

Running head: ADMINISTRATORS AND THE COLLEGIATE PRESS

“Students Don’t Just Have Carte Blanche to do Whatever They Want”: A Qualitative
Investigation of Public College and University Administrators’ Perceptions on their Role as
Overseers of the Student Press After *Hosty v. Carter*

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INTRODUCTION

For more than four decades, courts have ruled almost unanimously in favor of public college and university students retaining the same Constitutional rights on campus as they do off campus. More specifically, because public institutions of higher education are considered an arm of the state (*Bazaar v. Fortune*, 1973), legal precedent has ensured that public post-secondary students working for the collegiate press are entitled to the freedoms of speech and press outlined in the First and Fourteenth Amendments (*Dickey v. Alabama State Board of Education*, 1967; *Korn v. Elkins*, 1970; *Channing Club v. Board of Regents of Texas Tech*, 1970).

Nonetheless, administrative censorship of the student press at public institutions of higher education continues. Furthermore, court rulings handed down in the last two years have put advocates of a free student press on edge. In *Hosty v. Carter* (2005), a circuit court applied to public colleges and universities in four states a landmark 1988 U.S. Supreme Court decision that granted public high school administrators the right to censor student media for almost any reason.

As a result, supporters of a free student press have become increasingly worried that administrators – those top-level officials to whom student media advisers report – at public institutions of higher education across the country may be emboldened to exercise authoritative control against student publications that report unflattering campus news and voice unpopular opinions.

Purpose of Study and Research Question

This study purposes to addresses the concern mentioned above by qualitatively exploring the attitudes that public college and university administrators have concerning the student press, and how they view their role as overseers of the campus press.

With that goal in mind, the investigator approaches his qualitative investigation with the following research question: How do public college and university administrators perceive the student press and their role as overseers of the student press?

Importance of the Study

Unquestionably, the rights guaranteed in the First Amendment – freedoms of religion, speech, press, assembly, and petition – are central to the democracy in which Americans live. Without these freedoms, citizens would be enslaved to their government and powerless to question those who administer over them. This nation’s forefathers certainly understood the importance of a free press, specifically. As Thomas Jefferson declared:

The basis of our governments being the opinion of the people, the very first object should be to keep that right; and were it left to me to decide whether we should have a government without newspapers or newspapers without a government, I should not hesitate a moment to prefer the latter (“The Papers of Thomas Jefferson,” 1953).

If higher education is to train students adequately for citizenship in a democracy, it must uphold the principles that help define a democracy. One wonders what the democracy would look like in future generations if the Higher Learning embraces the teaching of censorship and administrative control of student speech.

By implementing prior restraint on the campus press, colleges and universities teach students that censorship is acceptable; by demanding prior review of the campus press, colleges and universities teach students to self-censor. Neither teaching is beneficial to a democratic society of citizens who depend on free-flowing information and ideas to make educated decisions regarding their government and personal lives.

Therefore, research that explores administrators’ perspectives on the student press and their role as overseers of the student press is important to a number of stakeholders, including student and professional journalists, student media advisers, journalism faculty members, and administrators. But it’s also important to democratic citizens generally.

SIGNIFICANCE OF THE RESEARCH: A REVIEW OF CASE LAW AND RELATED LITERATURE

Case Law

Tinker v. Des Moines Independent Community School District

The most influential case regarding students' Constitutional rights in public educational institutions involved a high school, not a college or university. In *Tinker v. Des Moines Independent Community School District* (1969), the U.S. Supreme Court set the standard for future cases concerning student freedom of speech and press rights (Kopenhaver & Click, 2001).

The case involved students who were expelled from school for wearing black armbands in protest of the Vietnam War. School officials claimed the armbands were a violation of a specific dress code, and that afforded them the right to discipline the students. Parents of some of the students sued, and after years of appeals the U.S. Supreme Court in 1969 ruled in favor of the plaintiffs, declaring students do not "shed their constitutional rights to freedom of speech or expression at the schoolhouse gate" (*Tinker v. Des Moines Independent Community School, 1969*).

The court said it is unconstitutional for school officials to censor students' voices unless they can show that the expression (1) would result in a material and substantial disruption of normal school activities or (2) invades the rights of others (*Tinker v. Des Moines Independent Community School District, 1969*).

This ruling provided public high school and post-secondary students legal right to express themselves on campus without fear of administrative censorship. Even though the ruling did not mention the student press directly, traditional interpretations concluded that campus media also gained protection under *Tinker*. According to the U.S. Supreme Court in *Tinker v. Des Moines Independent Community School District*, as long as student expression in student media was not substantially disruptive or otherwise illegal (invasive one's privacy, libelous, or obscene), schools could not censor the student press or discipline its members simply because the content in question was controversial or critical of the school.

Hazelwood School District v. Kuhlmeier

Almost 20 years after the *Tinker v. Des Moines Independent Community School District* decision, advocates of a free student press in public high schools lost ground in *Hazelwood School District v. Kuhlmeier* (1988). The case, which eventually made it to the U.S. Supreme Court, involved the 1982-1983 student newspaper staff at Hazelwood East High School in Missouri, which intended to print articles concerning divorce and teenage pregnancy. The school's principal disapproved of two stories and deleted them from the issue prior to publication without the student journalists' knowledge.

Members of the student newspaper staff sued the school district on grounds that their First Amendment rights were violated. The *Hazelwood* case made its way to the U.S. Supreme Court, which, in a surprising ruling, deviated from the precedent set in 1969's *Tinker* case. The court ruled that high school-sponsored student publications that are produced as part of a class without "policy or procedure" can be censored by administrators if (1) there is legitimate educational rationale, (2) the censorship is viewpoint neutral, and/or (3) the publication was not intended by the sponsoring school to be a public forum (*Hazelwood School District v. Kuhlmeier*, 1988).

Summarily, in *Hazelwood* the Supreme Court ruled that high school administrators may censor student media for reasons other than what is defined under the *Tinker* decision. At the same time, the court made it clear that school officials may not censor content, terminate student editors, or withdraw financial support over disagreements in viewpoint if the newspaper is legally considered a "forum for student expression" or a "public forum."

Either way, *Hazelwood* involved a high school, and the U.S. Supreme Court's decision was not considered to apply to public colleges and universities – that is, until a 1997 lower court ruling in *Kincaid v. Gibson*.

Kincaid v. Gibson

Charles Kincaid, a Kentucky State University student, and Capri Coffey, an alumna of the university who had served as the school's yearbook editor, sued the university for confiscating all 1992-1994 yearbooks and refusing to distribute them among the student body. KSU administrators claimed the publication was unsatisfactory in its quality and presentation (*Kincaid v. Gibson*, 1999).

The students' suit claimed, among other offenses, violation of their First and Fourteenth Amendment rights and their contractual rights, as they paid the university a student activity fee that guaranteed them a yearbook. However, a U.S. District Court in 1999 favored the school officials, citing *Hazelwood* and effectively deciding yearbooks are not a public forum, and, therefore, the students' rights were not violated (*Kincaid v. Gibson*, 1999).

The plaintiffs appealed, and in 2001 the U.S. Sixth Circuit Court of Appeals ruled in favor of the plaintiffs, saying that (1) the yearbook was a limited public forum for First Amendment purposes; (2) university officials did not impose reasonable time, place, and manner restriction upon speech in limited public forum by confiscating all copies of yearbook; (3) the *Hazelwood* case did not apply; and (4) the officials' conduct violated the First Amendment, even if yearbook was not considered public forum (*Kincaid v. Gibson*, 2001).

As a result of this ruling, the idea that *Hazelwood* was applicable only to high schools was reinforced. Yet, just two years later, another legal battle emerged that would constitute a step backward for advocates of a free collegiate press.

Hosty v. Carter

In *Hosty v. Carter* (2003), editors of the student newspaper at Governors State University filed suit against the institution and its dean of student affairs and services, Patricia Carter, who ordered the newspaper's printer not to print any copies of a certain issue of the publication until school officials could review it. The paper had printed in previous issues comments critical of the school's administration.

In its defense, the school argued the *Hazelwood* case and the fact that it provided funding for the student paper and requested summary judgment on the students' claims. However, in 2003 a three-judge panel of the court of appeals and the federal district court refused to dismiss the case against Carter, citing 20 years' worth of court precedent and reemphasizing that public college and university administrators may censor the student press only when the material in question is illegal or when officials can prove some "significant and imminent physical disruption of the campus will result from the publication's content" (*Hosty v. Carter*, 2003). The Illinois attorney general's office immediately asked the entire Seventh Circuit Court to reconsider the case.

Much to the surprise of free collegiate press advocates, the 11-judge panel agreed. In June 2005, the Seventh Circuit Court contradicted almost all other previous court decisions concerning public college and university students' free speech rights and reversed the lower court's decision. The Seventh Circuit Court dismissed the suit against Carter, saying *Hazelwood* can apply to public institutions of higher education (*Hosty v. Carter*, 2005).

In September 2005, the students petitioned the U.S. Supreme Court to hear the case. However, in February 2006 the high court rejected the students' plea, allowing the Seventh Circuit Court's decision to stand ("Supreme Court announces," 2006). The Supreme Court's decision not to hear the case effectively extends censoring authority originally granted only to high school officials under *Hazelwood* to higher education administrators – a new precedent that undoubtedly will be cited in future court decisions involving censorship of the collegiate press.

Review of Related Research

Few studies have examined the perceptions that public college and university administrators have of the student press. Bert's (1951) qualitative research, which included interviews with higher education administrators about campus newspapers, provided insightful data concerning how much control of the student press the administrators expected to have. Included in Bert's (1951) report were the following quotations from administrators (p. 62):

“The university bears the same relation to the school paper as the owner does in a privately owned newspaper...”

“Since the university collects an activity fee from every student ... it therefore follows logically that the university should participate in the formulation of the publication policies...”

“The college newspaper is operated as an educational project, an educational process in which the more mature persons, the professors, counsel with the younger, the students...”

Jasinski (1994) also qualitatively investigated administrators' perceptions of the student press in his study, which compared four institutions of higher education and their administrative representatives, and how each views campus newspapers. Jasinski's (1994) inquiry revealed six themes that helped describe the attitudes of administrators concerning the campus press: (1) role of the newspaper; (2) authority and responsibility; (3) administration-newspaper relationship; (4) administrator problems with newspapers; (5) legal and ethical dimensions; (5) and adviser guidance. Similar to Gibbs (1970), Jasinski (1994) concluded that the entire academic community, students included, should be educated about how the campus press sees itself.

Additionally, a number of quantitative studies exist that analyze administrators' perspectives on the campus press. Watts and Wernsman (1996) surveyed administrators at randomly selected institutions accredited by the Association for Education in Journalism and Mass Communication (AEJMC) in an effort to determine the administrators' attitudes on being used as sources for the student press. The study's results highlighted a slightly favorable opinion of the campus media.

Their survey research found administrators rated the overall quality of the student press as “neutral,” which the researchers defined as neither good nor bad. The study also reported that the administrators gave an “above average” rating to student reporters' objectivity and ability to ask pertinent questions during interviews. The surveyed administrators gave an “average” rating to student journalists for their knowledge of the subject area and overall preparedness. The administrators reported a “below average” rating for reporters' attempts to get post-publication reactions.

Other than the aforementioned studies, few have investigated administrators' perspectives on the collegiate press and their role as overseers of the campus press. That lack of research is somewhat surprising, especially considering the large number of studies that have examined high school administrators' attitudes concerning the control of the student press (Click, 1986; Click & Kopenhaver, 1990; Martinson, 1995; Martinson, 1998; Peterson, 1989; and Simpson, 1987).

Other than Bert's (1951) and Jasinski's (1994) studies, even fewer have qualitatively investigated administrators' perspectives on the collegiate press and their role as overseers of the campus press. Almost no qualitative inquiry into this subject has been published since the *Hosty* decision. As a result, it is the goal of this qualitative research to fill the gap that exists in the literature by analyzing postsecondary administrators' perceptions of the student press and their role as overseers of the campus press in a post-*Hosty* culture.

METHODOLOGY

The Qualitative Paradigm

An increasing number of scholars in the social sciences are seeing the merits of qualitative research (Treise, Taylor, & Wells, 1994). As a paradigm, "qualitative research is any systematic investigation that attempts to understand the meaning that things have for individuals from their own perspectives" (Taylor, 1994, p. 266). In qualitative research, no "Truth" exists. Instead, truth is relative, individualistic, and determined by the meanings people have assigned to things in the world around them – including objects, events, institutions, and even other human beings. These meanings, qualitative researchers believe, are developed through self-reflection and interactions with others – a principle known as symbolic interactionism (Taylor, 1994).

Simply put, qualitative researchers believe in a world of multiple realities; they understand that not everyone interprets and experiences the world in the same way. Therefore, qualitative research does not concern itself with the generalization of one truth (Lincoln & Guba, 1985). Instead, investigators who approach their research qualitatively are more interested in understanding the lived experiences of individuals in a specific context.

Indeed, “qualitative methods can be used to obtain the intricate details about phenomena such as feelings, thought processes, and emotions that are difficult to extract or learn about through more conventional research methods” (Strauss & Corbin, 1998; p. 11). In this present study, those “feelings, thought processes, and emotions” concern public college and university administrators’ perspectives on their roles as overseers of the student press in the contexts of the institutions where they are employed.

The Long Interview

As a qualitative method, long interviews allow researchers the opportunity to enter the everyday worlds of the participants and discover complex social connections, which provide insight into those worlds (“Listening to Consumers,” 2002). Accordingly, long interviews allow the researcher to become the instrument throughout the investigation.

Moreover, as McCracken (1988, p. 17) posits, “the purpose of the qualitative interview is not to discover how many, and what kinds of people share a certain characteristic. It is to gain access to the cultural categories and assumptions according to which one culture construes the world.” Indeed, research questions concerning “what” and “how” are best answered with qualitative methods (“A Qualitative View of the World,” 2002).

Qualitative researchers believe interviews are most effective when they are conducted in the natural setting (Taylor, 1994). In the natural setting, the participant is usually more comfortable, and the researcher is able to understand more completely the participant’s perceptions and assigned meanings. Therefore, the researcher conducted interviews in the participants’ offices. All the interviews, which the investigator conducted during a three-week period in the spring of 2007, lasted between an hour and an hour-and-a-half. An audio recorder was used during the interviews with the permission of the participants, and the researcher transcribed each of the interviews within two weeks of the meetings. A copy of the interview guide used during the sessions is included as an appendix to this report.

The qualitative paradigm and long interview method are appropriate for this study because they allow the researcher to explore attitudes, biases, and motives behind the phenomena investigated in this study that would be impossible to understand using quantitative methods. The participants in this study have a story to tell that will shed light on an important topic – freedom of the collegiate press. The qualitative paradigm and long interviews will allow those stories to be told and understood most effectively.

Participants

In this pilot study, the researcher interviewed three senior-level administrators who represent three types of public post-secondary institutions in the Southeast. Participant 1 (P1) serves as the senior associate vice president for student affairs at a medium-sized comprehensive university and has worked at the institution in student affairs for 24 years. Participant 2 (P2) holds the position of vice president for student affairs at a small community college, where he has served for approximately one year; although he had worked in administration at another institution for 12 years, P2 had not held a position in student affairs previously. Participant 3 (P3) is an associate dean of students at a large research university who has held the position for three years. Prior to his current position, P3 had not administered over the student press.

Coding process

This study follows the grounded theory tradition of qualitative research. In this tradition, the investigator purposes to develop a theory that is grounded in the data in an effort to understand social processes that are relevant and/or problematic for the participants.

Like all qualitative investigators, this researcher approached the three interviews with college and university administrators ignorantly. He assumed to know nothing about the perceptions of administrators on their role as overseers of the student press. As the method demands, data collection and analysis were conducted simultaneously. In other words, the researcher interpreted the information provided by the participants as he gathered it, which

allowed the investigator to explore questions and phenomena he had not considered prior to the interviews.

Once completed, the interview transcripts were examined line-by-line, and, consistent with the grounded theory tradition, the researcher implemented the “constant comparison” method (Glaser & Strauss, 1967). In this method of coding, grounded theorists employ a systematic comparison among a small unit of data and try to construct categories, properties, and dimensions (Langley, 1999). Throughout the interviews, numerous themes emerged from the data – and even more questions arose as the researcher analyzed and coded that data.

During the first stage of the coding process, the researcher openly coded the data and assigned gerunds to self-identified themes. Altogether, 32 themes were identified. In the second stage of the coding process, the researcher collapsed the 32 themes to fit into four broader categories that help answer the specific research question guiding this pilot study: How do public college and university administrators perceive their role as overseers of the student press?

These four categories include: (1) Understanding the purposes of the student press on their campuses, (2) Committing themselves to freedom of expression in principle, (3) Believing some situations necessitate their intervention, and (4) Knowing how to deal with controversies in the student press.

FINDINGS AND DISCUSSION

Descriptive Data

The three participants (all males) in this study each have responsibility for a student newspaper. The community college student newspaper publishes twice a semester; the newspaper at the comprehensive university publishes twice a week during the academic year; and the student newspaper at the research university publishes daily during the academic year. In addition to the campus newspaper, P3 also oversees a student-produced yearbook and a literary magazine. The medium-sized comprehensive and large research universities boasted student publications boards,

which are made up of students, faculty, and staff who create policy and procedural guidelines for the student press. P2 did not know if the student newspaper on his campus had official policies.

Each of the three institutions represented in this study employs at least one full-time student media adviser who serves on a daily basis as a resource to the student press and who answers to the administrators on whom this study focuses. The advisers at each of these institutions practice some sort of prior review of the student press, meaning they know, at least generally, the content of each issue before publication. According to P2, the adviser at the community college actually “acts as the editor” of the student newspaper.

As for financing the student press, the community college and comprehensive university allocate funds for their student newspapers through student activities fees. The research institution – although it provides office space and equipment to its campus newspaper staff – does not subsidize the campus paper; it expects the publication to pay for itself through advertising.

In the following pages, the investigator describes the four themes uncovered during the research that provide insight into the perceptions that college and university administrators have of their role as overseers of the student press.

Understanding the Purposes of the Student Press on their Campuses

Defining the purposes of the student press

It is clear that the participants believe an important part of their role is to understand the purpose of the student press on their respective campuses. Each of the participants emphasizes two primary functions of the student press: a laboratory for student learning and the dissemination of information.

P2: [The student newspaper] is a general campus information source...that is open to any of the departments on campus. [The newspaper] will record major events that had happened since the last publication. So they will cover Honors Day and any tournaments the athletic [teams] have been in. They may highlight a special student who may have been recognized. ... For those students interested in participating in a school newspaper, or possibly being a journalism major, it gives them the opportunity to hone their skill outside of class or be a participant in an activity outside of class.

P3: *Anybody who talks about doing events on this campus, they always talk about [getting coverage in the campus newspaper]. Given technology today, given Facebook, My Space and all that stuff, it still comes down to the newspaper in terms of getting the news or reading about it. And of course faculty and staff read it pretty regularly, too. ...it really is a laboratory. It's an opportunity for students to get in there and learn [the journalism] business to a degree, but make mistakes, learn from their mistakes.*

P1 also understands that one important function of the campus newspaper is to serve as an information source, and he laments the fact that the student staff uses the medium to promote their opinions more than report news:

P1: *I think the purpose of the publication is obviously to inform the students about current events, current activities on campus. But the way it usually plays out on a small campus like ours...a lot of the paper is opinion pieces. So, it allows students to write opinion pieces and get letters back from students. ... And the paper probably does more of that than they should and less hard reporting.*

Similarly, P2 and P3 understand and support the concept of the student press serving as an avenue for student expression, but they downplay the importance of that function. P2 minimizes the paper's role as a forum for student expression because of the transient nature of the community college and the fact that the newspaper only publishes twice a semester:

P2: *The first day that it comes out, you'll see people walking around reading it. But by and large, [it isn't] something people say, "Boy, did you read this? Did you see this?" or "We're going to react to this." So, they almost view it as an information source, too, as opposed to a place of expression. ... It's not the feel-good newspaper, but, again, it's much more of an information source as opposed to something looking to dig up controversy.*

Interestingly, the most important purpose of the student press, according to P3, has nothing to do with journalism. More than anything else, P3 believes the greatest function of the student press is the opportunity it affords students who are having difficulty involving themselves in other areas of campus life:

P3: *It is one of the areas on our campus...[where] students who are looking for a niche can go to and write and get involved... We have many students who come to us, or their parents come to us, and say, "My son or daughter is a freshman or sophomore, but they're not getting out there. They're not meeting people; they're not talking to people." Student publications is one of the areas that anybody can join at any time. You do not have to be a communications major – you can be an engineering major, you can be a business major. ... I think sometimes students will say, "I'm unhappy." But they're not getting out; they're not doing anything – other than staying in the residence hall rooms.*

So the [student press] is a great opportunity for them to meet other people. And then...that involvement snowballs.

Furthermore, P3 indicates that the campus newspaper's purpose ultimately needs to fit the mission of the university:

P3: [The student newspaper] represents the university to students, to faculty, to staff, to members of the community. That is a very important part of what we do. And if [the student publications'] reason for being, their mission, their goals didn't reflect the university's, then one might question the existence.

Identifying strengths and weaknesses of student press

Part of effectively defining the role of the student press includes the ability of the participants to identify the strengths and weaknesses of the student press on their campuses. P3 describes the strengths of the student press as those characteristics that promote a positive image of the institution:

P3: For example, [Participant refers to a make-believe campus newspaper headline accusing university president of cheating on his wife.] That is a tabloid kind of a thing. It does not fit, in my limited opinion, with what we are all about. [Participant reads actual headline from front page of recent campus newspaper issue that reports on annual event that "honors university's traditions and pride."] Now this is exactly what we are all about.

Additionally, P2 and P3 see their ability to use the media for university promotion – or even personal purposes – as a strength of the student press:

P2: I had [the student newspaper] print an article...I'm initiating trips to Europe each year, student trips, that are not necessarily like study abroad, but more like a 10-day situation. So I used [the newspaper] as a way of communicating to the students, "This is something we're going to offer; this is the time period, where to pick up information."

P3: For example, [the student newspaper] plays a big role in [a university-wide initiative that is part of the institution's assessment process]. The responsibility [the student press] has is fairly enormous in terms of reporting on certain events and advertising certain events.

Compared to P2 and P3, however, P1 describes much different potential strengths that he hopes the student press on his campus can exhibit. In this researcher's opinion, those potential strengths, which are discussed in the following quotation, reflect more of the ideal student-controlled press that is effectively serving its primary audience – students:

P1: *I would like a student newspaper that had a large staff who could...really attend all of these administrative meetings that...are open to the public, could really dig in on some stories that affect students... If they could really spend some time not only just providing the information that was being sent out by the president's office, but really working that story, talking to lots of students, maybe taking their own poll... The reporting is the weak link right now. And, so, my ideal paper would be one that was funded and staffed to the point were they could really do insightful reporting about what's going on on the campus. That would make my life more difficult – I mean, if somebody was really following me around and every time I turned around I was getting a phone call from the student newspaper about some decision. But nevertheless, I think that would be [beneficial]...*

Defining the role of the adviser

In addition to articulating the purpose of the student press, the participants recognize the need to understand clearly the student press adviser's role on their campuses. P1 says the adviser on his campus is “not the long arm of the administration,” but she should be aware of what is going on in the student press:

P1: *The adviser is not the final arbitrator of what goes in the paper, does not censor the stories, cautions when there are some things that may not fit the professional standard of journalism, expresses her opinion, but it's not the final opinion; it's finally the paper. And she's very adamant about saying these students are finally responsible for what's in there, and if they get flak, the flak goes to them, it doesn't go to the adviser. And they have to deal with it. ... The adviser is there to advise, to mentor the students, to ask the right questions, to be there when the paper is being produced, to answer questions from the student staff.*

Moreover, P1 compared the adviser who works under him to an adviser at another institution. Certainly, P1 favors the situation at his university because the adviser who answers to him is much more conscious of what the student press is doing and can more effectively serve as a resource for the students:

P1: *I'm familiar with students' advisers that aren't even on the scene when the paper is produced. I don't even know what the heck they do at [specific university] because I was told at [specific university] ... the students rule the roost, and that [the adviser] basically... I don't know what she does. She's the stated adviser for the publication, but she's not there when it's being published. In fact, she's basically told you gotta stand aside when we're actually doing the final work up on the paper.*

As mentioned earlier, the adviser at the community college essentially serves as the campus newspaper's editor. As a result, P2 views the adviser as one who ensures the student publication is completed on deadline – even if that means doing it herself:

P2: *As much as anything, what she ends up doing is seeing the work gets completed, and it's done in a timely manner and is published. I'm not talking about person maturity, but in some aspects, job maturity, responsibility maturity, and all of that, this is just part of that growing process, particularly for that 18, 19, 20 year-old. [She teaches them] this is what a deadline means, and...they're coming back, "Well, I had homework; I had a test yesterday." And so staying on track, encouraging where to go find articles – you know, things to solicit.*

Committing Themselves to Freedom of Expression in Principle

In addition to seeing the need to clearly define the purposes of the student press on their campuses, the participants also perceive that supporting freedom of expression – at least in principle – is crucial to their role as overseers of the student press. P1 and P3, specifically, defend the university environment as a place where freedom of expression should be promoted in every form:

P1: *You've got to remember where we are and who we are. We're an educational institution, and we are a forum for the free expression of ideas – more so than, I think, any other institution in the land. My basic stance is, we're going to take the good with the bad, and we're going to allow free expression to take place, and the best anecdote to bad stuff is more discussion.*

P3: *[Freedom of expression] is one of the tenants of the university community. It is one of the tenants that we abide by. ... It is very important to us...for a number of reasons. Students learn from their experiences with us. So when they go into society, [freedom of expression] is one of the tenants of society. I like working at a public institution, and I like working at large institutions. Smaller or different institutions, private institutions, may have a different philosophy. But [the freedom of expression] is just something that we fully believe in and fully support.*

More specifically, all three participants voice support for a free student press. For example, P2 states:

P2: *I do not administer over the [student newspaper]. We do not say, "This is inappropriate." ... If there was an administrative voice [saying], "Hey we're not going to criticize this group; we're going to do this," and realizing that our current college exists in a predominately Republican section of the state... I don't look to, nor does [the adviser], to inhibit and say, "Well, you know...the Governor may not like this, and keep in mind he's a Democrat." Any interference from administration could only create problems and take away a voice.*

Because the participants are self-proclaimed advocates of a free student press, they understand the benefits for all stakeholders in distancing the student press from the administration. This distance, according to the participants, helps deter administrative

interference and protects the institution to some degree from controversy. P1 argues, “*The paper, for all intents and purposes, is not a...mouthpiece for the university. It’s a freestanding student publication. It’s a student paper; it’s a free press, and we guard that carefully.*” Likewise, P3 posits:

P3: Day to day, the buck stops with the students who run the newspaper. The staff guides them, the staff advises them, but it really is with the students. Their [nameplate] says, “[Name of campus newspaper], the editorially independent student newspaper of the [name of university].”

Believing Some Situations Necessitate their Intervention

Although the participants voice support for a free campus press, this backing seemingly is conditional, as the participants are quick to identify situations where their intervention into the student media’s decision-making process is necessary.

Being aware of potentially controversial content

First and foremost, P3 stresses the importance of knowing in advance to publication any content in the campus newspaper that could be controversial. Obviously, he trusts the student media advisers who work under him for this information:

P3: Nobody likes to be surprised about anything, and the higher up the chain here, no one really likes to be surprised. If anything, there is a bit of a proactive kind of a thing. For example, if the headline in tomorrow’s [campus newspaper] was going to be, “University president cheats on wife.” I want to know about that headline...so I can let my boss know before the headline runs. At that same time, if someone were to say, “You don’t necessarily need to know that,” I’d say, “Yes I do.” I do need to know that. Again, I’m not limiting. I’m not censoring. I’m not doing anything, but there is just a way of doing things. But again, if [an] editorial would [argue], “[specific university president] is the worst there’s ever been...” Maybe if you are calling somebody out by name, the least you can do is to let me know, so I can let them know. “Hey, Chancellor, your name is going to be used in an editorial. I just want you to know.” Nobody likes to be surprised.

Disrespecting others

Along with wanting to be privy to potentially controversial material before publication in the newspaper, P2 and P3 argue that they have the responsibility to stifle speech in the campus press that disrespects others. While they gave several examples of disrespectful speech, this

concept obviously is subject to interpretation and could lead to conflict between the administration and the campus press. Nonetheless, they opine:

P2: If someone is being inconsiderate or disrespectful of another, I just couldn't tolerate it. [For example], "We don't need 63 countries here," or, "I don't like Hispanics," or, "I don't like the way the black students or young people wear their pants," or something like that. I would not let an article go out [and] would discourage the adviser from anything that would be disrespectful to another person.

P3: If in an editorial or a column, a student was going to speak negatively or ill about a university administrator by name, or a student by name, then I think you meet with them. I think you say, "Do you really want to do this?" For example, if an editorial was criticizing the president for something. I think there are always ways to get points across. I think you could be critical of policies, of procedures. But if [the writer] was to say, "[President's name] did this..." It is always important to review with students if somebody could get hurt personally by something. ... So I think, again, it gets down to how we treat each other and how we work together, those sorts of things.

Maybe even more alarming to advocates of a free campus press are P2's and P3's comments that support administrative intervention in the student press when its content threatens to reflect poorly on the university:

P2: The only other [reason to intervene in the student press decision-making process] would be something that...would damage the college in the public's perception that is maybe a personal gripe and not an issue of the college. ... I [wouldn't want to] see anything that would be damaging to the institution that is much more of a personal gripe as opposed to something that's an issue.

P3: Students don't just have carte blanche to do whatever they want. [The newspaper] is a reflection of the [university]. It is a reflection, and we certainly work towards [supporting] the ideals and all that. ... We want our publication to reflect the university, to certainly abide by and go by any federal, state, constitutional, all those kind of things. We believe in the freedom of expression, we really do. But, you know, students will say anything.

While the situations that P2 and P3 define as meriting administrative intervention into the student press decision-making process are vague and subjective, P1's description of when it is appropriate to become involved is at least more standardized. P1 posits that if the student press deviates from the guidelines set forth by the campus publications board, his involvement would be justified: *"I think we would come down pretty hard if we were faced with something being published that was obviously against the guidelines. That's kind of a no-no."*

Expressing their opinions about "bigger" topics

Even if the participants don't exercise control over the student press, they certainly believe part of their administrative role includes offering their opinions to the advisers and members of the student press on "important issues," such as controversial material and budgetary items. P1 described an incident when he became aware of a "suggestive" advertisement that the campus newspaper staff had planned to run on a regular basis. Again, the following quotation demonstrates P1's reliance on the campus publications board guidelines as a standard for his involvement in the student press decision-making process.

P1: It was a full-page ad [for an apartment complex] in color, and it showed a couple underneath some blankets, and all you could see were the feet. But the feet were kind intertwined under the blanket. ... It said something to the effect of, "If you want your freedom, live [at specific apartments]" – or something like that – as opposed to living on campus. That caught my eye, and I said, "Well, I don't know if this passes mustard; let me talk to the adviser." So I pick up the phone, call the adviser and say, "Look, this thing is obviously in bad taste. I don't know whether it fits the guidelines or not, but I want you to take it up with your people. She takes it up with the editorial people ... they make the decision to pull the ad. We lost a contract with that complex of about \$15,000. ... But there was an instance where [the adviser] was asked to review it with her student staff, and they made the call. They said, "Bader's right; this thing crosses the line."

Like P1, P3 states that the student press and its advisers ask for his advice concerning advertising issues. Additionally, P3 wants to have a say in "bigger" budget decisions concerning the student press:

P3: [The types of issues about which the student press seeks my advice] really ranges...from budgetary expenditures, "We're thinking of doing this, what do you think?" Things that I don't get into with them are the story ideas because that really is for them; hiring personnel, interviewing people. There might be some advertising where they're trying to decide if so and so should run an ad or not ... so it's the bigger picture kind of things...bigger cost items, like for example, if they were to redo their computer system – that's hundreds of thousands of dollars – and how do we make that work. Those kinds of things.

Knowing How to Deal with Controversies in the Student Press

The final theme that emerged from the data indicates that the administrators in this study believe part of their role as overseers of the student press includes knowing how to handle volatile situations that arise in campus media. As discussed earlier, P1 and P3 regularly lean on the policies and guidelines that their respective campus publications boards have created when facing

controversy. However, the participants consistently mention other resources to which they look for support.

Depending on student press advisers

Unquestionably, the participants rely on their student press advisers to avert controversy, properly mentor the students, and stay abreast of state and national legal cases that affect campus media. Indeed, the three participants mostly are unaware of student press law issues. The participants also use the advisers as intermediaries between themselves (the administration) and the students. P1 recounts an incident when a concerned student approached him after a member of the student press interviewed her under “false pretenses” about a controversial campus issue. P1 depended on the adviser to settle the situation:

P1: This woman calls me up, she's a senator in the student government, she says, "...I'm very concerned. I had a call from [a student], and he described himself as a concerned student, and he asked me all kinds of questions about my take on this [controversial issue] because...I'm fairly outspoken on the senate." And she said, "Come to find out, he's on the [campus newspaper] staff, [and] I don't want my comments printed because he didn't identify himself as a reporter, and that's unethical." I said, "Let me check into it." So, this is very typical, I pick up the phone, I call the adviser, and I say, "Look, [student reporter] called this senator, she's very concerned that this call was made under false pretenses. Please look into it." She looks into it. The guy says, "No, I called her strictly because I was interested as a student. I had no intent on publishing this story. Now whether that's true or not, we'll find out. But [the adviser] will ride herd on it just to make sure that what he said and what comes out in any subsequent stories about the [controversial] issue will line up.

Along the same lines, P2 states that if the adviser made him aware of an article that was “totally off base and inaccurate,” he would “ask [the adviser] to ask the author, ‘Did you realize this? ... Do you realize that wherever your coming from here, you’re not in the ballpark? You’re taking a stand that’s going to make you look bad.’” Moreover, P3 reemphasizes the importance of the adviser knowing what’s going on in the student press. In fact, P3 clearly relies on his subordinates to be actively involved in order to avoid problems in the student press:

P3: We trust their abilities. They are in the front line with students, literally. ... [The adviser] and the editors will know about issues and articles. I don't know if she sees...the final version...she doesn't proof per se for misspelled words or anything like that. But she and [the assistant advisers] will look at stuff. They are very involved with their students. So, I know that. I called her this morning, and she was in a meeting with the editor about

something. So they talk and meet daily... So it is a very involved relationship. ... It makes [me] feel more comfortable. It is good to know that she knows what is going on.

Needing support from supervising administrators and colleagues

Besides trusting their advisers to help them deal with problematic issues in the student press, the participants express a need to have their supervisors back them as they work with and administer over the student press. This is especially important since the participants are (at least self-proclaimed) advocates for a free campus press:

P1: I've gotten good support from the president when we've had some controversy. I had...a previous president, comment to me one day, "The paper is really anti-administration." I said, "Well, I guess from your vantage point, Mr. President, I can see [what you mean]. But remember who these people are; these are young kids...they're kind of out there learning." He said, "I'm not telling you to do anything." I was like, "Shwooo!" [Pretends to wipe sweat from forehead]. He said, "I'm just making a comment. I think they're anti-administration." He said, "There's nothing that we can do that doesn't seem to get some kind of critical comment from the paper." I said, "Well, so be it." ... I mean, we've got our controversies, but thank goodness we haven't had the president coming down on us or some Board of Regent guy coming down on us saying, "This is terrible; you've got to stop this." We haven't had that. So, we've been fortunate.

Certainly, P3 would dread his responsibilities relative to the student press if he felt pressure from his superiors to more tightly control the campus newspaper. However, he said communication is imperative – dialogue between himself, his supervising administrators, the student press, and the adviser would lead to a resolution if conflict ever did rise to that level:

P3: I've never had my boss, or my boss's boss, or his boss call and say, "You need to do something about this." I've never had anybody say, "This upset me, so you need to do something about it." ... [That pressure] would make my job a lot...more difficult than it already is. I think upper administrators know that.

Reflecting on previous incidents involving free speech and press issues

All of the participants discussed controversy that has arisen on their campuses – in the student press or in another form – with which they have been involved. As a result, the administrators apparently reflect on these experiences when considering how to deal with potentially volatile circumstances in the student press. P2, particularly, approaches his responsibilities relative to the student press tainted by encounters he had with professional media as a former administrator at another community college:

P2: *[When I was an administrator at another institution], we were undergoing lawsuits... So I was dealing with television, newspaper, and all this all the time. And as much as I would seek to answer the question, my number one priority was to maintain the positive appearance of the college and to not have students feel like there was a problem at the college that could affect them because all this was administrative issues – faculty versus administration that was not affecting the students. ... And the media there probably cost the college 2, 3, 4 million dollars in public donations because of the perceptions of the newspaper writers' thoughts about what was happening on campus. ... The news writer that was covering the situations at the college, [it] was like there was an intent to be a Woodward or a Bernstein, and we're going to uncover something that really nobody cared about. But you paint a big enough story... So the way this lowly reporter was going to move up the ladder and get anything to the front page or whatever is to make it a significant issue.*

More than likely, P2's aforementioned experience with the professional press has prompted him to attempt to squelch potential controversy before it reaches the pages of the campus newspaper by proactively meeting with interested parties. In other words, P2 believes part of knowing how to deal with potential controversy in the campus press is to nip it in the bud:

P2: *I would rather myself meet with student government leaders or whatever on a regular basis and say, "What are the issues?" as opposed to it appearing in the newspaper for students to say, "Golly, I didn't know that was going on. We've got problems! And I never even knew it!" and creating a grapevine, per se, of possibly even misinformation. And particularly with as spread out of a time period as [our newspaper] is, the grapevine would be a lot more damaging by the time you wait to give an answer the second half of the semester, on a two-newspaper [per semester] basis.*

Furthermore, if controversial content does appear on campus, P2's previous negative experience with the professional press has emboldened him to use the campus newspaper as an avenue to put out fires. In fact, P2 states that he wants an opportunity to respond publicly to any article that highlights on-campus problems:

P2: *I have no problem with reporting crime statistics. If a rape or a robbery occurs, it happened. We don't hide it. But by the same token, I'd probably add, this is one in the last 35 years; it was an isolated incident; we have security...so, I would want the opportunity to respond.*

P2 also discusses a letter the campus newspaper received criticizing the college's failure to follow flag protocol when hanging in one of its buildings 64 flags in honor of the countries represented on campus:

P2: *A student had sent a letter to the editor [to the newspaper] saying that...they supported the idea of the international flags, but we had broke flag protocol – that no*

flag was supposed to be above another. ... About the time this project was 80% finished, we realized that that was a rule. It says, "One flag cannot fly above another in times of peace." Well, they were not on a flagpole as in United Nations or something like that. ... We didn't want to be offensive to anyone. Before the letter, [the change] was already in progress... So, I told [the newspaper staff] to go ahead and print the letter. But then I also responded [in a letter to the editor] because we were [going to fix the flag problem]...it was not in reaction to the letter... So, they ran both [letters].

Handling concerned individuals

Finally, when the participants deal with individuals who are upset about something that has appeared in the campus press, they implement several strategies that have helped resolve the situation. P1, for example, reminds those who have voiced complaints that the campus press is "not a mouthpiece for the university" and often refers them to the campus publications board, which makes policies for the student press:

P1: My response, uniformly, is that it's a free press; it's a student publication for a student audience. If they have some concerns, I'd be happy to communicate those to the adviser and to the publications board who will review the complaint. But it's not, "Oh, listen, I'll take care of it." That kind of stuff. I think that at the point where you take a position like that, people probably are not always satisfied. But I think they need to understand this is not a mouthpiece for the administration or the alumni office, or whoever.

P3 says he is honest with angered individuals and often agrees with their concerns; however, he reminds them that the press is independent from the university, and it is run and funded by the students. He also apparently downplays some controversy, chalking it up to student inexperience:

P3: Typically we will agree with [those who complain], but say, again, "This is an experience for [the students], and they get to do it." ... You just handle [the complaints] honestly. For example, [P3 cites specific controversy involving his university's football coach who was portrayed in the campus newspaper as a religious figure.], we got calls about that. "How in the world did you let this happen? What are we doing?" Quite honestly, it was the most innocent thing. You just have to find out the information. The students were taking off on the fact that many people say that football is a religion around here. And that is all they were trying to play off on. It did rub some folks the wrong way. So, you just be honest with people and share information.

CONCLUSION

In this pilot study, the researcher found that administrators at public institutions of higher education perceive their role as overseers of the student press as including four important aspects:

(1) Understanding the purposes of the student press on their campuses, (2) Committing themselves to freedom of expression in principle, (3) Believing some situations necessitate their intervention, and (4) Knowing how to deal with controversies in the student press.

The community college administrator was least likely to support student press freedom. As mentioned earlier, his negative experiences with the professional press may play a part in that phenomenon. However, his leaning toward more administrative control of the student press may also have to do with his limited experience working in student affairs, as he has served in his current position for just one year. Additionally, the small campus on which he works may also influence his perspectives. Unquestionably, the role of the student press on a community college campus is much different than in a four-year university setting. In future studies that examine public post-secondary administrators' perceptions of the student press, this researcher recommends that only representatives of four-year institutions be analyzed.

While P2 was much less likely to support a free campus press, the measures of control P3 favored were surprising. The researcher approached this study expecting the large research institution to be the strongest advocate of a free press. Nonetheless, of the three participants, the comments of the administrator at the medium-sized comprehensive university demonstrate the most support for a free press. Again, P1 has worked in student affairs for more than 20 years, so his advocacy for less administrative control may be a result of his tenure working with students.

Moreover, P2 also knew the most about student press law. In fact, he was the only participant aware of the *Hosty v. Carter* decision and its potential ramifications on the public collegiate press. It seems that more knowledge about the rights of students – and the student press, specifically – is crucial for administrators who oversee student affairs and similar areas. This knowledge certainly could lead to the avoidance of unwanted censorship incidents that hurt students and shed a negative light on institutions of higher learning.

It is apparent to this researcher that student publications boards are extremely valuable to the student press and administrators at colleges and universities. While all three participants

highlighted circumstances that would necessitate their intervention into the student press decision-making process, P1 demonstrated the most sensible thought process. Essentially, he supported administrative interference only when the student press violated policies set by the university's publications board. Following this principle disallows an administrator from making subjective and inconsistent decisions concerning the censorship of the student press. Indeed, holding the campus press accountable to the agreed-upon standards set forth by the publications board lessens the pressure on administrators who oversee the student media and ensures the student press independence as long as they work within those agreed-upon parameters.

One of the conclusions of this research highlights the paradox that exists in the minds of public college and university administrators: On one hand, they are adamant supporters of students' free speech and expression rights. On the other hand, they are quick to qualify those statements of support with examples of incidents that demand their stifling of student expression. Certainly, the freedom of the campus press comes with responsibility. Not all speech in the campus press is acceptable – speech that libels or invades one's privacy is illegal and should not appear in the campus newspaper, for example. However, when administrators determine, as P1 and P2 did in this pilot study, that the campus press should not print material that is “disrespectful” to someone else or that would be “damaging to the institution” – two concepts that are incredibly subjective – the free collegiate press is threatened.

In conclusion, the results of this qualitative pilot study should serve both to calm and reinforce the fears that advocates of a free student press have in light of the *Hosty v. Carter* decision. At least in principle, the participants in this investigation verbally support a free campus press. Moreover, they all exhibit strong working relationships with the student media advisers on their campuses, which certainly means dialogue is taking place between the administration and the student press. Nonetheless, administrative censorship of speech in the student press that is neither illegal nor substantially disruptive remains an acceptable option for at least two of the participants in this study.

Appendix – Interview Guide

Personal information

What's your role at ETSU relative to student press?

Describe the purpose of student media as you see it.

Share your philosophies of management relative to student media.

Tell me about your opinions on censorship.

Tell me about incidents with which you have been involved as an administrator where censorship of the student press was considered.

Tell me about pressures you may feel concerning the censoring of the student press?

How does the law affect decisions you make concerning censorship of the student press?

Do you ever seek counsel from others concerning matters involving student press?

Describe the idea situation concerning the student press at your institution.

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