not to believe in the basic functions of democracy, but if your journalism teacher doesn’t think speech is important, it suggests that nobody thinks this is important.”

- Some administrators are unaware there is no legal or educational rationale for censorship. Teachers can help them understand the value of journalism to all stakeholders. Journalism education organizations can enhance the ongoing education of all parties.

The full measure of the Hazelwood decision, CSPA director Edmund J. Sullivan said in a JEA listserv discussion, won’t be felt until the generation of advisers working before 1988 leaves the scene.

That is now happening.

Knight chair for Scholastic Journalism Mark Goodman said in hundreds, maybe thousands of high schools around the country, there is no censorship.

“It is possible to create an environment in your student media program that supports the values of our democracy and does something other than teach students how ‘journalism’ is practiced in China,” Goodman said.

At other schools, that may take time, he said, but it’s worth striving for and doesn’t have to risk your job in the process.

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## Resources:

- **A good resource for digital censorship issues**  
<http://Eff.org>

- **National Coalition Against Censorship**  
a good destination for information on censorship of artistic work  
<http://www.ncac.org/>

- **Press Freedom in Practice**  
<http://www.splc.org/adviserspfip>

— our most important obligation —” Goodman said, is “we HAVE to teach students that censorship is wrong, morally, educationally, journalistically, even when it cannot

be avoided or overcome. And we have to do it in such a way that we don’t make kids so cynical they think the entire idea of the First Amendment is a joke.”

## Definitions of prior review/prior restraint for scholastic journalism

Prior review occurs when anyone not on the publication/media staff requires that he or she be allowed to read, view or approve student material before distribution, airing or publication.

Prior restraint occurs when someone not on the publication/media staff requires pre-distribution changes to or removal of student media content.

Prior review itself is a form of prior restraint. It inevitably leads the reviewer to censor and student journalists to self-censor in an effort to assure approval.

An officially designated adviser, when working with students and offering suggestions for improvement as part of the coaching and learning process, who reads or views student media before publication is not engaged in prior review.

However, when an adviser requires pre-distribution changes over the objections of student editors, his/her actions then become prior restraint.

### Basis for review position, guidelines

At the spring 2010 Portland JEA/NSPA convention, JEA’s board passed a statement defining prior review and prior restraint. The SPLC also recently endorsed the statement.

At the time, the Press Right Commission was directed to design a recommended process and guidelines on how advisers might handle prior review if faced with it. That process is available at: <http://jea.org/about/statements.html#review>



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