Survey Reveals Little Change in Censorship Following Ruling Banning Prior Restraint

In 1972, the United States Court of Appeals for the Seventh Circuit (Illinois, Indiana and Wisconsin) ruled that prior restraints on high school publications were unconstitutional. The case, *Fujishima v. Board of Education* (460 F.2d 1355 (Seventh Circuit 1972)) involved two students distributing an underground newspaper, *The Cosmic Frog*, in violation of a Chicago school rule which stated: "No person shall be permitted...to distribute on the school premises any books, tracts, or other publications...unless the same shall have been approved by the General Superintendent of Schools."

Judge Robert Sprecher, speaking for the appeals court, wrote that the U.S. Supreme Court’s standard in *Tinker v. Des Moines* "is properly a formula for determining when the requirements of school discipline justify punishment of students for exercise of their First Amendment rights. It is not a basis for establishing a system of censorship and licensing to prevent the exercise of First Amendment rights."

During April and May, 1976, a survey was undertaken among 1200 public schools in the Seventh Circuit, in order to determine the effect of the *Fujishima* decision on the functioning of school newspapers, both official and unofficial. The survey was conducted by Robert Trager, assistant professor of journalism at Southern Illinois University at Carbondale, Donna L. Dickerson and Dennis Jarvis, and financed by the Student Press Law Center.

In order to insure a balanced view, questionnaires were sent out to principals, publications advisers and student editors. 474 surveys were returned, yielding, according to Trager, "a fairly equal representation from each group."

"The questionnaire asked about school size, location, newspaper distribution and sponsorship, underground publications, disruptions, censorship, libel, written policies, and the journalism background of advisor and principal."

The survey results reveal the *Fujishima* decision had little noticeable effect of prior review practices. In fact, only 15% of the principals and 10% of the advisers even knew about the case. 62% of those answering the questionnaire believed that administrators still had the power to review material before publication.

More significant, however, is the fact that in 82% of the schools, the administration does not exercise prior review as a matter of course. Moreover, the survey shows that very few schools experienced a change in administrative prior review policies in the wake of the *Fujishima* decision. But half of the respondents claimed that the administration still reviews "controversial" material.

The survey also indicates that there has been no increase in the number of underground publications since 1972. In fact, of the 137 schools where such publications had been distributed, 125 noted a decrease in their number.

The fact that *Fujishima* prohibited prior restraints has not caused more disruption of school functions, Trager says. Only eight schools reported an increase in disruptions since 1972.

Among the more hopeful results of the survey is an indication that more and more schools are adopting written guidelines to regulate their publications. More than half of those written policies have been established since the *Fujishima* ruling.

In answer to questions regarding the relative freedom of high school journalists, "almost two thirds of those surveyed felt high school and college journalists should enjoy the same First Amendment freedoms...Over one half said high school and professional journalists should have the same rights," Trager reports. However, less than one third of the answers revealed that students did indeed enjoy the same rights as their older counterparts.

Finally, Trager says: "It is difficult to conclude that the *Fujishima* ruling has had any effect’’ on journalistic practices in the Seventh Circuit. However, that ruling has not caused any significant problems for administrators, either. "Some courts, in sustaining prior review in the high school context have done so out of a fear that...high school students would abuse their rights." The survey "reveals no such abuse."

---

about the

Student Press Law Center

The Student Press Law Center is the only national organization collecting, analyzing and distributing information on the First Amendment as it affects student journalists and journalism teachers in high school and college. The SPLC also provides direct legal assistance and advice to students and journalism teachers experiencing censorship problems, and to attorneys defending student expression.

To assist the SPLC in collecting information, individuals with knowledge of censorship incidents are urged to inform the Center about specific situations so that the SPLC may share this information with all interested persons and organizations.

Students and teachers interested in learning more about First Amendment rights, or needing legal assistance, should contact the Student Press Law Center, Room 1112, 1750 Pennsylvania Ave., NW, Washington, DC 20006, or call (202) 347-6888.

Additional copies of this report may be obtained free upon request. Multiple copies at cost.
Free Student Speech Bill to be Heard in California Senate

In early 1977, California State Senator Ralph Dills introduced a bill to permit full freedom of expression in California’s public schools. The bill, backed by the Los Angeles Journalism Teachers Association and similar in wording and intent to California Assemblyman John Vasconcellos’s 1975 bill (see SPLC REPORT No. 2), specifically prohibits prior restraints on official school newspapers, and provides that “School officials shall have the burden of showing justification without undue delay prior to any limitation of student expression...” Senate Bill 357 also mandates the writing of publications guidelines by each local school district, specifying restrictions on time, place and manner of distribution of literature.

The bill, scheduled for hearing in front of the Senate Education Committee on March 30, was delayed until late April, 1977.

Los Angeles School Board Changes School Paper Rules to Limit Censorship

On January 20, 1977, the Los Angeles (California) Board of Education voted to modify its rules pertaining to official student publications. Formerly, the rules had given the principal the ultimate right to censor the newspaper. Under the new rules, the Board set out guidelines detailing what material would be prohibited in the papers, and established an appeals procedure for challenging administrative rulings. The rules still provide that “The school principal...may also review copy prior to its publication, if he so requests.”

The new rules include substantially the same changes proposed by the Los Angeles Journalism Teachers’ Association in 1974, and rejected by the Board that year.

In addition to libelous and obscene material, the new guidelines specifically prohibit the use of profanity, “material which advocates the breaking of any law... Ads for cigarettes, liquor, or any other product not permitted to teenagers...[and] Endorsements of political candidates or ballot measures, whether such endorsements are made via editorial, article, letter, photograph, or cartoon.”

Among the concessions made by the Board to student press freedoms is a statement that the school newspaper is “operated, substantially financed, and controlled by the Student Body...” The new code permits students “to print, on the editorial page, opinions on any topic, whether school-related or not, which they feel is of interest to themselves or to the readers.”

The rules also provide for the creation of publications boards within each school to determine the appropriateness of any disputed material. The boards will be composed of teachers, administrators, parents and students. According to Michael Wiener of the Los Angeles Journalism Teachers Association, such boards “will make principals think twice before taking arbitrary action.”

Fla. Principal Bans Spanish Newspaper; Orders Magazine Format

During the spring of 1976, members of the Spanish Spirit Club, at South Miami Senior High School (South Miami, Florida) decided to produce a publication entitled the Cobra Beat. One student, Mario Rodriguez, was selected to be the editor, and the club’s sponsor, Calixto Perez, became the Cobra Beat faculty advisor.

Having obtained approval for the publication from principal Warren Burchell, the students began to organize during the summer of 1976, soliciting advertisements, writing articles, and preparing guidelines to regulate the distribution of the Cobra Beat.

On September 21, 1976, the first issue of the Cobra Beat was published and distributed on campus.

The following week, however, Burchell called Rodriguez into a conference, and notified him that both the Cobra Beat and its editor were on “probation.” According to Burchell, the Spanish Spirit Club had received permission to publish a magazine. The Cobra Beat’s appearance as a newspaper, Burchell said, was competitive with the school’s official paper, the Serpent’s Tale, and might cause “divisiveness.” The principal also ordered Rodriguez to submit all future issues of the Cobra Beat to an assistant principal before publication.

One day later, on September 28, Burchell produced a set of guidelines which, he claimed, had been agreed to originally. The guidelines included requirements that articles appearing in Spanish would also be translated into English, and that articles would be written in “feature style” rather than stressing “immediacy.” Burchell also complained that some of the Cobra Beat’s advertisers also appeared in the Serpent’s Tale.

On October 9, 1976, Burchell wrote letters to the Cobra Beat advertisers, and informed them that they would not have to pay for advertising contained in the first issue of that paper.

Ten days later, Burchell notified the advertisers that the Cobra Beat had ceased to exist.

On November 31, 1976, Rodriguez filed suit against Burchell in United States District Court, on behalf of the twenty-five staff members of the Cobra Beat. Charging that the principal had suppressed the Cobra Beat and had thereby violated the First Amendment, the suit sought to have the paper “published in an uncensored form,” free from administrative control. The suit is still pending.

Ohio Student Papers Publish as Energy Crisis Closes Schools

When the energy crisis and record low temperatures closed down most of Ohio’s public schools during January 1977, it seemed that school newspapers and yearbooks would miss their deadlines. However, under a special program entitled “Journalism Central,” sponsored by the Journalism Association of Ohio Schools (JAOS), student editors were encouraged to make use of facilities provided
by the Ohio State University School of Journalism in order to continue to produce their publications.

Under the direction of Carol Ann Hall, executive director of JAOS, school newspapers managed to appear throughout the crisis. Issues were dropped off at school cafeterias, which remained open for students to receive homework assignments from their teachers.

A special part of the program involved ten hand-picked high school journalists who comprised the "Journalism Central News Service." The students interviewed various public figures including Ohio governor James Rhodes, about the energy crisis, attempting to cover the situation "from the perspective of the high school student." Then, the service wrote articles which were supplied to student newspapers for reprinting.

Student, School Board Appeal Federal Ruling in NY City Sex Survey Case

In November 1975, the staff of New York City's Stuyvesant High School Voice prepared a survey dealing with students' sexual attitudes and habits, including questions on such topics as homosexuality, abortion and masturbation. However, when Principal Gaspar Fraticante heard about the survey, he told the Voice staffers they would have to ask permission from school district officials first.

The Voice submitted the proposed questionnaire to Administrator of Student Affairs Sanford Galenter. Galenter refused to allow distribution.

The staffers then attempted to appeal the decision to Irving Anker, Chancellor of the Board of Education for New York City. Anker failed to respond to the Voice's inquiries.

In March 1976, the Board of Education decided it would not permit the survey to be taken. An attorney for the Board said: "We are not talking about freedom of speech, but about whether students can be subjected to a questionnaire which professional educators think might have a potentially damaging effect...."

In July 1976, Jeff Trachtman, a Voice editor, filed suit in United States District Court, charging that the Board's action was a violation of the First Amendment. (Trachtman v. Anker 45 U.S.L.W. 233)

Federal Judge Constance Motley ruled, on December 15, 1976, that the Voice could conduct the survey on juniors and seniors, though not on freshmen and sophomores. "Some of these children, who are as young as 13 and 14, may be too young and immature to be exposed to a comparison of their sexual attitudes and experience with that of their peers."

In early 1977, after Anker decided to appeal Motley's decision, Trachtman filed a cross-appeal contesting the limited distribution of the survey. Claiming that the validity of the survey would be damaged if it did not include freshmen and sophomores, Trachtman sought to have the appeals court strike down the restriction. Trachtman's appeal referred to the "vague and generalized" evidence the prohibition was based upon, and stated that "the concern of the court below that anxiety may be visited upon the younger students is of the very nature of the 'undifferentiated fear or apprehension of disturbance' that has been stricken down as unnecessarily trammeling upon constitutionally protected rights...."

Oregon High School Produces Community Paper Amidst Censorship Disputes

Following the demise of the Carlton-Yamhill (Oregon) Review in April 1975, the two neighboring communities were left without a local newspaper. To remedy that problem, a student at Yamhill-Carlton High School, Nicholas Kristof, proposed to the Board of Education that the school newspaper, the Y-C Expression be expanded to cover local news. Kristof, at that time, was a staff writer at the McMinnville News-Register, a town several miles from Yamhill.

In February 1976, the Board voted a $2000 allocation to the Expression. Along with funds provided by the students at Y-C High, and advertising revenue, the paper accumulated a $5000 budget.

In April 1976, Kristof met with the executive director of the Oregon Newspaper Publishers Association (ONPA). The director voiced his opposition to Kristof's plan in "the strongest terms," saying it was not the business of a high school to put out a community newspaper.

On October 1, 1976, the first issue of the Y-C Expression appeared with community coverage. It was mailed free to 2400 residents of the area as well as distributed in the school. It appeared bi-weekly, written entirely by students under the supervision of a faculty adviser.

At an October meeting of the school board, the editor of the News-Register delivered a statement opposing the high school's undertaking. Not only were the students unqualified to cover community news, the editor said, but the paper was government funded, and thereby prone to censorship.

In the second issue of the Expression, a humor column writer referred to presidential candidate Jimmy Carter as "a man of little fame and big teeth."" The faculty advisor recommended that the description be deleted because it might offend some people. The sentence was subsequently deleted over the objections of the writer.

Kristof wrote an editorial attacking the censorship, and the writer submitted a letter to the editor. However, neither of the pieces was printed. At a meeting with the Expression staff, Principal Donald Simpson said that since the journalism program was still a part of the school curriculum, journalism students would have to prepare the newspaper the way the adviser decided.

In early November, Kristof met with the principal, a vice principal, the advisor, and one school board member to discuss the censorship. At that time, he was told that if he did not like the way the paper was being run, he could resign.

Several days later, Kristof proposed the formation of a publications board, to be composed of three teachers to be chosen by the Expression editor, and three students...
selected by the principal. This proposal was found unacceptable. However, another student at Y-C High came up with a policy that nothing obscene, libelous, profane or constituting a personal attack should be printed, but that all other subjects were fair game.

After Simpson approved, the policy was submitted to the Board of Education and to the school attorney for review.

At an informal meeting with members of the school board, students, parents and administrators, representatives of the ONPA again voiced their opposition to the Expression. An editorial in the News-Register also attacked the project. Members of the Yamhill-Carlton community, however, expressed strong support of the paper.

In a December 22 issue of the Expression, Kristof prepared an interview with a local member of the "Posse Comitatus," a militant conservative organization. The man's comments contained several attacks on Oregon politicians, including Governor Bob Straub. According to Kristof, the Expression received no complaints about the article.

On January 10, 1977, while the proposed editorial policy was still in the hands of the school attorney, the school board voted, three to two, to discontinue distribution of the Expression to the community. The move was led by one board member who complained that the paper was covering too much politics. Apparently, the interview had made the board afraid of the possibility of libel.

Shortly thereafter, Simpson decided that the paper should stop covering community news as well. Finally, one board member approached Kristof and told him that the Expression should not be printed commercially because it was too expensive. Consequently, the staff went back to using school equipment to produce the paper.

At a February 1977 board meeting, the school attorney submitted a twelve page editorial policy which he had drawn up. The Expression staff was not given a chance to see the policy before submission. At that time, the board voted to reinstate community distribution of the paper.

The board held a special meeting on February 28, approving the new editorial policy and directing the Expression to return to "normal procedures." One section of the policy, which stated that the paper should, if possible, be produced on school equipment, was stricken.

Federal Court Prohibits Censoring of Alternate Paper in Virginia

On October 17, 1976, Joshua Leibner, a student at Washington-Lee High School, in Arlington, Virginia, published the first issue of an "alternative" newspaper which he called The Green Orange. The paper contained such stories as "Why Africa Should Be Blown Up," and "Capitol Centre To Feature Public Executions." Leibner sold over a hundred copies of the Orange at 25 cents apiece.

It was only after distributing the paper that Leibner became aware of an article in Arlington County's Student Rights and Responsibilities Code (SRRC) requiring all student literature to be submitted to the principal before distribution. Accordingly, he gave a copy of The Green Orange to Washington-Lee principal William Sharbaugh. Sharbaugh refused to approve the paper. After threatening to suspend Leibner if distribution of the paper continued, Sharbaugh announced that all distributed copies of the Orange were to be handed back, on pain of suspension.

In early November 1976, Leibner began to circulate a petition among Washington-Lee students proclaiming support for The Green Orange. The petition eventually collected 300 signatures from W-L's 1,500 students. At the same time, Leibner was admitted into the English Department's Honor Society on the strength of the first issue of the Orange.

On November 8, Leibner began to sell the second issue of The Green Orange, after being warned by Sharbaugh that he would be suspended if any copies were distributed. Upon hearing that Leibner had disobeyed his instructions, Sharbaugh immediately suspended Leibner for one week.

Citing an SRRC regulation pertaining to student literature, Sharbaugh stated that The Green Orange failed to "conform to journalistic standards of accuracy, taste and decency maintained by newspapers of general circulation in Arlington County." According to the principal, the Orange also did not "bear the name of at least one student, who shall be responsible for its contents."

When Leibner protested that his immediate suspension violated his right to due process of law, Sharbaugh asserted that his two warnings constituted enough of a hearing. The principal also told Leibner that he would not be readmitted unless he agreed not to produce "anything like The Green Orange" again.

Superintendent of Schools Larry Cuban, contacted by Leibner's parents on November 8, affirmed Sharbaugh's stand on the due process issue.

On February 18, 1977, Leibner, represented by an attorney from the American Civil Liberties Union, filed suit in United States District Court seeking relief from Sharbaugh's censorship (Leibner v. Sharbaugh, 45 U.S.L.W. 2414 (E.D. Va. 1977)). Charging that suppression of the Orange constituted a violation of the First Amendment, the suit described the paper as "a comprehensive showcase of bad taste...(the) only target of its ridicule is prejudice itself."

Federal Judge Robert Merhige granted Leibner's request for relief on February 25. Merhige stated that the SRRC standards governing student publications were "a monument to vagueness...infected with blatant constitutional defects of both a substantive and procedural nature."

Under the terms of an out-of-court settlement reached during March 1977, the Arlington County school board agreed to revise its code of regulations pertaining to student literature, and to remove from the record all mention of Leibner's suspension. For his part, Leibner conceded that he had received due process of law. The school board also agreed to pay $2,500 in attorneys' fees. Leibner distributed a third issue of The Green Orange in late March.
Federal Judge Rules Censorship of Virginia Article Invalid; Ruling Appealed

In 1974, The Farm News, the student newspaper at Hayfield Secondary School in Fairfax County, Virginia, published an article entitled "Anybody Can Get Venereal Disease." The article contained information on the availability and effectiveness of contraceptive devices. For that article, The Farm News was awarded a Certificate of Excellence from the Fairfax County School Board. The Certificate was signed by Superintendent of Schools John Davis.

During late November 1976, Lauren Boyd, a Hayfield student and editor-in-chief of The Farm News, prepared an article on student sexual practices which was entitled "Sexually Active Students Fail To Use Contraception." Boyd submitted the article to Assistant Editor Gina Gambino and to the paper’s faculty adviser, Stewart Hill.

After reviewing the article, Hill told Boyd that the article would have to be submitted to Hayfield principal Doris Torrice. According to Hill, an informal agreement existed that any "controversial" articles would be submitted to the principal prior to publication.

On November 22, 1976, Boyd submitted the article to Torrice for review and approval. Torrice decided on November 29 that the article should not be carried in The Farm News, and told Hill and Boyd not to print it. Torrice claimed that certain parts of the article, dealing with the availability of contraceptives, were contrary to a school policy forbidding the dissemination of birth control information in sex education classes. Torrice also told Boyd that she did not want to spend time responding to parents who might complain about the content of the article.

Boyd immediately appealed the decision to Superintendent Davis. Davis referred the article to the Hayfield’s Advisory Board on Student Expression, consisting of two students, two administrators and one classroom teacher.

On December 1, the Advisory Board upheld Torrice’s decision to prohibit the article. Citing school regulations that the student newspaper was a part of the "instructional" offering of the school and that "student activities shall relate generally to the school program and not interfere with school operation," the Board ruled that the proposed article violated the school's policy against teaching contraception.

Superintendent Davis affirmed the Board's ruling on December 2.

The December 1 issue of The Farm News, which had been delayed because of the dispute over the article, was distributed on December 6. The title of Boyd’s article appeared on the front page of the issue, but a blank space was inserted in place of the article’s text.

Boyd and Gambino contacted the Student Press Law Center for assistance. Christopher Fager, the Center’s Director, prepared a written appeal from the Superintendent’s decision to the Fairfax County School Board. At a scheduled meeting of the Board on December 6, Fager, Boyd and Gambino presented the written appeal to the Board. Boyd and Gambino argued that the Superintendent’s decision was unconstitutional. They requested permission from the Board to print and distribute the proposed article. By a vote of 6 to 4, the Board denied the appeal and upheld the Superintendent’s decision.

On December 21, 1976, Boyd and Gambino filed suit in United States District Court against Fairfax County school officials. Represented by the SPLC and Virginia attorney James Korman, the girls sought to have the censorship declared unconstitutional and asked the court to enjoin the administration from interfering with publication and distribution of the article. The suit also requested that the court declare unconstitutional the school rules cited to justify censorship of Boyd’s article.

The suit pointed out that the school’s library contained substantial and detailed material on contraception freely available to students at Hayfield Secondary School.

On February 29, 1977, Federal Judge Albert W. Bryan, Jr. ruled that The Farm News’ article was conceived, established and operated as a conduit for student expression on a wide variety of topics. It falls clearly within the parameters of the First Amendment.

Said the judge: "Once a publication is determined in substance to be a free speech forum, constitutional protections attach and the state may restrict the content of that instrument only in accordance with First Amendment dictates." Calling Boyd’s article "innocuous," Bryan argued that the school board’s "fears of irresponsible journalism are met first by the fact that no evidence of it has surfaced in the past or in the article here in question, nor has there been any demonstrated likelihood of it in the future."

Bryan rejected the argument that the newspaper could "be construed objectively as an integral part of the curriculum at Hayfield." "Rather, it occupiess a position more akin to the school library... In either place, the material is not suppressible by reason of its objectionability to the sensibilities of the School Board or its constituents."

However, the judge refused to declare the rules themselves constitutionally invalid. He did state that the code "lacks the detailed criteria required by the line of Fourth Circuit [court] decisions defining the permissible regulation of protected speech in high schools," but limited his ruling to the specific application of the rules in the Hayfield case.

Bryan also awarded Boyd and Gambino attorneys’ fees, and issued an order prohibiting interference with the publication of Boyd’s article.

On March 11, 1976, the Fairfax County school board filed an appeal with the United States Court of Appeals for the Fourth Circuit. Attorneys for the board asked Bryan to stay his order allowing publication of the article while the appeal was in progress. The request was granted.

The National Association of Secondary School Principals (NASSP) asked the appeals court on March 30, 1977, for permission to file a ‘friend of the court’ brief in support of the school board’s position. In their argument, the NASSP declared that the law "requires that at least some minimum moral standard be established and maintained by the board or some other governing body of public school districts." Therefore, the principals said, censorship was necessary to preserve the community’s ‘moral’
Manchester, Va. School Board Cuts Journalism Funds

On October 19, 1976, when the staff of the Manchester (Virginia) High School *Communique* attempted to distribute a questionnaire surveying student opinion of sex-related issues, several teachers objected, prompting Manchester principal Edward Jones to announce over the public address system that the polls were not to be distributed.

The following day, the staff appealed Jones’s decision to Superintendent of Schools Howard Sullins. Sullins upheld the principal’s ruling, and demanded that all further questionnaires be submitted to Jones before distribution.

One staff member contacted an attorney, and, in November 1976, presented a revised version of the survey for approval to Sullins. The superintendent refused to approve the survey, stating that, since the *Communique* was part of the school’s curriculum, all materials dealing with sex education would have to be approved by the state Board of Education.

On November 30, 1976, the *Communique* staffer filed suit in United States District Court, charging school officials with illegal and unconstitutional censorship.

On December 6, at a special meeting, the school board decided to permit distribution of the poll and settle the suit out of court.

However, during March 1977, the school board, citing the need for extra funds to buy new school buses, decided to stop paying teachers’ salary supplements for extracurricular activities having less than 15 members. The *Communique* has 14 staffers.

Wisc. School Board Attempts to Appoint Principal Editor of Student Paper

During the beginning of the 1976-77 school year, Jim Engmann, faculty advisor to the *Bronco Times* at Union Grove High School, Union Grove, Wisconsin, received a memo from Principal Earl VerBunker to the effect that Engmann should “be responsible for the content of the publication.” Engmann believed the memo to be contrary to Union Grove’s written publications policy, which stated that the student staff would have control over the paper’s content. According to Engmann, a “lively discussion” ensued over which policy should take precedence.

In October 1976, the *Bronco Times* received a letter from a student complaining that the school’s rest rooms were continually locked. The staff decided to print the letter with a headline that read “Rest Room Gripe Student Pissed.”

The issue containing the letter was due to be distributed on October 15. That morning, shortly before the papers were released, VerBunker contacted Engmann and told him that there was “a problem with the paper” and that the word “pissed” would have to be blacked out. Engmann managed to reach Beth Polnasek, the *Bronco Times* Managing Editor, and relayed the principal’s complaint. Following an emergency meeting of the staff, the paper was withdrawn from distribution. However, half of the 1000 copies had already been passed out.

At noon on October 15, the *Bronco Times* staff met with the principal to discuss the headline. VerBunker insisted that the word be blacked out, or, he threatened, the issue would be seized. The staff voted not to agree to the principal’s request. That afternoon, VerBunker impounded the remaining copies of the paper.

The matter came to the attention of the Union Grove Board of Education that same day. On the evening of the 15th, Engmann received notification that the Board had threatened to cut off funds for the *Bronco Times*.

At the suggestion of the student staff, a committee was set up to arbitrate the issue. The committee consisted of one school board member, one administrator, two students and one parent. This committee had been mandated by Union Grove’s publications guidelines, but apparently had never been constituted before.

The committee held three meetings during October 1976. Finally, a decision was reached to recommend the release of the paper, since so many copies had already been distributed. Another recommendation to the staff was to hand out the remaining copies with a statement why they had used the word “pissed.”

On November 4, the remaining copies were released. The staff included a letter which defended their action, saying that the headline conveyed the anger in the letter, and that the word was common enough in the vernacular not to offend most of the students in the audience.

In January 1977, the Board of Education proposed that Earl VerBunker be named editor-in-chief of the *Bronco Times*, thereby superseding Beth Polnasek who had filled that position. This proposal caused a furor among the students. Delegations representing student government, the paper, teachers, and parents appeared before the Board to oppose the resolution. Local newspapers came out editorially in favor of the students, and “giving the board a lot of bad publicity,” according to Engmann. The board decided to postpone the issue until a March 1977 meeting.

On March 7, 1977, the school board again took up the proposal. At that meeting, the *Bronco Times* staff read statements in support of their position from Women in Communications, Inc. and the Society of Professional Journalists, Sigma Delta Chi. The Board decided to table the proposal for the remainder of the school year.

Shortly thereafter, Engmann received notification from the Board that his contract for the following year would not be renewed. As reasons, the Board specifically cited permitting the use of the word “pissed,” which, they claimed, had “brought disrepute upon the school system.” The board also cancelled Union Grove’s publication class, ostensibly because of low enrollment. According to Engmann, the future of the *Bronco Times* is very much in doubt since the board is apparently out to “kill the aggressive journalism in the school.”
Principals Association Issues Student Publications Memo After Hayfield Case

The National Association of Secondary School Principals issued a legal memorandum to its members in April 1977, dealing with "principles...basic to school publications." Coming in the wake of the *Gambino v. Fairfax* case [see above], the memo declared that "the courts are rendering opinions which reflect extraordinarily shallow thinking and a lack of understanding...."

"It will be a tragic day for American education if first amendment rights are stretched and distorted to guarantee a total freedom of editorship to the students," the memo stated. "Is a teenager sufficiently clairvoyant to decide unilaterally what is best for his community or the public taste? Would he add excerpts from *Hustler* magazine, advertise pornographic literature and publish the language of "Oh, Calcutta" because he can interpret social values much better than adults, including his parents?"

The memo castigated recent court decisions favoring freedom of expression for students: "In reaching them courts take little or no account of whether the students involved are socially and intellectually mature enough to accept responsibility for their utterances; whether the publication purports to speak for and represent the school community; and to what extent the rights and expectations of other students and the community which provides the schools may be curtailed or defeated."

Stanford Daily Wins Police Search Case in Federal Appeals Court Ruling

In April 1971, four Palo Alto, California, policemen, armed with a search warrant, conducted a no-notice search of The *Stanford Daily* offices on the campus of Stanford University. While ostensibly searching for photographs in the paper's file of unpublished material, police looked in desks, wastebaskets, shelves, and reporters' notes.

The *Daily* filed suit in United States District Court in May, 1971 under federal civil rights laws, seeking both an injunction against future no-notice police searches and a declaratory judgement that the search violated the First Amendment as well as the Fourth Amendment guarantee against unreasonable search and seizure.

The paper argued that the First Amendment prohibits such searches because they result in confidential notes being disclosed, jeopardize the paper's credibility with its sources, and create a risk of self-censorship by reporters.

In October, 1972, U.S. District Court Judge Robert Peckham ruled for the *Daily*, saying that the search violated the First Amendment and presented "an overwhelming threat to the press' ability to gather and disseminate the news."

The judge said that "less drastic means" such as a subpoena should have been used by the police rather than a search warrant because the paper was not under direct investigation for a crime. Peckham denied the *Daily*’s request for a permanent injunction against future searches, but later awarded the paper $47,500 in attorney's fees.

The police appealed the decision to the U.S. Court of Appeals, arguing that they had acted in good faith in furtherance of their official duty and complied with state law in securing the search warrant. Arguing that a subpoena was impractical, the police noted that the *Daily* "had a public policy to destroy incriminating photographs, perhaps even in the face of a restraining order or subpoena."

In the fall of 1975, the appeals court voided the award of attorneys' fees, citing the U.S. Supreme Court's 1975 decision in *Alyeska Pipeline Service Company v. Wilderness Society* (421 U.S. 240). In that ruling, the Court said that federal courts should not award attorneys' fees in cases in which individuals sought to act as "private attorneys general" by advancing the public interest through litigation, unless it was specifically authorized by federal law.

While the court was still considering the merits of the policemen's appeal, on October 19, 1976, the United States Congress passed the Civil Rights Attorneys' Fees Awards Act, which expressly permitted the awarding of attorneys' fees in cases similar to the *Stanford Daily*’s.

On February 2, 1977, the appeals court upheld the district court's opinion, and reinstated the attorneys' fees award in accordance with the new law.

Calif. Judge Prevents City Council From Censoring Coverage by Students

For two years, the photo-journalism class at American River College (Placerville, California) had used a cable television channel to provide coverage of local elections. With equipment located in the city council chambers, the students filmed council meetings, conducted interviews with candidates and broadcast information on key ballot issues.

Accordingly, when three of the five council members faced recall by petition, the students decided to program a discussion session with proponents of the recall.

On March 7, 1977, the students asked the city council for permission to use the television equipment. However,
the council voted 3 to 2 to deny the students access. Said one of the councilmen facing recall: "I would be a fool if I let them use tax dollars for something that may kick me out of office." The three councilmen also refused to be interviewed.

But one of the students, Val Pease, obtained a temporary restraining order from California Superior Court Judge William Byrne the same day. The order prohibited the council from interfering with the students' programming. That evening, the scheduled discussion was broadcast.

The following day, the citizens of Placerville recalled all three of the councilmen by a large majority. The council's attempted censorship was cited by the Sacramento Bee as a reason for the heavy vote.

Michigan Student Paper Sued for Libel

On February 24, 1976, campus police at Michigan State University, in East Lansing, Michigan, arrested then Los Angeles Dodgers pitcher Mike Marshall "for interrupting a scheduled tennis match by using an adjacent baseball practice area without a proper reservation," according to an Associated Press article.

The following day, the Michigan State student newspaper, The State News, reported that Marshall "walked onto the turf arena and began batting baseballs in all directions."

In a second article on the incident, published February 26, the State News said that Marshall "apparently undertook the activity with the intent of challenging intramural officials' decision to revoke their advanced reservation system which Marshall had previously used."

During the beginning of the 1976 baseball season, Marshall was traded from Los Angeles to the Atlanta Braves.

On March 2, 1977, Marshall filed a libel suit against the State News in Ingham County (Michigan) Circuit Court demanding $2.5 million in damages. The suit also named the Los Angeles Herald-Examiner, TV Guide, and the Sporting News, all of whom ran news items based on the State News article. Said Marshall: "I feel that the stories directly contributed to my being traded from L.A. to Atlanta" by portraying him as "somebody with no regard for anyone's safety." Marshall stated that he and two friends had been hitting and pitching golf and tennis balls, not baseballs. However, according to Gerald Coy, General Manager of the State News, the articles quoted directly from police reports on the incident.

US Supreme Court Refuses to Hear Appeal in Mississippi Gay Ad Case

On April 25, 1977, the United States Supreme Court declined to review a decision of the United States Court of Appeals for the Fifth Circuit which held that the editor of a university newspaper could constitutionally refuse a paid advertisement from an off-campus homosexual group (Mississippi Gay Alliance v. Goudelock, 536 F.2d 1073 (5th Cir. 1976), petition for cert. filed, 45 U.S.L.W. 3490 (U.S. Jan 10, 1977)). (See SPLC REPORT No. 2)

The case involved Bill Goudelock, editor of the Mississippi State student newspaper, The Reflector, who refused to accept both a paid ad and a subsequent unpaid public service announcement for a group offering counseling to gay students. The Reflector regularly ran both types of ads, for both on- and off-campus groups.

After the second notice was rejected, the MGA filed suit against the editor, charging that he had violated the group's First Amendment rights by refusing advertising on the basis of content. A federal district court ruled against the group, saying that First Amendment protection required a showing of direct involvement by the state itself.

The MGA appealed the district court's decision, declaring that The Reflector constituted a forum for the communication of ideas, and was therefore an arm of the state and subject to the same restrictions.

The Court of Appeals upheld the lower court's ruling, and maintained that since Goudelock had been selected as editor by the student body, there was no evidence that he was acting as a representative of the state. Consequently, he had been within his rights to reject the MGA's ad.

In addition, the court said that there should be no interference in the editorial process, since "The choice of material to go into a newspaper...constitute[s] the exercise of editorial control and judgement."

Toledo Univ. President Threatens to Close Student Paper in Publications Board Quarrel

At the University of Toledo (Ohio), the Central Board of Student Publications was responsible for appointing the editor and the business manager of the Collegian, the university's student newspaper. The Central Board's constitution specified the composition of the board, requiring, representatives from the university's publications and public information offices, and members of the student government's appropriate committees.

During the spring of 1976, Toledo's Student Activities Committee, composed of faculty, administration and student representatives, began to discuss revoking the Central Board's constitution. According to Dr Lancelot Thompson, Toledo's Vice-President for Student Affairs, "it didn't seem as if the original constitution was working at all." Thompson pointed out that the Central Board was "the only organization on campus...with a constitution," and cited problems involving jurisdiction over student publications.

On August 5, 1976, Thompson drew up a list of five directives to be substituted for the Board's constitution. The Board was to supervise all "existing or future student publication which solicit advertising,..." and advise student publications in matters of budget,..." and to remove student staff members for, among other things, "neglect of duty." On October 4, Thompson presented the Central Board with the new directives. At the same time, the new arrangement was discussed with Pam Royse, the Collegian's editor-in-chief.

After that meeting, the Collegian ran a story about the
reorganized Central Board, explaining the extent of its powers and how they differed from the original constitution.

In November 1976, the Board held a meeting at which it requested that no further stories about Board proceedings be run in the Collegian, according to Royse. "They said... it looked as if we were using the newspaper for our own purposes," she said. Royse reported that the Board "discouraged Collegian reporters" from attending Board meetings. Another matter which was discussed was the use of forms to be sent out to all persons quoted in the Collegian. "to find out whether they were satisfied with the way the story was reported," said Dr Clyde Kunkel, chairman of the Central Board. Kunkel termed the form a "public relations device."

Around this time, Royse said, she began getting requests from Board members to print specific announcements, mostly concerned with the Board members' official positions. She was told that these bulletins were "newsworthy."

The Board met again in December 1976. According to Royse, that occasion was used to "go through past issues of the paper and tell us what we did and did not have the right to print." Kunkel denied that this occurred, and the minutes of the meeting made no mention of it. However, Royse said "the student members [of the Board] will verify that" it did indeed happen.

Kunkel also read a statement at that meeting which declared that a Collegian special issue covering the dedication of a new sports arena was "contrary to the instructions of the Board that no further 'Insights' [a Collegian supplement] would be published until the income could be checked." The special edition had been paid for by the university's public relations office.

On February 7, 1977, at a Central Board meeting, Dr Kunkel "explained he had received an unusual amount of complaints" regarding stories in the Collegian. But, Royse said, he did not elaborate further, and declined to give names. Kunkel said the complaints had been submitted to the Collegian already, but had not received satisfactory replies.

Soon afterwards, the chairman met with Royse "informally," and advised her that the paper should be "a little more attuned to reporting accurately." Royse claimed that Kunkel told her the Managing Editor was "a detriment to the Collegian," and might have "adverse effects" when the newspaper's budget came up for review.

In late February, Royse submitted a preliminary budget to the Central Board for approval. Among other things, the Collegian asked for a substantial increase in the number of pages they were permitted and money to rent a news wire service. While approving the page increase, the Board vetoed the wire service because the paper was already "not campus-oriented enough," said Royse. Also denied were requests for newspaper subscriptions and a "$7.00 increase in phones," the editor reported.

In the final budget hearings before Toledo's Student Activities Committee, the Collegian's budget was cut from $70,000 to $62,000, thereby nullifying the Central Board's page increase. On March 14, the newspaper staff submitted a three page list of complaints to Vice-President Thompson. The statement declared that First Amendment rights were "being fragrantly ignored by the Central Board."

Charging that the Board had interfered with Collegian news and editorial policy, the staff maintained that Board members had "manipulated power to suit their needs." The memo concluded by stating that if the situation were not remedied, the paper would have to seek "alternative solutions."

Board chairman Kunkel called the list "an information piece containing... a good number of misconceptions, and some things directly out of context." Vice-President Thompson said: "For me, it wasn't a memo that required answering." However, he did meet with the Collegian staff and informed them that he would take the matter up with the Central Board.

On April 4, 1977, the staff drew up a second resolution which stated that, since no action had been forthcoming to resolve their complaints, they would no longer consider the Central Board as an advising agent.

The Central Board responded by inviting Royse and the staff to a meeting on April 6, to present and discuss their complaints. The staff did not accept the invitation.

The following Monday, April 11, Royse and Kunkel held what both termed "a very productive meeting" at which the situation was discussed. However, no definite conclusions were reached.

On the morning of April 13, the Collegian staff met with university president Glen Driscoll. Driscoll stated that he would close down the paper and dismiss the staff if they did not submit to the Central Board's authority.

That afternoon, the Central Board met and decided that many of the Collegian's complaints were "quite valid, and needing further research."

Royse has contacted two Toledo attorneys. She is considering legal action in the event the Collegian is shut down.

FCC Decision May Strip Univ. of Penn. of Radio Station; 'No Controls' Cited

On November 20, 1973, an engineer with the Federal Communications Commission in charge of the Philadelphia, Pennsylvania, area wrote a letter to WXPN (FM), a non-commercial student-run radio station licensed to the Trustees of the University of Pennsylvania. The letter detailed some complaints the engineer had received regarding interference with a local television station caused by WXPN. The engineer requested that the station's staff try to resolve the problem, and then report back to the FCC. The station did not respond to the letter.

In December, the engineer wrote another letter to WXPN, reiterating his request. Again, he received no reply.

In January, 1974, the FCC issued a warning to the station for failing to reply to the engineer's inquiry. The warning was sent by certified mail, and WXPN acknowledged that it had received the warning. However, the station still did not answer the engineer's letter.

During the school year 1974-75, WXPN presented a "free-form music, call-in and chatter" program entitled The Vegetable Report. The show was hosted by three University of Pennsylvania students, sometimes assisted by a fourth from nearby Temple University.
On January 20, 1975, between 6:15 and 7:15 p.m., the program broadcast several allegedly obscene conversations over the air. The following week, more such conversations were transmitted, including one segment involving a three-year-old child. Both programs made liberal use of four-letter words, and contained explicit references to sexual activity.

The University of Pennsylvania's Director of Student Activities, Andrew Condon, taped part of the January 27 broadcast. That evening, he contacted the station's Program Board and informed them of the nature of the programming. By voice vote, the Board decided to permanently ban the Temple University student from the station grounds, to suspend Station Manager Thomas Fallat from the station indefinitely, and to revoke air clearance for the other two students for a short time.

The following day, Condon received complaints from outraged citizens regarding The Vegetable Report, including several threatening to report WXPN to the FCC. Condon also received a call from an FCC official stating that there might be an investigation of the program and the station. After discussing the matter with Dean of Students Alice Emerson, Condon wrote a letter to WXPN directing the station to take The Vegetable Report off the air.

On January 29, 1975, the Student Activities Council, composed of Penn students, passed a resolution concerning WXPN. The resolution declared that all call-in programming was to be cancelled until the student judiciary could hear the case and that all four students be suspended from the station until the case was resolved. The same day, WXPN's Program Director Jules Epstein asked the Council to delay its resolution. The Council refused.

On February 14, Epstein requested an emergency meeting of the Undergraduate Affairs Court, a branch of the student judiciary, in order to prevent the Council's resolution from taking force. The Court granted Epstein's request and, on February 17, decided to suspend the Council's resolution.

The Vegetable Report case was argued before the Undergraduate Affairs Court on February 24. The Court decided to cut off funding for the station unless the station's constitution was amended. The Court declared that there was obviously "no one ultimately responsible for operations of WXPN."

On March 3, the FCC launched an investigation into The Vegetable Report's alleged obscenity. The investigation uncovered nearly two dozen violations of FCC regulations.

University of Pennsylvania president Martin Meyerson issued a statement on March 5 which suspended WXPN's constitution and placed Condon in charge of the station.

On March 12, Condon received a call from an FCC attorney regarding WXPN's broadcast, three days earlier, of a record containing objectionable material. Several complaints had been called in about the record.

Condon wrote a letter to the WXPN staff on March 14, saying that "the playing of this record demonstrated extremely poor judgement," and recommending that the material in question not be aired again.

During June, 1975, the Student Affairs Committee established a Trustees Subcommittee on Electronic Communications, in order to provide the Trustees, holders of the station's license, with a direct line of control over the station.

On October 6, 1975, the Trustees voted to direct the Subcommittee "to do all it deems appropriate to assure that Radio Station WXPN (FM), which is licensed to the Trustees, performs responsibly..." At the same time, a faculty member was appointed advisor to the station.

As a result of the March investigation, on December 4, 1975, the FCC decided unanimously to fine the University $2,000 for broadcasting obscene material on The Vegetable Report. The university chose not to contest the legality of the FCC's action, but issued a statement saying that the Trustees neither conceded liability nor agreed that the FCC had the power to impose such a fine.

During this period, WXPN's license was due to come up for renewal. An application for renewal was filed with the FCC on April 1, 1975, but processing of the application was delayed pending resolution of the investigation.

On December 18, 1975, the FCC voted to designate the University's renewal application for a hearing. According to the Commission's order, released January 7, 1976, the purpose of the hearing was "to determine whether...[the University] had exercised adequate control or supervision of the operation of Station WXPN..."

In a lone dissent, FCC Commissioner Benjamin Hooks pointed out that lack of administrative supervision was "an institutional problem," prevalent at most college stations. Said Hooks: "Correction of the problem on the national level should be our goal. Not the castigation of a hapless (though not guiltless) example." Noting that college stations were maintained specifically for the use of the students, Hooks called The Vegetable Report "lascivious slime...not a puerile, college prank...[but] slop on [the University's] public face."

On February 4, 1976, the Trustees of the University of Pennsylvania made a motion to enlarge the issues of the hearing "to determine whether the programming of Station WXPN has been meritorious particularly with regard to public service programs." The motion was granted on March 26.

On April 27, 1976, the Philadelphia Branch of the American Civil Liberties Union filed a request to intervene in the hearing. Citing the ACLU's expertise in the area of First Amendment rights, the request stated that the ACLU was "particularly concerned with the protection of the rights of free speech in the Philadelphia area."

FCC Administrative Law Judge Walter Miller denied the ACLU's petition on May 10, declaring that the Union "misinterpreted the thrust of the designated issues, and it failed to demonstrate how it will help the FCC in the determination of the issues."

Hearings were held during September and October, 1976.

On March 22, Judge Miller decided that, because the Trustees had not exercised control over WXPN "in a manner consistent with a licensee's responsibilities," he would recommend to the FCC that the station's license not be renewed. Miller found that the administration "was not willing to take any effective measures to insure that station WXPN was properly operated...No one wanted to demand that the station either start obeying FCC and University regulations or cease operation. So they passed the buck back and forth. The result was that the unsuitable
broadcasts continued unabated...Stated another way if there were times during this period when the station was operated in harmony with FCC, University and its own rules and regulations, it was purely fortuitous.” Miller also ruled that “the Trustees failed to demonstrate that WXPN has broadcast any meritorious programming. In fact, the Trustees did not even make any real effort to make such a showing.”

The University plans to appeal Miller’s decision to the full FCC.

Va. Senate Hears Bill Banning Politics in College Papers

On January 21, 1977, Virginia State Delegate Wyatt B. Durrette (R-Fairfax) introduced a bill in the House of Delegates to prevent the student newspapers of Virginia state colleges and universities from editorializing on political issues. The bill, House Bill No. 1724, proposed that “No funds of any State institution of higher education...shall be allocated to any student organization which engages in religious or political activities...[including] any activity whose purpose is to procure or prevent the acceptance of any social, economic, or political theory as an operating principle of polity.”

The bill was referred to the House Committee on Education, and defeated there by a vote of 18 to 2.

Univ. of Virginia Media Board Challenged by ACLU; May Amend Constitution

On April 28, 1975, in the wake of unfavorable coverage of the University of Virginia’s Honor Committee by the student newspaper, the Cavalier Daily, the paper’s Board of Directors voted to draft “acceptable” guidelines for future publicity given the Committee. All of the members of the Board of Directors were also on the Honor Committee. Since 1958, the Board of Directors functioned as the Daily’s formal overseer.

Following a complaint by the Young Americans for Freedom about the Daily, the Board of Directors, On October 15, 1975, decided to censure then editor-in-chief Dusty Melton for “failing to report the news and provide an outlet for campus opinion and creative effort.”

Acting in accordance with a request by university president Frank Hereford, Vice-President for Student Affairs Ernest Ern, on October 28, established a committee to investigate a possible conflict of interest raised by the Board of Directors’ membership on the Honor Committee. The committee, headed by English professor William Elwood, was also charged with evaluating the Cavalier Daily’s internal organization, and determining the feasibility of a media board to oversee all the campus media.

On November 24, 1975, in response to complaints regarding the publication of advertisements offering research papers for sale, the Board of Directors determined the ads were “inconsistent with the aims and character of the University.” The Board voted to direct the Daily to delete the ads.

When the Daily’s Managing Board objected to the wording of the Directors’ resolution, the document was altered to recommend the removal of the ads.

Anne DeCamps, chairperson of the Board of Directors, reiterated the Board’s position in a letter to Melton dated March 3, 1976. The ads had reappeared several times following the recommendation that they be removed. Melton responded on March 15 by stating his reasons for not discontinuing the ads.

On March 22, the report by the Elwood committee was released. It proposed, among other things, the creation of a media board for all the campus media. The committee recommended that the media board have the power to remove student media staffers, be able to censure staff members publicly and privately, and supervise the Cavalier Daily’s budget. The report also predicted that the Daily “will tend to be paranoid about this report.”

The University Board of Visitors abolished the Board of Directors on March 26, 1976. At the same time, a Media Board was established and charged with insuring “that the student media...carry out their functions in a manner consistent with the aims and objectives of the University.”

The Board of Visitors also decided that Media Board members be appointed by the out-going school presidents, also members of the Honor Committee.

In May 1976, the Cavalier Daily won a first place award in the student publications category of the Robert F. Kennedy Memorial journalism awards competition. Shortly thereafter, the new editor-in-chief, Marjorie Leedy, asked the Student Press Law Center for an opinion about the legal validity of the Media Board.

A letter by the SPLC dated August 31, 1976, stated that “the mechanism by which the Board exercises supervision over the paper raises serious questions as to whether procedures offend constitutional notions of due process as well as the First Amendment guarantee of freedom of expression.”

The Media Board drafted a constitution in October 1976. Abstracted to a large degree from the Board of Visitors’ charge, the constitution empowered the Media Board to remove student editors and to solicit complaints against student media organizations.

In a statement to the Media Board on November 16, Leedy charged that certain provisions in the constitution amounted to prior restraint, and that removal of editors without appeal was a violation of the Fourteenth Amendment.

In January 1977, the Virginia chapter of the American Civil Liberties Union wrote a letter to the Board of Visitors opposing the Media Board. The letter stated that the Media Board’s charter was clearly “in violation of the First Amendment,” and would have a “chilling effect” on freedom of expression.

University President Hereford replied to the letter on January 26, denying that the Media Board was unconstitutional as established. Hereford said: “Rather, the Media Board was created in recognition of the legitimate interest of the overwhelming majority of University students who
have no direct input into the editorial decision-making of
the student-run media, but are nevertheless required to
support these media through the student activities fee."

On March 3, 1977, the Media Board approved a final
constitution. Among other things, the constitution author­
ized the Media Board to "confirm or reject the constitution
...of all student media,... to offer recommendations to
student media concerning future editorial policies,
attitudes or actions,...[and] to initiate public forums,
surveys, or studies to determine the interests and opinions
of the University community."

On April 1, 1977, the Cavalier Daily petitioned the
Board of Visitors to amend the Media Board's constitution,
specifically the sections concerning removal of student
editors, and the supervision of the Daily's budget. William
Elwood also appeared at that meeting in support of the
Daily's position, saying that the Media Board's final
document would cause "problems." the Board of Visitors
decided that the constitution was "an administrative
matter," and referred the Daily to President Hereford.

The Daily met with Hereford on April 14, 1977. The
president passed the matter on to Vice-President for
Student Affairs, Ernest Ern.

During this time, the Media Board apparently decided
that the "final" constitution was still subject to change,
and asked the Daily to re-submit its objections.

---

Resources

'The Rights of Young People,'
ACLU Book, Published

On March 16, 1977, the American Civil Liberties Union
published The Rights of Young People, authored by Alan
Sussman editor of the ACLU's Children's Rights Report.
The book is the fifteenth in the series of Rights Handbooks
put out by the Union.

Presented in a readable question and answer format,
the book covers the major legal areas affecting youth.
Chapters include "Police and Pre-trial Procedures," "Child
Abuse and Neglect," and "Work, Contracts and
Money." The final chapter contains a comprehensive list
of organizations involved in defending the rights of young
people.

The book is available from Avon Books Mail Order
Dept., 250 West 55th Street, New York, NY, 10019, for
$1.75.