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June 10, 2024 (VIA EMAIL)

Re: School Committee Item J, "School Publications," First Reading, 6/11/24 Meeting

Dear Warwick School Committee Members:

I write regarding an item on your agenda for tomorrow night's meeting, and that is a first reading of amendments to the district's policy on "School Publications." The ACLU of Rhode Island urges your rejection of these amendments. They are in direct conflict with state law and undermine the exercise of free speech rights by students in your school district.

Specifically, the proposed policy would give the Superintendent the broad power to edit or delete the content of any student newspaper or publication if it was felt to be "inconsistent with the district's basic educational mission." It also prohibits any anonymous expressions of personal opinion in student publications, and further allows for expansive censorship of any student journalistic endeavors that, among other things, "contain unfounded charges" or might "reasonably be perceived to advocate intolerance."

A 1988 United States Supreme Court decision, *Hazelwood School District v. Kuhlmeier*, is cited as the basis for the current policy. That ruling gave school officials tremendous discretion to censor student newspapers. In that case, the Court allowed public high school administrators at a suburban St. Louis school to censor from the school's student newspaper stories concerning teen pregnancy and the effects of divorce on children. The decision had a chilling effect on student journalism throughout the country.

In response, more than a dozen states have passed laws rejecting that ruling and instead recognizing the importance of encouraging student journalism and guaranteeing students basic rights to freedom of the press. Rhode Island is one of those states, having enacted the "Student Journalists' Freedom of Expression Act" in 2017. That Act codifies for students the "right to exercise freedom of speech and of the press in both school-sponsored media and non-school sponsored media." R.I.G.L. § 16-109-3(a).

Under that law, journalism advisors can continue to assist student editors, and the statute makes clear it does not protect libelous, obscene or disruptive speech in student publications. But it decisively rejects the notion that school administrators should be able to dictate the content of these publications based on such considerations as whether they contain "unfounded charges" or are "consistent" with the school's "educational mission."

Students do not volunteer for extra-curricular activities like the school newspaper with the desire to print four-letter words. They are responsible individuals who deserve to

be free from inappropriate censorship by administration officials. The state law guarantees to those students the respect they deserve for their work. Most importantly, it recognizes that we cannot expect students to become independent-thinking and responsible adults if censorship is allowed to be the norm in the school setting. In short, it ensures that the First Amendment that students learn about in their civics classes does not consist of empty words stripped of meaning in the school setting.

We therefore ask you to reject these proposed amendments and to instead revise the policy so that is in accord with this important state law.

Thank you for considering our views.

Sincerely,

A handwritten signature in black ink that reads "Steven Brown". The signature is written in a cursive, flowing style.

Steven Brown
Executive Director

cc: Supt. Lynn Dambruch
Andrew Henneous