

Opinion

Opinion Editor: Andrew Tutino | 274-9213 | ith-letters@gannett.com

EDITORIAL

Tattler case:

ICSD: Preserve students' right to public forum

The Ithaca City School District is the defendant in a lawsuit that alleges it imposed restrictions on free speech. The actual plaintiffs are the former editors of Ithaca High School's newspaper, *The Tattler*. But the case sings a familiar chorus for those who have waged their own battles with the school district over similar situations.

In *The Tattler* case, a judge recently ruled that two causes for action in the case should go forward — that the school's guidelines for the newspaper are unconstitutional and those guidelines represent a danger to free speech. The case was brought forward after editors were given guidelines for publication in January 2005 following a series of "controversial" stories. The editors allege that the guidelines are an unconstitutional use of prior restraint since an advisor needs to sign off before stories are published.

The court case will continue to work its way through the system. Since this newspaper — and newspapers and media sources everywhere — are direct products of the First Amendment, it's obvious what we think should happen. *The Tattler* has demonstrated in the past that it is a public forum, which protects it from the guidelines handed down by the district. Since the district handed down its guidelines in 2005, it obviously thinks otherwise. The courts will sort that out.

While the district has made improvements in informing the public, *The Tattler* case reminded this editorial board of some dark days of the past. The district board met in closed session to determine whether it was going to file objections to a New York State Division of Human Rights judge's recommendation in a racial discrimination claim against the district before taking an actual vote in public. The district board also met in closed — possibly illegal — executive sessions to discuss Superintendent Judith Pastel's contract. Both of those cases occurred because the district was trying to control information. The district's efforts in *The Tattler* case echo its past efforts to hinder the public's right to know.

The Tattler should serve as a public forum for the students of Ithaca High School. But it also has a role in this community. That's to be an unfiltered source of news and information from the perspective of students. The district has plenty of other means to get its message out. *The Tattler* shouldn't be one of them.