

TATTLER V. IHS

Ithaca High School paper takes school to court over alleged censorship

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Student editors sue ICSD

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ITHACA — Ithaca High School's student newspaper, The Tattler, is suing the Ithaca City School District on claims that recent new guidelines imposed on its editorial content open the doors to censorship.

"It's important that students have a voice in the high school," said Robert Ochshorn, Tattler editor-in-chief. "After months of failed negotiations, litigation is the paper's last chance to survive as a forum for students."

The students are being represented pro bono by local trial lawyer Ray Schlather, of law firm

LoPinto, Schlather Solomon & Salk.

Schlather said the suit was filed last Friday in the United States Federal Court for the Northern District of New York in Syracuse. It alleges the school district violated student editors' rights to freedom of the press.

Superintendent Judith Pastel would not comment on the students' claims, saying the district had not received written notice of the lawsuit, as of Thursday.

"As far as I'm concerned right now, there isn't a suit because we haven't been served with any papers," she said. "But you know I'm not going to be able to talk

about it."

The Tattler guidelines in question were given to students in January, following a series of stories that student editors have described as "controversial." They included articles critical of Principal Joe Wilson's school policies, a restaurant review with racially inflammatory language, and a story on academic dishonesty.

The January-issued guidelines declare the Tattler a "school-sponsored publication." They also delegate broad authority to the paper's faculty advisor, who under the guidelines can edit or remove content that would "substantially interfere with the district's work or

impinge upon the rights of other students, or is inconsistent with the legitimate pedagogical concerns of the district."

Those concerns could include poor grammar or writing, inadequate research, inaccuracy, libel, bias or prejudice, unethical content, and vulgarity or profanity, according to the guidelines.

Faculty advisor Roselyn Teukolsky, hired after former advisor Stephanie Vinch resigned from the post in February, said she is not a player in the suit.

"I'm keeping myself neutral because I don't think it's appropriate for me to be involved,"

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Editors

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Teukolsky said. "I'm a representative of the district but also of the kids, so I have to have a neutral stance."

She helped the students produce the latest June issue of the Tattler, which came out this week. Hired on a temporary basis as advisor, Teukolsky's official duties ended with the June issue.

"I wasn't going to censor it, but I wasn't going to let them put in whatever they wanted," she said. "I have a good relationship with the kids ... Quite frankly I had quite a good time doing it and will apply next year."

The students are seeking a dec-

laration by the court that the policy the school district has imposed be declared unconstitutional, Schlather said. They seek a permanent injunction that would prohibit the district from enforcing that, or any comparable policy.

While no dollar amount is stated in the suit, Schlather said, the students are also seeking monetary damages available under 1993 civil rights legislation, and "any other damages that may be available, including attorney's fees," he said.

"Essentially we filed a lawsuit challenging the restrictions placed on the students," Schlather said. "The restrictions, in our view, run afoul of the First Amendment in a variety of ways."

The district, Pastel, Wilson and

Assistant Superintendent for Curriculum and Instruction Bill Russell are named as defendants in the suit, Schlather said.

Ochshorn said he feels he and other student editors have no other recourse.

"We've gone through the district's procedures. We've had countless meetings. We've proposed numerous sets of guidelines. Before we had a lawyer there was no response at all to that," Ochshorn said.

The district did offer revised guidelines in May, but the students refused to comply, according to Ochshorn, saying in some ways they were even more restrictive than the original January set.

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