THE DIFFERING PERSPECTIVE OF JOURNALISM AT FAITH-RASED INSTITUTIONS

college media REVIEW

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THE HOSTY RULING:

Its Impact
Examined

JOURNALISM

Are faith & journalism really at odds?

SQUEEZE PLAY

College SIDs
are tightening their
grip on the
public's access to
student athletes

TRIBUTE TO FLIP DE LUCA

C Editor's corner

It's fun to take potshots at pinhead admins when they encroach on what most of us believe are students' inalienable rights to free speech, and most of the time the potshots are well-earned. And it's easy to contrast the press freedoms enjoyed by student journalists at public colleges with the restrictions (infringements) often imposed at private colleges. And when the two converge, well, roll out the barrel.

At public universities, the less control the admins exert over the content of their student publications, the greater their immunity, and a corollary to that doctrine is that more potentially damaging mistakes are likely to result from the greater student freedom. Most of us buy into all that, because most of us believe students can grow and learn from their mistakes as well as their successes. However, exceptions exist even in the public university arena, where the variety of student newspaper models abound: news copy at *The Daily Texan* at the University of Texas at Austin, up until recent policy changes, had long had been required reading by an adviser prior to publication; at the University of Missouri's *Daily Missourian*, professional editors direct the student staff. But those exceptional practices haven't prevented those newspapers from annually being judged among the nation's best.

And the criticism of private colleges that deviate from the standard party line often ignores some practical and pedagogical issues: the legal and financial ground rules are different for private colleges. If the private college newspaper publishes damaging information, the college becomes the target regardless of whether its approach was hands-on or off. And those small private colleges with relatively small endowments and enrollments are in a more sensitive situation. It's the nature of the beast for any administrator — regardless of whether the college is large or small, public or private — to worry about how bad news can cast the old alma mater in a bad light. But the leaders at many of the private colleges also have to worry that the cash flow can suffer when unflattering news coverage emerges. And while censorship flies in the face of every journalistic doctrine imaginable, the admins' fears are reasonable business concerns. So the leaders at many of these private institutions feel they have to go to greater lengths to protect the greater interests.

Not surprisingly, those issues frequently crop up at faith-based colleges, whose numbers range from 900 to 1,200 in the U.S., depending on the source. In this issue, Wally Metts and Brad Jenkins examine the institutional challenges faced by advisers and journalists at many faith-based colleges that seldom confront their public counterparts, along with the internal struggles Christian journalists face when their religious convictions and professional obligations collide. A point of disclosure: about the closest the newspaper at my university, founded by Disciples of Christ followers but with only distant ties today, has come to a clash over religious and journalistic doctrine was an admonishment from the then-provost's office over a line score accompanying a football game story. It read "Texas Christian University," not the more promoted, and preferred, "TCU." The source? The Associated Press.

Several impressions immediately spring to mind from Metts' and Jenkins' work. However much most of us abhor a decision to pull publications from newsstands, there do seem to be significant voices on the Christian college campuses that oppose prior review or censorship, which is an encouraging note, especially when those measures could be imposed with relative ease. And there's evidence that in some of the situations recounted, the student journalists could have sped up their learning curve and avoided some post-publication headaches if the adviser had been drawn into the discussion ahead of publication. There's something to be said, universally it would seem, for learning from successes as well as mistakes; the curve is a lot faster. The bottom line is that numerous models of journalism education exist, both at public and private colleges, with the same objectives, to produce young journalists who perform capably and ethically in a changing and challenging world. Not all of us buy in to all of the models and practices, but if nothing else our awareness of them, and even our arguments about them, help us all stay focused on our own decisions and practices.

And it's not all fun and games, either, when it comes to knocking heads with athletics and sports information directors who increasingly are exerting greater control over student journalists' access to athletes, coaches and information. Joe Gisondi's report reveals the frustrations evidenced from both sides, the motivations for the increased control and some tips from both sides about how the relationships can be improved.

Mark Butzow, who won won CMA's initial Ken Nordin Award for our peer-review article, explores how the Hosty decision has — or perhaps hasn't — had an impact on college newspapers in the Midwest.

And Brad Jenkins remembers one of his mentors, longtime CMA member and James Madison University adviser Flip De Luca, who died in May.

And, as always, we appreciate your feedback.

Robert Bohler, Editor

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Editor's Corner

The times are a-changing when it comes to addressing campus safety.

Robert Bohler

Onward, Christian Journalists

When Christian journalists attempt to serve two masters—their religious faiths and the ethos of the press—some anguishing choices can lie ahead. But, the author finds, there can be resolution. *Brad Jenkins*



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Sheep in Wolves' Clothing?

When private Christian colleges impose free speech restraints on their student publications, it immediately raises red flags in the greater student press community. But even some advisers at those colleges say the process can produce solid journalists in the long run. Wally Metts

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Squeeze Play

As the stakes of college athletics increase, coaches and their sports media staffs are tightening their grip over access to athletes and sometimes the scope of the news coverage. Read what student reporters, advisers and the SIDs have to say about this new game plan. *Joe Gisondi*

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The Hosty Ruling: Much Ado About Nothing?

Refereed Article

The 2007 Ken Nordin Award-winning research paper compares the effect of the federal Hosty ruling on newspapers in Illinois, Indiana, and Wisconsin with the initial reaction to the 2005 federal court decision. The author contends the ruling has not negatively impacted the press freedoms of the newspapers. *Mark Butzow*



So you can't relate to all the hoopla surrounding your students' preoccupation with Facebook? And you still see Facebook as a distraction of soap opera proportions? You may literally view it in different light after reading in our winter issue how some intrepid advisers are bringing the mountain to Mohammed by incorporating it into their newsroom operations.

Onward, Christian Journalists

By Brad Jenkins James Madison University

Are faith and journalism really at odds? Some see their missions as intertwined.

For a month in 2002, Gardner-Webb University students and faculty found themselves surrounded by controversy.

In September, the local newspaper revealed that the university's president had instructed the school's registrar to use a different grading policy for a star basketball player who failed a class after being caught cheating during a religion class in 1999. When the athlete subsequently received a D grade when he retook the course in the summer of 2000, the president intervened just in time to keep the star player from being declared ineligible to play.

The uproar was immediate and fierce. The faculty prevailed in a no-confidence vote the same day the story came out. Two deans were demoted. Students and parents protested, too, and one faculty member called the controversy a "virus" that had taken over the Boiling Springs, N.C., school of 4,000.

Thirty-two contentious days after the story broke, the university's president resigned, ending what the Board of Trustees called a month of "unrest" on campus.

Throughout that month, students on *The Pilot*, the university's bi-weekly student newspaper, were challenged to keep up with the story, even as the local daily provided frequent updates and national media caught on. More challenging, though, may have been this twist on covering "bad news": The story was happening at a school affiliated with the Christian faith, in this case the Baptist State Convention, where many student journalists and their adviser were grappling with how to report about a fellow Christian's ethical lapse, and how to do it fairly.

"Being fair to people who profess the same faith we did was difficult for us," Emily Killian remembers. She was a reporter at *The Pilot* during the uproar; the 2003 Gardner-Webb graduate now works as features editor for the newspaper that broke the story, *The Shelby Star* in Shelby, N.C.

Exposing fellow Christians for ethical lapses is just one of the hazards

of the trade for student journalists of faith, those who work with students say. Other unique difficulties arise, too, and they're often formed as questions:

- How do I report and write about fellow Christians who have done something wrong?
- How do I cover moral issues I don't agree with, things like homosexuality and abortion?
- Where can I find answers to these questions?

Bob Carey sees the questions up close. Carey, the chairman of the Department of Communications Studies at Gardner-Webb, was The Pilot's adviser during the campus firestorm in 2002. Killian attributes Carey's thoughtful advice as key to helping her and others report the story fairly.

His advice was particularly needed as student journalists reported the ethical lapses of "one of their own." Reporting "bad news" about someone of one's own faith can be excruciating, especially given the Christian faith's emphasis on grace and forgiveness. But that doesn't negate the need to be truthful, Carey tells his students.

"In the Christian community, you have this overriding feeling that we need to be loving and caring, and that's true," Carey says, "but to me as a believer, truth triumphs. ...If we're not presenting the truth, we're not being fair to our readers."

So, sometimes the truth – including the truth about fellow Christians – is not pretty. Carey likes to remind his students that reporting that truth, though, is not only journalistically needed, but it's prescribed by the very backbone of the Christian faith. "The Bible calls us to illuminate sin," Carey says. "Well, that's bad news. The Bible also tells us to be fair and truthful and balanced."

Killian says Carey's advice helped her and others figure out how to cover their presidential scandal fairly, meaning keeping them from two extremes. "He was a voice of reason," she says. "He kept us from crucifying him or taking him too easy."

COVERING THE UNCOMFORTABLE?

While it may be tempting to take it easy on a fellow Christian, student journalists may find it tempting to act the opposite with those with whom they disagree. Send a Christian student to cover a gay-rights rally, for instance, and the temptation could be to skew the story in a way that favors the Christian perspective. That's fine for advocacy journalism, but not for the mainstream press, so Carey and others who work with students remind their journalists-in-training that journalism is, at its core, about treating both sides equally.

During Carey's stint as a photojournalist, he covered rallies for gays and lesbians. While not a supporter of the gay lifestyle, he had no problem covering the events. Other Christians weren't so sure, though, and pointedly asked him why he'd cover something he disagrees with. "Well, it's news," he'd reply.

Carey's resolve is not as apparent in students who are still trying to figure out how to make sense of their own faith's role in their vocation as a journalist. "Advisers need to be aware that Christian student journalists are sometimes having to deal with questions within their faith," Carey says. "'Do I cover this?' 'How do I?' 'If I don't agree with it, how do I cover it?""

The answer, really, is journalistic. Be fair. Tell the truth. Give each side its say. Not easy, to be sure, but that's the calling of a journalist, says Robert Case, the director of the New York City-based World Journalism Institute. The institute, which Case founded in 1999, trains Christian students in the basics of journalism and helps them navigate the particular ethical issues that journalists of faith face. The institute, which holds numerous sessions each year, does not promote infusing stories with a Christian worldview; rather, the institute believes that Christians who are journalists should hold fast to "the highest standards of the profession."

Students who have come to Case's sessions in New York and around the country often ask a similar question: How do I cover a story about which I have very strong opinions? The hot-button issues – gay marriage and abortion, for example – get the most attention.

Case's answer to students struggling with how to cover these topics is straightforward: Be a journalist, not a

preacher. "The Christian journalist is not to be an evangelist," he says. "There is no need to slip in [evangelistic attempts] into a story. ... Your obligation is not conversion."

"The first obligation of a Christian journalist is to report the truth of the matter which they observe," Case says. "They are to wash out their opinions and their perspectives and their biases."

"Being fair to people who profess the same faith we did was difficult for us," Emily Killian remembers.

If it sounds like Journalism 101, it is. But Case adds a twist: Christian journalists not only answer to journalistic ethicsbut also to biblical principles. That means treating people respectfully, even when the reporter disagrees with them.

So, when a journalist goes to a gay-rights parade, the temptation may be to prejudice readers by describing the most "flamboyant" personality there, Case says. Student journalists of faith should resist that, though, and present the entire picture with integrity. Then, he says, the reporter can write the story fairly and "let the chips fall where they may."

Privately, a reporter may lament over the things he covers. "But as long as we're called to be journalists," Case says, "we need to report accurately."

WHERE TO?

A Christian worship song of the 1990s refrained, "Where do I go when I need a shelter; where do I go when I need a friend?" Unfortunately for some student journalists of faith, the answer is hard to find, which makes their vocation a lonely one.

Terry Mattingly, a religion columnist who runs a summer journalism institute in Washington, D.C., for the Council of Christian Colleges and Universities, notes that beyond the ethical dilemmas students face, there's also a lack of support. They find it in the mainstream newsroom, where there's skepticism about Christian journalists. And perhaps more troubling, they find it in some of their churches, where some wonder why a young person would join the media, thought by some Evangelicals to be a left-wing, secular, godless entity.

Case puts it this way: A young Christian journalist can be "a man without a country," and Mattingly says that's because American journalists don't understand Christians, and Christians don't understand journalists. "The two halves of the First Amendment," he says, "just don't get along very well."

During his summer program, Mattingly often meets students who are frustrated. "They come in asking, 'How do Christians defend work in the mainstream on the terms of the mainstream?" he says.

Some, says Mattingly, feel even lonelier in their churches than they do in the newsroom. "That's bad theology," he says. "You either believe God is the God of all creation," including journalism, "or he isn't."

Case says that message is part of World Journalism Institute's mission. "The issue is very real and very lamentable," he says. "People think

[Christian journalists] have gone over to the other side."

Rather, those who work with Christian student journalists say, students need a pat on the back because they're going into a noble field. They may have some ethical dilemmas along the way, but who doesn't?

Says Case: "It is a high and holy calling to be a journalist."

ADVISERS WHO WORK WITH CHRISTIAN STUDENTS CAN POINT THEIR STUDENTS TO SEVERAL RESOURCES TO HELP THEM DEAL WITH ISSUES SPECIFIC TO JOURNALISTS OF FAITH.



THE WORLD JOURNALISM INSTITUTE, based in New York City, held its first classes in 1999 and has grown since. The institute now sponsors various courses for Christian students. The courses cover basics of journalism, and students work with teachers to navigate being a journalist of faith. In the New York Convergence Course, students spend three weeks taking classes in New York City and then can work as interns at newspapers across the country. The institute also holds a daylong conference for Christian editors the day before the fall and spring CMA conventions. For more information, go to www.worldji.com.



THE COUNCIL FOR CHRISTIAN COLLEGES AND UNIVERSITIES sponsors a semester-long program in journalism in Washington, D.C., that helps students "to think through the implications of being a Christian working in the news media," according to the group's Web site. Terry Mattingly, a religion columnist for Scripps-Howard, who has reported for the media for three decades, directs the program. Students also work in media outlets during the semester. For information, go to wjc.bestsemester.com.



GEGRAPHANEXT is a mentoring organization for student journalists. It is affiliated with Gegrapha, a world-wide network of Christian journalists in various stages of their careers. It is a non-political, non-partisan, non-sectarian group that encourages excellence among journalists and encourages them to practices "ethical integrity and moral purity" in the profession." GegraphaNext matches student journalists with those in the field. "[The students] are shown how their Christian values can ensure the highest standards of truth, integrity and ethics in this profession," according to the group's Web site. For information, go to www.gegrapha.org/gegraphanext.asp.

Brad Jenkins is the general manager at *The Breeze*, the student newspaper at James Madison University in Harrisonburg, Va. Jenkins also is an adjunct instructor in the School of Media Arts and Design, where he has taught writing classes. He is the publisher of *Shenandoah Living* magazine, a lifestyles quarterly devoted to life in the Shenandoah Valley of Virginia, and he has worked as city editor, features editor, and as a reporter for the *Daily News-Record* in Harrisonburg.



Sheep in Wolves' Clothing?

The differing perspectives of journalism at faith-based institutions

by Wally Metts

Spring Arbor University

Advisers at some Christian colleges say intervention can serve as a solid teaching tool

Last year, administrators at a least two Christian liberal arts colleges pulled their student newspapers over coverage of sensitive issues.

At Spring Arbor University in Michigan, the issue involved a front-page story regarding an agreement between the university and a dismissed transgender faculty member. It included a 5x5 photo of the faculty member in a dress.

At Malone College in Ohio, the move was prompted by the publication of a blurred photo of four nude males on an inside page, with an extended caption about nudity in the dorms. Both decisions resulted in local and even national news coverage.

Neither school practices prior review, which would of course be one way to avoid situations like this. But more to the point, these examples reflect the different and delicate balance between institutional interests and press practices that advisers at faith-based institutions must strike.

THE ADMINISTRATIVE PERSPECTIVE

At Spring Arbor University, which is affiliated with the Free Methodist Church, the edition that was pulled also happened to come out on the day that the admissions office was hosting a large number of prospective students and their families. Matt Osborne, vice president for enrollment services, expressed concern for several reasons. The size and placement seemed disproportionate and the reporting was weak, he said (editor's note: Wally Metts is the adviser to the newspaper.).

But he was also concerned that guests lacked the context to make sense of the article, which was approximately the tenth article dealing with the issue. From his perspective, shared by many administrators at enrollment-driven institutions with small endowments, the school has a legitimate interest in protecting its "brand." "The institution works hard to build and maintain a value proposition, that students, parents, alumni, and donors are willing to support," Osborne said. "When anything at the institution has the potential to threaten that reality, then the institution has a legitimate interest to address."



AT THE CROSSROADS

Osborne acknowledges that academic concerns about the learning environment are legitimate but still favors some limited prior review. As an example, he points out that other academic performances such as in art and music are weighed against professional and community standards before they are presented to the public.

Osborne contends that advisers should be more hands on with beginning writers and editors and that because student editors and reporters sometimes lack the skill and experience to make the necessary judgments, publishing their work within a context of "different levels of freedom" makes some sense.

He acknowledges that academic concerns about the learning environment are legitimate competing commitments. But he points out that other academic performances, such as in art and music, are weighed against professional and community standards before they are presented to the public. Osborne says student editors and reporters sometimes lack the skill and experience to make these judgments and that publishing their work within a context of different levels of freedom makes some sense.

Both Osborne and his colleague, Betty Overton-Adkins, vice president of academic affairs at Spring Arbor University, point to what many at private institutions see as the obvious:, that at a private institution, the school is the publisher and provides most if not all of the financing and infrastructure for the student paper.

"A student newspaper is not just a reflection of the students who are preparing it," Overton-Adkins says. "It is a barometer of instruction and academic quality, institutional ethos, mission and values, campus climate, and student engagement. The university has a genuine philosophical and fiduciary interest in the content of its student newspaper."

She notes that owners and publishers decide a particular philosophical direction or stance for any newspaper, of which most have editorial policies established by an individual or board. "That is why we can describe some papers as liberal and others as conservative, because someone has defined a philosophical framework that influences the content of the paper," she says. "Similarly, campuses have a right to expect that the content [of]the campus paper will reflect the specific mission perspective of the campus and that the paper's content will be basically in harmony with its mission and values."

While some faith-based schools do practice prior review, or publish their papers out of lab classes, Overton-Adkins says she is "pleased to have a campus paper run by students." While trying "to allow students to practice their craft as close to real-world circumstances" has some constraints, she sees the impact working on the paper has on students as positive. "It is in the best interests of the institution to support and encourage a strong student paper within a framework that also supports the mission, values and goals of the institution," she says.

THE ADVISER'S PERSPECTIVE

Generally speaking, advisers at these institutions recognize and accept these limitations. Students' careers in journalism will often intersect the messy tensions between the demands of a publisher and the expectations of an audience. Conflicts like these provide many teachable moments, particularly if the universities are pro-active, say several advisers.

Says Alan Blanchard at interdominational Cornerstone College in Michigan, "The ideal situation is for a university administration not to regulate content but rather (to) allow an advisor to mentor students to produce content in as professional a manner as possible even when it may be controversial."

David Dixon, adviser at Malone College in Ohio, where the paper with the nude photo was pulled, says, "Clearly the university does have a legitimate interest in creating an institutional culture that advances its mission, and student media are a part of that culture. The question is really more about how the university influences the media."

Managing these conflicting interests requires approaches rooted both in thoughtful policy and meaningful relationships, both with students and with administrators, which Dixon, whose college is affiliated with the Evangelical Friends Churches, says can occur largely on the front end by choosing capable students who also understand the institutional distinctions and mission.

That's because serving a small community requires cooperation from the administration as sources to insure accurate and balanced coverage, Dixon says. "Editors whose views are strongly at odds with the university will likely find themselves frustrated in their attempts to gather the information needed," he says.

Melinda Booze, advisor at Evangel University in Missouri agrees. She meets with administrators, encouraging them to be as responsive as possible on sensitive stores. She says, "I see this as being the first opportunity for the university to help student journalists 'get it right,' not by being censors but by being cooperative sources."

When students don't get it right, university officials can be part of a dialogue that helps clarify issues rather than just react to topics, she says. Such accountability insures students become more aware of the complexities and cultivation of sources good reporting involves, says Booze, whose university is affiliated with the Assemblies of God. "They are not entitled to the excuse that they are 'just' students reporting for a limited forum," she says.

The most important relationships turn out to be the ones advisers have with the students themselves. This requires building the trust required so that students seek advice about problematic stories. Dixon had talked with his student editor about the nude photo, and most advisers want to be in the loop before rather than after the controversy, which can provide the opportunities

for suggesting a new source or a new approach to the issue., Says Dr. Wayne Lewis at Franciscan University, "If it is a story where I am going to be summoned to the president's office, I want to read it first."

This is important because the problems that arise are often not just about the topic, but about poor reporting of the topic, a problem compounded by small, often volunteer staffs. Dr. Cameron Pace, who advises the TV newscast at Evangel and as department chair supervises Booze, says, "The university expects fairness and truth. Most of the problems we have had come from students not asking the right people or making assumptions about things without checking."

Staff training is critical. Policy manuals can also help manage problems, as do media boards and other administrative structures. Policies, for example, might prohibit advertising products or services that violate published institutional expectations for students. Some polices are less formal: at Evangel the staff is "aware" of when the admissions office is bringing large groups to campus.

Dixon says the policy manual at Malone suggests that the mission of both the paper and the university are best served by dialogue, not enforcement. "Obviously the argument doesn't always carry the day, but I still think it's the best way to go," he says.

A STUDENT PERSPECTIVE

Ruth Lang was the editor at Malone and made the call to run the nude photo. Men in the freshmen dorm were using nudity for humor and humiliation, often making other students uncomfortable by going from floor to floor. An extended caption on the photo described a "community understanding" the resident director has worked out about going to other floors being unacceptable.

Administrators concluded that the photo violated the decency standards of the university, pointing out that it would not be appropriate for dorm viewing or posters under existing policy. Lang says it served a different purpose in the newspaper, and in fact reinforced community standards by leveraging the inconsistency. But she admits there were problems. The photo was staged, for example, but was labeled news, she said.

What does concern her, as it did the editors at Spring Arbor University, was that there was no process leading to the decision to pull the paper that involved the students directly responsible. In both cases, however, new policies and practices have been explored. Overton-Adkins, VPAA at Spring Arbor for example, became more involved in the media board, more articulate in advocating for it in cabinet, and more intentional in recognizing and encouraging the staff.

Such conversations appear more likely at both schools. Patty Long, the interim provost at Malone when the paper was pulled, says "open dialogue about the issue is crucial." She says the college is looking to clarify policies and create structures to ensure this. "Pulling the school newspaper is obviously an action that an administrator would rarely want to take," she says.

Lang, who is now a reporter at the Alliance Review in Alliance, Ohio, says some good did result from the situation at Malone. For one thing, because of the negative media coverage in the local paper, she says the administration will probably "think twice" before pulling the paper again. And while it was the advisor and not the editor who was called to the provost's office, she hopes administrators will be more likely to bring their concerns to the editor, who actually "makes the final decisions."

She says the situation also provided an opportunity for classroom and community discussion about covering sensitive subjects and about what it means to be a Christian and a journalist. More than that, it brought about change, as the school amended its dress code to address the situation.

For Lang, however, the rewards were more personal. She earned the respect of her staff, examined her own motives, understood more clearly the power of the press, and began to think more carefully about the way she tells and illustrates her stories.

She says, "It gave me credibility in the eyes of other journalists because I made a difficult decision, stood behind it, and took the flak for it. I also think it broadened their idea of what a Christian journalist is."

Dr. Wally Metts is chair of the Department of Communication and Media and director of graduate studies in communication at Spring Arbor University. He refers to himself as the "patron saint" of student media at Spring Arbor, where he has served the student press in various capacities since 1983. He is president of the Association for Christian Collegiate Media (christiancollegemedia.org).



Tips for advisers at faith-based schools

Shirley Shedd retired as adviser at Evangel University two years ago, and looking back at her 25 years experience there, she offers these tips for managing conflicts at a faith-based institution:

- Develop a solid, written editorial policy and set of procedures and get the administration to sign off on it.
- Help the editor and managing editor establish a positive relationship with administrators before any problems arise.
- Invite the administrative officer who has responsibility for the paper to your staff planning workshop or retreat.
- Make sure the entire staff understands the administrative structure and is thoughtful about the "hierarchy of accountability."
- Be instrumental in setting up meetings between editors and administrators when problems arise.
- Buy lunch once in a while for your entire staff and key administrators.

Even with this aggressive approach, Shedd found that administrators continued to provide negative feedback and students never did "go easy" on them. The real benefit, however, was a solid, respectful working relationship.

In the end, she says, "The Golden Rule is still the best way to live."



College SIDs are putting the screws to student journalists when it comes to access to athletes

Before Sarah Jones can interview an athlete at Fairleigh Dickinson University, she must contact the athletic department and let them know about the scheduled meeting. As sports editor of the Equinox, Jones is required to cite the date, time and place where she will interview the player.

At the University of Texas in Austin, reporters are usually limited to speaking with athletes brought to press conferences after basketball and football games. During this time, sports information associates may even tell players: "You don't have to answer that."

More and more, sports information directors are trying to control access to players and coaches, requiring journalists to schedule interviews through their offices in what the SID at Baylor calls "hard-and-fast rules."

Sports information associates also frequently listen to interviews at many other schools, serving as chaperones that can turn a private conversation into an awkward prom date. "SIDs want to micromanage interview requests," says Jim Killam, adviser to North Illinois University's Northern Star. "Then they get too many and don't respond to most of them."

Sportswriters at some schools face challenges like that at Boise State, which limits football players to one interview per week and requires sports media to schedule through the SID's office in advance. And once the time for this athlete is scheduled, other media are allowed to attend as well. Brad Arendt, the general manager for Boise State's student-run newspaper, The Arbiter, says his reporters are often unable to attend these sessions.

"Our problem is we make a request, first, based on our student's

class schedule to fit with the student athlete schedule, but the SID waits or ignores our requests until the bigger local daily paper requests the same athlete and then fits it around that reporter's schedule," Arendt said. "Often, this means our students are in class and cannot attend the interview. To be fair, this happens to the other smaller daily paper ... but doesn't affect them as much. Their reporter is a full-time non-student, and his job is to attend the interviews regardless of the time."

Student reporters are sometimes chastised for scheduling their own interviews, which has happened at Ball State and other schools. "We've been told by the flak folk that they 'don't work after 5,' which is usually when we'll need something, so that becomes a hassle as well," said Vincent Filak, adviser to Ball State Daily News. "We're usually OK to call coaches on our own, but they guard the kids like crazy."

And that access is getting tighter than ever, thanks in part to policies that advisers and college sportswriters have called arbitrary, rigid, and a violation of free speech that limits the athletes' ability to speak their minds. Sports information directors say these accusations are not fair, that they take their role as liaison between athletics and the media seriously, but that their primary responsibility is to student-athletes, assisting them with time management and education. Even more so, sports information directors say their role is to control the image of their athletes, coaches and programs. Listening to interviews is just a way to protect this appearance.

"They [college sports reporters] don't take the time to know/ understand who we are and what our jobs are," says Luke Reid, assistant sports information director California State-Chico. "They don't get that we work for the university. They don't get that a relationship goes two ways. In order to get a little, you need to give a little, in other words."

Eastern Illinois University sports information director Rich Moser echoes this sentiment that the SID's obligation to the student-athlete trumps the needs of the news media.

"Young men and women are attending a school to, first, get an education and, second, to participate in their given sport," Moser said. "To ensure they are also getting a solid academic basis, having access to student-athletes at all hours of the day is not fair to them. There needs to be some down/off time for them to be college students. Setting parameters and time frames for interviews with these athletes and coaches can help to contribute to a positive collegiate experience."

That rationale does not appease reporters scrambling to report stories, nor student editors who are struggling to maintain staffs with reporters who also have to balance their own classroom responsibilities, work other part-time jobs, or both. Matthew DeGeorge, sports editor for Saint Joseph's The Hawk, says the athletic department is mostly helpful but access to some coaches is a challenge. The small Hawk staff is, forced to rely on the sports information office to set-up interviews with athletes and coaches, a process he says can take days. "I understand their responsibility to protect athletes," DeGeorge says. "The best way to minimize the need for their intervention would be to set up a give-and-take with them, their coaching staff, and the beat writer where trust is established that things will be done responsibly and the writer can just go up to the coach and say, 'I need to speak to so-and-so."

But trust, or truth, is a also a major concern for sports information directors who face growing pressure from fans posing as online journalists. Frankly, they do not know whom to trust. Doug Dull, associ-

ate athletics director for media

relations at the University of Maryland, says stalkers have posed as journalists to try to get phone numbers and email addresses of female players. Many policies, he says, are implemented to protect players, not to cause problems for legitimate reporters, and SIDs have to err on the side of caution. "I'm more than happy in that situation to trade accessibility for security," said Dull, the first past president of the College Sports Information Directors of America. "A reasonable journalist who walks a mile in our shoes would feel exactly the same way."

Dull said sports information directors do help sports journalists in other ways, especially when it comes to interviewing skills. Many SIDs offer media training to ensure coaches and athletes speak in complete sentences during interviews. "Once in a while, we'll have a student-athlete who shows up on (ESPN) SportsCenter babbling incoherently with bad quotes," he said. "But with some preparation and training, we can ensure that reporters have positive experiences with our folks, rather than having to cobble together stories with horrible sound-bytes or unusable quotes."

But that form of coaching also has a flip side, says Mike McCall, sports editor for Florida's Independent Alligator "They program athletes to only say things that follow with the company line, leading to the usual quotes that appear in every paper, every day," he says. "It's tough to get people to open up and be honest when they know they'll get a lecture afterward if they speak their minds."

SURVEY SAYS

A survey of 71 college sports editors and 79 sports information directors more graphically reveals a growing chasm between those who cover college athletics and those who manage college athletes. Nearly 20 percent of college sports journalists surveyed indicate they have a negative relationship with their university's sports information office, calling it, among other things, "terse," "strained," "uncooperative" and even "parasitic." More than half said they had a good relationship with the SID office, some going so far as to call it "excellent" and "awesome." Similarly, more than half of sports information directors surveyed characterized their relationship with the college newspaper as good. But about 16 percent of SIDs in the survey called the relationship poor, characterizing it as "rocky," "strained," or "tense."

Many of the problems can be attributed to access – particularly to rules, policies and procedures implemented by athletic departments that prevent reporters from talking directly to athletes and coaches. These problems, though, are exacerbated some when college sports-writers fail to call sources earlier, decline to attend practices, or urgently need comments when news breaks. Whether the urgency of such calls is justified or not, those situations build the tension between the two sides. At times, a reporter may look for contact information on Facebook or MySpace, pages that are accessible by anybody with an account. That may anger athletics departments when students use those sites as a resource, and reporters say they have been chastised for using these sources.

"We have normal access times that we manage in order to make things easier on both the media and our student-athlete and coaches," the University of Maryland's Dull said. "Although there are certainly extreme circumstances in which reporters need access to coaches at off hours, I can think of few instances in which a reporter can't plan ahead to use a normal window of accessibility to get their work done.

And Dull says that rule of thumb applies to news media across the board. "It's naive to assume that any media relations professional, in sports or otherwise, would allow 24-hour access to our sources and clients," he said. "If that's a hindrance to those people who can't plan ahead or work with us to manage accessibility, then so be it."

Sports information associates blamed inexperienced reporters (83.9 percent) as the biggest problem in regards to coverage, followed by inaccurate reporting (52 percent). Unlike the survey with sports editors, SIDs were allowed to check more than one problem area. "One difficulty we have at our institution is the student newspaper does not assign beat-writers to sports," writes one sports information director. "Instead everyone 'gets a chance' to write on various topics."

"Our athletics director and his staff... absolutely believe they do not have to cooperate with the media unless there is a guarantee that the stories are positive and promote the athletics department."

— Richard Moreno

Western Courier adviser at Western Illinois University

Nearly three-quarters of those surveyed blamed small staffs and inexperienced reporters for erratic or poor coverage. "I'd love to have a staff," the sports editor at Brevard (N.C.) College wrote. Another editor said he struggles to find reporters to cover games, much less practices. "Oh, to have a staff," he lamented.

The larger universities with bigger sports programs have different challenges, say some editors. "The hardest part about covering sports was getting writers to pick up stories (outside their beats)," said Merisa Jensen, sports editor for Southern Cal's Daily Trojan, which sports a staff of approximately 20 reporters. "Each is assigned a sports beat," said Jensen. "When other stories pop up, it is hard to get one of those writers to take them on. A specific instance was when the soccer team, which had just won the national championship, was holding a press conference to announce a game with the Mexico women's national team. I did assign a writer, who for some reason did not go, and the SID for soccer was upset we didn't cover it."

For all their complaints, the sports information directors who responded to the survey indicated that college newspapers covered their athletic programs fairly, or objectively. Only 16.4 percent of those surveyed said coverage of their programs by the college press was somewhat, or mostly, negative, while 59.5 percent called coverage mostly, or somewhat, positive – and 24.1 percent called coverage neutral.

A similar number of college sports journalists believed their coverage was slightly more positive – 63.5 percent calling it mostly, or somewhat, positive. On the other end of the scale, few college sports journalists characterized their coverage as somewhat, or mostly, negative. Just 5.5 percent believed this to be true, about a third as many as in sports information offices. "We feel we offer an independent voice," writes one sports editor. "We call it as we see it. When our teams do well, we make a big deal. When they are losing, we report that, too. Our baseball team, for example, had lost 19 straight games. How can we report that without asking the coach, 'what's gone wrong?"

Also contributing to the friction is that many student reporters are undergoing Journalism 101 on the fly. One editor said newer college reporters usually come in with a far less objective approach, more freely mixing opinion with their stories. Whether this can be attributed to the popularity of shows like ESPN's "Around the Horn" and "Pardon the Interruption" is unclear. Perhaps, another survey can address this. But there is no doubt that young journalists are seeing more and more of their role models vent, argue, opine, and yell on the air. "Our young journalists usually want to be either rah-rah or mud-sling," writes another sports editor. "But we can usually train them within a month or to be neutral and to 'call it as they see it.' We are very good about teaching not to cheer in the press box and about not editorializing in stories."

Even in the best of circumstances, staffing shortages, scheduling conflicts and publishing cycles contribute to the difficulties in meeting the expectations of many sports information directors.

"We all have to handle class work with our beat reporting and sometimes we miss an event or an interview session and that is hard to make up," said Tony Dobies, sports editor for West Virginia's The Daily Athenaeum. "Our sports information department does, however, make a strong effort in allowing us to interview in other ways than on the assigned media day."

Regardless of the causes, student sports journalists can borrow trouble by not maintaining a consistent reporting presence. Just one-third of those surveyed admit to regularly attending practices, a number that may be slightly high considering the comments made by sports editors in other sections of the survey and considering the perception of sports information directors, who say only 51 percent of college beat reporters usually attend practices – although they say an additional 26.9 percent sometimes do so. Beat coverage is dependent on checking in each day at practices with players and coaches. And athletes are available before, during or af-

ter more than 90 percent of all practice sessions.

McCall said the Independent Alligator staff does not have access to practices for Florida's football team, and, like the rest of news media, must wait until practice concludes. "So we wait outside the gate and the SIDs come around with pads to write down our requests," he said. "These requests are usually pointless since we grab the players ourselves, so it seems they only do it to get an idea of what we are after and dissuade us from talking to certain people."

Still, failure to attend practices can create some tensions between reporters and sports information associates, especially when sports "A reasonable journalist who walks a mile in our shoes would feel exactly the same way."

Doug Dull

Associate athletics director for media relations at the University of Maryland, on the increased insulation of student athletes from the public.

staffs turn to cell phones, email, and Facebook/MySpace to get information. Reporters, though, often use these other methods even when they do go to practices and games. And why not, students may argue, if this is how the younger generation communicates in all other ways.

Text messaging caused some problems last winter at Western Illinois University where a sportswriter for the Western Courier could not tell whether a women's basketball player had hurt her ankle or foot during a game and the coach refused to offer more details. "The coach refused to even say what she had injured," said Courier adviser Moreno, "and kept repeating that the player was day to day."

So the reporter texted the injured player, who asked her coach if she could reply. The coach turned the message over to the sports information director who sent an email to the Western Courier staff stating that all interview requests need to go through his office.

"The student paper was contacting players before going through us," said Jason Kaufman, assistant director of athletics for media services and broadcasting. "That was a pattern. We tried to curb that and have them go through us. This is really to protect the student-athlete. Their reporter said, 'But I'm a student and they're students, so I should have direct content with them.' But I asked, 'Are you acting here as a journalist or a student?""

Richard Moreno, adviser to the Western Courier, says the university's SID cited the Health Insurance Portability and Accountability Act, which was intended to protect an individual's medical records but has created confusion for many state and federal agencies, as a reason for not offering more details. Kaufman counters that athletic departments can offers some details, such as the location of an injury and the athlete's playing status. "We told the Western staff that this player had a foot injury and that her status was questionable," Kaufman said.

Moreno says that when the sports information office fails to return his staff's calls, it forces reporters to seek information by other means.

"This is just the latest run-in we have had with our athletic director and his staff," Moreno said. "They absolutely believe they do not have to cooperate with the media unless there is a guarantee that the stories are positive and promote the athletic departments. I've instructed the students here to continue being as enterprising as they can be, even if that means overlooking the SID's instructions."

And if the SIDs and student journalists more or less agree on the overall positive nature of their sports coverage, they're leagues apart concerning whether or not the reporters look good while they're doing it. Clashes can also arise from other professional behavior, or unprofessional, depending on the point of view regarding appearance, such as such as a student reporter covering games in a t-shirt, ragged shorts, and sandals. While the reporters argue they are just students, they also say they should be treated just like professionals covering the beat, the ones who are dressed in slacks and collared shirts. Students admit they do not typically dress professionally for interviews or while

covering games. Only 6.8 percent say they always dress professionally, while 39.2 percent say they usually do. Just over 20 percent admit they never or rarely dress professionally compared to 33.8 percent who say they do sometimes. Sports information directors hold a different sartorial view, that students dress far worse, claiming 54.2 percent never or rarely dress professional compared to 7.6 percent who usually or always do.

The nature of the collegiate press, even at its best, puts it at a general disadvantage in emulating its professional counterparts. And the increasing control that sports information departments are exerting to control the flow of information exacerbates the tensions that would exist under the best of circumstances.

This Rashomon-like moment may best depict the fundamental differences in world views of those who would report the news and those who would manage it: The two sides can't even agree on personal greetings. Asked how frequently reporters properly introduced themselves before interviews, reporters said 86.5 percent of the time. The SIDs? Barely 29.

Sports information professionals offered advice as part of a survey of 79 SIDs across the country. Here are their tips to college sportswriters for making life easier for themselves and, by extension, the SIDs:

THEY CALL YOU "REPORTERS," DON'T THEY?

- Report accurately and objectively.
- Take careful notes, record interviews if possible.
- Generate your own story ideas,
- Base your stories or opinions on facts.
- Don't revise a press release and put your byline on it.

THE DEVIL IS IN THE DETAILS:

- Know your sport. You'll gain respect much more easily if you've done your homework.
- Show up well ahead of the contest so you can be filled in on any last minute developments before you start formulating stories, plans for interviews, etc.

PROFESSIONAL IS AS PROFESSIONAL DOES:

- Know the ground rules for access to coaches and players and plan ahead and around them.
- We're people, too:

If genuine logistical problems, e.g. deadlines, scheduling conflicts, exist, explain your deadlines to the SID asap. Don't wait until that deadline.

R-E-S-P-E-C-T, OR, LOSE THE BEER T-SHIRT:

If you're dressed neatly and professionally, it shows you're taking the job seriously. 'Nuff said.

College sports editors, like their pro counterparts, have a much different world view than the SIDs. Here is some advice from college editors on how coaches and SIDs might help improve their sometimes strained relationships with college sportswriters:

- Call 'em like you see 'em, not like you want 'em: Be candid through thick and thin. if the teams lose and play poorly, don't just tell us how hard they've worked and avoid addressing the poor play.
- Don't kill the messenger: Cooperate even if you don't like the story we're working on, you're going to like it better if it includes your input than if it doesn't. Don't make us write unbalanced stories..
- And be professional your own self: Don't be punitive to reporters if you don't like the angles to their stories. That's a nowin situation.
- They got the gold mine...: Make sure the college newspaper gets equal time and access. Nothing riles up an unpredictable college student more than getting the short end of the stick when it comes to access to coaches, players and information.
- It's still college: Give student journalists the benefit of the doubt, and remember that we are still learning the ropes.



Joe Gisondi, an associate professor of journalism at Eastern Illinois University, has covered sports and worked as a sports editor for more than 20 years at several daily newspapers in Florida, including the *Fort Myers News-Press, Clearwater Sun, Florida Today* and *Orlando Sentinel*. He advises *The Daily Eastern News*, and you can read his sportswriting tips on *onsports.wordpress.com*, a nationally recognized blog.



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The Hosty Ruling: Predictions of its chilling effect are so far exaggerated

Mark Butzow

Western Illinois University

ABSTRACT:

The Hosty v. Carter ruling (in 2005) led to widespread fear in media that censorship would increase and First Amendment protections would be reduced at college newspapers. This survey attempted to gauge the decision's subsequent impact at public colleges in the three states of the Seventh Circuit: Illinois, Indiana, and Wisconsin. Despite the fears, very little, if any, movement toward prior review and reduced student authority was found that could be attributed to Hosty. Indeed, the ruling and resulting cries of alarm may have done more good than harm. But there still is reason to be cautious.

INTRODUCTION

When the U.S. Supreme Court chose in February 2006 to let the appellate ruling in Hosty v. Carter stand, the rhetoric from almost all quarters -- media pundits, law professors, journalism professors, newspaper editorial writers, and the Student Press Law Center -- shifted to outrage and fear. They painted the Hosty decision as a serious threat to campus media and their free speech rights. According to some interpretations of the ruling and its ramifications, the courts had opened Pandora's Box by giving administrators at public colleges total control over subsidized student newspapers, not to mention all other student organizations receiving student fees (Wilson, 2005). The Society of Professional Journalists' website declared "Student journalists compromised by Supreme Court's decision," and the Chronicle of Higher Education declared the Hosty ruling to be one that "sharply limited student-press freedom" (Lipka, 2006). But are such assertions accurate?

The appellate court ruling was issued in June 2005, and this study attempts to gauge how much impact this decision has had on student newspapers in the affected states in these first two years. Very little, if any, movement toward prior review and reduced student authority was found. Indeed, the ruling may have done more good than had it never been issued.

Some background: champions of press freedom were dismayed in 1988 when Hazelwood v. Kuhlmeier (484 U.S. 260 1988) curtailed the rights

of students producing high school newspapers. The ruling's wording left open the possibility that the college press also might deserve less free speech protection than professional newspapers, but several key rulings before and since have suggested campus media do have rights similar to the professional papers (Antonelli v. Hammond 308 F. Supp 1329 (D.Mass 1970)), in which a college president blocked payment for content he disliked; Mazart v. State 441 N.Y.S.2d 600 (N.Y. Ct. Cl. 1981); Milliner v. Turner 436 So. 2d 1300 (La. Ct. App. 1983), where a university avoided a libel judgment by arguing it had no control over content decisions of student paper; Rosenberger v. U. of Virginia, 515 U.S. 819 (1995), which concerned funding of a religious student newspaper; Kincaid v. Gibson, 236 F.3d 342 (6th Cir. 2001)(en banc), which fought confiscation of yearbooks deemed to be of unacceptable quality. Then along came Hosty v. Carter, which appears to move First Amendment protections of student expression back a step or two -- and not just at high school school newspapers.

REVIEW OF HOSTY LITIGATION

In line with Antonelli, Mazart and other decisions, a three-judge panel of the U.S. Seventh Circuit Court of Appeals in Chicago decided in 2003 that the dean of student affairs and services at Governors State University near Chicago should not be dismissed as a defendant in a lawsuit brought in 2001 by student editors of the Innovator newspaper (Hosty v. Carter , No. 01-4155, 7^{th} Cir. 2003). However, in June 2005, the full federal appeals court overturned that 2003 three-judge decision, ruling on a 7-4 vote that Dean Patricia Carter was protected by qualified immunity because Hazelwood had muddled the landscape to such an extent that the law as it pertains to college media had become unclear (Hosty v. Carter , 412 F.3d 731, 7^{th} Cir. 2005). The decision sent shock waves through professional and academic journalism circles, generating surprise and confusion.

Headlines help tell the tale: In 2005, most of the reaction was measured and contemplative, from attorney Mike Hiestand's "what it means" commentary on collegepress.org (2005) to Douglas Lee's "How much will Hosty affect campus expression?" analysis on The First Amend-

Refereed Article

ment Center's website (2005). Some of the rhetoric from the Student Press Law Center was more alarmist, such as "Free speech groups worry Hosty ruling will scale back students' 1st Amending rights" (2005) and "Appeals Court invites havoc, says Student Press Law Center" (2005). Other commentaries joined in sounding the alarm (and sounding alarmed!) after the Supreme Court let the ruling stand.

AN OVERREACTION?

Is it possible this media hand-wringing was so much Chicken Little paranoia? Did it misinterpret the significance of the ruling and send the cavalry in to save the day unnecessarily? Among those who think that's possible is James Tidwell, media law professor at Eastern Illinois University, who wrote in *UP&I*, a faculty union publication, that the Hosty ruling did not support administrative censorship of Governors State's student newspaper but rather should be seen only as a ruling about the dean's protection from monetary damage because of her qualified immunity (2006, p. 14). The qualified immunity principle protects government officials from monetary damage awards unless they knew or should have known at the time that their actions were unlawful (14). "[H]ad the students not asked for monetary damages but merely a declaratory judgment that Dean Carter's actions violated the First Amendment, I believe the students would have won" (14).

Former Student Press Law Center Executive Director Mark Goodman doesn't disagree with that point, but disagrees with Tidwell's larger perspective. Goodman says "I don't disagree ... for the simple reason that when students won the three-judge ruling, I don't think the university and state Attorney General would even have appealed had there been no monetary damages claim involved" (personal communication, August 14, 2007).

SPLC's view is that the Seventh Circuit took considerable time to clarify what it regarded as the murky constitutional status of the college press, and other courts now will feel emboldened to do the same. Even if this portion of the opinion was dicta, from Tidwell's perspective, it carries some clout with other legal and press freedom commentators who saw the Hosty decision as supporting censorship of the student newspaper and reacted accordingly. The SPLC urged newspaper advisers to get their administrations to formally declare or designate the student newspaper to be a limited public forum, even if "both sides" already agreed in practice and principle that it was (June 2005). SPJ joined in that call after the Supreme Court left the ruling intact (Mayor, 2006). A number of school newspapers asked for and got their administration to designate them as limited public forums. Others, including the paper at Eastern Illinois, where Tidwell chairs the Journalism Department, chose not to ask. "We think people have overreacted to the Hosty decision," editor-in-chief Kyle Mayhugh told SPLC in 2006. "Our tradition as a public forum doesn't need validation from the school president, and to go to him and ask for it would only validate the idea that we need permission from him" (Bell, 2006).

SPLC's Goodman calls that naïve: "That's exactly what the public forum framework *does* require (emphasis the author's). Public forum

status does not exist because of inaction on the government's part. All it takes is one personnel change to someone who has an agenda, or one big conflict" to put a paper's public forum status in jeopardy (personal communication, August 14, 2007). SPLC continues to urge campus media organizations to seek designation as limited public forums. Said Goodman, "What I see in other courts is that college press freedom isn't important and that it should only be allowed when the college administrators want it to exist. The ruling in Hosty is now informing the analysis that other courts are using" (personal communication, August 14, 2007).

TURNING UP THE HEAT?

There have been well-publicized examples of school interference in student media. Just in the past three years among public colleges and universities in the states comprising the Seventh Circuit:

- Vincennes University transferred a journalism professor/newspaper adviser, Michael Mullen, back to English against his will in 2004. He sued, but, according to English Department chairman Charles Reinhart, Mullen has not returned to the adviser role (personal communication, August 1, 2007). Mullen settled out of court and has not returned to advising the newspaper, although he continues to oversee the school's literary magazine and serve on the board of a statewide collegiate press group.
- Harper College in Chicago's northwest suburbs dumped its adviser, well-known film critic Dann Gire of the Arlington Heights Daily Herald, in June 2006 and implemented new content guidelines in the fall that emphasize "common standards of decency" and a greater focus on "Harper news" than Chicago-area news (Bauer, 2006).
- Oakton Community College, also near Chicago, booted its adviser, Dennis Polkow, in 2006 after the paper's editorial stance opposing a tuition hike. The school told Polkow he was removed because of student complaints.
- Illinois Central College, the Peoria-area community college, found itself embroiled in controversy after longtime *Harbinger* adviser Mike Foster retired in 2005. His replacement as adviser left after one tumultuous semester in which students claim he threatened to kill the newspaper and start over, chased away the editor-inchief and shut out the associate editor, and rewrote the handbook to give final say on story decisions to the adviser. Coverage in the *Chicago Tribune* and Peoria *Journal Star* caused administrators to scrap the "veto power" policy (Hopkins, 2006; Retka, 2006).

LITTLE EVIDENCE OF HARM

Of course, problem relationships exist between newspapers and administrators in every state. But it is not evident that the problems at schools in the Seventh Circuit are resulting from the Hosty ruling. Survey data was collected beginning in May 2007 from student newspaper advis-

ers in the three affected states, and little or no evidence was found that Hosty has emboldened school administrators to turn up the heat on school papers. Among other things, the survey sought information on school type, courses, and degrees offered, lab v. extracurricular status, frequency of publication, budget sources, role of faculty/staff adviser(s) in assigning & editing stories, adviser's length of service, type of employment (adjunct, tenured/tenurable, non-faculty staff, etc.), paper's relationship with administration, any recent shift in relationship, type of change(s), public forum status.

After acquiring a list of the 117 two- and four-year public schools in the three states, the author tried to ascertain which did and did not have student newspapers, find adviser name and contact information for all those who do have a paper. That entailed school website searches, e-mails to papers or to university "contact us" links, and some phone calling. Invitations to take the online survey were sent in May 2007 (with reminders in June and July) to 98 public colleges in the Seventh Circuit; the survey was completed and returned by 37 advisers (38 percent). The 37 schools that responded by August included 17 of the 41 four-year schools targeted (41 percent) and 20 of the 57 two-year schools targeted (35 percent).

Tidwell told community college journalism advisers at a workshop in 2006 that asking for public forum status might backfire by alerting administrators to the ruling, encouraging them to more actively test the censorship waters, and reassigning content approval to advisers or student activities staff, not students (Tidwell address, 2006). It doesn't appear from the survey data that it is happening, though. One school has endured a large budget cut, but five others report being declared public forums in the past two years.

Of the 37 papers represented:

- Advisers at 16 (43 percent) say the paper is officially recognized
 as a public forum for student expression. Eleven of those 16 are
 four-year schools (three in Indiana, four in Illinois and four in
 Wisconsin). Of the five two-year schools with public forum standing, four are in Illinois and one is in Wisconsin. Five of those 16
 schools gained their designation as a public forum within the past
 two years.
- Another 14 schools say the administration uses a hands-off approach but has not formally given public forum status. Nine of those are two-year schools, and five of those are four-year schools (three in Illinois, one each in Indiana and Wisconsin).
- Advisers at seven schools (only one of which is a four-year school) say the administration treats the student editor as publisher, recognizing that he/she has final responsibility about story selection and contents.
- None characterizes the administration as maintaining that it
 holds prior review authority. That, even though the newspapers
 at six of those 37 schools are created wholly in a classroom setting
 (where the instructor wears the publisher "hat" and has control
 over story assignments and story editing for content and quality),
 and another eight are created in part from materials that start as
 assignments in a course.

• The adviser at nine of those 37 schools was new in the position last year (2006-07); 13 of the 19 are new in the position since 2003; and 19 of the 37 started in the role in 2000 or later.

The survey asked how often, if ever, the administration kills stories or issues. All but two of the respondents answered "never," while one answered "occasionally" (defined as once or more each year) and one answered "rarely" (less than once a year). The paper tha answered "occasionally" is at a two-year Wisconsin school with no journalism courses that started putting out a paper in 2006-07. It is produced monthly by members of an extracurricular club, and the adviser is an Office of Student Life staff member. The adviser assigns and edits students' stories. The paper gets about five percent of its funding from student fees, with the rest coming from self-sustaining sources such as advertising. The newspaper that answered "rarely" is at a four-year Wisconsin university that schedules only two journalism classes and offers a journalism minor. The paper publishes twice a month and is compiled as an extracurricular activity. The adviser, in the post for three years so far, is full-time, nontenured faculty who answers to the head of Student Activities on matters related to the newspaper. The adviser reports a shift toward more prior review and potential interference occurred in fall 2006 with the arrival of a new communication director. The paper gets about half of its funding from student activity fees and the other half from advertising.

Advisers also were asked to describe any changes at their institutions in the relationship between newspaper and administration. Eight of 37 respondents indicated there had been a recent change. Three see greater potential for prior review and other interference. At one of those three, the paper's budget was cut more than 20 percet for the 2006-07 school year. At another, mentioned earlier, the adviser feels more "under the thumb" of the school since a new communication director arrived in fall 2006. On the more positive side, five respondents characterized the administration as moving toward "freedom from interference": Indiana University was allowed to add limited public forum language to its charter; leaders at Illinois State and Southern Indiana formally signed and then publicized public-forum declarations; Northern Illinois added SPLC's suggested language on limited public forums to its governing documents; and Wisconsin-Platteville's student-fee allocation committee formally agreed that the newspaper's basic functions will be funded regardless of content or controversies, and the school's chancellor designated the paper as a public forum. These protections fulfill the spirit of College Media Advisers' current fight: "It is now all the more imperative that student publications establish clear operating guidelines as designated public forums, if they already haven't. If they have, they need to educate their administrations as to what that means" ("CMA disappointed," 2006).

LEGISLATIVE REMEDY

The Hosty ruling only has legal standing in the U.S. Seventh Circuit Court's territory, which includes the states of Wisconsin, Illinois and Indiana. But fears that Hosty could be applied to almost all public col-

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leges caused journalism and civil rights groups outside the area to push for legislative remedies. Ten days after the Supreme Court decision not to hear the case, the general counsel for the California State University system wrote in a memo to university presidents that "the case appears to signal that CSU campuses may have more latitude than previously believed to censor the content of subsidized student newspapers, provided that there is an established practice of regularized content review and approval for pedagogical purposes" (Bell, 2006). The California Newspaper Publishers Association helped draft a free-press bill, which California lawmakers passed and the governor signed in August 2006. In neighboring Oregon, a bill that provides free-press rights to students at newspapers and other media -- at both the high school and college level -- was approved in the summer of 2007 and signed into law July 13. However, similar efforts in Michigan and Washington state failed in 2007. But what of the three states directly affected by the ruling?

- In Illinois, the College Campus Press Act (SB 0729) moved through the two legislative chambers with little opposition last spring, and the governor signed it in August. It was scheduled to take effect on June 1, 2008. The law will designate all public college and university media as limited public forums, free from prior review and prior restraint.
- In Indiana, the unexpected death in June 2007 of Indiana University Daily Student adviser David Adams delayed the efforts of concerned journalism faculty and advisers who also were working on proposed legislation. The Indiana Collegiate Press Association planned to introduce legislation in January 2008 that borrowed language from the Illinois, Oregon and California laws (Vincent Filak, personal communication, 25 October 2007). However, the group now plans to file its bill in January 2009, using the extra year to address concerns expressed by several universities. And, according to ICPA board member Merv Hendricks of Indiana State University, the advocates in Indiana may also to offer language that protects high school expression: "It's at the high schools where threats to press freedoms are greater. Advisers are fired, demoted and terminated; some content has been withheld" (personal communication, 29 February 2008).
- In Wisconsin, the climate isn't right for a legislative remedy, according to Wisconsin-Platteville professor and newspaper adviser Arthur Ranney, who says "the legislature has been distinctly unfriendly to the university system for several years. ... and I don't think anything (to remedy Hosty v. Carter) is likely at this stage of the game" (personal communication, July 25, 2007). Instead of working on a piece of legislation, student editors at university newspapers are working with their specific administrations to create school policies that ensure students are in control of content (Redden, 2007). According to the Student Press Law center, many student press leaders in Wisconsin seem to believe that legislation is unnecessary because they "have been satisfied with their discussions with university officials," said David Allen, a media law professor at the University of Wisconsin at Milwaukee. "Officials (at the various campuses) have been open to entering into agreements, declaring student newspapers limited public fora," he said. No one

has made anti-*Hosty* legislation a priority, agreed Peter Fox, president of the Wisconsin Newspaper Association (Redden, 2007).

DISCUSSION

So what do we know as the Hosty ruling has celebrated its third anniversary in June 2008 and heads for a fourth? Colleges in the Seventh Circuit and beyond may yet choose to apply the ruling's reasoning to student media organizations on their campuses, not to mention other types of student expression, but the data in this survey give students, college media advisers and other interested parties an early indication that the Hosty decision is not turning out to be the harbinger of doom some feared.

Former SPLC director Goodman, now the Knight Chair in Scholastic Journalism at Kent State University, says it would be premature to conclude Hosty's impact will be limited. "I think it is not uncommon for the response from a major court ruling to not happen in the first 12 or 24 months. With Hazelwood, it took a full five years before we started seeing a full impact. Part of the reason why we were so concerned about Hosty, and why I feel validated today, is how courts actually apply it. In a recent ruling in the Second Circuit, Husain v. Springer (No. 04-5250, 2007 WL 2020028 (2d Cir. July 13, 2007)), the court sided with the newspaper, but it used the same sort of analysis as the Seventh Circuit did in Hosty. There's danger in that public forum analysis – the forum exists only as long as the government wishes it to" (personal communication, August 14, 2007).

The data do suggest a number of possible avenues or questions for further research. For example, advisers may be more likely to get "muscled" at schools where no journalism program exists, a trend explored a decade ago by John & Tidwell (1996). Are advisers and student editors more likely to lack independence at two-year schools than four-year schools? Are administrators more likely to enact prior review when the adviser is relatively new on the job or is a part-time adjunct? Will "quality concerns" gain footing – as in the Governors State case – as a legally defensible reason to replace a faculty or staff adviser (Lane v. Simon, No. 05-3266 10th Cir. 2007) or block distribution of the student media product (Kincaid v. Gibson, 236 F.3d 342 6th Cir. 2001). This study targeted public schools in just three states and, in fact, ignored non-newspaper forms of student media. If all student media at all the nation's public colleges and universities weighed in, what would the data show?

One important area not addressed at all by this study is the situation at private colleges and universities, where the Supreme Court's "limited public forum" framework does not apply and taxpayers' money is not subsidizing the operation of student news organizations the way it does at many public colleges and universities.

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Appendix A: Campus Press Climate After "Hosty v. Carter" Survey

This questionnaire is part of a survey trying to ascertain the status of free press rights at the public universities and community colleges in the three states (Illinois, Indiana and Wisconsin) affected by the 7th Circuit Court's 2005 *Hosty v. Carter* ruling and the U.S. Supreme Court's 2006 decision not to hear the case. Your information is appreciated.

(names and contact information for researchers redacted)

School information
#1: School Name:
#2: School type:
2-year school
4-year school
Other
#3: City:
#4: State:
IL
IN
WI
#5: How many journalism-related courses are offered at the school?
#6: Which of these levels exist at the school? (Check all that apply.)
associate degree in mass communication or journalism
minor in mass communication or journalism
undergraduate major in mass communication or journalism
master's degree in mass communication or journalism
doctoral degree in mass communication or journalism other:

Paper information

#7: How often is the school paper published?
#8: Name of school paper:
#9: Is paper created as:a lab class
an extracurricular activity both
#10: Do advisers assign stories?Yes No
#11: Do advisers copy edit or review stories before publication?
Yes No
#12: How (or by whom) is the student editor selected?
#13: Please estimate the percentages each of these sources provide in covering the costs of publication.
Student activity fees
Self-supporting (advertisements)
School appropriation/budget
Other
(if other, please specify)
#13a: If your school provides release time for an adviser and/or others, please indicate how much (i.e. two courses per academic year, full-time director of student publications, etc).
Adviser information
If there is no adviser, please skip to the next section.
#14: Who is the current adviser?
#14a: When did this person become adviser?
#15: Is this person:
full time school employee
part time school employee
not employed by school

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#16: Is this person:
tenured faculty
tenure-track faculty
in a non-tenure-track faculty line
not a member of the faculty
#17: If not faculty, is this person:
staff in Academic Affairs or similar
staff in Student Affairs or similar
staff in other division
employed outside of the college (If staff in other division, or outside of the college, please specify.)
Paper's Relationship with Administration
#18: To whom does the newspaper or adviser "answer"? (Title and name of administrator most directly involved.)
#19: Does your school's administration: exercise prior review with every issue or most issues
maintain it holds prior review authority, but hasn't exercised it
use a hands-off approach, maintaining that student editor is paper's publisher (and responsible for content)
use a hands-off approach, going so far as to acknowledge the paper is a "public forum" (free from interference)
uses a hands-off approach, although there is no formal declaration of "public forum" status in writing
#20: How often does your school's administration kill stories or issues?
every issue
often (every few issues)
occasionally (once or more each academic year)
rarely (less than once a year)
never
#21: If these choices are not sufficient to address your situation, please comment to clarify or accurately describe your school's situation:

Five to ten years
Ten to fifteen years
Fifteen or more years
I don't know
#23: If your school has recently gone about making policy changes:
(a) When did the changes occur?
(b) did the changes move policy:
toward public forum/freedom from interference?
toward prior review or potential for interference?
(c) have the changes included the following? (Check all that apply.)
Final content approval shifted to student editors.
"Public forum" status conferred on newspaper.
Rewrote handbook to shift final content approval away from student editor.
Decided not to review adjunct serving as adviser.
Put financial squeeze on paper.
(d) Please describe any changes in your own words here:
(e) Are changes possibly a result of the 2005 Hosty v. Carter ruling involving Governors State University in Chicago?
Yes
No
I don't know
Contact information
Thank you for your assistance so far. Would you please provide contact information so the researchers have the ability to clarify or follow up?
Last name:
First name:
Role:
Phone:
Email:

#22: How long has the current stance of your administration been in place? Less than five years

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Privacy pledge and informed consent

We will not share your phone number, address, or email address with anyone.

We hope all information you are providing can be treated as "on the record," including identifying information about your school and its situation or relationship to the student newspaper. You may, however, participate in this study while choosing to have your data treated as confidential.

Please specify your preference:

Yes, you may identify me. I do give my consent for information that identifies me, my school and publication to be used in any public report (scholarly paper or presentation) on this research on the condition that my institution and its

representatives also are given this choice and also provide informed consent.

No, please treat my information as confidential. I am consenting to participate in this research, but I do not grant permission for identifying information about me, my school or its relationship with the student paper to be used in any

public report (scholarly paper or presentation).

Thank you for taking the time to complete this survey.



Mark Butzow is an assistant professor of journalism in the Department of English and Journalism at Western Illinois University. He teaches media studies and journalism skills courses, including media ethics, media in society, reporting, and copy editing. He has approximately 20 years of professional experience as a television producer and assignment editor and as a newspaper reporter and copy editor.

Albert (Flip) De Luca 1950-2008

Former adviser, CMA honoree from Virginia dead at age 57

HARRISONBURG, Va. — Long time college media advocate and adviser, Albert J. "Flip" De Luca, 57, of Harrisonburg, died Wednesday, May 28, 2008, at his home.

From 1979-2005, he taught print journalism at James Madison University and worked with The Breeze, the student newspaper. In 1995, he received the highest newspaper advising award from the College Media Advisers, the nation's largest college publications association.

"Like many of my CMA colleagues, I cannot believe Flip is gone. Even now, with the news of his death, I cannot help but smile. He was just that kind of guy. Fact is, whenever I have thought of Flip over the years — and there have been quite a few years — it always has been with a smile. His and mine, said CMA President Ken Rosenauer in a message to the CMA discussion group.

"Flip was the kind of guy people liked to hang out with. I hate to lose him, but he leaves a legacy in his students and in the fine program at James Madison. If he was gardening when he died, then he likely was doing something he enjoyed. We should all be so lucky."

Colleague Ron Johnson of Kansas State added, "Flip organized dozens, perhaps hundreds of sessions for our collegiate journalists through the years. He used dozens of professional contacts -- and contacts from many of us -- to build comprehensive conference programs that prepared our students for the many challenges of college journalism.

"Flip's legacy lives in the journalism careers of those students who soaked up information from the conference programs he organized and administered," Johnson, a past CMA president noted. "His good humor and quiet, consistent service will be sorely missed. He was a friend to college journalism and a good friend to me."

Mr. De Luca was born Nov. 14, 1950, in Olean, N.Y., and was a son of the late Elizabeth and Albert D. De Luca.

He grew up in Plattsburgh, N.Y., and received a Bachelor of Arts degree from LeMoyne College in Syracuse, N.Y. in 1972.

He was a newspaper reporter and editor in Syracuse and in Stroudsburg, Pa., for five years before enrolling at Iowa State University, where he earned a master's degree in journalism and mass communication

in 1979.

Survivors include a brother, Mark De Luca of New Jersey, and two nieces.

A memorial service was held 4 p.m. Saturday, June 7, at Kyger Funeral Home in Harrisonburg.

Memorial donations may be made to Cat's Cradle, P.O. Box 2152, Harrisonburg, VA 22801, or the Journalism Fund, c/o the JMU Foundation, James Madison University.

Online condolences may be sent to the family at www.kygers.com.

From left: Flip, Alan Neckowitz and David Wendelken.

Photo courtesy of Madison Magazine.



You may have known him as Albert De Luca of Harrisonburg. It's the name he used on his frequent letters to this newspaper's editorial page. Anytime I saw that name here, I knew I could expect something incisive and thoughtful.

by Brad Jenkins

That's because I knew the man behind those letters. And he never went by Albert. To his friends and colleagues, he was "Flip"; to the journalism students he taught at James Madison University, he was "Mr. De Luca" or "Mr. D."

Recently, those of who knew and respected Flip were shocked to hear of his death at age 57. It has been heartening, though, to remember how wide Flip's influence has been on journalism. As a champion of student journalism, Flip molded scores of men and women who now work in media, ranging from *The Washington Post* and other major outlets to small community weeklies.

Getting through one of Mr. De Luca's classes was not easy. He was tough, insisting that all the questions be answered, all the numbers add up and all the grammar be used properly. He did it in the best way he could: by showing us how. When I was his student in the mid 1990s, Mr. De Luca announced in class one day that we'd be going to the campus commons to cover then-Gov. Jim Gilmore's appearance on campus.

Notebooks and pens in hand, we took notes on what Gilmore said. Then, as Gilmore worked the crowd, Mr. De Luca approached him. I don't remember the questions he asked Gilmore, but I remember they were tough, and he kept on pressing. It was Flip De Luca at his finest: teaching his students by example.

Mr. D. didn't stop in the classroom. He spent many hours each week in the basement offices of the campus newspaper, *The Breeze*, offering his advice while always allowing the students to make the decisions. We respected his journalistic compass so much, though, that we rarely strayed from his opinion.

We set up a Web site in honor of our friend and mentor, and the comments have been strikingly similar. As I read them I realized that what Flip gave to me was multiplied countless times during his tenure at JMU, which began in 1979 and lasted until 2005.

Drew Wilson, a former *Breeze* editor, spoke for many when he wrote, "In my four years at JMU, I don't think I had a professor who was more critical than Mr. De Luca. But that is what made him such a great teacher. No lead couldn't be written better and no story couldn't be edited tighter. He made you strive harder. Most importantly, he made you WANT to strive harder. During my years at *The Breeze*, no reward was greater than to get a compliment from Mr. De Luca. If he told you 'good job,' then you knew you had done something special."

This was true for me. While I was a reporter and editor at this newspaper, De Luca invited me back to JMU to talk about life in the "real world" of daily journalism. After several of these class visits, he told me he thought I was good in front of a classroom. I wasn't convinced, but he encouraged me to consider teaching a writing class as an adjunct instructor. I soon did, and I discovered the thrill that he must have felt in working with student journalists. Now, as general manager of *The Breeze*, where De Luca helped formed me as a reporter, I work with students to do the same thing. I only hope some of his abilities rubbed off on me.

De Luca's passion for student achievement took him beyond JMU, too. Flip spent more than 15 years planning conferences for College Media Advisers and the Associated Collegiate Press, making him a well-known adviser throughout the country. In 1995, he received CMA's highest honor.

For Flip, though, his highest honor was turning college students into successful reporters and editors. To me, that meant still receiving e-mails and calls from Flip with critiques and ideas during my days as a reporter and editor at the *Daily News-Record*. They were notes and calls I never grew weary receiving, and ones that I will now miss.

Brad Jenkins is the general manager of The Breeze, the student newspaper at James Madison University, where he studied journalism and was also a staffer under Flip De Luca's guidance.

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Bottom line, we at CMR want to reflect what's happening in the world of publications advising. And we can't do it without your help. You can convey those great ideas of yours to CMR editor Robert Bohler (the student publications director at Texas Christian University) at *r.bohler@tcu.edu* or 817.257.6556.

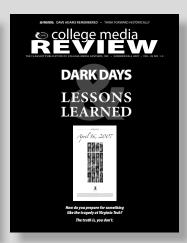


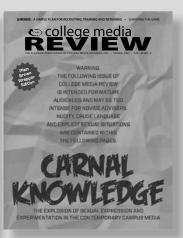


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