

Excerpt from *The Tattler*, Jan. 5, 2005

Ralph's Ribs: meh

"Still the prices were high enough for Alex to have to get his pimpin' cane back out of the closet, which we all regret. The jury splits on this one: while Ted enjoys stuffing his face with poorly cooked, over-seasoned southern cooking, Alex would rather not have to smack a ho' to pay for what he thought was bad food. Ted thinks he was eating too fast, judging from the drops of sweat on his brow. Alex says the fries were spicy. Ted says he's a wuss. Alex tells Ted to clam it before he has to smack a ho'. Ted says he's used that one already. Anyways, Ralph's Ribs receives a hearty 'meh.'"

guidelines to clarify the situation," Russell said, adding that the move was a joint decision between himself, Wilson and advisor Stephenie Vinch.

The paper has ignited controversy this year with articles critiquing the policies of Wilson's new administration as well as with edgier pieces, like a review for Ralph's Ribs, which some people, including the restaurant's owner, called "racist."

The paper has up to this point, operated under the Ithaca City School District's general policy, which states in its 2004-2005 School Conduct Manual that "the school has the right to halt distribution of materials that would materially and substantially interrupt the educational process or intrude upon the rights of others."

Although the district policy serves as a mission statement, it does not outline how that policy is to be administered, board member Sally Grubb explained. The procedure for doing so is left to the school.

The school's new guidelines for *The Tattler*, drawn up by Russell, give Vinch, the paper's teacher advisor, the right "to change,

edit or remove content" for two reasons: if it "would substantially interfere with the district's work or impinge upon the rights of other students" or if it "is inconsistent with the legitimate pedagogical concerns of the district (for example, content that is ungrammatical, poorly written, inadequately researched, inaccurate, libelous, biased or prejudiced, unethical, vulgar or profane, or is not suitable for immature audiences)."

The two reasons for censorship follow the standards set respectively by two important Supreme Court cases involving high school publications, *Tinker* and *Hazelwood*. Only *Tinker* can be applied to a school newspaper that is an open, or public, forum though, Goodman pointed out. The tighter censorship standards of *Hazelwood* can only be applied to a school newspaper that is a closed, or nonpublic, forum.

The *Tattler*'s masthead proclaims the paper is "an open forum" and "invites submissions of opinion pieces and letters to the editor from all members of the community."

"An open forum status has no meaning if

you can just change it," Goodman said. "For an open forum to have any relevance, there has to be some limitation on a school's ability to close a forum when the motivation is for censorship. There's a serious question about whether the First Amendment would allow it."

"There's been speculation but not an actual court case involving when a school can close a public forum," Goodman said. A recent case in Michigan affirmed the distinction between a public and nonpublic forum when it comes to intervention or censorship by school officials, however.

Goodman was also "disturbed" by the vagueness of the new guidelines. "The school could ultimately censor anything. It's a recipe for confusion and disagreement. Ultimately it will lead to disinterested and disaffected students and the quality of the publication will deteriorate."

MARY BULKOT

Stop the Presses

ICSD student newspaper staff members battle perceived censorship

An ongoing censorship disagreement between the editorial staff of Ithaca High School's student newspaper, *The Tattler*, and the school administration has the potential to turn into a First Amendment court case according to Mark Goodman, the executive director for the Student Press Law Center.

"My understanding is that the newspaper has traditionally been a public, or open, forum," Goodman said. "There's a serious question whether the school can close that forum."

Goodman was referring to a set of guidelines the administration presented to the editorial staff of *The Tattler* on Jan. 21. Dr. William Russell, the assistant superintendent for curriculum and instruction at ICSD, and Principal Joe Wilson told the paper's editors that the new guidelines were a response to increased feedback from the community regarding *The Tattler*, Editor Robert Ochshorn said.

Russell said that the move to give the advisor more of a role came from "a fair amount of back and forth between the advisor and newspaper" going as far back as last year.

"We were finally asked to provide some