

Censorship of Tully student offers an inadvertent civics lesson (Guest Opinion by Roy S. Gutterman)



There's an important civics lesson coming out of the schools in Tully. This is a lesson about censorship, a term that is often bandied about, sometimes inaccurately.

However, censorship is the only way to describe the case of Tyler Johnson, a Tully high school senior who was told by his principal that his first-person "Senior Spotlight" for an upcoming newsletter could not run.

Speech in public schools has never been absolute, or even close to absolute. Even though the Supreme Court made a bold statement affirming the free speech rights of a high school cheerleader who posted a profane commentary on Snapchat, in-school speech can be readily controlled — and it often is.

Tyler's essay was not laced with profanity. It did not call for incitement of imminent lawless action or defame anyone. His personal essay answered the assigned question of highlighting a big challenge, which he used to describe his experience growing up gay. That was enough for Principal Mike O'Brien to call Tyler to the office to inform him that his essay could not run as is.

Tyler, to his credit, pulled the essay altogether and then went on social media, sparking a protest that generated national publicity. School officials, after an intense meeting and executive session, eventually changed its tack and told Tyler he could publish his piece. Now, the district hired a \$230-an-hour outside lawyer to investigate whether the censorship violated any state anti-discrimination laws.

Much of the authority for in-school censorship comes from a 1988 Supreme Court case, **Hazelwood School District** v. Kuhlmeier. In the Hazelwood decision, the court gave school officials great power and authority to censor, even punish, student speakers, particularly in school publications. Hazelwood still stands for the premise that school administrators can censor school publications for a broad range of things as long as it is related to an educational purpose. Legitimate reasons include things like poorly written, defamatory, profane or grammatically problematic content. But the court also allows censorship based on a shadier justification under the auspices of what is "appropriate" for students.

<https://www.syracuse.com/opinion/2022/02/censorship-of-tully-student-offers-an-inadvertent-civics-lesson-guest-opinion-by-roy-s-gutterman.html>

February 4, 2022

Our View: Student voices easily hushed



Student journalism is a key step for those on the journalism path. However, student journalists have found their voices are not always seen as equal to that of independent journalism organizations. With many student journalism publications being sponsored, this creates blurred lines when it comes to what is classified as free speech. This is an issue that has historically been questioned and has required a Supreme Court ruling.

New Voices is a student-powered activism group working to counteract the 1988 *Hazelwood v. Kuhlmeier* Supreme Court decision with the Student Journalist Press Freedom Restoration Act. The ruling was made when students in the Hazelwood East High School Journalism II class wrote stories about teen pregnancy and the impacts of divorce for their school-funded newspaper.

Before the stories were published, the principal deleted pages with stories that were seen as inappropriate. The students felt as though their rights to freedom of speech were being violated, because the school's newspaper was a public forum. A public forum is a space open to free expression.

In the end, the Supreme Court ruled in favor of the school, because the newspaper was sponsored by the school and was seen as a way for the students to meet the requirements of their Journalism II class. It was not necessarily a public forum. The Student Journalist Press Freedom Restoration Act recognizes that school-sponsored publications are entitled to freedom of expression, as it is an important piece to upholding our democracy.

The Act presses for students' freedom of speech but does not protect statements that are libel, slanderous, an invasion of privacy or obscene. New Voices is working in 20 states to bring attention to the Act, including Kentucky. Only 15 states currently have student press freedom laws.

Seeing as there are already states supporting student press freedom, it seems as though the efforts of New Voices will have an impact. However, we at *The News* are unsure. We find this issue complex. As student journalists, we are strong supporters of our freedom of expression. However, we are an independent publication. Therefore, our freedom of expression can not be impeded upon by the University.

As journalists, we are the fourth estate, meaning we are watchdogs of administrative bodies such as schools, governments and other agencies. To relinquish that right from student journalists means to take back an important piece of journalism.

Another problem that resulted from the **Hazelwood** v. Kuhlmeier Supreme Court decision gives institutions the ability to eliminate any content that does not fit in with the curated image. For example, if Murray State was to do something shady that needed to be called out, *The News* could do that. However, if the same issue were to happen at a high school publication, it may be censored by their school if the publication is not protected by student press freedom laws.



Betty Jane Tucker

Wednesday, February 2, 2022

Betty Jane Tucker, Nevada, Mo., passed away on Jan. 30, peacefully at home, surrounded by family and friends. She was born in Gatewood, Mo., on April 23, 1930. She married Willard Tucker on July 7, 1950. They spent the next 50 years living in St Louis and had two children, Teri Tucker Posey and Phillip Thomas Tucker.

Betty worked for Hazelwood School District for many years as a Teacher's Aide. She met countless friends along the way. She was active in Girl Scouts, a member of the Women's Bowling League, and a member of St Mark's Methodist Church. Willard and Betty moved to Nevada in 2002 and were fortunate to meet many more great friends. They were also proud "Winter Texans" and spent many winters on South Padre Island.

Betty was distinguished by an inordinate amount of common sense, sageness, practicality, and wisdom — qualities that were almost always true and right on target. Betty's kind heart and soul shined brightly throughout her life. She dearly loved all people, children, dogs and cats, beautiful flowers, her many friends, stylish fashion, and her family, including her cat Tom Tom.

All of her family, from her sister to her many nieces and nephews, and especially her two children and son-in-law, will miss her in too many ways to count. She was a great mother with a big heart.

Betty was preceded in death by her husband, Willard, in 2013, who always referred to her as "a poor man's Elizabeth Taylor." Survivors include her daughter, Teri Posey and husband, Christopher, of Nevada; and her son, Phillip Thomas Tucker, PhD, of Davenport, Fla. She also leaves behind her sister, Lee Crowley, of Prescott, Ariz.

Interment will be at Doniphan Cemetery in Doniphan, Mo., at a later date.

Memorials are suggested to St Jude Children's Hospital or Vernon County Animal Shelter in care of Ferry Funeral Home.

View obituary and send condolences online at www.ferryfuneralhome.com.