

# Bill to expand student journalists' rights moving in Missouri Legislature

Talk is cheap. Free speech isn't.

And that is what Missouri lawmakers must decide as they contemplate the Cronkite New Voices Act currently making its way through the state government.

If passed, the bill, sponsored by Elijah Haahr, R-Springfield, would protect student journalists and advisers from censorship unless content is libelous, illegal or an invasion of privacy. The act would override a decision in 1988 by the U.S. Supreme Court in *Hazelwood School District v. Kuhlmeier*, which ruled that St. Louis high school students' freedom of speech rights were not violated when the school's principal prevented articles about teenage pregnancy and parental divorce from being published in the school newspaper.

Instead, if the bill passes, student journalists would be granted the same free-speech rights afforded to other students under the *Tinker v. Des Moines Independent Community School District* Supreme Court ruling. Under that ruling, school administrators cannot punish students for speech that does not cause a substantial disruption to the operation of the school.

If Missouri legislators approve the bill, Missouri will become the eighth state – joining Arkansas, California, Colorado, Iowa, Kansas, Massachusetts and Oregon – to pass a law protecting student journalists' free-speech rights under the *Tinker* standard. A similar bill is pending in the Illinois General Assembly.

A good sign for passage of the Missouri bill was the House's overwhelming vote in its favor in March. The legislature's

sympathy for the student journalists accosted by Melissa Click (see cover story) seems to have led to a greater appreciation of student journalists.

### **Bill makes sense**

Protect young adults and their professional educator and treat them with respect and trust? Yes. Tell them their ideas matter? Yep. And what they think and what they say and what they communicate could spur discussion and educate? You betcha. Young adults need to feel valued and reminded their voice, their thoughts, their words matter. This bill could help solidify that.

Journalism has changed. That's no secret. The students in the journalism programs at my school, Kirkwood High School – and in programs throughout the country – produce a daily news website, a news show, a newsmagazine and a yearbook. My students are tweeting breaking news, posting links to Facebook, and snapping shots during a basketball game that are immediately shared on Instagram and Snapchat.

We are lucky at Kirkwood High School. Our journalists get that voice. Beginning with former principal Franklin McCallie and extending to today's Principal Mike Havener, we have been a school that supports the First Amendment and values our students. And I have seen kids thrive. Kirkwood H.S. has won the Journalism Education Association's First Amendment Press Freedom Award more than any school in the country since its inception. A program that had 75 students a decade ago now has more than 200.

When the events of Ferguson unfolded more than a year ago, some St. Louis-school administrators told advisers and students they could not cover the events in their school media. To not cover something as important as Ferguson would be unfathomable to my students. This type of censorship by administrators undermines critical thinking and destroys the

quality of student media.

At Kirkwood, we covered it. On our website, in our newsmagazine and in our yearbook—we covered it. Students covered it to inform, to educate and to spur thoughtful discussion. The press freedom at Kirkwood allowed student journalists to cover the events including a student walkout during the school day. This press freedom told students their voice matters.

So much has changed in journalism, but one thing hasn't: the benefits of practicing it when protected by the First Amendment. Journalism gives students responsibility and real participation, not cosmetic decision-making honored only if it falls within the scope of the principal's personal prejudices. Establishing an open forum for student free expression through the student press is one of the most important things schools do. Student journalists can tell the stories of their community better than anyone else can, and student voices can help promote positive school culture or help to change destructive culture.

Would you rather have this speech protected and under the supervision of a trained adviser or tell censor kids and have them express the same sentiments on social media? Oftentimes a healthy student press means a healthy community. It is civics in action.

Scholastic journalism is the epitome of authentic project-based learning, using various platforms to help students develop important media, news, information and civic literacy skills that are so often forgotten in other parts of the school curriculum. And the goal of scholastic journalism is not to create journalists, but rather it is to develop capable employees and engaged citizens. Though high school journalism teachers are proud of those students who follow career journalism's calling, those educators know their students will be more informed, more empathetic and more engaged as a result

of their scholastic journalism experience.

“The ongoing process of questioning, experimentation, reflection and analysis combines autonomy with a supportive ‘OK-to-fail’ environment, boosting confidence in students as they struggle with real-world challenges and find solutions,” said Sarah Nichols, a high school publications adviser and vice president of the [Journalism Education Association](#), the largest association of scholastic journalism educators and advisers.

Today’s scholastic journalism – with an emphasis on the ethical and legal responsibilities of communicating in a digital world – will help students learn to rise above the noise and create meaningful dialogue. What other class can claim such a vital learning outcome? Quite simply, the end-goal is not journalists, but better people.

This process and end product cannot happen if student journalists and advisers are censored. Censorship is detrimental for students and society. Punishing students for their speech teaches them that censorship, often arbitrary and without limits, is acceptable. But in a society dependent on journalists and the public keeping the government in check, we cannot afford to have curiosity and confidence bred out of our students. We cannot afford to stifle today’s new voices because they are tomorrow’s media leaders and citizens.

It is 2016 not 1988. Eight states have laws negating *Hazelwood*. There is no evidence of any greater incidence of libel, invasion or other injury in those states – even California, which had had such a law for nearly 40 years. So that is a combined 160-plus years of experience with student press freedom. After all, the New Voices Act merely gives students the same level of First Amendment protection that the Supreme Court gave Mary Beth Tinker in the 1960s when she wore a black armband to school to protest the Vietnam War.

Look, teenagers are incredible. They are funny, smart, eager to please, and up for just about anything as long as food is involved. They have the most generous hearts and want desperately to be loved and validated. They are quirky, and messy, and have the best sense of humor. I want to instill in them the belief that they are not limited, and that they can do anything if they're willing to work hard enough for it.

The Cronkite New Voices act would make students feel important and valued. And we all need to feel that way.