



JEA resolution

Hazelwood v. Kuhlmeier anniversary/First Amendment and censorship authority

This year marks 25 years since the Supreme Court significantly reduced the level of First Amendment protection afforded to students' journalistic speech in *Hazelwood School District v. Kuhlmeier*.

The Court's 5-3 majority concluded that schools could lawfully censor student expression in non-public-forum media for any "legitimate pedagogical purpose," and that among the recognized lawful purposes was the elimination of speech tending to "associate the school with any position other than neutrality on matters of political controversy."

In recognition of society's increased reliance on student news-gatherers to fulfill basic community information needs, and the importance of unfiltered information about the performance of educational institutions,

In recognition of the well-documented misapplication of *Hazelwood* censorship authority to impede the teaching of professional journalistic values and practices, which include the willingness to question the performance of government institutions,

In recognition of the combined 150 years' experience of states with statutory student free-press guarantees, demonstrating that the *Hazelwood* level of administrative control is unnecessary for the advancement of legitimate educational objectives,

Be it resolved that:

The Journalism Education Association (JEA) joins with the Association of Education in Journalism and Mass Communication in stating that no legitimate pedagogical purpose is served by the censorship of student journalism on the grounds that it reflects unflatteringly on school policies and programs, that it candidly discusses sensitive social and political issues, or that it voices opinions challenging to majority views on matters of public concern. The censorship of such speech, or the punishment of media advisers based on that speech, is detrimental to effective learning and teaching, and it cannot be justified by reference to "pedagogical concerns."

Be it further resolved that:

JEA joins AEJMC in declaring that the *Hazelwood* level of control over student journalistic speech is clearly incompatible with the effective teaching of journalistic skills, values and practices, and that institutions of secondary and postsecondary education should forswear reliance on *Hazelwood* as a source of authority for the governance of student and educator expression.

Approved by the JEA Board, April 16, 2013