

Dear Legislator,

Although the following bullet points were designed to help Educational Testing Service develop a test for perspective teachers/advisers, the complete list is a handy way to conceive of the range of knowledge and skills a media adviser might need, depending on how many media are advised, size of school and program, etc.

It is safe to point out that there are few positions in public schools that demand such an extensive list. A new journalism teacher would not need or use ALL these skills, of course, but all of them have some validity.

Another safe statement is that many veteran journalism teachers could not honestly claim to have all these skills. Some veterans might claim that they don't NEED them all

and don't even have time for them in advising role.

One likely reason that journalism advisers nationally average under three years in the job is the overwhelming amount of knowledge and daunting range of skills demanded to feel competent.

Combine the pressure to become fluent in all those skills with pressures from administration and the public to act as the go-between, balancing student desires and decisions with those the school community values or demands, and we should not be surprised to find that many teachers look for ways to drop out of advising as soon as they can.

Jack Kennedy, CSMA executive director

National Advisory Committee (NAC) for the PRAXIS® Journalism test.

The following bullet points were included in a survey that went out to the public late in 2019. The survey asked for respondents to rate relative importance for a *beginning* journalism teacher.

<https://www.surveygizmo.com/s3/5385036/Praxis-Journalism-Test-Specification-Survey>

Theories of the press that articulate the mission of journalism

The role of journalism in a democratic society

Basic principles of journalism, including responsibility, freedom of the press, truth and accuracy, verification, independence, impartiality, and fair play

The characteristics of various types of news product (e.g., news stories, feature stories, editorial/opinion columns, investigative work and scripts for broadcast or multimedia) and how each can be used for specific audiences and messages

How to analyze and evaluate the accuracy of news and information from various media outlets

The historical development of media and its influence on United States society

The significant individuals, movements, major events, and technological advancements related to the history of journalism

Common approaches, techniques, and basic steps involved in finding, interpreting, and writing a news or feature story

The role of the reader/listener/viewer in the development of a news or feature story

The process of planning for and conducting an interview

How to determine if information should be presented as news, a feature story, a column, an editorial, or an in-depth or investigative piece, or if it should be developed into a broadcast or multimedia story

Standard journalism terminology used in effective writing (including for news, features, editorial/opinion, investigative) and editing (including for print, broadcast, online, and multimedia)

The effective development of news stories and feature stories (e.g., source selection, lead, structure)

The basic requirements of AP style, including rules governing punctuation, numbers, dates, titles, and abbreviations

The processes of combining recorded content with written material when creating multimedia stories

How to sequence components and create benchmarks that lead to the successful completion of journalistic projects
The principles of graphic design (e.g., typography, color, formatting)

The principles and techniques of photojournalism

Best practices for writing display text for both print and online media

Techniques for creating alternative story forms (e.g., charts, timelines, maps, diagrams, etc.)	The impact of New Voices legislation on existing case law
The publishing processes involved in print publications	How to select appropriate materials and activities as well as plan instruction for various subject areas in journalism
The concepts and techniques of basic video production	How to provide students with learning experiences that enhance their knowledge and skills in journalism
Video and broadcast reporting/editing	How to use product-based learning methodologies (i.e., producing original content for authentic audiences)
Audio, podcasting, and radio reporting/editing	How to provide journalism students with learning experiences that nurture lifelong learning
The benefits and concerns as well as the fundamental technology of basic website publishing	How to select, create, and modify appropriate assessments for evaluating instructional effectiveness and student learning and progress
The benefits and concerns as well as the fundamental processes of the major social media platforms (e.g., Twitter, Facebook, Instagram)	How to select appropriate teaching materials, including textbooks and technologies, that address a variety of student needs (e.g., learning styles, diverse backgrounds, exceptionalities)
The ethical foundations of sound journalistic practice, including familiarity with the Society of Professional Journalists (SPJ) Code of Ethics and the National Scholastic Press Association (NSPA) Model Code of Ethics	How to create a safe and supportive learning environment to encourage student participation within the process of scholastic journalism
How to define and recognize "conflict of interest"	The opportunities for and value of professional development as a teacher of scholastic journalism
Key concepts and terminology related to media ethics, including plagiarism, fabrication, deception, and confidential sources	How to create and manage production schedules, including setting collaborative deadlines, editing publications and/or packaging broadcasts, and the asynchronous requirements for printing
How to apply professional ethical standards to scholastic journalism	Basic business and financial practices to support the implementation and maintenance of a scholastic journalism program and its associated products
How to coach students toward better ethical decision-making	Best practices for student staffing, management, and retention (e.g., recruitment strategies, assignments and deadlines, conflict resolution)
The legal arena for the professional practice of journalism in the United States, including how the First Amendment to the Constitution of the United States affects free speech and the rights and responsibilities of the press	How to develop effective working relationships with various stakeholders in the production and dissemination of scholastic media (e.g., other teachers, guidance counselors, school administration, community members, wider audience)
Federal laws and the specific legal precedents currently governing scholastic journalism in the United States, including how seminal United States Supreme Court decisions (i.e., <i>Tinker v. Des Moines Independent School District</i> [1969], <i>Hazelwood v. Kuhlmeier</i> [1988], and <i>Bethel School District N. 403 v. Fraser</i> [1986]) as well as other relevant decisions (e.g., <i>Dean v. Utica Community Schools</i> [2004], <i>Morse v. Frederick</i> [2007]) affect student free expression and the student press	The journalism profession, including current trends, possible career paths, and other opportunities for students
Key concepts and terminology related to media law, including knowing the legal definition of, and understanding the issues and terms related to, censorship, intellectual property, libel, slander, privacy, obscenity, and the Freedom of Information Act (FOIA)	

REPORT ON STATE STUDENT FREE EXPRESSION STATUTES CONTAINING ADVISOR PROTECTION LANGUAGE

Prepared by Jack Kennedy, CSMA executive director, January, 2020

Eight states have adopted language that provides limited protections for publication advisors, and the language in Section 9 of HB20-1062 (Colorado Student Free Expression Law – Concerning clarifications to the Colorado student free expression law) reflects those models.

The 1990 Colorado Student Free Expression Law, Colorado Revised Statute, 22-1-120, *implies* a limited protection for publication advisors from professional retribution as well as explicitly protecting them from legal or criminal action. The mention of requirements for advisors of student media is clear: “It shall be the responsibility of the publications advisor of school-sponsored student publications within each school to supervise the production of such publications and to teach and encourage free and responsible expression and professional standards for English and journalism.”

“To teach and encourage” does not mean “guarantee” in the same way that an athletic coach cannot guarantee victory or a theater director cannot guarantee that every line in a play will be delivered flawlessly.

Many school officials have clearly recognized that actual performance of a play or in a game or in the pages of a school newspaper will sometimes fall short of the ideal. The goal of school performance activities (of schooling overall) is to provide support and feedback and new challenges to students as they acquire more skills, more experience, and more knowledge.

Section 9 of HB20-1062 simply provides some specific protections for publication advisors whose students may perform in ways that the school community may object to or find embarrassing, but that are not prohibited in Sections 3 and 8 of our law.

Colorado Student Free Expression Law

(Cite as: Colo. Rev. Stat. 22-1-120)

Section 22-1-120 — Rights of free expression for public school students

(1) The general assembly declares that students of the public schools shall have the right to exercise freedom of speech and of the press, and no expression contained in a student publication, whether or not such publication is school-sponsored, shall be subject to prior restraint except for the types of expression described in subsection (3) of this section. This section shall not prevent the advisor from encouraging expression which is consistent with high standards of English and journalism.

(2) If a publication written substantially by students is made generally available throughout a public school, it shall be a public forum for students of such school.

(3) Nothing in this section shall be interpreted to authorize the publication or distribution by students of the following:

(a) Expression which is obscene;

(b) Expression which is libelous, slanderous, or defamatory under state law;

(c) Expression which is false as to any person who is not a public figure or involved in a matter of public concern;

(d) Expression which creates a clear and present danger of the commission of unlawful acts, the violation of lawful school regulations, or the material and substantial disruption of the orderly operation of the school or which violates the rights of others to privacy.

(4) The board of education of each school district shall adopt a written publications code, which shall be consistent with the terms of this section and shall include reasonable provisions for the time, place, and manner of conducting free expression within the school district's jurisdiction. Said publications code shall be distributed, posted, or otherwise made available to all students and teachers at the beginning of the 1991-92 school year and at the beginning of each school year thereafter.

(5) (a) Student editors of school sponsored student publications shall be responsible for determining the news, opinion, and advertising content of their publications subject to the limitations of this section. It shall be the responsibility of the publications advisor of school-sponsored student publications within each school to supervise the production of such publications and to teach and encourage free and responsible expression and professional standards for English and journalism.

(b) For the purposes of this section, “publications advisor” means a person whose duties include the supervision of school-sponsored student publications.

(6) If participation in a school-sponsored publication is part of a school class or activity for which grades or school credits are given, the provisions of this section shall not be interpreted to interfere with the authority of the publications advisor for such school-sponsored publications to establish or limit writing assignments for the students working with the publication and to otherwise direct and control the learning experience that the publication is intended to provide.

(7) No expression made by students in the exercise of freedom of speech or freedom of the press shall be deemed to be an expression of school policy, and no school district employee, or parent, or legal guardian, or official of such school district shall be held liable in any civil or criminal action for any expression made or published by students.

(8) Nothing in this section shall be construed to limit the promulgation or enforcement of unlawful school regulations designed to control gangs. For this purpose of this section, the definition of “gang” shall be the definition found in section 19-2-1111(2)(d)(II), C.R.S.

RELEVANT EXCERPTS OF STATE STATUTES

From California (1977)

Cal. Educ. Code Section 48907 – Student exercise of free expression:
(g) An employee shall not be dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against solely for acting to protect a pupil engaged in the conduct authorized under this section, or refusing to infringe upon conduct that is protected by this section, the First Amendment to the United States Constitution, or Section 2 of Article I of the California Constitution.

From Kansas (1992)

K.S.A. 72-7209—Kansas Student Publications Act:
Student publication advisers and other certified employees who supervise or direct the preparation of material for expression in student publications are responsible for teaching and encouraging free and responsible expression of material and high standards of English and journalism. No such adviser or employee shall be terminated from employment, transferred, or relieved of duties imposed under this subsection for refusal to abridge or infringe upon the right to freedom of expression conferred by this act.

From North Dakota (2015)

North Dakota John Wall New Voices Act – NDCC § 15-10-55
A student media adviser may not be dismissed, suspended, or disciplined for acting to protect a student journalist engaged in a protected activity or for refusing to infringe on a protected activity.

From Maryland (2016)

MD EDUC § 7-121
(2) A student media advisor may not be dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against for:
(I) acting to protect a student journalist engaged in conduct under subsections (b) or (c) of this section; or
(II) refusing to infringe on conduct that is protected by subsections (b) or (c) of this section, the first amendment to the united states constitution, or article 40 of the Maryland declaration of rights.

From Nevada (2017)

NRS 388.077 – Right of pupils to constitutional expression; limitation; adoption of policy for pupil publications; resolution of complaint by pupil of violation of right.
(c) Prohibits, without limitation, the following:
(2) Dismissing, suspending, disciplining or retaliating against an employee or other person acting as an adviser for a pupil publication or as an adviser for pupils working as journalists on a pupil publication for acting within the scope of that position, including, without limitation, taking responsible and appropriate action to protect a pupil engaged in conduct protected pursuant to the written policy or refusing to perform an action which violates the written policy; and...

From Vermont (2017)

Chapter 42: Student Rights / § 1623. Freedom of expression
(h) A media adviser may not be dismissed, suspended, disciplined, reassigned, or transferred for:
(1) taking reasonable and appropriate action to protect a student journalist for engaging in conduct protected by this section; or
(2) refusing to infringe on conduct that is protected by this section, by the first amendment to the U.S. Constitution, or by the Vermont Constitution.

From Rhode Island (2017)

Title 16 Chapter 109 – STUDENT JOURNALISTS' FREEDOM OF EXPRESSION ACT
(e) A student media advisor may not be dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against for:
(1) Acting to protect a student journalist engaged in permissible conduct under subsection (a) of this section; or
(2) Refusing to infringe on conduct that is protected by this chapter or the First Amendment to the United States Constitution.

From Washington (2018)

28A.600.027. School-sponsored media—Permissible prohibition of student expression
(1) ...This subsection does not prevent a student media adviser from teaching professional standards of English and journalism to the student journalists. A student media adviser may not be terminated, transferred, removed, or otherwise disciplined for complying with this section.

Links to each of the complete state statutes excerpted on this page may be accessed at <https://splc.org/new-voices/> and then clicking on the state listed on the page.

Founded in 1974, the Student Press Law Center is an independent, non-partisan 501c(3) which works to promote, support and defend the First Amendment and press freedom rights of high school and college journalists and their advisers.