

Student Journalists Compromised By Supreme Court's Decision

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INDIANAPOLIS -- The U.S. Supreme Court missed an important opportunity to affirm the rights of student journalists as it decided Tuesday not to hear a case involving student press rights, Society of Professional Journalists President David Carlson said.

"It is a gloomy day for the First Amendment," Carlson said, "and a sad day for the rights of student journalists."

The court announced Tuesday that it will not hear a case questioning the authority of administrators at an Illinois university to censor a student newspaper.

The Court's decision involved Governors State University in Illinois and a request by former student journalists to review an appeals court decision that could give university officials in three states the ability to censor some college-student speech. The decision applied a legal standard that had previously been applied only to elementary and secondary students and teachers.

The result is that a censorship standard created to oversee elementary and high school students now appears to extend to college students in Indiana, Illinois and Wisconsin, Carlson said.

"It was bad when it affected high school and elementary school students," Carlson said. "It's terrible when it affects college students, too."

The Supreme Court's decision not to review the Governors State case lets stand the lower court decision to apply a 1988 Supreme Court decision involving elementary and high school media. That case was *Hazelwood v. Kuhlmeier*.

"Allowing college administrators to decide the content of college newspapers is not far different from allowing the White House to determine the content of *The Washington Post*," Carlson said. "It is preposterous."

SPJ is calling on colleges and universities to stop this erosion of First Amendment rights by adopting language labeling student media as "designated public forums."

The lower court decision left open the free speech rights of students if the student media are designated as public forums by the administration.

"All colleges and universities, inside the Seventh Circuit or not, should affirm their commitment to free media and the First Amendment," said Mead Loop, SPJ vice president for campus chapter affairs. "They can do that by adopting language proposed in January by SPJ."

The Society endorsed the following statement and encourages its adoption at college and universities: "Student media are designated public forums and free from censorship and advance approval of content. Because content and funding are unrelated, student media are free to develop editorial policies and news coverage with the understanding that students and student organizations speak only for themselves. Administrators, faculty, staff or other agents shall not consider the student media's content when making decisions regarding the media's funding."

"The original *Hazelwood* decision in 1988 is regrettable enough," Loop said. "Now the high court has missed an opportunity to keep a bad law narrowly defined."

The 7th Circuit Court of Appeals ruling was in direct contrast with decisions of other state and federal courts.

"This reinforces the need for colleges and universities to affirm that student media are designated public

forums," Loop said.

The Society of Professional Journalists works to improve and protect journalism. SPJ is dedicated to encouraging the free practice of journalism and stimulating high standards of ethical behavior. Founded in 1909 as Sigma Delta Chi, and based in Indianapolis, SPJ promotes the free flow of information vital to a well-informed public, works to inspire and educate the next generation of journalists, and protects First Amendment guarantees of freedom of speech and press.