



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/10/2020
Time: 02:05 PM
Location: 325
Committee: House Judiciary

Department: Education

Person Testifying: Dr. Christina M. Kishimoto, Superintendent of Education

Title of Bill: HB 1529, HD1 RELATING TO STUDENT JOURNALISTS.

Purpose of Bill: Allows student journalists at public schools to exercise freedom of speech and freedom of the press in school-sponsored media. Takes effect on July 1, 2050. (HD1)

Department's Position:

The Department of Education strongly values student voice and encourages students to be fully engaged in their own learning, including civic engagement. Respectfully, the Department provides comments on HB 1529, HD 1.

Preparing our students to be global citizens requires them to master the ability to think critically, communicate effectively and take informed action. The following Board of Education (BOE) policies are pertinent to the proposed measure:

- BOE Policy 101-1, Student Code of Conduct, acknowledges the Student Bill of Rights and Responsibilities. This Bill of Rights addresses Freedom of Expression and Communication by stating, "students shall have the right to hear and express publicly, various points of view on subjects without fear of reprisal or penalty. However, students recognize the rights of others and the limitations imposed by the laws of libel, slander, obscenity and incitement to riot." More information can be found at:

<http://www.hawaiipublicschools.org/ConnectWithUs/Organization/Pages/Student-Bill.aspx>

- BOE Policy 101-9, School-Sponsored Student Publications, notes that "students of the public schools have the right of expression in official, school-sponsored, student publications." Further, "student publications are considered, in part, a laboratory for learning, as students are still in the process of learning the skills and processes of effective and responsible communication, and are considered to be still in need of guidance and supervision."

"Student publications include, but are not limited to, various media including print media (books, newspapers, yearbooks, magazines, posters, etc.), audio and/or video productions, and publications disseminated through electronic media, and networks or broadcasts. A school sponsored publication is one that is written and/or produced substantially by students under the

auspices of the school, approved by a representative of the school administration, and made generally available throughout the school. Student editors and staff of school-sponsored student publications have the authority to determine the content of their publications subject to the limitations of this policy, other Board policies, and state and federal law..."

BOE Policy 101-9:

<http://boe.hawaii.gov/policies/Board%20Policies/School-Sponsored%20Student%20Publications.pdf>

· BOE Policy 101-13, Controversial Issues, states, "Student discussion of issues which generate opposing points of view shall be considered a normal part of the learning process in every area of the school program. The depth of the discussion shall be determined by the maturity of the students. Teachers shall refer students to resources reflecting multiple and diverse points of view. Discussions, including contributions made by the teacher or resource person, shall be maintained on an objective, factual basis. Stress shall be placed on learning how to make judgements based on facts." Teachers and Administrators allow for controversial issues and should maintain the ability to give students opportunities to learn and consider contributions before publication.

Given the expanded opportunities to promote student agency, it is critical that all schools continue to balance the intellectual and social development of their students with freedom of expression.

With that said, the Department recognizes the passage of New Voices laws in 14 states (Arkansas, California, Colorado, Illinois, Iowa, Kansas, Maryland, Massachusetts, Nevada, North Dakota, Oregon, Rhode Island, Vermont and Washington) and codes protecting the rights of student journalists in the District of Columbia and Pennsylvania and will continue to review and gather feedback on this measure.

Thank you for this opportunity to provide testimony on HB 1529, HD 1.

The Hawai'i State Department of Education is committed to delivering on our promises to students, providing an equitable, excellent, and innovative learning environment in every school to engage and elevate our communities. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at www.hawaiipublicschools.org.



All Hawaii News * P.O. Box 612 * Hilo, HI 96721 * www.allhawaiinews.com

Feb. 8, 2020

House Judiciary Committee

From: Nancy Cook Lauer, publisher, All Hawaii News

www.allhawaiinews.com nclauer@gmail.com 808.781.7945

In STRONG SUPPORT of HB 1529 HD1, Relating to Student Journalists

All Hawaii News, a state government and political news aggregate blog covering Hawaii since 2008, supports HB 1529 HD1 recognizing that journalists in public schools have the same First Amendment rights as other journalists in this great nation founded on the principles of free speech and a free press.

Now more than ever, a free press is vital to a strong democracy. Student journalists cover issues and events important to the student body and the community. They provide an independent voice that helps expose concerns in their schools and in their local communities. We must not hamper or extinguish their voices; instead we must nurture them and help create the next generation of strong journalists.

The bill, as amended, carries safeguards including: “Nothing in this section shall be construed to prevent a student media advisor from teaching professional standards of English and journalism to student journalists or determining grades and credit for such purposes.” It also guards against libel and slander, invasion of privacy, obscenity and inciting violent acts.

Mahalo nui for considering HB 1529 HD1.



Big Island Press Club

Since 1967, protecting the public's right to know

Big Island Press Club
P.O. Box 1920
Hilo, Hawaii 96721

CONTACT:
info@bigislandpressclub.org

Feb. 8, 2020

Senate Committee on Technology

From: John Burnett, Immediate Past President, Big Island Press Club

In SUPPORT of HB 1529 HD 1 relating to student journalists in Hawaii public schools

The Big Island Press Club, Hawaii's oldest press club, is in support of House Bill 1529 guaranteeing student journalists in public school-sanctioned media the same freedoms of the press and speech enjoyed by professional journalists, as provided by the First Amendment of the United States Constitution, and without prior restraint or fear of reprisal by school administrators and faculty.

Hawaii's student journalists want to tell the stories that matter to them, their peers and their communities. For more than a generation, however, they have come of age under a U.S. Supreme Court decision, discredited by every journalistic education organization in America, that guarantees them less freedom to tell these stories than that of every other student on campus.

In 1988, the U.S. Supreme Court ruled in *Hazelwood School District v. Kuhlmeier* that a school may censor a student journalist when "reasonably related to legitimate pedagogical concerns." Unfortunately, the "pedagogical concerns" under which student media is censored are rarely articulable by those "concerned," often subjective and rooted in the discomfort of school administrators instead of the needs of students. Student journalists can be and often are censored for virtually any reason.

While most students are held to the "Tinker Standard," a legal precedent stemming from the 1969 *Tinker v. Des Moines* ruling that students' speech cannot be censored unless that speech materially or substantially disrupts the school environment, student journalists are held to a much higher standard solely because they are engaging in media.

HB 1529 protects the legitimate authority of educators. School officials can step in, for example, when there are concerns about the legality of the student media or the media will be demonstrably disruptive to the school environment - the same Tinker standard they apply for all other students. It also guards against libel and slander, invasion of privacy and obscenity.

For 32 years, the Hazelwood decision has saddled student journalists with less freedom of speech than their peers solely because they are journalists. HB 1529 simply restores equal expectations and rights to all students.

Freedoms of speech and expression are vital in a free society, especially in this day and age when the free press is under attack by both political and commercial concerns that try to discredit accurate reporting as “fake news,” and when demagoguery by our leaders is oftentimes cloaked as populism.

Allowing student journalists to go about their work without the threat of censorship and discipline is a necessity in promoting the free flow of ideas and information, a critical component in the learning process. The Big Island Press Club believes ensuring our student journalists the same freedoms of press and speech working professional journalists operate under on a daily basis vital to insure succeeding generations of Americans the critical thinking skills required to be active, engaged citizens in a democracy.

I thank you for the opportunity to testify in wholehearted support of House Bill 1529.



Feb. 10, 2020

Rep. Chris Lee
House Judiciary Committee
Honolulu, HI 96813

Re: House Bill 1529, HD1

Chairman Lee and Committee Members:

The Hawaii Professional Chapter of the Society of Professional Journalists supports this bill.

It is important for student journalists to inform students, parents, teachers and many times the surrounding community about news in the school without fear of censorship.

Young people should be free to find out things so they can learn how to function in a democracy. Toe-ing the line as administrators want is not the way of teaching them about society.

Stepping on the civil rights of student journalists also is not the way to tell young people how they should learn about responsible, free expression and how to "do their jobs" in the community and society when they become adults.

This bill does not grant unfettered license to student journalists. It guards against libel and slander; invasion of privacy; obscenity; and inciting violent acts.

I am sure you will agree that we don't want students growing up to be unthinking robots, and performing journalism under the threat of censorship or discipline could stifle the free flow of ideas.

Thank you for your time and attention,

Stirling Morita
President, Hawaii Professional Chapter of the Society of Professional Journalists



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(808) 722-8487

SUBJECT: Support for HB 1529 HD1, Relating to Student Journalists

February 9, 2020

Dear Chair Lee and Members of the House Committee on Judiciary,

I am Jay Hartwell, President of the Hawaii Publishers Association, whose members produce magazines, newspapers, printed and online content for the state of Hawai'i. The Association urges you to pass HB 1529 HD1.

For 51 years, the Newspaper in Education program and then the Hawaii Publishers have sponsored the annual Hawai'i High School Journalism Awards with support from the Honolulu Star-Advertiser.

We sponsor this competition, because we believe that high school journalism programs provide students with the best, hands-on opportunities to learn about research, fact-checking, and communication. We also believe that competing against other schools challenges student journalists to produce their best work.

Imagine what that competition would be like if the state's principals told their students they could not publish stories because of concerns about the content. How do you strive to be the best when you are not given a chance or know that you will NOT be given a chance?

How do I know this is a problem? For 20 years, I advised the student-led media programs at the University of Hawai'i at Mānoa, which included KTUH, Ka Leo, Hawai'i Review. UH sponsored an annual Journalism Day so high school students could learn what it takes to produce the best stories. At those journalism days, students and their advisers shared how some of their principals prevented them from publishing stories.

Today, I come to you as President of the Hawaii Publishers Association, which urges you to pass this bill. But I wasn't always a president. I wasn't always an adviser to UH student media, or a reporter for the morning newspaper. Forty-nine years ago, I was a new sophomore at Kailua High School. I didn't know anybody or anything. But I found the office of The Surfrider and during the next three years learned how to report, write stories, take photographs, design pages, and advocate for our students when the Department of Education decided to end our modular scheduling.

That experience led to work on my college newspaper, an internship at the Star-Bulletin, graduate school at Columbia, a job back home at The Advertiser and now I am able to provide testimony as president of the Hawaii Publishers Association.

What might have happened to me or Paul Brewbaker or Kathy Kawamoto or Bryan Sabin if our Principal Flora Takekawa had said no, instead of yes.

HB-1529-HD-1

Submitted on: 2/8/2020 1:53:19 PM

Testimony for JUD on 2/10/2020 2:05:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Dara Carlin, M.A. | Individual | Support | No |

Comments:

HB-1529-HD-1

Submitted on: 2/8/2020 8:40:00 PM

Testimony for JUD on 2/10/2020 2:05:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Aisha Heredia | Individual | Support | No |

Comments:

Aloha,

I support HB1529 HD1 as it protects student journalists from being censored for their stories published in student media at their schools. Freedom of speech is one of our Bill of Rights, and should be protected in our Hawaii Public Schools. I feel this bill will help student journalists create honest stories, that have the potential to change injustices at their school or communities. If we do not protect our students, how can they feel open to share or publish stories that can be a catalyst for change? And how can our students learn what it is like to be a journalist without freedom of speech? I support HB1529 HD1 because it will enhance the learning opportunities of our student journalists.

Mahalo,

Aisha Heredia

Former STEM Teacher

February 8, 2020

Aloha, Rep. Chris Lee, Chair; Rep. Joy A. San Buenaventura, Vice Chair; and members of the House Committee on Judiciary.

I am writing to express my **strong support** of HB1529 Related to Student Journalists.

I am a former Editor in Chief of Ka Leo O Hawaii (UH Manoa) and Ke Kalahea (UH Hilo), and former high school student journalist at Trojan Times (now Mililani Times) at Mililani High School.

We are in the midst of a period of American history where the role of journalists is both more important than ever, and yet under constant attack by both political and market forces. We need to be fostering the next generation of truth seekers, investigators, and storytellers to continue to function as a critical check on both government and corporate overreach, as well as to document the trials and triumphs of our local communities.

Students need to experience first-hand the rights and responsibilities that come with sustaining a free press. Prior restraint is unacceptable at all levels of journalism practice.

Certainly, freedom of the press and freedom of speech does not mean freedom from consequences. And student journalists need to have an objective and realistic understanding of the impact of the things they publish and broadcast. And that's where the experience and engagement of professional advisors are critical.

My tenure as editor of the then-daily Ka Leo ended after a newly implemented term limit by the UH Board of Publications. My student colleagues and I then launched an alternative campus paper. The dispute over distribution of this alternative newspaper on campus ended up at the center of a First Amendment fight between us and the UH administration – a dispute in which we ultimately prevailed. Yet the conflict was not without its consequences, and our publication dissolved months later.

This experience, as a student as well as a journalist, is exactly the sort of real-world challenges tomorrow's journalists will face. Let us not inhibit their growth, whether to protect them or to protect "us."

Mahalo for your consideration.

HB-1529-HD-1

Submitted on: 2/7/2020 9:39:15 PM

Testimony for JUD on 2/10/2020 2:05:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Chavonnie Ramos | Individual | Support | No |

Comments:

Aloha Chair Lee and Committee Members,

My name is Chavonnie Ramos and I have been a student journalist for nearly 6 years and I strongly support HB1529. I am currently the Editor in Chief at Ka Leo O Hawai'i, the University of Hawai'i at Mānoa's student news organization.

I joined my high school's newspaper at Waipahu because I was interested in storytelling and writing. It was nice being able to be part of an organization that wanted to be the voice for the students. But during my years as a writer and editor at the newspaper, I've always felt that the administration did not really care about us. Every time we produced a print issue, we had to send it to an Assistant Principal to have it checked and "approved." Most of the time they caught grammatical and spelling errors, which were fair catches for the most part. But sometimes, they instructed us to change certain sentences and stories because they sounded unflattering. Also, there were instances where the administration was too slow at getting back to us with edits. This often led to us missing our print deadlines and the stories becoming irrelevant to the student body.

I was always under the impression that we could not post anything at all, even on our social media platforms, without the consent of the administration. I do not want to list specific examples in this testimony due to the possible consequences certain individuals at Waipahu may face, but I am more than happy to meet with a legislator or anyone on the committee who is interested in knowing more.

I feel that Waipahu's newspaper was an example of "watered-down" journalism. There is a difference between public relations and journalism. The stories that the Waipahu administration were leaning towards were public relations type of pieces and "happy-feel good" stories.

As a journalist, we abide by the Society of Professional Journalists' Code of Ethics. One section of the Code of Ethics says to "Be Accountable and Transparent." But are public school administrators really letting the student journalists be transparent if they are censoring stories? One of the highest and primary obligations of ethical journalism is to serve the public. If students continue to be censored, are we really doing justice to those who want to actually pursue a career in Journalism? I think administrators can put some trust into student-journalists. I respect Waipahu and I am proud to say that I am

an alumni from there. The students and administration have done a tremendous job at getting the school more positive attention. But the administration also needs to revisit some policies and let the students learn. I think the only way for a student journalist to learn is to simulate that experience. I know that students would not publish anything that breached ethics. They are smarter than that.

When I joined Ka Leo as a freshman, I was culture shocked by the amount of freedom the newspaper had. We had an adviser, but they did not have the authority to choose what content should be covered. Ka Leo and student media at UH was solely student run. Everything you see in Ka Leo is produced by students. The adviser's job is to give us suggestions and help if we ask them to help. As a freshman, I was scared to pursue touchy subjects because of the fear of what negative impacts it may have on the university. But I was encouraged to pursue stories that needed to be told and issues that students had.

The university administration is also very understanding and acknowledges certain issues. Unlike my high school, the administration tried to cover up certain issues. The closest thing we could do as students was to ask our peers, but even that was not a good practice because we could not verify claims.

I thank Ka Leo for the opportunities and experiences it has given me to report on a wide range of topics that were out of my comfort zone. My clips and reporting done at Ka Leo has gotten me internships at local publications and media outlets.

Moving forward, we need to think about the future of journalism. I want the younger generations of journalists to have the freedom and opportunity to practice their craft - the freedom and opportunity that I never got while I was part of my high school's newspaper.

I support the bill and urge committee members to move it forward.

Mahalo,
Chavonnie Ramos

HB-1529-HD-1

Submitted on: 2/9/2020 4:36:53 PM

Testimony for JUD on 2/10/2020 2:05:00 PM



| Submitted By | Organization | Testifier Position | Present at Hearing |
|-----------------------------|---------------------|---------------------------|---------------------------|
| Jennifer Azuma Chrupalyk | Individual | Support | No |

Comments:

I should hope that 2050 was a typo in all of the bill descriptions. It shouldn't take 30 years to implement these measures. In 1897, Ka Hui Aloha Aina was about to retrieve nearly 40k signatures, using horses and canoes. The state can do better than 30 years out.. I can do it in a month, alone. You have professional committees with lots of degrees and money. I'm one step away from homelessness, with no degree. Please tell me that was a typo.

HB-1529-HD-1

Submitted on: 2/9/2020 7:09:59 PM

Testimony for JUD on 2/10/2020 2:05:00 PM

LATE

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------|--------------|--------------------|--------------------|
| Cynthia Reves | Individual | Support | Yes |

Comments:

My name is Cindy Reves and I advise the student-run newspaper at McKinley High School and I support HB1529 HD1 to protect the First Amendment rights of student journalists in Hawaii.

Laws just like this one already exist in 14 states and are being introduced in 17 more. This bill has educational value and is supported by the Journalism Education Association, the National Council of Teachers of English, and the Association for Education in Journalism and Mass Communication. It is supported by those whose ranks we are preparing our students to join, such as the American Society of News Editors and the Society of Professional Journalists. Finally, it has legal support from the American Bar Association.

As a journalism adviser, I teach my student journalists press law, news value, and journalistic ethics. I tell them about Tinker, where the Supreme Court said neither student nor teacher “shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.”

McKinley’s student staff write about what they feel our community needs to know. When they need an adult’s advice, they come to me. Editors make the publication decisions. I tell them that the best defense against censorship is good journalism. At McKinley, I am lucky that my administrator understands all this and supports what I do with the student newspaper.

However, I also tell my students that, in 1988, the Supreme Court restricted the First Amendment rights of one group of students, student journalists. If McKinley gets a new administrator or outside pressure causes our current administrator to reconsider his position, current law allows him great latitude to censor them. Hawaii needs a law that protects the First Amendment rights of student journalists and allows them the real-world learning that comes from making the decisions that must be made to produce a student-run newspaper.

Many worry that this bill will put schools and/or student journalists in legal danger. There is no evidence of this. I urge you to refer to the written testimony by student press law expert Frank LeMonte submitted when this bill was heard before the LHE committee.

What is true is that, without this bill, administrators are censoring the First Amendment rights of student journalists in Hawaii. While my students do not face censorship, in my role as president of the Hawaii Scholastic Journalism Association, I hear stories of Hawaii administrators whose actions show they do not trust student journalists and their advisers.

1. A high school administrator did not allow the student media to run an opinion piece about the n-word. Here are the last sentences of that piece: “The n-word should always be a huge social taboo because of its historical origin and usage; however, society is beyond the point of that. If certain individuals want to continue using the word, then the general public must learn how to comprehend its given context to react in an appropriate manner.” This is a nuanced reflection on an issue that matters.

2. A high school administrator didn’t want editorials published unless they were in Pro/Con format. Two that gave the adviser and staff the most difficulty: an editorial about how a student hates Thanksgiving and an editorial criticizing Trump’s cabinet picks.

3. A high school administrator asked the following questions during prior review with the adviser: “Why is this phrased this way? Why is this article about things that Trump has done called a ‘quick and dirty run down’? Some of these measures didn’t pass so why report on them? Why is this statistic phrased this way? Why is this the title of this article?”

4. In a high school that has prior review, the administrator held on to the paper so long that the student staff decided it was too late to send it to the printer, so they published that issue online only.

5. A college newspaper didn’t cover an issue for fear it would get their adviser in trouble.

6. A high school journalism adviser had been attending meetings which included discussion of student press rights legislation but stopped attending for fear of angering administration

What is also true is that student journalists serve an important role in our democracy. If they see injustice at their school and do not report on it, who will? If the leaders in Hawaii truly value student voice and the student press, they have to raise the bar and allow Hawaii’s student journalists to really practice journalism.

The student journalists at McKinley will do the hard work because they know a well-reported story won’t get killed simply because an administrator doesn’t like it. That’s not how journalism works and that’s not how our schools should work.

I urge you to support HB1529 HD1.

LATE

HB-1529-HD-1

Submitted on: 2/10/2020 7:59:48 AM

Testimony for JUD on 2/10/2020 2:05:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Jennifer Howe | Individual | Support | No |

Comments:

HB-1529-HD-1

Submitted on: 2/10/2020 8:08:34 AM

Testimony for JUD on 2/10/2020 2:05:00 PM



| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Jessica Hanthorn | Individual | Support | No |

Comments:

I am a journalism teacher, and I urge you to support this bill to protect a future generation of journalists.

I believe journalists are the true watchdogs for society, and I encourage my students to report accurate and fair news. We learn the news values at the beginning of the school year, and stories go through a rigorous editing and fact checking process before we publish. We also focus on the Society of Professional Journalists code of Ethics and make sure we are being ethical reporters and considering all sides.

Student journalists should not be forced by school administration to have prior review or prior restraint. The reporting, fact checking, and editing should be developed within the journalism class with a high-quality teacher and advisor.

We have had several instances in our classroom where administration is overly concerned with the idea that we present "good news" only or "make the school look good." Last year, two student reporters reviewed the tax returns for our school and produced an accurate look at where school money is spent. Administration immediately called me in and wanted the article taken down, not because of any inaccurate information, but because of the public conception of misspending.

School news organizations face this kind of censorship frequently, and it should be considered a violation of their first-amendment rights.

I trust that the legislature will give consideration to this bill, and I urge you to support it.

LATE

HB-1529-HD-1

Submitted on: 2/10/2020 1:19:11 PM
Testimony for JUD on 2/10/2020 2:05:00 PM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Sandy Matsui | Individual | Support | No |

Comments:

I'm testifying in support of HB1529 HD1. My name is Sandra Matsui and I am testifying in my capacity as a faculty advisor for UH Student Media (including the Ka Leo News organization) at the University of Hawai'i, MÄ• noa. Under current federal law, school administrators may and unfortunately do tread on the civil rights of student journalists through censorship. The frequency at which this happens is reflected by thousands of requests from student journalists for legal assistance received by The Student Press Law Center, an independent, non-partisan 501c(3) which works to promote, support and defend the First Amendment and press freedom rights of high school and college journalists and their advisers. Censorship sends the message that student voices don't matter, which is not the message the people of Hawai'i want to perpetuate among our youth.

HB1529 HD1 protects the rights and clarifies the responsibilities of individuals involved in journalism including students, advisers, and administrators in public schools and colleges. This bill is in direct support of Superintendent Kishimoto's High Impact Strategy of valuing student voice. I respectfully request that you support this legislation and accept this bill in its current form to ensure the student voice is heard and does matter.

Thank you for your consideration and support.

LATE TESTIMONY

Judiciary Committee
re. HB1529
Lawrence H. Wayman
Farrington High School
February 10, 2020

Members of the Judiciary Committee,

My name is Lawrence Wayman. I am the Newswriting teacher and adviser for the school newspaper "The Governor" at Farrington High School. Thank you for this opportunity to express my support for Bill HB1529.

Student Voices Provide a New Window for the World

In a nutshell, my support for HB1529 comes from my commitment to provide my students with a forum for them to "speak" with their own authentic voices about the world into which they are emerging as adults and prospective news reporters. In my experience as a Language Arts teacher since 1962, I have learned that our students bring perspectives to what is happening around us, of which adults are often unaware.

While working to publish a monthly school newspaper our students not only come to understand what is news of the world, but also recognize that they can shape news in the world in appropriate ways. In the words of former Washington Post publisher Philip L. Graham, "Journalism is the first rough draft of history." Our journalism students in Hawaii are actively engaged in this significant endeavor, and I am asking that you, in your capacity as policy makers, support and encourage them in their original and uncensored work.

Authentic Student Voices Speak the Truth in New Ways

As a journalism teacher, it is a high privilege to be with students as they discover their authentic voices in telling the truth about the places, events, and people who influence their days. They are truth-tellers from the perspective of their own youthful experience and research, and although they write in an objective manner, as good reporters do, the authentic angles and points of view that they take in selecting their stories, make a difference in the quality of our public discourse.

I have heard from numerous of my teaching colleagues, alumni, and parents how much they appreciate reading our school newspaper each month. The articles give them insight into what is of concern to our young people, often from perspectives different from what they receive from regular news sources. They do not fear what the students would say; they welcome their contributions as stake-holders for the truth.

When their voices are censored or restricted, either by administrative action or self-censored out of a fear of being reprimanded, our awareness of history diminishes. Censorship and restriction send the message that student voices don't matter...that children should be seen, but not heard.

This legislative proposal is designed to protect and clarify the rights and responsibilities of all who are involved in journalism in public schools--the students, advisers, and administrators.

Student Voices Matter

This bill is in direct support of Hawaii School Superintendent Dr. Christina Kishimoto's High Impact Strategy of "valuing student voice." I respectfully request that you support Dr. Kishimoto's proposal and the Hawaii Student Free Expression Act HB1529 and accept this bill in its current form to ensure that authentic student voice is heard.

Student Voices Are Not a Threat

As news reporters and writers, students discover that news is not only "what is out there;" they discover that they, themselves, are the news. HB1529 supports students in their efforts to speak, write, discuss, investigate, and "opinionate" about their world.

Recent research has shown that there is great value in incorporating youth voices in school policy-making, especially those expressed in school media, by welcoming a range of student opinions in decisions about academic content, discipline, school culture, free time, the physical space of the school, and family partnerships.*

A Partnership of Stakeholders

The practice of Journalism works best when all of the stake holders are in partnership. This bill will enhance the creation of partnerships between youth and adults, teachers, administrators, and students, enabling the following:

1. Regularly solicit student feedback.
2. Engage students in studying and assessing their school...training them in collecting and analyzing data and in asking their own questions based on their own analysis
3. Include authentic student representation on leadership teams.
4. Invite students to any discussion related to their own learning.
5. More broadly, consider young people as stakeholders and partners in their schools. When school leaders set new goals or make a major decision, they should expect students to contribute.

All teachers and schools seek to equip students with the tools to provide nuanced, constructive suggestions to the world in which they live and which they are preparing to enter. According to Harvard education researcher Dr. Gretchen Brion-Meisels, this means building a school culture that:

- exposes students to different ways of learning and approaching problems;
- normalizes the giving and receiving of feedback;
- gives students the time, space, and power to construct and test their own ideas.

A Code of Conduct for Journalists

No responsible journalist has carte blanche to say whatever he or she wishes to say. In my Newswriting class we follow the "Code of Conduct" established by Walter Williams, Dean of the first School of Journalism at the University of Missouri in 1905. This code is still in use by professional journalists in our country, and it is attached to the wall next to the elevators of the National Press Club building in Washington, D.C.

It reads in part:

--I believe in the profession of journalism.

--I believe that the public journal is a public trust; that all connected with it are, to the full measure of their responsibility, trustees for the public; that observance of a lesser service than the public service is betrayal of this trust.

--I believe that clear thinking and clear statement, accuracy, and fairness, are fundamental to good journalism. I believe that a journalist should write only what he holds in his heart to be true.

--I believe that suppression of the news, for any consideration other than the welfare of society, is indefensible.

Unconstrained Serious and Professional Journalism

HB1529 addresses the contentious issue of prior restraint. Prior restraint is defined as "government action that prohibits speech or other expression before it can take place." In action, that means school authorities can tell student journalists to abandon or change coverage of which they don't approve. With the elimination of prior restraint, which HB1529 proposes, high school newspapers would enjoy the same press rights as professional journalists.

Specifically, the bill would prohibit prior restraint on any material published by students, with exceptions for material that is libelous, slanderous or obscene, invades privacy, poorly written, and would allow student media to publish content without administrative oversight.

Preserving Hawaiian Literacy

We take practical steps to insure that we follow the principles of truth-telling embedded in Dr. Williams' Code and Dr. Brion-Meisels research at every step of the publication process. We also affirm the Hawaiian traditions of literacy established by Liholiho and his alihi council in the early 1800's, establishing the importance of "palapala" or "reading and writing, which has resulted in a free press and the publishing of over 90 Hawaiian newspapers by the end of the 19th century in five different languages.

School publications are excellent places for the respectful exchange of ideas to happen. It is part of the legacy of literacy that we have cherished from the very beginning of our Hawaiian history, and it is the legacy that we pass on to our children

HB 1529 supports and encourages our students to begin their "first drafts" of our current history, and I encourage you to continue to support Hawaii's tradition of forward-looking legislative and policy decisions in your passage of HB1529.

* Gretchen Brion-Meisels is a lecturer at the Harvard Graduate School of Education and an expert in adolescent development. Her research explores how relationships between youth and adults can support a positive school climate. She also studies and teaches about partnering with youth in educational research, preventing bullying, and creating holistic student support systems.