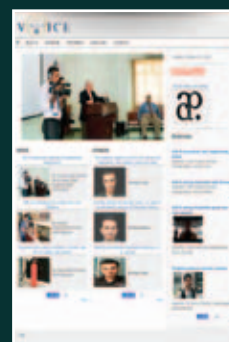


## FALL 2010 • VOL. 48, NO. 1

>> *Building the first independent student media operation in Iraq*



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## Planning for the 2012 Presidential Elections



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# college media REVIEW

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## EDITOR'S CORNER

At one venerable Texas community newspaper, its new wave of journalists is being counted on to help keep the paper on solid ground.

Robert Bohler

## MAKING SENSE OF ALPHABET SOUP

FERPA and HIPAA don't have to spell r-o-a-d-b-l-o-c-k for student journalists. Student media advisers have a powerful role in helping administrators protect their students' private information while sharing information student journalists need to do their jobs. The tool: Information. Learn some ways to approach administrators and encourage students to exercise their right to public information.

Holly-Katharine Johnson

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## TIME TO PLAN FOR 2012

Yes, it's two years away. But now's the time to start eyeing the upcoming presidential election and laying the groundwork for your students to have their feet on the ground covering it. The Democratic and Republican National Conventions are a way to get excellent local content flowing for both the student and local professional media. The adviser at Fort Hayes State University adviser Linn Ann Huntington shares lessons learned from the 2008 Democratic National Convention, where her students stood side by side with the bigs and walked away with their convention stripes.

Linn Ann Huntington



## FOUNDING THEIR VOICE

Building a student media program from the ground up is challenging. Building one in a country that is itself rebuilding and exploring democracy for the first time is a monumental task. This is the story of a group of Iraqi students, led by an ex-*Washington Post* correspondent, who set to work making history when they produced not only their print and online issues of the *Voice* at The American University of Iraq-Sulaimani. It's also marked the publication of the first editorially independent student newspaper in the nation's history.

Daniel Reimold

## MUCKRAKING PIONEER'S LESSONS STILL APPLY TODAY

Nellie Bly opened her readers' eyes to a world beyond what they knew. Whether you agree with her tactics, her lessons in boldness and truth-seeking are a large part of our storytelling history. Her motivation and coverage of social issues transcend eras and more than a century later remain relevant to solid journalism.

Debra Chandler Landis

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## BOOK REVIEW: FIELD GUIDE TO COVERING SPORTS

Joe Gisondi scores with this anything but textbook approach to covering sports. *Field Guide to Covering Sports* puts its readers in the middle of the action for 20 sports, covered in detail chapter by chapter with tips for success in covering everything from baseball to rowing. Read a full review of this sports journalism primer.

Aaron Chimbrel

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## EXAMINING "THE LAST UNPROTECTED PRESS"

*Refereed Article*

This winner of the 2010 Ken Nordin Award for CMA Research explores the fundamental issues regarding limits on freedom of expression at private universities, including a case study of incidents at the author's own university. In doing, she develops specific strategies for advisers and student journalists who find themselves in similar situations.

Dr. Joanne M. Lisosky

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On  
Deck  
NEXT ISSUE

The fast-paced, first-to-post media environment students walk into after graduation doesn't leave much time for traditional editing processes. That's why it's key graduates leave their student media with a strong grasp of self-editing basics. A former newspaper line editor and freelance coordinator turned college media adviser interviews editors across media to get advice on what students need to know now about editing their own work prior to submission.



## Editor's corner

When a local attorney in southeast Texas asked a pool of 50 prospective jurors this summer about how many of them used the newspaper as their primary news source, only one hand was raised. Or so the story went that made the rounds. At more than 100 years old, *The Lufkin News* publishes daily in Piney Woods of east Texas, just about equidistant from the Davy Crockett and Angelina national forests, and it's got a Pulitzer Prize under its belt that it won for investigating abuses in Marine Corp recruiting and training. So we're not talking newspaper shoppers here.

It turns out that *News* publisher Greg Shrader says he never heard the tale of the lone juror – "I'm not saying it couldn't have happened," he says – and with local crime on the upswing, his reporters are blanketing the courthouse. But Shrader also knows that his news operation has to stay attuned to the community's interests if it wants to keep the audience it has and lure new ones into the fold.

*The News* has sharply reduced its use of wire copy, he said, and focused its efforts on going hyperlocal in its coverage. It's done this by targeting more young readers and female readers with fitness, health and lifestyle coverage, and, in the first week of September, offering a heavy dose of high school football. The top headline on the web page on a Friday afternoon read: "Lumberjacks, Bulldogs renew old rivalry tonight in Diboll." In Texan, that's pronounced "DIE'ball."

And, the *News*, which Shrader described as a "farm club" for larger newspapers, is giving more ownership to its younger reporters when it comes to using their news judgment to reach younger audiences. "So when they come up with stories on their own, they write about what they're interested in," he said. "Go figure."

And what *The Lufkin News* is facing when it comes to latching on to young readers isn't much different than that of most college news operations. A casual poll of newspaper advisers reveals several who are concerned about declining readership among their college's audiences. The indications from national surveys that college-age readers are socially and politically conscious and like to read magazines, all good signs, are one thing. But figuring out how to morph those tendencies into a newspaper-reading addiction are another. Getting new students (and returning ones, in some cases) isn't a matter of getting them to pick up our newspaper to replace their hometown's but getting them to want to read a newspaper in the first place, if not explaining first exactly what one is.

If your college publications have made substantial inroads into capturing larger shares of readership, *College Media Review* would like to hear your success stories; you can contact me at [r.bohler@tcu.edu](mailto:r.bohler@tcu.edu).

This month's *CMR* offers readers a look at one college newspaper with a track record most of us would envy and a path ahead most difficult. Daniel Remold reports on how *The AUI-S Voice* at The American University of Iraq–Sulaimani, a private institution in that nation's northern Kurdish region, became the first independent student newspaper to publish in Iraq. And speaking of democracy, it doesn't seem like it, but the 2012 national elections are not too far off, and now's the right time, writes Linn Ann Huntingdon, to start planning if your publications plan to send student journalists to cover it. But wait, there's more. Holly-Katherine Johnson offers advice and guidelines to advisers who may want to guide administrators of good will through the FERPA and open records minefields, Debra Landis illustrates why Nellie Bly is as relevant in the 21st Century as in the turn of the 19th, and Joanne Lisosky, the 2010 winner of CMA's Ken Nordin Research Award, examines the damage that can occur when private universities are unrestrained in their censorship of student media. And with fall sports getting underway, we offer a review of a new sports writing textbook from Joe Gisondi.

—Robert Bohler

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# ACCESS DENIED?

*Media advisers are the No. 1 advocates for helping public college administrators understand their legal obligations while protecting student privacy.*

by

Holly-Katharine  
Johnson

Education budgets are tightening, endowments are dwindling, and donations from alumni are drying up. So it's easy to understand why administrators at public colleges and universities can be reluctant to release information they fear could be used to cast their school in a negative light. These administrators may not understand, however, that when they refuse to provide student reporters access to open information, those journalists are put in a predicament unlike anything experienced by their counterparts in the commercial media.

Because student media is hyper-local by nature, student journalists are dependent on their own campuses – in many cases, on a few key administrators – for information. And when administrators routinely refuse student reporters access to information, it may chill the campus media outlet's ability to cover the news to the point of potentially extinguishing the news source altogether. When this situation develops, media advisers become obliged to intercede on their students' behalf and to assist administrators in negotiating the complex dual obligations of protecting student privacy while providing transparency under state and federal open-records laws.

School administrators frequently misunderstand the scope and intent both of the Family Education Rights Privacy Act, commonly known as FERPA, and of state and federal open-records laws. A mounting body of evidence demonstrates that school administrators routinely cite FERPA when denying to student reporters the access to documents they in fact are entitled to under state open public records laws. The epidemic is so severe that Kevin Schwartz, the general manager of *The Daily Tarheel* at the University of North Carolina at Chapel Hill, is collecting FERPA horror stories from other college media advisers in an effort to make a case for FERPA reform. And Paul Gammill, the director of the Family Policy Compliance Office at the U.S. Department of Education, was quoted in the September/October 2009 issue of *Quill* magazine ( "FERPA Foibles," Michelle Rydell) that the DOE, while it has the ability to remove federal funding from institutions whose ineffective FERPA policies lead to violations of the law, has never done so in the act's 35 years.

But Gammill's comments, while accurate, do not get at some reasons college administrators may be reluctant to give information even if the threat of reprisal is slight. Although no college has ever lost its federal funding for the lack of effective FERPA policy, the threat of such a loss is significant. Even wealthy schools like Harvard Law School (in the 2006 *Rumsfeld v. F.A.I.R.* case) have buckled under the threat of losing federal funding because of the potentially crippling affects that could have on the institution. Moreover, schools cannot count on lax enforcement of FERPA when making decisions about which documents to give out and which to withhold. Furthermore, more than a few colleges have become embroiled in costly and protracted legal battles over FERPA during its history. (see sidebar)

"We don't want to get sued," is a comment routinely heard from college administrators as they deny access to records. College administrators have long feared students would sue them over privacy violations, and for many years this was a possibility. It wasn't until the *Gonzaga University v. Doe* case in 2002 that the Supreme Court ruled in a 7-2 decision that individuals cannot sue colleges for violating federal privacy laws. The decision written by Justice Rehnquist explains that the provisions in FERPA "entirely lack the sort of individually focused rights-creating language that is critical" for allowing individual claims. That the *Gonzaga* ruling only occurred in 2002, however, 28 years into the law's existence, indicates the long history of FERPA ambiguity that seems to have a continued influence on college administrators' behavior.

It may be difficult to discern whether college administrators are particularly concerned with student privacy or not when they invoking FERPA in denying a records, but the potential loss of time and money that FERPA violations pose inclines administrators to err on the side of caution where privacy is concerned. Media advisers-turned-advocates for student journalists must encourage reporters to question what they believe are faulty FERPA claims. At the same time, as employees of or liaisons to colleges, advisers are wise to recognize the legitimate predicament administrators face.

**The day-to-day interactions students have with college officials provide far more opportunities for legal discourse. Student reporters can become effective legal emissaries.**

The movement to get the FERPA language clarified is gaining momentum. In the meantime, however, media advisers have to help students and administrators understand when and how FERPA must be applied, particularly in situations where open public records laws may also appear to apply. But how do we do that?

## STRATEGIES

To convey the nuances of the law to students and to college officials, media advisers must stay abreast of the law by reading current legal decisions, attending local legal seminars and following law journals and blogs. Although the tactics used to convey relevant information to administrators will vary depending on the size of the institution and the adviser's time and resources, there are two basic, real-world approaches advisers can take: provide information directly or indirectly.

### >> *Don your public relations hat*

When it comes to providing information, an adviser can prepare workshops or seminars to give during planned professional development events on his or her campus. While setting up brief meetings or one-on-one training sessions with key administrators may seem like a good idea, it can backfire spectacularly: the adviser may come across as either insubordinate or over-anxious for taking such a didactic approach.

A surprising number of lawyers take academic jobs, so comb your campus directory for esquires who may be able to offer legal bona fides to your presentation. At a university, it may be possible to assemble a full panel of law professors and community college campuses also will yield legal resources. A criminal justice professor may be enlisted to discuss how police officers handle open-records requests.

If your school offers you the chance to conduct a full-day seminar complete with legal panels, outside speakers, law enforcement officials and so on, fantastic. More likely, you may have a single hour to present. Use your student media to help get the word out about the presentation. Consider inviting student reporters to participate either by taking questions from your audience, performing skits or demonstrations, or simply describing their own FERPA and open-records request experiences. Also, ask editors to consider assigning a student journalist or a reporting team to take pictures, shoot footage and report on the event.

The people who need it most may not attend your presentation, but the act will go a long way toward promoting a culture of legal accountability on campus. Of those who do attend, some may offer valuable support to you and the students you advise.

After giving a presentation, build on your success, however modest. Offer to give the presentation again. Write up a description of the event and key points covered, then send it not only to those who participated but also to the administrators who were not there. Keep the discussion

going using your media outlet's online forums. Make yourself available through office hours or online chats to discuss the content of your presentation.

### >> *Casting the wider net*

Professional presentations are useful stand-alone events, but their long-term influence on administrators is inherently limited. By contrast, the day-to-day interactions students have with college officials provide far more opportunities for legal discourse. Student reporters can become effective legal emissaries. Help your newsroom staff create an attractive, single-page document with the key points of FERPA on one side and the essential elements of your state's open-records laws on the other. (See info chart for links.) The necessary points might include:

- a list of documents that are open and ones that are not, and the key exceptions.
- an indication of how long the school must comply with open records requests, and any provisions for payment. The document must be both easy to read and suitably official.

Keep the page posted in your newsroom, hand out copies to incoming staffers, include it in the appendix of your policy manual, and make it available online. Ask if you can get it distributed by e-mail at the beginning of each semester and posted on your department's website.

Impress upon reporters that when one reporter loses his or her temper with an administrator, it makes things more difficult for every reporter to follow. Role-playing is perhaps the most useful way to prepare students to be effective purveyors of legal information. Have more seasoned reporters play the part of an administrator denying an open-records request (veteran reporters may relish the opportunity to relive their past experiences). Record the practice sessions so you can critique specific responses and allow reporters to think up alternatives. (See chart for starting points.) Encourage students to empathize with the inherently tricky position that administrators face when they are asked to maintain privacy and provide transparency simultaneously.

## APPLYING THE LAW

For years, lawyers, reporters and college media advocates have said FERPA ambiguities create serious problems. Revisions to the law in 1992 and 1998 did little to reduce confusion. Following the Virginia Tech tragedy in 2006, however, lawmakers encountered a real-world example of how misapplication and misunderstanding of FERPA (and its healthcare counterpart HIPAA) can have potentially deadly consequences. When the U.S. Departments of Education, Health and Human Services and Justice conducted a lengthy investigation and submitted a "Report to the President on Issues Raised by the Virginia Tech Tragedy," confusion over the applications of FERPA was cited as a significant factor.

## LEGAL RESOURCES FOR MEDIA ADVISERS

### FERPA

Provides the exact language of the federal statute and clarifies which documents are fair game.

[ed.gov/policy/gen/reg/ferpa](http://ed.gov/policy/gen/reg/ferpa)

### Open Government Guide

An indispensable state-by-state guide to public open records laws.

[rcfp.org/ogg](http://rcfp.org/ogg)

### SCOTUS Blog

Updated daily, it includes all the goings-on of the U.S. Supreme Court

[scotusblog.com](http://scotusblog.com)

### The Green Bag

Bills itself as an "entertaining journal of law" and often covers issues related to the First Amendment and electronic privacy.

[greenbag.org](http://greenbag.org)

### The American Bar Association

Information about legal seminars nationwide that are open to non-lawyers.

[abanet.org](http://abanet.org)

### National Association of College & Univ. Attorneys

All current cases and decisions relevant to higher education are posted on the home page.

[nacua.org](http://nacua.org)

### Student Press Law Center

A clearinghouse of legal information relating to the student press. Through the website, you can use the open-records request letter generator. You also can order its legal publications, such as *Law of The Student Press* and *Covering Campus Crime: A Handbook for Journalists*.

[splc.org](http://splc.org)

The report concluded that paranoia over potential FERPA violations and misunderstandings of FERPA led to inadequate transfer of information and withholding of information beyond what the law specifies. A key recommendation from the report was for federal agencies to develop and disseminate guidance clarifying how information legally can be shared. So far, that recommendation has gone unmet. The legal guidance provided by college media advisers and the students they supervise is therefore all the more relevant and important to ensuring the adequate flow of information on college campuses.

## USEFUL RESPONSES TO AN IMPROPER DENIAL OF ACCESS TO OPEN INFORMATION

— Administrator Says — Reporter Responds — Why this Works

**"I can't give you access to that information. It is college policy."**

"Okay. In that case, may I just have a copy of the policy? I'll need it to take back to my editor."

If there is no such policy, then they'll have to explain. If there is, it's illegal, so you can call the Student Press Law Center or your local chapter of the American Civil Liberties Union which, usually with just a phone call, can help.

**"I can't release that record to you because of FERPA."**

"You're right, FERPA does limit the access you can give to students' individual records, but I am not asking for individual records, I am asking for general data/redacted records."

You show you know the law while acknowledging their desire to protect students. The response applies pressure but establishes a sympathetic position.

**"You want what? I don't think we have that."**

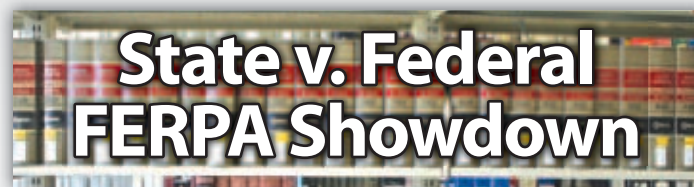
"Then I'm sure it is located elsewhere. Is there someone I can talk to who can send me to the correct location?"

Essentially you're asking to talk to their superior. Someone somewhere will know where records are kept, and if they really don't have documents they are required by law to maintain, you can go ahead and write that story.

**"This request could take some time. The semester will probably be over before we can get it to you."**

"It is my understanding that unless the documents are in use or housed off site they have to be made available in fewer than x days. If necessary I can file a formal plea for a quick response, as the information I'm requesting pertains to developing events. To whom should I direct my request?"

Check the actual length of time your state allows; most allow between three and 15 days. This response corrects the notion that they have an indefinite amount of time to respond and alerts them that a formal plea for expedited response may be coming. Such a plea will start the clock and give you leverage if they ignore deadlines set forth by the law.



by Holly Johnson

A case out of Miami University in Ohio demonstrates the ways in which colleges historically have gotten caught up in the FERPA-versus-transparency web. When *The Miami Student* newspaper asked the university in 1995 for documents relating to student disciplinary proceedings on the campus for an article on crime trends, the college initially denied the request. Student journalists came back with a writ of mandamus from the courts. Facing legal pressure, the university turned over the requested documents but redacted not only individual identifiers including each student's name, ID number and Social Security number, but also the dates, times and locations of all incidents. Those deletions rendered the information unusable to the student reporters, who returned to court.

The ensuing case, *State Ex Rel v. Miami University*, made it to the Ohio Supreme Court, which ruled the records from the disciplinary proceedings were legal rather than educational in nature and that under the state's open records laws the university was obliged to turn them over with the relevant information intact. The school appealed to the U.S. Supreme Court but was not granted certiorari, or a judgment that would require the state court to review its decision. At this point *The Chronicle of Higher Education* joined the student journalists in their fight. By now almost two years had passed since the students' original request. *The Chronicle* requested the same documents that the students had requested of Ohio State University.

Both Miami and Ohio State feared that giving up the documents would cause them to violate the FERPA, but they ultimately did so and adopted policies stating that they would give such information to third parties as the Ohio Supreme Court had ruled was lawful and necessary. The schools also contacted the Department of Education to indicate they might not be able to comply with the federal law. A showdown between state and federal law ensued.

The DOE filed in Ohio's federal court to get the state's Supreme Court ruling over-turned. The case, known as *US v. Miami University*, ultimately was resolved at the appellate level. First, the appeals court dismissed claims that the DOE did not have standing to bring the case. Next, the court said that because the school's disciplinary hearings did not afford the plaintiffs any of the many protections provided by the courts system, the hearings were educational in nature, not, as the Ohio Supreme Court had ruled, legal. But, the appellate court noted that the Ohio Supreme Court had allowed for Miami University to redact the documents, which, in fact, had kept them in compliance with FERPA. Of particular significance to college media professionals was the appellate court's conclusion that because the language of the FERPA did not list disciplinary records as an exclusion, they were essentially fair game under certain circumstances.

Congress amended FERPA in 1998 to clarify which disciplinary documents had to be made available and which did not and what redacting was necessary.



### Holly-Katharine Johnson

advises *The College Voice*, the student newspaper of Mercer County Community College, where she is an assistant professor of English and Communications. The paper, was dormant for three years prior to Johnson's assuming the adviser role in spring 2008. Johnson earned an MFA in Writing from Vermont College of Fine Arts and for the past five years has co-edited *The Kelsey Review* literary magazine.

ADVERTISEMENT -- Page Intentionally Left Blank

# COVERING CONVENTIONS

On Aug. 22, 2008, I got into a university van and took four student journalists to Denver to cover the Democratic National Convention for *The Hays Daily News*, our local newspaper that covers about 13 counties in Northwest Kansas.

In four days, my students posted 62 items on the newspaper's website — 13 stories, 17 blogs, three podcasts, 27 still photos and captions, and two videos. What follows are some guidelines for advisers who may embark on a similar adventure in 2012.

A veteran adviser gives advice on preparing for and covering a national political convention

by  
**Linn Ann Huntington**

## **BUILD RELATIONSHIPS NOW**

You'll need to align your efforts with professional news media. Now is the time, two years out, to start. Neither the Republican nor the Democratic national committees, according to their websites, issue floor passes allowing journalists onto the floor of the convention to college newspapers. Partnering with a professional media organization, therefore, is the only way collegiate journalists can get onto the convention floor itself. If a news staff or journalism program doesn't already have a working relationship with the media organization with which it wants to partner, now is the time to establish one. Editors aren't going to want to send out college journalists to cover events for their news organizations unless they've had an opportunity to read and evaluate the students' work (see related article on forming partnerships).

## **LOCATION, LOCATION, LOCATION**

Political parties usually don't select the sites of their national conventions until one to two years out. Staff members of both the Republican and Democratic national committees said in June 2009 that host cities for the 2012 conventions wouldn't be selected



The students' work is posted at [www.HDNews.net/DNC08/](http://www.HDNews.net/DNC08/)

until late this year or early 2011. Once the 2008 sites were determined, our prime considerations were travel time and expenses. And, of course, how much class time would students have to miss?

Once the host cities of Denver and Minneapolis were announced, we decided to go to the convention in Denver, which is about seven hours driving distance from our campus.

### HOW TO STRUCTURE?

We created a one-hour seminar class called Political Reporting that was to be offered jointly by the Communications Studies Department, which includes the journalism program, and the Political Science Department; each had a seminar course number already set up in which faculty could offer special subjects, which spared the lengthy process of obtaining new course approval from our Faculty Senate.

### SHOW ME THE MONEY

Funding such an educational experience can be daunting, but options exist: departmental funding, grants, student government funding, fundraisers, private donors, funds from the partnering professional media organization, or having the students pay part of the expenses themselves.

In our situation, with a class and not as an extracurricular activity, student government funding was not an option, and *The Hays Daily* told us up front it couldn't provide funding. So, the two academic departments split the cost of a university van,

and students were told during the selection process they were responsible for paying for meals and mass transit fees in Denver.

With transportation and meals taken care of, that left housing. Motel rooms in Denver were going for \$660 per room per night, which was untenable. So we looked at other options: alumni homes, outdoor campsites, and colleges or churches in the area where students could bring their own linens and "camp out" inside.

### THE BASICS: CHEAP HOUSING, SHOWERS AND WIFI

Before the class began, I learned from the state Democratic Party press secretary at what hotel the state delegates would be staying, their daily schedules and when the delegates would be accessible to the media, which was 7 to 8 a.m. daily. Armed with this information, I wanted all our reporters members to be in one location so we wouldn't spend two to three hours every morning driving through Denver traffic. The students also needed to dress in casual business attire every day. In my mind, that, plus the hot August temperatures, eliminated an outdoor campground as an option. Using the online Yellow Pages, I started calling all colleges and churches within a five-mile radius of the delegates' hotel. Because I had no way of knowing which facilities had showers, that was one of the first questions I asked. We stayed at a Presbyterian Church about 10 minutes from the state delegates' hotel.

I also learned a lot about negotiating contracts while planning this trip, the main thing being our campus attorney had to read



Photo by Linn Ann Huntington

Fort Hays State University senior Kaly Lyon (left) records senior Nicolene VanSittert's interview of Larry Gates, chairman of the Kansas Democratic Party, at the Democratic National Convention in Denver in August 2008. Both student journalists were members of the university's political reporting class that covered the convention for *The Hays (Kan.) Daily News*. The webcast was posted to [hdnews.net/DNC08/](http://hdnews.net/DNC08/), the newspaper's convention coverage website.

and approve all contracts. The attorney also told me that in our state, state funds could not be used to pay a church. I used an unrestricted journalism endowment account (private funds) to pay for the lodging, which cost only \$80 per night for the five of us. In addition to shower availability, I learned another key question to ask is: Does the facility have wireless Internet access?

### SIX TO EIGHT MONTHS OUT: GETTING CREDENTIALLED

There's a big difference between floor passes and media credentials. The partnering media organization should apply for floor passes, which allow media members onto the convention floor each night, because these are issued to media organizations, not individuals. Media credentials, on the other hand, go to just about everyone who represents a media organization; usually one can show his/her media organization's identification card to get media credentials, which allow reporters into daytime sessions, receptions and other functions. Normally, the deadline for floor passes is sometime in February or March of the convention year, or about six to eight months out. Floor passes are in limited supply, and reporters' names must be supplied by the news organization to the national committee. Despite filling out all the online forms and meeting all the deadlines, *The Hays Daily* was not issued any floor passes, nor was its parent organization, Harris Enterprises, which owns several daily newspapers in Kansas and Iowa. Once we learned this in April 2008, *The Hays Daily* decided it would not send its own political reporter to the convention; it would rely solely on the students.

At this point, we shifted the class's focus to covering the delegates' daytime activities, and we found out why it's so essential to keep close tabs on their daily schedules. These activities included attending receptions and the plenary sessions that focus on specific topics and usually have big-name speakers. The plenary sessions are open to all media, but on a first-come, first-get-in basis. Arriving early at these daytime sessions is a must, because getting into them requires going through the kind of security we now see at airports.

A new feature at the 2008 Democratic National Convention was the daily participation of various delegations in volunteer community service around the Denver area, and the Kansas delegation worked at Project CURE, a nonprofit organization that collects and distributes medical supplies to Third World countries. My students accompanied the Kansas delegates, who included Gov. Kathleen Sebelius (now the U.S. Secretary of Health) to that service day. The experience provided great stories and photo opportunities, much more so than on the days when state delegates simply listened to speakers.

### THREE TO FOUR WEEKS OUT: LET THE CLASS BEGIN

Ours was an eight-week class worth one credit hour. It started the second week of August, three weeks before the convention, and ended the third week of September. After our return, this gave time for student reflection, a key part of a student service-learning project. If offering such a class again, I would allot more class time before the trip and less time afterward; we could have used additional training time.

Two weeks before our trip, I assigned state delegates to specific students, who were to contact these individuals, introduce themselves and obtain biographical information that could be included in stories. The students all agreed that doing this legwork before we left helped make their jobs easier once we got to Denver.

We sat down with the paper's managing editor and tentatively identified who would turn in what media coverage on which days. Political science students were assigned to do video commentary and blogs, as opposed to straight news stories.

Before we left, the students learned how to upload their stories, photos, blogs, podcasts and videocasts to *The Hays Daily's* website, so the newspaper's technology expert and university faculty members who had expertise in these areas taught the students. Each student took a laptop and a digital camera, and we also took one digital video recorder and one digital audio recorder. Besides the equipment itself, other essential items included lots of extra batteries and multiple extension cords and surge protectors.

### "ALL OF THESE GREAT STORIES"

As one student put it, "There are all of these great stories I want to do; it's just finding the time to do them all." This prompted a discussion on priorities and gatekeeping—which stories, videocasts, podcasts, etc., were likely to interest the most readers.

All, in all, I think our trip was a success. Everything we filed ran on the newspaper's website, and the editors also ran a number of the stories and photos in print. We received positive responses from readers, and the university webmaster posted a link to *The Hays Daily's* website on the university's home page, which I think made more students and faculty aware of what we were doing. And my greatest fear — that is, "what will we do if we have major technology problems hundreds of miles from home" — never materialized, which spoke well of the training the newspaper's technology guru gave us before we left. The students in the class had the opportunity to work alongside professional media from all over the world. And all of them ended up turning in far more than they were assigned to do. My student put it, "There are all of these great stories I want to do; it's just finding the time to do them all."

### Linn Ann Huntington

is the journalism director at Fort Hays State University and has 18 years experience advising student newspapers, yearbooks and literary journals. A professor in the communication studies department, her professional background includes stints as a newspaper reporter, copy editor and assistant metro editor. She has received numerous state and national awards as a freelance newspaper columnist.



## Be mindful of glitches

# GEORGIA

During the year of preparation to take student journalists to cover the 2008 Democratic National Convention, my fellow instructor and I tried to plan for every possible contingency. But there are always last-minute glitches and, ultimately, one just has to just go with the flow.

For example, two weeks before the class began, I found out the other instructor would not be able to participate. I'd teach the class alone.

Another problem occurred when we were trying to find a church in which to stay. We were in the midst of negotiating a contract with one church when the facilities manager called me back and rather apologetically stated the pastor had vetoed us staying there. She explained that because we would be covering Barack Obama's official selection as the Democratic Party's presidential nominee, and because the church was opposed to Obama's stand on abortion, the pastor did not want us staying at that church.

I explained my students were objective journalists and not advocates of any particular political viewpoint. "I know, and I'm sorry," the manager replied. "I think our pastor just wants to keep the church out of any political controversy."

It never had occurred to me that a candidate's political views might determine where we could stay. This particular problem was resolved when the facilities manager gave me the names of other churches in the area that might accommodate us. One of those was Cherry Creek Presbyterian Church. This church welcomed us with open arms, and officials there invited us to their services. Some of the students and I attended.

Because we had four students drop the class, I, as the instructor, also ended up covering some stories. While I hadn't planned on doing this — and certainly would not have done so during my advising days at the campus newspaper — it worked out well. Often the students and I would type on our laptops side by side at night, filing our stories by deadline. Most journalism students don't get to see their instructors as working media professionals.

I was accustomed to reading and evaluating students' stories. Now they got to read and evaluate mine also.

— Linn Ann Huntington



# Asking early and asking often

*Strengthen ties with professional media now. Consistent contact is key.*

The number and types of partnerships between professional media and student journalists continues to grow and the recession that has “squeezed the news industry” also has created opportunities for student news services to provide content for the professionals.

“There is a wide range of student news operations; they exist at big schools and small schools,” wrote Sue Kopen Katcef and Jeff South in “Blurring the line,” featured in the August 2009 *Quill* magazine. “Many provide stories for free; some get financial or in-kind support from the media outlets they serve. One thing’s for sure: Student-operated news services are growing.”

The benefits of these partnerships goes beyond providing content, Katcef and South wrote:

- The students’ work product is seen as more legitimate after being vetted through a professional organization; and
- The relationship raises the profile of the university’s journalism program; and
- It helps news organizations that are struggling to find new readers offer “the one thing needed most: fresh perspective.”

Establishing a working relationship with the local media may be as easy as inviting local editors to meet with the senior editors on a regular basis, or asking professionals to serve on the college’s student media board. As adviser of our campus newspaper for 13 years, I routinely scheduled retreats and workshops in

which professional journalists would come in, critique the paper and offer the staff suggestions and guidance.

When our student newspaper was moved out of the academic journalism program in 2003, I approached the editors of the local paper about my basic News Reporting class’s writing articles on a regular basis for the newspaper and its website. *The Hays Daily News* editors were very receptive to this idea.

Here is how our “news service” works: At the beginning of each semester, the managing editor of *The Hays Daily News* meets with the class to explain what types of stories he wants. Throughout the semester, students have the option of coming up with their own story ideas or taking one of my story assignments.

The students turn in their work to me. Once I feel a story is ready for publication, usually 24 to 48 hours later, I e-mail the stories to the paper. *The Hays Daily News* editors have the final say as to which stories run, but students receive class credit regardless. An editor sits down with the students toward the end of the semester and offers them feedback on their articles.

This partnership has worked very well for all parties. It benefits the local newspaper by freeing up their reporters to cover more local news. It benefits the university by providing news about what our students and student organizations are doing. It benefits my journalism students by having their work published under their own byline in a professional publication and getting feedback from somebody other than the teacher. And, it has resulted in many talented students being offered internships and regular staff positions at the paper.

Having such a partnership in place can make larger projects — such as covering a political convention — easier. But students can reap the benefits of consistent, targeted contact.

COLORADO

ILLINOIS





# Finding Their Voice

When Namo Kaftan was nine years old, his father, a biomedical engineer, brought a laptop from work to the family's home in Sulaimani, Iraq. For Kaftan, now 21, it was love at first start-up. "I was really amazed to see a new advanced technology like that," he said. "I guess at that time nobody even knew what it was called in my city. . . . That night I stayed up very late to see and figure out, 'What was that thing?'"

**by Daniel Reimold**

He tinkered for hours, until the device popped. A pop-up error message on screen led to a frantic troubleshooting plea to his uncle, one Kaftan swore would be his last. "Thank God my uncle was around and he kind of knew a little bit about it and he could read English, so he helped me to get it fixed," he said. "From that day, I vowed to myself not to tell anyone to fix anything for me about computer-related things in order not to be embarrassed in front of anyone."

In the decade that followed, Kaftan became a self-proclaimed, self-taught computer geek. In part to help his pursuit of an IT career, he enrolled at The American University of Iraq-Sulaimani, a three-year-old private university in the country's northern Kurdish region and modeled after Western liberal arts schools. Yet, even with his high-tech passions and online experience, when an e-mail arrived in Kaftan's inbox naming him Web editor of the new student newspaper, he described his initial reaction in two words: excitement and confusion.

"For the first moment, no, I didn't know what to do," he said. "They told me I am online editor. I didn't know what was an on-

line editor, so [the newspaper's adviser] explained to me that I am responsible for the Web version and act as an administrator. I searched a lot in Google about what an online editor should do and what are his responsibilities ... I know computers, but this was journalism, this was new to me."

From the beginning, The AUI-S *Voice* has been something new within the Iraqi mediasphere. It is the first editorially independent student newspaper in the country's history, boasting a clear demarcation between commentary and news and without even a whiff of political influence.

More than any specific content, the *Voice's* medium is its ultimate message, proving student journalism and idealism are appreciated and still en vogue in even the hardest hit spots on Earth. Within a country struggling with the basic necessities of rebuilding, security, and establishment of a solid political infrastructure, an independent student newspaper is not bread and water – but it is nourishing.

As Baker Alhashimi, an AUI-S student and the *Voice's* editorial page editor said about living in Baghdad since the fighting began again in 2003, "The violence, the U.S. Army and the resistance and terrorists and explosions daily, it has been, you could say, a nightmare. So I was looking for just an opportunity, one opportunity, to be involved and be a student like other students around the world. While at AUI-S, I tell myself that this is the time to achieve my goals, to express, to be honest, to be loyal, to get engaged, to get my dreams."

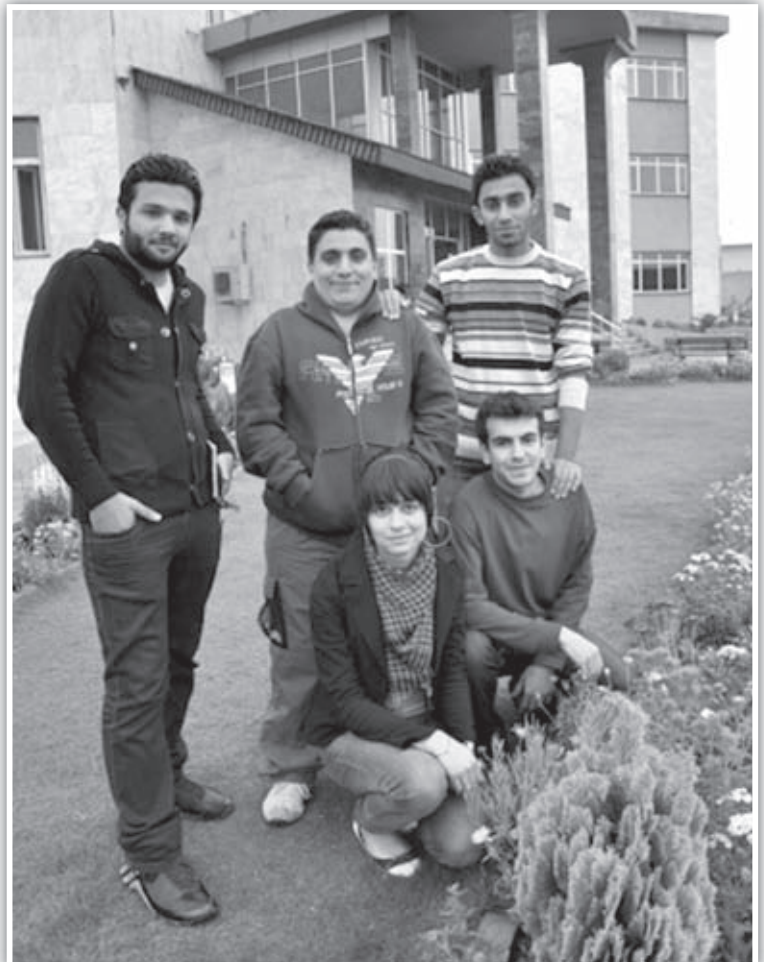
He has found his dreams coming true with the *Voice*. "Students want a newspaper," he said. "This is a newspaper. This is a newspaper. It avoids politics. This is from students to students. All of the editors are part of the campus so you have to talk with them. Every issue is free for everybody. And the person who is in charge of it was part of the *Washington Post*, so nobody will say that it is not accurate and it is not quality journalism."

Still in its infancy, the weekly paper's quality does remain uneven. Its first editor in chief resigned early on due to editorial differences of opinion. And Jackie Spinner, a former *Washington Post* reporter and first-time publication adviser, struggles to teach students journalism basics while acceding to their desires to also shoot video and send Tweets.

Yet, its larger contribution is already confirmed, echoing what is taking place in the country overall. As a

**"Editorial. What does that mean, editorial? I had a dictionary in my cell phone and I put it between my legs and I was looking up the word 'editorial' in the dictionary, from English to Arabic. It was really, really funny."**

— Baker Alhashimi, an AUI-S student and the *Voice's* editorial page editor



*The Voice* editorial board, spring 2010. Left to right, standing: Baker Alhashimi, Yad Faiq and Arez Hussen Ahmed. Left to right, kneeling: Hazha A. Abdullah and Namo Kaftan. (Photo by Heidi Diedrich)



Student staffers engage in discussion during the first *Voice* editorial board meeting, in adviser Jackie Spinner's office. (Photo by Jackie Spinner)

*Newsweek* report noted in February 2010, "Something that looks an awful lot like democracy is beginning to take hold in Iraq. It may not be 'mission accomplished'—but it's a start."

### "I FELL IN LOVE WITH IRAQ"

The *Voice* began, indirectly, with a stumble and a scandal. Spinner, still with the *Post*, arrived in Iraq in May 2004 primarily to cover the criminal proceedings tied to the infamous Abu Ghraib prison abuse. While exiting the bus that ferried her from Baghdad's airport, she tripped on the steps—an entrance described as fitting for a transplanted business reporter who, as she recounts in her memoir, *Tell Them I Didn't Cry: A Young Journalist's Story of Joy, Loss, and Survival in Iraq*, had "daily battled numbers, not bullets, not bombs."

In a thirteen-month reportorial stint, Spinner's beat spun out from a sharp focus on the prison scandal to a wide-angle lens on wartime Iraq. As she later wrote in the memoir: "The politics of the war aside . . . I was there to chronicle the human side of what was happening, the people caught up in what was happening in Iraq, for better or for worse."

While reporting, she avoided kidnapping, mortar shells, and car bombs; slept fitfully in rooms only slightly protected from the putrid Middle East "heat funk"; endured endless military checkpoints; faced sexualized stares, gender-biased disrespect, and an almost daily desire to de-feminize to better fit in; and learned numerous Arabic words and phrases, including *Ani Sahafiya*. Translation: "I am a journalist."

At the conclusion of her time in the *Post* Baghdad bureau—and after writing and promoting her book and returning to work stateside—a sense of duty and a spirit of kinship with the country she had briefly lived and reported in lingered. "I fell in love with Iraq, this horrible, awful, violent, beautiful, hopeful place, where many Iraqis, in spite of the horrors of the insurgency, felt better off without Saddam in power, felt better off with American troops on their soil," Spinner wrote. "My life didn't feel on hold when I was in Iraq. It was my life."

In December 2009, Spinner began a new phase of her professional life, in Iraq and academia. She joined the staff of The American University of Iraq-Sulaimani, a nearly three-year-old private university in the country's northern Kurdish region modeled after Western liberal arts schools. "I'm the director of media relations here," she said two months after accepting the position. "That's not why I took this job."



*Voice* design editor Yad Faiq lays out the first issue in January 2010, as editor in chief Dana Jaff (left) and senior designer Omer Nihad look on. (Photo by Jackie Spinner)

I took this job to start a newspaper for students. . . . I'm very familiar with the Iraqi press. I labored alongside them. I went into battle with them. I always dreamed of coming back here someday. I would like a free and democratic press started here."

How do you begin building an objective student newspaper from scratch without any accompanying journalism education and within a media landscape where a free, democratic press model is a plane ride away? As Spinner wrote about her previous Post reporting stint, "I went to Iraq because I am a journalist: we drive into hurricanes, not away from them."

Her biggest coup at the outset: convincing the university to agree to not review or censor any newspaper content before publication. This promise of no prior restraint was a huge sign of support from administrators, especially considering AUI-S is a university still in its infancy operating under an enormous international spotlight and within a culture where such press freedom is rarely granted.

Spinner next created a slate of policy guidelines for the future publication, adapted from those used at award-winning papers such as *The Daily Kansan*, *The Daily Pennsylvanian*, and *The Hawk*, the student newspaper at Saint Joseph's University advised by her twin sister, Jenny Spinner, who co-authored the memoir. "I had to think about copy flow, story budget sheets, photo assignments and everything that you need for any newspaper," she recalled months after the paper premiered. "Figure out which equipment we needed to buy. Software. It's not easy getting software in Iraq. And then I had to lobby the university to build the newsroom. They [students] had nowhere to work. I had to build the house and furnish it before I invited anyone to tea."

Almost immediately, 55 students expressed an interest in joining the newspaper, although they did not know anything about objective journalism. New editors literally arrived in Spinner's office for the first editorial meeting without the slightest understanding of how to create a hard news lede. Alhashimi even remembers asking himself after being named editorial page editor, "Editorial. What does that mean, editorial?" In his words, "I had a dictionary in my cell phone and I put it between my legs and I was looking up the word 'editorial' in the dictionary, from English to Arabic. It was really, really funny."

Among the rules Spinner has enacted that at first startled student staffers: Opinion writers cannot be news reporters. Staff cannot be fans of politicians' Facebook pages. And no

## 'I have lost 15 friends' Facebook Ban Makes Some Students Angry That It Is Off-limits During Day

BY HEMIN MUHAMMAD

At the beginning of the fall semester, the AUI-S administration decided to ban Facebook use on campus. They already had blocked other social media networks such as Youtube before.

Students are mixed about the Facebook ban, which has now been in effect for an entire semester.

Rozhgar Akram, Sulaimani, 20, is a student at FWPLI-4. She said it was a right decision "because we wasted a lot of time for nothing. We couldn't concentrate on the lessons when we were at the labs."

But other students see it as censorship. "What is



*Voice* editorials about Facebook censorship helped restore access for the campus community.



*Voice* student staffers and adviser Jackie Spinner meet in the paper's newsroom. (Photo courtesy of Jackie Spinner)

political advertising will be accepted, at this point leaving the newspaper entirely reliant on the university for financial support. She has even vetoed political content from appearing in early issues and selected a printing press without political ties, ensuring the public perception of the paper's political independence matched its reality. "It all seems very draconian, I know," Spinner said. "I like to think of it as just old-fashioned journalism. We have to start at the basics here. I've always taught student journalists that you have to know the rules before you can break them."

### "THAT'S WHY WE CALL IT THE VOICE"

The *Voice's* first scream sounded in stacks across campus in late January 2010. All but 20 of the 500 copies were quickly grabbed, or according to one editor passionately "gobbled up," by curious AUI-S students and staff. Total printing cost: 75,000 Iraqi dinars, or roughly \$60.

On its front page, the paper recounted the university's first graduation ceremony. It was an event that prompted the provost John Agresto to write words about the school in the paper that probably echoed editors' and Spinner's thoughts when they saw

the first issue in students' hands: "I never actually knew that we would succeed before today."

Most impressively, in issue one, the staff reported, conducted a student poll, and, separately, editorialized on a controversial university policy restricting Facebook on campus due to bandwidth limitations. The editorial opposed the blanket ban and countered-proposed an open access window after classes concluded each day. As the piece, written by Alhashimi at the behest of the entire editorial board, argued, "Prohibition, deprivation and banning should not be part of AUI-S students' vocabulary."

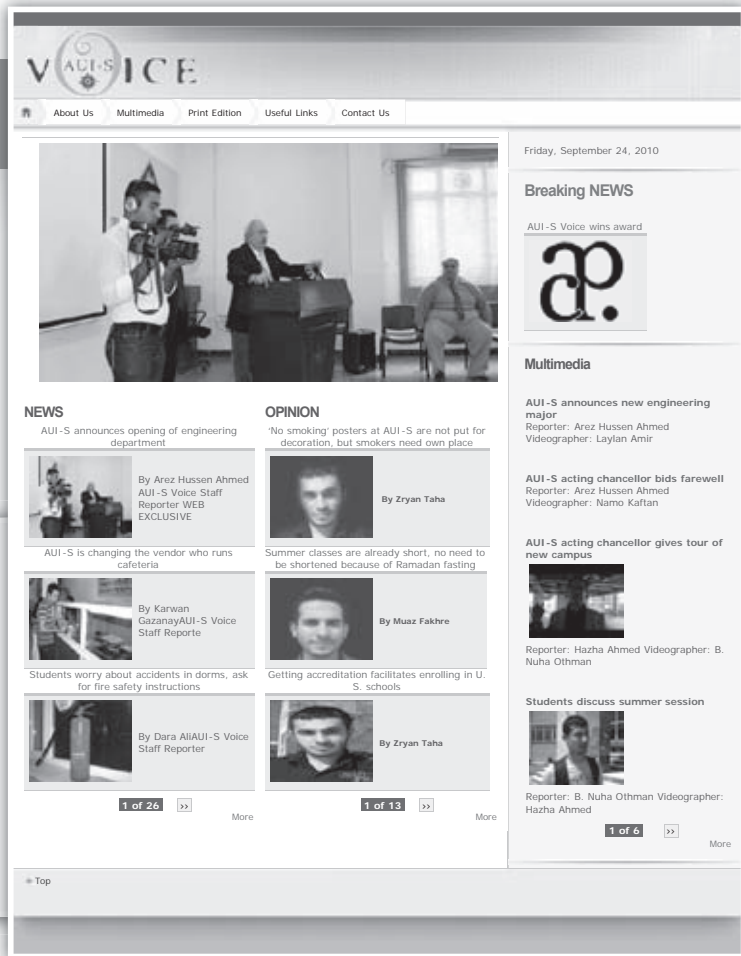
Two weeks after the editorial was published, the university began allowing students to access Facebook from a few wireless hot spots on campus. "I am proud of myself, because we have to discuss the problem," said Alhashimi. "What is the difference between nowadays and the days before 2003? Before, we should say everything is right and everything is correct, and if we said anything wrong they will put you in jail. Now as a student, we can say this is right and this is wrong because I believe and the students believe and they should hear our voices. That's why we call it the Voice."



### Daniel Reimold

advises *The Minaret*, the campus weekly newspaper at the University of Tampa, where he is an assistant professor of journalism. He maintains a daily blog, College Media Matters ([collegemediamatters.com](http://collegemediamatters.com)), which is affiliated with the Associated Collegiate Press. A leading expert on the student sex column movement, his book, *Sex and the University: Celebrity, Controversy, and a Student Journalism Revolution*, is being published in early September.

# In Iraq, tech savvy can lag behind newfound press freedom



In late January 2010, the first issue of the *Voice* appeared in print on the campus of The American University of Iraq– Sulaimani. The paper simultaneously premiered a three-tiered online presence: a Web site with a unique domain name operating on Drupal; a Twitter feed; and a Facebook page now with 240 fans – especially impressive given the school’s total enrollment of 375.

From the beginning, student staffers were interested in utilizing the Internet, in part as a means to share their *Voice* with the world. “Students have an eagerness to have any opportunity to go outside Iraq, to engage with other people,” said editorial page editor Baker Alhashimi. “Many of the students on the campus have never been beyond Iraqi borders. We want to give them the opportunity to engage with others beyond Iraq.”

Faculty adviser Jackie Spinner, a former *Washington Post* reporter in Iraq, confirms that the online push has been difficult, but essential, to her larger mission. “It’s not like we had to have this big committee meeting and decide what part of the century we wanted to be in as a student newspaper,” she said. “It’s not been a question. We’re going to have both a print and a Web presence. I want [the students] to do multimedia. Some of our students are not just going to be journalists in Iraq. I see them as being members of the international press so they have to know these skills in order to be global. I want them to compete at a global level.”

She paused briefly before confessing with a laugh, “Although I have to tell you, it did make me a little nervous when the students signed up for a Twitter account and they don’t even know how to write a lead yet.”

Along with ensuring that the staff grasp the Web and print basics, the major online issue for the *Voice* has been bandwidth. The Internet’s “black gold,” so dubbed by *Time* magazine, is still rare at AUI-S, leading to numerous complications, *Time* reported in March. Students cannot yet sign online from their dorm rooms. They have also been intermittently blocked from accessing sites such as Facebook and YouTube on campus. As of mid-2010, a news site too rich with multimedia extras may be in danger of overloading the system.

The newspaper has bravely covered these university Web constraints. For example, an editorial cartoon in one early issue shows a smiling inmate surfing the Web in a prison, while a student screams in earnest from an AUI-S dorm balcony, “Why don’t we have Internet?!”

At this very early stage, the *Voice* website sports a static mix of stories, photos, and the occasional streaming video. Soundslides shows and separate audio are also slowly being rolled out. The long-term aim is to unveil a multimedia-rich, über-interactive online platform, enabling all AUI-S students to publish content and freely discuss issues and ideas.

“Most of the newspapers in Iraq are online, so having a Web version is not unique,” said Spinner. “Having an interactive Web version is going to be something that’s unique. The idea of the citizen journalist does not exist here. So the extent that we can get the student body to participate as citizen journalists, that will be a game changer. Stay tuned.”

—Daniel Reimold

**BOLD — FEARLESS — INNOVATIVE**



**NELLIE  
BLY**



## **HER LESSONS APPLY TODAY.**

Her reporting techniques were questionable or laudable, depending on who is critiquing. But there's no denying Nellie Bly's impact resonated far beyond the page.

**by Debra Chandler Landis**

Journalists often ask elected officials what history lessons they are bringing with them to public office.

Today's journalists also may want to ask themselves this question. At a time when newspapers and other mainstream news media are searching for ways to increase readership, perhaps some important lessons can be drawn from past generations of journalists.

Looking back more than 100 years, the newspaper stories produced by Nellie Bly, the original Muckraker, still stand out because of the contemporary nature of the types of social issues she covered — unsafe working conditions, the challenges of single mothers, and corruption in government among them — even if her methods might be suspect today.

"Students love to study Nellie Bly," says Sally Renaud, an associate professor of journalism at Eastern Illinois University and current College Media Advisers president.

"They love that period in history generally: the excitement of New York in that era and the role newspapers played in generating and chronicling that excitement."

Bly was a traditional college student, age 19, when she began working for the *Pittsburgh Dispatch*. In 1887, she joined Joseph Pulitzer's *New York World*, where she exposed the horrific treatment of patients in an insane asylum. With the assistance of Pulitzer and

another editor, Bly feigned insanity and was admitted to the asylum for 10 days, after which Pulitzer was able to arrange for her release. Bly's coverage — she later wrote a book on her experiences — was credited with changing how New York City treated its mentally ill residents.

Kathy Menzie, chair of the mass media department at Washburn University, considers Bly's work the "60 Minutes' version" of the day.

"She did really crazy things, such as her trip to the madhouse," Menzie said. "That was an incredible story, sort of an investigative report. I'm sure readers were eager to find out what she would do next. There was probably a certain amount of pleasure in her tackling issues such as insane asylums, or crooked politicians."

Bly biographer Brooke Kroeger, in talking to PBS for an "American Experience" program, said Bly's work was "aimed at boosting circulation, but at the same time, it was very much aimed at investigation and doing good and changing society."

Her undercover work, also called stunt journalism, "helped usher in investigative journalism. But Bly also helped introduce readers to travel reporting when she proposed to beat the time of the mythical Phileas Fogg in Jules Verne's "Around the World in 80 Days" while circumnavigating the globe and chronicling her exploits. She did it, too: the fictional Fogg completed his journey in 75 days; Nelly Bly in 72 days, six hours, 11 minutes and 14 seconds.

In setting her sights, Bly brought a genuine concern about others and an ability to write descriptively but accurately to her work, Renaud said. And she did it with a passion that's still required of journalists, says Renaud.

"Telling stories of the people on the streets of your city or town takes energy and spirit, as well as a degree of empathy," she said. "Reporters have to see what's around them and care enough to ask questions. In addition, readers and viewers have to know their media care about them and the welfare of the city."

A study of Bly's writing provides insight to beginning and veteran journalists on how to blend description and fact. Three characteristics — the subjects themselves, her use of narrative and her descriptions — make Bly's stories pop, Renaud says.

"What she writes seems raw," she said. "There is a passage where she describes trying to get warm in the asylum between a sheet and an oilcloth underneath her and a sheet and a wool blanket above. We can almost feel the wool — and the chill in her bones as her feet and shoulders are exposed. We have never been there, yet we are right there with her."

Menzie said some of Bly's actions — posing as someone she wasn't and lying to get into places — might not be considered ethical today. But, she added, Bly was still a trailblazer who demonstrated the importance of perseverance. "She was incredibly ambitious," she said. "It took her a long time to find a job in New York, but she persevered. I remember reading something about her not being a very good writer at first. She had an amazing desire to succeed, and that is an essential ingredient for pioneers in any field. Many of her articles were first-person accounts. And she wasn't shy about noting her accomplishments."

*The New York World's* promotion of Bly's around-the-world trip was an early foray into reader interaction. Rutgers University English professor Edlie Wong wrote in "Around the World and Across the Board: Nellie Bly and the Geography of Games," an essay in *American Literary Geographies: Spatial Practice and Cultural Production, 1500-1900*:

"To generate sales in the long absences between Bly's cablegrams and letters, the World promoted 'The Nellie Bly Guessing Match,' a contest offering a free, first-class trip to Europe (London, Paris and Rome) for the guess nearest to the final travel time (in days, hours, minutes and seconds), "" wrote Wong. "The newspaper office received approximately 927,433 contest coupons and nearly 20,000 letters in the period between 1 December 1889 and 23 January 1890."

And, writes Wong, the promotional efforts also went multimedia with the release in 1890 of an board game in which players followed Bly's travels.

When Nellie Bly died, the New York World hailed her as the "best reporter in America."

Whether she was may be a subject of debate, but Bly's impact on society and the contributions to journalism are unmistakable.



*She did really crazy things, such as her trip to the madhouse. That was an incredible story, sort of an investigative report. I'm sure readers were eager to find out what she would do next. There was probably a certain amount of pleasure in her tackling issues such as insane asylums, or crooked politicians."*

—Kathy Menzie



# BRINGING NELLIE BLY INTO THE NEW MILLENNIUM

Nellie Bly reported the most pressing social issues that afflicted society in the 19th and 20th centuries, including unsafe working environments in factories, the challenges facing single mothers and working women, care for the mentally ill, the women's suffrage movement, and American military involvement

But what Bly did in the late 1800s and early 1900s—from going undercover to expose abuses inside the walls of mental institutions to walking the streets with prostitutes to offer another perspective on the women's often tragic lives—would pose serious ethical, legal and safety concerns today.

Nevertheless, college journalists in the 21st Century can benefit from examining her work and her legacy from the turn of the 20th and still produce the society-changing, thought-provoking stories in keeping with what Bly did so well 100 or more years ago.

*For example, student journalists can:*

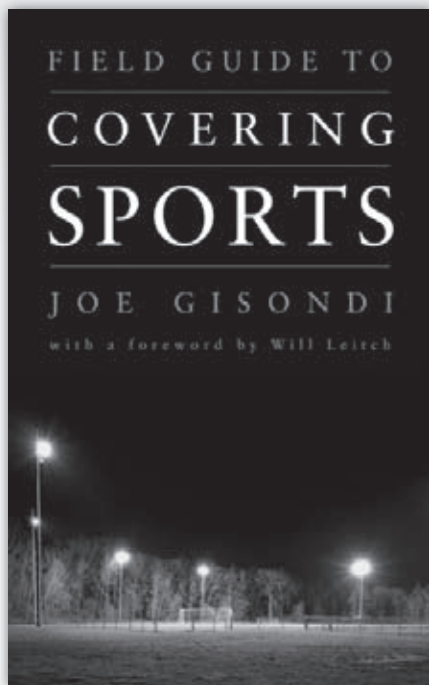
- **Use public information and open meeting laws to gain information about individuals and agencies licensed by the government.**
- Embed with local National Guard troops on a local training event or be on hand when a military unit leaves or returns home. Find out ahead of time what restrictions the military will place on interviews and photographs.
- **Get approved for late-night / 2 a.m. ride-alongs with campus or local police.**
- Interview advocacy groups for local angles on such social issues as prostitution, drug abuse, and homelessness. See if the agencies can arrange interviews with individuals trying to leave prostitution, end a drug habit, and/or find a place to live. Beforehand, reporters and editors should discuss whether to use first names only and take photographs in such a way to protect privacy and safety of the people interviewed.
- **Ask international recruiters for one's university or college to write about their recruiting trips abroad.**
- Interview counselors and psychologists about advice for college students — who increasingly are growing up in split households — who suffer trauma from their parents' divorces.
- **Bly was a hard-news investigative reporter. But she was also a travel reporter who brought far-away places home to the readers of the New York World. While student media can't afford to send reporters on those kinds of round-the-world trips, they can still do travel pieces. For instance, they could:**
  - Arrange with study abroad students from a newspaper and station's university to provide blogs, photos and/or video about their experiences at another university in another country.
  - **Seeking guest submissions from students, faculty and staff about extraordinary trips they have taken. You might be able to develop a special section or supplement from the responses.**
  - Write consumer-oriented pieces on ways students can save on lodging and travel while visiting abroad.

*Whether it's travel or coverage of social justice, today's media can continue the torch predecessors such as Nellie Bly carried so well. How they do it will differ, but it will still be solid journalism.*



## Debra Chandler Landis

is in her 16th year as student publications adviser at the University of Illinois-Springfield, and she counts Nellie Bly among the historical figures of American journalism from whom she draws inspiration. At UIS, Landis advises the news and business sides of *The Journal*, a weekly student newspaper, *Beyond* magazine, and *The Guide*, a *Journal* publication sent summers to new and returning students enrolled for fall. Landis, who also freelances for *The State Journal-Register* in Springfield and has been an officer with the Illinois College Press Association. One of her family's two dogs is named Nellie.



### **Field Guide to Covering Sports**

Joe Gisoni  
CQ Press, 2009

### **Aaron Chimbel**



is an assistant professor of professional practice at Texas Christian University's Schieffer School of Journalism. Before this TCU grad returned to campus in 2009, he was the on-line sports editor and mobile journalist for WFAA-TV in Dallas. There, he won five Emmy Awards and a national Edward R. Murrow Award. Chimbel earned his master's degree from the Columbia University Graduate School of Journalism.

The sports department in a news organization often is called the toy department. It's not a compliment. The perception is it's all fun and games, and that perception probably is why so many students want to cover sports.

While it's not quite as hard as hitting a 98-mile-an-hour fastball with movement, there is more to covering sports than just showing up and watching a game.

Veteran sportswriter and educator Joe Gisoni gets this and easily translates the basics of sports reporting in his *Field Guide to Covering Sports*.

It's exactly what the title purports it to be: an introduction to writing about sports. This is not a traditional textbook. It's all about the practical aspects of actually being at the stadium, arena, field, track, gym, court or even on the water — rowing is one of the 20 sports he spends an entire chapter explaining.

"The key to rowing is the coxswain," Gisoni writes, explaining the unfamiliar term for the leader of a rowing team. "The coxswain has the biggest role — part coach, part teammate." Now we can use coxswain intelligently.

For each sport, Gisoni, the newspaper adviser at Eastern Illinois University and a longtime sports writer and copy editor at several south Florida newspapers, follows a sound format with four sections: prepare, watch, ask and write. In other words, what to do before the game to prepare, what to watch for during the game, what to ask in interviews and how to put it all together in a story.

These chapters include insight from coaches and journalists, among other "sports insiders." Here's a sample: "I always enjoy questions regarding the opposition," said Bob Warming, the men's soccer coach at Creighton University. "It is the right thing to do to comment on the good play of the opposing players ... I think praise always means more when it comes from the opposing coach."

The tips go beyond the specifics of individual sports and mechanics of writing and reporting to the little things first-timers need to know, like not cheering in the press box and being sure you did, in fact, request that media credential.

Even veteran sports writers can use the reminder about professional attire: wearing slacks and collared shirts instead of T-shirts and jeans.

About those experienced pros, Gisoni makes good use of anecdotes from recognizable sports journalists.

USA Today's Christine Brennan recalls her first time in a men's locker room when she was an intern at the Miami Herald covering a preseason game between the Dolphins and Vikings in 1980. She became the first female reporter to have access to the Vikings locker room and had to interview a naked player. She just happened to have an 8 1/2 by 11 notebook.

"Forevermore when going into locker rooms," she described. "I carried an eight-and-a-half-by-eleven notebook, perfectly positioned."

Throughout the book, there are boxes highlighting good examples of multimedia. However, the evolving nature of sports journalism now requires more attention to how to report in real-time (via social media, blogs, chats) while still delivering a compelling game story. Additional guidance on how to do all of this at the same time would have been helpful, especially for a likely overwhelmed newcomer.

Attention is also needed on the difference between the traditional print stories that are the book's focus and video stories, which are commonplace for every outlet now and which students need to understand how to incorporate.

A primer on broadcasting games on radio, while only two pages, is not crucial for beginning sports journalists and seems out of place. Specifics on how to produce cross-platform work on deadline would be more beneficial there.

Still, Gisoni scores in this breezy read by imploring young writers to avoid clichés — both in their writing ("there's nothing creative about using clichés") and from athletes, to focus on moments, to prepare thoroughly, to ask good questions and to be observant. In short: work hard. That doesn't change.

# The Last Unprotected Press: Time to Examine Freedom of Expression at Private Universities

by Dr. Joanne M. Lisosky • Pacific Lutheran University

We lament the deplorable conditions under which journalists must ply their trade in countries where freedom of expression is severely restricted. Recent examples around the world from Iran to Zimbabwe offer testament to these unfortunate circumstances. Even in countries where journalists' practices appear to be unshackled, conventions both written and unwritten keep the press constrained under the watchful eye of government.

We conversely applaud the press in the United States that flourishes in a free and open environment—where the First Amendment protects even the unseasoned journalist. However, on further investigation we find that for one group of diligent journalists in this country, freedom of expression is thwarted by a system that routinely limits them. In that land of the free press, ironically no serious public debate addresses this obvious Constitutional affront. Recent examples of these restrictions include:

- Administrators at Quinnipiac University instituted a policy in 2007 whereby all interview questions from student journalists had to be screened by the university office of public affairs (Gomez, 2007).
- At Loyola University Chicago, also in 2007, the university administration limited distribution of the sex-themed issue of the student literary magazine (Chicago Sun-Times, 2007)
- And just this year at Cedarville University in Ohio, the public relations department of the university took control of the student newspaper by demanding to review and censor stories (Editorial Board, 2009).

These kinds of prior restraints placed on the press with little hue and cry seem unthinkable in the land of the First Amendment. But students and journalism advisers at these institutions live under a chilling system where they have absolutely no protection and no claim to legally challenge these actions. These journalists are subjected to this selective censorship simply because they chose to practice journalism at a private institution. It may be time for institutions like the College Media Advisers to review this injustice

and begin efforts to address this journalistic injustice.

Each year, high school students make difficult choices as to where they will attend college. U.S. census data suggests that between 30 and 35 percent of college students choose to attend private colleges in this country (U.S. Census Bureau, 2009). Yet, how many of these students know that at a private college, they are ceding freedoms of expression fully protected at a state institution. Some will be surprised when they learn the freedom of expression they practiced even in their public high school may be subject to administration oversight.

More specifically, journalism and media education in the United States exists in two worlds: educational environments where First Amendment freedoms are protected and environments where those protections are, at best, served chilled. Some of these private universities house the most prestigious journalism programs in the country. More than one thousand colleges and universities listed on the College Board website offer majors in communications and journalism. When SAT verbal scores are used to sort these institutions, 22 private schools are at the top (College Board, 2009).

Fortunately, some private institutions have recognized these limits on free expression and have implemented strategies to mitigate the power private administrations wield over students. A few private school publications have disassociated themselves from the university to avoid the control of the administration. A few perceptive advisers have introduced rigorous codes for administrations to sign that, at least in writing, protect student publications from oversight. Only one state government (California) has gone so far as to pass a law to protect the vulnerable student press at private colleges (Student Press Law Center, Leonard Law, 2009)

Pedagogically, there are fundamental reasons why journalism students require broad freedoms to express themselves when learning the tools of the trade. (1) Student editors need to be able to make their own decisions regarding the content of their publications so

they can experience the responsibility that accompanies journalistic decisions. When administrators step in with prior restraints and make the decisions, student editors not only lose the opportunity to discuss the pros and cons of a particular decision, but they are disengaged from the responsibility of making a wrong decision. (2) When journalism students are given the freedom to make all the decisions regarding their publications, they have a broader understanding of the limits of community standards. Students who are fully accountable to their audience develop a greater sense of newsworthiness and ethical standards in their community. (3) Journalism students at public and private universities should be able to experience the same degree of freedom in their collaborative publications as they do in the classroom. Most private universities remind students that attending their university will help the students find their values and voices. But, this projection becomes only half true when private university administrators restrict published student expression.

Unfortunately, there exists no legal limit on censorship at private universities. The battle to fight this entrenched unprotected press in the United States has gained little attention of late, except at the universities and colleges where freedom of expression is suppressed. The question remains: why aren't journalism organizations and fair-minded journalists appalled by the unrestrained censorship perpetuated on some U.S. campuses?

This article explores fundamental issues regarding the limits on freedom of expression at private institutions. It describes a specific case study of administrative restrictions placed on the student newspaper at a private college in the Pacific Northwest in 2006. The author outlines the restrictions the administration imposed on the newspaper and how the student journalists and faculty adviser responded to these restrictions. The paper concludes by offering suggestions and strategies that other private institution journalists should address if they find their freedom of expression chilled.

### **THE PRIVATE UNIVERSITY, FREE EXPRESSION AND THE LAW**

The courts have granted publications at public institutions of higher education many of the same freedoms of speech and press guaranteed the commercial press by the First Amendment. Granted these freedoms may have been chilled since the most recent *Hosty v. Carter* case, but ostensibly, student publications at public universities enjoy much more protected expression than publications at private schools. Private school publishers have been denied fundamental Constitutional freedoms because the Fourteenth Amendment offers private enterprises immunity from constitutional protections of speech and press. Simply stated, the state action doctrine claims that the behavior of private citizens and corporations is controlled by common law rules and statutes, but not by the Constitution (Chemerinsky, 1989).

Regarding the idea of rethinking state action against private organizations Erwin Chemerinsky (1985) further notes that:

The consensus is that the activity of expression is vital and must be protected. Any infringement of freedom of speech, be it by public or private entities, sacrifices these values. In other words, the consensus is not just that the government should not punish expression; rather, it is that speech is valuable and, therefore, any unjustified violation is impermissible. If employers can fire employees and landlords can evict tenants because of their speech, then speech will be chilled and expression lost (pg. 11).

The differences on limits of free expression between public and private institutions ostensibly can be considered a forum test. A public university would be considered a public forum; an operation owned and controlled by the state and thus subject to the most rigorous Constitutional application. Consequently, administrators and advisers at a public university are considered representatives of the government and, by order of the First Amendment; they can make no law restricting freedom of expression. Conversely, a private university would be considered by the court to be a non-public or private forum, privately owned and generally not open to the public for activities of expression. Regulations or prior restraints imposed by administrators in a private forum are subject to the most relaxed application of the Constitution by the courts. But this argument loses strength when the business of the private institution is considered.

Private institutions engage in the business of education, a public role in society. When a private university offers students traditional forums for expression like a student newspaper, the administration at a private college invites significant activities like public expression and should be required to follow the rules that other public forums must enlist. Likewise, when a private institution chooses to foster free inquiry and public discussion, it has an ethical responsibility, not a legal one, to maintain that promotion of free expression in its student publications.

More pragmatically, it is well known that like public institutions, private universities receive public funds to operate and are chartered and thus endowed by the state as non-profit educational institutions with specific rights and responsibilities. Education, a service traditionally provided by the state, is among these responsibilities. Arguments that private institutions perform a state function and should thus be subject to the Constitution have been used successfully in some racial discrimination cases. As the Supreme Court recognized in its landmark *Brown v. Board of Education* decision, education is fundamental to society and could arguable be the most essential governmental activity (Chemerinsky, 1968). A federal district judge offered another argument that private organizations perform essential roles in a democracy in 1970 when he wrote:

It is the opinion of this court that the acts of a private university can constitute "state action" when said university is denying to its students their rights to participate in the educational process. Education is a public function (pg. 516).

A staunch proponent of student press freedom, Melvin Mencher,

wrote more than 30 years ago in 1974 that he trusted students at private colleges would soon experience the full protection of the First Amendment. He said, “The demands of society that all colleges be open to free inquiry lead me to believe that the courts may—and certainly should—extend the Bill of Rights to these (private college) students as well” (Mencher, 1974, p 49). Mencher added that several opinions from the courts had already declared that education, “Because it is necessary to the individual’s progress and the general well-being of the nation, is a public function even when performed by a private institution” (pg. 52).

Thus, as a private operation performing a public function, private colleges and universities should be required to adhere to Constitutional rigors if this country proposes to offer a comprehensive university education to its youth.

## **RESTRICTING FREE EXPRESSION AT A PRIVATE UNIVERSITY: 2006 CASE STUDY**

An example of how easy it is for a private university administration to restrict publication practices at a private institution can be illustrated by a case that occurred in 2006 at a small private university in the Pacific Northwest.

The award-winning student newspaper at this university long existed as an autonomous operation, not situated under a particular department but funded by student fees and reviewed post hoc by a professor in the Department of Communication and Theatre. The newspaper had been publishing completely unfettered from university constraints since its inception for more than 80 years ago. In fact, the administration’s student publication policies at this university were heralded in a text written by J. William Click in 1977 (*Governing College Student Publications*). Click noted that the administration of this university had taken significant steps to avoid infringing on student publication autonomy by designing a unique policy written in 1977. The vice president commented on this policy in the text by describing how the university’s publication board oversaw student publications. The vice president said,

“The Publications Board is an autonomous entity not reported directly to either the student government or to the University. There is a very clear understanding that the president can intervene when or if necessary, but such an exceptional occurrence has not come up or been approached” (Click, 1980, pg 89).

While administration and the student publications on campus didn’t always concur, student publications remained free from administration constraints for nearly 30 years. At times of disagreement, the administration found ways to negotiate with student publishers that did not infringe on the university’s written policy. The university recognized that it was important for its journalism students to practice in print the same freedoms that were being championed in the classroom. But early in September of 2006, the editor-in-chief of the student newspaper received an email from an administrator requesting she immediately

remove an advertisement that ran in the newspaper the week before and ban it from all future issues. The request had come through this administrator from the vice president of student life who oversaw the funding of the paper. The ad was for a local off-campus establishment that serves alcohol. Curiously, the ad had run in the paper for the past 18 months.

When the student editor questioned the authority under which the vice president was demanding the ad be pulled, she was told the university had a written policy against such advertising. Upon further inspection, it was determined the university did not have such a policy, in writing or otherwise.

Once the current vice president was informed that no specific policy existed regarding the administration’s control over student publications, she met with the editor-in-chief, the advertising manager and the faculty adviser to the student newspaper. The vice president informed them that the policy she referred to was implied in the student handbook under the Publicity and Solicitation Policy. She added that she planned to immediately amend the student handbook so it would explicitly state the limits student publications had in determining their own advertising policies.

Within two weeks, the vice president had added a clause to these policies that stated “only those commercial interests, goods, services, events, etc., that are legal or permitted on campus” could be advertised by student publications. The new policy also stated “alcohol, guns, and credit cards may not be advertised or promoted, consistent with the University’s ban on such items” ([UNIVERSITY] Student Code of Conduct, pg. 27).

The vice president presented her newly designed policy to the student media board, the editorial staff at the newspaper and the associated student senate. The vice president also met privately with the adviser to the newspaper. When the adviser told the vice president that she (the adviser) believed the students to be the best judges of the content and advertising for their paper, the vice president took exception. It was brought to the attention of the vice president that this policy would limit the student editors’ opportunities to make decisions regarding content of their newspaper—one of the primary responsibilities of any journalistic endeavor. This policy also limited the student editors in determining what community standards were with regard to this kind of advertising.

The vice president’s position was that the university was the publisher of the student newspaper and thus had the authority to enforce any policy the administration chose. But this policy limited in print what students were able to freely discuss on campus. In a guest editorial in the student newspaper, the vice president described her rationale for making these swift changes in the student handbook as an effort to reinforce the institution’s position against alcohol, firearms and credit cards, items that were already banned on campus (Majowski, 2006).

## STUDENTS' RESPONSE

The student chapter of the Society of Professional Journalists, the editor-in-chief at the student newspaper and a number of other students were displeased with this policy change. The student editors were opposed to this restrictive policy because they recalled the rich and heated exchange that ensued at the student editorial board meeting when the board first discussed including this particular advertisement in its publication. Students described the debate that as one of the most robust learning experiences they had participated in during their college careers. They voiced disappointment that this policy would eliminate such debates in the future.

The faculty adviser told the editor-in-chief and other students that they should be prudent in choosing to fight the administration on this policy because as both a commercial speech issue and a with a private school publication issue the students had begun their battle with two strikes against them. The students were also made aware that commercial speech in the United States had traditionally been considered less rigorous speech and subjected to more restrictions and freedom of the press protections were limited at a private institution.

Despite these constraints, the dissenting students staged silent protests, held public forums on campus, gathered hundreds of signatures from other students and met with regional journalism organizations to solicit support. These actions were never constrained or restricted by the administration, which demonstrated another example of how the administration viewed the differences between speech and press. When the editors of the student newspaper met with the vice president to ascertain if there were ways to rectify what they perceived as an infringement on their journalistic freedoms, she told the students their only recourse would be to take their case to the associated student senate.

They did. The student journalists drafted two bills to bring before the student senate. One resolution offered protection of the editorial content of student media from administrative oversight. The second resolution requested that student media be exempt from the solicitation policy written by the vice president. The hearing of these bills resulted in record attendance at student senate meetings and numerous impassioned speeches from student journalists as well as other concerned students at these meetings. The senate passed the first resolution about news content without hesitation. But the second resolution caused much consternation and was tabled for research and review. When the senate resumed the following week, the senators voted six to seven against the resolution.

## FACULTY ADVISER RESPONSE

The faculty adviser was well aware of the limited freedoms afforded student publications at a private university. The adviser decided to address, instead, how the vice president's hastily prepared policy was capricious and ostensibly infringed on faculty academic freedom. The adviser met with the provost and other committees

to request a formal review of the actions of the vice president. The adviser contended that the vice president overstepped her bounds when she rewrote the student handbook policy without oversight from the faculty. The adviser stated that the policy clearly infringed on formal faculty rights and freedoms. The faculty member explained that before the student editors had decided to accept the ad in question, they spent two hours debating the merits and detriments of including an advertisement for an establishment that served alcohol in the student newspaper. The student debate was reasoned and passionate and demonstrated how students become accustomed to wrestling with the responsibilities of a free and open community press. Student editors questioned whether the student press should accept advertising dollars from just any organization. The student ad manager described the owners of the tavern as small local business owners interested in supporting the student newspaper while growing their fledgling business. The debate about community standards resulted in a consensus that demanded the advertisers add a line to the advertisement that stated students must be 21 to participate. The faculty member argued that the new policy imposed by the vice president would eliminate subsequent student debates and learning opportunities like this. Because of this policy, community standards regarding advertising of places that serve alcohol would be mandated by the administration.

As a result of the faculty member's efforts, several faculty committees charged the provost with the responsibility of convening an ad hoc committee to clarify the procedures by which the Student Code of Conduct is altered. The provost announced at a faculty assembly meeting in October 2007 that after several meetings with the vice president, several student leaders and other members of administration and faculty committees it was determined that a more transparent process needed to be implemented. The report from the provost noted that the revised description of how changes to the code of conduct will be made in the future could be found on the student conduct website under the heading "Consideration for Proposing Changes to the Student Code of Conduct." The provost clarified that this was not a policy statement but a resource for understanding how proposed changes would be made in the future. The document clearly states that administrators would need sufficient faculty oversight before student handbook policies could be modified. The policy states:

The Faculty Assembly and the [Student Senate] must ratify recommendations for policies related to student conduct. As such, the process will need to occur during the academic year in accordance with a timeline that allows each body to ratify the changes before its last meeting in May (emphasis added by author) ([UNIVERSITY] website).

## ENLISTING PROFESSIONAL ALLIES

The student members of the Society of Professional Journalists took their case to the regional professional chapter. The professional chapter listened to the student complaints and sent a formal

letter to the vice president for clarification of certain points. After three months of receiving the letter, the vice president wrote a short thank you note to the SPJ professional chapter. Confused by this response, the professional chapter wrote to the president of the university. His response was that this issue was an internal matter.

The students also contacted the Student Press Law Center for assistance and suggestions. Adam Golstein directed the students to several resources on the SPLC website and offered two possible arguments against the restrictions. He said the courts have suggested that a private school administration might not be held liable for any indiscretions made by the student publications on campus if the administration had maintained a hands-off policy on content. He added that at least two courts have indicated that when private schools do not get involved in content decisions, they may be entitled to the same immunity enjoyed by public schools publications. However, when a private school imposes restrictions on its student publications, like this policy on advertising content, the school may cede this protection in the event of any lawsuit against the student publication (Goldstein, personal email 10/3/2006).

In addition, Goldstein addressed the content of the policy regarding the restriction of advertising pertaining to alcohol. Goldstein said that two years ago a federal court struck down a ban on alcohol advertising at a public university, the court noting the ban was irrational and worthless. One of the litigants in the case stated:

“The case itself is very important because it’s about who decides what goes into the newspaper. Is it the government, or is it the student editors? The court [said to the government] get out and stay out of the newsroom” [Student Press Law Center, 2004 Report, 2009]

The restrictive advertising policy introduced by the vice president at this private university managed to undermine the three tenants of journalism pedagogy mentioned earlier in article. (1) This policy will keep student editors from making all the decisions regarding the content of their newspaper. (2) The new policy limits the rich student editors’ discussion that would ensue when a potential advertiser skirts the edge of the university’s community standards. (3) The student press will not experience limits on expression that would not be limited in this private university’s classroom.

While the students and faculty member in this case had limited success in countermanning the hastily implemented advertising policy at the university, they did manage to 1) pass a resolution through student government that would prohibit the administration from censoring or restricting editorial content of student publications and 2) implement a more transparent and rigorous process whereby faculty oversight would be necessary to modify the student handbook. They considered these a moral victory.

Another positive outcome to this case study involves the presi-

dent of the student SPJ chapter who was also the editor-in-chief for the student newspaper in 2006. This young woman was subsequently named the recipient of the SPJ First Amendment Award for challenging the administration over this advertising policy. This woman also assisted a state representative who had crafted a bill to protect student journalists in high schools in the state. The bill was subsequently defeated, but she and the legislator have vowed to continue this fight. Her professional career will be forever affected by the battle she chose to wage against this restrictive policy at her private university.

## DEFENDING FREE EXPRESSION AT A PRIVATE UNIVERSITY

This case study offers some tangible suggestions for journalism students and advisers at private universities faced with restrictions from administrators.

**Determine your publisher:** In the case above, the vice president’s argument for implementing the policy change was that she represented the publisher of the student newspaper. She claimed that aspiring journalists needed to learn how to deal with publication policies implemented by their publishers. However, previous court cases suggest the vice president may not be correct in her assertion. In a case decided in 1967, the Alabama State Court ruled that a student has a right of academic and political expression when s/he writes for the student newspaper and that rules of discipline and order should not infringe on freedoms of expression. Melvin Mencher reports that “In effect, this ruling, and others that followed it, made the student journalist—not the university—the publisher of his newspaper” (Mencher, 1974, pg 51)

**Uncover all written policies at your university regarding expression:** All written policies that pertain to student publications may not be easily attainable. They are often found in university archives or long-term administrators offices. Universities that hosts a National Public Radio operation, public as well as private, may have on file a freedom of expression policy with the university. In the case above, the university had signed a “Statement of Integrity” document with the public radio station on campus (Statement of Integrity, 1994). The students plan to use this document to construct a similar document with the university regarding all student media publications. This “Statement of Integrity” document addresses the constitutional guarantees of a free press and the responsibility the university has in upholding this freedom through its public broadcast license (Statement of Integrity, 1994). The document also explains how in order to maintain its professionalism and quality, the representatives of the station need the freedom necessary to provide services effectively. The statement says, “Editorial integrity in this context is defined as the responsible application by professional practitioners of a free and independent decision making process ultimately accountable to the needs and interests of all citizens” (Statement of Integrity, 1994, pg. 2).

**Frame it as the students’ fight:** The National Association of America Foundation publication, “Press Freedom in Practice”

developed for high school media advisers suggests letting the students lead the battle for free expression on campus (Bowen and Goodman, 2004). In the aforementioned case, the students organized and promoted the protests and forums. The students also crafted and argued the resolutions in front of the student senate. What the faculty member did was to use this issue as the impetus to reform how student rules are construed on this campus. This issue of academic freedom fell neatly within the faculty member's realm, which resulted in needed reform of the system.

**Find professional allies and consultants:** In the case outlined above, the student members of the Society of Professional Journalists immediately contacted their professional counterparts to enlist professional journalistic support. While the letter writing campaign generated by the SPJ professional chapter did not overtly improve the situation, it allowed the students to interact with professionals regarding a real freedom of expression issue. In addition, the quick response from the Student Press Law Center, helped student craft arguments subsequently presented to the administration and the student senate.

**Pursue on campus allies, too.** The students in this case were quick to contact their student senators for assistance in crafting student senate legislation. This valuable lesson helped students develop skills maneuvering around the legislative process both internally and externally. Likewise, the faculty members took her case to faculty governance where a number of faculty allies helped address her concerns about academic freedom issues and subsequently enact modifications to campus procedures.

**Use all possible legal strategies including vicarious liability:** When a private school administration moves within its traditional rights of Constitutional immunity and introduces any restriction on free expression at a university, it should be prepared to open what many believe to be a legal Pandora's Box.

The courts have consistently held that administrators at a public university, while not allowed to impose restrictions, likewise cannot be held liable for the actions of its student publications. When public schools follow the law and do not censor or control the content of their student press, the public universities are generally protected from liability.

The Student Press Law Center states this protection may be a different story for administrators at private universities. Where it can be demonstrated that the school has the ability and has practiced regulation of content through established codes, a private university could be found liable under the doctrine of vicarious liability (Student Press Law Center, *Liability for Student Media*, 1997) Thus, once a private university acts to impose restrictions on its student press, it sets up a scenario whereby the administrators who imposed the restriction are fully responsible for the entire content of the publication. The doctrine of vicarious liability is also referred to as "respondeat superior," a Latin term meaning "let the master answer" (Whitmore, 2006) This practice stems from a common-law doctrine that makes an employer liable for

the actions of an employee when the actions take place within the scope of employment. A college publication at a private school finding itself shackled with unreasonable restrictions may be well served to remind the administration of such a legal liability.

**Last resort: Break away:** Many student news organizations at private universities have seen the chilling writing on the wall and initiated actions to construct a media outlet outside the auspices of the private school administration. Some student journalists at private universities have determined that their needs as independent purveyors could be compromised if their university administration decided to impose its legal authority to constrain the student publication. At Seattle University, a small private college in Seattle, a group of students set up a private news outlet in 2008 that claims editorial independence from the university on its web site. Included in the About page for the Seattle University Spectator: "The Spectator moved to su-spectator.com in the spring of 2008. Previously, the paper published on a site was hosted by the university. This site is hosted by College Media Network but is maintained by the Spectator staffers" (<http://www.su-spectator.com/about>).

## CONCLUSION

Every handbook, article or document published that discusses freedom of expression for college students, distinguishes the vast differences between private schools and public schools with regard to First Amendment protections. An overview of the Student Press Law Center reports, demonstrates just a few stories about censorship issues at private universities—but that doesn't mean restrictions and censorship are not happening at private schools. It simply means the powerful forces defending press freedom have acquiesced. It's a battle few have chosen to fight.

Common sense would dictate that if a private college performs a public function or state action like higher education, its student press should therefore be granted the same equal protection of the First Amendment that a public university press enjoys. Additionally, some have argued that all citizens of the United States are entitled to their constitutional rights regardless of whether they attend private institutions. In fact, in California, the students studying in private colleges and universities have a level of protection unprecedented in the United States. The California Education Code 94367, known as the Leonard Law, was passed in 1992 (Student Press Law Center, *Legal Guide for the Private School Press*, 2002). This state law begins its first clause by prohibiting the state from taking action against any student. The first clause reads:

No private postsecondary educational institution shall make or enforce any rule subjecting any student to disciplinary sanctions solely on the basis of conduct that is speech or other communication that, when engaged in outside the campus or facility of a private postsecondary institution, is protected from governmental restriction by the First Amendment to the United States Con-

# Refereed Article

stitution or Section 2 of Article 1 of the California Constitution (California Education Code 94367, FindLaw, 2009)

California has been the only state to find way to override private corporation law and champion instead the ethical and philosophical practices of press freedom at private universities.

However, most private colleges do not have a state mandate to protect them. The deferential acceptance the majority of the journalism community in the United States affords this prior restraint practiced at private universities demonstrates how easily people are willing to capitulate. Young journalists at private as well as public universities need to exercise their freedom to make decisions about editorial as well as advertising content in their

publications. They need to also experience how to determine community standards and the ramifications of adhering or not to those standards. Only through this constant practice will they acquire the necessary intellectual power and perspective to learn what it means to be responsible journalists.

Organizations like the College Media Advisers as well as practicing journalists and journalism organizations around the country need to be role models for the 35% of college students who choose private schools to advance their journalism careers. It may be time for the powerful institutions that fight for journalist integrity around the world to join forces and demand that the last unprotected press in the United States be defended.

## ILLUSTRATION 1

Student protesting restrictive policy AT [UNIVERSITY] in 2006 (photo found in the [UNIVERSITY] student newspaper.)



## ILLUSTRATION 2

Copy of the advertisement restricted by the [UNIVERSITY] administration in the case study highlighted.



## Joanne M. Lisosky

the recipient of the 2010 Ken Nordin Award for CMA Research, is an associate professor at Pacific Lutheran University, where she has taught journalism and communication courses since 1995. She advises the student newspaper, *The Mast*, as well as the national award-winning student SPJ chapter. In 2002, she served as an academic consultant for UNESCO in Nairobi, Kenya, and as a Fulbright senior specialist teaching journalism in Kampala, Uganda. During the summers of 2004 and 2006, she was a freelance journalist at the United Nations in Geneva. Lisosky's fight for freedom of expression began early in her career when a high school administrator threatened to ban her class prophecy from being read at the senior class recital. Her past life also includes stints at public television stations, a commercial radio station and several daily and weekly newspapers. In the spring of 2011 she will complete her second Fulbright Award teaching journalism at Baku University in Azerbaijan.



## — Case Study Epilogue —

The author asked three of the key players who were involved in the 2006 Pacific Lutheran University case study to reflect on what the experience means to them today.

### BREANNE COATS

was the editor-in-chief of the Mast in 2006. Coats was honored in 2008 with the Society of Professional Journalists Julie Galvan Outstanding Graduate in Journalism Award. She now serves as associate editor for the Business Examiner in Tacoma, Wash. She explained that her journalistic career will be forever influenced by the experience of waging battle against the PLU administration. She added: “I remember my advisor telling me to pick my battles wisely. While I had no idea at the time what I was getting myself into, I was determined to fight for the rights of journalists at the university and I was not alone. Many students, some journalists and others just sympathetic to our cause, spoke out against the policy even if there was a risk of backlash for some of them. While I obviously still do not feel victorious in this matter by any means, I am hopeful that private universities will some day enjoy the same freedoms as public universities. It will take more than just student journalists experiencing censorship to make sure this type of situation doesn’t happen again. Professional journalists and organizations need to recognize the fine work of private school journalists for what it is – true journalism that deserves to be protected.”

### TOVE TUPPER

was an officer of the campus Society of Professional Journalists chapter in 2006. Since 2008, she has been a reporter for KDRV in Medford, Ore. She also vividly recalled her time at PLU. “The First Amendment is much more special to me because I fought for it. I was a junior when I went head-to-head with the administration of my university. When the student-run campus newspaper was forbidden to run a certain advertisement after the hasty establishment of a new policy, many students predictably said, ‘okay.’ I stood up and said, ‘No way!’ My journalism professors instilled in me the importance of holding true to your beliefs. We learned the best way to truly understand your convictions was to be tested. Standing up to the university administration, which strongly disagreed with me, proved both challenging and mentally exhausting. But since I strongly believed in the cause, I kept going. As a working journalist today, I look back on this experience with pride. Though one of our arguments to the administration was the new policy took away an important learning opportunity, I have to admit process of challenging the administration was one of the best academic experiences I encountered while in college.”

### DR. LAURA MAJOVSKI

remains vice president of student life and dean of students at Pacific Lutheran University. She recently commented on the 2006 advertising case at the student newspaper. She said: “The process was educational and I think constructive for all involved. The university affirmed the long-standing practice of freedom of editorial content for student media. It also clarified the restrictions for advertising certain items in any university sponsored publications or campus locations and made the process for changing the Student Code of Conduct more transparent. All voices were heard and positions considered. We are a stronger university for the process.”

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