

General Background Information about Neshaminy vs. Playwickian

Since the First Amendment protects expression of speech from government infringement, when school administrators, acting as governing officials, decide what may or may not be published, they are censoring speech; when student editors decide what may or may not be published, it is editing.

The school mascot for Neshaminy High School is the Redskin, a term which many find offensive, so when the Playwickian editors made the decision last October to ban the word “Redskin” from their publication, the school principal asked them to reverse the ban. What followed has been an ongoing battle between the Neshaminy School Board and the Playwickian – between censorship and freedom of the press.

(<http://www.splc.org/news/newsflash.asp?id=2738>).

In *Tinker vs. Des Moines School District* (1969), the U.S. Supreme Court ruled that students do not “shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.” The Pennsylvania Public School Code offers further protection to student publications, but Neshaminy district superintendent Robert Copeland claims that it cannot allow the “First Amendment rights of one student be abridged to satisfy the stated objections of another group of students.” In other words, student editors may not infringe upon the rights of students who wish to use the word “Redskin” in letters to the editors, advertisements, opinion pieces or cartoons.

After months of heated debate, on June 26 the Neshaminy school board approved, 8-1, a policy that limits, but not eliminates, the ability of students to edit out the word *Redskin*, Neshaminy High School's mascot, from the high school newspaper. The student editors may remove the word “Redskin” from news articles, but not from editorials or opinion columns. In other words, the school board is actually compelling speech upon the editors. (More about compelled speech: <http://law2.umkc.edu/faculty/projects/ftrials/conlaw/compelledspeech.htm>)

The students are still considering filing a lawsuit, but nothing definite has been announced.

Links to how professional journalists are handling the “R” word:

The Sporting News, “Tony Dungy, Phil Simms may not say “Redskins” on tv”
<http://www.sportingnews.com/nfl/story/2014-08-18/phil-simms-redskins-name-cbs-broadcast-washington-fox-tv-name-controversy-jim-nantz-debate-racist>

Washington Post. "ESPN's Tom Jackson says he may follow Tony Dungy in refusing to use Redskins name"

<http://www.washingtonpost.com/blogs/dc-sports-bog/wp/2014/08/22/espn-tom-jackson-says-he-may-follow-tony-dungy-in-refusing-to-use-redskins-name/>

Washington Post. "Washington Post editorials will not longer use 'Redskins' for local NFL team." http://www.washingtonpost.com/opinions/washington-post-editorials-will-no-longer-use-redskins-for-the-local-nfl-team/2014/08/22/1413db62-2940-11e4-958c-268a320a60ce_story.html

Poynter. "Here's a list of outlets and journalists that won't use the word 'Redskins'" <http://www.poynter.org/latest-news/mediawire/256258/heres-a-list-of-outlets-and-journalists-who-wont-use-the-name-redskins/>