



TESTIMONY IN SUPPORT OF HB 20-1062 - STUDENT FREE EXPRESSION LAW February 27, 2020

The Student Press Law Center (SPLC) is an independent, non-partisan organization that, since 1974, has helped students of all ages participate in civic life and learn essential skills, ethics and values through the vehicle of journalism. Our hotline provides free legal services to student journalists and advisers. As such, we see daily the significant need for this legislation and urge your approval of HB20-1062.

For thirty years, Colorado has stood as a leader in protecting the press freedom of students. While other students nationwide continue to grapple with subjective and over-broad censorship rampant in the wake of the U.S. Supreme Court's *Hazelwood School District v. Kuhlmeier* (1988) decision, Colorado's student journalists have always known that the law protects their right to tell the stories that matter to them and their communities.

For the teachers who advise Colorado's student journalists, things are much more precarious. Advisers work beside their students, teaching them journalistic ethics, media standards and press law, and cultivating in these students the critical thinking and leadership skills required of our next generation of leaders. Advisers also serve as the first line of defense for Colorado's student free expression law and, when controversy arises, are often asked to choose between defending the law and keeping their jobs.

Nationwide, SPLC has seen award-winning, nationally-recognized teachers fired or reassigned from their positions for refusing to stop students from, among other examples:

- * Reporting on the administration's response to racist graffiti and choosing not to publish a letter-to-the-editor the newspaper staff deemed redundant;
- * Reporting on the high cost of feminine hygiene products and a vigil for a student who had died, as well as publishing a yearbook spread on an LGBTQ-focused club;
- * Reporting on the improper withholding of documents relating to the resignation of an administrator;
- * Reporting on inconsistent statements made by an administrator in a story about the school's long-expired fire safety measures;
- * Reporting on the cancellation of a senior class "movie night" and the removal of "A Separate Peace" from the 10th grade curriculum.

This predicament undercuts Colorado's comment to student press freedom, and forces Colorado's students to choose between telling the truth and protecting their adviser. It is for this reason that seven¹ of the ten states that have adopted student press freedom protections following Colorado's model have included language explicitly protecting advisers from retaliation or reassignment solely because of their defense of student journalists. We commend Colorado for continuing to support and defend student journalism, and urge the committee's approval of this legislation.

¹ Kansas, Maryland, Nevada, North Dakota, Rhode Island, Vermont, Washington.