
Activity sheet 7:3 “Teaching Censorship: High School Journalism in the Post-Hazelwood Era”

Teaching Censorship: High School Journalism in the Post-Hazelwood Era

By Kimberly Phillips, March/April 1994

In civics classes, high school students are taught that the First Amendment is the foundation upon which political freedom stands. But in their journalism classes, they are frequently taught the opposite lesson, as *Hazelwood*, a late '80s Supreme Court ruling that gives principals the power to review and censor high school newspapers, continues to have chilling effects on high school journalism.

Issues of free speech in high schools were first considered by the Supreme Court in *Tinker vs. Des Moines*. The 1969 decision, which concerned students who were suspended for wearing black armbands to protest the Vietnam War, ruled that a student's right to free expression should not be limited while in school or on school grounds. Although the case did not deal specifically with newspapers, it was interpreted to apply to all kinds of student expression—including student newspapers.

But in 1988, the Supreme Court handed down a different decision, one that specifically limits the free-press rights of high school students. The case, *Hazelwood School District vs. Kuhlmeier*, concerned students at a suburban St. Louis high school who were prevented by their principal from publishing articles about teenage pregnancy and the effects of divorce on high school students in the school-sponsored student newspaper. The Court ruled that “educators do not offend the First Amendment by exercising editorial control over the style and content of student speech in school-sponsored expressive activities so long as their actions are reasonably related to legitimate pedagogical concerns.”

The *Hazelwood* decision attempts to justify review of articles in three categories: “potential topic sensitivity”; speech that might “associate the school with any position other than neutrality on matters of political controversy”; and speech that is “inconsistent with the school's educational mission.” In practice, these extremely ambiguous and broad categories can result in the censorship of just about anything that challenges school officials.

“*Hazelwood* is so dangerous because neither students nor principals understand what it really says,” according to Mike Heibstand of the D.C.-based [Student Press Law Center](#). “It never states clearly exactly what the parameters are.”

The arbitrary censorship that exists under *Hazelwood* began almost immediately, as typified by a Colorado principal in 1988 who censored a student editorial that was critical of the *Hazelwood* decision itself. In another instance, a student editor in Cincinnati was prevented from running an advertisement for a school board candidate in the newspaper. She wrote an editorial protesting the censorship and extolling the First Amendment; the editorial was censored as well.

Sexual topics are frequently deemed to be “inappropriate” for a high school audience. In some cases, the desire to suppress discussions about sex overcomes common sense as well as respect

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for free speech—as when a high school superintendent in Arizona removed any mention of sexual transmission from an article about AIDS.

At Northrop High in Fort Wayne, Indiana, a student reporter who uncovered dishonest financial practices by a school coach was prevented from publishing the story, even though school officials admitted that the story was accurate. This lesson for young journalists is that passively reporting the “truths” handed out in press conferences is more rewarding than looking behind closed doors.

Currently, a case is progressing through the New Jersey Supreme Court that poses the first legal challenge to *Hazelwood*'s murky parameters. The case, *Desilets vs. Clearview Board of Education*, concerns a junior high school student whose reviews of *Mississippi Burning* and *Rain Man* were censored, simply because the movies in question were R-rated. The case might clarify some of the vague areas of *Hazelwood*, making it more difficult for school administrators to censor at will, and could potentially lead to a larger challenge of the current limitation on students' rights.

In any case, there may be more willingness to fight back against arbitrary censorship: Since the *Hazelwood* decision, the Student Press Law Center reports a steep increase in requests for legal assistance, from 548 requests in 1988 to 1,364 in 1992.

But some students may be internalizing the lessons of *Hazelwood*. Seventeen percent of journalism advisors interviewed in a 1989 University of Arizona study said that student journalists were less likely to write editorials critical of school policy than in pre-*Hazelwood* days, and 41 percent said that over time, students were becoming more accepting of *Hazelwood*'s standards.

As the Fund for Free Expression noted in a report on the repercussions of *Hazelwood* (12/91), “Though students may be learning about how the Constitution and the Bill of Rights are meant to work in theory, they are learning in practice what it is like to endure censorship and restrictions of free expression.”

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1. Why is the Hazelwood decision considered dangerous according to the article?
 2. What topics are often deemed “inappropriate” in high school newspapers?
 3. Describe three trends which may be evidence of censorship post-Hazelwood.