



### **Questions about prior review:**

1. What other definitions of prior review might exist in the professional journalism and educational communities? In administrative communities?
2. What does Hazelwood really say about prior review? What is the basis of the court's decision and what does it really mean? What have other courts said about the general concept of prior review and restraint?
3. What are valid educational reasons for prior review? Not reasons of personal comfort or generalizations about school safety? Learning and classroom reasoning. How do we answer the question of "how can I prevent illegal content or unprotected speech from publication?" (see Frank's comments and hire and assist the training of qualified journalism teachers and advisers + punishing violators after the fact)
4. If we can agree it has no legitimate educational value, what can we design that can take its place and still leave a feeling of protection for all the stakeholders in the educational process?
5. What can we create that will show this? Is there a history we can showcase to prove this point? How has this prior restraint improved the educational process or safety of schools where it exists? What provable educational studies/research/standards exist to show the effectiveness of prior review or restraint?
6. Why don't these "learned societies" respect the educational value of prior review or restraint? Why do administrative or other school official groups condone the practice of prior review?
7. Can we show case studies where prior review does not exist and use these models to build a process of avoiding prior review?
8. Can we summarize these studies and build from them recommendations for a process to replace prior review?

9. What does a cross section of commercial media personnel have to say about prior review? What would they recommend as the best process for students to learn journalism and both the freedoms and responsibilities that go with it?

10. Why does the Journalism Education Association suggest its Adviser Code of Ethics might be a good initial replacement for prior review?

Without prior review, administrators retain better strategies that support journalism programs. Such approaches include:

- Working with students cooperatively to be good sources for stories
- Hiring qualified advisers and journalism teachers
- Building trust in the learning and communication process in a way that also lessens liability concerns of the school system
- Offering feedback after each publication
- Increasing dialogue among school staff and students, thus encouraging outlets of expression that strengthens school safety
- Expanding school and community understanding and appreciation of the value of free – and journalistically responsible – student media
- Providing necessary resources to support and maintain publication programs, including financial support, master schedule preferences, development opportunities and time

**These strategies, and others listed below** can enhance the influence of administrators without intruding on student control of their media as outlined by court decisions and the First Amendment.

**Administrators can and should:**

- Foster appreciation for America's democratic ideals by inspiring students and their advisers to practice democratic principles through free student media
- Hire the most qualified educator to teach and advise or help one without solid journalism background become more knowledgeable. This allows the educator to provide training so students can better become self-sufficient as they make decisions and practice journalism within the scope of the school's educational mission and the First Amendment
- Trust and respect their advisers, their student media editors and staff as the students make decisions
- Maintain dialogue and feedback to protect and enhance student expression, to afford students real input in the process, and to broaden their opportunities to excel

**Teachers and advisers can and should:**

- Model standards of professional journalistic conduct to students, administrators and others
- Emphasize the importance of accuracy, balance and clarity in all aspects of news gathering and reporting
- Advise, not act as censors or decision makers
- Empower students to make decisions of style, structure and content by creating a learning atmosphere where students will actively practice critical thinking and decision-making
- Encourage students to seek other points of view and to explore a variety of information sources in their decision-making
- Ensure students have a free, robust and active forum for

expression without prior review or restraint

- Show trust in students as they carry out their responsibilities by encouraging and supporting them in a caring learning environment

### **Student journalists can and should:**

- Apply critical thinking and decision-making skills as they practice journalistic standards and civic responsibility
- Follow established policies and adopt new ones to aid in thorough, truthful and complete reporting using a range of diverse and credible sources• Seek the advice of professionally educated journalism advisers, teachers and other media resources
- Maintain open lines of communication with other students, teachers, administrators and community members
- Operate media that report in verbal and visual context, enhancing comprehension and diverse points of view
- Develop trust with all stakeholders – sources, adviser, administration and fellow staffers

An early step in developing that a meaningful processw is to agree on definitions. We think the following terms need to be defined, and hopefully agreed on:

- **Responsibility.** This would include responsibility for students, for advisers and for administrators. It most definitely must include journalistic responsibility.
- **Journalism.** Although this seems to be obvious, a common understanding of the process could address early demands for prior

review. For example, is the process that follow prior review journalism? Is it public relations? Is it something else, and would defining terms before there are issues make a difference?

- **Prior review.** Maybe this needs definition just to find out what it is not. At any rate, what all parties think is review and what is not should be quite clear to all.

- **Forum for student expression.** Under which forum do your students operate? Are all stakeholders aware of the types and the differences? Do they agree?

So, if you would, help us get a better picture of how you, as advisers, and your students, and even your administrators, define those terms. Post your comments here for others to see and share.

If can establish common ground, then perhaps we can move toward a workable protocol to avoid censorship.

## Additional information about prior review:

### **Why JEA condemns prior review** We believe prior review:

- Contradicts the school's responsibility to teach and maintain, through example, the principles of democracy;
- Enables school administrators, who are government officials, to decide in advance what people will read or know. Such officials are potential newsmakers, and their involvement with the news-making process interferes with the public's right to know;
- Creates the possibility of viewpoint discrimination, undermining the marketplace of ideas and all pretext of responsible journalism;
- Leads toward self-censorship, the most chilling and pervasive form of

censorship. Such fear eliminates any chance of critical thinking, decision-making or respect for the opinions of others.

- Stifles growth of students so they do not grow into thinking, discerning, effective contributing citizens in the democracy;
- Impairs the ability of a school's communities to discern the truth about the school and the accuracy of information citizens need to make accurate decisions and cast intelligent votes;
- Negates the educational value of a trained, professionally active adviser and teacher working with students in a counseling, educational environment. Prior review simply makes the teacher an accessory, as if what is taught really doesn't matter;

### **Instead, we believe**

- Rights, not authority and discipline, prepare students for roles in a democracy as thinking, discerning, contributing citizens;
- Student media best serves their communities only when editorially independent as they present truthful and accurate information;
- Student media are safe and peaceful places a for dissemination of ideas, and with ideas there is no clear right or wrong;
- Ultimate civic engagement and involvement only occur where students learn that they can practice constitutional guarantees;
- Responsible journalism occurs when a qualified faculty adviser, clear publications policies and professionally oriented journalism curriculum exist;
- Prior review interferes with the dynamic process of learning. Such review and censorship are the last resort of an educational system failing its present and future citizens.

### **Questions to ask those who want to review**

Because of a recent outbreak of situations affecting advisers' jobs, JEA suggests anyone faced with prior review ask administrators the following questions:

- How does prior review help students learn and advisers practice journalism?
- What is the purpose of the review? To prevent misinformation? To protect the school's image? To enhance student learning? To provide accurate information to the school's communities (including voters)? Which of the reasons given for review are educationally valid, fitting within Hazelwood's framework?
- What happens after review? Deletion of all or part of a story? If deletion, or telling students to remove copy or change it, how does this affect the truthful and accurate reporting a school's community should expect from its media?
- Would this review be better carried out by students trained in journalism? What skills (and motives) do administrators bring to the review? How does review affect the school's curriculum, especially student learning? Does review provide the lessons curriculum intends?
- How does administrator review of student work affect the school's liability? Does administrative or faculty review, since the reviewers are agents of the state, reflect our democratic traditions and heritage? Does review change how community members perceive the truth?
- Isn't there a better way? JEA understands not all advisers are permitted to practice without review and restraint. We understand it is often hard for teachers to fight it. We know the pressures that can be brought to bear on jobs. All we ask is advisers and teachers do the best they can to show the educational weakness and lack of logic in prior review. We know teachers sometimes have no choice, no alternative. It is up to JEA to try to create one.