



March 30, 2026

Rick Hollendieck
President, Gretna Public Schools Board
11717 South 216th St.
Gretna, NE 68028
Sent via Email: rhollendieck@gpsne.org

Re: Letter of Support, Gretna East Media Board Appeal

Dear Board President Hollendieck:

We write regarding the formal appeal submitted by the student journalists of Gretna East Media (GEM), who are formally seeking the board's intervention in a censorship dispute. The Student Press Law Center stands in strong support of the student journalists who published the editorial cartoon in question, and would welcome the opportunity to speak with you and other board members about the legal and educational principles that apply.

The Student Press Law Center (SPLC) is an independent, nonprofit, 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 legal services at no cost to student journalists and advisers, including referrals to local attorneys. As such, we have assisted with matters of controversy arising from student publications across the country, including in Nebraska.

The issues presented in this case – administrative censorship of a student editorial cartoon and the imposition of prior review – are not only matters of student expression, but of educational integrity, legal consistency, and the board's own stated commitment to student learning and engagement.

It is worth noting that this matter arises shortly after your board was publicly recognized for its leadership. Your recent President's Board Award from the Nebraska Association of School Boards reflects a commitment to informed decision-making, continuous improvement, and student success. The question surrounding the censorship of GEM offers an opportunity to embody those values in practice – by ensuring that student journalism is treated not as a liability to be controlled, but as a vital component of civic engagement.



At its core, this matter concerns whether students will be allowed to meaningfully engage with controversial issues, as your own Policy 6390 explicitly encourages. That policy affirms that students should have the opportunity to form and express their own judgments on controversial matters in appropriate forums. A student newspaper, and especially its opinion pages, is plainly such a forum. An editorial cartoon is designed to comment on matters of public concern. To remove student expression because it is “politically charged” is not consistent with that policy; it is contrary to it.

The administration has relied on [*Hazelwood School District v Kuhlmeier*](#) (484 US 260 (1988)) to justify its actions. However, even under *Hazelwood’s* deferential standard, censorship must be “reasonably related to legitimate pedagogical concerns” (*id.* at 273). The justification offered here – concerns about partisanship and speculative disruption – does not meet that threshold.

This principle is illustrated in [*Dean v Utica Community Schools*](#) (345 F.Supp.2d 799 (2004)). There, a school censored a student newspaper article about a matter of public concern. The court held that the censorship was unconstitutional, emphasizing that student journalists must be allowed to publish views that differ from those of school officials: “If the role of the press in a democratic society is to have any value, all journalists – including student journalists – must be allowed to publish viewpoints contrary to those of state authorities without intervention or censorship by the authorities themselves” (*id.* at 804). *Dean* is not binding in Nebraska, but it is a thoughtful and persuasive decision from a neighboring federal circuit, and its reasoning is highly relevant here.

The parallels to GEM’s censorship are striking. Like the student newspaper in *Dean*, GEM has functioned as a student-run publication, with editorial decisions made by students and guided by a faculty adviser – not administrators. The court in *Dean* placed significant weight on precisely this kind of longstanding practice, concluding that it created a **limited public forum** for student expression based on its patterns and practices. In such a forum, censorship is subject to far stricter scrutiny. Moreover, the court ruled that even if it had not concluded that the paper operated as a forum, the school’s censorship was unlawful – even under *Hazelwood* – as it was neither educationally reasonable nor viewpoint-neutral.

The facts provided by the student journalists at GEM strongly support the same conclusion here. Since the school’s opening in August 2023, GEM has consistently operated with editorial independence. Student editors select their own topics, assign stories, review content, and with input and guidance from the faculty adviser, make editorial decisions. The adviser serves as an editorial guide within the publication’s own process, not as an external authority imposing administrative control. Administrative involvement has been minimal and, importantly, not mandatory. That pattern suggests an intentional practice of allowing student journalists to exercise independent editorial judgment.



The students tell us that there was one prior instance of administrative intervention – a story removed based on safety concerns raised by a school resource officer – does not undermine this conclusion. In fact, it strengthens it. Courts, including in *Hazelwood* and *Dean*, recognize that schools may intervene in student speech when there are concrete, fact-based concerns related to safety or legality. A narrowly-tailored, safety-based removal is categorically different from viewpoint-based censorship of political expression. The former reflects a legitimate pedagogical concern grounded in student welfare; the latter reflects discomfort with the *content* of student expression.

Rather than establishing a pattern of control, the prior incident highlights the absence of such a pattern. It stands as an isolated, content-neutral intervention tied to a specific and possible safety issue. By contrast, the removal of the editorial cartoon here was based on its subject matter and perceived viewpoint – precisely the type of reasoning that courts have found impermissible.

As the students point out, the administration’s own actions further weaken its purposes. By suggesting that the cartoon could be published if accompanied by additional context, it implicitly acknowledged that the content itself was not inherently disruptive. This shifts the issue from one of educational necessity to one of editorial preference – an area that, under both journalistic norms and constitutional principles, belongs to student editors.

Moreover, the imposition of prior review following the cartoon’s removal represents a significant escalation. Prior review is widely recognized as one of the most restrictive forms of censorship, and a practice condemned by every national journalism education group in the country as the [wrong way to teach journalism](#). Its sudden implementation – without any supporting policy from the board – raises serious concerns about consistency and fairness. As the *Dean* court noted, the absence of clear guidelines or established standards often leads to arbitrary decision-making, undermining both educational goals and constitutional protections.

This brings us to perhaps the most critical issue identified by the students in their appeal: the absence of any district policy governing student media. Without a formal framework, decisions about student expression are left to individual administrators, applied inconsistently, and justified after the fact. This lack of structure is not sustainable – for students, media advisers, or administrators.

Adopting a clear student media policy, [such as the model proposed by our organization](#), would resolve these issues constructively. It would define roles, establish standards, and provide safeguards for all parties involved. Importantly, it would also align district practice with the board’s stated commitment to evidence-based decision-making and educational excellence. Similar protections have been adopted in [eighteen states](#), which have restored the rights and responsibilities of student



journalists. In these states and elsewhere across the nation, thousands of school districts have policies similar to our model policy, which is based on the U.S. Supreme Court’s decision in *Tinker v. Des Moines Independent Community School District*, 393 U.S. 503 (1969).

Ultimately, this case is about more than a single cartoon or publication decision. It is about whether students are trusted as participants in a democratic society. Student journalism is not merely an extracurricular activity; it is a practical application of critical thinking, ethical reasoning, and civic engagement. If the board hasn’t already taken a tour of a student newsroom in your district yet, this would be a prime opportunity to see what gifted and talented young minds can investigate, discuss, and create. When students are allowed to report on real issues, make editorial decisions, and – when necessary – challenge authority, they are not undermining the educational mission. They are fulfilling it.

The board now has an opportunity to affirm that principle. By granting the students’ request – which includes allowing republication of the editorial cartoon, ending prior review as a systemic practice, and adopting a formal, rights-affirming student media policy – you would not only resolve the immediate dispute, but also establish a lasting framework that benefits the entire district.

In doing so, Gretna Public Schools would show that it does not merely prepare students to participate in democracy – it trusts them to begin doing so now. We would welcome the opportunity to discuss this matter further with you and your colleagues. Thank you for your commitment to public service and to the student journalists of Gretna East Media.

With Respect,

A handwritten signature in blue ink, appearing to read "JGF", is positioned above the name of the sender.

Jonathan Gaston-Falk, Esq.
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