



Guidelines, recommendations for advisers facing prior review

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At the spring 2009 Portland JEA/NSPA convention, JEA's board passed a [definition](#) of prior review and prior restraint. The SPLC also recently [endorsed](#) the statement.

At the time, the Press Right Commission was directed to design a recommended process and guidelines on how advisers might handle prior review if faced with it. Below you will find those guidelines and process along with links to supporting philosophy and resources. We welcome your input.

While we know advisers will make decisions regarding prior review and other educational issues based on what they believe they can best support philosophically, JEA reiterates its strong rejection of prior review, and hence prior restraint, as a tool in the educational process. With that belief, we feel an obligation to help advisers faced with this situation.

Statements to accompany JEA's definitions of prior review and restraint:

As journalism teachers, we know our students learn more when they make publication choices and that prior review or restraint do not teach students to produce higher quality journalism.

As journalism teachers, we know the only way to teach students to take responsibility for their decisions is to give them the responsibility to make those decisions freely.

As journalism teachers, we know democracy depends on students

understanding all voices have a right to be heard and knowing they have a voice in their school and community.

Thus, to help students achieve work that is up to professional standards, journalism educators should consider the following process:

- Encourage transparency about who determines the content of a student publication by alerting readers and viewers when student media are subject to prior review and restraint;
- Advocate the educational benefits of student press freedom if student media are subject to prior review or restraint;
- Provide students with access to sources of professional advice outside the school for issues they need to address;
- Provide students with tools that include adequate knowledge and resources to successfully carry out their work. By using these tools, we build trust in the learning process and the theories on which it is based;
- Encourage students to seek multiple points of view and to explore a variety of credible sources in their reporting and decision-making;
- Coach instead of make requirements or demands thus modeling the value of the learning process and demonstrating the trust we place in our educational system;
- Empower students to know the difference between sound and unsound journalism and how to counsel their peers about potential dangers;
- Model a professional newsroom atmosphere where students share in and take responsibility for their work. In so doing, we increase dialogue and help ensure civic and journalistic responsibility;
- Use peer editing to encourage student interaction, analysis and problem solving;
- Instruct students about civic engagement and journalism's role in maintaining and protecting our democratic heritage;

- Showcase student media where the dissemination of information is unfiltered by prior review and restraint so the school's various communities receive accurate, truthful and complete information.

Recommended process if facing prior review, restraint

If, after employing the above techniques, student journalists still object to changes an adviser discusses, the following describes a process to handle potential disagreement:

1. Adviser and students disagree about content for publication.
2. Adviser and students discuss all angles of the disagreement; they try to find common ground.
3. The adviser and students decide if the disagreement is based on an ethical issue or a legal one.
4. If violations of libel, obscenity, unwarranted invasion of privacy, copyright infringement or material disruption of the school process are likely at stake, the adviser urges students to get advice of the Student Press Law Center or reliable legal resource. Not just any school lawyer or administrator will do. The resource, which could include non-live information, must be reputable for scholastic media. The phrase "unprotected speech" might not be enough because Hazelwood so muddied the concept.
5. If the disagreement is not over a legal consideration, the adviser urges students to consider the "red light" or similar questions raised by The Poynter Institute to see how various stakeholders might react if the material is published. Students see and consider the possible outcomes of publication and discuss with the adviser ramifications of their actions.
6. Adviser and students continue to discuss and explore alternative approaches until they reach a point of no possible agreement.
7. This process fulfills the adviser's commitment to advise, not to make or require decisions, and to be cognizant of his/her responsibilities to school and students.

The Journalism Education Association reiterates its position that prior review and prior restraint violate its Adviser Code of Ethics and educational philosophy.

Additional links and resources:

- **10 Tips for Covering Controversial Subjects** from the press rights commission website
- **Questions advisers should ask those who want to implement prior review** from commission blog
- **JEA's Adviser Code of Ethics** from the commission blog. Scroll to the bottom
- **JEA's statement on prior review** from the JEA website
- **Results of a Master's study on prior review and publication awards** from the commission's website
- **Resources from the press rights commission on developing professional standards** from press rights website
- **NSPA Model Code of Ethics for student journalists** from NSPA's website