

# OPINION PAGES

## Quotes OF THE WEEK

**"I know there is nothing I can say to take the pain away. I know what it is like to lose a child, but that does not excuse what I did."**

*Jeffery Ireland at his sentence, where Judge Karen Flowers gave Ireland 15-20 years*

**"Today he put the team on his back and said 'Ride me.'"**

*NU Wrestling Coach Tim Neumann, on Bryan Snyder's talk that led NU to an upset win over Iowa State on Sunday*

**"An error isn't a mistake until you refuse to correct it."**

*Hastings Sen. Ardyce Bohlke on the debate over LB149 and legislation last year that led to a \$22 million miscalculation in state aid last year*

**"His books are about people in dangerous places doing dangerous things. He has a richer and nastier sense of human nature than John Grisham. He also has this wild imagination. I wonder, 'Where does he come up with this stuff?'"**

*Brent Spencer, director of creative writing at Creighton University on Omaha author Richard Dooling*

**"I just want to save the Earth and make a living at it."**

*Joel Sartore, UNL graduate, on his job as a contract photographer for National Geographic*

**"We are probably the most culturally, generationally and financially diverse center in the city."**

*Karla Decker, F Street Rec Center director, on the Center's purpose and renovation*

**"We are interested in enhancing greek row. The dynamics of the area are too strong."**

*John Benson, director of UNL Institutional Research and Planning, on UNL's Master Plan expansions*

**"They are out there ... none of them are particularly efficient in my opinion. None of them have the legal force behind them."**

*Lincoln Sen. Chris Beutler, on lists designed to protect people from telemarketers, similar to the one LB427 will introduce*

**"I thought if school didn't work out, I could go back to Whistler, but if I didn't give school a chance, I was screwed."**

*NU gymnast Jason Hardabura, on his decision between going to school and staying in Whistler, B.C. as a ski bum*

**"Let's go down to the pond and mess with the ducks. Let's go down to the pond ... I want to get messed up."**

*Monkey Boy singer Jimi Hathaway from the song "The Pond"*

**"I was a little worried at first, but I didn't think it was a really big deal."**

*NU recruit Josh Davis, on the status of his football scholarship*

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## Brookins's VIEW



## In-school suppression

### Freedom of speech should include all ages



**MATT PETERSON is a senior English and news-editorial major and a Daily Nebraskan columnist.**

Last year, student journalists at Bellevue West High School published a feature section on alternative lifestyles in the school newspaper.

To be included in the series was an article focusing on two homosexual students at the school, as well as a story about Wicca, a religion often associated with witchcraft.

The school's principal pulled both articles, provoking a statewide issue while perhaps avoiding a localized controversy.

This educator's actions were arguably legitimate, according to a vague precedent set by a 1988 U.S. Supreme Court decision, *Hazelwood School District v. Kuhlmeier*. In a 5-3 decision, the court ruled that school administrators have the right to monitor all student speech and to refuse the publication of any form of expression "inconsistent with 'the shared values of a civilized order.'"

Voices may change during adolescence, but the rights of students to use those voices should be constant. The First Amendment should not be contingent on social standing, age or even maturity.

The right to drive is granted at 16; the right to vote comes at 18; and the right to drink is bequeathed at 21. If *Hazelwood* is to be taken literally, perhaps the U.S. government should mail a handy wallet-sized Bill of Rights to all newly ordained citizens on their 18th birthdays.

While the Supreme Court's ruling in this matter is considerably overbearing, the language used in the decision is downright frightening. Phrases such as "shared values" and "civilized order" conjure up Orwellian images of Big Brother sitting on the other side of the school's PA system reading off the day's lunch menu and leading the "Pledge of Allegiance" during homeroom.

Indeed, such a ruling is more consistent with the harsh censorship of totalitarian and communist societies, forgetting for the moment that this is a precedent governing minors, typically considered second-class citizens by law.

With the 10<sup>th</sup> Amendment in hand, several states have taken it upon themselves to enact clearer student-expression standards. According to the Student Press Law Center in Washington, D.C., Arkansas, California, Colorado, Iowa, Kansas and Massachusetts have already adopted laws extending free speech to the classroom, and 20 other states have considered such legislation.

The Nebraska Legislature is considering a bill sponsored by Lincoln Sen. Chris Beutler titled the Student Freedom of Expression Act. The measure has appeared three times before the Unicameral but has never inspired a vote despite the Education Committee lending its approval to the proposal late last session.

Given the lengths that unwarranted censorship is allowed to proceed under *Hazelwood*, such legislation is sorely needed. School officials are basing their editorial decisions not on whether the work being published is libelous, inaccurate, obscene or tends to incite violence — the only factors that should bar publication — but on public relations concerns.

In many cases, educators have overstepped even the vaguest boundaries of the *Hazelwood* precedent by limiting student expression not "reasonably related to legitimate pedagogical concerns."

In another Nebraska high school, the principal removed a picture of students at prom from the yearbook because he claimed the students looked too happy not to have been drunk or on drugs. The same principal removed another yearbook picture in which a girl kissed her boyfriend on the cheek.

In Michigan, the 14-year-old editor of a middle-school newspaper approved a story about a student caught shoplifting during a school trip. The article was based on a police report and did not mention the student's name because she was a juvenile.

Administrators admitted to the accuracy of the story but pulled it from the publication anyway, apparently because it portrayed the school negatively.

The student editor sued the school board in federal court, prompting a settlement preventing educators from censoring stories simply because they reflect negatively on the school district.

In the meantime, however, the school shut down the newspaper and the faculty adviser for the paper resigned.

This example presents a compelling argument: If an educational institution finances and lends its name and culpability to a publication, it should be able to control what is published.

Brian Hale, a representative for the Nebraska Association of School Boards, made this assertion during committee proceedings for the current state proposal.

"Freedom of the press is something we all honor, respect and hold dear," he said. "But freedom of the press really exists for the people who own the press."

But public education is financed by taxes and thus is owned by taxpayers, not the school board. While educators are obligated to advise students, they should never be allowed to suppress those in their charge.

Publishers have the unequivocal right to monitor what they publish. And while school administrators hold a similar station, they are more patron than publisher; it is the educator's responsibility to propose suggestions rather than limitations.

A slim majority of Americans tend to agree that school authorities should have the right to monitor student expression as evidenced by a survey conducted by Kenneth Dautrich, Ph.D., of the Center for Survey Research and Analysis at the University of Connecticut.

The study was sponsored by the Freedom Forum, an international organization concerned with First Amendment issues. The study revealed that 54 percent of a random sample of Americans disagreed with the following statement: "High school students should be allowed to report controversial issues in their student newspaper without approval of school authorities."

In comparison, 76 percent of those surveyed supported the right of tabloid newspapers to publish whatever they want.

From fictional sources to unnamed contacts, the term "journalistic ethics" is increasingly being perceived as a contradiction in terms in the public eye. And considering the public's growing apprehension toward the press, perhaps journalistic ethics should be instilled at a younger age.

Indeed, it should be the responsibility of educators to teach students, be they budding journalists or not, how to use their voices responsibly and, above all, actively.

But if First Amendment rights are merely alluded to in history lessons and not granted at an early age, this lesson will go untaught.